PG&E Proposed 406 Pipeline
Hungry Hollow, Yolo County Part
Protected Species

Date: 7/16/2007

Field Office: WOODLAND SERVICE CENTER

Agency: USDA Natural Resources Conservation Service

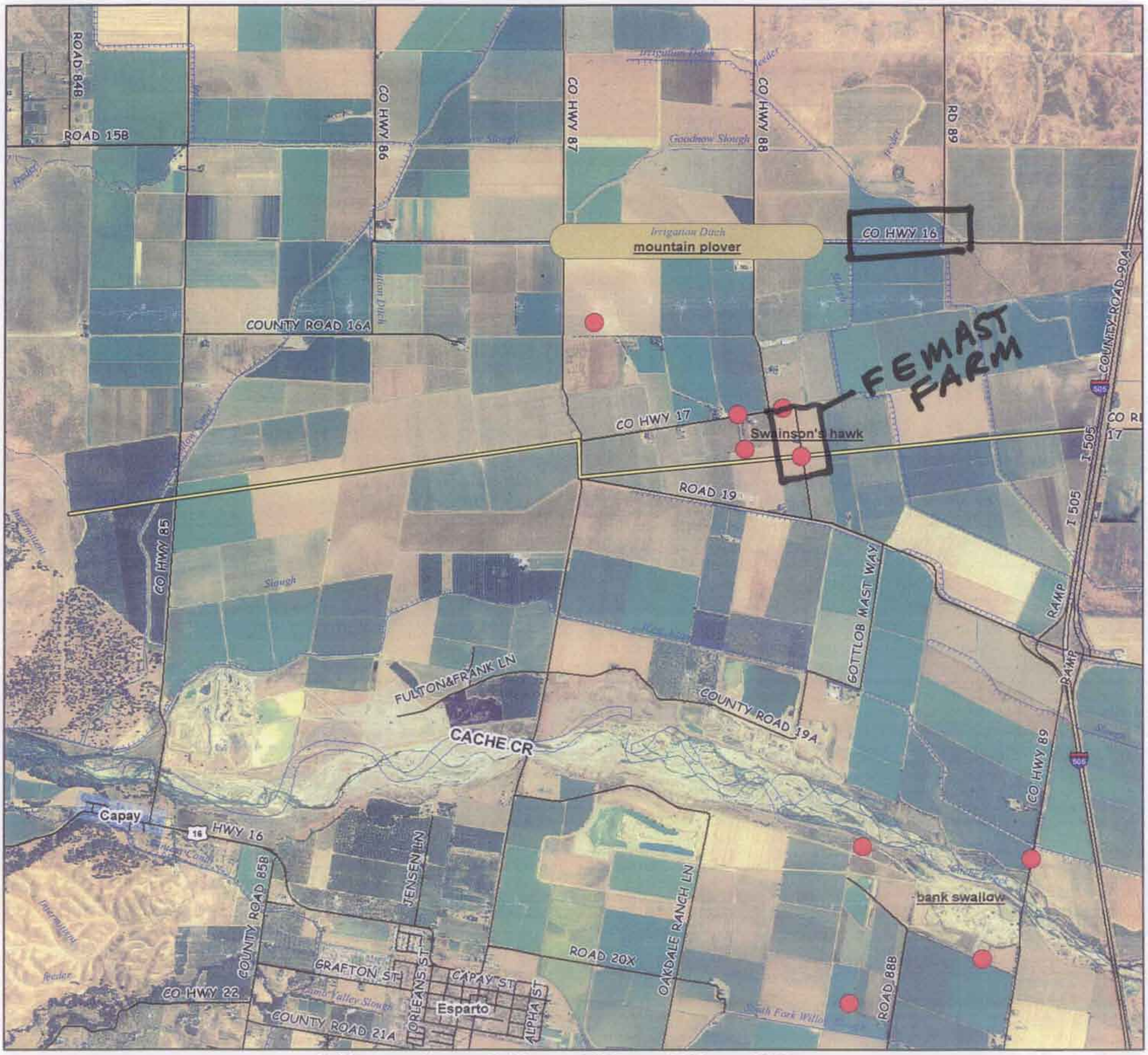
Assisted By: PHIL HOGAN

State and County: CA, YOLO

District: YOLO COUNTY RESOURCE CONSERVATION DISTRICT

Approximate Acres: 34

SOURCE: California Natural Diversity Database
California Department of Fish and Game



Legend

- Buffer_of_Line_406_S__Alt__(Hungry_Hollow_Part)_-_29,765_ft_(34 acres)
- Line 406 S. Alt. (Hungry Hollow Part) - 29,765 ft.
- Canals
- Intermittent Streams
- Perennial Streams
- Roads

Protected Species

CNAME

- Swainson's hawk
- mountain plover

Unincorporated Towns

Town

- Capay
- Esparto

N

NRCS Natural Resources Conservation Service

SWAINSON'S HAWK

FEATHER RIVER AIR QUALITY MANAGEMENT DISTRICT

Serving Sutter and Yuba Counties

938 14th Street
Marysville, CA 95901
(530) **634-7659**
FAX (530) **634-7660**
www.fraqmd.org

David A. Valler, Jr.
Air Pollution Control Officer

June 12, 2009

Crystal Spurr, Project Manager
California State Lands Commission
100 Howe Avenue, Suite 100-South
Sacramento, CA 95825
Email: spurrc@slc.ca.gov

RE: DRAFT ENVIRONMENTAL IMPACT REPORT (DEIR) PACIFIC GAS AND ELECTRIC COMPANY (PG&E) LINE 406-407 NATURAL GAS PIPELINE.

Dear Ms. Spurr,

The Feather River Air Quality Management District (District) appreciates the opportunity to review and comment on the above referenced project. The District commends the commitment made in the DEIR to mitigate the impact to air quality to a less than significant level by using both on-site and off-site measures. The District shall assist the proponent in incorporating all feasible on-site mitigation measures and in determining the amount of off-site mitigation required to fulfill this commitment.

The emissions calculated for the sections 407E, DFM, and 407W provided in Tables 4.3-6, 4.3-7, and 4.3-8 report emissions for the each portion of the project and are not county specific. The District recommends that county specific emissions are calculated due to the differing Significance Thresholds between the four counties.

District staff are available to assist the Lead Agency and Project Proponent as needed. Please contact me at (530) 634-7659 ext 210 for assistance.

Sincerely,

Sondra Andersson
Air Quality Planner

Enclosures: None

File: Chron

SACRAMENTO METROPOLITAN
AIR QUALITY
MANAGEMENT DISTRICT

Larry Greene
AIR POLLUTION CONTROL OFFICER

June 12, 2009

Crystal Spurr, Project Manager
California State Lands Commission
100 Howe Avenue, Suite 100 South
Sacramento CA, 95825
spurrc@slc.ca.gov

Subject: Draft Environmental Impact Report for PG&E Line 406/407 Natural Gas Pipeline Project (SAC200901335)

Dear Ms. Spurr,

Thank you for giving the Sacramento Metropolitan Air Quality Management District (SMAQMD) the opportunity to comment on the project known as PG&E Line 406/407 Natural Gas Pipeline Project partially located within the Natomas Joint Vision area of the County of Sacramento along Powerline Road (Line DFM). The District has the following comments on the Draft Environmental Impact Report:

- APM AQ-1 and APM AQ-2 on page 4.3-39 deviates from District standard mitigation for heavy-duty construction vehicles (http://www.airquality.org/ceqa/StandardConstructionMitigationLanguage.pdf). The current measures lack oversight. Add the following mitigation measures:

    - For all work done within the SMAQMD, the project shall provide a plan, for approval by the lead agency and SMAQMD, demonstrating that the heavy-duty (> 50 horsepower) self-propelled off-road vehicles to be used in the construction project, including owned, leased and subcontractor vehicles, will achieve a project wide fleet-average 20 percent NO_X reduction and 45 percent particulate reduction[1] compared to the most recent CARB fleet average at time of construction; and

      The project representative shall submit to the lead agency and SMAQMD a comprehensive inventory of all off-road construction equipment, equal to or greater than 50 horsepower, that will be used an aggregate of 40 or

[1] Acceptable options for reducing emissions may include use of newer model year engines, low-emission diesel products, alternative fuels, engine retrofit technology, after-treatment products, and/or other options as they become available.

more hours during any portion of the construction project. The inventory shall include the horsepower rating, engine production year, and projected hours of use for each piece of equipment. The inventory shall be updated and submitted monthly throughout the duration of the project, except that an inventory shall not be required for any 30-day period in which no construction activity occurs. At least 48 hours prior to the use of subject heavy-duty off-road equipment, the project representative shall provide SMAQMD with the anticipated construction timeline including start date, and name and phone number of the project manager and on-site foreman.

- For all work done within the SMAQMD, the project shall ensure that emissions from all off-road diesel powered equipment used on the project site do not exceed 40 percent opacity for more than three minutes in any one hour. Any equipment found to exceed 40 percent opacity (or Ringelmann 2.0) shall be repaired immediately, and the lead agency and SMAQMD shall be notified within 48 hours of identification of non-compliant equipment. A visual survey of all in-operation equipment shall be made at least weekly, and a monthly summary of the visual survey results shall be submitted throughout the duration of the project, except that the monthly summary shall not be required for any 30-day period in which no construction activity occurs. The monthly summary shall include the quantity and type of vehicles surveyed as well as the dates of each survey. The SMAQMD and/or other officials may conduct periodic site inspections to determine compliance. Nothing in this section shall supersede other SMAQMD or state rules or regulations.

  and/or:

  If at the time of construction, the SMAQMD has adopted a regulation applicable to construction emissions, compliance with the regulation may completely or partially replace this mitigation. Consultation with SMAQMD prior to construction will be necessary to make this determination.

- Table 4.3-7 located on page 4.3-44 states that construction emissions will exceed the SMAQMD's maximum daily threshold for oxides of nitrogen. However, it appears the maximum daily emissions are estimated for the whole line, and not the portion within the SMAQMD. Please clarify if 348.10 pounds per day is the maximum daily emissions expected to occur within the SMAQMD. If not, an analysis needs to be done to bifurcate emissions released in SMAQMD and emissions released in FRAQMD.

- MM AQ-1b on page 4.3-47 calls for the proponent to "pay a mitigation fee to the respective local air districts to offset NO_X emissions which exceed the applicable

thresholds after all other mitigation measures have been applied." Estimate the fee to be paid to SMAQMD by the proponent. If maximum daily emissions within the SMAQMD exceed 85 pounds of NO_X after mitigation is applied, emissions above the threshold can be offset though an off-site mitigation fee based on the Carl Moyer program cost effectiveness which is currently $16,000/ton of NO_X. The SMAQMD's fee calculator can be found at http://www.airquality.org/ceqa/ConstructionEmissionsMitigationFeeCalculator.xls. If a mitigation fee is not identified in the FEIR, the fee will be determined at the time of construction. All fees must be paid prior to initial ground disturbance.

- On page 7 of the MMP, specifically list the AQ-1b NO_X mitigation measures listed on page 4.3-47.

- PuriNOx fuel is no longer available in the Sacramento Region. Please remove it as a mitigation option.

- SMAQMD applauds the proponent for the applicant proposed measures starting on page 4.3-39. However, APM AQ-11 on page 4.3-40 which states that "Contractors will limit operation on "spare the air" days within each County" while laudable, may be difficult to implement effectively, since there are no goals or standards for limiting operation. Please either elaborate on how operations will be limited or remove the mitigation measure.

- The document provides the results of an analysis of the construction-related CO_2E emissions in Table 4.3-12. For the DFM line which is in the SMAQMD's jurisdiction, the reported emissions are 181.30 MT CO_2E in 2010. In total, including the impacts created in other air districts, the project will generate 2,681.94 MT CO_2E over 4 years. The document seeks to reduce this impact to zero through the purchase of carbon offsets in Mitigation Measure 3. MMAQ3 currently reads "The applicant shall participate in a Carbon Offsets Program with CCAR, CARB or one of the local air districts, and will purchase carbon offsets equivalent to the projected project's GHG emissions to achieve a net zero increase in GHG emission during construction phase."

  It's laudatory that the DEIR recognizes this impact and seeks to offset the impact to zero. The SMAQMD is working on a pilot off-site GHG mitigation program, but the program is not operational at this point. The SMAQMD recommends the carbon offsets be purchased through a bona-fide carbon market. We do not believe that CARB currently has such a market. The Climate Action Registry (CAR not CCAR) and the Chicago Climate Exchange have such markets.

  The SMAQMD recommends that the mitigation measure also state by when the fee should be paid. The SMAQMD suggests the following language:

MMAQ-3 GHG Emission Offset Program. The applicant shall participate in a Carbon Offsets Program with CAR, Chicago Climate Exchange or another bona-fide provider of carbon offsets, and will purchase carbon offsets equivalent to the projected project's GHG emissions to achieve a net zero increase in GHG emission during construction phase prior to the beginning of construction.

- This project will be subject to all SMAQMD rules applicable at the time of construction, including but not limited to those identified in attachment 1. Additional information on SMAQMD rules can be found at www.airquality.org or by calling the Compliance Assistance Hotline at (916) 874-4884.

SMAQMD staff thanks the State Lands Commission for the opportunity to present our comments and any questions may be sent to me at pphilley@airquality.org or by calling (916) 874-4882.

Sincerely,

Paul Philley
Assistant Air Quality Planner / Analyst

C: Larry Robinson, Program Coordinator, SMAQMD
Sondra Anderson, Air Quality Planner II, FRAQMD

Attachments:

1) SMAQMD Rules & Regulations Statement

Attachment 1: **SMAQMD Rules & Regulations Statement** (revised 1/07)

*The following statement is recommended as standard condition of approval or construction document language for **all** development projects within the Sacramento Metropolitan Air Quality Management District (SMAQMD):*

All projects are subject to SMAQMD rules and regulations in effect at the time of construction. A complete listing of current rules is available at www.airquality.org or by calling 916.874.4800. Specific rules that may relate to construction activities or building design may include, but are not limited to:

Rule 201: General Permit Requirements. Any project that includes the use of equipment capable of releasing emissions to the atmosphere may require permit(s) from SMAQMD prior to equipment operation. The applicant, developer, or operator of a project that includes an emergency generator, boiler, or heater should contact the District early to determine if a permit is required, and to begin the permit application process. Portable construction equipment (e.g. generators, compressors, pile drivers, lighting equipment, etc) with an internal combustion engine over 50 horsepower are required to have a SMAQMD permit or a California Air Resources Board portable equipment registration.

Other general types of uses that require a permit include dry cleaners, gasoline stations, spray booths, and operations that generate airborne particulate emissions.

Rule 403: Fugitive Dust. The developer or contractor is required to control dust emissions from earth moving activities or any other construction activity to prevent airborne dust from leaving the project site.

Rule 417: Wood Burning Appliances. Effective October 26, 2007, this rule prohibits the installation of any new, permanently installed, indoor or outdoor, uncontrolled fireplaces in new or existing developments.

Rule 442: Architectural Coatings. The developer or contractor is required to use coatings that comply with the volatile organic compound content limits specified in the rule.

Rule 902: Asbestos. The developer or contractor is required to notify SMAQMD of any regulated renovation or demolition activity. Rule 902 contains specific requirements for surveying, notification, removal, and disposal of asbestos containing material.

1947 Galileo Ct., Suite 103 • Davis, California 95618

(530) 757-3650 • (800) 287-3650 • Fax (530) 757-3670

June 12, 2009

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

Subject: Pacific Gas and Electric Company Line 406-407 Natural Gas Pipeline - DEIR comments

Dear Ms. Spurr,

The Yolo-Solano Air Quality Management District (District) appreciates the opportunity to review the Draft Environmental Impact Report (DEIR) for the above referenced project. The DEIR evaluates the potential environmental consequences from project construction and operations. In short, the project involves trenching, horizontal directional drilling, and construction and installation of approximately 40 miles of new natural gas pipeline spanning the four counties of Yolo, Sacramento, Sutter, and Placer including the construction of six above-ground facilities for pipeline maintenance and operational purposes.

The area in our District's jurisdiction includes all of Yolo County and the northeastern portion of Solano County. For all projects, impacts to air quality are a concern for various pollutants. This includes pollutants with regional impacts such as ozone, as well as pollutants with more localized impacts such as particulate matter (PM) and Hazardous Air Pollutants (HAPs). While the District has jurisdiction over stationary sources, a majority of air pollution in the region comes from vehicles, which are regulated by the State and Federal government. Since the District lacks direct authority over vehicles, the most effective tools for reducing vehicle emissions at the local level lay in the hands of local land use decision-makers. As a commenting agency under the California Environmental Quality Act, the District has reviewed the DEIR and is submitting the following comments:

1. Section 2.0 – Project Description, Page 2-74, Blow-Down and Purging Procedure, Lines 29-32: The DEIR states that "Data from PG&E's Department of Meteorological Sciences would be used in coordination with the SMAQMD, YSAQMD, PCAPCD, and FRAQMD to determine dates when air quality constraints would be minimal." Please provide clarification as to what conditions PG&E would qualify as an air quality constraint (i.e. Spare the Air day or some other activity).

2. Section 4.3 – Air Quality, Page 4.3-5, Table 4.3-1: This table should be modified to reflect the Unites States Environmental Protection Agency's (EPA) recent designation for

the District as "partial non-attainment" for Particulate Matter sized 2.5 microns or less in diameter ($PM_{2.5}$).

3. Section 4.3 – Air Quality, Page 4.3-6, Lines 26-28: This paragraph should be revised to include the EPA's recent "partial nonattainment" designation of the District for $PM_{2.5}$.

4. Section 4.3 – Air Quality, Page 4.3-26, Lines 5-7: The Sacramento Regional 8-hour Ozone Attainment and Reasonable Further Progress Plan (Plan) was adopted by the various air district boards during January and February 2009. The California Air Resources Board (ARB) adopted the Plan in March 2009. Please revise the paragraph to reflect the most recent information regarding the processing/status of the Plan.

5. Section 4.3 – Air Quality, Page 4.3-26, Lines 12-15: The lines should be revised to include the EPA's recent "partial nonattainment" designation of the District for $PM_{2.5}$.

6. Section 4.3 – Air Quality, Page 4.3-37, Table 4.3-4: Please amend the table to reflect the current District NOx, ROG, and PM_{10} significance thresholds as shown in Table 1 of the District's *Handbook for Assessing and Mitigating Air Quality Impacts* (adopted July 11, 2007). This handbook can be accessed on the District's website at http://www.ysaqmd.org/documents/CEQAHandbook2007.pdf

7. Section 4.3 – Air Quality, Page 4.3-40, Lines 3-4: The Applicant Proposed Measure (APM) AQ-5, addresses minimizing equipment and vehicle idling time to five minutes. The five-minute idling limit is a state requirement and is therefore not considered a means of mitigation.

8. Section 4.3 – Air Quality, Page 4.3-43, Table 4.3-5 and Table 4.3-8: Please amend the tables to reflect the current District NOx, ROG, and PM_{10} significance thresholds as shown in Table 1 of the District's *Handbook for Assessing and Mitigating Air Quality Impacts* (adopted July 11, 2007). The link to the District handbook can be found in comment 6.

9. Section 7.0 – Mitigation Monitoring Program, Table 7-2, APM AQ-1 through APM AQ-11 and AQ-1 through AQ-3: Please correct the acronym used for the District to read YSAQMD, not YSAWMD.

10. Appendix D – Air Quality Analysis, Page 3: The District's current significance thresholds for NOx and ROG are not expressed in a pounds per day unit. The air quality analysis should be revised so that impacts to air quality are evaluated against the District's significance thresholds as described in the July 2007 version of the District's *Handbook for Assessing and Mitigating Air Quality Impacts.* The link to the District's handbook can be found in comment 6.

Page 14, Table 8: Daily Construction Emissions for Line 406 (2009) shows the incorrect significance threshold for the District. Please amend accordingly using the District's current thresholds which can be found at the link provided in comment 6. Additionally, the District would like clarification as to where the emission numbers from the Grading – Dunnigan Hills activity can be found in the included URBEMIS outputs.

Page 16, Table 10: The construction emissions resulting from the 407W activities should be compared to the District's thresholds, not just to Feather River Air Quality Management District (FRAQMD) thresholds.

11. Appendix D – Air Quality Analysis, URBEMIS output, Section 407W: One of the assumptions included for this portion of the pipeline construction included a "Fugitive level of dust = Low" selection. The District would like clarification as to the reason for the "low" selection (perhaps based on the presence of the water truck to limit fugitive dust during construction, which is also listed in the assumptions).

    Additionally, the District was unable to locate any other off-road equipment used for construction of the 407W section other than the water truck. This is a discrepancy when compared to the off-road equipment selected for the 406 and 407E sections. Moreover, cut and fill activities are indicated yet it does not appear that equipment capable of conducting those activities is listed in the equipment list. Please clarify.

12. The District understands the difficulty in compiling the data for the emissions due to the complexity of the project and its expanse through four counties, however, the District would like the consultant to provide more clarity in the location of the emissions outputs used from each of the models when inputting the data into the respective line section (406, 407W) tables.

On behalf of the District, thank you for the opportunity to comment on the proposed project. If information in this letter requires clarification, please call me at (530) 757-3668. We look forward to working with you on the project.

Sincerely,

Matthew R Jones

Matt Jones
Supervising Air Quality Planner

Pacific Gas and Electric Company®

2730 Gateway Oaks Drive, Suite 220
Sacramento, CA 95833

June 12, 2009

Ms. Crystal Spurr, Project Manager
California State Lands Commission (CSLC)
Division of Environmental Planning and Management
100 Howe Street, Suite 100-South
Sacramento, CA 95825-8202

Subject: Comments on PG&E Line 406/407 Natural Gas Pipeline Draft EIR (DEIR)

Dear Ms. Spurr:

The following are PG&E's comments regarding the DEIR.

EXECUTIVE SUMMARY

Clarification of Temporary Use Area **Page ES-2, lines 13-15**

The DEIR accurately reflects the temporary use area (TUA) requirements for construction of the 30-inch pipeline on lines 9-13. However, it then goes on to state: "A 60-foot wide TUA would be used for construction in constricted workspaces and would require that excavated soil be transported to an adjacent TUA." (DEIR, p. ES-2, lines 13-15.) While PG&E recognizes that the TUA may be reduced due to lack of available space or environmental constraints, such restrictions should be made on a site-specific basis, rather than making a blanket assumption that the TUA would be reduced to 60 feet, since unnecessarily constricting the workspace will result in a longer duration of impacts. Therefore, PG&E proposes that the quoted language be deleted.

HDD Locations **Page ES-2, lines 15-17**

HDD equipment will be set up at the entry points in the temporary use areas. At the exit points, no additional temporary use area is required. PG&E will be able to keep all equipment at the exit points within the right-of-way and temporary construction easement (i.e., TUA). Therefore, PG&E suggests the following change:

> "Each of the twelve proposed Horizontal Directional Drilling (HDD) locations would require an additional 18,750-square-foot temporary use area for equipment that would be set up at the proposed entry ~~and exit~~ points."

Alternatives to Proposed Project **Page ES-4, lines 21-23**

The DEIR explains why the Line 406 central alternative was eliminated from further analysis, but it does not include a number of reasons that render this alternative unsuitable. PG&E suggests that this language be modified as follows:

> Line 406 alternative was eliminated from further analysis because this proposed pipeline alternative alignment would <u>be longer than the preferred alternative (resulting in greater impacts) and would require crossing a greater amount of potential foraging habitat for Swainson's hawk, nesting habitat for burrowing owls,</u>

and other habitats utilized by special-status species. These alternatives would also require construction along sidehills, which would present additional engineering, construction, and maintenance considerations ~~parallel an ephemeral stream passing through natural habitats to CR-14A~~.

Environmentally Superior Alternative **Page ES-31, lines 29-31**

The DEIR contains confusing language regarding the environmentally superior alternative. Although it recognizes that under the No Project Alternative, PG&E may not be able to provide reliable service to its customers, it concludes that the No Project alternative is the environmentally superior alternative." (DEIR, p. ES-31, lines 29-31.) However, on the following page, it states: "The environmentally superior alternative would be incorporating Alternative Options I and L into the proposed Project alignment." (DEIR, p. ES-32, lines 25-26.)

The No Project Alternative would render PG&E unable to comply with its public utility obligations to provide natural gas service to its customers and would trigger the construction of other projects. (See, e.g., section 451 of the Public Utilities Code, which provides: "Every public utility shall furnish and maintain such adequate, efficient, just, and reasonable service, instrumentalities, equipment, and facilities . . . as are necessary to promote the safety, health, comfort, and convenience of its patrons, employees, and the public.") Therefore, PG&E proposes to modify the DEIR as follows:

> The No Project alternative would not result in any of the impacts associated with the proposed Project. ~~Therefore, the No Project alternative is considered the environmentally superior alternative.~~ However, the No Project Alternative would not meet the Project objectives because PG&E would be unable to meet its public utility obligations to provide natural gas service to its customers in accordance with the California Public Utilities Code and associated orders, rules, and tariffs.

SECTION 1.0. INTRODUCTION

Purpose and Scope of EIR **Page 1-4, lines 1-23**

In this section, the DEIR identifies the role of other agencies with jurisdiction over various aspects of the Project. However, it omits any reference to the California Public Utilities Commission (CPUC), which has exclusive jurisdiction over the design and construction of the pipeline. PG&E proposes that the paragraph starting on line 21 be modified to reflect the CPUC's jurisdiction:

> The California Public Utilities Commission (CPUC) has exclusive jurisdiction over the design and construction of the pipeline. The proposed Project would also require approvals and/or review by a number of Federal, State, and local agencies as noted in Section 1.4 - Permits, Approvals and Regulatory Requirements. However, as a CPUC-regulated public utility, PG&E is not subject to local land use and zoning regulations, and no local discretionary permits are required for the Project.

Efficient and Cost-Effective Planning **Page 1-3, lines 4-5**

PG&E suggests the following modification to correct an error in the description of the new pipeline referenced on lines 4-5:

. . . transmission pipeline that extends from Lines 400 and 401 and travels in a ~~north-south~~ east-west direction paralleling County Road (CR) 85 near Esparto to Line 172A . . .

Permits, Approvals, and Regulatory Requirements **Page 1-8, lines 28-29**

To clarify what other permits are required for the Project, PG&E requests the following modifications:

> As a CPUC-regulated public utility, PG&E is not subject to local land use and zoning regulations, and local discretionary permits are not required for the Project. However, ~~In addition to action by the CSLC,~~ the proposed Project may ~~will~~ require permits or approvals from the following reviewing authorities and regulatory agencies:

Permits, Approvals, and Regulatory Requirements **Page 1-9, line 13**

PG&E is not required to get local reclamation district permits. Therefore, the last bullet point on page 1-9 should be deleted.

SECTION 2.0. PROJECT DESCRIPTION

Wall Thickness and Grades **Page 2-16, lines 2-9**

PG&E proposes the following changes to accurately reflect the design of the pipeline system.

> "The proposed pipeline traverses several different class locations, requiring different wall thicknesses and grades of steel pipe ~~(Grade X-60)~~ designed for a Maximum Allowable Operating Pressure (MAOP) of 975 pounds per square inch gauge (psig). The 10-inch DFM would be designed for a MAOP of ~~500 psig to~~ 975 psig. ~~Industry standards for pipeline sections installed via Horizontal Directional Drill (HDD) technology require a pipe diameter to wall thickness ratio (D/t) of 50 or below.~~ Refer to Table 2-2 for pipe wall thickness specifications required in each class location."

Depths to Cover **Page 2-17, Table 2-1**

The proposed depth of the Sacramento River crossing is 80 feet. Therefore, Table 2-1 needs to be corrected to reflect a 35 to 80 proposed depth in the last row on the table (Water Crossings).

Pipeline General Area Class Specifications **Page 2-18, Table 2-2**

PG&E has identified the following errors in the DFM column in Table 2-2:

- The proposed grade of the 10-inch DFM is 52,000, not 60,000.
- The seam type for the 10-inch DFM is Electric Resistance Welded (ERW), not DSAW.
- The percent SMYS at MAOP of the 10-inch DFM is 40.3, not 40.

Aboveground Facilities **Page 2-31, line 18**

The DEIR needs to be corrected to accurately reflect the fact that the Yolo Junction Pressure Limiting Station will be ten feet in height, not five feet as stated in the DEIR.

Pipeline Right of Way **Page 2-37, lines 1-3; Figures 2-9 and 2-10**

The DEIR correctly describes the 100-foot wide temporary use area (TUA) for the 30-inch pipeline segments. However, the 60-foot wide TUA referenced on the top of page 2-37 should refer to the 10-inch pipeline segments for distribution feeder mains (DFM), not constricted workspaces. Constricted work spaces should be determined on a site-specific basis. Therefore, PG&E suggests the following modifications:

> A 60-foot wide TUA would be used for construction of the 10-inch pipeline segments for the distribution feeder mains ~~in constricted workspaces and would require that excavated soil be transported to an adjacent TUA~~ (see Figure 2-10)."

In addition, Figure 2-9 should be labeled as the configuration for the 30-inch pipeline construction right-of-way. Figure 2-10 should be labeled as the configuration for the 10-inch DFM pipeline construction right-of-way.

Typo **Page 2-37, line 15**

Change the term "DMF" to "DFM."

Planting in the Right-of-Way **Page ES-2, line 19; Page 2-16, line 27; Page 2-37, line 20; Page 4.1-14, line 4 Page 4.2-22, line 32; Page 4.2-24, line 29**

PG&E requests that the DEIR be corrected to reflect PG&E's current policy to prohibit planting of deep-rooted plants with 10 feet of the pipeline centerline, not 15 feet as stated in the above-referenced portions of the DEIR.

Staging Areas **Page 2-37, line 26**

The DEIR correctly reflects the fact that the primary staging areas will be in existing industrial and commercial yards. PG&E requests the following modification to the DEIR plans to clarify that staging areas along the Project ROW will be within the 100-foot TUA.

> Staging areas along the Project right-of-way would be within the TUA ~~would generally be approximately 300 feet by 200 feet~~.

Agency Representative at Meeting **Page 2-49, line 8-9**

PG&E requests that the following modification be made to reflect the fact that there will be different types of meetings with various participants.

> Also, PG&E would hold ~~a~~ preconstruction meetings with ~~between~~ permitting entities and ~~the~~ construction crews.

Protective Coatings **Page 2-55, lines 21-22**

PG&E requests that the referenced language be modified as follows to allow the use of protective coatings other than epoxy.

> The pipe sections would be welded together, x-rayed, and a protective abrasion resistant coating ~~epoxy~~ applied to the joints.

Horizontal Directional Drilling **Page 2-55, lines 31-33**

The DEIR states: "The Project pipeline would be installed a minimum of 60 feet underneath the bed and banks of any navigable water body and a minimum of 35 feet below any other feature to be crossed by HDD technology." However, it is unclear which crossings are considered by CSLC to be navigable waterways. PG&E requests that the language in the DEIR be modified as follows:

> The Project pipeline would be installed ~~a minimum of 60 feet underneath the bed and banks of any navigable water body and~~ a minimum of 35 feet below any ~~other~~ water feature to be crossed by HDD technology.

Pipe Buoyancy **Page 2-71, lines 16-18**

The DEIR contains information previously provided by PG&E regarding its design to control buoyancy in the Yolo bypass. However, since that time, PG&E has progressed with its buoyancy control design. PG&E requests the following revision of the language to reflect the new design:

> To address the potential for scour within the Yolo Bypass, cover would be increased from 5 feet to 7 feet. A slurry backfill will be placed in the ditch around the pipeline to a depth of 2 feet above the pipeline (5 feet below grade). The slurry will have a minimum weight of 120/lbs/cubic foot to provide the required downward force to prevent buoyancy. ~~a concrete coating would be applied to provide a downward force of 10 lbs/ft or 2-inch minimum thickness whichever is greater (PG&E 2008).~~

Construction Schedule **Page 2-80, lines 11-23**

PG&E suggests that the information regarding the construction schedule be updated as follows:

> Construction of Line 406 would begin as soon as all agency approvals have been obtained ~~in September or October 2009~~ with the targeted ~~proposed~~ in-service date scheduled for November ~~February~~ 2010. The Line 407 East, Line 407 West, and DFM segments ~~would~~ may be constructed in two ~~different~~ phases as dictated by the

added load on the transmission system. ~~Current projections are that Phase 1, consisting of Line 407 East and the DFM, would be constructed in May 2010 with an in-service date of September 2010. However, PG&E acknowledges that Phase 1 installation may need to occur in advance, as early as 2009, of several road improvement projects associated with developments along Baseline Road and Riego Road. Phase 2, consisting of Line 407 West, is projected to be required in 2012.~~ Construction of the Line 407 segments is projected to begin in 2012 ~~but may be required earlier depending upon load growth in the area~~.

Construction would typically occur between 6:00 a.m. and 6:00 p.m., Monday through Saturday, except for the HDD operations, tie-ins, and hydrostatic testing, which may occur around the clock. . . . "

GPS Coordinates **Page 2-83, lines 9-12**

The DEIR reflects information contained in PG&E's application that indicates that PG&E will take GPS coordinates at all pipe welds. Since submitting the application, however, PG&E has refined its GPS plans and requests that the referenced language be modified as follows:

. . . PG&E would take Global Positioning System (GPS) coordinates periodically along the route and tie the as-built pipeline drawings back to the original survey. Locations with GPS coordinates include tie-ins, angle points, HDD entry and exits points, class location changes, and wall thickness and pipe grade changes ~~at the locations of all pipe welds~~ in order to maintain an accurate location of the proposed pipeline once it is in the ground.

High Consequence Area **Page 2-84, lines 28-34**

The DEIR discusses the steps that must be taken where a pipeline is within a High Consequence Area (HCA). The Department of Transportation regulations (49 CFR 192, Subpart O) sets forth two methods for determining HCAs, and PG&E has utilized method 2 to identify potential HCAs along the Project route. One potential HCA exists along Line 407E at 3700 Riego Rd, Elverta CA (Western Wood Fabricators) and one is confirmed at the Baseline Road Pressure Regulating Station (BRS). Therefore, PG&E suggests that the DEIR be modified as follows:

Operators are also required to devote additional efforts and analysis in HCAs to ensure the integrity of the pipelines. A potential HCA exists along Line 407 East and one HCA is confirmed at Fiddyment Road. ~~The portions of the Project within Class 3 areas, including Line 407 East and the Powerline Road DFM, would be within an HCA.~~ When HCAs are confirmed, or as population density creates new HCAs, those ~~Certain~~ portions of the Project would be required to be included in PG&E's Pipeline Integrity Management Plan, which provides for the assessment and mitigation of pipeline risks in an effort to reduce both the . . . .

SECTION 4.2 AGRICULTURAL RESOURCES

County Designated Compatible Williamson Act Land Uses **Page 4.2-19, lines 1-8**

As a CPUC-regulated public utility, PG&E is not subject to local land use and zoning regulations, and PG&E is not required to obtain local discretionary permits, including minor

use permits referenced in this paragraph. The first paragraph on page 4.2-19 is in error and should be deleted.

SECTION 4.3 AIR QUALITY

Spare the Air Days **Page 4.3-40, lines 19-20 (AMP AQ-11)**

To clarify steps that PG&E will take on "spare the air days," PG&E suggests that this provision be modified as follows:

> On "spare the air" days within each County, PG&E will enact measures to promote carpooling by Project employees and limiting emissions and equipment operation that does not otherwise impede Project progress ~~Contractors will limit operation on "spare the air" days within each County.~~

Greenhouse Gases (GHGs) **Page 4.3-49 to 4.3-52**

The DEIR acknowledges that "[t]he CLSC does not currently have a defined threshold of significance for climate change or GHG emission impacts." (DEIR, p. 4.3-37, lines 17-18.) It calculates the GHG impacts associated with construction and operation of the pipeline (primarily worker vehicles and construction equipment). While it concludes that the operational impacts are "less than significant" (DEIR, p. 4.3-51, line 10), it directs PG&E to purchase carbon offsets equivalent to the project's GHG emissions during construction to achieve a net zero increase. (DEIR, p. 4.3-52, lines 6-10, MM AQ-3.) This analysis regarding the GHG impacts associated with construction is flawed in three ways.

First, the calculation of GHG emissions does not take into account that PG&E's fleet meets new CARB standards for vehicle emissions. As a result, the GHG impacts associated with vehicle use during construction are overstated, and it is unclear whether the proposed mitigation would apply to projected or actual impacts.

Second, although the DEIR acknowledges PG&E's participation in three programs designed to reduce climate change impacts (DEIR, pp. 4.3-49, lines 16-28), it completely ignores the impact of these programs.

Third, there is no basis for the CSLC's assumption that the impacts must be mitigated to achieve a "net zero" impact. The California Public Utilities Commission, which has primary jurisdiction over the design and construction of public utility projects, has not adopted this standard. Moreover, CEQA authorizes a lead agency to impose mitigation only to "substantially lessen or avoid significant impacts on the environment." (CEQA Guidelines, §15041(a).) If an impact is not significant, there is no authority to mitigate.

PG&E understands that there is currently uncertainty among state agencies as to the appropriate way to deal with GHG emissions before CARB's GHG programs are fully implemented. However, PG&E suggests that CSLC adopt the same kind of approach it uses for other environmental impacts. Specifically, it should: (1) calculate the GHG impacts before mitigation measures are applied; (2) calculate the impacts after mitigation; and (3) determine whether those impacts are significant. If not, no additional mitigation should be required. If so, additional mitigation would be appropriate to reduce those impacts to a less than significant level – not to reduce the impacts to zero.

SECTION 4.4 BIOLOGICAL RESOURCES

Dwarf Downingia Status **Page 4.4-21, line 17-18**

PG&E suggests the following modification to the referenced language to reflect the listing status for dwarf downingia:

> Dwarf downingia (*Downingia pusilla)*, a CNPS List 2 species ~~strict endemic of the vernal pool hydrologic regime~~, is a strict endemic of the vernal pool hydrologic regime and an annual member of the bellflower family (*Campanulaceae*).

Presence of Fairy Shrimp **Page 4.4-26 and 4.4-27 (Table 4.4-3)**

The DEIR erroneously concludes that fairy shrimp "(*Branchinecta lynchi*) was not found during any of the wet season surveys and is presumed absent from the project site." In fact, *Branchinecta lynchi* was present in two wetland features during wet season surveys conducted in 2007-2008. In addition, unidentified *Branchinecta sp.* eggs were present in several features during the dry season surveys. Therefore, *B. lynchi* is assumed present in the project area, and the above language should be modified accordingly.

Local Conservation Plans and Policies **Pages 4.4-55, 4.4-86, and 4.4-91**

As a CPUC-regulated public utility, PG&E is not subject to local land use and zoning regulations. Therefore, the EIR should be modified as follows to reflect the proper jurisdictional status of various local agencies:

Page 4.4-55, lines 5-8.

> Local conservation plans and policies are included below. County General Plan goals, policies, and objectives were also evaluated in preparation of this DEIR; however, due to their length they are appended to this DEIR (see Appendix E-14). Although PG&E is not subject to local conservation plans, these plans and policies are taken into consideration in evaluating Project impacts and mitigation measures.

Page 4.4-86, lines 9-13

> A qualified ecologist shall dictate the following procedures to ensure that they will be consistent with ~~applicable local jurisdiction requirements, such as County Tree Ordinances, and with~~ any additional permit conditions imposed by ~~the local agency as well as~~ CDFG and other state or federal agencies.

Page 4.4-91, lines 4-6

> At that time, a report shall be submitted to ~~the local jurisdiction, and~~ CDFG, if requested, summarizing the results.

Vegetation Clearing **Pages 4.4-81, 4.4-85, and 4.4-94**

The DEIR requires that vegetation be cleared only from areas scheduled for immediate construction work (within 10 days). The intent of the 10-day restriction for clearing vegetation is not entirely clear, but PG&E surmises that it is to minimize the potential for

erosion, sedimentation, and the spread of invasive weeds that could result if soil is left barren for an undue length of time. This risk would only occur during the rainy/wet season. Since most vegetation clearing will take place during the dry season, PG&E suggests that this measure only be applicable for work that may occur during the wet season. In addition, vegetation clearing is often necessary more than 10 days prior to construction. Therefore, PG&E proposes the following modification to replace the 10-day limit with a 30-day limit and to restrict its applicability to the typical wet season of November through April.

Page 4.4-81, lines 22-25

> Vegetation clearing and/or installation of mats shall be conducted only from areas scheduled for immediate construction work (within 30 ~~10~~ days) and only for the width needed for active construction activities. The 30-day requirement only applies in the wet season (November through April).

Page 4.4-85, lines 26-27

> Existing vegetation shall be cleared only from areas scheduled for immediate construction work (within 30 ~~10~~ days). The 30-day requirement only applies in the wet season (November through April).

Page 4.4-94, lines 10-12

> Existing vegetation shall be cleared only from areas scheduled for immediate construction work (within 30 ~~10~~ days) and only for the width needed for completion of activities within each active construction area ~~activities~~. The 30-day requirement only applies in the wet season (November through April).

Wetland Avoidance and Restoration **Pages 4.4-81 to 4.4-83 (MM BIO-1a)**

Several of the mitigation measures require flagging, mapping, and/or fencing of sensitive resources found within or near the work areas. In PG&E's experience, it is often more effective and safer for the resource to flag or fence the edge of the limit of work area at an Environmentally Sensitive Zone rather than flag or fence the resource itself. This approach actually causes less resource or buffer area disturbance. We recommend clarifying the following portions of the DEIR to specify that either the resource or the limits of the work area be flagged and fenced in the areas where avoidable resources are to be protected. In addition, since the USACE has determined that active rice fields are considered jurisdictional wetlands, a number of these measures should apply to the natural area wetlands, but would not be appropriate for cropped wetlands or rice fields. To address these issues, PG&E recommends the following clarifications:

Page 4.4-81, lines 6-7

> Maximum avoidance of jurisdictional wetlands as determined in consultation with USACE and RWQCB by fencing either the wetlands and appropriate buffer zones that can be avoided or the limits of the work area adjacent to those areas to ensure that no inadvertent encroachment occurs into these areas.

Page 4.4-81, lines 10-11

Consultation with the USACE and RWQCB for any unavoidable wetland impacts, obtaining the appropriate permits, and implementation of the conditions of those permits.

Page 4.4-81, line 16, through page 4.4-82, line 5

Avoidance will consist of fencing any ~~the~~ wetlands that are to be avoided within the ROW, including appropriate buffer zones, to minimize impacts to wetland vegetation types. If construction work areas and/or associated overland travel in wetlands in a saturated or ponded condition is unavoidable, all equipment, vehicles and associated construction materials shall be placed on protective mats to avoid soil compaction, such that they do not make direct contact with the wetland. This requirement is not intended for use in dry soils, where the risk of compaction is low. Vegetation clearing and/or installation of mats shall be conducted only from areas scheduled for immediate construction work (within 30 ~~10~~ days) and only for the width needed for completion of activities within each active construction area ~~activities~~. The 30-day requirement only applies in the wet season (November through April). Mats are not required for work in cropped areas (e.g., rice fields). Mats shall be removed immediately following completion of activities within each active construction area. During pipeline construction, the 12 inches of topsoil shall be salvaged (or less where topsoil is less than 12 inches deep), stored in an upland location, and replaced wherever the pipeline is trenched in wetlands. Prior to permit issuance and final design, project construction plans shall depict appropriate measures for topsoil protection and storage that will allow survival of existing seed within the topsoil. Topsoil shall be placed at the surface on top of fill material and not be used to backfill the trench, and excavated trench spoils or excess fill shall be placed on top of the pipeline under topsoil and not dispersed onto the surface of the ROW. Implementation of these measures prior to and during construction will be supervised and verified by the Environmental Monitor (see APM BIO-6).

Page 4.4-82, Lines 21-23

A discussion demonstrating how maximum practicable avoidance has been accomplished and why the wetlands proposed to be impacted cannot be avoided.

Page 4.4-82, Lines 24-30

Methods proposed for restoring the affected wetlands, including topsoil preservation (inclusive of restoration of an impermeable layer, i.e., hardpan, if approved) and backfilling, soil and grade preparation such that there is no change in pre-construction contours, regionally native seed and/or plant materials to be used and installation methods, and maintenance measures, including weed control (does not apply to rice fields and cropped wetlands).

Page 4.4-82, Lines 31-32

Minimum 1:1 replacement ratio (in-kind ~~in-land~~, on-site) for area and function of temporarily damaged wetland areas.

Page 4.4-83, lines 1-7