

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
Southern California Edison Company
(U338E) for a Permit to Construct
Electrical Facilities with Voltages between
50 kV and 200 kV: Lakeview Substation
Project.

Application 10-09-016
(filed September 17, 2010)

Tammy Jones for Southern California SCE Company,
Applicant.

Richard Drury for Laborers' International Union of
North America Local 1184, Andrew Arechiga, and
John Martinez.

Thomas F. Ybarrola for Ybarrola Living Trust.

**DECISION GRANTING SOUTHERN CALIFORNIA EDISON COMPANY
A PERMIT TO CONSTRUCT THE
LAKEVIEW SUBSTATION PROJECT**

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ATTACHMENT - Mitigation Monitoring, Compliance and Reporting Program

**DECISION GRANTING SOUTHERN CALIFORNIA EDISON COMPANY
A PERMIT TO CONSTRUCT THE
LAKEVIEW SUBSTATION PROJECT**

1. Summary

This decision grants Southern California Edison Company a permit to construct the Lakeview Substation project, constructed as the Proposed Project, with mitigation identified in the Mitigation Monitoring, Compliance and Reporting Program attached to this order. As the lead agency for environmental review of the project, we find that the Environmental Impact Report prepared for this project meets the requirements of the California Environmental Quality Act, and that there are overriding considerations that merit construction of the project notwithstanding its significant and unavoidable environmental impacts. This proceeding is closed.

2. Proposed Substation Project

By this application, Southern California Edison Company (SCE) seeks a permit to construct the Lakeview Substation Project, which includes a new 115/12 kilovolt (kV) electric substation, two subtransmission source line segments, two underground 12 kV getaways, telecommunications infrastructure work, and the decommissioning of two existing substations. The project would be located in the community of Lakeview within unincorporated Riverside County.

3. Procedural Background

SCE filed this application on September 17, 2010. Ybarrola Living Trust filed a timely protest.

After issuance of the draft environmental impact report (EIR) on the proposed project on January 12, 2012,¹ the Administrative Law Judge (ALJ) convened a prehearing conference in Perris on February 9, 2012. The prehearing conference was attended by SCE and Ybarrola Living Trust; no other persons appeared.

By motion filed March 20, 2012, Laborers' International Union of North America Local 1184, Andrew Arechiga, and John Martinez (jointly, Laborers' International Union North America (LIUNA)) jointly moved for party status; the motion was granted by ALJ ruling on April 19, 2012.

The assigned Commissioner issued a scoping memo and ruling on May 7, 2012, identifying the issues to be determined by the Commission in resolving the proceeding and setting a schedule for addressing those issues.

Evidentiary hearing was held on November 8 and 9, 2012, at which time the draft EIR and final EIR were marked as reference exhibits as Exhibit II and Exhibit III, respectively. SCE and LIUNA filed opening briefs on December 21, 2012, and reply briefs on January 11, 2013. The matter was submitted on February 7, 2013.

By ruling on March 19, 2013, the ALJ set aside submission in anticipation of receiving into the record supplemental environmental analysis and revisions to the final EIR. The supplement and revisions were received as reference Exhibit IV and the matter was re-submitted by ruling dated May 2, 2013.

¹ See Part 5, "Environmental Review Process."

By ruling on June 24, 2013, the ALJ set aside submission to take supplemental argument precipitated by the admission of Exhibit IV,² receive a second supplemental environmental analysis and revisions to the final EIR as reference Exhibit V, and set the time for supplemental briefs on the legal issues precipitated by the admission of Exhibit V.

LIUNA filed a supplemental brief on July 8, 2013, and SCE filed a supplemental reply brief on July 19, 2013, upon which the proceeding was submitted.

4. Scope of issues

Pursuant to General Order (GO) 131-D, in order to issue a permit to construct, the Commission must find that the project complies with California Environmental Quality Act (CEQA). CEQA requires the lead agency (the Commission in this case) to conduct a review to identify environmental impacts of the project and ways to avoid or reduce environmental damage, for consideration in the determination of whether to approve the project or a project alternative. CEQA precludes the lead agency from approving a proposed project or a project alternative unless it requires the project proponent to eliminate or substantially lessen all significant effects on the environment where feasible and determines that any unavoidable remaining significant effects are acceptable due to overriding considerations. (CEQA Guidelines §§ 15090, 15091, 15093, 15126.2, 15126.4, and 15126.6.)

² LIUNA's Memorandum of Points and Authorities, included in its May 30, 2013, Motion to Set Aside Submission to Take Additional Evidence and Allow Additional Briefing, and SCE's June 10, 2013, Response.

In addition, pursuant to GO 131-D and Decision (D.) 06-01-042, the Commission will not certify a project unless its design is in compliance with the Commission's policies governing the mitigation of electromagnetic field (EMF) effects using low-cost and no-cost measures.

Accordingly, the scoping memo and ruling determined the following issues to be within the scope of the proceeding:

1. What are the significant environmental impacts of the proposed project?
2. Are there potentially feasible mitigation measures that will eliminate or lessen the significant environmental impacts?
3. As between the proposed project and the project alternatives, which is environmentally superior?
4. Was the EIR completed in compliance with CEQA, did the Commission review and consider the EIR prior to approving the project or a project alternative, and does the EIR reflect the Commission's independent judgment?
5. Are the mitigation measures or project alternatives infeasible?
6. To the extent that the proposed project and/or project alternatives result in significant and unavoidable impacts, are there overriding considerations that nevertheless merit Commission approval of the proposed project or project alternative?
7. Is the proposed project and/or project alternative designed in compliance with the Commission's policies governing the mitigation of EMF effects using low-cost and no-cost measures?

5. Environmental Review Process

On December 9, 2010, the Commission's Energy Division staff issued a Notice of Preparation (NOP) of an EIR on the proposed project. The NOP described the proposed project, solicited written and oral comments on the EIR's

scope, and gave notice of a public workshop and scoping meeting which was conducted on January 13, 2011, in Nuevo, California. On January 12, 2012, the Energy Division issued Notice of Availability of the draft EIR for the proposed project, and gave notice of a public comment meeting which was conducted on February 9, 2012, in Perris, California.

Two people spoke at the public comment meeting, including Thomas Ybarrola, who represents Ybarrola Living Trust in this proceeding. Energy Division received 13 written comments including one from SCE, five from public agencies, and seven from organizations and individuals including Thomas Ybarrola and Laborers' International Union.

Energy Division issued the final EIR on August 21, 2013. Energy Division issued a Supplemental Environmental Analysis making minor revisions to Mitigation Measures 4.3-1a, 4.3-1b, 4.4-2, 4.5-2a, 4.5-2b, 4.13-1 and 4.13-4 on April 30, 2013. Energy Division issued a Supplemental Environmental Analysis Part II further revising Mitigation Measure 4.4-2 on June 20, 2013.

6. Proposed Project and Project Alternatives

CEQA requires the consideration of a range of reasonable alternatives to the proposed project that would feasibly attain most of the basic objectives of the project and avoid or substantially lessen any of the significant effects of the project, and evaluate the comparative merits of the alternatives including the "No Project" alternative.

6.1. Proposed Project

As proposed by SCE, the Lakeview Substation Project includes the construction of a 115/12 kV electric substation located near the communities of Lakeview and Nuevo within unincorporated Riverside County. The project would include the installation of two 115 kV subtransmission source line

segments to connect the Lakeview Substation to the existing Valley-Moval 115 kV subtransmission line; one segment would be approximately 1.8 miles long, forming the new Valley-Lakeview 115 kV subtransmission line, and the other segment would be approximately 1.5 miles long forming the new Lakeview-Moval 115 kV subtransmission line. The proposed project would include the construction of two underground 12 kV distribution getaways and the installation of overhead and underground fiber-optic telecommunications cable to connect the Lakeview Substation to SCE's telecommunications network as well as upgrades to telecommunications equipment at various substations.

The proposed project is intended to serve existing and long-term projected electrical demand requirements, and to improve reliability and system operational flexibility, in the Electrical Needs Area beginning in mid-2013.

6.2. Alternative 1: Phased Construction Alternative

Under the Phased Construction Alternative, all aspects of the project would remain as for the proposed project, except that the construction schedule would be extended by approximately 10 months to a total of approximately 22 months to reduce the overlap in construction of four project components (substation, distribution getaways, subtransmission source lines, and telecommunications facilities). The Phased Construction Alternative would reduce peak daily emissions of nitrous oxide (NO_x) to levels below the South Coast Air Quality Management District (SCAQMD) significance threshold. It would also reduce peak daily emissions of 10 microns in diameter (PM₁₀), but not to levels below the SCAQMD significance threshold.

6.3. Alternative 2: Relocated Substation Alternative

Under the Relocated Substation Alternative, the Lakeview Substation would be located on a parcel located adjacent to and immediately northwest of the proposed site. This location is approximately 0.125 mile further away from affected roads and residences than the proposed project location and would thereby significantly reduce the level of visual impact. This location would allow the elimination of one to three wood poles along one subtransmission line segment; it would allow three to five fewer wood poles along and shorten a second subtransmission line segment by approximately 2900 feet; and it would require less road rehabilitation and construction than the proposed project. The Relocated Substation Alternative would reduce construction-related emissions of NO_x and PM₁₀. However, the relocated substation would be located in a flood zone.

6.4. No Project Alternative

Under the No Project Alternative, none of the new facilities would be built and none of the proposed project impacts would be created. Likewise, none of the project objectives would be met.

7. Significant Environmental Impacts

7.1. Summary

The EIR examined the potential environmental impacts associated with the proposed project and alternatives as they relate to the following 18 areas of environmental analysis: aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, energy conservation, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use and planning, minerals, noise, population

and housing, public services, recreation, transportation and traffic, and utilities and service systems. With mitigation, the proposed project and all project alternatives would not have a significant unavoidable impact related to any of these areas of environmental analysis other than air quality. The proposed project and all project alternatives (other than the No Project Alternative) would have a significant unavoidable impact on air quality.

7.2. Aesthetics

The proposed project and project alternatives would not result in any significant adverse impacts on aesthetics.

7.3. Agriculture and Forestry Resources

The proposed project and project alternatives (other than the No Project Alternative) would result in temporary impacts to designated farmland and would permanently convert farmland to non-agricultural use. With the mitigation measures identified in the Mitigation Monitoring, Compliance and Reporting Program (MMCRP), including measures to be taken during construction and the acquisition of permanent agricultural conservation easements in at least equal quality and size as land disturbed by the project, these impacts can be mitigated to less than significant.

The No Project Alternative would have no potential impacts on agriculture and forestry resources.

7.4. Air Quality

Project construction activities would result in significant unavoidable impacts on regional air quality by generating emissions of nitrogen oxides (NO_x) and particulate matter less than PM₁₀ that could contribute substantially to a violation of ozone and PM₁₀ air quality standards, emissions of criteria pollutants that would be cumulatively considerable, and emissions of PM₁₀ that

could expose a sensitive receptor to harmful pollutant concentrations. While mitigation measures can mitigate these impacts to the maximum extent feasible, these impacts would remain significant and unavoidable.

Construction of the Phased Construction Alternative would result in significant unavoidable impacts on regional air quality by generating PM10 emissions, similar to the proposed project. However, NOx emissions would be reduced to below the South Coast Air Quality Management District (SCAQMD) significance threshold and therefore result in less than significant impacts pursuant to CEQA.

Construction of the Relocated Substation Alternative would result in significant unavoidable impacts on regional air quality by generating NOx and PM10 emissions similar to those of the proposed project. However, impacts related to exposing sensitive receptors to harmful pollutant concentrations would be less than significant.

The No Project Alternative would have no potential impacts on air quality.

7.5. Biological Resources

Construction of the proposed project could result in adverse impacts to special-status plant species, Stephen's kangaroo rat, and non-listed special-status wildlife species; they could impact common or protected nesting migratory birds; and operation of new transmission lines could impact raptors as a result of electrocution or collision. These biological impacts can be mitigated to less than significant with the mitigation measures identified in the MMCRP.

Impacts on biological resources resulting from the Phased Construction Alternative and the Relocated Substation Alternative would be similar to those resulting from the proposed project and can be similarly mitigated.

The No Project Alternative would have no potential impacts on biological impacts.

7.6. Cultural Resources

Although none of the known resources located with the project area have been identified as such, construction and operation and maintenance of the proposed project could adversely impact buried or otherwise obscured historical resources, unique archaeological resources, unique paleontological resources or sites or unique geologic features, or human remains. These cultural impacts can be mitigated to less than significant with the mitigation measures identified in the MMCRP.

Impacts on cultural resources resulting from the Phased Construction Alternative and the Relocated Substation Alternative would be similar to those resulting from the proposed project and can be similarly mitigated.

The No Project Alternative would have no potential impacts on cultural resources.

7.7. Energy Conservation

The proposed project and project alternatives would not result in any significant adverse impacts on energy conservation.

7.8. Geology and Soils

The proposed project and project alternatives would not result in any significant adverse impacts on geology and soils.

7.9. Greenhouse Gas Emissions

The proposed project and project alternatives would not result in any significant adverse impacts on greenhouse gas emissions.

7.10. Hazards and Hazardous Materials

The proposed project and project alternatives would not result in any significant adverse impacts on hazards and hazardous materials.

7.11. Hydrology and Water Quality

The proposed project, the Phased Construction Alternative and the No Project Alternative would not result in any significant adverse impacts on hydrology and water quality.

The Relocated Substation Alternative could result in a potentially significant impact as a result of its location within a 100-year flood zone. This impact can be mitigated to less than significant with the mitigation measures identified in the MMCRP.

7.12. Land Use and Planning

The proposed project and project alternatives would not result in any significant adverse impacts on land use and planning.

7.13. Minerals

The proposed project and project alternatives would not result in any significant adverse impacts on minerals.

7.14. Noise

Construction of the proposed project, the Phased Construction Alternative and the Relocated Substation Alternative could violate local municipal code construction time-of-day restrictions on noise levels and increase ambient noise levels in the vicinity. These impacts can be mitigated to less than significant with the mitigation measures identified in the MMCRP.

The No Project Alternative would have no potential impacts on noise.

7.15. Population and Housing

The proposed project and project alternatives would not result in any significant adverse impacts on population and housing.

7.16. Public Services

The proposed project and project alternatives would not result in any significant adverse impacts on public services.

7.17. Recreation

The proposed project and project alternatives would not result in any significant adverse impacts on recreation.

7.18. Transportation and Traffic

Construction of the proposed project and the Phased Construction Alternative could substantially increase traffic in relation to the existing traffic load and capacity of the street system, impact pedestrian and bicycle traffic on the existing informal trail along the San Jacinto River, and result in inadequate emergency access. The impacts of construction of the Relocated Substation Alternative would be approximately the same or somewhat less than the proposed project. These impacts can be mitigated to less than significant with the mitigation measures identified in the MMCRP.

The No Project Alternative would have no potential impacts on land use and planning.

7.19. Utilities and Service Systems

The proposed project and project alternatives would not result in any significant adverse impacts on utilities and service systems.

8. Environmentally Superior Alternative

As identified in the EIR, the environmentally superior alternative (other than the No Project Alternative) is the Phased Construction Alternative. As between the Proposed Project and the Relocated Substation Alternative, the Proposed Project is superior to the Relocated Substation Alternative due to the severity of the Relocated Substation Alternative's long-term impacts to hydrology and water quality.

9. Certification of EIR

CEQA requires the lead agency to certify that the EIR was completed in compliance with CEQA, that the agency has reviewed and considered it prior to approving the project, and that the EIR reflects the agency's independent judgment. As previously discussed, the EIR was completed after notice and opportunity for public comment on the scope of the environmental review and the draft EIR, as required by CEQA. The final EIR documents all comments made on the draft EIR and responds to them, as required by CEQA. The EIR, as revised by the Supplemental Environmental Analysis, identifies the proposed project's significant and unavoidable environmental impacts, mitigation measures that will avoid or substantially lessen them, and the environmentally superior alternative. We have reviewed and considered the information contained in the EIR as well as parties' challenges to the adequacy of the EIR as discussed below. We find that substantial evidence supports the EIR's findings, and we certify that the EIR was completed in compliance with CEQA, that we have reviewed and considered the information contained in it, and that it reflects our independent judgment.

LIUNA asserts that the EIR violates CEQA by failing to determine that the project site supports 12 special-status species and provides potential habitat for

the federally endangered Riverside fairy shrimp, the federally threatened vernal pool fairy shrimp, and the Western spadefoot, a California species of special concern. To the contrary, the EIR fairly evaluates the potential for these three species to occur on project site and reasonably determines that there is none. Furthermore, LIUNA raised these assertions in its comments on the draft EIR, and the final EIR reflects and appropriately responds to them. (See Exhibit III, Comment Letter C-6 beginning at p.2-230 and Responses C6-16 through C6-80 at 2-292 through 2-304.)

LIUNA asserts that the EIR's ability to serve as an informational document is questionable because it contradicts testimony by SCE's biologist Andrew Keller regarding the potential for protected species in the project area. To the contrary, the EIR does not conclude that there is no potential for protected species in the project area; rather, the EIR reasonably concludes that there is no potential for protected species in the proposed project footprint, and identifies mitigation to address the potential that protected species are present by requiring preconstruction surveys, on-site biological monitors and avoidance. (See, e.g., Exhibit III at 2-124, Exhibit II at H-8 - H-10.)

In any event, even assuming *arguendo* that the EIR was inconsistent with the testimony of SCE's witness, such difference of opinion would not render the EIR in violation of CEQA. We reiterate CEQA Guideline § 15151 which states in part, "Disagreement among experts does not make an EIR inadequate, but the EIR should summarize the main points of disagreement among the experts." The EIR thoroughly satisfies this requirement.

In its May 30, 2013, memorandum of points and authorities, LIUNA asserts that the Supplemental Environmental Analysis revising Mitigation Measures 4.3-1a, 4.3-1b, 4.4-2, 4.5-2a, 4.5-2b, 4.13-1 and 4.13-4 violates CEQA

because it made those revisions, not based on evidence, but on statements made by SCE in its legal briefs. LIUNA states, “To be clear, the only way the [Supplemental EIR]³ could lawfully weaken existing mitigation measures would be to cite to facts developed during the evidentiary hearings, given by experts under oath, showing that the measures were too burdensome for SCE to implement.” (LIUNA May 30, 2013, motion at 4.) LIUNA offers no authority for this legal assertion and we are not aware of any such authority. To the contrary, CEQA Guidelines § 15164, which contemplates addenda to the EIR for the purpose of making minor changes or revisions, does not address, much less mandate, that any such changes or revisions must increase, rather than lessen, mitigation measures. While LIUNA is correct that SCE’s statements in its legal briefs are not “evidence” for purposes of judicial and administrative proceedings, they are properly considered for purposes of preparing the environmental document.

LIUNA further asserts that the Supplemental Environmental Analysis violates CEQA because it does not reflect evidence presented by LIUNA after the issuance of the final EIR which, according to LIUNA, demonstrated that the EIR had omitted potentially significant impacts on jurisdictional waters and numerous listed and special status species, requiring additional analyses and mitigation. To the contrary, as reflected in Exhibit V which supplements and is a part of the EIR, the EIR considered this additional evidence and reasonably

³ Although LIUNA labels the document as a “supplemental EIR,” the Supplemental Environmental Analysis is in the nature of an “addendum” pursuant to CEQA Guidelines § 15164.

concludes that it raises no new information that was not previously considered and adequately addressed in the EIR.

10. Infeasibility of Environmentally Superior Alternative and Mitigation Measures

CEQA Guidelines § 15091 requires the environmentally superior alternative and all identified mitigation measures absent a finding that specific economic, legal, social, technological or other considerations make them infeasible. SCE challenges the feasibility of the environmentally superior alternative and otherwise objects to several mitigation measures in the EIR.

10.1. Infeasibility of Environmentally Superior Alternative

SCE forecasts that the available capacity in the Electrical Needs Area is 16.1 megavolt-amperes (MVA), which is the entire peak demand which Nuevo Substation is designed to serve under normal operating conditions, will be exceeded in 2014. (Ex. B at 11:16-23.) SCE argues that the environmentally superior Phased Construction Alternative is infeasible because its 22-month construction schedule (as compared to the proposed project's 12-month construction schedule) would delay construction of the project beyond 2014. SCE further argues that the strict sequencing of construction activities could lead to further delays in the event of interruptions for, e.g., bird nesting season or unforeseen geotechnical work (absent strict sequencing, SCE could move from activity to activity so that delay in one need not affect others), and would create unreasonable obstacles for potential construction crews by depriving them of flexibility in assigning crews to work on activities and/or an increase in project costs to accommodate change orders and contract amendments.

Project delay caused by the Phased Construction Alternative does not, in and of itself, render it infeasible. Although Nuevo Substation can only serve 16.1

MVA under normal operating conditions, the Electrical Needs Area is also served by Model Pole Top, a temporary substation with a normal operation capacity of 10 MVA, which was constructed as a stopgap measure to mitigate the projected overload of the Nuevo Substation until such time as the Lakeview Substation could be completed. (Ex. C at 9:21-10:2, 14:17-18). There is no evidence, and no party suggests, that this stopgap measure cannot likewise mitigate projected overload throughout the phased construction of the project or that, notwithstanding the availability of this stopgap measure, the marginal delay associated with phased construction will create substantially greater reliability risks.

Likewise, the fact that phased construction is likely to cost more than other alternatives is not sufficient basis to reject the environmentally superior alternative. The test for economic feasibility of alternatives is “whether the marginal costs of the alternative as compared to the cost of the proposed project are so great that a reasonably prudent property owner would not proceed with the [alternative].” (*Uphold Our Heritage v. Town of Woodside* (2007) 147 Cal.App.4th 587, 600.) There is no evidence of the magnitude of the marginal cost of phased construction as compared to the alternatives upon to gauge its economic feasibility.

Nevertheless, the Phased Construction Alternative is infeasible as a matter of prudent construction practice because it nearly doubles the project’s 12-month construction period, thereby creating the risk of further delays and obstacles to construction flexibility. Indeed, if we were to conclude otherwise, then by extension the project construction schedule should be extended by yet an additional length of time so as to also avoid exceeding the daily emissions threshold for PM10 (the remaining air quality impact). At some point, however,

extending a construction schedule to mitigate air quality impacts becomes impractical and unreasonable as a matter of prudent construction practice. By nearly doubling the 10-month construction schedule, the Phased Construction Alternative exceeds that point.

The Phased Construction Alternative is infeasible.

10.2. Infeasibility of Mitigation Measures

10.2.1. Mitigation Measure 4.3-1a

Mitigation Measure 4.3-1a, as revised in the final EIR, requires SCE to submit to the Commission, at least 30 days before the start of construction, an Exhaust Emissions Control Plan to the Commission that identifies each off-road unit's certified tier specification, Best Available Control Technology, the California Air Quality Resources Board or SCAQMD operating permit number (if applicable), and the model year of all haul trucks under SCE's direct control that will be used. SCE objected that the necessary detail may not be available as early as 30 days prior to construction, and points out that the plan will necessarily be updated periodically throughout the duration of construction as different equipment is needed for various components of the project, and requests that the mitigation measure be revised to allow submission of the Exhaust Emissions Control Plan as soon as available (rather than at least 30 days) prior to commencement of construction activities. The Supplemental Environmental Analysis revises Mitigation Measure 4.3-1a to acknowledge and accommodate this concern. With this revision, Mitigation Measure 4.3-1a is not infeasible.

10.2.2. Mitigation Measure 4.3-1b

As set forth in the final EIR, Mitigation Measure 4.3-1b requires SCE to develop a Fugitive Dust Control Plan that "shall include, but not be limited to"

11 specified Best Available Control Measures (BACMs) “as applicable.” SCE interprets this language as requiring it to implement the 11 specified BACMs without exception, and objects that this requirement goes beyond what is necessary to mitigate the project’s impacts. The Supplemental Environmental Analysis clarifies Mitigation Measure 4.3-1b to avoid this misinterpretation. With this revision, Mitigation Measure 4.3-1b is not excessive.

10.2.3. Mitigation Measure 4.4-2

As set forth in the final EIR, Mitigation Measure 4.4-2 requires SCE to implement various measures to reduce impacts to Stephens’ kangaroo rat and Los Angeles pocket mouse. SCE objects that the measure is in excess of what is required to mitigate potential impacts because SCE entered into an agreement with the Riverside County Habitat Conservation Agency (RCHCA, the agency responsible for implementing the Stephens’ Kangaroo Rat Habitat Conservation Plan (SKRHCP)) with respect to impacts on the Stephens’ kangaroo rat,⁴ and because, as indicated in its comment on the draft EIR, SCE intends to participate in the Multiple Species Habitat Conservation Plan (MSHCP) (which is implemented by the Western Riverside Regional Conservation Authority (RCA)), with respect to impacts on the Los Angeles pocket mouse. SCE asserts that, if RCHCA or RCA believe that the measures described in Mitigation Measure 4.4-2 are necessary, they can impose them at the time of SCE’s participation in the plans. SCE requests that the EIR be amended to remove Mitigation Measure 4.4-2 in its entirety. The Supplemental Environmental Analysis instead revises Mitigation Measure 4.4-2 to clarify that the various

measures identified therein are required only to the extent that they are included in the MSHCP. With this revision, Mitigation Measure 4.4-2 is not excessive.

10.2.4. Mitigation Measure 4.5-2a

As set forth in the final EIR, Mitigation Measure 4.5-2a requires SCE to provide archeological and Native American monitors to observe construction activities across the entire project. SCE argues that this mitigation measure is not needed because it was identified in order to address potential impacts related to Fiber Optic Cable Route 3, which was since removed from the project description.

To the contrary, this mitigation measure addresses potential impacts to unique archeological resources that were not immediately observable, but which may be buried or otherwise obscured. As discussed in the draft EIR, this potential extends throughout the project area. (Ex. II at 4.5-21.) Although the Supplemental Environmental Analysis revises Mitigation Measures 4.5-2a and 4.5-2b to acknowledge the reduced potential for impacts, it reasonably maintains necessary protection for unknown cultural resources. In any event, SCE does not assert and we do not find Mitigation Measure 4.5-2a to be infeasible or excessive.

10.2.5. Mitigation Measure 4.13-1

As set forth in the final EIR, Mitigation Measure 4.13-1 requires that all construction activities within unincorporated Riverside County within 0.25 mile of an inhabited dwelling be restricted to those hours specified in the Riverside County and City of Moreno Valley ordinances. SCE objects that the measure is

⁴ SCE entered into the referenced agreement with RCHCA on or about October 15, 2012. (See SCE request for judicial notice filed November 6, 2012.)

in excess of what is required to mitigate potential impacts because both ordinances contain provisions that would allow SCE to seek a variance in the event construction activities are required outside the established ordinance hours. The Supplemental Environmental Analysis revises Mitigation Measure 4.13-4 to reflect the potential for obtaining a local agency's grant of variance approval. With this revision, Mitigation Measure 4.4-2 is not excessive.

10.2.6. Mitigation Measure 4.13-4

As set forth in the final EIR, Mitigation Measure 4.13-4 requires SCE to provide a Construction Noise Reduction Plan, including the implementation of noise barriers. SCE requests that this mitigation measure be removed in its entirety for being excessive because the anticipated scenarios would result in an A-weighted decibel (dBA) under the 90 dBA significance threshold. The Supplemental Environmental Analysis revises Mitigation Measure 4.13-4 to explain that, in the case of proposed construction work at the Alessandro Substation, the reasonably conservative scenario would result in an hourly equivalent sound level of 94 dBA at the closest residence. The Supplemental Environmental Analysis also revises Mitigation Measure 4.13-4 to add language that was inadvertently omitted from the final EIR that more narrowly requires SCE to "assure that construction-related noise levels at the Alessandro Substation would not exceed an hourly [equivalent sound level] of 90 dBA at the nearest sensitive receptor, which *may* require the development and implementation of a Construction Noise Reduction Plan." (Ex. IV at 5, emphasis added.) With this revision, Mitigation Measure 4.13-4 is not excessive.

11. Overriding Considerations

Pursuant to CEQA Guidelines § 15093, the Commission may only approve a project that results in significant and unavoidable impacts upon a finding that

there are specific economic, legal, social, technological or other benefits of the project that outweigh the unavoidable adverse environmental impacts. SCE asserts that the Lakeview Substation Project is needed in order to accommodate forecasted load demand in the Electrical Needs Area over SCE's current 10-year plan and beyond; provide multiple sources of electricity to the Electrical Needs Area, which provides an avenue for backup service in the event that one source experiences a failure; provide additional operating flexibility to shift load among multiple circuits depending on real-time demand and operating conditions; bring the system up to current SCE design standards; and create additional work for construction crews to construct the project and remove the existing facilities.

LIUNA asserts that SCE's projection of increased demand is not supported by substantial evidence because it is premised on the assumed development of the Lakeview Villages Project, whose approvals have been invalidated by the Riverside County Superior Court. To the contrary, regardless of whether the Lakeview Villages Project ultimately goes forward, the record demonstrates that there is a potential for future load growth in the near future. For example, since SCE developed its peak demand forecast, the County of Riverside has circulated a draft EIR for the Motte Project, for which the preliminarily projected load is about 10 MVA. (*See* SCE reply brief at 4.)

LIUNA asserts that SCE's prediction of load growth is contradicted by the historical usage in the needs area, which it claims has been flat or moving downward since 2007. To the contrary, the evidence to which Laborers' International Union cites demonstrates that historic usage has been erratic at best: while it was only 14.4 MVA in 2012 as compared to 15.1 MVA in 2007, it jumped to 16 MVA in 2010 after the period low of 14.1 MVA in 2009. (SCE/McCabe, Recorded Transcript (RT) 114:20-115:12.) Furthermore, as SCE's

witness persuasively explained, these year-to-year fluctuations do not necessarily correlate to real changes in load; rather, they may result from a variety of factors including temporary economic challenges and system optimization activities such as load transfers between substations.

(SCE/McCabe, RT 115:13-25.)

In view of the potential for future load growth arising on the heels of proposed, albeit possibly failed, Lakeview Villages Project and in the absence of credible evidence to suggest why future growth is unlikely, it is reasonable to anticipate future load growth in the area.

LIUNA further asserts that the Lakeview Substation project is not needed because the current system, which includes the Nuevo substation along with the Model Pole Top substation, adequately serves current demand. With regard to LIUNA's assertion that the current system adequately serves current demand, we give greater weight to SCE's testimony that the Nuevo substation cannot be upgraded to existing design standards and that, although the Model Pole Top substation could be upgraded to existing design standards, it cannot provide the increased reliability and operational flexibility afforded by the Lakeview Substation. (See SCE reply brief at 3.)

We find that, taken together, the Lakeview Substation Project's benefits of accommodating forecasted load demand in the Electrical Needs Area over SCE's current 10-year plan and beyond, providing an avenue for backup service in the event of failure of a source of electricity in the area, providing additional

operating flexibility, and bringing the system up to current SCE design standards outweigh the project's unavoidable impact on air quality.⁵

12. EMF Policy Compliance

The Commission has examined EMF impacts in several previous proceedings.⁶ We found the scientific evidence presented in those proceedings was uncertain as to the possible health effects of EMFs and we did not find it appropriate to adopt any related numerical standards. Because there is no agreement among scientists that exposure to EMF creates any potential health risk, and because CEQA does not define or adopt any standards to address the potential health risk impacts of possible exposure to EMFs, the Commission does not consider magnetic fields in the context of CEQA and determination of environmental impacts.

However, recognizing that public concern remains, we do require, pursuant to GO 131-D, Section X.A, that all requests for a permit to construct include a description of the measures taken or proposed by the utility to reduce the potential for exposure to EMFs generated by the proposed project. We developed an interim policy that requires utilities, among other things, to identify the no-cost measures undertaken, and the low-cost measures implemented, to reduce the potential EMF impacts. The benchmark established for low-cost measures is 4% of the total budgeted project cost that results in an

⁵ The Commission's responsibility is to ensure safe and reliable utility service at just and reasonable rates. While the Lakeview Substation project may create additional work for construction crews as SCE asserts, it is not within the Commission's jurisdiction to approve a project, notwithstanding its significant and unavoidable environmental impacts, on the basis of its jobs creation and economic stimulus.

⁶ See D.06-01-042 and D.93-11-013.

EMF reduction of at least 15% (as measured at the edge of the utility right-of-way).

SCE filed a field management plan for the Lakeview Substation project with this application. Based upon preliminary engineering designs, the field management plan utilizes subtransmission line structure heights that meet or exceed SCE's EMF preferred design criteria and reduces the space between conductors compared with other designs, and places major substation electrical equipment (such as transformers, switchracks, buses and underground duct banks) away from the substation property lines and to configure the transfer and operating buses with the transfer bus closest to the nearest property line. If the final engineering designs are different than preliminary engineering designs, SCE will implement comparable "no-cost and low-cost" magnetic field reduction design options. If the final engineering designs are significantly different than the preliminary designs, SCE will prepare a final or addendum to the field management plan. This design complies with the Commission's EMF decisions.

13. Comments on Proposed Decision

The proposed decision of ALJ Hallie Yacknin in this matter was mailed to the parties in accordance with Pub. Util. Code § 311 and comments were allowed pursuant to Rule 14.3 of the Commission's Rules of Practice and Procedure. SCE and LIUNA filed opening comments on August 26, 2013, and SCE filed reply comments on September 3, 2013. The ALJ took the comments into account and made non-substantive revisions, as appropriate, to her proposed decision. The Commission hereby adopts the ALJ's proposed decision as revised.

14. Assignment of Proceeding

Michel P. Florio is the assigned Commissioner and Hallie Yacknin is the assigned ALJ in this proceeding.

Findings of Fact

1. The proposed project and project alternatives would not result in any significant adverse impacts on aesthetics.
2. All agriculture and forestry resource impacts can be mitigated to less than significant with the mitigation measures identified in the MMCRP.
3. Construction of the proposed project would have significant and unmitigable impacts on air quality resources by generating NO_x and particulate matter less than PM₁₀ emissions that could contribute substantially to a violation of ozone and PM₁₀ air quality standards, emissions of criteria pollutants that would be cumulatively considerable, and emissions of PM₁₀ that could expose a sensitive receptor to harmful pollutant concentrations. While mitigation measures identified in the MMCRP can mitigate them to the maximum extent feasible, these air quality impacts would remain significant and unavoidable.
4. Construction of the Phased Construction Alternative would result in significant unavoidable impacts on regional air quality by generating PM₁₀ emissions, similar to the proposed project. While mitigation measures identified in the MMCRP can mitigate them to the maximum extent feasible, these air quality impacts would remain significant and unavoidable.
5. Construction of the Relocated Substation Alternative would result in significant unavoidable impacts on regional air quality by generating NO_x and PM₁₀ emissions, similar to those of the proposed project. While mitigation measures identified in the MMCRP can mitigate them to the maximum extent feasible, these air quality impacts would remain significant and unavoidable.
6. All biological impacts can be mitigated to less than significant with the mitigation measures identified in the MMCRP.

7. All cultural impacts can be mitigated to less than significant with the mitigation measures identified in the MMCRP.

8. The proposed project and project alternatives would not result in any significant adverse impacts on energy conservation.

9. The proposed project and project alternatives would not result in any significant adverse impacts on geology and soils.

10. The proposed project and project alternatives would not result in any significant adverse impacts on greenhouse gas emissions.

11. All hazards and hazardous materials impacts can be mitigated to less than significant with the mitigation measures identified in the MMCRP.

12. The proposed project and project alternatives would not result in any significant adverse impacts on hydrology and water quality.

13. The proposed project and project alternatives would not result in any significant adverse impacts on land use and planning.

14. The proposed project and project alternatives would not result in any significant adverse impacts on mineral resources.

15. All noise impacts can be mitigated to less than significant with the mitigation measures identified in the MMCRP.

16. The proposed project and project alternatives would not result in any significant adverse impacts on population and housing.

17. The proposed project and project alternatives would not result in any significant adverse impacts on public services.

18. The proposed project and project alternatives would not result in any significant adverse impacts on recreation.

19. All transportation and traffic impacts can be mitigated to less than significant with the mitigation measures identified in the MMCRP.

20. The proposed project and project alternatives would not result in any significant adverse impacts on utilities and service systems.

21. The environmentally superior alternative, other than the “No Project” alternative, is the Phased Construction Alternative.

22. The Proposed Project is environmentally superior to the Relocated Substation Alternative due to the severity of the Relocated substation Alternative’s long-term impacts to hydrology and water quality.

23. The Commission has reviewed and considered the information contained in the EIR.

24. The Phased Construction Alternative is infeasible.

25. The mitigation measures identified in the MMCRP are not infeasible or excessive.

26. The Lakeview Substation project will provide additional transformation capacity to accommodate forecasted load demand in the Electrical Needs Area, improve reliability by providing multiple sources of electricity to the area, provide operational flexibility to shift load among multiple circuits depending on real-time demand and operating conditions, and replace current substations which do not meet current SCE design standards with a new substation that will.

27. These are overriding considerations that support our approval of the Lakeview Substation Project, despite its significant and unavoidable impacts on air quality.

28. SCE’s field management plan incorporates all feasible no-cost and low-cost measures to reduce potential EMF impacts by utilizing structure heights that meet or exceed SCE’s EMF preferred design criteria and reducing the space between conductors compared with other designs, and by placing major substation electrical equipment (such as transformers, switchracks, buses and

underground duct banks) away from the substation property lines and configuring the transfer and operating buses with the transfer bus closest to the nearest property line.

Conclusions of Law

1. The EIR was completed in compliance with CEQA.
2. The EIR reflects the Commission's independent judgment and analysis.
3. The additional transformation capacity, improved reliability, operational flexibility and upgraded design of the Lakeview Substation project are benefits that, taken together, constitute overriding considerations that support our approval of the Lakeview Substation project, configured as the Proposed Project, despite its significant and unavoidable impacts on air quality.
4. SCE's field management plan is consistent with the Commission's EMF policy for implementing no-cost and low-cost measures to reduce potential EMF impacts.
5. SCE should be granted a permit to construct for the Lakeview Substation project, constructed as the Proposed Project, with mitigation set forth in the Mitigation Monitoring, Reporting, and Compliance Program, which is attached to this decision.
6. Application 10-09-016 should be closed.
7. This order should be effective immediately.

O R D E R**IT IS ORDERED** that:

1. Southern California Edison Company is granted a permit to construct the Lakeview Substation Project, constructed as the Proposed Project, with

mitigation set forth in the Mitigation Monitoring, Reporting and Compliance Program, which is attached to this decision.

2. Application 10-09-016 is closed.

This order is effective today.

Dated _____, at San Francisco, California.

ATTACHMENT

**Mitigation Monitoring, Compliance and Reporting
Program**

CHAPTER H

Mitigation Monitoring, Reporting and Compliance Program

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PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



MITIGATION MONITORING, REPORTING, AND COMPLIANCE PROGRAM

SOUTHERN CALIFORNIA EDISON'S LAKEVIEW SUBSTATION PROJECT (APPLICATION NO. A.10-09-016)

INTRODUCTION

This document describes the mitigation monitoring, reporting, and compliance program (MMRCP) for ensuring the effective implementation of the mitigation measures required for the California Public Utilities Commission (CPUC, or Commission) approval of the Southern California Edison's (SCE) application to construct, operate and maintain the Project. All mitigation measures are presented in Table 9-1 provided at the end of this MMRCP. If the Project is approved, this MMRCP would serve as a self-contained general reference for the Mitigation Monitoring, Reporting, and Compliance Program adopted by the Commission for the Project. If and when the Project is approved by the Commission, the CPUC will compile the Final MMRCP based on this Appendix H to the Final Environmental Impact Report (EIR) and any revisions to it that the CPUC may make during its EIR certification and permit approval processes.

California Public Utilities Commission – MMRCP Authority

The California Public Utilities Code in numerous places confers authority upon the CPUC to regulate the terms of service and the safety, practices and equipment of utilities subject to its jurisdiction. It is the standard practice of the CPUC, pursuant to its statutory responsibility to protect the environment, to require that mitigation measures stipulated as conditions of approval be implemented properly, monitored, and reported on. In 1989, this requirement was codified statewide as section 21081.6 of the Public Resources Code. Section 21081.6 requires a public agency to adopt a MMRCP when it approves a project that is subject to preparation of an EIR and where the EIR for the project identifies potentially significant environmental effects. California Environmental Quality Act (CEQA) Guidelines section 15097 was added in 1999 to further clarify agency requirements for mitigation monitoring and reporting.

The purpose of a MMRCP is to ensure that measures adopted to mitigate or avoid significant impacts of a project are implemented. The CPUC views the MMRCP as a working guide to facilitate not only the implementation of mitigation measures by the project proponent, but also the monitoring, compliance, and reporting activities of the CPUC and any monitors it may designate.

The Commission will address its responsibility under Public Resources Code section 21081.6 when it takes action on SCE's applications. If the Commission approves the applications, it will also adopt a MMRCPP that includes the mitigation measures ultimately made a condition of approval by the Commission.

Because the CPUC must decide whether or not to approve the SCE application and because the application may cause either direct or reasonably foreseeable indirect effects on the environment, CEQA requires the CPUC to consider the potential environmental impacts that could occur as the result of its decisions and to consider mitigation for any identified significant environmental impacts.

If the CPUC approves SCE's application for authority to construct and operate the substation, subtransmission source lines, distribution getaways, and telecommunications facilities and to decommission the existing Nuevo and temporary Model Pole Top Substations, SCE would be responsible for implementation of any mitigation measures governing both construction and future operation of the Project. Though other state and local agencies would have permit and approval authority over construction of the subtransmission line, the CPUC would continue to act as the lead agency for monitoring compliance with all mitigation measures required by this EIR. All approvals and permits obtained by SCE would be submitted to the CPUC for mitigation compliance prior to commencing the activity for which the permits and approvals were obtained.

In accordance with CEQA, the CPUC reviewed the impacts that would result from approval of the application. The activities considered include the construction and operation of the new Lakeview Substation, subtransmission source line segments, distribution getaways, and telecommunications facilities, and the decommissioning of the existing Nuevo and temporary Model Pole Top Substations. The CPUC review concluded that Project implementation could result in significant unmitigable impacts on Air Quality. All other potential impacts could be mitigated to less-than-significant levels. SCE has agreed to incorporate all the proposed mitigation measures into the Project. The CPUC has included the stipulated mitigation measures as conditions of approval of the applications and has circulated a Draft EIR.

The attached EIR presents and analyzes potential environmental impacts that would result from construction, operation, and maintenance of the Project, and proposes mitigation measures as appropriate. Based on the EIR, approval of the application would have no impact or less-than-significant impacts in the following areas:

- Aesthetics
- Energy Conservation
- Geology and Soils
- Greenhouse Gas Emissions
- Hydrology and Water Quality
- Land Use and Planning
- Mineral Resources
- Population and Housing
- Public Services
- Recreation
- Utilities and Service Systems

The EIR indicates that approval of the application would result in potentially significant impacts in the areas of:

- Agriculture and Forestry Resources
- Biological Resources
- Cultural Resources
- Hazards and Hazardous Materials
- Noise
- Transportation and Traffic

The EIR indicates that approval of the application would result in significant unmitigable impacts in the in the area of:

- Air Quality

Roles and Responsibilities

As the lead agency under CEQA, the CPUC is required to monitor this project to ensure that the required mitigation measures and any Applicant Proposed Measures (APMs) are implemented. The CPUC will be responsible for ensuring full compliance with the provisions of this MMRCP and has primary responsibility for implementation of the monitoring program. The purpose of the monitoring program is to document that the mitigation measures required by the CPUC are implemented and that mitigated environmental impacts are reduced to the level identified in the Program. The CPUC has the authority to halt any activity associated with the Project if the activity is determined to be a deviation from the approved project or the adopted mitigation measures.

The CPUC may delegate duties and responsibilities for monitoring to other mitigation monitors or consultants as deemed necessary. The CPUC will ensure that the person(s) delegated any duties or responsibilities are qualified to monitor compliance.

The CPUC, along with its mitigation monitor, will ensure that any variance process, which will be designed specifically for the Project, or deviation from the procedures identified under the monitoring program is consistent with CEQA requirements; no Project variance will be approved by the CPUC if it creates new significant environmental impacts. As defined in this MMRCP, a variance should be strictly limited to minor Project changes that will not trigger other permit requirements, that does not increase the severity of an impact or create a new impact, and that clearly and strictly complies with the intent of the mitigation measure. A proposed Project change that has the potential for creating significant environmental effects will be evaluated to determine whether supplemental CEQA review is required. Any proposed deviation from the approved Project and adopted mitigation measures, including correction of such deviation, shall be reported immediately to the CPUC and the mitigation monitor assigned to the construction for their review and approval. In some cases, a variance may also require approval by a CEQA responsible agency.

Enforcement and Responsibility

The CPUC is responsible for enforcing the procedures for monitoring through the environmental monitor. The environmental monitor shall note problems with monitoring, notify appropriate agencies or individuals about any problems, and report the problems to the CPUC. The CPUC has

the authority to halt any construction, operation, or maintenance activity associated with the Project if the activity is determined to be a deviation from the approved Project or adopted mitigation measures. The CPUC may assign its authority to its environmental monitor.

Mitigation Compliance Responsibility

SCE is responsible for successfully implementing all the adopted mitigation measures in this MMRCP. The MMRCP contains criteria that define whether mitigation is successful. Standards for successful mitigation also are implicit in many mitigation measures that include such requirements as obtaining permits or avoiding a specific impact entirely. Additional mitigation success thresholds will be established by applicable agencies with jurisdiction through the permit process and through the review and approval of specific plans for the implementation of mitigation measures.

SCE shall inform the CPUC and its mitigation monitor in writing of any mitigation measures that are not or cannot be successfully implemented. The CPUC in coordination with its mitigation monitor will assess whether alternative mitigation is appropriate and specify to SCE the subsequent actions required.

Dispute Resolution Process

This MMRCP is expected to reduce or eliminate many of the potential disputes concerning the implementation of the adopted measures. However, in the event that a dispute occurs, the following procedure will be observed:

- **Step 1.** Disputes and complaints (including those of the public) should be directed first to the CPUC's designated Project Manager for resolution. The Project Manager will attempt to resolve the dispute.
- **Step 2.** Should this informal process fail, the CPUC Project Manager may initiate enforcement or compliance action to address deviations from the proposed Project or adopted MMRCP.
- **Step 3.** If a dispute or complaint regarding the implementation or evaluation of the MMRCP or the mitigation measures cannot be resolved informally or through enforcement or compliance action by the CPUC, any affected participant in the dispute or complaint may file a written "notice of dispute" with the CPUC's Executive Director. This notice should be filed in order to resolve the dispute in a timely manner, with copies concurrently served on other affected participants. Within 10 days of receipt, the Executive Director or designee(s) shall meet or confer with the filer and other affected participants for purposes of resolving the dispute. The Executive Director shall issue an Executive Resolution describing his/her decision, and serve it on the filer and other affected participants.
- **Step 4.** If one or more of the affected parties is not satisfied with the decision as described in the Resolution, such party(ies) may appeal it to the Commission via a procedure to be specified by the Commission.

Parties may also seek review by the Commission through existing procedures specified in the Commission's Rules of Practice and Procedure for formal and expedited relief.

General Monitoring Procedures

Mitigation Monitor

Many of the monitoring procedures will be conducted during the construction phase of the Project. The CPUC and the mitigation monitor are responsible for integrating the mitigation monitoring procedures into the construction process in coordination with SCE. To oversee the monitoring procedures and to ensure success, the mitigation monitor assigned to the construction must be on site during that portion of construction that has the potential to create a significant environmental impact or other impact for which mitigation is required. The mitigation monitor is responsible for ensuring that all procedures specified in the monitoring program are followed.

Construction Personnel

A key feature contributing to the success of mitigation monitoring will be obtaining the full cooperation of construction personnel and supervisors. Many of the mitigation measures require action on the part of the construction supervisors or crews for successful implementation. To ensure success, the following actions, detailed in specific mitigation measures included in the MMRCP, will be taken:

- Procedures to be followed by construction companies hired to do the work will be written into contracts between SCE and any construction contractors. Procedures to be followed by construction crews will be written into a separate agreement that all construction personnel will be asked to sign, denoting agreement.
- One or more pre-construction meetings will be held to inform all and train construction personnel about the requirements of the MMRCP.
- A written summary of mitigation monitoring procedures will be provided to construction supervisors for all mitigation measures requiring their attention.

General Reporting Procedures

Site visits and specified monitoring procedures performed by other individuals will be reported to the mitigation monitor assigned to the construction. A monitoring record form will be submitted to the mitigation monitor by the individual conducting the visit or procedure so that details of the visit can be recorded and progress tracked by the mitigation monitor. A checklist will be developed and maintained by the mitigation monitor to track all procedures required for each mitigation measure and to ensure that the timing specified for the procedures is adhered to. The mitigation monitor will note any problems that may occur and take appropriate action to rectify the problems. SCE shall provide the CPUC with written quarterly reports of the Project, which shall include progress of construction, resulting impacts, mitigation implemented, and all other noteworthy elements of the Project. Quarterly reports shall be required as long as mitigation measures are applicable.

Public Access to Records

The public is allowed access to records and reports used to track the monitoring program. Monitoring records and reports will be made available for public inspection by the CPUC on request. The CPUC and SCE will develop a filing and tracking system.

Condition Effectiveness Review

In order to fulfill its statutory mandates to mitigate or avoid significant effects on the environment and to design a MMRCP to ensure compliance during Project implementation (CEQA Guidelines §21081.6):

- The CPUC may conduct a comprehensive review of conditions which are not effectively mitigating impacts at any time it deems appropriate, including as a result of the Dispute Resolution procedure outlined above; and
- If in either review, the CPUC determines that any conditions are not adequately mitigating significant environmental impacts caused by the project, or that recent proven technological advances could provide more effective mitigation, then the CPUC may impose additional reasonable conditions to effectively mitigate these impacts.

These reviews will be conducted in a manner consistent with the CPUC's rules and practices.

Mitigation Monitoring, Reporting, and Compliance Program

The table attached to this program presents a compilation of APMs and the mitigation measures in the EIR. The purpose of the table is to provide a single comprehensive list of impacts, mitigation measures, monitoring and reporting requirements, and timing.

SCE proposed the following APMs to minimize impacts on aesthetic resources, biological resources, and paleontological resources from Project implementation. The impact analysis in this EIR assumed that these APMs would be implemented as part of the Project.

APM-Aesthetics-1: Prepare a Landscaping Plan. SCE will prepare a landscaping plan consistent with Riverside County standards, as well as SCE standards to filter views of the substation for the surrounding community and other potential sensitive receptors.

APM-Bio-1: Preconstruction Surveys for Nesting Birds/Raptors. To minimize potential impacts to selected nesting special-status birds, raptors, or other MBTA bird species, planned vegetation clearing will take place during the non-breeding season (between September 1 and January 31) to the extent feasible. This will discourage the species from nesting within the work area. Existing trees, shrubs, or other vegetation that would provide suitable structure for nesting would be removed. If vegetation clearing must take place during nesting season (February 1–August 31), a biologist shall conduct pre-construction nesting bird surveys prior to clearing for the sites that have potential to support nesting birds/raptors. If the biologist finds an active nest within or adjacent to the construction area and determines that there may be impacts to the nest, s/he will delineate an appropriate buffer zone around the

nest depending on the sensitivity of the species and the type of construction activity. Only construction activities (if any) approved by the biologist will take place within the buffer zone until the nest is vacated. If nests are found and cannot be avoided by the project activities, or if work is scheduled to take place near an active nest, SCE shall coordinate with the CDFG and USFWS and obtain written concurrence prior to moving the nest.

APM-Bio-2: Preconstruction Surveys and Construction Monitoring. Pre-construction biological clearance surveys shall be performed at the Project Site to minimize impacts on special-status wildlife. If special-status species are present, biological monitors would be on site, as needed during project implementation in suitable habitat areas and shall aid crews in implementing avoidance measures during project construction. If adequate avoidance cannot be established, SCE shall consider enrollment in the MSHCP as a Participating Special Entity or shall coordinate with the USFWS and the CDFG for further guidance as appropriate. Any significant findings during pre-construction surveys would be added to the WEAP training described in Section 3.9 of Chapter 3 of the PEA.

APM-Bio-3: Stephens' Kangaroo Rat. A habitat assessment for Stephens' kangaroo rat was conducted for the entire Proposed Project. Protocol level trapping was conducted along Subtransmission Segments One and Two. Stephens' kangaroo rat was detected along Segment One. The proposed project is in a Stephens' kangaroo rat fee area; therefore, to mitigate for potential impacts to this species, SCE will pay a fee in coordination with the Regional Habitat Conservation Authority.

APM-Bio-4: Riverside Fairy Shrimp. If Riverside fairy shrimp are found, SCE shall consider (1) avoidance measures, (2) enrollment in the MSHCP as a Participating Special Entity, or (3) approvals through the USFWS. Appropriate avoidance, minimization, and compensation measures may be required. Impacts to Riverside fairy shrimp habitat will be avoided to the extent feasible in the final Project Design. Habitat areas will be marked as "off limits" in construction plans and specifications. If significant impacts to habitat are unavoidable, focused surveys will need to be conducted prior to construction activities. Riverside fairy shrimp surveys require either a wet season survey, followed by a consecutive dry season survey, or two wet season surveys done within a five-year period (USFWS, 1996). If no Riverside fairy shrimp are found in this area during the focused surveys, no additional action is warranted.

APM-Bio-5: Burrowing Owl. Any active burrow found during survey efforts shall be mapped. If no active burrows are found, no further mitigation would be required. If nesting activity is present at an active burrow, the burrow shall be protected until nesting activity has ended. Nesting activity for burrowing owl in the region normally occurs between March and August. To protect the active burrow, the following restrictions to construction activities shall be required until the burrow is no longer active as determined by a biologist: (1) clearing limits shall be established within a 500-foot buffer around any active burrow, unless otherwise determined by a biologist and (2) access and surveying shall be restricted within 300 feet of any active burrow, unless otherwise determined by a biologist. Any encroachment into the buffer area around the active burrow shall only be allowed if the biologist determines that the proposed activity will not disturb the nest occupants. Construction can proceed when the biologist has determined that fledglings have left the nest. If an active burrow is observed during the non-nesting season, the nest site will be monitored by a biologist and, when the owl is away from the nest, the biologist will either actively or passively relocate the burrowing owl. The biologist will then remove the burrow so the burrowing owl cannot return to the burrow.

APM-Bio-6: Native or Special Status Vegetation and Special Status Plant Populations Avoidance. Potential impacts to native vegetation types, vegetation that may support special-status species, and known populations of Special Status Plants will be avoided to the extent feasible in the final project design. Native vegetation and Special Status Plant populations will be marked as “off limits” in construction plans and specifications. If significant impacts to native vegetation and/or Special Status Plants are unavoidable, a biologist will be selected to prepare and implement a mitigation plan, which will include detailed descriptions of maintenance appropriate for the mitigation site, monitoring requirements, and annual report requirements, and will have the full authority to suspend any operation which is, in the biologist’s opinion, not consistent with the mitigation plan. This plan will be submitted for review to the appropriate agencies. In lieu of preparing the abovementioned plan, SCE may participate in the MSHCP.

APM-Bio-7: Avoidance of San Jacinto Valley Crownscale Populations. In order to avoid potential impacts to known populations of San Jacinto Valley crownscale populations, an Environmentally Sensitive Area (ESA) will be developed prior to construction to the extent feasible in the final Project Design (Figure 4.4-5). If impacts to San Jacinto Valley crownscale are unavoidable, SCE would seek inclusion in the Western Riverside County Multi-Species Habitat Conservation Plan to mitigate for unavoidable impacts to this species.

APM PA-1: Paleontological Monitoring Plan. SCE would monitor excavation of rock units having high potential to contain significant nonrenewable paleontological resources. SCE would develop a paleontological monitoring plan describing paleontological monitoring activities.

**TABLE 9-1
MITIGATION MONITORING, REPORTING, AND COMPLIANCE PROGRAM FOR THE LAKEVIEW SUBSTATION PROJECT**

Environmental Impact	Mitigation Measures Proposed in this EIR	Implementing Actions	Monitoring/Reporting Requirements	Timing
Aesthetics				
Less than Significant	None Required	--	--	--
Agriculture and Forestry Resources				
<p>Impact 4.2-1: Construction activities would result in temporary impacts to designated Farmland.</p>	<p>Mitigation Measure 4.2-1a: SCE and/or its contractors shall ensure that the following measures are taken, during construction of the Project:</p> <ul style="list-style-type: none"> • Replace soils in a manner that shall minimize any negative impacts on crop productivity. The surface and subsurface layers shall be stockpiled separately and returned to their appropriate locations in the soil profile; alternately, SCE may work with individual property owners to develop a different method for the disposition of any soils that are impacted on private property, assuming a mutual agreement may be reached. • To avoid over-compaction of the top layers of soil, monitor pre-construction soil densities and return the surface soil (approximately the top 3 feet) to within 5 percent of original density, except where higher soil density is necessary to meet engineering requirements. • Where necessary, the top soil layers shall be ripped to achieve the appropriate soil density. Ripping may also be used in areas where vehicle and equipment traffic have compacted the top soil layers. • Avoid working or traveling unnecessarily on wet soil to minimize compaction and loss of soil structure. • Remove all construction-related debris from the soil surface. This shall prevent rock, gravel, and construction debris from interfering with agricultural activities. • Remove topsoil before excavating in fields. Return it to top of fields to avoid detrimental inversion of soil profiles. 	<p>SCE and its contractors to implement measure as defined.</p>	<p>CPUC mitigation monitor to inspect compliance.</p>	<p>Prior to commencement of and during construction activities.</p>

**TABLE 9-1 (continued)
MITIGATION MONITORING, REPORTING AND COMPLIANCE PROGRAM FOR THE LAKEVIEW SUBSTATION PROJECT**

Environmental Impact	Mitigation Measures Proposed in this EIR	Implementing Actions	Monitoring/Reporting Requirements	Timing
Agriculture and Forestry Resources (cont.)				
Impact 4.2-1 (cont.)	<p>Mitigation Measure 4.2-1b: SCE and/or its contractors shall incorporate the following measures into the Project construction plans and specifications specific to lands designated as Farmland:</p> <ul style="list-style-type: none"> • Coordinate construction scheduling as practicable so as to minimize disruption of agricultural operations by scheduling excavation to occur before or after the growing season. • Either supply replacement crops and trees, or financial compensation for the value of replacement crops and trees, to the landowner at a mitigation ratio of one to one (1:1), upon completion of construction. 	SCE and its contractors to implement measure as defined.	CPUC mitigation monitor to inspect compliance.	Prior to commencement and upon completion of construction.
Impact 4.2-2: The Project would permanently convert Farmland to non-agricultural use.	<p>Mitigation Measure 4.2-2: SCE shall obtain permanent agricultural conservation easements at a one to one (1:1) ratio for each acre of Prime Farmland, Unique Farmland, and Farmland of Statewide Importance that is permanently converted by the Project. Conservation easements shall be on land of at least equal quality and size as land disturbed by the Project. Preference shall be given to easements within Riverside County, though comparable or better arrangements may be made if Riverside County easements are unavailable. Mitigation via agricultural conservation easement shall be satisfied under the following conditions:</p> <ol style="list-style-type: none"> 1. SCE shall acquire farmland and shall establish an easement for the portion of the land that will no longer be used for agricultural land equal to the acreage converted (i.e., 7.9 acres). This land shall be in an area designated for long-term future agricultural use; or 2. SCE shall pay a fee equal to or greater than the value of a previous farmland conversion transaction in the planning area plus the estimated cost of legal appraisal and other costs, including staff time, to acquire property for agricultural mitigation. The fee shall be used for farmland mitigation purposes, with priority given to lands with prime agricultural soils and habitat value. 	SCE and its contractors to implement measure as defined.	SCE to provide evidence of easement and fee payment to CPUC.	Prior to commencement of construction activities.

**TABLE 9-1 (continued)
MITIGATION MONITORING, REPORTING AND COMPLIANCE PROGRAM FOR THE LAKEVIEW SUBSTATION PROJECT**

Environmental Impact	Mitigation Measures Proposed in this EIR	Implementing Actions	Monitoring/Reporting Requirements	Timing
Agriculture and Forestry Resources (cont.)				
<p>Impact 4.2-3: The Project could involve other changes in the existing environment which could result in the conversion of farmland to non-agricultural land.</p>	<p>Mitigation Measure 4.2-3: SCE and/or its contractors shall incorporate the following measures into the project construction plans and specifications specific to lands designated as Farmland:</p> <ul style="list-style-type: none"> • Ensure that existing drainage systems at Project sites that are needed for farming activities function as necessary per coordination with the landowner, so that agricultural uses are not disrupted. • Coordinate with landowners to ensure that construction does not impact irrigation and/or other ancillary farming systems to a degree that farming practices cannot be maintained. • Maintain existing levels of water available to farmers via the current irrigation system including, but not be limited to, implementing re-routing and/or temporary irrigation systems. <p>In lieu of implementing the above requirements, SCE shall have the option of negotiating agreements with any affected landowner(s) that shall enable the landowner(s), to the extent practicable, to effect their own irrigation and/or drainage system changes in a manner consistent with the landowner's farming practices and plans.</p>	<p>SCE and its contractors to implement measure as defined.</p>	<p>SCE to provide construction plans to CPUC.</p>	<p>Prior to commencement of construction activities.</p>
Air Quality				
<p>Impact 4.3-1: Project construction activities would generate NO_x and PM₁₀ emissions that could contribute substantially to violations of ozone and PM air quality standards.</p>	<p>Mitigation Measure 4.3-1a: For diesel-fueled off-road construction equipment of more than 50 horsepower, SCE shall make a good faith effort to use available construction equipment that meets the highest USEPA-certified tiered emission standards. SCE shall also make a good faith effort to use 2010 and newer diesel haul trucks. An Exhaust Emissions Control Plan that identifies each off-road unit's certified tier specification, Best Available Control Technology (BACT), and the CARB or SCAQMD operating permit number (if applicable), as well as the model year of all haul trucks to be used on the Project that are under direct control of SCE or its construction contractor shall be submitted to the CPUC for review and</p>	<p>SCE and its contractors to implement measure as defined.</p>	<p>SCE to submit Exhaust Emissions Control Plan to CPUC for review and approval.</p> <p>CPUC mitigation monitor to inspect compliance.</p>	<p>Submit plan to CPUC and obtain CPUC approval prior to commencement of construction activities.</p> <p>Implement plan during construction activities.</p>

**TABLE 9-1 (continued)
MITIGATION MONITORING, REPORTING AND COMPLIANCE PROGRAM FOR THE LAKEVIEW SUBSTATION PROJECT**

Environmental Impact	Mitigation Measures Proposed in this EIR	Implementing Actions	Monitoring/Reporting Requirements	Timing
	approval at least 30 days or as soon as available prior to			
Air Quality (cont.)				
Impact 4.3-1 (cont.)	<p>commencement of construction activities. Construction activities cannot commence until the plan has been approved. For all pieces of equipment that would not meet Tier 3 emission standards, the Exhaust Emissions Control Plan shall include documentation from two local heavy construction equipment rental companies that indicates that the companies do not have access to higher-tiered equipment for the given class of equipment. In the event that 2010 or newer diesel haul trucks are not available for the Project, the Exhaust Emissions Control Plan shall document that a good faith effort to obtain such haul trucks has been made.</p> <p>During construction of the Lakeview Substation, SCE and/or its construction contractor(s) shall use electricity from the regional power grid where feasible rather than diesel or gasoline power generators. In the event that SCE determines that this would not be feasible, the Exhaust Emissions Control Plan shall include documentation to support the determination.</p>			
	<p>Mitigation Measure 4.3-1b: SCE shall develop a Fugitive Dust Control Plan that specifically describes how compliance with each of SCAQMD Rule 403 Best Available Control Measures (BACMs) shall be achieved. If it is determined that any of the BACMs are not applicable to construction of the Project, the plan shall present rational as to why the BACMs are not applicable and would not be implemented. This plan shall be submitted to the CPUC for review and approval and the approved plan shall be distributed to all employees and construction contractors prior to commencement of construction activities.</p> <p>The Fugitive Dust Control Plan may include, but not be limited to, the following specific control measures as applicable:</p> <ul style="list-style-type: none"> Limit soil disturbance to the amounts analyzed in the 	SCE and its contractors to implement measure as defined.	<p>SCE to submit Fugitive Dust Control Plan to CPUC for review and approval.</p> <p>CPUC mitigation monitor to inspect compliance.</p>	<p>Submit plan to CPUC and obtain CPUC approval prior to commencement of construction activities.</p> <p>Implement plan during construction activities.</p>

**TABLE 9-1 (continued)
MITIGATION MONITORING, REPORTING AND COMPLIANCE PROGRAM FOR THE LAKEVIEW SUBSTATION PROJECT**

Environmental Impact	Mitigation Measures Proposed in this EIR	Implementing Actions	Monitoring/Reporting Requirements	Timing
	air quality analysis; <ul style="list-style-type: none"> • Cover all trucks hauling dirt, sand, soil, or other loose materials; 			
Air Quality (cont.)				
Impact 4.3-1 (cont.)	<ul style="list-style-type: none"> • Install wheel washers where vehicles enter and exit the construction site onto paved roads or wash off trucks and any equipment leaving the site each trip; • Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more); • Suspend all excavating and grading operations when wind speeds (as instantaneous gusts) exceed 25 mph; • Traffic speeds on all unpaved roads shall not exceed 15 mph; • Apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for 10 days or more); • Replace ground cover in disturbed areas as quickly as possible; • Apply water three times daily, or non-toxic soil stabilizers according to manufacturers' specifications, to all unpaved parking or staging areas or unpaved road surfaces; • Sweep streets adjacent to the construction site at the end of the day if visible soil is carried onto adjacent public paved roads (recommend water sweepers with reclaimed water); and • Appoint a construction relations officer to act as a community liaison concerning on-site construction activity including resolution of issues related to PM10 generation. 			
Impact 4.3-3: Construction	Mitigation Measure 4.3-3: Implement Mitigation Measures	See Mitigation Measures 4.3-1a and 1b.	See Mitigation Measures 4.3-1a and 1b.	See Mitigation Measures 4.3-1a and 1b.

**TABLE 9-1 (continued)
MITIGATION MONITORING, REPORTING AND COMPLIANCE PROGRAM FOR THE LAKEVIEW SUBSTATION PROJECT**

Environmental Impact	Mitigation Measures Proposed in this EIR	Implementing Actions	Monitoring/Reporting Requirements	Timing
activities would generate emissions of criteria pollutants that would be considered cumulatively considerable.	4.3-1a (Exhaust Emissions Control Plan) and 4.3-1b (Fugitive Dust Control Plan).			
Air Quality (cont.)				
Impact 4.3-4: The Project would generate emissions of PM10, potentially exposing sensitive receptors to harmful pollutant concentrations.	Mitigation Measure 4.3-4: Implement Mitigation Measures 4.3-1a (Exhaust Emissions Control Plan) and 4.3-1b (Fugitive Dust Control Plan).	See Mitigation Measures 4.3-1a and 1b.	See Mitigation Measures 4.3-1a and 1b.	See Mitigation Measures 4.3-1a and 1b.
Biological Resources				
Impact 4.4-2: Construction activities associated with the Project could result in adverse impacts to Stephens' kangaroo rat as well as non-listed special status species.	Mitigation Measure 4.4-2: SCE shall implement measures to reduce Project impacts to Stephens' kangaroo rat and Los Angeles Pocket mouse in the San Jacinto River corridor in accordance with applicable conditions of the MSHCP, which may include the following: SCE shall implement a Stephens' kangaroo rat and Los Angeles pocket mouse trapping and relocation effort only if approved by the Riverside County Habitat Conservation Agency. Habitat for Stephens' kangaroo rat and Los Angeles pocket mouse within Project area grasslands (such as those identified in BonTerra, 2011) shall be avoided with the establishment of a non-disturbance buffer zone to be approved by the USFWS and CDFG. SCE shall stake, flag, fence, or otherwise clearly delineate the construction right-of-way that restricts the limits of construction to the minimum necessary to implement the Project that also would avoid and minimize impacts on the Stephens' kangaroo rat.	SCE and its contractors to implement measure as defined.	SCE to implement a trapping and relocation effort if approved by the Riverside County Habitat Conservation Agency. SCE to establish non-disturbance buffer zones subject to approval by the USFWS and CDFG. CPUC mitigation monitor to monitor compliance at least once per week.	Prior to commencement of construction activities. During all phases of construction activities.
Impact 4.4-4: Operation of new transmission lines could impact raptors as a result of electrocution or collision.	Mitigation Measure 4.4-4: SCE shall follow Avian Power Line Interaction Committee guidelines for avian protection on powerlines. SCE shall use current guidelines to reduce bird mortality from interactions with powerlines. The Avian Power Line Interaction Committee (APLIC, 2006) and USFWS recommend the following:	SCE and its contractors to implement measure as defined.	CPUC mitigation monitor to monitor compliance.	During all phases of construction activities.

TABLE 9-1 (continued)
MITIGATION MONITORING, REPORTING AND COMPLIANCE PROGRAM FOR THE LAKEVIEW SUBSTATION PROJECT

Environmental Impact	Mitigation Measures Proposed in this EIR	Implementing Actions	Monitoring/Reporting Requirements	Timing
	<ul style="list-style-type: none"> • Provide 60-inch minimum horizontal separation between energized conductors or energized conductors and grounded hardware; • Insulate hardware or conductors against simultaneous contact if adequate spacing is not possible; and • Use pole designs that minimize impacts to birds 			
Cultural Resources				
<p>Impact 4.5-2: Project construction could adversely impact a unique archaeological resource.</p>	<p>Mitigation Measure 4.5-2a: Prior to issuance of a grading permit, an archaeological monitor shall be retained and contracted by SCE and/or its contractors to monitor all ground-disturbing activities, including brush clearance and grubbing. The archaeological monitor shall work under the supervision of a qualified archaeologist. Initially, all ground-disturbing activities shall be monitored. However, the qualified archaeologist, based on observations of soil stratigraphy or other factors, and in consultation with the lead agency, may reduce or discontinue monitoring as warranted if the archaeologist determines that the possibility of encountering buried archaeologist deposits is low. Arrangements for the appropriate curation of any cultural materials encountered during Project implementation shall be made prior to the issuance of grading permits.</p>	<p>SCE and its contractors to implement measure as defined.</p>	<p>SCE to submit resume of archaeological monitor to CPUC. CPUC mitigation monitor to inspect compliance.</p>	<p>Prior to commencement and during all phases of construction activities.</p>
	<p>Mitigation Measure 4.5-2b: If archaeological resources are encountered at any point during Project implementation, SCE and/or its contractors shall cease all activity within 100 feet of the find until the find can be evaluated by a qualified archaeologist and appropriate Native American representatives (if the resources are prehistoric or Native American in nature). Work may continue on other parts of the site while the find is being evaluated. Preservation in place shall be the preferred means of mitigating impacts to cultural resources. If the archaeologist determines that the resources may be significant, and if avoidance is determined to be infeasible, the archaeologist shall notify the lead agency and shall prepare and implement a treatment plan, in consultation with the lead agency and with appropriate Native American representatives.</p>	<p>SCE and its contractors to implement measure as defined.</p>	<p>If necessary, SCE to submit treatment plan to CPUC. CPUC mitigation monitor to inspect compliance.</p>	<p>During all phases of construction activities.</p>
<p>Impact 4.5-3: Project</p>	<p>Mitigation Measure 4.5-3: Prior to the initiation of any site</p>	<p>SCE and its contractors to</p>	<p>SCE to submit resume of</p>	<p>Prior to commencement of</p>

**TABLE 9-1 (continued)
MITIGATION MONITORING, REPORTING AND COMPLIANCE PROGRAM FOR THE LAKEVIEW SUBSTATION PROJECT**

Environmental Impact	Mitigation Measures Proposed in this EIR	Implementing Actions	Monitoring/Reporting Requirements	Timing
<p>implementation would have a potentially significant impact on a unique paleontological resource or site or unique geological feature.</p>	<p>preparation or start of construction, SCE and/or its contractors shall contract with a qualified professional paleontologist or a California Registered Professional Geologist (California RPG) with appropriate paleontological expertise, as defined by the Society of Vertebrate Paleontology's Conformable Impact Mitigation Guidelines Committee (SVP 1995 Guidelines) to develop WEAP training for construction workers and implement a paleontological monitoring program. The qualified</p>	<p>implement measure as defined.</p>	<p>paleontologist and copy of paleontological assessment to CPUC. SCE to submit Paleontological Resources Treatment and Monitoring Plan to CPUC (if applicable). CPUC mitigation monitor to inspect compliance.</p>	<p>and during construction activities.</p>
Cultural Resources (cont.)				
<p>Impact 4.5-3 (cont.)</p>	<p>paleontologist shall be available "on-call" to SCE and/or its contractors throughout the duration of ground-disturbing activities. At a minimum, the scope of services shall include:</p> <ul style="list-style-type: none"> • <i>Preparation of a preconstruction paleontological assessment based on final project design.</i> The preconstruction assessment shall include a review of information presented in this EIR, existing fossil localities in the region, Project grading plans and all geological/geotechnical reports developed to date to determine with greater precision the depth and extent of geologic units of high paleontological potential (e.g. older alluvial fan deposits) within the areas to be excavated. The results will be documented in a report along with recommendations for appropriate and feasible measures to avoid or minimize damage to any paleontological resources present. Based on the volume, depth and extent of soil excavations and the professional judgment of the paleontologist, he or she shall make recommendations regarding the locations/phases of project construction activity where paleontological monitoring of ground-disturbing activities would be needed. The county geologist shall review and approve the report in consultation with SCE and/or its contractors. • <i>Paleontological resources training.</i> Paleontological resources training. All construction forepersons and field supervisors shall be trained regarding the potential to encounter fossil materials prior to the initiation of any site preparation or start of construction. Training on paleontological resources shall also be provided to all 			

TABLE 9-1 (continued)
MITIGATION MONITORING, REPORTING AND COMPLIANCE PROGRAM FOR THE LAKEVIEW SUBSTATION PROJECT

Environmental Impact	Mitigation Measures Proposed in this EIR	Implementing Actions	Monitoring/Reporting Requirements	Timing
	<p>other construction workers, but may include videotape of the initial training and/or the use of written materials rather than in-person training by the qualified paleontologist. The training shall convey procedures to follow if potential fossil materials are encountered by construction crews in the course of earthwork, excavation, or grading, as described below.</p> <ul style="list-style-type: none"> • <i>Assessment and salvage of potential fossil finds.</i> If potential fossils are discovered by construction crews, all earthwork or other types of ground disturbance within 			
Cultural Resources (cont.)				
Impact 4.5-3 (cont.)	<p>50 feet of the find shall stop immediately until the qualified professional paleontologist can assess the nature and importance of the find. Based on the scientific value or uniqueness of the find, the monitor may record the find and allow work to continue, or recommend salvage and recovery of the fossil. The monitor may also propose modifications to the stop-work radius based on the nature of the find, site geology, and the activities occurring on the site. If treatment and salvage is required, recommendations will be consistent with SVP guidelines (SVP, 1995; SVP, 1996) and currently accepted scientific practice, and shall be subject to review and approval by the county geologist or designee. If required, treatment for fossil remains may include preparation and recovery of fossil materials so that they can be housed in an appropriate museum or university collection, and may also include preparation of a report for publication describing the finds. SCE and/or its contractors will be responsible for ensuring that treatment is implemented and report to Riverside County. If no report is required, SCE and/or its contractors will nonetheless ensure that information on the nature, location, and depth of all finds is readily available to the scientific community through university curation or other appropriate means.</p> <ul style="list-style-type: none"> • <i>Active monitoring of construction sites for paleontological resources within geologic units of high paleontological potential.</i> Paleontological monitoring will consist of 			

**TABLE 9-1 (continued)
MITIGATION MONITORING, REPORTING AND COMPLIANCE PROGRAM FOR THE LAKEVIEW SUBSTATION PROJECT**

Environmental Impact	Mitigation Measures Proposed in this EIR	Implementing Actions	Monitoring/Reporting Requirements	Timing
	<p>periodically inspecting disturbed, graded, and excavated surfaces, as well as soil stockpiles and disposal sites. The monitor (which will be the professional paleontologist or a designee) will have authority to divert grading or excavation away from exposed surfaces temporarily in order to examine disturbed areas more closely, and/or recover fossils. The monitor will coordinate with the construction manager to ensure that monitoring is thorough but does not result in unnecessary delays. If the monitor encounters a paleontological resource, he or she shall assess the fossil, and record or salvage it, as described above.</p>			
Cultural Resources (cont.)				
<p>Impact 4.5-4: Project construction could result in damage to previously unidentified human remains.</p>	<p>Mitigation Measure 4.5-4: If human remains are uncovered during Project construction, SCE and/or its contractors shall immediately halt all work, contact the County Coroner to evaluate the remains, and follow the procedures and protocols set forth in Health and Safety Code §7050.5(c), and Public Resources Code §5097.98. If the County Coroner determines that the remains are Native American, the Coroner shall contact the NAHC, in accordance with Health and Safety Code §7050.5, subdivision (c), and Public Resources Code §5097.98 (as amended by AB 2641). Per Public Resources Code §5097.98, SCE shall ensure that the immediate vicinity, according to generally accepted cultural or archaeological standards or practices, where the Native American human remains are located, is not damaged or disturbed by further development activity until the SCE and/or its contractor has discussed and conferred, as prescribed in this section (Public Resources Code §5097.98), with the most likely descendants regarding their recommendations, if applicable, taking into account the possibility of multiple human remains.</p>	<p>SCE and its contractors to implement measure as defined.</p>	<p>SCE to contact County Coroner if necessary as soon as human remains are discovered.</p> <p>CPUC mitigation monitor to inspect compliance.</p>	<p>During all phases of construction activities.</p>
<p>Impact Alternative 2-CUL-1: Project construction could cause an adverse change in the significance of a historical resource [inclusive of</p>	<p>Mitigation Measure Alternative 2-CUL-1: SCE and/or its contractors shall retain a qualified archaeologist (defined as an archaeologist meeting the Secretary of the Interior's Standards for professional archaeology) to survey those portions of the final selected Project footprint that have not</p>			

**TABLE 9-1 (continued)
MITIGATION MONITORING, REPORTING AND COMPLIANCE PROGRAM FOR THE LAKEVIEW SUBSTATION PROJECT**

Environmental Impact	Mitigation Measures Proposed in this EIR	Implementing Actions	Monitoring/Reporting Requirements	Timing
archaeological resources] which is either listed or eligible for listing on the National Register of Historic Places, the California Register of Historical Resources, or a local register of historic resources, or a unique archaeological resource.	been previously subjected to systematic pedestrian cultural resources survey. SCE also shall notify interested Native American representatives in advance in order to notify them of the survey and to schedule a Native American monitor. After additional archaeological survey is carried out, the archaeologist shall prepare a report, for approval by the CPUC, that summarizes the survey efforts, and evaluates any identified cultural resources for their eligibility for listing in the National Register, California Register, or local register, or as a unique archaeological resource pursuant to §15064.5. Any resources determined to be significant shall be avoided if feasible. If avoidance is infeasible, a Treatment Plan that documents the research			
Cultural Resources (cont.)				
Impact Alternative 2-CUL-1 (cont.)	approach and methods for data recovery shall be prepared and implemented in consultation with CPUC and with appropriate Native American representatives (if the resources are prehistoric or Native American in nature).			
Energy Conservation				
Less than Significant	None required	--	--	--
Geology and Soils				
Less than Significant	None required	--	--	--
Greenhouse Gas Emissions				
Less than Significant	None required	--	--	--
Hazards and Hazardous Materials				
Impact 4.9-5: The Project would reduce compliance with an adopted emergency response plan or emergency evacuation plan.	Mitigation Measure 4.9-5: Implement Mitigation Measure 4.17-4.	See Mitigation Measure 4.17-4.	See Mitigation Measure 4.17-4.	See Mitigation Measure 4.17-4.

TABLE 9-1 (continued)
MITIGATION MONITORING, REPORTING AND COMPLIANCE PROGRAM FOR THE LAKEVIEW SUBSTATION PROJECT

Environmental Impact	Mitigation Measures Proposed in this EIR	Implementing Actions	Monitoring/Reporting Requirements	Timing
Hydrology and Water Quality				
Less than Significant	None required	--	--	--
Land Use				
Less than Significant	None required	--	--	--
Mineral Resources				
Less than Significant	None required	--	--	--
Noise				
Impact 4.13-1: Construction activities could violate local municipal code construction time-of-day restrictions.	Mitigation Measure 4.13-1: SCE and/or its construction contractors shall require that (a) all construction activities, including material deliveries, that occur within unincorporated Riverside County within 0.25 mile of an inhabited dwelling, be restricted to between 6:00 a.m. and 6:00 p.m. during the months of June through September and between 7:00 a.m. and 6:00 p.m. during the months of October through May, and (b) all construction activities that occur within the City of Moreno Valley be restricted to between the hours of 7:00 a.m. and 8:00 p.m., or, (c) if construction activities could not occur within the hours set forth in (a) and (b), a variance or exception from the ordinance shall be obtained from the applicable agency.	SCE and its contractors to implement measure as defined.	CPUC mitigation monitor to monitor compliance.	During all phases of construction activities.
Impact 4.13-1a: Construction activity noise could violate City of Moreno Valley maximum noise level limits.	Mitigation Measure 4.13-1a: SCE and/or its contractors shall require that the drill rig associated with the Perris Valley Storm Drain directional drill be operated from the western bore pit within Alessandro Substation.	SCE and its contractors to implement measure as defined.	CPUC mitigation monitor to monitor compliance.	During all phases of directional drilling activities associated with the Perris Valley Storm Drain.
Impact 4.13-4: Construction-related noise levels would increase ambient noise levels in the vicinity of the Project.	Mitigation Measure 4.13-4: Implement Mitigation Measure 4.13-1. Further, SCE and/or its contractors shall assure that construction-related noise levels at the Alessandro Substation would not exceed an hourly Leq of 90 dBA at the nearest sensitive receptor, which may require the development and implementation of a Construction Noise Reduction Plan.	SCE and its contractors to implement measure as defined.	CPUC to review and approve Construction Noise Reduction Plan. CPUC mitigation monitor to monitor compliance.	Prior to commencement of construction. During all phases of construction activities.

**TABLE 9-1 (continued)
MITIGATION MONITORING, REPORTING AND COMPLIANCE PROGRAM FOR THE LAKEVIEW SUBSTATION PROJECT**

Environmental Impact	Mitigation Measures Proposed in this EIR	Implementing Actions	Monitoring/Reporting Requirements	Timing
Population and Housing				
Less than Significant	None required	--	--	--
Public Services				
Less than Significant	None required	--	--	--
Recreation				
Less than Significant	None required	--	--	--
Transportation and Traffic				
<p>Impact 4.17-1: Project construction would substantially increase traffic in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio on roads, or congestion at intersections).</p>	<p>Mitigation Measure 4.17-1: SCE shall prepare and implement a Traffic Management Plan subject to approval of the appropriate state agency and/or local government(s). The approved Traffic Management Plan and documentation of agency approvals shall be submitted to the CPUC prior to the commencement of construction activities. The plan shall:</p> <ul style="list-style-type: none"> • Include a discussion of work hours, haul routes, work area delineation, traffic control and flagging; • Identify all access and parking restriction and signage requirements; • Require workers to park personal vehicles at the approved staging area and take only necessary Project vehicles to the work sites; • Lay out plans for notifications and a process for communication with affected residents and landowners prior to the start of construction. Advance public notification shall include posting of notices and appropriate signage of construction activities. The written notification shall include the construction schedule, the exact location and duration of activities within each street (i.e., which road/lanes and access point/driveways would be blocked on which days and for how long), and a toll-free telephone number for receiving questions or complaints; Include plans to coordinate all construction activities with emergency service providers in the area. Emergency service providers would be notified of the 	<p>SCE and its contractors to implement measure as defined.</p>	<p>SCE to submit Traffic Management Plan to CPUC for review and approval.</p> <p>CPUC mitigation monitor to monitor compliance.</p>	<p>Prior to commencement of construction activities.</p> <p>During all phases of construction activities.</p>

**TABLE 9-1 (continued)
MITIGATION MONITORING, REPORTING AND COMPLIANCE PROGRAM FOR THE LAKEVIEW SUBSTATION PROJECT**

Environmental Impact	Mitigation Measures Proposed in this EIR	Implementing Actions	Monitoring/Reporting Requirements	Timing
	timing, location, and duration of construction activities. All roads would remain passable to emergency service vehicles at all times; and <ul style="list-style-type: none"> Identify all roadway locations where special construction techniques (e.g., night construction) would be used to minimize impacts to traffic flow. 			
Impact 4.17-2: Project operation and maintenance would impact pedestrian and bicycle traffic on the existing informal trail along the San Jacinto River.	Mitigation Measure 4.17-2: SCE and/or its contractor shall ensure that appropriate warning signs are posted alerting bicycle riders and pedestrians to trail and bike lane closures.	SCE and its contractors to implement measure as defined.	CPUC mitigation monitor to monitor compliance.	Prior to commencement of and during all phases of construction activities.
Transportation and Traffic (cont.)				
Impact 4.17-4: The Project would result in inadequate emergency access.	Mitigation Measure 4.17-4: SCE shall coordinate with the Riverside County and the City of Moreno Valley emergency service providers prior to construction to ensure that construction activities and associated road and lane closures would not significantly affect emergency response vehicles. SCE shall submit verification of its consultation with emergency service providers to the CPUC prior to the commencement of construction activities.	SCE and its contractors to implement measure as defined.	SCE to submit verification of consultation with emergency service providers to CPUC.	Prior to commencement of construction activities.
Cumulative Traffic and Transportation Impact: The Project could make a cumulatively considerable contribution to a significant cumulative impact on the county road network.	Mitigation Measure 6-1: SCE shall coordinate with the Riverside County Transportation Department to ensure that Project construction would not conflict with or preclude the possibility of extending 10th Street between Reservoir Avenue and the San Jacinto River/future Avenue "C" in accordance with county road construction standards.	SCE and its contractors to implement measure as defined.	SCE to submit verification of coordination with the Riverside County Transportation Department to CPUC.	Prior to commencement of construction activities.
Utilities and Service Systems				
Less than Significant	None required	--	--	--