

WILDLIFE CORRIDOR CONSERVATION AUTHORITY

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May 27, 2009

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VICE-CHAIR
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President Michael R. Peevey and Commissioners
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, California 94102

BOB HENDERSON
CITY OF WHITTIER

HOWARD VIPPERMAN
CITY OF LA HABRA HEIGHTS

Comments on Tehachapi Renewable Transmission Project Application No. A.07-06-031

JACK TANAKA
CITY OF DIAMOND BAR

Dear Mr. Peevey and Commissioners:

RON KRUEPER
CALIFORNIA STATE PARKS

MICHAEL HUGHES
PUBLIC MEMBER
LOS ANGELES COUNTY

The Wildlife Corridor Conservation Authority (WCCA) offers the following comments on the Tehachapi Renewable Transmission Project Proposed by Southern California Edison Company (SCE) (Application No. A.07-06-031). WCCA was created for the proper planning, conservation, environmental protection and maintenance of the habitat and wildlife corridor between the Whittier-Puente-Chino Hills and the Cleveland National Forest in the Santa Ana Mountains. These comments refer to Segment 8 (from the existing Mesa Substation Area near East Pomona Boulevard in Monterey Park to the Chino Substation). WCCA commented on the Notice of Preparation of the Joint Environmental Impact Report/Environmental Impact Statement in a September 27, 2007 to the California Public Utilities Commission and Angeles National Forest (c/o Aspen Environmental Group).

RONALD SCHAFFER
SANTA MONICA MOUNTAINS
CONSERVANCY

DICKIE SIMMONS
LOS ANGELES COUNTY
BOARD OF SUPERVISORS

For this project, WCCA is most concerned with the proposed new right-of-way (ROW) alignments on existing parkland and other public open space and recreation areas, including impacts to Chino Hills State Park and to land owned by Puente Hills Landfill Native Habitat Preservation Authority. New transmission lines in public lands would cause permanent fragmentation of park resources by the construction of new towers, roads, and other facilities and ongoing degradation from maintenance activities and emergencies. This will lead to permanent degradation of biological, aesthetic, and recreational resources, inconsistent with the intent of protecting these lands for preservation of sensitive biological resources and passive recreational use. The limited open space in the Puente-Chino Hills has been rapidly dwindling, and further loss and degradation of this open space collectively compromises the long-term sustainability and maintenance of the Puente-Chino Hills wildlife corridor.

Alternatives Affecting Chino Hills State Park

While the project currently proposed by Southern California Edison (Alternative 2) avoids direct impacts to Chino Hills State Park, the City of Chino Hills has proposed other alternatives that pass through the Park. Chino Hills State Park is part of the 31 miles that make up the Puente-Chino Hills Wildlife Corridor (Corridor). The Corridor connects the Cleveland National Forest in Orange County and beyond to Puente Hills in Los Angeles County. The approximately 13,000-acres that make up Chino Hills State Park is the core anchor habitat for the Corridor. Significant expenditures of public funds were used to establish and enhance this park.

The potential impacts from routing Segment 8A through the park would potentially destroy undisturbed wildlife habitat essential to the efficacy of the Corridor and create permanently degraded views for park users. WCCA recommends that no new lines be constructed within Chino Hills State Park, consistent with the Park's General Plan.

However, should the California Public Utilities Commission (CPUC) consider an alignment through Chino Hills State Park, WCCA recommends that Alternative 4C, with modifications proposed by Hills for Everyone, be adopted. Alternative 4C-Modified would have such benefits as removal and relocation of existing lines in the Park, reducing visual impacts and reducing impacts to the sensitive biological resources of the Water Canyon Natural Preserve. This alternative would also include a mitigation fund of \$50 million. We understand that the City of Chino Hills has proposed a \$50 million mitigation package that would include bio-corridor expansion (i.e., State Park acquisition of land), viewshed enhancements, habitat enhancements, and operational enhancements (Notice of Oral and Written Ex Parte Contact by the City of Chino Hills, submitted January 3, 2009).

If Alternative 4C-Modified is approved by the Commission, to ensure its success, it is critical that clear, legally binding, and full-proof mitigation measures be included in the project's approval to ensure that the alternative is implemented as intended and that the mitigation funding is effectively used in a timely manner. For example, there must be crystal clear and legally binding measures to ensure that the funding is available for implementation prior to any project construction.

It is crucial to avoid a situation where after the project is built, that the project applicant claims there is no more money left to implement the mitigation. One possibility to address this is to require that the applicant provide the funding upfront, prior to project implementation. If that is not possible, then certain chunks of the money must be deposited into an interest-bearing escrow account, in a phased manner, as certain phases of the project are implemented. Also, because this alternative would directly (and indirectly) affect

the State Park, it is critical that State Parks is given the leadership role in allocating the money, with active and enforceable powers. While there should be some flexibility in utilizing the money among several goals (e.g., land acquisition, habitat enhancement, viewshed enhancement), it must be specified that at least three quarters (75 percent) of the funding would be used for land acquisition. The CPUC must include the mitigation plan, including the specific details of timing, implementation, and enforceability, as part of its conditions of approval. It is crucial and legally required that the details of the mitigation plan be made available to the public for review and comment for a considerable time period prior to the CPUC's hearing.

Impacts to Land Owned by Puente Hills Native Habitat Preservation Authority

As we stated in WCCA's September 27, 2007 letter, alternatives should be considered that avoid expanded and new ROWs through land owned by the Habitat Authority. We agree with the Habitat Authority's position in their testimony (dated May 15, 2009) that alternatives such as alternate routes, utilizing existing structures, and undergrounding new lines should be considered. As that testimony documents, absolutely no alternatives have been explored that would minimize, let alone, avoid, the impacts upon the Habitat Authority's properties.

As we stated in our September 27, 2007 letter and as the Habitat Authority stated in their testimony, maps showing the proposed project overlain on parkland boundaries are critical to fully understand the extent of impacts to the biological, aesthetic, and recreational resources. Furthermore, mapping of any new access and spur roads is critical prior to the CPUC approving the proposed alternative (Alternative 2).

Also, construction details, including but not limited to, construction schedule and staging areas, must be provided to the public park staff well before start of construction. It is critical to ensure adequate coordination with park staff, and if necessary adjustments to construction methods and timing, in order to ensure that impacts to recreational users, biotic resources, and public safety are avoided and minimized. Mitigation must also include funding for all hours spent by park staff to monitor the project.

If you have any questions, please contact Judi Tamasi of our staff by phone at (310) 589-3200, ext. 121 or by email at judi.tamasi@mrca.ca.gov. Thank you for your consideration.

Sincerely,

Glenn Parker
Chairperson

cc: John Boccio/Justin Seastrand CPUC/USDA Forest Service, c/o Apen Environmental Group
Southern California Edison