LETTER T: METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA

Response T-1: LADWP appreciates the information about the Metropolitan Water District’s Foothill Feeder Pipeline. LADWP would work closely with other underground utilities before doing any excavation and ground work, and would contact Metropolitan’s Substructure Information Line, as necessary, for information about any planned excavation in the area. At the location where the BRRTP would cross the pipeline you named, the only action that the department intends to do is reconductor an existing set of towers.
October 13, 2011

Mr. Coates
Page 2

We appreciate the opportunity to provide input to your planning process, and we look forward to further coordination on the Project. If you have any questions, please contact Mr. Kieran Callanan at (213) 217-7474.

Very truly yours,

Deirdre M. West
Manager, Environmental Planning Team

Enclosure
September 29, 2011

Mr. Charles C. Holloway, Manager of Environmental Assessment
City of Los Angeles Department of Water & Power (LADWP)
ATTN: BRRTP-Forest Service/BLM/LADWP
c/o POWER Engineers, Inc.
731 Ball Road, Suite 100
Anaheim, CA 92805

Re: SCH#2009041038; Joint NEPA/CEQA Notice of Completion: draft Environmental Impact Statement (DEIS) and draft Environmental Impact Report (DER) for the “Barren Ridge Renewable Transmission Project” located from the Tehachapi Mountains and the Antelope Valley/Mojave Desert in Kern County, through the Angeles National Forest paralleling the Santa Clara River and into the Castaic area of Los Angeles County, California (BRRTP-Forest Service/BLM/LADWP)

Dear Power Engineers, Inc.:  

The Native American Heritage Commission (NAHC), the State of California ‘Trustee Agency’ for the protection and preservation of Native American cultural resources pursuant to California Public Resources Code §21070 and affirmed by the Third Appellate Court in the case of EPIC v. Johnson (1985: 170 Cal App. 3rd 604). The NAHC wishes to comment on the proposed project.

This letter includes state and federal statutes relating to Native American historic properties of religious and cultural significance to American Indian tribes and interested Native American individuals as ‘consulting parties’ under both state and federal law. State law also addresses the freedom of Native American Religious Expression in Public Resources Code §5097.9.

The California Environmental Quality Act (CEQA – CA Public Resources Code 21000-21177, amendments effective 3/18/2010) requires that any project that causes a substantial adverse change in the significance of an historical resource, that includes archaeological resources, is a ‘significant effect’ requiring the preparation of an Environmental Impact Report (EIR) per the CEQA Guidelines defines a significant impact on the environment as ‘a substantial, or potentially substantial, adverse change in any of physical conditions within an area affected by the proposed project, including... objects of historic or aesthetic significance.’ In order to comply with this provision, the lead agency is required to assess whether the project will have an adverse impact on these resources within the ‘areas of potential effect (APE), and if so, to mitigate that effect. The NAHC Sacred Lands File (SLF) search resulted as follows: Native American cultural resources were identified in several of the the areas (APEs) you specified. Also, the absence of archaeological resources does not preclude their existence.
Response U-1: The Final EIS/EIR has been updated with a current explanation of the Tribal concerns on pages 7-19 and 7-20. Please refer to Response U-2 below.

Response U-2: On September 24, 2009, letters were sent by the Angeles National Forest to over 100 Native American Tribes, organizations, and individuals that described BRRTTP, discussed the EIS/EIR, and invited the recipient to participate in the development of the Programmatic Agreement (PA). The Notice of Availability (NOA) for the Draft EIS/EIR was mailed to over 70 tribes, Native American organizations, groups, and individuals on August 26, 2011. Refer to Chapter 7 of the Final EIS/EIR for a complete explanation of coordination and consultation activities.

Also, physical avoidance is the ANF’s preferred measure for preventing impacts to cultural resources. The Draft PA prepared by the ANF and BLM describes the process for preventing adverse effects to cultural resources, treatment of human remains, and unanticipated discoveries.

Response U-3: The NOA for the Draft EIS/EIR was mailed to over 70 tribes, and organizations and numerous individuals on August 26, 2011. In addition, a CD of the Draft EIS/EIR and a summary of the Draft EIS/EIR were provided to the recipients of the NOA.
followed in the event of an accidental discovery of any human remains in a project location other than a ‘dedicated cemetery’.

To be effective, consultation on specific projects must be the result of an ongoing relationship between Native American tribes and lead agencies, project proponents and their contractors, in the opinion of the NAHC. Regarding tribal consultation, a relationship built around regular meetings and informal involvement with local tribes will lead to more qualitative consultation tribal input on specific projects.

If you have any questions about this response to your request, please do not hesitate to contact me at (918) 654-8251.

Sincerely,

Dave Singleton
Program Analyst

Cc: State Clearinghouse

Attachment: Native American Contact List
Native American Contacts
Kern and Los Angeles Counties
September 29, 2011

Charles Cooke
32835 Santiago Road
Acton, CA 93510
suscol@intox.net
(661) 733-1812 - cell
suscol@intox.net

LA City/County Native American Indian Comm
Ron Andrade, Director
3175 West 6th St, Rm. 403
Los Angeles, CA 90020
randrade@css.lacounty.gov
(213) 351-5324
(213) 386-3995 FAX

Beverly Salazar Folkes
1931 Shadybrook Drive
Thousand Oaks, CA 91362
folkes@msn.com
805 492-7255
(805) 558-1154 - cell
folkes9@msn.com

Chumash
Fernandeño
Tataviam
Kitanemuk

Ron Wermuth
P.O. Box 168
Kernville, CA 93238
warmoose@earthlink.net
(661) 376-4240 - home
(916) 717-1176 - cell

Tubatulabal
Kawaliwu
Koso
Yokuts

San Manuel Band of Mission Indians
James Ramos, Chairperson
26569 Community Center Drive
Highland, CA 92346
(909) 864-8933
(909) 864-3724 - FAX
(909) 864-3370 Fax

Chumash
Tataviam
Fernandeño

Kitanemuk & Yowlumne Tejon Indians
Della Dominguez, Chairperson
981 N. Virginia
Covina, CA 91722
deedominguez@juno.com
(626) 339-6785

San Fernando Band of Mission Indians
John Valenzuela, Chairperson
P.O. Box 221838
Newhall, CA 91322
Tataviam
(661) 753-9633 Office
(760) 885-0955 Cell
(760) 949-1604 Fax

Fernandeño Tataviam Band of Mission Indians
Ronnie Salas, Cultural Preservation Department
601 South Brand Boulevard, Suite 102
San Fernando, CA 91340
rsalas@tataviam-nsn.gov
(818) 837-0794 Office
(818) 837-0796 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5097.94 of the Public Resources Code and Section 5097.96 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2019041638; Joint NEPA/EIR Draft Environmental Impact Statement (DEIS) and Draft Environmental Impact Report (DEIR) for the Barren Ridge Renewable Transmission Project; located and stretching from the Tehachapi Mountains and Mojave desert area of Kern County.
Native American Contacts
Kern and Los Angeles Counties
September 29, 2011

Gabrieno/Tongva San Gabriel Band of Mission Indians
Anthony Morales, Chairperson
PO Box 893
San Gabriel, CA 91778
GTTribalCouncil@aol.com
(626) 286-1632
(626) 286-1758 - Home
(626) 286-1262 - FAX

Gabrieno Tongva
Kern Valley Indian Council
Robert Robinson, Co-Chairperson
P.O. Box 401
Weldon, CA 93283
brobinson@iwisp.com
(760) 378-4575 (Home)
(760) 549-2131 (Work)

Randy Guzman - Folkses
655 Los Angeles Avenue, Unit E
Moorpark, CA 93021
ndnRandy@yahoo.com
(805) 905-1675 - cell

Gabrieno Band of Mission Indians
Andrew Salas, Chairperson
P.O. Box 393
Covina, CA 91723
(626) 926-4131
GabirellinoTongva@yahoo.com

Gabrieno Tongva Nation
Sam Dunlap, Chairperson
P.O. Box 66908
Los Angeles, CA 90086
samdunlap@earthlink.net
(909) 262-9351 - cell

Gabrieno Tongva

San Manuel Band of Mission Indians
Ann Brierty, Policy/Cultural Resources Department
26569 Community Center Drive
Highland, CA 92346
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abrierty@sanmanuel-nsn.gov
(909) 862-5152 Fax

This list is current only as of the date of this document.

Distribution of this list does not relieve any person of the statutory responsibility as defined in Section 7050.5 of the Health and Safety Code, Section 5997.94 of the Public Resources Code and Section 5997.9 of the Public Resources Code.

This list is applicable for contacting local Native Americans with regard to cultural resources for the proposed SCH#2008041036 Joint NEPA/CEQA Document, draft Environmental Impact Statement (DEIS) and Draft Environmental Impact Report (DEIR) for the Barren Ridge Renewable Transmission Project; located and stretching from the Tehachapi Mountains and Mojave desert area of Kern County.
LETTER V: SOUTHERN CALIFORNIA EDISON

Response V-1: LADWP Transmission Planning engineers have met with their Southern California Edison (SCE) counterparts on a number of occasions to disseminate and share the technical analysis regarding the BRRTP. If the Project is approved, LADWP would continue to consult with the appropriate agencies and projects within the BRRTP area.

Response V-2: Although it may appear that the post-BRRTP system would exacerbate the existing condition of unscheduled flow at the Control-Inyo SCE-LADWP system tie due to an even lower impedance path on the LADWP side, the BRRTP is planned with substantial renewable resource additions to the system; consequently, it would “push back” the unscheduled flow and relieve the potential phase-shifter overload conditions. Under the present condition, there is often some inadvertent (or unscheduled) flow going from the SCE side of the Control-Inyo tie to the LADWP side. This phenomenon occurs because LADWP’s electrical circuit has the lower electrical impedance, or lesser resistance, path from the source to the load areas. To mitigate the unscheduled flow, the existing phase-shifter at the Control-Inyo tie was installed, thus reducing the dependency on LADWP’s network to relieve potential congestion on the paralleling SCE 115 kV system.

In performing the technical analysis for the BRRTP, LADWP took into account the potential impact on its neighboring systems, including the Control-Inyo tie between SCE and LADWP. LADWP Transmission Planning Planning engineers have met with their SCE counterparts on a number of occasions to disseminate and share the technical analysis regarding the BRRTP. LADWP engineers will continue to monitor the development of BRRTP and will inform the affected parties, including SCE and the California
Independent System Operator (CAISO), if there is any detrimental impact to the phase shifter at the Control-Inyo tie. Potential alleviation opportunities would be considered, as necessary.

**Response V-3**: If the BRRTP is approved, the construction plan and schedule would be developed, including timing, location, staging, plans, profiles, grading and drainage plans, maps, and transmission line road access plans. LADWP would work with SCE and any other utilities or users in the area to share the information and ensure smooth coordination of adjacent uses.

**Response V-4**: LADWP is aware of SCE standards, and would coordinate with SCE as needed if the Project is approved.

**Response V-5**: LADWP will coordinate with SCE regarding adjacent projects if the Project is approved.

**Response V-6**: LADWP will coordinate with SCE regarding adjacent projects if the Project is approved. Applicable information would be transmitted to the contact you provided.

**Response V-7**: The agencies do not anticipate any impacts to SCE projects that would require additional CEQA analysis and documentation; however, LADWP would coordinate with SCE prior to the decision on the Project to elucidate those concerns.
Response V-8: The address provided has been added to the BRRTP distribution list.

Finally, SCE notes that the Draft EIS/EIR addresses the effects of electromagnetic fields (EMF) on the human environment. Although there are no NEPA or CEQA standards regarding the analysis of potential human risks associated with EMF exposure, the CPUC reviewed and updated its EMF policy in 2006 (CPUC Decision 06-01-042) for California’s regulated electric utilities. This policy decision update reaffirmed the finding that state and federal public health agencies have not established a direct link between exposure to EMF and human health effects, and that the existing “no-cost and low-cost” precautionary-based EMF policy should be continued for electrical facilities. For further details, contact SCE’s EMF Education Group at (800) 200-4723.

Once again, SCE appreciates the opportunity to comment on the BRRTP Draft EIS/EIR and looks forward to working cooperatively with LADWP so that together and as individual utility providers LADWP and SCE can meet the challenges of “greening” the grid. If you have any questions, please do not hesitate to contact me at (323) 720-5292.

Sincerely,

Ben Wong
Director
Local Public Affairs, Los Angeles County
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