UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

OCT 29 2014

Ascent Environmental
Attention: Sean Bechta
455 Capitol Mall, Suite 300
Sacramento, California 95814

Subject: Final Environmental Impact Statement for the California Pacific Electric Company 625 and 650 Electrical Line Upgrade Project, Placer and Nevada Counties, CA (CEQ # 20140285)

Dear Mr. Bechta:

The U.S. Environmental Protection Agency has reviewed the Final Environmental Impact Statement for the California Pacific Electric Company 625 and 650 Electrical Line Upgrade Project. Our review and comments are provided pursuant to the National Environmental Policy Act, the Council on Environmental Quality Regulations (40 CFR Parts 1500-1508) and our NEPA review authority under Section 309 of the Clean Air Act.

The EPA reviewed the Draft Environmental Impact Statement and provided comments to the United States Forest Service on January 3, 2014. We rated the Draft EIS as *Environmental Concerns– Insufficient Information* (EC-2), primarily due to the lack of a final determination of the geographic extent of jurisdictional waters in the project area. Previously, on May 10, 2012, the EPA provided extensive formal scoping comments for the proposed project.

We appreciate the efforts of USFS, the applicant, and its consultants to discuss and respond to our Draft EIS comments. The EPA supports the project objectives of minimizing adverse environmental effects by maximizing the use of existing transmission line right of way, and appropriate siting of infrastructure.

In our previous comments, we asked for a final determination of the geographic extent of jurisdictional waters in the project area and demonstration of compliance with Clean Water Act Section 404. Since final design of the transmission line is dependent on the selection of the preferred alternative, a jurisdictional delineation should be conducted prior to final design of the selected transmission line alignment. With a jurisdictional delineation, the applicant can use the design flexibility inherent in transmission line design (e.g., adjust tower placement and access roads) to demonstrate the alignment is the Least Environmentally Damaging Practical Alternative, in compliance with the CWA Section 404(b)(1) Guidelines.

The EPA would recommend that the Record of Decision include results from the approved jurisdictional determination, if practicable. The ROD should also implement avoidance, minimization and compensatory mitigation measures in compliance with the Guidelines.

We are available to discuss our recommendations provided to date. If you have any questions, please contact me at 415-972-3521, or contact Scott Sysum, the lead reviewer for this project. Scott can be reached at 415-972-3742 or sysum.scott@epa.gov.

Sincerely,

FOR Kathleen Martyn Goforth, Manager
Environmental Review Section

cc: Paul Nielson
Tahoe Regional Planning Agency