CALIFORNIA
ENERGY
COMMISSION

STAFF-PROPOSED REGULATIONS FOR AN ELECTRIC TRANSMISSION CORRIDOR DESIGNATION PROCESS UNDER SB1059

FINAL DRAFT REGULATIONS

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CALIFORNIA ENERGY COMMISSION

Corridor Designation Process

TITLE 20
CALIFORNIA CODE OF REGULATIONS

Text of Proposed Regulations
Sections 2401 to 2421 and Appendix A

September 11, 2007

CHAPTER 6. ENVIRONMENTAL PROTECTION

Article 2. Designation of Transmission Corridor Zones

§ 2401. Scope and Objectives of Designation Process.

(a) The provisions of this article shall apply to the consideration of a motion by the commission or an application by a person to designate a transmission corridor zone under Public Resources Code section 25331.

(b) The main objectives of the designation process are as follows:

(1) To identify appropriate corridors for transmission planning, taking into consideration the state's principles of encouraging the use of existing rights-of-way, the expansion of existing rights-of-way, and the creation of new rights-of-way in that order;

(2) To identify appropriate corridors for transmission planning, consistent with the state's needs and objectives as set forth in the most recently adopted strategic plan under Section 25324 of the Public Resources Code applicable at the time an application is filed or a motion made by the commission;

(3) To prepare an environmental assessment of each proposed corridor, taking into account a reasonable range of alternatives and feasible ways to mitigate or avoid foreseeable significant environmental impacts, such that the environmental assessment informs and makes more efficient the licensing process that later considers whether to permit a transmission project within a designated corridor;

(4) To coordinate the state's designation of corridors with existing or proposed federal corridors identified under Section 368 of the Federal Energy Policy Act of 2005 or contained within adopted federal land use plans so that the state and federal designations result in continuous corridors to the extent practicable;-

(5) To work with local governments through whose jurisdictions a transmission corridor is proposed such that each designation takes into account local concerns, recommendations, and adopted land use designations and results in the cooperation of local governments that consider designated corridors when taking actions to amend general and specific land use plans; and

(6) To provide a forum for public participation, public hearings, and the determination of factual and other issues based on the evidence of record in the proceeding.

(c) For purposes of this article, applicants who plan to construct a high-voltage electric transmission line include persons who plan to upgrade an existing electric transmission line that is under the operational control of the California Independent System Operator or would result in an operating voltage of 200 kV or more.

Note: Authority cited: Section 25218(e), Public Resources Code. Reference: Sections 25330—25341, Public Resources Code; and Section 15091, Title 14, California Code of Regulations.

§ 2402. Information Requirements

An application to designate a transmission corridor zone shall include an environmental assessment of all reasonably foreseeable impacts that would result from the designation of the proposed corridor for the construction of at least one future high-voltage electric transmission line. The environmental assessment shall contain all the information specified in Appendix A of this article.

Note: Authority cited: Section 25218(e), Public Resources Code. Reference: Sections 21003.1, 21080.1, 25331, 25332, Public Resources Code.

§ 2403. Format and Number of Copies

Paper copies of applications and any other documents attached thereto shall conform to the requirements of Sections 1209 and 1705. An application shall be filed in electronic format in conformance with section 1209.5. In addition, the applicant shall file with the commission one hundred twenty-five (125) paper copies of an application for designation and all drawings, photographs, maps, diagrams, charts, graphs, and other documents attached to the application. Alternatively, the applicant may file 75 paper copies and 50 copies in a CD-ROM medium and in the format specified in Section 1209.5, unless otherwise specified by the executive director under section 1209.5, subdivision (c).

Note: Authority cited: Section 25218(e), Public Resources Code. Reference: Section 25331(b), Public Resources Code.

§ 2404. Review and Acceptance of Application.

(a) Upon receipt of an application for designation under this Article, the staff shall review the information contained in the application to determine if it provides all the information specified in section 2402.

(b) No later than 30 days after receipt of an application, the executive director, based on the staff's review, shall submit his or her recommendation to the commission as to whether the application contains the information specified in section 2402 and is, therefore, complete.

(c) No later than 45 days after receipt of an application, the commission shall act upon the executive director's recommendation as to whether to accept the application as complete, based on the application containing all the information specified in section 2402. If the commission determines that the application is complete, the application shall be accepted as of that date and the proceeding for considering whether to designate the proposed corridor shall begin.

(d) If the commission determines that the application is incomplete, it shall specify in writing the deficiencies based on section 2402 and the application shall not be accepted.

(e) After the commission has acted on the executive director's recommendation, even if the application is determined to be incomplete, the commission shall consider whether to assign a committee at that time to preside over the proceeding on the application for designation of a transmission corridor zone. The commission shall otherwise assign a committee at the time it determines the application to be complete. If a committee is assigned and the application is incomplete, the executive director, based on the staff's recommendation, shall notify the assigned committee, rather than the commission, when the applicant has submitted all required information based on section 2402 and the commission's list of deficiencies. The committee, rather than the commission, shall then be responsible for determining whether subsequent information provided by the applicant completes the application in the manner specified by the commission.

(f) The applicant may file additional information to complete the application by curing the deficiencies that the commission has specified in writing. No later than 30 days after receipt of all the data that is filed to complete the application, the commission or a committee, if one has been assigned, shall determine whether the application is complete based on section 2402. If determined to be complete, the application shall be accepted as of the date the commission or committee so determines and the proceeding for considering whether to designate the proposed corridor shall begin.

Note: Authority cited: Section 25218(e), Public Resources Code. Reference: Section 25331, Public Resources Code.

§ 2405. Public Notification.

(a) As soon as practicable and, in any event, no later than ten days after an application is determined to be complete or the commission on its own motion proposes to designate a corridor, the staff shall do the following:

(1) arrange for the publication of a summary of the application and a brief description of the commission's review process in a newspaper of general circulation in each county where a transmission corridor zone and any alternatives are proposed to be located;

(2) notify all property owners who are within or adjacent to a proposed transmission corridor zone;

(3) notify and transmit a copy of the application to the Electricity Oversight Board, the California Public Utilities Commission, the California Independent System Operator, the Native American Heritage Commission, and all California Native American tribes, City Managers, County Chief Executive Officers, Planning Commission Chairpersons, representatives of state and federal agencies, transmission load-serving entities, and transmission owning local publicly owned electric utilities, as defined in Section 9604(d) of the Public Utilities Code, having a jurisdictional interest in the proposed transmission corridor zone;

(4) publish the application on the commission internet web site; and

(5) notify members of the public, including landowners notified under subsection (2), that the application is available on the commission's web site.

(b) Notification under subsection (a) shall include a summary of the application, a brief description of the commission's review process, including the role of the assigned committee, and the objectives of the strategic plan with which the proposed transmission corridor must be consistent.

Note: Authority cited: Section 25218(e), Public Resources Code. Reference: Section 25334, Public Resources Code.

§ 2406. Coordination with Interested Agencies, Intervention, and Public Participation.

(a) The notice to governmental entities, including California Native American tribes, referred to in subsection (b) of section 2405 shall also serve to request information about their land use plans, existing land uses, and other matters in which they have expertise or interest with respect to the proposed transmission corridor or an alternative corridor. All requested information shall be provided within 30 days of the date the notice is sent, unless a later time is requested by a governmental entity and agreed to by the staff.

(b) Upon receipt of information in response to the request under subsection (a), the staff shall use the information to confer as needed throughout the proceeding with interested governmental agencies and tribal governments to discuss their land use plans, areas of expertise, concerns, and recommendations with respect to the proposed transmission corridor or an alternative.

(c) Any person may file a petition to intervene under section 1207 in a designation proceeding, but must file the petition no later than 15 days after the staff issues the draft environmental report. The petitioner shall also serve the petition upon

the applicant. The presiding member may grant a petition to intervene filed after the deadline only upon a showing of good cause by the petitioner. A person whose petition is granted shall have all the rights and duties of a party under these regulations. Any person whose petition to intervene has been denied by the presiding member may appeal the decision in the manner provided by section 1207(d). Any intervener may withdraw from a proceeding by filing a notice to such effect with the Docket Unit.

(d) A petition to intervene, however, shall not be necessary for a person to participate informally in any or all aspects of a designation proceeding. Any person may participate by requesting to be notified of the proceeding's public events, attending public workshops, hearings, and other publicly noticed meetings, and offering oral and written comments on the proposed corridor, environmental assessment, and other matters that are the subject of public review.

(e) The rules governing ex parte communications under section 1216 shall apply to proceedings conducted under this article.

Note: Authority cited: Section 25218(e), Public Resources Code. Reference: Section 25334, Public Resources Code.

§ 2407. Reimbursement

(a) An applicant who files an application for designation of a transmission corridor zone shall submit with the application a fee that the executive director estimates will reimburse the commission for all costs associated with reviewing the application. The commission staff shall separately account for the deposit collected and the charges against it. The status of the account shall be provided to the applicant at regular intervals agreed to by the applicant. The executive director shall request additional deposits if the initial deposit has been exhausted. A final accounting shall be provided by the commission staff after the commission's final decision on the application. If the final accounting shows that the deposits exceed the actual costs incurred by the commission, the difference shall be refunded to the applicant. If the actual costs exceed the deposits, the applicant shall be billed for the difference.

(b) Upon receiving the commission's request for review of a proposed transmission corridor zone, a city or county may request a fee, except as provided under subsection (d), to cover the actual and added costs of review and the commission shall pay this amount to the city or county, provided the city or county follows the procedures set forth in section 1715.

(c) Alternatively, an applicant may establish an account directly with a city or county seeking reimbursement and, through the account, reimburse the city or county directly for its actual and added costs of reviewing the applicant's proposed transmission corridor zone. In any case, an applicant shall be allowed to review any invoice submitted by a city or county for reimbursement.(d) A city or county

participating as a formal intervenor to a designation proceeding shall not be eligible for reimbursement under this section.

Note: Authority cited: Section 25218(e), Public Resources Code. Reference: Sections 21089, 25334(d) and (e), and 25538, Public Resources Code.

§ 2408. Requests for Information.

(a) With respect to an application for designation or a motion by the commission to designate a transmission corridor zone, any party, i.e., staff, applicant, and intervenors, may request from another party such information as is reasonably available to the party being requested and is relevant to the proceeding or reasonably necessary to complete an environmental report in accordance with the California Environmental Quality Act and asses the need for the proposed corridor and its conformance with the strategic plan. Requests for information shall be based on the level of information that can reasonably be expected to be available at the relatively early stage of designating a corridor for planning purposes as compared to the later stage of permitting a specific transmission project. Section 1716 shall govern the exchange of requests for information and responses, objections to a request, and petitions for an order to compel a response. All requests for information shall be submitted no later than 180 days from the date the application is determined to be complete, unless the committee allows a later date for good cause shown.

(b) In formulating its requests for information from the applicant or other sources, the staff shall confer with interested agencies, the Native American Heritage Commission, and California Native American tribal governments regarding the information they believe the applicant or a relevant source should provide for the staff's environmental assessment of the proposed designation.

Note: Authority cited: Section 25218(e), Public Resources Code. Reference: Section 25334, Public Resources Code.

§ 2409. Informational Hearing and Scoping Meeting.

(a) Within 45 days of the commission filing a motion or determining an application is complete, an assigned committee shall conduct one or more informational hearings in the county or counties in which the proposed transmission corridor would be located.

(b) The assigned committee shall arrange for public notice of the informational hearings to be published no later than 10 days in advance of the initial hearing. The notice shall request all interested governmental entities and members of the public, particularly owners of property within or adjacent to the proposed transmission corridor zone, to provide comments on the suitability of the proposed transmission corridor zone with respect to environmental, public health and safety, land use, economic, and

transmission-system impacts or other relevant factors on which they may have expertise.

(c) The purpose of the informational hearings shall be to do all of the following:

(1) In a presentation by the applicant, or by the staff in a case initiated by the commission's motion, provide information and answer questions to explain the transmission corridor zone that is being proposed for designation;

(2) Explain the commission's designation process, the staff's role in preparing an environmental report, the opportunities for public and agency participation, and any other matter that informs the public about the designation process and its purpose.

(3) Explain the state's needs and long-term planning objectives in the applicable Strategic Plan and the Plan's relevance to the transmission corridor zone being proposed for designation;

(4) Serve as a scoping meeting for the environmental review of the proposed transmission corridor zone by receiving comments on its suitability with respect to environmental, public health and safety, land use, economic, and transmission-system impacts and other relevant factors on which a governmental entity or an interested person may have expertise; and

(5) Solicit factual information, recommendations, and suggestions on reasonable alternatives that could avoid or mitigate potentially significant environmental impacts associated with the proposed transmission corridor. An alternative shall be considered reasonable if it meets one or more of the state's needs and objectives that the proposed corridor for designation proposes to meet in accordance with the applicable Strategic Plan, is feasible as that term is defined in section 1702(f), and offers a way to mitigate or avoid one or more potentially significant environmental impacts associated with the proposed transmission corridor.

(d) Within 15 days of the informational hearing, the assigned committee shall issue an order regarding the type and scope of environmental review to be conducted, the estimated schedule of events in the remainder of the proceeding, and any other matter relevant to the proceeding the committee sees fit to include.

Note: Authority cited: Section 25218(e), Public Resources Code. Reference: Sections 21080.1, 21080.3, 21104, and 25335, Public Resources Code.

§ 2410. Preparation of Environmental Report, Need Assessment, and Staff's Role.

(a) The staff shall be responsible for independently preparing a draft and final environmental report on the proposed transmission corridor zone, taking into account

the applicant's environmental assessment in the application, all relevant information received from interested government entities, and written comments from members of the public regarding potential impacts, feasible mitigation, and reasonable alternatives.

(b) The staff shall also be responsible for independently assessing the need for the proposed transmission corridor and whether it conforms with the latest adopted strategic plan.

(c) Issues that may arise related to the final environmental report and the assessment of need and conformance with the strategic plan shall be the subject of one or more hearings under section 2413.

(d) The staff shall hold one or more public workshops to try to resolve issues and to solicit information from governmental entities, property owners within or adjacent to the proposed corridor, and other interested members of the public.

(e) The staff may independently prepare an initial report on the proposed corridor to identify potential issues for the informational hearings under section 2408 and as a way to help focus the draft environmental report.

Note: Authority cited: Section 25218(e), Public Resources Code. Reference: Sections 21080.1, 21082.1, 21100, 25332, 25336, and 25337, Public Resources Code; and section 15025, Title 14, California Code of Regulations.

§ 2411. Publication of the Environmental Report, Need Assessment, and Public Review.

(a) Within 120 days of the final informational hearing under section 2409, the staff, in consultation with interested government entities and in consideration of all comments and information received at the informational hearings and workshops, shall publish a draft environmental report on the proposed designation and an assessment of need for the proposed corridor and its conformance with the latest adopted strategic plan. The staff shall post the draft report and assessment on the commission's website, provide a copy of the draft report to the state Clearinghouse as appropriate, and notify all interested government entities and the public of the availability of the environmental report on the commission's website.

(b) There shall be a public comment period of at least 45 days from the posting of the draft environmental report on the commission's website.

(c) Within 30 days after the conclusion of the public comment period for the draft environmental report, the staff shall independently publish a final environmental report, including responses to written comments received on the draft report, and its final assessment of need for the proposed corridor and its conformance with the latest adopted strategic plan.

Note: Authority cited: Section 25218(e), Public Resources Code. Reference: Sections 21082.1, 21091, 25332, and 25337, Public Resources Code; and Sections 15084, 15086, 15087, 15088, and 15089, Title 14, California Code of Regulations

§ 2412. Prehearing Conference and Hearing Order.

(a) Within 35 days, but no sooner than 15 days, after the issuance of the final environmental report, the assigned committee shall hold a prehearing conference to determine the issues to be considered in one or more hearings and the dates of the hearings.

(b) The assigned committee shall arrange for public notice of the prehearing conference to be published no later than 14 days in advance of the prehearing conference. The notice shall request all parties to prepare a prehearing conference statement identifying the issues they believe should be the subject of a hearing and any other matter the committee deems reasonable to request.

(c) Within 15 days of the prehearing conference, the assigned committee shall issue a hearing order setting forth the issues to be heard at one or more hearings, including issues, if any, regarding reasonable alternatives to the proposed transmission corridor zone, the need for the proposed corridor, and the extent to which the proposed corridor conforms with the applicable strategic plan, the date(s) and location(s) of the hearing(s), the filing date for written testimony, other submittals, and public comments, and any other matter that the assigned committee has the authority to address or regulate under section 1203.

(d) The issue of conformity with the strategic plan shall include a demonstration based on substantial evidence of the need for the proposed corridor. The basic issue of need for a corridor shall first be considered in a proceeding on the strategic plan under Section 25324 of the Public Resources Code.

Note: Authority cited: Section 25218(e), Public Resources Code. Reference: Section 25336, Public Resources Code.

§ 2413. Hearings and Record.

(a) The assigned committee shall conduct hearings to receive testimony as defined in section 1201, public comments, and other information on issues that the prehearing conference order identifies.

(b) The hearings shall be conducted in accordance with section 1212 regarding rules of evidence and the cross examination of witnesses.

(c) All testimony, cross examination of witnesses, information, and comments received at a hearing shall become the record of the proceeding.

(d) The record shall be the basis upon which to make findings and conclusions in accordance with Public Resources Code section 25337 and as specified in section 2412.

Note: Authority cited: Section 25218(e), Public Resources Code. Reference: Sections 21082.2, 25336, and 25337, Public Resources Code.

§ 2414. Proposed Decision.

(a) Within 60 days of the conclusion of hearings under Section 2413, the assigned committee shall issue a proposed decision based on consideration of the final environmental report, together with the entire hearing record in the proceeding. The proposed decision shall contain the committee's responses to comments received at the hearing(s) held under Section 2413.

(b) The proposed decision shall be subject to no less than a 20-day public review period.

(c) The assigned committee may hold a hearing to receive comments and recommendations on the proposed decision in advance of the adoption hearing before the full commission on the proposed decision.

Note: Authority cited: Section 25218(e), Public Resources Code. Reference: Sections 21081, 21081.5, 25337, Public Resources Code.

§ 2415. Findings and Conclusions.

The proposed decision shall contain a recommendation on whether to designate the proposed transmission corridor zone and shall include proposed findings and conclusions on each of the following:

(a) whether the proposed transmission corridor zone conforms with the applicable strategic plan adopted pursuant to Section 25324 of the Public Resources Code;

(b) whether the proposed corridor zone is consistent with land uses within and adjacent to the corridor and with applicable land use plans adopted by local, regional, state, or federal governments;

(c) whether there exists within or adjacent to the proposed transmission corridor zone any notable areas of sensitivity such as local, state, or regional parks, wilderness, scenic, or natural reserves, areas for wildlife protection, estuaries, and areas for recreation or historic preservation;

(d) the extent to which the proposed designation and possibility of one or more transmission-line projects being built within the designated corridor would cause any

reasonably foreseeable significant adverse impact on the environment, public health and safety, land use, the state's economic interest, the state's electric transmission system, or any other relevant matter;

(e) whether there are feasible means of mitigating or avoiding any of the significant adverse impacts identified with the proposed designation;

(f) any changes or modifications to the proposal that the commission should require;

(g) whether there are feasible alternatives that are preferable to the proposed corridor; and

(h) any other matter that the committee considers relevant to the commission's decision on whether to designate the proposed transmission corridor zone.

Note: Authority cited: Section 25218(e), Public Resources Code. Reference: Sections 21081, 21081.5, 25337, Public Resources Code; and Sections 15091 and 15092, Title 14, California Code of Regulations.

§ 2416. Final Decision and Hearing.

(a) Before adopting a final decision, the commission shall adopt or certify as appropriate the final environmental report by finding each of the following:

(1) The final environmental report has been completed in compliance with the California Environmental Quality Act.

(2) The commission has reviewed and considered the information in the final environmental report before approving the designation.

(3) The final environmental report reflects the independent judgment of the commission.

(b) The commission shall hold a final hearing to receive final comments and recommendations on the proposed decision and accompanying documents. At the conclusion of the hearing, the commission shall adopt a final written decision that conforms with Section 25337 of the Public Resources Code and contains the findings and conclusions specified in section 2413.

(c) The commission may not designate a proposed corridor with one or more significant adverse environmental impacts unless it finds both of the following:

(1) There are feasible means of mitigating or avoiding the significant adverse environmental impacts and those means have been required or incorporated in the proposed designation.

(2) With respect to matters not within the commission's authority, but within the authority of another agency, that changes or alterations required to mitigate such impacts have been or can and should be adopted by such other agency.

(d) If the commission cannot make the findings in subsection (c), then it may not designate a transmission corridor zone unless it makes the following two findings:

(1) Specific economic, social, or other considerations make infeasible the mitigation measures or alternatives identified in the environmental impact report.

(2) The benefits of the designation outweigh the unavoidable significant adverse environmental impacts associated with the designation of the proposed transmission corridor zone.

Note: Authority cited: Section 25218(e), Public Resources Code. Reference: Sections 21081, 21092, and 25337, Public Resources Code; and Sections 15090, 15091, 15092, and 15093, Title 14, California Code of Regulations.

§ 2417. Notification of a Designated Corridor.

As soon as practicable after the commission designates a transmission corridor zone, it shall post a copy of its decision on its Internet Web site, send a copy of its decision, including a description of the transmission corridor zone, to the City Manager, County Chief Executive Officer, and Planning Commission Chairperson of each affected city and county and to representatives of each affected state and federal agency, and notify property owners within or adjacent to the corridor of the availability of the decision on the commission's Internet Web site.

Note: Authority cited: Section 25218(e), Public Resources Code. Reference: Section 25338, Public Resources Code.

§ 2418. Use of a Designated Corridor.

Any person who proposes to construct a high voltage transmission line within a designated corridor shall include the environmental assessment for the designated corridor and the commission's final decision on the corridor as part of the application to the agency that has permitting authority over the transmission-line project.

Note: Authority cited: Section 25218(e), Public Resources Code. Reference: Sections 15006, 15153, 15167, and 15168, Title 14, California Code of Regulations.

§ 2419. Catalogue of Environmental Reports for Designated Corridors.

The staff shall compile and maintain in electronic format the commission's environmental reports on all transmission corridors designated under this article and

shall make available upon request the relevant copy for inclusion in an application to construct a high-voltage transmission line within a designated corridor.

Note: Authority cited: Section 25218(e), Public Resources Code. Reference: Section 25339, Public Resources Code.

§ 2420. Review of Designated Corridors.

Upon request or upon its own initiative, the commission may review and revise as necessary its designated transmission corridor zones in accordance with the procedural requirements of this article, but not less than once every 10 years. Designated corridors shall be identified in each strategic plan prepared under Section 25324 of the Public Resources Code.

Note: Authority cited: Section 25218(e), Public Resources Code. Reference: Section 25339, Public Resources Code.

§ 2421. Application of CEQA

Nothing in this article shall preclude the use of an exemption under the California Environmental Quality Act or the preparation of a negative declaration or mitigated negative declaration in accordance with that Act where the facts pertaining to a proposed transmission corridor zone do not support a fair argument otherwise. Every application shall nevertheless be subject to the same procedural requirements for an informational hearing, prehearing conference, one or more evidentiary hearings as needed, a proposed decision, and a final decision.

Note: Authority cited: Section 25218(e), Public Resources Code. Reference: Sections 21080.1 and 25332, Public Resources Code.

APPENDIX A

Information Requirements for a Corridor Designation Application[1]

(a) Executive Summary

In a section entitled, "Executive Summary," the application shall contain:

(1) a general description of the proposed transmission corridor, its location, the region in which it is proposed to be located, the immediate vicinity, and the transmission facilities anticipated to be within the corridor;

(2) a summary of the need for the proposed corridor based on the state's needs and objectives as set forth in the latest adopted strategic plan under Section 25324 of the Public Resources Code and any other relevant information provided in the application;

(3) a summary of reasonably foreseeable impacts to the environment or to public health and safety associated with the proposed designation of the corridor for a high-voltage electric transmission line; and

(4) a summary of mitigation measures proposed to avoid or minimize any such impacts to the environment or to public health and safety.

(b) Project Description

In a section entitled, "Project Description," the application shall contain:

(1) a detailed description of the proposed transmission corridor, identifying the corridor's geographic location, direction, length and width;

(2) a detailed description of the setting of the proposed transmission corridor zone;

(3) maps* depicting the region, the vicinity, the proposed transmission corridor, and its immediate surroundings at a scale of 1:24,000 (or another appropriate map scale agreed to by staff), and showing developed areas, including demographic data and location(s) of low-income and minority populations in the vicinity of the proposed corridor, major infrastructure, parks, recreational areas, scenic areas, existing transmission lines within one mile of the center line of the proposed corridor; and any other matters the applicant may wish to include;

(4) full-page color reproductions of photographs showing the features and characteristics of the area within and alongside the proposed corridor;

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[1] **The requirements in this Appendix apply also to a motion by the Energy Commission to designate a transmission corridor zone.**

(5) the center line of the proposed transmission corridor identified by mileposts at appropriate distances and the beginning and ending longitude and latitude of each segment between the mileposts in the proposed corridor; and,

(6) in an appendix to the application, a list of current assessor's parcel numbers and owners' names and addresses for all parcels within and out to 500 feet of the outer boundaries of the proposed transmission corridor.

*All maps depicting the proposed transmission corridor in the application shall show the proposed corridor's center line and outer boundaries and shall conform with the format requirements for such documents under Sections 1209 and 1705.

(c) Conformity with Strategic Plan and Need

In a section entitled, "Conformity with Strategic Plan and Need for Corridor," the application shall contain:

(1) the planning timeframe for the transmission project(s) anticipated to be within the corridor zone proposed for designation;

(2) the objective(s) of locating one or more transmission projects within the proposed corridor zone, for example, to access renewable resources, facilitate bulk power transactions, reliably and efficiently serve projected load growth, coordinate with corridors designated under Section 368 of the Federal Energy Policy Act of 2005, or address issues of National Interest Electric Transmission Corridors designated under Section 1221 of the Federal Energy Policy Act of 2005;

(3) a discussion of how each stated objective relates to the applicable strategic plan based on the following:

(A) a discussion of the transmission capacity additions, transmission corridors, and planning timeframes described in the latest strategic plan adopted pursuant to Section 25324 of the Public Resources Code that relate to the transmission corridor zone proposed for designation and

(B) a discussion of the conformity of the proposed transmission corridor zone with all related aspects of the latest adopted strategic plan;

(4) a general description of the transmission facilities that the applicant anticipates would be within the corridor zone, including power lines and voltages, substations, switchyards and other facilities and the reasons for selecting the facilities described;

(5) a discussion of the expected load growth, capacity, and energy levels for the planning timeframe of the transmission project anticipated within the proposed corridor zone;

(6) a discussion of new generating resources and other electricity supplies that are likely to be available in the load area as an alternative to transmission expansion in the planning timeframe and could serve the expected load growth in a manner consistent with the state's energy policies or a discussion of the constraints to the development of local generation resources;

(7) a discussion of the expected energy efficiency and demand reduction measures, as identified in the latest adopted Integrated Energy Policy Report, that are likely to be available in the planning timeframe and could serve as an alternative to transmission expansion;

(8) a discussion of the California Independent System Operator's latest transmission planning results and, if available, the relevant Western Electricity Coordinating Council Regional Planning and Facility Rating Process results, the transmission plans of local publicly owned electric utilities, and other transmission planning studies that have a material bearing on the need of the transmission project(s) that the applicant anticipates within the proposed corridor zone in the planning timeframe; and

(9) a discussion of the need for the proposed corridor zone to achieve the stated objective(s) in subsection (2), given the potential for supply, demand, and efficiency alternatives discussed in subsections (6) and (7) that could also serve the same objective(s).

(d) Corridor Alternatives

In a section entitled, "Corridor Alternatives," the application shall contain:

(1) identification of a reasonable range of alternative corridors that could achieve the basic objectives of the proposed corridor;

(2) a discussion of how the proposed corridor and alternatives were selected, the criteria used to reject alternatives, and an explanation why the proposed corridor is superior to the alternatives; and

(3) a screening-level analysis of a reasonable range of alternative corridors, considering the impacts of each alternative on visual resources, land use, biological resources, cultural resources, and any other impacts that could be significant. Alternatively, an application may provide justification for why there are no feasible alternatives that might reasonably be considered for the proposed corridor.

(e) General Environmental Information Requirements

An application for designation of an electric transmission corridor zone shall provide information addressing potential direct, indirect, and cumulative impacts in all the subject areas identified in the following sections for the proposed transmission corridor

zone. The required information shall be provided in sufficient detail to allow determination of the suitability of the proposed transmission corridor zone with respect to reasonably foreseeable environmental, public health and safety, land use, and economic impacts from the future construction, operation, and maintenance of a transmission line within the corridor zone. With respect to potentially significant impacts, each technical area shall also discuss mitigation measures and any monitoring plans to verify the effectiveness of the mitigation.

(f) Water and Soil Resources

In a section entitled, "Water and Soil Resources," the application shall include:

(1) a general narrative description of the hydrologic setting of the proposed transmission corridor zone, including a discussion of any water-related special status areas within, or contiguous to, the corridor zone;

(2) a topographic map, at a scale of 1:24,000 (or another appropriate scale agreed to by staff), showing major water bodies and any identified special status areas within, or contiguous to, the proposed transmission corridor zone. Water-related special status areas may include, but are not limited to, a wild and scenic river; outstanding national resource water; significant natural area, special aquatic site, research natural area, special interest area, and area of critical environmental concern;

(3) a discussion of potential impacts to water resources within, or contiguous to, the proposed transmission corridor zone, that may occur from the future construction, operation, or maintenance of electric transmission line structures within the corridor zone, including anticipated impacts associated with waste discharges, water runoff, drainage, ground water recharge, erosion patterns and the physical or chemical conditions of existing water bodies;

(4) a discussion of what measures could be taken to avoid or mitigate any significant adverse impacts to water resources that are identified;

(5) a discussion of whether any of the water-related special status areas identified could be adversely affected by the future construction, operation, or maintenance of electric transmission line structures within the corridor zone and what measures could be taken to avoid or mitigate significant impacts;

(6) a general narrative description of the topography, major soil types, erosion potential, and agricultural land uses within, or contiguous to, the proposed transmission corridor zone, including a discussion of any special or unique soil areas within, or contiguous to, the corridor zone;

(7) a topographic map, at a scale of 1:24,000 (or another appropriate scale agreed to by staff), showing major soil types and any identified special or unique soil areas within, or contiguous to, the proposed transmission corridor zone, including, but not limited to,

areas designated as prime agricultural soil or soil of statewide importance, areas containing expansive soils or soils subject to hydrocompaction, contaminated soils, and areas underlain by naturally occurring asbestos;

(8) a discussion of potential impacts to soil resources within, or contiguous to, the proposed transmission corridor zone, that may occur from the future construction, operation, or maintenance of electric transmission line structures within the transmission corridor zone, including anticipated impacts on soil loss from wind or water erosion, impacts to existing agricultural practices, and potential changes to the soil-vegetation system;

(9) a discussion of what measures could be taken to avoid or mitigate any adverse impacts to soil resources that are identified;

(10) a discussion of whether any of the special or unique soil areas identified could be adversely affected by the future construction, operation, or maintenance of electric transmission line structures within the corridor zone and what measures could be taken to avoid or mitigate significant impacts; and

(11) all assumptions, evidence, references, and calculations used to support the descriptions, discussions, and analyses required in this section.

(g) Waste Management

In a section entitled, “Waste Management,” the application shall include:

(1) a discussion of any contaminated soil or contaminated water within, or contiguous to, the transmission corridor zone that could adversely affect the environment or public health and safety due to the future construction, operation or maintenance of electric transmission line structures within the proposed transmission corridor zone and what measures could be taken to avoid or mitigate significant impacts;

(2) a Phase I Environmental Site Assessment (ESA) for the proposed transmission corridor using methods prescribed by the most recent version of the American Society of Testing and Materials (ASTM) document entitled “Standard Practice for Environmental Site Assessments: Phase I Environmental Site Assessment Process” (Designation: E 1527); or an equivalent method agreed upon by the applicant and the staff that provides similar documentation of the potential level and extent of site contamination; and

(3) all assumptions, evidence, references, and calculations used to support the descriptions, discussions, and analyses required in this section.

(h) Biological Resources

In a section entitled, "Biological Resources," the application shall describe the biological resource setting of the proposed transmission line corridor zone and include all of the following:

(1) a discussion and map of sensitive biological resource areas including, but not limited to, wetlands and riparian habitat, areas covered by a Habitat Conservation Plan, Natural Communities Conservation Plan, or similar regional or local habitat protection program, and any area designated as a wildlife refuge or any other special designation;

(2) a list of sensitive species and their habitat known to occur or likely to occur within the proposed corridor zone and within 1 mile of the transmission corridor zone plotted on maps at a scale of 1:24,000 (or another appropriate scale agreed to by staff) or aerial photographs of an appropriate scale;

(3) a discussion of potentially significant biological resource impacts that are reasonably foreseeable from future construction, operation, or maintenance of electric transmission line structures within the corridor zone and mitigation measures to minimize or avoid potentially significant impacts;

(4) a list of biological resource-related state and federal permits that are likely to be required for the transmission corridor and the state and federal laws that are applicable to each permit; and

(5) a list of all who prepared the Biological Resources section and their qualifications.

(i) Cultural Resources

In a section entitled, "Cultural Resources," the application shall describe the cultural resources setting of the proposed transmission corridor zone and include all of the following:

(1) a discussion of cultural resource information regarding the proposed transmission corridor provided by the California Historical Resources Information System*;

(2) topographic maps at a scale of 1:24,000 showing the proposed corridor zone, areas already surveyed for cultural resources, and locations of known cultural resources*;

(3) a discussion of sacred lands data base information provided by the Native American Heritage Commission*;

(4) a discussion of contacts made with Native Americans identified by the Native American Heritage Commission and information about locations of archaeological and sacred sites*;

(5) a discussion of known and reasonably foreseeable cultural resource impacts that could be adversely affected from the future construction, operation, or maintenance of electric transmission line structures within the corridor zone and measures that could be taken to mitigate any adverse impacts; and

(6) a list all who prepared the Cultural Resources section and their qualifications. (Include information indicating that they meet Secretary of Interior qualifications.)

* Any submittal that contains information about the locations of archaeological sites must be submitted under confidential cover and only a Cultural Resources Specialist is authorized to review confidential cultural resources submittals.

(j) Land Use

In a section entitled, "Land Use," the application shall include:

(1) a general description of existing and future land uses adopted by any federal, state, regional, and local planning agency/authority within the proposed transmission corridor zone;

(2) a map, at a scale of 1:24,000 (or another appropriate scale agreed to by staff), showing existing and future land uses and any identified special status areas within, or contiguous to, the proposed transmission corridor zone;

(3) the identification of special status areas, if any, within the proposed corridor zone and within one mile of the outer boundaries of the proposed corridor; special status areas include, but are not limited to, areas designated by the California Coastal Commission, San Francisco Bay Conservation and Development Commission, and Delta Protection Commission; farmland designated as prime, of statewide importance, or unique by the California Department of Conservation; Federal, State, regional, county and city parks; wilderness, scenic or natural reserves; areas for wildlife protection, recreation, and historic preservation; mineral resource lands; Native American lands; military lands, and airports;

(4) a discussion of whether any of the special status areas identified could be adversely affected by the future construction, operation, or maintenance of electric transmission line structures within the proposed transmission corridor zone and what measures could be taken to avoid or mitigate significant impacts.

(5) a discussion of the potential impacts to present and foreseeable land uses within, or contiguous to, the proposed corridor zone, that may occur from the future construction, operation, or maintenance of electric transmission line structures within the corridor zone; such discussion should include anticipated impacts on residential, recreational, scenic, agricultural, natural resource protection, educational, religious, cultural, and historic areas, military and airport operations, special status areas, and any other area of unique land uses;

(6) a discussion of what measures could be taken to avoid or mitigate potentially significant adverse impacts;

(7) a discussion of any city- or county-designated transmission corridors located anywhere within the local jurisdiction that would be traversed by the proposed corridor;

(8) a discussion of any designated transmission corridors on state or federally managed lands within all counties affected by the corridor;

(9) a discussion of any local, state, or federal laws, ordinances, regulations, or standards that promote or discourage electric transmission lines in specific areas of the affected jurisdictions or that place restrictions on any electric transmission lines to be built within the proposed corridor;

(10) a discussion of any plan changes (e.g., city/county general plan, State Park general plan, National Forest plan, etc.) being considered by affected local, state, and federal jurisdictions that may present an obstacle to the proposed transmission corridor;

(11) on a map at a scale of 1:24,000 (or another appropriate map scale agreed to by staff), identification of any local, state, or federal designated transmission corridors discussed above, and any city sphere-of-influence boundaries; and

(12) all assumptions, evidence, and references used to support the descriptions, discussions, and analyses required in this section.

(k) Traffic and Transportation

In a section entitled, “Traffic and Transportation,” the application shall include:

(1) a general description of the regional transportation setting of the proposed transmission corridor zone, including all existing and planned state highways and freeways within the proposed corridor zone and within 0.5 miles of the outer boundaries of the corridor;

(2) identification of any airport within 20,000 feet of a proposed transmission corridor, and any heliport within 5,000 feet of a proposed corridor (or planned or proposed airport runway or an airport runway under construction, that is the subject of a notice or proposal on file with the Federal Aviation Administration);

(3) identification of any designated airport safety zone, airport influence area, or airport referral area within or contiguous to the proposed transmission corridor;

(4) identification of any restricted military airspace within or contiguous to the proposed transmission corridor;

(5) a discussion of how the future construction, operation, or maintenance of electric transmission line structures within the proposed corridor zone would affect what is identified above in subsections (1) through (4);

(6) a discussion of what measures could be taken to avoid or mitigate potentially significant adverse impacts from the future construction, operation, or maintenance of electric transmission line structures within the proposed corridor;

(7) all assumptions, evidence, and references used to support the descriptions, discussions, and analyses required in this section; and

(8) a map, at a scale of 1:24,000 (or another appropriate scale agreed to by staff), showing the transportation facilities identified above.

(I) Visual Resources

In a section entitled, "Visual Resources," the application shall include:

(1) a general narrative description of the regional visual setting of the proposed transmission corridor zone, including the visual properties of the topography, vegetation, and any modifications to the landscape as a result of human activities;

(2) a discussion of special status areas, if any, within or visible from the proposed corridor zone that could be adversely affected by the future construction, operation, or maintenance of electric transmission line structures within the corridor zone; special status areas include, but are not limited to, areas designated by the California Coastal Commission; state, regional, county and city parks; wilderness, scenic or natural reserves; scenic vistas or scenic resource areas; State Scenic Highways; National Scenic Byways; and All-American Roads;

(3) a discussion of whether any of the special status areas identified could be adversely affected by the future construction, operation, or maintenance of electric transmission line structures within the proposed transmission corridor zone, and what measures could be taken to avoid or mitigate significant impacts;

(4) a topographic map, at a scale of 1:24,000 (or another appropriate scale agreed to by staff), showing the special status areas within or contiguous to, the proposed transmission corridor zone;

(5) a discussion of the potential visual impacts that may occur from the future construction, operation, or maintenance of electric transmission line structures within the corridor zone. The discussion should include anticipated impacts on visually sensitive areas, including, but not limited to, residential, recreational, coastal, and scenic areas, travelers on scenic roadways, and special status areas. The discussion shall also indicate what measures could be taken to avoid or mitigate any potentially significant adverse impacts; and

(6) all assumptions, evidence, and references used to support the descriptions, discussions, and analyses required in this section.

Note: Authority cited: Section 25218(e), Public Resources Code. Reference: Section 25331, Public Resources Code and Section 15084, Title 14, California Code of Regulations.