STATE OF CALIFORNIA
CONTRACT AMENDMENT REQUEST FORM (CARF)
CEC-276 (Revised 10/2015) CALIFORNIA ENERGY COMMISSION

Original Agreement # RMB700-17-001 Amendment # 1

Siting, Transmission, and Environmental Protection Joseph Merrill 16 916-651-9005

California Energy Commission -

☐ Term Extension New End Date: / / Include revised schedule and complete items A, B, C, D, & H below.

☐ Budget Augmentation Amendment Amount: $ 0 Include revised budget and complete items A, B, C, D, E, F, & H below.

☐ Budget Reallocation Include revised budget and complete items A, B, C, D, & H below.

☒ Scope of Work Revision Include revised scope of work and complete items A, B, C, D, & H below.

☐ Change in Project Location or Demonstration Site Include revised scope of work and complete items A, B, C, D, & H below.

☐ DVBE Replacement Include revised scope of work and complete items A, B, C, D, F, & H below.

☐ Novation/Name Change of Prime Contractor/Recipient Include novation documentation and complete items A, C, D, & H below.

☐ Terms and Conditions Modification Include applicable exhibits with bold/underline/strikeout and complete items A, B, C, D, & H below.

Business Meeting approval is not required for the following types of Agreements:
☐ Operational agreement (see CAM Manual for list) to be approved by Executive Director
☐ Minor amendments delegated to Executive Director per December 2013 Resolution

Proposed Business Meeting Date 09 / 21 / 2018 ☐ Consent ☒ Discussion

Business Meeting Presenter Al Alvarado Time Needed: 5 minutes

Please select one list serve. Siting

Agenda Item Subject and Description
CALIFORNIA PUBLIC UTILITIES COMMISSION. Proposed resolution approving Amendment #1 to Agreement RMB700-17-001 (CPUC Agreement 17IA5007) with the California Public Utilities Commission (CPUC) that has the Energy Commission providing technical consulting services required for review of transmission projects in compliance with the California Environmental Quality Act (CEQA). This amendment adds other types of CPUC jurisdictional infrastructure projects seeking permits to build, which include natural gas storage and pipelines, water and telecommunication projects. The environmental review will be conducted pursuant to CEQA and CPUC procedures. Contact: Al Alvarado. (Staff presentation: 5 minutes)

☐ Non Competitive Bid (Attach CEC 96)
☒ Exempt Select Exemption (see instructions)

Legal Company Name: Budget SB MB DVBE

$ 0.00 ☐ ☐ ☐

$ 0.00 ☐ ☐ ☐

$ 0.00 ☐ ☐ ☐

Legal Company Name:
### E) Budget Information (only include amendment amount information)

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**Explaination for “Other” selection**

**Reimbursement Contract #:**

**Federal Agreement #:**

### F) Disabled Veteran Business Enterprise Program (DVBE)

1. Exempt (Interagency/Other Government Entity)
2. ☐ Meets DVBE Requirements
   - DVBE Amount: $ ____________
   - DVBE %: ____________
   - Contractor is Certified DVBE
   - Contractor is Subcontracting with a DVBE: [Name of DVBE Company]
3. ☐ Contractor selected through CMAS or MSA with no DVBE participation.
4. ☐ Requesting DVBE Exemption (attach CEC 95)

### G) California Environmental Quality Act (CEQA) Compliance

1. Is Agreement considered a “Project” under CEQA?
   - ☐ Yes (skip to question 2)
   - ☒ No (complete the following (PRC 21065 and 14 CCR 15378)):
     - Explain why Agreement is not considered a “Project”:
       - Agreement will not cause direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment because Agreement involves staff services for technical studies and the outcome will be reports and transfer of knowledge.

2. If Agreement is considered a “Project” under CEQA:
   - ☐ a) Agreement IS exempt. (Attach draft NOE)
     - Statutory Exemption. List PRC and/or CCR section number:
     - Categorical Exemption. List CCR section number:
     - Common Sense Exemption. 14 CCR 15061 (b) (3)
     - Explain reason why Agreement is exempt under the above section:

   - ☐ b) Agreement IS NOT exempt. (Consult with the legal office to determine next steps.)
     - Check all that apply
       - Initial Study
       - Negative Declaration
       - Mitigated Negative Declaration
       - Environmental Impact Report
       - Statement of Overriding Considerations

### H) The following items should be attached to this ARF (as applicable)

1. Exhibit A, Scope of Work
2. Exhibit B, Budget Detail
3. CEC 96, NCB Request
4. CEC 95, DVBE Exemption Request
5. CEQA Documentation
6. Novation Documentation
7. CEC 105, Questionnaire for Identifying Conflicts

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INTERAGENCY AGREEMENT SCOPE OF WORK
EXHIBIT A

This agreement ("Agreement"), with a total amount of $5,000,000, provides California Energy Commission ("CEC") staff expertise to the California Public Utilities Commission ("CPUC") as a pilot program for technical consulting services required for review of electric infrastructure projects subject to regulatory jurisdiction of the CPUC - primarily projects that require environmental review in compliance with the California Environmental Quality Act ("CEQA"). (California Public Resources Code Sections 21000 at seq.) Technical services will include environmental review of transmission or substation related any jurisdictional infrastructure projects and/or other transmission related planning analyses; these services are expected to be conducted pursuant to all governing laws and regulations, including but not limited to CEQA, the Public Utilities Code, and the CPUC's Rules of Practices and Procedures.

RETAINER AGREEMENT

This is a no-fee retainer Agreement. The CEC will be held on retainer and no work shall be undertaken unless agreed to by both parties through a Work Authorization. The CPUC Project Manager ("PM") shall prepare and issue the written Work Authorizations, prepare a scope of work (in consultation with the CEC staff) and shall set a budget and schedule for the work to be performed. This Interagency Agreement Scope of Work ("Scope of Work" or "SOW") includes a non-exclusive description of general tasks that the CEC may be asked to perform; project specific activities will be detailed in each Work Authorization.

SCOPE OF WORK

This Scope of Work facilitates CEC staff providing technical services to the CPUC to prepare CEQA documents or transmission planning analyses needed as part of the CPUC's formal review of electric infrastructure regulatory Applications. These environmental documents may include key deliverables to the CPUC such as an Initial Study ("IS"), Negative Declaration ("ND"), Mitigated Negative Declaration ("MND"), Draft and Final Environmental Impact Report ("EIR"), and other supporting documents as necessary. The Scope of Work for environmental review demonstrates that the coordinating of drafting environmental documents (and conducting the analyses required to prepare the environmental documents) may consist of the following:

- Participation in initial project kick off tasks, including meetings with CPUC Project Manager and Applicant, review of pre-filing documents, providing drafts of pre-filing feedback for Applicants.
- Evaluation of the Applicant's regulatory Application, including Proponent's Environmental Assessment ("PEA"), for adequacy and completeness.
- Preparation of deficiency reports (as appropriate) and a completeness letter.
- Preparation of data requests on the PEA and Applicant identified or CEC identified Alternatives.
- Participation in meetings with CPUC staff, other responsible agencies, or Applicant as needed. Preparation of meeting documentation for administrative record.
- Preparation of required notices under CEQA, including a Notice of Preparation ("NOP"), Notice of Completion ("NOC"), Notice of Determination ("NOD"), as well as notice to affected property owners and other public notices as required.
• Evaluation of alternatives and preparation of an Alternatives Screening Report ("ASR").
• Preparation of an Administrative Draft, Screen Check Draft, and Draft EIR, ND or MNO.
• Comprehensive review of public comments received on draft environmental document.
• Preparation of an Administrative Final, Screen Check Final, and Final EIR, ND or MND.
• Development and implementation of a public information and participation program, including planning for and attendance at public meetings at various locations covering both scoping and public review of the Draft EIR.
• Coordination and participation in meetings with various agencies and stakeholders.
• Development of project website text to disseminate project information and solicit public comments.
• Monitoring implementation of mitigation measures during project construction.
• Review of project construction plans, compliance documents and preparation of Notices to Proceed.
• Documentation of mitigation measure non-compliance issues during construction of projects.
• Assistance with the development of scope of work (tasks, duties, timelines etc.) that the CPUC would be required to contract out for when the CEC is unable to provide service(s) under this agreement.
• Support to the CPUC in issuance of Stop Work Orders (and lifting of Stop Work Orders on electric infrastructure projects).
• Assisting the CPUC in any post-decision rehearing application and/or litigation in defense of a project's environmental document.
• Coordinating with CPUC staff (e.g., Commission advisors, Administrative Law Judges, Legal staff) to address project-specific legal issues before, during and after the preparation of environmental review documents, including the underlying technical analyses.
• Preparing power flow studies to assist in determining transmission planning issues, including issues such as project need, alternatives, and costs.
• Assisting with Geographic Information System ("GIS") mapping and drawings of electric infrastructure projects.

**TASK SUMMARY**

This Scope of Work contains a broad approach to the Energy Commission's environmental review. The following tasks may be included in the Project Specific Work Authorization(s):

• Task 1. Pre-filing Coordination and Consultation
• Task 2. PEA and Application Meeting and Review
• Task 3. Public Communications and Scoping
• Task 4. Administrative Draft CEQA Document Preparation
• Task 5. Screen Check Draft and Draft CECA Document Review and Preparation
• Task 6. Public Review of Draft CEQA Documents
• Task 7. Responses to Comments, Administrative Final CECA Document, Screen Check Final, and Final CECA Document
• Task 8. Joint NEPA/CEQA Environmental Review
- Task 9. CPUC Decision Support and/or Litigation Assistance
- Task 10. Mitigation Monitoring Compliance and Reporting Program Oversight
- Task 11. Technical Support Evaluations

CPUC's Working Draft PEA Checklist (http://www.cpuc.ca.gov/WorkArea/DownloadAsset.aspx?id=5068), which is available from the CPUC's main CEQA page: http://www.cpuc.ca.gov/CEQA/ where a number of other guidance documents are listed. The PEA Checklist is incorporated by reference to this agreement. CPUC shall notify the CEC of any updates or changes to the CPUC's Working Draft PEA Checklist.

**TASK 1: PRE-FILING COORDINATION AND CONSULTATION**

For each project, the Application and the Proponent's Environmental Assessment (PEA) will be submitted to CPUC with tasks identified for the CEC to undertake. This will be in the form of specific Work Authorizations.

The CPUC and the Energy Commission will meet with the Applicant during the "pre-filing period," prior to completion of the application and PEA to review administrative draft sections of the PEA. The goal of pre-filing meetings is to ensure that the PEA contains the correct information required for the CECA analysis. During the pre-filing period, the Applicant and CPUC (in coordination with CEC staff) also consult with relevant regulatory agencies to confirm permit requirements and address any concerns related to the environmental review.

1.1 Team "Kickoff" and Work Planning

To maintain an early and comprehensive understanding of project issues, as soon as possible after Work Authorization execution, activities for this task may include, but are not limited to, the following:

- After identification of a project and prior to Work Authorization issuance, collaborate with the CPUC to develop a detailed approach and work plan and submit it to CPUC for review.
- Consult with CPUC regarding form, format, and content of the CEQA document.
- Develop detailed milestones/tasks for project process (schedule) for CPUC review and approval (updated throughout the life of the project).

1.2 Administrative Draft PEA Review and Pre-Filing Coordination

Upon the Applicant's submittal of the Administrative Draft PEA, the Energy Commission's project management team will distribute the Administrative Draft PEA, as appropriate, to project team members and coordinate review. This will enable Energy Commission staff to expedite familiarization with the project and associated potential environmental issues and should facilitate early resolution of issues and data gaps prior to the Applicant's formal submission of the application. This task may include iterative reviews of each PEA section prior to the formal submission of the application to the CPUC. Iterative reviews will be required for chapters 3, 4, and 5 of the PEA as described in the CPUC's PEA checklist (Attachment 1).

Work Authorizations for this task may include, but are not limited to, the following activities:
- Conduct an initial site visit with the Applicant and CPUC.
- Conduct technical team meetings to allow for detailed discussions between technical experts on the Energy Commission team and Applicant team regarding required surveys and data to be included in the PEA and application.
- Confirm permitting requirements with regulatory agencies with jurisdiction over the project area and address any initial concerns regarding project impacts.
- Review the Administrative Draft PEA.
- Prepare a Technical Memorandum (template to be provided by CPUC) for the Applicant listing the surveys and data required to be conducted for and included in the PEA (to be completed and submitted after the initial site visit, initial agency contact, and technical team meeting).

**TASK 2: PEA AND APPLICATION MEETING AND REVIEW**

**2.1 Application and PEA Review and Meeting**

Work Authorizations for this task may include, but are not limited to, the following activities:
- Review preliminary documents, such as the PEA and other submittals, submitted to the CPUC by the Applicant.
- Distribute the Application and PEA to project team members (as appropriate) and coordinate review of the PEA.
- Review the PEA and supporting documentation in order to develop an understanding of project issues related to the Applicant's application. The review will focus on developing a preliminary assessment of the adequacy of the PEA to assess the potential environmental impacts that may occur with implementation of the proposed project.
- All team members will review the project description in the Application and specific team members will review relevant resource sections of the PEA to obtain a thorough understanding of the proposed project and impacts identified in the PEA filing.
- Conduct site visits for key technical staff to obtain an overview of the proposed project and to view the resources potentially affected; verify and assess biological, cultural, and visual resources; assess traffic conditions; and address issues that arise during the PEA review period, when necessary.
- Attend meetings with CPUC and the Applicant to discuss the project, existing data, anticipated impacts, and team roles.
- Conduct detailed discussions with technical experts on the Energy Commission team, Applicant team, regulatory agencies, other responsible agencies, and other interested groups or individuals.
- Develop detailed milestones/tasks based schedule for project process for CPUC review and approval.
- Consult with CPUC regarding format and content of possible CEQA document (e.g., EIR, MND, ND) and/or joint CEQA/NEPA document if applicable. Review the Application and PEA for completeness in accordance with applicable statutes, rules and regulations, including, but not limited to:
  - CEQA Guidelines 15101
  - CPUC Rules of Practice and Procedures, Article 2, Section 2.4
  - CPUC General Order 131D
  - CPUC's Information and Criteria List
  - PEA Checklist.
- Public Utilities Code Sections 1002 and 1002.3
- CPUC EMF Guidelines

- Determine whether sufficient technical information is available in the PEA to prepare
  the CEQA document (as analyzed by each specialist).
- Prepare draft Deficiency Reports for review by CPUC and for submission to the
  Applicant if the PEA does not contain adequate information to prepare the CEQA
  document.
- Prepare final Deficiency Reports for (Deficiency Reports will require the editor's (or
  designated approver) signature before final submittal to CPUC Project Manager.
- Review Applicant's responses to the CPUC Deficiency Reports.
- Prepare Data Requests as necessary to help resolve deficiencies identified in the
  Deficiency Reports.
- Prepare a memorandum with recommendations as to whether the responses to the
  Deficiency Report(s) are sufficient and the PEA can be deemed adequate (the
  memorandum will require the editor's signature before submittal to CPUC Project
  Manager).
- Support the CPUC Project Manager in making a determination as to whether to
  deem the PEA complete.

2.2 Meetings with CPUC

Work Authorizations for this task may include, but are not limited to, the following
activities:

- Participate in project meetings on an as-needed basis with CPUC staff, including
  decision makers as required, for the duration of the CEQA document preparation
  phase of the project.
- All materials submitted to the CPUC and/or CEC and marked as confidential shall
  be treated as confidential.
- CEC staff shall comply with CPUC ex parte communication rules.

2.3 Data Requests and Review

After the PEA is deemed complete, it is assumed that there may be additional data needs that arise
over the course of project review and consultation with the Applicant. If additional data is
required, Work Authorizations for this task may include, but are not limited to, the following
activities:

- Prepare data requests to support preparation of the project description and technical
  analyses in the CEQA document following determination of a complete and
  adequate Application and PEA.
- Review Applicant's responses to data requests and draft follow-up data requests as
  necessary.

2.4 Project Management

Work Authorizations for this task may include, but are not limited to, the following
activities:

- Coordinate with CPUC through emails, phone calls, conference calls, and
  memoranda, including via preparation of status reports and management briefings
  when requested.
- Coordinate with the Applicant as directed by CPUC.
- CEC to assist CPUC with compiling the CEQA Administrative Record and maintain files per CPUC guidance. The CPUC will require that the CEC should develop, keep, and transfer upon request, a complete CEQA Administrative record.
- Submit monthly invoices and progress reports to CPUC that include subconsultant costs and expenses, in CPUC format (template to be provided by CPUC).
- The Energy Commission assumes that the work will not be stopped or slowed by circumstances outside of the Energy Commission's control.
- In consultation with the CPUC, the CEC may request a change in Work Authorization by the CPUC.

*Lines of Communication:* All communication among the Energy Commission's team and the Applicant, regulators and outside agencies, stakeholders, and the public will first be coordinated between the Energy Commission Project Manager and the CPUC Project Manager.

**TASK 3: PUBLIC COMMUNICATIONS AND SCOPING**

**3.1 Mailing List and Database Development**

Work Authorizations for this task may include, but are not limited to, the following activities:

- Develop and maintain a project mailing list. The project mailing list will be developed from existing project mailing lists (e.g., county mailing lists) and research on the following types of organizations and individuals that may be interested in the project:
  - Local libraries for public access to published documents
  - Federal, state, county, regional, and local agencies with jurisdiction over the project area
  - Native American tribes affiliated with the project area
  - Elected officials
  - Statewide associations of local agencies and elected officials
  - Local property owners affected by the project
  - Community and homeowners' organizations
  - Business organizations
  - Special interest groups
  - Minority interest groups
- Update the mailing list as needed throughout the project.
- Develop a project database that includes affected landowners, commercial and industrial businesses, media, other government agencies, and other stakeholders who may be affected by the construction and operation of the project.
- Develop a stakeholder database.

**3.2 Public Information Management**

Work Authorizations for this task may include, but are not limited to, the following activities:

- Assist CPUC with providing project information to the public.
- Establish and maintain Project Information Repositories in local libraries.
- Establish multimedia project contacts, which will include a telephone number for voicemail messages, a project fax number (information will be sent to an Energy Commission office), and a project-specific email address. The multimedia contacts will provide basic information on CPUC's environmental review and will direct interested individuals to CPUC's project website.
- Prepare a fact sheet describing the proposed project and environmental resources to be analyzed in the CEQA document (the editor's signature is required on the Fact Sheet and FAQ before submittal to the CPUC Project Manager).
- Prepare a frequently asked questions (FAQ) sheet of anticipated issues that may be asked during project review and evaluation.
- Prepare and provide copies of a PowerPoint presentation describing the results and conclusions in the Draft CEQA document for distribution at the public information meetings during the Draft CEQA document comment period.
- Prepare and distribute required public notices via mail, advertisements in up to six project area newspapers, and posting notices on the project website (see Task 3.3).
- Print and distribute a notice of availability announcing the release of the Draft EIR and public meetings for the Draft EIR, as applicable.
- Coordinate with CPUC's Public Affairs Office, Public Advisor, Consumer Outreach Program, and Administrative Law Judge (ALJ) as directed by the CPUC Project Manager.

3.3 Website

Work Authorizations for this task may include, but are not limited to, the following activities:

- Prepare text for the project website using a CPUC-supplied template that will include relevant information from the Applicant's application and the CEQA process.
- Coordinate with the CPUC Project Manager to obtain approval prior to posting the webpage on the CPUC server. CEC staff will coordinate with CPUC staff to post the webpage. Public documents will be presented in Adobe Acrobat format (published on the site within 24 hours of public release).
- Convert the following public documents, as applicable, to a format suitable for posting on the CPUC website (example can be found at http://www.cpuc.ca.gov/environment/info/panoramaenv/Fulton-Fitch/Fulton-Fitch.html):
  - Application and PEA
  - Deficiency report(s) and data requests including responses
  - Project timeline and milestones
  - Scoping reports
  - Maps of project
  - Draft and Final EIR
  - Comments and responses to comments in Final EIR
  - Mitigation Monitoring Compliance and Reporting Program (MMCRP)
  - Construction activities and agency documentation
  - Public meeting notices, summaries, comments, and attendance notes
  - Links to other project-related websites, including the CPUC Energy Division website and the CPUC Administrative Proceedings webpage for the project
- Maintain secure file share folders on Egnyte (a highly secure cloud-based storage server) for the internal sharing of confidential information with team members.
throughout the execution of Task 9. CPUC will give CEC access to Egnyte.

### 3.4 Preparation of a Public Involvement Plan

This task is optional and would apply if an EIR, MND, or ND is to be prepared.

Work Authorizations for this task may include, but are not limited to, the following activities:

- Attend a meeting with the CPUC Project Manager to discuss the public involvement strategy and approach prior to preparing the Public Involvement Plan (PIP) (CPUC will provide a template).
- The Energy Commission will prepare a draft PIP that will address:
  - **PIP purpose.** The section will define the purpose of the PIP, its primary user(s), and how and when it will be used.
  - **Project background; preliminary overview of potential stakeholder issues and concerns.** This section will include a brief project description and overview of potential stakeholder issues to provide situational awareness.
  - **Public involvement objectives.** This section will describe the objectives that will guide the EIR public involvement process.
  - **Stakeholders.** Stakeholders are people, groups or organizations who can influence or affect, or may be affected by, the proposed project. This section will include an overview of the stakeholders, including those in the project database.
  - **Include AB52-Compliance** in the PIP to facilitate tribal involvement in the Project Consultation process.
  - **Public communications and scoping activities.** This section will describe public involvement strategies during scoping. These strategies may include a stakeholder database, public notices (advertisement and postcard), informational materials (presentation, handout, and posters), scoping meetings, and public agency and stakeholder coordination.
  - **Scoping Report.** This section will include an outline of the scoping report content.
  - **Public review of the Draft EIR activities.** This section will describe public involvement strategies during the public review of the Draft EIR. These strategies include public notices and public hearings.
  - **Deliverables schedule.** This section will include a deliverables schedule that will be developed to identify team roles and an implementation timeline.
- Submit a draft PIP to the CPUC Project Manager for review.
- Participate in a conference call with the CPUC Project Manager to discuss any issues arising from the CPUC’s review of the PIP.

### 3.5 EIR Notice of Preparation and Scoping Meetings

This task is optional and would apply if an EIR is being prepared. However, considering the size of the project and the length of the construction period the CPUC may wish to hold similar meetings for the IS/ND/MND.

Work Authorizations for this task may include, but are not limited to, the following activities:

- Prepare an NOP and distribute it to the State Clearinghouse and potentially affected
agencies, including agencies with jurisdiction, non-governmental organizations, and other interested groups.

- The NOP will be accompanied by a standard CEQA table indicating potentially significant issues by environmental resource topic and graphics illustrating the proposed project alignment (the NOP will require the editor's signature before submittal to CPUC Project Manager).

- Hold strategy sessions and meetings with PUC to address:
  - Need for public scoping meetings
  - Location of scoping meetings
  - Announcements and invitations to the meeting
  - Methods of community outreach (e.g., newspaper ads, directed mailings to local organizations, and postings at key public facilities)
  - Meeting management/structure
  - Presentation materials/handouts
  - Technical and support staffing
  - Approach to questions and responses
  - Timeframe for receipt of comments
  - Methods for follow-up communications

- Prepare public meeting materials including a PowerPoint presentation and handouts. Provide draft materials to the CPUC Project Manager and incorporate CPUC comments prior to finalizing materials.

- Conduct public scoping meetings in the project area at locations easily accessible by community members. A CPUC-provided court reporter will be present at each scoping meeting to transcribe the public comments. The CPUC will also provide other public meeting services, such as the need for translators and meeting venues.

- Prepare a Scoping Report. The Scoping Report will include a summary of the comments collected during the scoping period (both in writing and verbally received in a scoping meeting) and the court reporter's transcript.

- Distribute the Scoping Report to the appropriate repositories and agencies and post it on the project website (the Scoping Report will require the editor's signature before submittal to CPUC Project Manager).

Additional separate agency or stakeholder meetings will be scheduled (when feasible) to occur around the same dates of the scoping meetings (see Task 3.6). The Energy Commission assumes that scoping meetings will only be required for an EIR and will not be required for other CEQA documents.

### 3.6 Public Agency and Stakeholder Coordination

Work Authorizations for this task may include, but are not limited to, the following activities:

- Review the Applicant's agency consultation letters and responses (if any).
- Contact responsible and participating agencies.
- Coordinate and attend meetings with key agency and stakeholder groups
- Contact all tribes, as required per the AB52 consultation process, and initiate consultation with requesting tribes.
- Arrange for and participate in agency coordination meetings at the offices of affected agencies.
- Coordinate and facilitate the public agency consultation meetings, provide informational materials, and produce meeting summaries from attendance notes.
- Coordinate with Native American Heritage Commission (NAHC) and agency tribal liaisons as needed to ensure consultation with tribal governments and/or tribal representatives is effective and meaningful.

Public agency meetings will be scheduled to coincide with the dates of the scoping meetings, (if applicable) to the extent feasible. The Energy Commission assumes that in-person meetings will only be required for EIR preparation.

**TASK 4: ADMINISTRATIVE DRAFT CEQA DOCUMENT PREPARATION**

**4.1 Prepare Initial study**

Work authorizations for this task may include, but are not limited to, the following activities:

- Prepare an IS for the project to determine whether to prepare an ND, MND, or an EIR. The IS will include the following components:
  - A detailed project description based on information provided by the Applicant, including the PEA and information from data requests. The description in the IS will include but not be limited to:
    - the regional and local location of the project area;
    - a map of the project site;
    - a detailed description of each project component;
    - a description of the project environmental and regulatory context;
    - operations and maintenance activities associated with the facility;
    - construction methods, equipment, and duration of the project;
    - approvals being sought by Applicant; and
    - project objectives based on the Applicant and CPUC input.
  - Submit the project description to the Applicant for review, in order to ensure that the Applicant is in agreement with the project description prior to undertaking the IS.
  - Revise the project description based on the Applicant's comments and with concurrence from the CPUC.
  - Prepare IS checklist responses for all CEQA required environmental criteria, as set in CEOA guidelines sec. 15063(f) and Appendix G. Checklist responses must include an explanation of the factual data or evidence used to reach the conclusions regarding impact significance.
  - Submit the Administrative Draft IS to the CPUC for review (note: requires editor's signature before submitting the administrative draft IS to the CPUC).
  - Respond to CPUC comments on the Administrative Draft IS.

If the IS identifies a potentially significant effect for which the applicant has made or agrees to make project revisions that clearly mitigate the effects, an MND may be prepared. An EIR and/or focused EIR shall be prepared if it is determined that there is substantial evidence that any aspect of the project, either individually or cumulatively, may cause a significant effect on the environment.
4.2 Prepare Project Description

Work Authorizations for this task may include, but are not limited to, the following activities:

- Develop a detailed administrative draft project description based on Applicant's PEA and information obtained from data requests. The project description will include, but is not limited to, the following components:
  - The location of the project
  - Maps of the right-of-way, work areas, and project facilities
  - Description of the project components and infrastructure
  - Description of the project environmental and regulatory context
  - Operations and maintenance activities associated with the facility
  - Construction methods, required equipment, and the schedule for project construction
  - Approvals sought by the Applicant
  - Defined project objectives, based on Applicant and CPUC input
  - Applicant Proposed Measures (if applicable)
  - Whole of the action and cumulative project components, if applicable
- Submit the project description to CPUC, incorporate revisions based on comments, and then submit to the Applicant for review to ensure that the Applicant is in agreement with the project description. The project description will be finalized for inclusion in the Administrative Draft CEQA document following the Applicant's review and comment.

4.3 Alternatives Development and Screening Report

This task only applies when an EIR is being prepared.

Work Authorizations for this task may include, but are not limited to, the following activities:

- Prepare draft descriptions of alternatives using the Applicant's PEA alternatives analysis, input received during the scoping process, and inputs from the environmental review team technical specialists.
- Prepare an Alternatives Screening Report (ASA) that defines the issues and narrows the range of potential alternatives to be analyzed in detail in the EIR through an alternatives screening process. Using the CEQA criteria requirements, the ASA will describe facts and rationale used to determine which alternatives were deemed infeasible and eliminated from further consideration. The screening of alternatives will be an iterative process whereby alternatives will be considered and may be modified based on preliminary engineering inputs, resulting in multiple iterations of the ASA before it is finalized for inclusion in the Draft EIR.
- Meet with the CPUC Energy and Legal Divisions to discuss the alternative screening results and reach a final decision on the alternatives to be eliminated and the alternatives to be carried forward for full analysis.

4.4 Prepare Administrative Draft EIR

This task only applies when an EIR is being prepared.
Work Authorizations for this task may include, but are not limited to, the following activities:

- Use or modify graphics provided by the Applicant in its PEA; prepare additional graphics, including using existing aerial photographs, as required, to illustrate proposed project route, as well as impacts and resources.
- Participate in or review fieldwork completed by the Applicant to verify identification of resources; complete and spot-check reviews based on quality of surveys completed.
- Address key project issues, which may be defined based on sensitivity of environmental resources and public concerns, including but not limited to:
  - Applicant's construction methods in biologically sensitive areas
  - Existing visual setting and project's aesthetic impacts
  - Noise from construction and operation
  - Air Quality and GHG impacts from construction and operation
  - Tribal cultural resources and archaeological and historic sites along the transmission corridor and at existing sites (the Energy Commission will conduct an independent review of data collected by the Applicant)
  - Conflicts with utilities along the project corridor
  - Project potential to increase erosion and sedimentation
  - Applicant-proposed mitigation measures
  - Loss of agricultural land and production
  - Project operational, emergency response, and spill prevention procedures
  - Consistency with local planning policies and general plans
  - Potential EMF strength for conformation with CPUC’s EMF Decision (D.93-11-013)
- Develop full environmental settings for all criteria, define methodology, identify significance criteria, and identify direct, indirect, and cumulative impacts and mitigation measures for significant impacts.
- Establish cumulative project list that identifies other projects in the area and evaluate cumulative impacts.
- Evaluate project alternatives (e.g., project alignment alternative, system alternative, design variant alternatives), the No Project Alternative, and identify the environmentally superior alternative. This evaluation includes additional visual simulations for alternative alignments.
- Develop an Executive Summary (stand-alone document) and clearly highlight the environmentally superior alternative in the Executive Summary.
- Edit the Administrative Draft before submitting it to CPUC (this will require a signature from the editor as proof of quality control).
- Submit the Administrative Draft EIR to CPUC for review.

The Administrative Draft EIR will comply with the requirements of CEOA. The Energy Commission's Legal team will review the Administrative Draft EIR concurrent with the CPUC.

4.5 Prepare Administrative Draft ND/MND

This task only applies when an ND or MND is being prepared.

Work Authorizations for this task may include, but are not limited to, the following activities:
- Use or modify graphics provided by the Applicant in its PEA. Prepare additional graphics, including aerial photographs provided by CPUC or Applicant, as required, to illustrate project area, as well as impacts and resources.
- Participate in or review fieldwork completed by the Applicant to verify identification of resources; complete spot-check reviews, as required, based on quality of surveys completed.
- Address key project issues based on sensitivity of environmental resources and public concerns in the project corridor, including but not limited to:
  - Applicant’s construction methods in biologically sensitive areas:
  - Local planning policies and general plans:
  - Existing visual setting and project’s visual impacts (assume use of the Applicant’s visual simulations);
  - Noise impacts from construction:
  - Air Quality and GHG impacts from construction and operation
  - Tribal cultural resources and archaeological or historic sites along corridors (conduct independent data review);
  - Project potential to increase erosion and sedimentation;
  - Applicant-proposed mitigation measures;
  - Project operational, emergency response, and spill prevention procedures.
  - Potential EMF strength for conformation with CPUC’s EMF Decision (0.93-11-013)
- Develop Executive Summary and Introduction sections.
- Define/refine project objectives.
- Have an editor edit the Administrative Draft ND/MND before submitting it to the CPUC (requires signature from editor as proof of quality control).
- Submit the Administrative Draft ND/MND to the CPUC for review.
- Use data collected in IS as basis for ND/MND.

**TASK 5: SCREEN CHECK DRAFT AND DRAFT CEQA DOCUMENT REVIEW AND PREPARATION**

**Task 5.1 Draft EIR Review and Preparation**

This task only applies when an EIR is being prepared.

Work Authorizations for this task may include, but are not limited to, the following activities:

- Review and respond to comments on the 1st Administrative Draft EIR provided by CPUC and the Energy Commission’s Legal team.
- Prepare a 2nd Administrative Draft EIR of select chapters and sections for CPUC and the Energy Commission’s Legal team review, if necessary.
- Review and respond to comments on the 2nd Administrative Draft EIR chapters and sections provided by CPUC.
- Prepare a Screen Check Draft EIR for CPUC review.
- Incorporate CPUC comments on the Screen Check Draft EIR.
- Publish the Draft EIR for public comments.
**Task 5.2 Draft ND/MND Review and Preparation**

This task only applies when an ND/MND is being prepared.

Work Authorizations for this task may include, but are not limited to, the following activities:

- Review and respond to comments on the 1\textsuperscript{st} Administrative Draft ND/MND provided by CPUC and the Energy Commission's Legal team.
- Prepare a 2\textsuperscript{nd} Administrative Draft ND/MND of select chapters and sections for CPUC and the Energy Commission's Legal team review, if necessary.
- Review and respond to comments on the 2\textsuperscript{nd} Administrative Draft ND/MND chapters and sections provided by CPUC.
- Prepare a Screen Check Draft ND/MND for CPUC review.
- Incorporate CPUC comments on the Screen Check Draft ND/MND.
- Publish the Draft ND/MND for public comments.

**TASK 6: PUBLIC REVIEW OF DRAFT CEQA DOCUMENTS**

**6.1 Notices, Newspaper Ads, Posting**

Work Authorizations for this task may include, but are not limited to, the following activities:

- Prepared drafts of the required public notices for the CEQA document for CPUC review (this will require the editor's signature before submittal of the draft public notices to CPUC Project Manager).
- Prepare and distribute the required public notices with a copy of the full document via mail, publication in project area newspapers, and upload the information to the project website.
- Post notices of the CEQA document's availability and the details of the public meeting in local neighborhoods.
- Coordinate with CPUC's News Bureau, Public Advisor, and Consumer Outreach Program as directed by the CPUC Project Manager.

**6.2 Public Information Workshops**

Work Authorizations for this task may include, but are not limited to, the following activities:

- Conduct public information workshops (following publication of the Draft CEQA document) in the project area. At each public information workshop, the Energy Commission will:
  - Present an overview of the project, the project schedule, and information on the CEQA process, including impact results and alternatives (if applicable)
  - Solicit feedback and questions from community members concerning the CEQA document and the process for commenting
  - Coordinate meeting locations, reservations and announcements, appropriate level of security, refreshments, production and delivery of all meeting supplies (e.g., audio/visual, notepads, writing supplies, name tags, etc.)
  - Produce meeting summaries, flipcharts, and attendance notes
**TASK 7: RESPONSES TO COMMENTS, ADMINISTRATIVE FINAL CEQA DOCUMENT, SCREEN CHECK FINAL, AND FINAL CEQA DOCUMENT**

### 7.1 Respond to Comments on Draft CEQA Document

Work Authorizations for this task may include, but are not limited to, the following activities:

- Develop a database or Excel spreadsheet tracking system for comments received and assign responses to appropriate specialists. Template will be provided by CPUC.
- Provide a digital copy of all comments (e.g., letters, emails, etc.) to CPUC.
- Hold meetings with CPUC to discuss the comments received and approach to responses.
- Prepare draft responses to comments received on the Draft CEQA document, including "Master Responses: if necessary (this task will require the editor's signature before submittal of the Response to Comments to CPUC Project Manager).
- Prepare an administrative draft Final CEQA document and submit to CPUC for review.
  - For an EIR, the administrative draft Final EIR will include an introduction describing the environmental review process, list of commenters, responses to comments, proposed text revisions to the Draft EIR, and reproductions of comment letters received.
- The Energy Commission's Legal team will review the administrative draft Final CEQA document prior to submission to the CPUC.

### 7.2 Prepare Final EIR

This task only applies when an EIR is being prepared.

Work Authorizations for this task may include, but are not limited to, the following activities:

- Include in the Final EIR the full text of the Draft EIR with strike-through and underline revisions (this task will require the editor's signature before submittal of the Response to Comments to CPUC Project Manager).
- Incorporate CPUC’s comments into the Screen Check Final EIR.
- Incorporate CPUC’s comments into the Final EIR.
- Publish the Final EIR and make copies for publication (which will include a mixture of hard copies and electronic copies).

### 7.3 Prepare Final ND/MND

This task only applies when an ND/MND is being prepared.

Work Authorizations for this task may include, but are not limited to, the following activities:

- Review and respond to CPUC comments on the Administrative Final CEQA document. This task assumes that the Energy Commission will receive one set of
consolidated, non-contradictory comments from the CPUC project manager within two weeks of the CPUC’s receipt of the Administrative Final CEQA document.

- Incorporate CPUC’s comments on the Administrative Final CEQA document. This will include phone conferences with the resource agency and other involved agency members, as needed, to review and confirm responses to comments and meetings with the CPUC project manager to review the Energy Commission’s responses to CPUC comments on the Administrative Final CEQA document and confirm the appropriate wording of any text changes.
- Circulate the Final CEQA document.

**TASK 8: JOINT CEQA/NEPA ENVIRONMENTAL REVIEW**

Environmental review of a project may require cooperation between the federal agency and state agency as joint lead agencies in preparing and completing a joint environmental analysis and document that analyzes the potential environmental consequences of a project. The CEC may be asked to prepare the joint environmental analysis and document pursuant to NEPA, CEQA, and other applicable laws. Work Authorizations for this task may include, but are not limited to, the following activities:

- Facilitate early engagement and coordination in identifying issues, studies, and overall development of environmental review.
- Outlining roles and responsibilities, coordinating a schedule for environmental review, and attending periodic meetings and conference calls.
- Environmental and technical information collection and analysis.
- Joint public engagement and outreach.
- Drafting a joint environmental analysis document.
- CEC may use the federal agency’s environmental document to prepare CEQA documents, partner with the federal agency to prepare the NEPA portion of a CEQA/NEPA document, and/or monitor federal agency mitigation measures for the project.

**TASK 9: CPUC DECISION SUPPORT AND/OR LITIGATION ASSISTANCE**

In the CPUC proceeding, the CEQA documents are typically made part of the record of the proceeding after the completion of the draft environmental document. The scope of a typical proceeding includes taking evidence on issues such as the feasibility of mitigation measures and project alternatives and whether there is support for a statement of overriding considerations. CEQA consultants may be required to advise the AW based on party comments on these issues, but CEQA consultants do not present evidence in the proceeding – the evidence is the environmental documents itself.

Work Authorizations for this task may include, but are not limited to, the following activities:

- Attend meetings with the CPUC staff and the ALJ (if applicable) and provide technical support to CPUC staff in reviewing the draft decision on the Applicant’s application and the adoption or certification of the Final CEOA document.
- Provide support in preparing responses to comments on the Final CEQA document.
- Respond to ALJ questions on the environmental review process and documents and assist the ALJ with proposed decision review, as needed, including drafting
relevant CEQA findings if requested by the ALJ.

- Provide technical support for the filing of the NOD.
- Provide technical support for any Applications for Rehearing and/or appeals to the Courts.
- Provide technical staff assistance to the CPUC for post-decision rehearsings and assist in litigation defense against a challenge to a transmission project.

**TASK 10: MITIGATION MONITORING COMPLIANCE AND REPORTING PROGRAM OVERSIGHT**

**Task 10.1 Mitigation Monitoring Compliance and Reporting Program**

Work Authorizations for this task may include, but are not limited to, the following activities:

- Prepare a Mitigation Monitoring Compliance and Reporting Program ("MMCRP") pursuant to CEQA CPUC will provide a template for the MMCRP. The MMCRP will include the following:
  - Project Description approved by the CPUC
  - Potential impacts to various resource areas identified in Final EIR or MND
  - Mitigation measures and Applicant Proposed Measures ("APMs")
  - Implementation/monitoring methods
  - Responsible party(ies)
  - Implementation schedule including segment construction
  - Communication and reporting protocols

**Task 10.2 Monitor Mitigation Implementation**

Work Authorizations for this task may include, but are not limited to, the following activities:

- Develop and manage an MMCRP to reflect conformance with the approved measures outlined in the EIR or MND and ensure all mitigation measures and APMs are properly implemented by the Applicant and/or the construction contractor.
- Prepare and distribute a newsletter at the beginning of construction and monitoring, providing information on schedule and information access. Information will include the domain address of the project website and contact information including a telephone number and email address.
- Coordinate with Applicant to gather required preconstruction documentation and ensure that all preconstruction requirements are completed. Submit preconstruction documentation to the CPUC PM.
- Meet with agencies with land or permitting jurisdiction prior to the start of construction.
- Energy Commission monitors and Project Manager to conduct one site visit to understand issues for monitoring and coordinate with the Applicant’s monitoring team.
- Coordinate with on-site environmental monitors during project construction (as well as the Energy Commission Project Manager on-call) to ensure compliance with mitigation measures. The Energy Commission will prepare the draft Notices to
Proceed (NTPs) (CPUC to provide examples), address and document non-compliances, review minor changes, and address public comments. The Energy Commission will manage the monitors in the field and will additionally contribute to the coordination process and will manage the CEQA process for any changed circumstances in the project during construction.

- Conduct follow-up on all non-compliance issues identified by the environmental monitors during project construction (e.g., review of compliance submittals and field verification during subsequent field inspections).
  - Provide technical assistance for any non-compliance that CPUC staff decides to refer to the CPUC enforcement branch.
  - Develop monitoring reports (template to be provided by CPUC) for posting on CPUC website.
  - Prepare monthly status reports (template to be provided by CPUC) during construction and a completion report (template to be provided by CPUC) at the end of construction.

**TASK 11: TECHNICAL SUPPORT EVALUATIONS**

Work Authorizations for this task may include, but are not limited to, the following activities:

- Provide a select set of technical support evaluations and prepare separate sections of CEQA documents for projects such as air quality studies or analysis of alternatives.
- Provide support for the initial screening and document preparation for CEQA review, including Geographic Information System ("GIS") mapping requirements and modeling simulations (e.g., GIS-based mapping, production cost generation dispatch scenarios, power flow case studies, or landscape level screening of project corridors using DataBasin logic models).
RESOLUTION - RE: CALIFORNIA PUBLIC UTILITIES COMMISSION AGREEMENT

RESOLVED, that the State Energy Resources Conservation and Development Commission (Energy Commission) adopts the staff CEQA findings contained in the Agreement or Amendment Request Form (as applicable); and

RESOLVED, that the Energy Commission approves Amendment #1 to Agreement RMB700-17-001 (CPUC Agreement 17IA5007) with the California Public Utilities Commission (CPUC) that has the Energy Commission providing technical consulting services required for review of transmission projects in compliance with the California Environmental Quality Act (CEQA). This amendment adds other types of CPUC jurisdictional infrastructure projects seeking permits to build, which include natural gas storage and pipelines, and water and telecommunication projects. The environmental review will be conducted pursuant to CEQA and CPUC procedures; and

FURTHER BE IT RESOLVED, that the Executive Director or his/her designee shall execute the same on behalf of the Energy Commission.

CERTIFICATION

The undersigned Secretariat to the Commission does hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly and regularly adopted at a meeting of the California Energy Commission held on September 21, 2018.

AYE: [List of Commissioners]
NAY: [List of Commissioners]
ABSENT: [List of Commissioners]
ABSTAIN: [List of Commissioners]

___________________________
Cody Goldthrite,
Secretariat