



State of California - Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
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EDMUND G. BROWN JR., Governor
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August 18, 2015

Aaron Yue
Project Manager
Department of Toxic Substance Control
5796 Corporate Ave.
Cypress, CA 90630

**Subject: Pacific Gas and Electric Topock Compressor Station, Soil Investigation
Project Final Environmental Impact Report, SCH#2012111079**

Dear Mr. Aaron Yue:

The Department of Fish and Wildlife (Department) appreciates this opportunity to comment on the Final Environmental Impact Report (FEIR) for the PG&E Topock Compressor Station Soil Investigation Project (Project), dated August 10, 2015. The Department is responding as a Trustee Agency for fish and wildlife resources [Fish and Game Code sections 711.7 and 1802 and the California Environmental Quality Act Guidelines (CEQA) section 15386] and as a Responsible Agency regarding any discretionary actions (CEQA Guidelines section 15381), such as a Lake or Streambed Alteration Agreement or an Incidental Take Permit, pursuant to the California Endangered Species Act (CESA). In these capacities, the Department provides the following comments on the proposed Project.

1. All temporary impacts should be mitigated to account for temporal losses of ecosystem services. Mitigation Measure BR-1 calls for "no net loss" of habitat, minimization of impacts in order to ensure that they are temporary still does not account for the time that the habitat is affected and no longer able to provide vital ecosystem services. The department agrees that, first any impacts should be avoided; however, minimization of impacts will still *impact* the habitats occurring on the project site. Mitigation for both temporary and permanent impacts is crucial for desert ecosystems, due to the sensitive nature of these systems. It is well documented that the time required for a desert system to reestablish itself after a disturbance is considerably longer than other systems.

For Department jurisdictional habitats a 3:1 ratio is adequate when both conservation and restoration will be employed. If just enhancement will be utilized then a 4:1 ratio should be used and finally if a conservation easement is put in place then a 5:1 ratio should be used.

For temporary impacts not occurring on Department jurisdictional habitat, such as those described in table 4.3-4, a ratio of 2:1 is recommended when both

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conservation and restoration is employed, 3:1 for enhancement and 4:1 for a conservation easement.

Mitigation Measure BR-1 a-e, describes avoidance measures that will be utilized. The department does not consider these measures to be avoiding impacts but rather minimizing them, thus creating further temporary impacts. Trimming rather than removing whole plants, will still cause the loss of ecosystem services for these habitats.

2. The department considers any ground disturbing activities, including *grading*, to be permanent impacts. The second paragraph of Section 3.5.2.3 states "specific areas known to require grading or vegetation clearance are described in the following page", this statement alludes to the fact that there will be some ground disturbance and permanent impacts.

For permanent impacts resulting from grading, land disturbing or other activities a higher mitigation ratio would be necessary. The acreage of mitigation and details may be determined at a later time through "engagement with CDFW" as stated in A3-005 and A3-006 of Volume 2 in the FEIR.

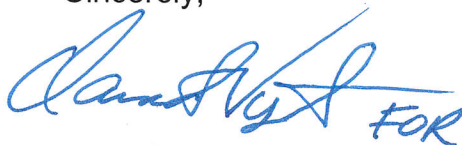
3. In response A3-009 it is stated that information regarding borehole size and duration of holes is given in section 3.5.2.9. Another review of this section did not reveal the size of the actual bore holes or the duration of the sampling. Please point out where exactly in the document this information can be found or include the information to promote transparency of the project. This information is necessary to determine what impacts could potentially arise to wildlife as the result of soil sampling. If the bore holes do not remain any longer than required for the sampling to be performed and are decommissioned *immediately* after sampling, than impacts will be avoided. In the case that sampling takes longer than anticipated, language should be inserted that states boreholes will not be left without being supervised or capped in such a manner that wildlife cannot gain access into the boreholes.

Additionally, in response A3-009, it is stated that "the maximum area around a boring that may be disturbed for excavating and restoration may be 20 feet in diameter". Yet on Page 3-27 of the FEIR it is stated that the sonic drilling and the hydrovac equipment will have footprints of 30 and 40 feet, respectively. Please explain or correct these apparent discrepancies.

Mr. Aaron Yue
August 18, 2015

Should you have any questions or concerns, please contact Mr. Richard Kim,
Environmental Scientist, at (760) 922-6783 or Richard.Kim@wildlife.ca.gov.

Sincerely,



Chris Hayes
Deputy Regional Manager
Inland Deserts Region