



SOUTHERN CALIFORNIA  
**EDISON**

An EDISON INTERNATIONAL™ Company

Kelly O'Donnell  
Attorney  
[kelly.odonnell@sce.com](mailto:kelly.odonnell@sce.com)

August 25, 2009

RECEIVED

AUG 27 2009

Regulatory Branch

U.S. Army Corps of Engineers  
Ventura Field Office  
Attn: Aaron O. Allen  
2151 Alessandro Drive, Suite 110  
Ventura, CA 93001

California Department of Fish and Game  
Newhall Ranch EIS/EIR Project Comments  
Attn: Dennis Bedford  
4949 Viewridge Avenue  
San Diego, CA 92123

RE: Comments of Southern California Edison on the Draft EIS/EIR for the Newhall Ranch Resource Management and Development Plan & Spineflower Conservation Plan

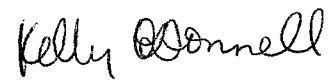
Dear Messrs. Allen and Bedford,

I write on behalf of Southern California Edison ("SCE") to provide comments on the Draft EIS/EIR for the Newhall Land and Farming Company's request for federal and state permits, agreements, and authorizations to implement the Newhall Ranch Resource Management and Development Plan and the Spineflower Conservation Plan (collectively, the "Plans").

SCE owns an easement interest in a right-of-way corridor located in a spineflower preserve area established by the Plans (the Entrada Preserve). (A GIS map of SCE's easement area is attached as Exhibit A.) In a March 18, 2009 letter to the Newhall Land and Farming Company ("Newhall"), SCE declined Newhall's invitation to include SCE's right-of-way area within the proposed Plan area. (SCE's letter is attached as Exhibit B.) SCE is concerned that the Plans will impose additional requirements and procedures when conducting routine maintenance activities, and may limit future upgrade projects, without any added benefit to SCE or our ratepayers. Consequently, SCE requests that the Plans exclude SCE's right-of-way corridor.

Thank you for the opportunity to comment on the Plans.

Sincerely,

A handwritten signature in black ink that reads "Kelly O'Donnell". The signature is written in a cursive style with a large, looped "O" in the last name.





Kelly O'Donnell

Enclosures




**ALLIANCE**  
 LAND PLANNING & ENGINEERING, INC.  
 7248 FAYADAY AVE  
 CARLSBAD, CA 92008  
 TEL: (760) 431-9008  
 FAX: (760) 431-9032  
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WWW.ALLIANCELANDPLANNING.COM

**ENTRADA/WESTRIDGE**  
**SPINEFLOWER PRESERVE**  
**LOTLINE ADJUSTMENT EXHIBIT**  
 09/02/08

**LEGEND**  
 SPINEFLOWER (CUMULATIVE POLYGON)  
 SPINEFLOWER PRESERVE LINE (28.67 ACRES)  
 SLENDER MARIPOSA LILLY  
 PROPOSED LOTLINE

T:\CAD\0809\1\ENTRADA-WESTRIDGE-SPINEFLOWER\LA-0809.dwg



March 18, 2009

Mr. Matt Carpenter  
Director, Environmental Resources  
Newhall Land  
23823 Valencia Boulevard  
Valencia, CA 91355

Dear Mr. Carpenter:

Thank you for providing Southern California Edison Co. (SCE) with information regarding Newhall Land's proposed Spineflower Conservation Plan. We appreciate your spirit of cooperation in allowing SCE to comment on the potential inclusion of two SCE right-of-way corridors in spineflower preserve areas established by the plan, and to do so prior to the circulation of the draft environmental impact report/environmental impact statement.

3

The Draft Spineflower Conservation Plan was reviewed and discussed internally within SCE. In addition, a brief discussion with the California Department of Fish and Game verified that inclusion of SCE's right-of-way corridors into proposed preserve areas would still require a separate review under the California Environmental Quality Act for any facility expansion.

4

Following our internal discussion, we believe that the currently proposed plan would impose additional requirements and procedures when conducting routine maintenance activities, and may limit future upgrade projects, without any added benefit to SCE or our ratepayers. We therefore respectfully decline your invitation to include SCE's right-of-way areas within the proposed spineflower preserve areas, as SCE's existing easement rights must be maintained.

5

Should you have any questions regarding this matter, please call me at (714) 973-5777.

Sincerely,

A handwritten signature in cursive script that reads 'Mary Finn'.

Mary Finn  
Account Manager  
Southern California Edison

From: Allen, Aaron O SPL [Aaron.O.Allen@usace.army.mil]  
Sent: Tuesday, August 25, 2009 4:32 PM  
To: Sam Rojas  
Subject: FW: Southern California Edison's Comments on the Draft EIS/EIR  
for the Newhall Ranch Resource Management and Development Plan &  
Spineflower Conservation Plan

Attachments: SCE comments on Newhall EIR-EIS.pdf

FYI

-----Original Message-----

From: Kelly.Odonnell@sce.com [mailto:Kelly.Odonnell@sce.com]

Sent: Tuesday, August 25, 2009 4:28 PM

To: Allen, Aaron O SPL; newhallranch@dfg.ca.gov

Cc: Richard.Tom@sce.com

Subject: Southern California Edison's Comments on the Draft EIS/EIR for the Newhall Ranch Resource Management and Development Plan & Spineflower Conservation Plan

I have attached Southern California Edison's comments on the Draft EIS/EIR  
for the Newhall Ranch Resource Management and Development Plan & Spineflower  
Conservation Plan. I have also mailed a hard copy to both of you. Please  
contact me with any questions.

Thank you for the opportunity to submit comments.

Sincerely,

Kelly O'Donnell

Attorney

Environmental, Property, and Local Governance Section SCE Law Department

(626) 302-4411

**027. Letter from Southern California Edison (Kelly O'Donnell), dated August 25, 2009**

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**Response 1**

The comment is an introduction to comments that follow. No further response is provided.

**Response 2**

The comment, from Southern California Edison (Edison), states that it owns an easement interest in an electrical transmission line right-of-way corridor in the Entrada preserve portion of the proposed Spineflower Conservation Plan (SCP) planning area. The comment refers to earlier correspondence with the Project applicant (*i.e.*, the attached March 18, 2009 letter), indicating that Edison declines to include the right-of-way within the proposed SCP area. The comment expresses the concern that including the easement in the proposed Entrada preserve may affect future Edison-related activities within the easement area. This comment does not address the adequacy of the environmental analysis provided by the Draft EIS/EIR; therefore, no additional response is provided.

**Response 3**

The comment is the introductory paragraph to the letter dated March 18, 2009 from Edison to the Project applicant. This letter is an attachment to Edison's comment letter, dated August 25, 2009. The comment indicates it appreciates the opportunity provided by the Project applicant to comment on the potential inclusion of a utility right-of-way within the proposed Entrada preserve prior to public circulation of the Draft EIS/EIR. This comment does not address the adequacy of the environmental analysis provided by the Draft EIS/EIR; therefore, no further response is provided.

**Response 4**

The comment indicates it reviewed internally the Draft SCP within Edison, and discussed the plan with the California Department of Fish and Game (CDFG), indicating CDFG verified that inclusion of the Edison easement in the proposed Entrada preserve would require separate review under the California Environmental Quality Act (CEQA) for any facility expansion. This comment does not address the adequacy of the environmental analysis provided by the Draft EIS/EIR; therefore, no further response is provided.

However, CDFG would like to clarify that Edison's potential expansion of facilities within the proposed Entrada preserve may constitute the proposed approval of a discretionary project subject to CEQA. Whether any such proposal would be subject to CEQA is a determination that would be made by the state or local agency with the approval authority at issue at that time. The analysis provided by the Draft EIS/EIR could inform any such determination as provided by existing law.

**Response 5**

This comment indicates that Edison declines the Project applicant's invitation to include the underlying easement in the proposed Entrada preserve. Indicating that the existing easement rights must be maintained, Edison indicates it believes inclusion of the easement within the proposed preserve would impose additional requirements and procedures when conducting routine maintenance activities, and may

limit future upgrade projects without added benefit. These comments do not address the adequacy of the environmental analysis provided by the Draft EIS/EIR; therefore, no further response is provided.

CDFG would like to clarify it did not request that the easement area be included in the proposed Entrada preserve. CDFG also did not request that Edison participate in the proposed SCP or the current permitting process underway with CDFG, the U.S. Army Corps of Engineers (Corps), and the Project applicant. CDFG understands that the Project applicant is the fee title owner of the easement area at issue, subject to Edison's reasonable use and enjoyment of the same real property as provided by the easement. CDFG is not aware of any law that would preclude the Project applicant from proposing, and for CDFG to take final action, to include the easement area within the Entrada preserve. Including the easement area in the proposed Entrada preserve would not preclude routine maintenance activities or facility expansion by the commentor consistent with its legal interest in the easement and as provided by existing law. However, whether any such proposal would be subject to CEQA is a determination that would be made by the state or local agency with the approval authority at issue at that time. The analysis provided by the Draft EIS/EIR could inform any such determination as provided by existing law.

Finally, although the commentor's two letters do not address the adequacy of the environmental analysis provided by the Draft EIS/EIR, both letters and the related comments will be included as part of the record and made available to the decision makers prior to final decision on the proposed Project.