

H. PUBLIC PARTICIPATION

This section outlines the scoping and public participation program completed by the California Public Utilities Commission (CPUC) ~~before~~in issuance of the ~~Draft~~ Environmental Impact Report (EIR).

H.1 EIR Scoping Process

The scoping process for the South Bay Substation Relocation Project (Proposed Project) EIR consists of three elements listed below. Each element is described in more detail in the following sections:

1. Publication of a Notice of Preparation (NOP) of an EIR and Notice of Public Scoping Meeting soliciting comments from affected public agencies and members of the public, as required by the California Environmental Quality Act (CEQA)
2. Public Scoping Meeting and meetings with agencies
3. Summarization of scoping comments in a scoping report.

To maximize agency and public input on the Proposed Project, the CPUC established a website and local EIR information repositories. The NOP, Scoping Report, Public Notices, and other project information were posted to the project website for review by the public and interested parties.

H.1.1 Notice of Preparation

In accordance with California Public Resources Code Section 21092.2, CEQA Guidelines Section 15082, and CPUC General Order (G.O.) 131-D, the CPUC completed distribution of the NOP and Public Notice for EIR for the Proposed Project on July 13, 2011, and distributed it as discussed below. The official public review period was between July 13, 2011, and August 15, 2011. Public notification included direct agency and public notification, newspaper announcements, and posting on the project website.

Agency, Private Organization, and Interest Group Notification

The State Clearinghouse and federal, state, and local trustee agencies that may be affected by the Proposed Project, as well as agencies previously requesting notice in writing to the CPUC, were included on the distribution list. The NOP was sent to 21 federal agencies, 43 state agencies, and 118 local agency contacts and planning groups. The NOP was also distributed to 130 private organizations and individuals, 19 Native American groups, and 6 local libraries.

Public and Property Owner Notification

The Public Notice was also sent to property owners within 300 feet of the Proposed Project, as well as any party previously requesting notice in writing to the CPUC.

Copies of the NOP were placed in two libraries within the vicinity of the project. The Public Notice was also published on July 13, 2011, in *The San Diego Union-Tribune*. Additionally, information was posted on the Internet as described in the Public Notice.

H.1.2 Public Scoping Meeting

As part of the EIR scoping process, one public scoping meeting was conducted to solicit comments regarding the scope and content of the EIR, as well as the alternatives and mitigation measures that should be considered as part of the analysis. Nineteen individuals who were not part of the project team were documented in attendance, as indicated on the sign-in sheets. The scoping meeting was held August 1, 2011, at the Chula Vista Civic Center, 430 F Street, Chula Vista, California, from 6 p.m. to 8 p.m.

H.1.3 Scoping Report

In August 2011, a comprehensive Scoping Report was issued summarizing concerns received from the public and various agencies and presenting copies of comment letters received. Sixteen letters were received from public agencies and private organizations during the NOP scoping period. Commenting agencies and scoping meetings attendees were provided a copy of the Scoping Report. Agencies, private organizations, interested groups, and adjacent property owners were also notified via public notice that the Scoping Report was posted on the project website at <http://www.cpuc.ca.gov/environment/info/dudek/sbsrp/SouthBaySub.htm> and available for review.

Public comments focused on the potential impacts of the Proposed Project to the physical environment, with a number of comments expressing concerns over potential impacts to biological resources associated with the project's proximity to the San Diego Bay National Wildlife Refuge and the introduction of new vertical elements, visual impacts from viewer groups in the vicinity of the project site, potential impacts to existing and planned land uses, and the need for a comprehensive alternatives analysis in accordance with CEQA requirements. Other concerns dealt with hydrology, cultural resources, and air quality.

The specific issues raised during the public scoping process are summarized below according to the following major themes:

- Project description and objectives
- Alternatives
- Transportation and traffic issues
- Land use compatibility and recreation impacts
- Public health and safety issues
- Air quality and greenhouse gas (GHG) emissions
- Hydrology and water quality
- Visual environment
- Cultural resources
- Biological resources
- EIR administrative and permitting.

Project Description and Objectives

Public comments stated that San Diego Gas & Electric Company (SDG&E) has not provided a valid reason as to why it is necessary to convert the substation from its existing 138/69 kilovolt (kV) configuration to a 230/69 kV arrangement. The California State Lands Commission (CSLC) requested that a comprehensive project description be provided in order to fully evaluate the potential environmental impacts associated with the Proposed Project.

Alternatives

Comments from government agencies and private organizations suggested alternatives, including alternative locations to minimize impacts to visual impacts, land use conflicts, and biological resources. Alternatives recommended included combining the proposed load management, energy conservation, and construction of a 69/138 kV substation, and construction of a gas insulated substation at the proposed Bay Boulevard site location and at alternative site locations.

Transportation and Traffic Issues

The City of Chula Vista (City) indicated that the project has not been completely defined at this stage and there are unknowns regarding access and circulation for vehicles as well as the potential impacts due to providing access points along Bay Boulevard for ingress/egress. The City also identified that the project should be designed to ensure that it does not preclude future

waterfront alignment for the Bayshore Bikeway bike path that is shown on the San Diego Association of Governments' Regional Bikeway Plan and the Chula Vista Bikeway Master Plan.

Land Use Compatibility and Recreation Impacts

Comments from private organizations and government agencies stated the Proposed Project should be evaluated to determine potential inconsistencies with applicable plans and policies. Private organizations stated there may be potential conflicts with the Chula Vista Bayfront Master Plan (CVBMP). Commenters also indicated the Proposed Project is potentially inconsistent with the Memorandum of Understanding reached between the City and SDG&E for the Proposed Project.

The CSLC stated the EIR should analyze the project's short- and long-term impacts on recreation resources, both during construction and for the life of the project.

Public Health and Safety Issues

The CSLC indicated the EIR should evaluate the project's potential impact from coastal hazards that could affect the long-term stability and operation of the project. Coastal hazards that should be evaluated include tsunami risk, coastal erosion, sea level rise, wave uprush, and coastal flooding. Commenters also expressed concern over potential exposure to electromagnetic fields.

Air Quality and GHG Emissions

The California Coastal Commission and CSLC indicated the EIR should calculate the project's expected construction and operational GHG emissions and evaluate potential impacts from sea level rise. The San Diego County Regional Airport Authority expressed concern that any potential emissions discharged from the Proposed Project may result in air pollutants ultimately landing in the evaporation ponds located at the salt production facilities to the west of the project site and changing the chemistry or damaging the salt production.

Hydrology and Water Quality

Concern was expressed over potential releases into existing water bodies and drainages in the project vicinity related to construction and operation of the Bay Boulevard Substation. The potential for the increase of releases into the San Diego Bay National Wildlife Refuge and the Telegraph Canyon Channel should be discussed along with measures to avoid these impacts.

Visual Environment

Several comments received raised concern over potential impacts to visual resources associated with the proposed Bay Boulevard Substation and associated transmission interconnections. Commenters raised concern that given the close proximity to existing structures and the planned redevelopment efforts associated with the CVBMP, the Proposed Project would not be compatible with the existing and future visual environment. The City stated the proposed telecommunications tower at 75 feet is inconsistent with the zoning height limit of 44 feet. The City also requested that a landscape plan be prepared by a licensed landscape architect to include a combination of screening solutions, such as landscaping materials of various types and solid walls. The City also stated efforts are ongoing with the Port of San Diego and SDG&E regarding supporting resolutions that call for the removal and/or undergrounding of utility poles and transmission lines related to the Proposed Project.

Cultural Resources

The CSLC identified the EIR should evaluate the possibility of submerged cultural resources in the project area.

Biological Resources

Several comments discussed that the project is located in close proximity to the most sensitive habitat areas located adjacent to the San Diego Bay in the City. It was stated that project construction could impact rare, threatened, or endangered species in the project area. Comments indicated that construction should not occur during the bird breeding season, however, biological monitoring could occur if the season cannot be avoided. Impacts to the California least tern, light footed clapper rail, and Belding's savannah sparrow should be discussed in the EIR and mitigated where necessary. Primary concerns focused on impacts that could result from bird strikes, electrocution, and perching opportunities from the introduction of new vertical elements at the project site. It was requested that the EIR include an analysis of these impacts. The California Coastal Commission stated impacts to wetland habitats on site should be mitigated at 4:1 and an alternative should be provided that avoids and/or minimizes impacts to wetland habitats on site.

EIR Administrative and Permitting

Several agencies provided comments discussing permits and agreements that may be required as part of the project. Commenters also stated the NOP was inadequate and did not provide the public the opportunity to fully scope the potential environmental impacts associated with the Proposed Project because there was no discussion of the height of the proposed transmission poles associated with the transmission interconnections. The City indicated issuance of a Coastal Development Permit associated with the Proposed Project has been delegated to the California

Coastal Commission and SDG&E would be required to obtain a grading permit from the City. The Port of San Diego identified that the Proposed Project is a necessary prerequisite for implementing the CVBMP, and the Proposed Project would allow redevelopment goals for the Bayfront to be achieved.

H.2 Public Notice and Participation Distribution of the Draft EIR/Public Information Meeting

According to the California Environmental Quality Act (CEQA) Guidelines, Section 15205(d), the customary review period of a Draft EIR is 45 days. In accordance with CEQA, the Notice of Availability (NOA) of the Draft EIR was distributed to more than 311 federal and state agencies; county and local jurisdictions; regional and local agencies, including local libraries; Native Americans; attorneys; private citizens; and the State Clearinghouse. The NOA, distributed on June 18, 2012, notified agencies, interested parties, and the public of the public review period of the Draft EIR, which began on June 19, 2012, and ended 45 days later on August 2, 2012.

In addition to mailing the notice, the NOA was published in a regional newspaper, the San Diego Union Tribune, on June 19, 2012. The NOA was also published on the California Public Utilities Commission (CPUC) website for the project at:

<http://www.cpuc.ca.gov/environment/info/dudek/sbsrp/southbaysub.htm>.

In late July 2012, the CPUC, at the request of the Port of San Diego, City of Chula Vista, and Environmental Health Coalition, among others, announced an extension of the public comment period from August 2, 2012, to August 31, 2012, providing an additional 30 days beyond the original 45 days, for a total of 75 days. The extension notice was mailed to the recipients on the distribution list and published on the CPUC project website.

H.3 Final EIR Preparation

During public review, 23 comment letters were received on the Draft EIR. The CPUC reviewed all comments and made changes to the Draft EIR, as appropriate, in Volume 1 of the Final EIR. All comments and responses thereto are provided in Volume 2 of the Final EIR. This section summarizes the CPUC's program of public notice and participation to maximize agency and public input on the Proposed Project. Public notice consisted of the three elements described below:

1. Public notification
2. Public review period

~~EIR information and repository sites.~~

~~3.~~

~~H.2.1~~ **Public Notification**

~~As described in Section H.1, the NOP and Public Notice were mailed on July 13, 2011, to the State Clearinghouse and federal, state, and local trustee agencies that may be affected by the Proposed Project, as well as agencies previously requesting notice in writing to the CPUC.~~

~~A Notice of Availability of the Draft EIR will be sent to property owners and occupants on or adjacent to the Proposed Project at the time the Draft EIR is released. The notice will include information about how to access the Draft EIR, and will identify the Environmentally Superior Alternative(s) and the dates and times and locations of any Informational Workshop(s), as well as the CPUC's Public Participation Hearings.~~

~~H.2.2~~ **Public Review Period**

~~In compliance with California Public Resources Code Section 21091.a and CEQA Guidelines Section 15105.a, the CPUC provides a public review period of 45 days for the Draft EIR.~~

H.42.3 EIR Information and Repository Sites

Providing copies of documents associated with the Proposed Project in “repository” sites local to the project area is an effective way of making ongoing project information available to concerned citizens. There are two repository sites listed below where citizens may view the documents and make copies of them. In addition, copies of documents have been made available at the CPUC office in San Francisco. Copies of the Draft and Final EIR will be available to the public at the locations listed below:

- Civic Center Branch Library, 365 “F” Street, Chula Vista, California 91910
- South Chula Vista Branch Library, 389 Orange Avenue, Chula Vista, California 91911.

Website

The following website will be used to post all public documents during the environmental review process and to announce upcoming public meetings:

<http://www.cpuc.ca.gov/environment/info/dudek/sbsrp/SouthBaySub.htm>.

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