

3 COMMENTS AND RESPONSES

3.2 PUBLIC AGENCIES AND TRIBAL GOVERNMENTS COMMENTS AND RESPONSES

This section contains responses to comments received from public agencies and tribal governments. Responses follow each comment letter.

3 COMMENTS AND RESPONSES

Comment Letter A1



UNITED STATES MARINE CORPS
MARINE CORPS AIR STATION
P.O. BOX 452001
SAN DIEGO, CA 92145-2001

11103
CP&L/230 KV Line
November 12, 2015

California Public Utilities Commission
c/o Panorama Environmental, Inc.
1 Embarcadero Center, Suite 740
San Francisco, CA 94111

RE: NOTICE OF AVAILABILITY OF A DRAFT EIR AND INFORMATIONAL
WORKSHOPS FOR SAN DIEGO GAS & ELECTRIC'S SYCAMORE-PENASQUITOS 230-
KILOVOLT TRANSMISSION LINE PROJECT (A-14-04-011)

California Public Utilities Commissioners,

Marine Corps Air Station (MCAS) Miramar appreciates the
opportunity to review this project and has only two comments.

A1-1 | For any alternative chosen, we highly encourage an Obstruction
Evaluation / Airport Airspace Analysis (OE/AAA) be conducted by
the Federal Aviation Administration (FAA) for any object(s)
erected. By submitting a Part 77 Form 7460-1 for each object, it
will ensure that any issue(s) that might impact flight operations
at MCAS Miramar be identified early in the process and addressed
prior to construction.

A1-2 | For Alternative 5, we encourage the California Public Utilities
Commission to solicit comments from FAA Southern California
Terminal Radar Approach Control Facilities (TRACON) staff
regarding any impacts that the aboveground portion might have on
their facility and/or operations. As a critical component of
aviation safety in the Southern California region, any potential
impacts to their operations would greatly concern us and could
have serious ramifications on MCAS Miramar operations.

We appreciate the opportunity to comment on this important matter.
Please contact Mr. Juan Lias at (858) 577-6603 with any questions.

3 COMMENTS AND RESPONSES

11103
CP&L/230 KV Line
November 12, 2015

Sincerely,



J. H. LIAS
Community Plans and Liaison Office
By direction of the Commanding Officer

3 COMMENTS AND RESPONSES

3.2.1 Response to Letter A1: J. H. Lias, United States Marine Corps, Marine Corps Air Station

A1-1 Comment noted. Section 2.3.5.5 of the Draft EIR states that SDG&E would submit Notices of Construction to the FAA. This section is amended to include the following clarifying language:

Final marker ball locations would be determined by the FAA under an Obstruction Evaluation / Airport Airspace Analysis (OE/AAA) conducted in response to Notices of Construction (Part 77 Form 7460-1) filed for each object by SDG&E.

A1-2 Comment noted. The CPUC consulted with FAA regarding potential Alternative 5 effects on the Terminal Radar Approach Control (TRACON) facility (See Attachment 2: Agency Correspondences of the Final EIR for records of correspondence with Diana Erazo at FAA). The FAA remarked that facilities that are properly insulated and maintained are not a major concern for radio frequency interference (RFI); however, no determination can be made until a 7460-1 has been filed. SDG&E shall submit 7460 forms as discussed in response to comment A1-1, above.

3 COMMENTS AND RESPONSES

Comment Letter A2



U. S. Fish and Wildlife Service
Carlsbad Fish and Wildlife Office
2177 Salk Avenue
Carlsbad, California 92008
(760) 431-9440
FAX (760) 431-5902



California Department of Fish and Wildlife
South Coast Region
3883 Ruffin Road
San Diego, California 92123
(858) 467-4201
FAX (858) 467-4239

In Reply Refer To:
FWS/CDFW-SDG-15B0169-16TA0094

NOV 18 2015

Billie Blanchard
Senior Analyst/Project Manager
California Public Utilities Commission
c/o Panorama Environmental, Inc.
1 Embarcadero Center, Suite 740
San Francisco, California 94111

Subject: Comments on the Draft Environmental Impact Report for the Sycamore-Peñasquitos
230-KV Transmission Line Project (SCH No. 2014081031)

Dear Ms. Blanchard:

The U.S Fish and Wildlife Service (Service) and the California Department of Fish and Wildlife (Department), collectively referred to as the Wildlife Agencies, have reviewed the Draft Environmental Impact Report (DEIR) dated September, 2015 for the Sycamore-Peñasquitos 230-KV Transmission Line Project (project) in the City of San Diego (City), California. The comments and recommendations provided herein are based on: 1) the information provided in the DEIR, *2015 Southwestern Willow Flycatcher Survey Summary Report for the Encina Hub Portion of the Proposed San Diego Gas & Electric Company Sycamore to Peñasquitos 230 kV Transmission Line Project, San Diego County, California* (prepared by Busby Biological Services September 28, 2015), 2) our knowledge of sensitive and declining vegetation communities in the region, and 3) our participation in San Diego Gas and Electric's (SDG&E) Subregional Natural Community Conservation Plan/Habitat Conservation Plan (Subregional NCCP/HCP) and its associated Vernal Pool Clarification.

The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Federal Endangered Species Act (Act) of 1973, as amended (16 U.S.C. 1531 *et seq.*). The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA; §§ 15386 and 15381, respectively) and is responsible for ensuring appropriate conservation of the state's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (CESA; Fish and Game Code § 2050 *et seq.*) and Fish and Game Code section 1600 *et seq.* The Department also administers the Natural Community Conservation Planning (NCCP) program, a California regional habitat conservation planning program. SDG&E currently participates in the NCCP program by implementing its approved SDG&E Subregional NCCP/HCP.

The project is located in the cities of San Diego, Poway, and Carlsbad, and on Marine Corps Air Station Miramar. The proposed project will construct approximately 13.9 miles of overhead

3 COMMENTS AND RESPONSES

Ms. Billie Blanchard (FWS/CDFW-SDG-15B0169-16TA0094)

Enclosure 1 Page 2

transmission line and 2.8 miles of underground line divided into four construction segments including: 1) 8.31 miles of 230-kV transmission line on new steel poles from the Sycamore Canyon Substation to Carmel Valley Road; 2) 2.84 miles of 230-kV underground transmission line in Carmel Valley Road; 3) 2.19 miles of 230-kV conductor line on existing steel lattice structures and a new tubular steel pole (TSP) between Carmel Valley Road and Peñasquitos Junction; and, 4) 3.34 miles of 230-kV conductor line on existing double-circuit steel lattice towers and a TSP between the Peñasquitos Junction and the Peñasquitos Substation. The project will also include modifications to the Sycamore Canyon, Peñasquitos, Chicarita, San Luis Rey, and Mission Substations as well as the Encina Hub. The project will also include 75 acres of temporary staging yards at Camino Del Sur, Carmel Valley Road, Evergreen Nursery, State Route (SR) 56, Stonebridge Parkway, and Stowe staging yard. Project access will occur within the existing SDG&E right of way (ROW) easements, access roads, and public roadways.

A2-1

The Wildlife Agencies recommend Alternative 5 referenced in sections 3.5.5 and 6.4.4.2 of the DEIR, given that it has been identified as the environmentally superior alternative. This alternative would avoid impacts to vernal pools to the maximum extent possible within the Del Mar Mesa Preserve, consistent with the SDG&E Subregional NCCP/HCP and our Vernal Pool Clarification. In addition, Alternative 5 would avoid potential impacts to sensitive resources at the Black Mountain Ranch and Peñasquitos Canyon Preserves, the Encina Hub, the San Luis Rey Substation, and the San Luis Rey phase transposition site.

The Wildlife Agencies offer the following comments and recommendations (enclosure) to assist the California Public Utilities Commission (CPUC) in avoiding or minimizing potential project impacts on biological resources. We appreciate the opportunity to comment on the DEIR. If you have questions regarding this letter, please contact Patrick Gower (Service) at 760 431-9440 extension 352 or Eric Hollenbeck (Department) at 858 467-2720.

Sincerely,



Karen A. Goebel
Assistant Field Supervisor
U.S. Fish and Wildlife Service



for Gail K. Sevrens
Environmental Program Manager
California Department of Fish and Wildlife

Enclosures

3 COMMENTS AND RESPONSES

Enclosure 1

Wildlife Agency Comments and Recommendations on the Draft Environmental Impact Report (DEIR) for the for the Sycamore-Penasquitos 230-KV Transmission Line Project

- A2-2 | 1. Page 4.1-18; thread-leaved brodiaea (*Brodiaea filifolia*): The Final Environmental Report (FEIR) should describe and provide locations for thread-leaved brodiaea suitable habitat referenced in Sections C and D of the DEIR and indicate if surveys have been performed. In addition, the project should be consistent with Table 3.1 of the SDG&E Subregional NCCP/HCP that prioritizes avoidance of impacts to thread-leaved brodiaea suitable habitat that may support populations of undetected individuals.
- A2-3 | 2. Page 4.1-20: The DEIR designates some areas of non-native grassland and disturbed habitat as unsuitable for burrowing owl. Because burrowing owls are known to utilize both non-native grassland and disturbed habitats for occupation and foraging, the Wildlife Agencies recommend the FEIR include further evaluation of areas suitable for this species. In addition, it is not clear if a habitat assessment and/or focused surveys for burrowing owl were completed as recommended in Appendix G.
- A2-4 | 3. 2.4.1.1: The FEIR should provide further information on the location, potential impacts, and proposed mitigation for the new permanent work areas. In addition, the maps in the appendices should be revised to show these areas.
- A2-5 | 4. Table 4.1-15: This table indicates that the project will impact a total of 34.97 acres (3.96 acres of permanent, 25.69 acres of temporary, and 5.32 acres from access roads). However, Section 2.3.2 and Table 2.3-1 indicate that the project will permanently and temporarily impact 53.9 acres and 139.3 acres, respectively. Please provide a discussion clarifying the differences between the two tables and identify which reflects the current anticipated project impacts. In addition, please clarify how the project impacts indicated in the DEIR compare to the 29.41 acres of impacts that SDG&E provided to the Wildlife Agencies during discussions on the NCCP/HCP impact cap and were included in our June 29, 2015, letter (enclosure 2).
- A2-6 | 5. Table 4.1-15: To aid in review for consistency with the SDG&E Subregional NCCP/HCP, the FEIR should divide access road impacts into temporary and permanent, and new versus existing.
- A2-7 | 6. Page 4.1-69: Mitigation Measure Biology-4: The mitigation measure should be consistent with the Vernal Pool Clarification dated July 23, 2004, which allows SDGE to maintain (e.g. grade), as needed, the access roads on Del Mar Mesa provided SDG&E offers documentation that mitigation at a 3:1 ratio has been completed. This can include restoration of onsite degraded pools or the advanced creation, restoration, and/or enhancement of vernal pool basins in pre-approved areas such as Carmel Mesa and Otay Mesa.
- A2-8 | 7. Table 4.1-10; and Chapter 9 MMRP: Mitigation Measure Biology-6: Compensatory Mitigation for Impacts to Habitat: This table should indicate permanent and temporary impacts and be consistent with Table 7.4 in SDG&E's Subregional NCCP/HCP that includes a 2:1 and 1:1 mitigation ratio for permanent and temporary impacts, respectively, inside of a preserve (MHPA).

3 COMMENTS AND RESPONSES

Ms. Billie Blanchard (FWS/CDFW-SDG-15B0169-16TA0094)

Enclosure 1 Page 2

- A2-9
8. Table 4.1 indicates that least Bell's vireo (*Vireo bellii pusillus*) are known to occur within the riparian vegetation adjacent to the Encina Hub project site. In order to avoid or minimize impacts to this species, the project should include the following measures consistent with the Service's August 8, 2013, informal consultation with the U.S. Army Corps of Engineers on Various Operations, Maintenance and Minor New Construction Activities Routinely Performed by San Diego Gas and Electric, in San Diego, Riverside and Orange Counties, California (File No. SPL-2004-01522-LAM) (FWS-SDG-09B0111-13I0309):
- a. Project activities within waters of the U.S. that may support vireo and flycatcher will occur between September 16 and March 14 when practicable to avoid the vireo and flycatcher breeding season.
 - b. Project activities within waters of the U.S. that may support vireo and flycatcher that cannot be timed to avoid the breeding season will adhere to the following measures:
 - i. A biologist knowledgeable of vireo and/or flycatcher biology and ecology, approved by the Agencies, will survey within the project impact footprint and a 300-foot buffer (within waters of the U.S.) before clearing vegetation or project construction to check for vireo and/or flycatcher nesting activity. Should an active nest be located in the impact footprint, then work will be suspended until the nest is vacated.
 - ii. Biological buffers of at least 100 feet will be maintained adjacent to nests.
 - c. For project activities during the breeding season adjacent to known occupied vireo and/or flycatcher nesting habitat, the biologist will monitor nesting bird activity. If the biologist determines that nesting birds are being disrupted by project activities, then work will be suspended until effective minimization measures (e.g., noise attenuation structures) developed in coordination with the Agencies are in place or until after the breeding season is completed.
 - d. Any lighting required during project activities will be shielded and directed away from vireo and/or flycatcher habitat to ensure that these areas not artificially illuminated.

3 COMMENTS AND RESPONSES



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In Reply Refer To:
FWS/CDFW-SDG-09B0047-15CPA0269

JUN 29 2015

Mr. Scott Pearson
Director, Environmental Services
San Diego Gas & Electric Company
8315 Century Park Court
San Diego, California 92123

Subject: Take Authorization under the SDG&E Subregional Natural Community Conservation Plan

Dear Mr. Pearson:

The U.S. Fish and Wildlife Service (Service) and the California Department of Fish and Wildlife (Department) (collectively, the Wildlife Agencies) are providing the following updated information with regard to the take authorizations granted to San Diego Gas & Electric (SDG&E) through the company's Subregional Natural Community Conservation Plan (NCCP). The Wildlife Agencies and SDG&E have completed our review of the habitat impacts authorized under the NCCP to date. Our review revealed that the habitat impacts were previously overstated and the available take acreage under the NCCP is now confirmed as 180.83 acres.

SDG&E has provided a list of completed and ongoing construction projects that will be included in the 2015 NCCP annual report¹. These projects will use 51.41 acres of the available take acreage under the NCCP, leaving 129.42 acres available for pending and future projects.

By this letter we confirm that sufficient take acreage is available to SDG&E to cover the four projects pending California Public Utilities Commission (CPUC) approval that were previously identified in our May 21, 2015 letter, and will rely, or are relying, on the NCCP take authorizations to ensure compliance with the Federal Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), the California Endangered Species Act (Fish and Game Code § 2050 *et seq.*), and the NCCP program. The four projects will impact 122 total acres of sensitive habitat types covered by the NCCP as follows:

- South Orange County Reliability (14.84 acres);
- SX-PQ (29.41 acres);

¹ These projects include the seven projects listed in our letter dated May 21, 2015, for which construction was complete or ongoing ("in-construction"), which included 46.04 acres, and the miscellaneous projects previously estimated as 13.3 acres in our May 21, 2015 letter. The adjusted take acreage for all of these projects is 51.41 acres or 7.79 acres less than previously reported. The Cleveland National Forest Master Special Use Permit (CNF MSUP) project is now more appropriately included in a list of projects provided by SDG&E that are still in the planning phase.

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Mr. Scott Pearson (FWS/CDFW-SDG-09B0047-15CPA0269)

2

- Salt Creek Substation (11.02 acres); and
- CNF MSUP (66.73).

Assuming CPUC approval and SDG&E construction of these four projects, only 7.42 acres of available take will remain under the NCCP. We recommend SDG&E move forward to address the future needs of the company for compliance with State and Federal endangered species laws through the development of a new or revised and amended NCCP.

As agreed to during telephone conversations to address habitat characterization issues related to NCCP take acreage calculations, SDG&E has committed to mitigate for 6.18 acres of habitat identified during the review for which the Wildlife Agencies and SDG&E could not reach consensus on the appropriate habitat category (i.e., reported as disturbed or agriculture, but supporting a component of non-native grassland). Because the language in the NCCP does not provide clear guidance on the characterization of the disturbed and agriculture habitat types, these 6.18 acres are not counted against the NCCP take cap but will be mitigated in accordance with the plan. Given the small amount of acreage at issue, the Wildlife Agencies agree that a reasonable compromise has been made to resolve this issue; however, future discussions to better define and characterize these two habitat types are needed and should be addressed prior to completion of the 2015 annual report.

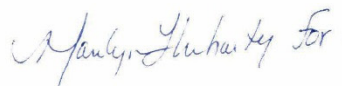
Finally, we expect the 2015 annual report to include a discussion of the measures taken to ensure the validity of the adjusted take acreages reported and confirmed herein, including the methods and all supporting documentation for this significant effort. Please coordinate with us prior to submitting the final 2015 annual report to ensure that all requested documentation is provided.

We appreciate your efforts to ensure compliance with the SDG&E NCCP. If you have questions regarding the information in this letter, please contact David Mayer of the Department at 858-467-4234 or David Zoutendyk of the Service at 760-431-9440, extension 222.

Sincerely,



Karen A. Goebel
Assistant Field Supervisor
U.S. Fish and Wildlife Service



Gail K. Sevens
Environmental Program Manager
California Department of Fish and Wildlife

cc: Mary Jo Borak, CPUC
Molly Sterkel, CPUC
Ron Freeman, San Diego Gas & Electric

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3.2.2 Response to Letter A2: Karen A. Goebel, U.S. Fish and Wildlife Service and Gail K. Sevrens, California Department of Fish and Wildlife

A2-1 Comment noted. See General Response GR-6 regarding support for Alternative 5. The CPUC agrees that Alternative 5 is the Environmentally Superior Alternative and would avoid impacts on vernal pools to the maximum extent possible. Alternative 5 would also reduce other biological resource impacts.

A2-2 Thread-leaved brodiaea can be found in grasslands, ephemeral wetlands, vernal pools, and meadows in montane habitats. The vegetation types along Segments C and D are shown in Figure 5 in Appendix G: Biological Resources Support Information, of the Draft EIR.

Focused special-status plant species surveys were conducted for the Proposed Project by walking meandering transects throughout the Biological Study Area (BSA), which included: (1) a 500-foot-wide survey corridor along the approximately 16.5-mile alignment, (2) the existing Sycamore Canyon and Peñasquitos Substations, and (3) the proposed Sycamore and Stowe construction yards (refer to Appendix G: Biological Resources Support Information in the Draft EIR). Three rounds of surveys were conducted – one in fall 2013, one in early spring 2014, and one in late spring 2014. Thread-leaved brodiaea was included in the target species list for each focused special-status plant species survey. During the spring 2014 survey, individual thread-leaved brodiaea were observed in the BSA within the Black Mountain Open Space Preserve (Busby 2014b). Suitable habitat within the known range of this species was documented within Segment A during the fall 2014 survey (Busby 2014b). A moderate potential for thread-leaved brodiaea was identified within Segments C and D. No species were detected during surveys in Segments C and D although suitable habitat was present.

Table 3.1 of the SDG&E Subregional NCCP/HCP includes the following conservation and planning implications for thread-leaved brodiaea:

Effects of Plan on species are considered insignificant because impacts would generally be very small, and the Plan prioritizes avoidance, minimization, and mitigation (in that order) for any potential impacts. The Plan preserves populations and habitats to the maximum extent practicable and preserves corridors connecting habitats thereby providing for genetic material exchange and opportunities for natural population expansion. It may also restore and reclaim habitats that may include the species.

Alternative 5, the Environmentally Superior Alternative, would avoid permanent impacts on thread-leaved brodiaea habitat. The CPUC also requires implementation of Mitigation Measure Biology 1c (pre-activity surveys) for the Proposed Project. Mitigation Measure Biology 1c requires avoidance of sensitive habitats where feasible, including habitat that thread-leaved brodiaea could occur in. This mitigation measure is consistent with Table 3.1 of the SDG&E Subregional

3 COMMENTS AND RESPONSES

NCCP/HCP. For further clarity, additional language has been added to Mitigation Measure Biology 1c to clarify that avoidance of impacts on thread-leaved brodiaea is prioritized above minimization and mitigation.

In order to ensure that habitats are not inadvertently impacted, the CPUC-, USFWS-, and CDFW-approved biologist shall flag boundaries of habitat which must be avoided. When necessary, the CPUC-, USFWS-, and CDFW-approved biologist shall also demark appropriate equipment laydown areas, vehicle turn around areas, and pads for placement of large construction equipment such as cranes, bucket trucks, augers, etc. When appropriate, the CPUC-, USFWS-, and CDFW-approved biologist shall make office and/or field presentations to field staff to review and become familiar with natural resources to be protected on a project site-specific basis. Avoidance of habitat for thread-leaved brodiaea is prioritized over minimization and mitigation.

- A2-3 Focused burrowing owl habitat assessments were conducted in winter of 2014 along Segments A, B, C, D; at the Stowe, Stonebridge, and SR-56 staging yards; and in early 2015 at the Encina Hub and the Evergreen Nursery and Camino Del Sur staging yards, and Encina Hub (Busby 2015a, Busby 2015b, Busby 2015c). These surveys assessed the potential for suitable burrowing owl habitat and evidence of burrowing owl presence within the Proposed Project alignment. Burrowing owl surveys and results are described in Section 4.1.3 of the Draft EIR. Areas of non-native grassland and disturbed habitat are recognized as suitable habitat for burrowing owl occupation and foraging. Specifically, areas of non-native grasslands and disturbed habitat in the Mission—San Luis Rey phase transposition area and Carmel Valley Road staging yard site (described in Section 4.1.3.3 of the Draft EIR) are considered to be suitable habitat for burrowing owl. The text regarding burrowing owls under Section 4.1.3.3 is revised for clarification as follows:

A burrowing owl habitat assessment was not performed in the area near the Mission—San Luis Rey Phase Transposition site or the Carmel Valley Road staging yard. It is assumed that both the ~~Based on the vegetation communities mapped~~ Mission—San Luis Rey Phase Transposition work areas and the Carmel Valley Road staging yard site provide suitable habitat for burrowing owl based on the vegetation communities mapped in the area (i.e., non-native grassland and disturbed habitat), these locations are considered to support potentially suitable burrowing owl habitat. Wintering surveys will be performed during the 2015/2016 winter season at the Mission—San Luis Rey Phase Transposition site and Carmel Valley Road staging yard.

The impacts on suitable habitat for burrowing owl are provided in Table 4.1-12.

- A2-4 All permanent impacts on vegetation communities and suitable habitat areas are shown on detailed maps included in Appendix G: Biological Resources Support Information of the Draft EIR (refer to maps 1 through 45 for locations of permanent

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impacts on vegetation communities). Permanent work areas are described in Section 2.4.1.1 of the Draft EIR as the permanent maintenance pads required for each new structure (e.g., pole) and permanent spur roads. The total area proposed to be impacted by these permanent work areas would be 6.7 acres, of which 3.96 acres would occur within sensitive vegetation communities (see Table 4.1-14 of the Draft EIR for details on permanent impacts by vegetation community). These permanent impacts would consist of impacts on vegetation communities as a result of the new poles for the Proposed Project and the associated permanent maintenance pads. The new poles would be located approximately 30 feet from the existing poles and would not occur within the same disturbance area as the existing poles. Permanent vegetation community impacts are described in Impact Biology-8 of the Draft EIR. Mitigation Measure Biology-6 would be applied to mitigate impacts from permanent work areas. Mitigation Measure Biology-6 requires SDG&E to purchase and dedicate suitable habitat for preservation to off-set permanent impacts.

A2-5 Table 4.1-15 of the Draft EIR identifies impacts on sensitive vegetation communities. Table 2.3-1 of the Draft EIR includes all areas of impact from the Proposed Project, including impacts on developed lands and non-sensitive vegetation communities (i.e., ornamental, eucalyptus, and bare ground). Impacts on developed and non-sensitive vegetation communities are not included in Table 4.1-15; therefore, the impacts in Table 4.1-15 are less than the total project disturbance area in Table 2.3-1 because the total disturbance area includes areas that were previously disturbed (e.g., existing work pads and access roads) and do not support sensitive communities. See the note beneath Table 4.1-15 for clarification.

Section 4.1.7.1 of the Draft EIR describes the difference between the impacts defined in the EIR and the 29.41 acres of impact that SDG&E provided to the Wildlife Agencies (CDFW and USFWS) during discussion of the NCCP/HCP impact cap that were included in USFWS' and CDFW's June 29, 2015 letter. SDG&E's work space data did not account for access road impacts, including vegetation clearing and road widening to accommodate construction equipment and materials access to individual pole sites, nor did it account for temporary passing locations that SDG&E determined would be needed for Proposed Project construction. In order to account for these construction access needs, the CPUC calculated access road impacts assuming a 14-foot width along all unpaved access roads. An additional 2-foot buffer was also included on either side of the access routes (for a total width of 18 feet) to account for potential mapping inaccuracies and edge effects that may occur during grading thereby providing a reasonably conservative assessment. Access road impacts on sensitive vegetation communities were estimated at 5.32 acres. It is noted that SDG&E may be able to reduce or avoid impacts from access roads during final design and construction. See General Response GR-15 for further information on the calculation of access road impacts.

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- A2-6 Comment noted. See General Response GR-15 for details on the temporary and permanent impacts from access roads.
- A2-7 Language under Mitigation Measure Biology-4 indicates that vernal pools, with or without special-status species present, shall be mitigated at a 3:1 ratio, consistent with the Vernal Pool Clarification dated July 23, 2004. Should mitigation not occur on-site, mitigation shall be implemented off-site at a pre-approved vernal pool restoration area. The areas pre-approved by CPUC, USFWS, and CDFW for creation, restoration, and/or enhancement of vernal pool basin area shall be of high quality (e.g., Carmel Mesa or Otay Mesa) and shall support special-status species impacted by the project. Pre-approved vernal pool mitigation areas shall be managed and monitored pursuant to a Management Plan approved by CPUC, CDFW, and USFWS. The specific area of “No Construction Access” within Del Mar Mesa Preserve that is included in Mitigation Measure Biology-4 was defined through consideration of the resources and discussion with Wildlife Agencies. The “No Construction Access” distinction does not restrict SDG&E from maintaining, as needed, the access roads on Del Mar Mesa Preserve. The mitigation measure restricts SDG&E from bringing very large and heavy construction vehicles through that stretch of access road.
- A2-8 The required mitigation ratios for permanent impacts have been added to Table 4.1-10 of the Draft EIR in response to this comment, which requested that the EIR distinguish between permanent and temporary impacts. The mitigation ratios are determined by and consistent with Table 7.4 of the SDG&E Subregional NCCP/HCP. Mitigation Measure Biology-6 has been revised as follows:
- Mitigation Measure Biology-6: Compensatory Mitigation for Impacts to Habitat.** SDG&E shall restore temporarily impacted areas ~~to pre-construction conditions~~ following construction ~~according to the performance criteria described below~~ and/or shall purchase/dedicate suitable habitat for preservation to off-set permanently impacted areas. Restoration of some vegetation communities in temporarily impacted areas may not be possible if those areas are subject to vegetation management to maintain proper clearance between transmission lines and vegetation, for example. In those instances, the mitigation shall consist of off-site acquisition and preservation of the vegetation community. Restoration of temporarily impacted areas involves recontouring the land, replacing the topsoil (if it was collected), planting seed and/or container stock, maintaining (i.e., weeding, replacement planting, supplemental watering, etc.), and monitoring the restored area for a period of 5 years ~~and or~~ until ~~year 5~~ success criteria are met.
- SDG&E shall prepare a Habitat Restoration Plan that shall be subject to approval by the CPUC, USFWS, CDFW, City of San Diego (for restoration within City of San Diego MHPA), and MCAS Miramar (for restoration on MCAS Miramar)

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prior to habitat impacts. Required mitigation ratios are provided by habitat type in Table 4.1-10. In cases where the impacts to sensitive vegetation communities occur in the City of San Diego MHPA, the mitigation shall also occur in the MHPA. The Habitat Restoration Plan shall also identify, if applicable, the need potential for reintroduction and/or increasing MSCP-covered species populations within habitat restoration areas if those covered species were affected by the Proposed Project.

Table 4.1-10 Required Habitat Mitigation Ratios

Vegetation Community	Mitigation Ratio	
	Temporary	Permanent
Diegan Coastal Sage Scrub		
Diegan coastal sage scrub	1:1	<u>1:1</u>
Diegan coastal sage scrub in the MHPA	1:1	<u>2:1</u>
Diegan coastal sage scrub-Disturbed	1:1	<u>1:1</u>
Diegan coastal sage scrub-Disturbed in the MHPA	1:1	<u>2:1</u>
Diegan coastal sage scrub-Revegetated	1:1	<u>1:1</u>
Diegan coastal sage scrub-Revegetated in the MHPA	---	<u>2:1</u>
Coastal Sage Scrub		
Coastal sage-chaparral scrub	0.5:1	<u>1:1</u>
Coastal sage-chaparral scrub in the MHPA	1:1	<u>2:1</u>
Chaparral		
Chamise chaparral	0.5:1	<u>1:1</u>
Chamise chaparral in the MHPA	1:1	<u>2:1</u>
Chamise chaparral-disturbed	0.5:1	<u>1:1</u>
Chamise chaparral-disturbed in the MHPA	1:1	<u>2:1</u>
Scrub oak chaparral	1:1	<u>1:1</u>
Scrub oak chaparral in the MHPA	2:1	<u>2:1</u>
Southern mixed chaparral	0.5:1	<u>1:1</u>
Southern mixed chaparral in the MHPA	1:1	<u>2:1</u>
Southern mixed chaparral-disturbed	0.5:1	<u>1:1</u>
Southern mixed chaparral-disturbed in the MHPA	1:1	<u>2:1</u>
Grassland		
Native grassland	1:1	<u>1:1</u>
Native grassland in the MHPA	2:1	<u>2:1</u>
Non-native grassland	0.5:1	<u>1:1</u>
Non-native grassland in the MHPA	---	<u>2:1</u>

3 COMMENTS AND RESPONSES

Vegetation Community	Mitigation Ratio	
	Temporary	Permanent ¹
Freshwater Marsh		
Freshwater marsh	---	<u>1:1</u>
Vernal Pool		
San Diego Mesa Vernal Pool	3:1	<u>3:1</u>
Riparian		
Southern riparian scrub	---	<u>1:1</u>
Mule fat scrub	---	<u>1:1</u>
Mulefat scrub in MHPA	---	<u>2:1</u>
Southern willow scrub	---	<u>1:1</u>
Southern willow scrub in MHPA	---	<u>2:1</u>
Tamarisk scrub in MHPA	---	<u>2:1</u>
Southern coast live oak riparian forest	---	<u>1:1</u>
Southern coast live oak riparian forest in MHPA	---	<u>2:1</u>

Note:

¹ Mitigation ratios for permanent impacts are consistent with SDG&E's NCCP; 1:1 for permanent impacts outside a preserve and 2:1 for permanent impacts inside a preserve.

The Restoration Plan shall include the following performance criteria:

- Percent cover and composition shall be similar to the conditions of a nearby reference site, defined as variation of no more than 10 percent absolute cover from the reference site cover and species composition condition.
- Maintenance and monitoring for restoration shall be for ~~a minimum of 5 years or until success criteria are met, even if established success criteria are met before the end of 5 years.~~ Compensation planting areas shall be monitored eight times in Year 1, six times per year in Years 2 and 3, and 4 times per year in Years 4 and 5 above.
- Compensation planting areas shall be monitored for invasive plants in the first 5 years following replanting. Invasive plant monitoring shall occur eight times in Year 1, six times per year in Years 2 and 3, and 4 times per year in Years 4 and 5. If invasive plants are found during the 5-year monitoring period, they shall be removed as necessary to support meeting the cover and vegetation composition success criteria.
- If the restoration fails to meet the established success criteria after the maintenance and monitoring period, maintenance and

3 COMMENTS AND RESPONSES

monitoring shall extend beyond the 5-year period until the criteria are met or unless otherwise approved by the CPUC.

- Maintenance and monitoring shall be conducted following a prescribed schedule to assess progress and identify potential problems with the restoration. Remedial action (e.g., additional planting, weeding, erosion control, use of container stock, supplemental watering, etc.) shall be taken by an experienced, licensed Habitat Restoration Contractor during the maintenance and monitoring period if necessary to ensure the success of the restoration.

Any impacts associated with unauthorized activity (e.g., exceeding approved construction footprints or implementing the Habitat Management Plan after the allowed timeframe of 18 months following the initiation of any vegetation disturbing activities) shall be mitigated at a 5:1 ratio. Restoration of the unauthorized impacts shall be credited at a 1:1 ratio (i.e., mitigated by in-place habitat restoration); the remaining 4:1 shall be acquired and preserved off-site.

For areas where habitat restoration cannot meet mitigation requirements, as determined by the Habitat Restoration Specialist in coordination with CPUC, USFWS, CDFW, and MCAS Miramar (for restoration on MCAS Miramar), off-site purchase and dedication of habitat (or as otherwise prescribed by MCAS Miramar for restoration on MCAS Miramar) shall be provided at the mitigation ratios provided in Table 4.1-10.

Mitigation Parcels/Habitat Management Plans. All off-site mitigation parcels shall be approved by the CPUC, USFWS, CDFW and MCAS Miramar (as applicable) and must be acquired, or their acquisition must be assured, ~~before the line is energized.~~ To demonstrate that such parcels will be acquired, SDG&E shall submit a Habitat Acquisition Plan at least 120 days prior to any ground disturbing activities for CPUC, USFWS, CDFW, and MCAS Miramar (as applicable) review and approval. The Habitat Acquisition Plan shall include, but shall not be limited to:

- Legal descriptions and maps of all parcels to be acquired;
 - Schedule that includes phasing relative to impacts;
 - Documentation demonstrating that the mitigation parcel(s) provides high quality habitat roughly equivalent in composition to the habitats that would be impacted by the project and at appropriate acreages;
 - Timing of conservation easement recording;
 - Initiation of habitat management activities relative to acquisition;
- and

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- Assurance mechanisms (e.g., performance bonds to assure adequate funding) for any parcels not actually acquired prior to vegetation disturbing activities.

A Habitat Management Plan shall be prepared by a biologist and approved by the CPUC, USFWS, CDFW, and MCAS Miramar (as applicable) for all acquired off-site mitigation parcels. The Habitat Management Plan must be approved in writing by these agencies (as applicable) within 18 months of prior to the initiation of any vegetation disturbing activities. The Habitat Management Plan shall provide direction for the preservation and in-perpetuity management of all acquired, off-site mitigation parcels. The Habitat Management Plan shall include, but shall not be limited to:

- Adequate SDG&E funding for the preparation and implementation of the HMP
- Legal descriptions of all mitigation parcels approved by the CPUC, USFWS, CDFW, and MCAS Miramar (for mitigation parcels to be acquired for MCAS Miramar impacts)
- Baseline biological data for all mitigation parcels
- Designation of a land management entity approved by the CPUC, USFWS, CDFW, and MCAS Miramar (for mitigation parcels to be acquired for MCAS Miramar impacts) to provide in-perpetuity management
- A Property Analysis Record prepared by the designated land management entity that explains the amount of funding required to implement the Habitat Management Plan
- Designation of responsible parties and their roles (e.g., provision of endowment by SDG&E to fund the Habitat Management Plan and implementation of the Habitat Management Plan by the designated land management entity)
- Management specifications including, but not limited to, regular biological surveys to compare with the baseline data; invasive, non-native species control; fence/sign replacement or repair; public education; trash removal; and annual reports to CPUC, USFWS, CDFW, and MCAS Miramar (for mitigation parcels to be acquired for MCAS Miramar impacts)

A2-9 Language under Mitigation Measure Biology-7 currently requires avoidance of breeding habitat, when feasible, during the flycatcher breeding season, under Specific Requirements for Coastal California Gnatcatcher and Least Bell's Vireo. Additional language has been added to Mitigation Measure Biology-7 as requested by this comment. Mitigation Measure Biology-7 is revised as follows to reflect this comment and SDG&E's comments on the mitigation measure:

Mitigation Measure Biology-7: Mitigation for Bird Species. This measure applies to all work areas in which any construction-related activities must be conducted during the nesting bird season (generally between January 15 and

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August 31, but may be earlier or later depending on species, location, and weather conditions).

Nesting Bird Survey Requirements. If work is scheduled to occur during the avian nesting season, nesting bird surveys shall be conducted according to the following provisions:

1. Nest surveys shall occur within ~~48 hours~~ 5 days prior to the start of ground-disturbing construction or vegetation trimming or removal activities. If there is no work in an area for 7 days, it shall be considered a new work area if construction, vegetation trimming, or vegetation removal begins again.
2. Surveys shall be conducted with sufficient survey duration and intensity of effort necessary for the identification of active nests, which is defined as once birds begin constructing, preparing, or using a nest for egg-laying. A nest is no longer an “active nest” if abandoned by the adult birds or once fledglings are no longer dependent on the nest”. Surveys shall include nests of protected species within vegetation identified for removal and/or pruning, and within ~~a~~ the following buffers of active work areas: ~~1-mile buffer for golden eagle, 0.5-mile buffer for Swainson’s hawk,~~ 0.25-mile buffer for white-tailed kite; ~~and~~ 500-foot buffer for other ~~avian and~~ raptor species.
3. Surveys shall be conducted during locally appropriate dates for nesting seasons determined in consultation with the USFWS and CDFW; note that generally the season is between January 15 and August 31 but may be earlier or later depending on species, location, and weather conditions. Species-specific nesting seasons for some species are identified below.
4. The surveys shall be conducted by a CPUC, USFWS-, and CDFW-approved qualified biologist.
5. Survey results shall be provided to CPUC, USFWS, and CDFW prior to initiating construction activities.
6. Work areas within which significant noise is not generated, such as work performed manually, by hand or on foot, and/or that would not cause significant disturbances to nesting birds (e.g., operating switches, driving on access roads, normally occurring activities at substations, and activities at staging and laydown areas) do not need to be surveyed prior to use. None of these activities shall result in physical contact with a nest.

Avoid Impacts on Nesting Birds. During the nesting season (generally between January 15 and August 31) raptor nests that are located within a 500-foot buffer from a work location ~~and a 1-mile buffer for golden eagle and 0.5-mile buffer for~~

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~~Swainson's hawk~~, shall be evaluated by a CPUC-, USFWS-, and CDFW-approved qualified biologist to determine whether the raptor nest is active. No trees with active raptor nests shall be removed during nesting season.

No additional measures shall be implemented if active nests are more than the following distances from the nearest work areas: ~~(a) 1 mile for golden eagle, (b) 0.5 mile for Swainson's hawk,~~ (e a) 0.25 mile for white-tailed kite, (d b) 500 feet for raptors, Coastal California gnatcatcher, and least bell's vireo, (e c) 250 feet for passerine birds in open space areas, or (f d) 150 feet for common (non-special-status) passerine birds in residential, commercial, and industrial areas. Buffers shall not apply to construction-related traffic using existing roads where the use of such roads is not limited to project-specific use (i.e., county roads, highways, farm roads, or other private roads). Where road use is limited to project-specific use, a buffer reduction or approval to drive through a buffer shall be obtained as described below under "Buffer Reduction".

As appropriate, exclusion techniques may be used for any construction equipment that is left unattended for more than 24 hours to reduce the possibility of birds nesting in the construction equipment. An example of an exclusion technique is covering equipment with tarps.

Buffer Reduction. The specified buffers from nesting birds may be reduced on a case-by-case basis if, based on compelling biological or ecological reasoning (e.g., the biology of the bird species, concealment of the nest site by topography, land use type, vegetation, level of project activity, and level of pre-existing disturbance on site), it is determined by a CPUC-, USFWS-, and CDFW-approved qualified biologist that implementation of a specified smaller buffer distance will still avoid nest abandonment and failure. This requirement includes buffer reductions or temporary buffer incursions for project-related use of roads where no stopping, standing, or other work activities shall occur in the buffer. Requests to reduce standard buffers or for temporary buffer incursions must be submitted to CPUC's independent biologist for review. Requests to reduce buffers must include:

- Species
- Location
- Pre-existing conditions present on site
- Description of the work to be conducted within the reduced buffer
- Size and expected duration of proposed buffer reduction
- Reason for the buffer reduction
- Name and contact information of the CPUC-, USFWS-, and CDFW-approved qualified biologist(s) who requested the buffer reduction and will conduct subsequent monitoring

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- Proposed frequency and methods of monitoring necessary for the nest given the type of bird and surrounding conditions

CPUC's independent biologist shall respond to SDG&E's request for a buffer reduction (and buffer reduction terms) within 1 business day; if a response is not received, SDG&E may proceed with the buffer reduction until CPUC's independent biologist can review and approve or deny the buffer reduction request. If SDG&E proceeds with a reduced buffer, nests shall be monitored on a daily basis during construction activities. If the buffer reduction request is denied, or if the qualified biologist determines that the nesting bird(s) are not tolerant of project activity, the specified buffer(s) listed above in this measure shall be implemented.

Non-special-status species found building nests within the work areas after specific project activities begin may be tolerant of that specific project activity; however, the CPUC-, USFWS-, and CDFW-approved qualified biologist shall implement an appropriate buffer or other appropriate measures to protect the nest after taking into consideration the position of the nest, the bird species nesting on site, the type of work to be conducted, and duration of the construction disturbance. In these cases, the proposed buffer or other measures must be approved by CPUC's independent biologist through the buffer reduction process outlined in this measure, if buffers are less than those specified in this measure. These nests shall be monitored on a daily basis and only during construction activities (no monitoring required during periods when no work is conducted) by a qualified biologist until the qualified biologist has determined that the young have fledged or construction ends within the work area (whichever occurs first). If the qualified biologist determines that the nesting bird(s) are not tolerant of project activity, the buffer outlined above in this measure shall be implemented.

Specific Requirements for Coastal California Gnatcatcher and Least Bell's Vireo.

Where there is potential nesting habitat for the coastal California gnatcatcher or least Bell's vireo within or adjacent to the MHPA, construction or operation/maintenance noise that exceeds the existing baseline noise level for a site by more than 3 dB hourly average or an hourly average threshold of 60 decibels, whichever is higher, shall be avoided during these species' breeding seasons as follows: coastal California Gnatcatcher March 1 through August 15, and least Bell's vireo March 15 through September 15. If avoidance is not possible during the breeding season, SDG&E shall work with a qualified acoustician approved by the CPUC, USFWS, and CDFW to develop and implement noise attenuation measures. The following measures shall be adhered to when project activities during the breeding season occur within riparian habitats that may support vireo and flycatcher:

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- A biologist knowledgeable of vireo and/or flycatcher biology and ecology, approved by the CPUC, USFWS, and CDFW, will survey within the project impact footprint and a 300-foot buffer (within riparian scrub) before clearing vegetation or project construction to check for vireo and/or flycatcher nesting activity. Should an active nest be located in the impact footprint, then work will be suspended until the nest is vacated.
- Biological buffers of at least 100 feet will be maintained adjacent to active nests.

For project activities during the breeding season adjacent to known occupied vireo and/or flycatcher nesting habitat, the biologist will monitor nesting bird activity. If the biologist determines that nesting birds are being disrupted by project activities, then work will be suspended until effective minimization measures (e.g., noise attenuation structures) developed in coordination with the CPUC, USFWS, and CDFW are in place or until after the breeding season is completed.

Any lighting required during project activities will be shielded and directed away from vireo and/or flycatcher habitat to ensure that these areas not artificially illuminated.

Avian Protection on Power Lines. The project shall include collision-reducing techniques for transmission lines (based on Reducing Avian Collisions with Power Lines: The State of the Art in 2012; Avian Power Line Interaction Committee [APLIC] 2012).

Monitoring and Reporting. All nests with a reduced buffer shall be monitored on a daily basis during construction activities by a CPUC-, USFWS-, and CDFW-approved qualified biologist until the qualified biologist has determined that the young have fledged or until one week after construction ends within the reduced buffer/work area (whichever occurs first).

Nest locations and exclusion buffers shall be mapped (using geographic information systems [GIS]) for all nests identified. This information shall be maintained in a database and shall be provided to CPUC, CDFW, and USFWS. A monthly written report shall be submitted to CPUC, CDFW, and USFWS for construction within a reduced buffer and shall include the following: information included in buffer reduction requests, work conducted within the work site, duration of work activities and related buffer reduction, information on nest success (eggs, young, and adults). No avian reporting shall be required for construction occurring outside of the nesting season and if construction activities do not occur within a reduced buffer during any calendar month. A final report shall be submitted to CPUC, CDFW, and USFWS at the end of each nesting season summarizing all avian-related monitoring results and outcomes for the

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duration of project construction. Nests located in areas of existing human presence and disturbance, such as in yards of private residences, or within commercial and or industrial properties, are likely acclimated to disturbance and do not need to be monitored, as determined by the CPUC-, USFWS-, and CDFW-approved qualified biologist and approved by CPUC's independent biologist.

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DEPARTMENT OF TRANSPORTATION

DISTRICT 11, DIVISION OF PLANNING
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Comment Letter A3



*Serious drought.
Help save water!*

October 27, 2015

11-SD-5, 15, 56, 805
PM 8.04
SCH 2014081031

Ms. Billie Blanchard
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102

Dear Ms. Blanchard:

The California Department of Transportation (Caltrans) received a copy of the Draft Environmental Impact Report (DEIR) for the proposed Sycamore –Penasquitos 230 Kilavolt Transmission Line Project located near SR-56, I-15, I-5 and I-805. We have the following comments:

A3-1

SDG&E shall prepare and submit to Caltrans closure plans as part of the encroachment permit application. Than plans shall require that closure or partial closure of SR-56 and I-15 be limited to times as to create the least possible inconvenience to the traveling public and that signage be posted prior to the closure to alert drivers of the closure in accordance with Caltrans requirements. Traffic shall not be unreasonably delayed. The plan shall also outline suggested detours to use during the closures, traffic, including routes and signage.

The Highway Closure Plan, as part of the encroachment permit, should be submitted to Caltrans at least 30 days prior to initiating installation of the crossings. No work shall begin in Caltrans Right of Way (R/W) until an encroachment permit is approved.

A3-2

Any work performed within Caltrans R/W will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans R/W prior to construction. As part of the encroachment permit process, the applicant must provide an approved final environmental document including the California Environmental Quality Act (CEQA) determination addressing any environmental impacts with the Caltrans' R/W, and any corresponding technical studies.

A3-3

Please see Section 600 of the Encroachment Permits Manual for requirements regarding utilities and state R/W: http://www.dot.ca.gov/hq/traffops/developserv/permits/pdf/manual/Chapter_6.pdf

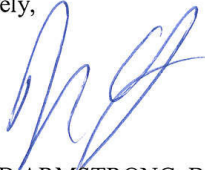
*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

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Ms. Billie Blanchard
October 27, 2015
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If you have any questions, please contact Kimberly Dodson, of the Caltrans Development Review Branch, at (619) 688-2510 or by e-mail sent to kimberly.dodson@dot.ca.gov.

Sincerely,



JACOB ARMSTRONG, Branch Chief
Development Review Branch

*"Provide a safe, sustainable, integrated and efficient transportation system
to enhance California's economy and livability"*

3 COMMENTS AND RESPONSES

3.2.3 Response to Letter A3: Jacob Armstrong, California Department of Transportation

A3-1 Mitigation Measure Traffic-5 requires SDG&E to prepare and submit closure plans to Caltrans. The text of Mitigation Measure Traffic-5 is revised to require that closure plans are submitted to Caltrans at least 30 days prior to crossing of SR-56 and I-15. The revised text is shown in General Response GR-12.

A3-2 Comment noted. This Final EIR addresses impacts of the Proposed Project and project alternatives including environmental impacts within Caltrans right-of-way. SDG&E may submit additional technical studies with the encroachment permit application as required by Caltrans.

A3-3 Section 600 of the Encroachment Permits Manual has been added to the References in Section 4.7.4.2 of the Draft EIR:

All work on or over Caltrans facilities would require coordination with the Caltrans District 11 office, issuance of an encroachment permit, and approval of traffic control plans based on the 2014 (or latest) California Manual on Uniform Traffic Control Devices ([Caltrans 2013b](#)).

_____. 2013a. "2013 Traffic Volumes on the California State Highway System."

_____. [2013b. "Section 600 Utility Permits." July 2013.](#)

3 COMMENTS AND RESPONSES

CALIFORNIA COASTAL COMMISSION

45 FREMONT, SUITE 2000
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Comment Letter A4



October 30, 2015

California Public Utilities Commission
c/o Panorama Environmental, Inc.
1 Embarcadero Center, Suite 740
San Francisco, CA 94111

Via Electronic Mail

RE: Comments on Draft Environmental Impact Report (EIR) for the San Diego Gas & Electric Sycamore-Peñasquitos 230-kV Transmission Line Project (CPUC Application No. A.14-04-011)

Thank you for the opportunity to comment on the above-referenced Draft EIR. The document evaluates several options for building and operating a new 230-kV transmission line between the Sycamore Canyon and Peñasquitos Canyon substations, in San Diego County. Certain segments of the project would also include modifications to an existing 69-kV power transmission line and related infrastructure.

Portions of the project, in particular overhead Segment D (on the northern side of Los Peñasquitos Canyon) and the planned upgrades at the Encina Hub, in Carlsbad, are located within the Coastal Zone and are subject to the resource protection policies of the California Coastal Act. Portions of the proposed development along Segment D lie within the jurisdiction of the Coastal Commission (Commission) and will require San Diego Gas & Electric (SDGE) to seek a coastal development permit (CDP) from the Commission. CDP authorization from the Cities of San Diego and Carlsbad may also be required for portions of the project occurring within the jurisdictions of their respective Local Coastal Programs (LCPs). Commission staff has conducted a preliminary review of the Draft EIR and project alternatives and offers a number of comments related to the project's consistency with Coastal Act policies protecting biological resources, coastal streams and water quality, visual and scenic resources, and recreation and public access. The comments are focused on overhead Segment D and related alternatives (Alts. 4, 5) within the Coastal Zone. As a general matter, Commission staff supports the adoption of Alternative 5 (Pomerado Road to Miramar Area North Combination Underground/Overhead), which would minimize adverse impacts to coastal resources. However, even this alternative would appear to have adverse impacts to environmentally-sensitive habitat areas (ESHA), in potential conflict with land resources policies of the Coastal Act.

Comments

A4-1

1. The project should seek to avoid direct and indirect impacts to sensitive species and habitats. Segment D of the proposed project would occur along the northern edge of Los Peñasquitos Canyon Preserve, within or in close proximity to sensitive habitats supporting special status plant and animal species. Based on information presented in the Draft EIR, the biological survey area surrounding Segment D may contain over 175 acres of potential ESHA, including Diegan coastal sage scrub, mixed coastal sage-chaparral scrub, chamise chaparral, scrub oak chaparral, Southern mixed chaparral, Southern willow scrub, native grassland and vernal pools, supporting (or potentially supporting numerous) rare and sensitive plant and animal species, including federal- and state-listed

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Comment Letter on Draft EIR for Sycamore - Peñasquitos 230-kV Transmission Line Project
October 30, 2015
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- A4-1 threatened or endangered species. ESHA is defined in the Coastal Act as “any area in which plant or animal life or their habitats are either rare or especially valuable because of their special nature or role in an ecosystem and which could be easily disturbed or degraded by human activities and developments.” (PRC § 30107.5). The presence of ESHA is determined by the Commission on a case-by-case basis, but the Commission has found many of the habitats present along Segment D to constitute ESHA on numerous previous occasions. Moreover, the Commission has typically found habitats supporting (or potentially supporting) special status species, including listed threatened and endangered species and rare plants listed by the California Native Plant Society to be ESHA.
- The Draft EIR indicates that the construction, operation and maintenance of Segment D of the proposed project would result in substantial adverse effects, either directly or indirectly, to sensitive habitats and special status plant and animal species. These adverse effects include permanent and temporary direct impacts to approximately 8 acres of potential ESHA and numerous individuals of rare and special status plant species, and the loss or disturbance of habitat, mortality and/or injury of special status wildlife species. The Draft EIR concludes that most of these adverse effects on sensitive species and wildlife would be reduced to a “less than significant” level with the implementation of a number of mitigation measures, including in some cases compensatory mitigation such as off-site land preservation and/or plant salvage and relocation.
- As a general matter, Commission staff believes that the proposed mitigation measures are appropriate and necessary for reducing the adverse impacts of the project on biological resources. However, they may not be sufficient to achieve consistency with the land resources and ESHA policies of the Coastal Act (*see* PRC §§ 30240-30244). Crucially, Section 30240¹ allows only resource-dependent uses to occur within ESHA, and does not allow for any significant disruption of habitat values within ESHA. This policy must be resolved before turning to consideration of whether restoration, off-site mitigation or land preservation, and other mitigation measures would be adequate to compensate for losses or significant disruptions of ESHA. Similar ESHA protections contained within the City of San Diego and City of Carlsbad LCPs may also be applicable to portions of the project (e.g., Segment D, Encina Hub) within their respective jurisdictions. Commission staff recommends that the proposed project be modified to avoid development and project activities within potential ESHA. In proposed vegetation removal (including removal of special status plant species) within potential ESHA should be avoided.
- A4-2 2. Placement of fill in wetlands, streams, vernal pools, or other permanent or ephemeral water bodies should be avoided unless no feasible less environmentally damaging alternative exists. The Draft EIR indicates that project activities, in particular access road repairs and the filling of road rut pools along Segment D may result in the fill and/or significant disruption of vernal pools or wetland containing suitable habitat for the federal- and state-listed endangered San Diego fairy shrimp.

¹ Section 30240 Environmentally sensitive habitat areas; adjacent developments

(a) Environmentally sensitive habitat areas shall be protected against any significant disruption of habitat values, and only uses dependent on those resources shall be allowed within those areas.

(b) Development in areas adjacent to environmentally sensitive habitat areas and parks and recreation areas shall be sited and designed to prevent impacts which would significantly degrade those areas, and shall be compatible with the continuance of those habitats and recreation areas.

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A4-2 Coastal Act Section 30233(a)² requires that there be no feasible less environmentally damaging alternative to filling coastal wetlands, including vernal pools, and that such placement include all feasible mitigation measures to minimize adverse environmental effects. Moreover, the purpose of any wetland fill must fall within any of seven allowable use categories. Commission staff recommends that the Draft EIR be revised to include more information on the distribution of vernal pools and known and potential fairy shrimp habitat within project Segment D, and to evaluate project modifications that would allow for full avoidance of any such pools. Commission staff also notes that in the past, the Commission has found vernal pools and water bodies containing San Diego fairy shrimp to constitute ESHA and applied the more resource-protective policies of Coastal Act Section 30240.

A4-3 3. Project Alternatives 4 and 5 would be more protective of coastal resources than the proposed project. As noted above, Commission staff's primary concern with the proposed project is the potential for significant direct and indirect adverse impacts to sensitive species and habitat which are likely to constitute ESHA under the Coastal Act. These potential impacts would appear to derive largely from (a) the proposed installation of new 95-ft steel poles to support the 69-kV transmission lines the north rim of Los Peñasquitos Canyon; (b) the removal of existing H-frame and monopole structures in the same area; and (c) other construction activities and site access along existing unpaved access roads. The new 230-kV transmission lines and steel poles along Segment D would also be expected to add new visual elements to the project area which are incompatible with the natural scenery of the surrounding area, although the removal of existing structures may partially-offset this adverse effect. Project construction and future maintenance activities within (or in close proximity to) Los Peñasquitos Canyon Preserve also have the potential to result in temporary or periodic restrictions on public access and recreation within a coastal zone recreation area.

In comparison, Alternative 4 (Segment D 69-kV Partial Underground Alignment) and Alternative 5 (Pomerado Road to Miramar Area North Combination Underground/Overhead) would appear to reduce potential impacts to coastal resources, including ESHA, scenic resources, and public access and recreation by partially or completely avoiding the installation of new support poles for the 69-kV transmission line and reducing the need for construction and future maintenance activities within

² Section 30233(a): The diking, filling, or dredging of open coastal waters, wetlands, estuaries, and lakes shall be permitted in accordance with other applicable provisions of this division, where there is no feasible less environmentally damaging alternative, and where feasible mitigation measures have been provided to minimize adverse environmental effects, and shall be limited to the following:

- (1) New or expanded port, energy, and coastal-dependent industrial facilities, including commercial fishing facilities.
- (2) Maintaining existing, or restoring previously dredged, depths in existing navigational channels, turning basins, vessel berthing and mooring areas, and boat launching ramps.
- (3) In open coastal waters, other than wetlands, including streams estuaries, and lakes, new or expanded boating facilities and the placement of structural pilings for public recreational piers that provide public access and recreational opportunities.
- (4) Incidental public service purposes, including but not limited to, burying cables and pipes or inspection of piers and maintenance of existing intake and outfall lines.
- (5) Mineral extraction, including sand for restoring beaches, except in environmentally sensitive areas.
- (6) Restoration purposes.
- (7) Nature study, aquaculture, or similar resource dependent activities.

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A4-3 sensitive habitats and scenic recreation areas. The Draft EIR indicates that both Alternatives 4 and 5 would greatly reduce the areas of sensitive habitats subjected to permanent or temporary impacts, the numbers of sensitive plant species individuals that would be removed, and the exposure of sensitive wildlife species to adverse effects. All told, adverse effects on potential ESHA would be reduced, if not eliminated, through implementation of either of these alternatives. Alternative 4 would result in a smaller number of new structures to be erected and a smaller project footprint in or near Los Peñasquitos Canyon Preserve, while Alternative 5 would avoid the need for new structures altogether. As a result, both alternatives would reduce potential adverse effects on visual resources and public access and recreation within the Coastal Zone relative to the proposed project.

A4-4 Overall, Alternative 5 appears to be the most protective of coastal resources because it would avoid adverse effects on special status plant and wildlife species, cause the least amount of permanent damage to sensitive coastal habitats (i.e., potential ESHA), avoid the need to erect new structures in a scenic, and minimize project activities within the Los Peñasquitos Canyon recreation area. Alternative 4, though environmentally-preferable to the proposed project, would appear to result in greater adverse effects to coastal resources than Alternative 5. However, it is important to note that neither Alternative 4 nor Alternative 5 would completely avoid permanent and temporary impacts to sensitive habitats which are likely to meet the Coastal Act definition of ESHA, such as Diegan coastal sage scrub, Southern mixed chaparral, and vernal pool/ephemeral aquatic habitats supporting San Diego fairy shrimp. Appendix G of the Draft EIR indicates that Alternative 4 would result in permanent impacts to approximately 0.2 acres of sensitive vegetation communities, temporary impacts to another 0.6 acres, and the removal of a number of sensitive plants; Alternative 5 would result in permanent impacts to 0.1 acres and temporary impacts to 1.8 acres of sensitive vegetation communities. Both alternatives have the potential to adversely affect pools that may support fairy shrimp. Though the scale of the adverse effects to biological resources associated with these alternatives is much reduced relative to the proposed project, the same Coastal Act concerns identified in comments 1 and 2 (above) still apply.

A4-5 In summary, Commission staff recommends the adoption of a modified version of Alternative 5 which eliminates vegetation removal and other permanent impacts within potential ESHA and avoids other project activities which would, even temporarily, result in significant disruptions of habitat value within these potential ESHA areas.

Thank you again for the opportunity to comment on the Draft EIR. Please contact me at 415-904-5249 or joseph.street@coastal.ca.gov if you have questions or would like additional information.

Sincerely,



Joseph Street
Environmental Scientist
Energy, Ocean Resources & Federal Consistency Unit

3 COMMENTS AND RESPONSES

3.2.4 Response to Letter A4: Joseph Street, California Coastal Commission

A4-1

The alignment of the Proposed Project is within existing SDG&E ROW. The Proposed Project within Segment D, between structures P48 and P56, is located within the coastal zone. The CPUC acknowledges that activities within the coastal zone are under the jurisdiction of the CCC per the CCA. The Proposed Project would permanently impact 0.53 acre of environmentally sensitive habitat areas (ESHA) and temporarily impact 1.95 acres of ESHA within the coastal zone (refer to Table 4.1-2 and Figure G-1 in Appendix G: Biological Resources Support Information of the Draft EIR). The access roads could also impact up to 0.37 acre of ESHA. The mitigation measures included in the EIR for compensation of impacts on sensitive habitats (i.e., Mitigation Measure Biology-6) have been defined consistent with CEQA Guidelines Section 15126.4. These mitigation measures are not intended to replace any separate permit requirements that may be established by the CCC under its permitting authority. It is noted that the CCC will evaluate the project for consistency with CCA prior to issuing a permit for impacts within the coastal zone. An analysis of the Proposed Project's consistency with the CCA has been added to Impact Land-2 as follows:

California Coastal Act

Portions of the Proposed Project in Segment D would be constructed within the coastal zone. Nine of the 18 sensitive vegetation communities within the BSA are classified as ESHA under the CCA. The definition and the vegetation communities classified as ESHA located within the Proposed Project BSA are described under Sections 4.1.1.2 and 4.1.3.5 of the Draft EIR, respectively. The habitat values contained within ESHA must be protected against significant disruption (Coastal Act § 30240 (a)). Allowable uses are only those dependent on resources located within ESHA (Coastal Act § 30240 (a)). The Proposed Project would permanently impact 0.53 acre of potential ESHA and temporarily impact 1.95 acres of potential ESHA. The impacts on sensitive habitats within the coastal zone would be mitigated through Mitigation Measure Biology-6 and may be reduced during final engineering.

Activities that occur within the coastal zone are under the jurisdiction of the CCC. The Proposed Project is subject to a separate permit process through the CCC for impacts within the coastal zone. The CCC will evaluate the project for consistency with the CCA prior to issuing a permit.

A4-2

Proposed Project access road repairs, work pads, and structures could impact vernal pools and wetlands in Segment D (including coastal zone areas) as described in Impacts Bio-4, Bio-8, and Bio-9 of the Draft EIR. The CPUC acknowledges that the CCA requires that there be no feasible less environmentally damaging alternative to filling coastal wetlands, including vernal pools. The EIR identifies two alternatives to the Proposed Project, Alternative 4 and Alternative 5, that would reduce impacts on vernal pools and wetlands within the coastal zone. Both of these

3 COMMENTS AND RESPONSES

alternatives are potentially feasible and would be less environmentally damaging to biological resources than the Proposed Project. It is noted that the CCC may define vernal pools and water bodies containing San Diego fairy shrimp as ESHA and the CCC may apply more resource-sensitive policies of the CCA to those areas as a part of the CCC permitting process.

A4-3 A comparison of the project alternatives and the Proposed Project is provided in Chapter 6: Comparison of Alternatives of the Draft EIR. As described in Chapter 6, both Alternatives 4 and 5 would reduce environmental impacts compared to the Proposed Project. Alternative 4 impacts are compared with the Proposed Project in Section 6.4.3 of the Draft EIR, and Alternative 5 impacts are compared with the Proposed Project in Section 6.4.4 of the Draft EIR. Both alternatives would reduce impacts on sensitive species, habitats, aesthetic resources, and recreation within the coastal zone.

A4-4 Alternative 5 would reduce impacts on potential ESHA and would avoid installation of any permanent structures within the coastal zone. Temporary impacts from stringing sites and pole work areas within the coastal zone and potential ESHA would be 0.61 acre. These temporary impacts are not expected to result in significant disruptions of habitat value within potential ESHA areas. The impact on potential ESHA from access roads in Alternative 5 would be 0.26 acre. The impacts from access road installation were conservatively estimated and these impacts may be further reduced or avoided by SDG&E during final design and permitting. See General Response GR-15 for further details regarding access road impacts. Refer to Section 4.1, Impact Bio-8 of the Draft EIR for an analysis of impacts to sensitive habitat communities including ESHA. Impacts to sensitive habitats would be less than significant with mitigation.

Of the alternatives analyzed in the EIR, Alternative 5 is the least environmentally damaging alternative. It is noted that the CCC has the same concerns regarding impacts on ESHA from construction of Alternatives 4 and 5 as the Proposed Project. The CPUC understands that the CCC will evaluate consistency with CCA policies prior to issuing a permit for impacts within the coastal zone.

A4-5 Comment noted. The CPUC acknowledges the CCC's request to consider an alternate route to the Proposed Project that would avoid all temporary and permanent impacts within ESHA; however, there is no potentially feasible route that would avoid all impacts to ESHA without resulting in much greater environmental impacts. The Peñasquitos Substation, the terminus for the proposed 230-kV transmission line, is surrounded by coastal zone on three sides. The only way to access Peñasquitos Substation without constructing within ESHA would be to approach from the northeast through Del Mar Mesa Preserve. If the project was routed through this area SDG&E would have to acquire ROW through the preserve because one does not currently exist. Because there is no ROW and no existing

3 COMMENTS AND RESPONSES

access, SDG&E would have to create access roads and maintenance pads, impacting a greater habitat area within Del Mar Mesa Preserve than the Proposed Project or any alternative analyzed in the EIR. Construction within Del Mar Mesa Preserve would have greater impacts on erosion, hydrology, cultural resources, and paleontological resources from ground-disturbing activities than the Proposed Project. There would be significant aesthetics impacts as well from the addition of infrastructure to an environment relatively free of views of industrial elements. Routing a transmission line through this area would be more environmentally damaging than the Proposed Project and any alternative analyzed in the EIR and would therefore not be consistent with the CEQA requirement that an alternative avoid or reduce significant impacts of the Proposed Project.

Alternative 5 is the least environmentally damaging alternative analyzed in the EIR. Alternative 5 does not include permanent impacts on ESHA other than potential access road improvements. SDG&E may be able to further reduce temporary impacts on sensitive habitats during final design should Alternative 5 be approved by the CPUC. See response to comment A4-4.

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Comment Letter A5

**PALA TRIBAL HISTORIC
PRESERVATION OFFICE**

PMB 50, 35008 Pala Temecula Road
Pala, CA 92059
760-891-3510 Office | 760-742-3189 Fax



September 22, 2015

California Public Utilities Commission
1 Embarcadero Center, Suite 740
San Francisco, CA 94111

Re: SDG&E's Sycamore- Penasquitos 230- kilovolt Transmission line Project

Dear Mr. Blanchard:

The Pala Band of Mission Indians Tribal Historic Preservation Office has received your notification of the project referenced above. This letter constitutes our response on behalf of Robert Smith, Tribal Chairman.

A5-1

We have consulted our maps and determined that the project as described is not within the boundaries of the recognized Pala Indian Reservation. The project is also beyond the boundaries of the territory that the tribe considers its Traditional Use Area (TUA). Therefore, we have no objection to the continuation of project activities as currently planned and we defer to the wishes of Tribes in closer proximity to the project area.

We appreciate involvement with your initiative and look forward to working with you on future efforts. If you have questions or need additional information, please do not hesitate to contact me by telephone at 760-891-3515 or by e-mail at sgaughen@palatribe.com.

Sincerely,

Shasta C. Gaughen, PhD
Tribal Historic Preservation Officer
Pala Band of Mission Indians

ATTENTION: THE PALA TRIBAL HISTORIC PRESERVATION OFFICE IS RESPONSIBLE FOR ALL REQUESTS FOR CONSULTATION. PLEASE ADDRESS CORRESPONDENCE TO **SHASTA C. GAUGHEN** AT THE ABOVE ADDRESS. IT IS NOT NECESSARY TO ALSO SEND NOTICES TO PALA TRIBAL CHAIRMAN ROBERT SMITH.

Consultation letter 1

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3.2.5 **Response to Letter A5: Shasta C. Gaughen, Pala Tribal Historic Preservation Office**

A5-1 It is noted that the Proposed Project is located outside of the boundaries of the recognized Pala Indian Reservation and Traditional Use Area.

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Comment Letter A6

October 29, 2015

Attn: California Public Utilities Commission
c/o Panorama Environmental, Inc.
1 Embarcadero Center, Suite 740
San Francisco, CA 94111



RE: San Diego Gas & Electric's Sycamore – Peñasquitos 230-Kilovolt Transmission Line Project (A-14-04-011)

A6-1 The Soboba Band of Luiseño Indians appreciates your observance of Tribal Cultural Resources and their preservation in your project. The information provided to us on said project(s) has been assessed through our Cultural Resource Department, where it was concluded that although it is outside the existing reservation, the project area does fall within the bounds of our Tribal Traditional Use Areas. At this time the Soboba Band does not have any specific concerns regarding known cultural resources in the specified areas that the project encompasses, but does request that the appropriate consultation continue to take place between the tribes, project proponents, and government agencies.

A6-2 Also, working in and around traditional use areas intensifies the possibility of encountering cultural resources during any future construction/excavation phases that may take place. For this reason the Soboba Band of Luiseño Indians requests that approved Native American Monitor(s) be present during any future ground disturbing proceedings, including surveys and archaeological testing, associated with this project. The Soboba Band wishes to defer to other tribes, further down south, closer to the project area. Please feel free to contact me with any additional questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read "Joe", with a long horizontal line extending to the right.

Joseph Ontiveros
Cultural Resource Director
Soboba Band of Luiseño Indians
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov

Confidentiality: The entirety of the contents of this letter shall remain confidential between Soboba and the Public Utilities Commission. No part of the contents of this letter may be shared, copied, or utilized in any way with any other individual, entity, municipality, or tribe, whatsoever, without the expressed written permission of the Soboba Band of Luiseño Indians.

3 COMMENTS AND RESPONSES

3.2.6 **Response to Letter A6: Joseph Ontiveros, Soboba Band of Luiseño Indians**

- A6-1 It is noted that the project is located within the Soboba Band of Luiseno Indians Traditional Use Area and the Tribe requests continued consultation with the project proponent and government agencies.
- A6-2 Mitigation Measure Cultural Resources-1 requires that the cultural resources monitoring teams include a Native American monitor as requested in this comment.

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Comment Letter A7

Sycamore- Penasquitos 230 kv Transmission Line Draft EIR

1 message

Rubalcava, Eric <ERubalcava@sandiego.gov> Mon, Sep 28, 2015 at 1:23 PM
To: "sycamorepenasquitos@panoramaenv.com" <sycamorepenasquitos@panoramaenv.com>
Cc: "Amen, Rania" <RAmen@sandiego.gov>, "jeff.thomas@panoramaenv.com" <jeff.thomas@panoramaenv.com>

Jeff, attached are our comments for the water review side of City of San Diego Public Utilities, Wastewater comments to follow. Thanks.

- A7-1 [ES-52, There needs to be language more specific than "mitigation", there needs to be language that project will protect underground water and sewer utilities in place or relocate existing utilities prior to 230-kVTransmission Line Work.
- A7-2 [4-17, There needs to be language in place in regards to expected water usage post construction, where the expected service will come from, and what day to day demand variations will be.
- A7-3 [4-17 There needs to be language on protecting water lines in place or relocating prior to 230-kVTransmission Line Work.
- A7-4 [4-17 Identify specific water lines that will be potentially impacted for each stretch of work. The ability to supply fire flow depends on impacted water utilities. Every water main out of service due to project will result in reduce fire flow supply for the region and water hydrants out of service. These impacts need to be identified to develop a contingency plan for water supply and emergency fire flow.

Eric Rubalcava, P.E., MPA

Senior Civil Engineer | EPM Division | Public Utilities Department

9192 Topaz Way | San Diego, CA 92123

Ph. (858) 654-4284 | Erubalcava@sandiego.gov



3 COMMENTS AND RESPONSES

3.2.7 Response to Letter A7: Erica Rubacalva, San Diego Public Utilities Department

A7-1 “Mitigation” is a CEQA term, used to define a feasible measure that will avoid or substantially lessen significant effects of the Proposed Project or an alternative. Once adopted by the CPUC as part of a mitigation monitoring report, the mitigation measure is legally binding and requires that the lead agency follow through with the requirements specified.

The mitigation measures referenced in Section ES.6.18, Mitigation Measure Utilities-2, Utilities-3, and Utilities-4, were proposed to reduce potential collocation accidents with existing pipelines and corrosion on adjacent utilities. The full analysis of potential impacts on existing underground utilities during construction and operation of the Proposed Project can be found under Impact Utilities-8 in the Draft EIR. Per Mitigation Measure Utilities-3, no subsurface work shall be conducted that would conflict with a buried utility, which includes sewer and water.

A7-2 As described in Section 4.17: Utilities and Public Service Systems of the Draft EIR, water would be used in the post-construction period for site restoration. The amount of water required for operation and maintenance activities is estimated to be less than 77 acre-feet per year for up to 3 years of operation during vegetation establishment. Per Mitigation Measure Hydrology-3, water for restoration purposes would be reclaimed, non-potable water from municipal suppliers. There is surplus available treated wastewater in the City of San Diego (See Attachment 2: Agency Correspondences of the Final EIR for records of correspondence with the City of San Diego). The total area of temporary impacts that would be subject to restoration is approximately 26 acres. Due to the variable nature of water required for restoration, more specific estimates are not available.

A7-3 See response to comment A7-1. All underground utilities, including water pipelines, would be protected in place.

A7-4 See response to comment A7-1. All underground utilities, including water pipelines, would be protected in place. The location of all water pipelines will be identified during final engineering of the project. Access to water hydrants during emergencies would not be inhibited during construction.

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Comment Letter A8

Sycamore Penasquitos

1 message

Faramarzi, Mike <MFaramarzi@sandiego.gov> Wed, Oct 7, 2015 at 7:42 AM
To: "sycamorepenasquitos@panoramaenv.com" <sycamorepenasquitos@panoramaenv.com>
Cc: "Wedeking, Matthew" <MWedeking@sandiego.gov>, "Amen, Rania" <RAmen@sandiego.gov>

Hi Jeff; We looked at the draft EIR and since we don't have the selected alignment yet and we do not see detail drawings, we do not have a substantial comment that would be really important at this point. We may have some in the future if we have the detail drawings. We just have this general comment for you.

A8-1 | Both the alternative and proposed transmission lines share similar alignments with existing sewer mains and trunk sewers. We prefer to have 10-foot horizontal separation between sewer mains and any other utility infrastructure. Separations of less than 10 feet must be approved by the Senior Civil Engineer of Water and Sewer Development Section, Public Utilities Department.

Thanks

Mike Faramarzi

Senior Civil Engineer

Public Utilities Department

858-614-4518

 **SDGE EIR.PDF**
567K

3 COMMENTS AND RESPONSES

3.2.8 Response to Letter A8: Mike Faramarzi, San Diego Public Utilities Department

A8-1 The preference by the City of San Diego Public Utilities Department to maintain a 10-foot horizontal separation between sewer mains and other utility infrastructure is noted. As required by Mitigation Measure Utilities-3, the proposed underground alignment shall be located to avoid conflict with existing utilities and provide adequate operational and safety buffering. Additional language has been added to Mitigation Measure Utilities-3 requiring SDG&E to submit the design to the Senior Civil Engineer of Water and Sewer Development Section for review if the separation between the proposed underground transmission line and existing sewer mains is less than 10 feet:

Mitigation Measure Utilities-3: Notify Utility Companies and Adjust Underground Work Locations. SDG&E shall notify all utility companies with utilities located within or crossing SDG&E ROW and franchise agreement area to locate and mark existing underground utilities along the entire length of the alignment at least 30 days prior to construction. No subsurface work shall be conducted that would conflict with (i.e., directly impact or compromise the integrity of) a buried utility. In the event of a conflict, the project underground alignment shall be realigned vertically and/or horizontally, as appropriate, to avoid other utilities and provide adequate operational and safety buffering. In instances where separation between City of San Diego sewer mains and the underground duct bank alignment is less than 10 feet, SDG&E shall submit the intended construction methodology to the City of San Diego Public Utilities Department Water and Sewer Development Section for approval at least 30 days prior to construction. Construction methods shall be adjusted as necessary to assure that the integrity of existing sewer mains is not compromised.

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Comment Letter A9

THE CITY OF SAN DIEGO

November 2, 2015

California Public Utilities Commission
Attn: Billie Blanchard
505 Van Ness Avenue
San Francisco, CA 94102

Submitted via email to: sycamorepenasquitos@panoramaenv.com

Subject: **CITY OF SAN DIEGO COMMENTS ON THE DRAFT EIR FOR THE SYCAMORE-
PEÑASQUITOS 230 KILOVOLT TRANSMISSION LINE PROJECT (SCH# 2014081031)**

The City of San Diego ("City") CEQA has received the Draft Environmental Impact Report (EIR) prepared by the California Public Utilities Commission (CPUC) Energy Division and distributed it to multiple City departments for review. The City, as a Responsible Agency under CEQA, has reviewed the Draft EIR and appreciates this opportunity to provide comments to the CPUC. In response to this request for public comments, the City has identified potential environmental issues that may result in a significant impact to the environment. Continued coordination between the City, CPUC, and other local, regional, state, and federal agencies will be essential. Following are comments on the Draft EIR for your consideration.

Both the City's Transportation and Storm Water Department and the Parks and Recreation Department have provided comments to the CPUC on the Draft EIR for this project, as further detailed below.

Mark Stephens, Associate Planner
Transportation & Storm Water Department
mgstephens@sanidiego.gov, 858-541-4361

4.6 Hydrology and Water Resources

- A9-1 | Page 4.6-2: In the last paragraph of Section 4.6.2.1, Regional Setting, correct terminology for the "MS4" acronym is "municipal separate storm sewer system."
- A9-2 | Page 4.6-16: Under the City of San Diego Municipal Code heading, the Storm Water Management and Discharge Control Ordinance referenced was amended, with the revisions taking effect August 15, 2015 to comply with an updated MS4 Permit. Substitute the current NPDES Permit No. [CAS0109266](#) (here and in other references to this permit).
- A9-3 | Page 4.6-17: Under the City of San Diego Land Development Manual heading, please be aware that the City of San Diego Storm Water Standards Manual is being updated in compliance with the current

Planning Department
1222 First Avenue, MS 413 – San Diego, CA 92101-4155
Tel (619) 235-5200

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A9-3 MS4 Permit. A Regional Best Management Practices (BMP) Design Manual that conforms to current MS4 Permit requirements will supersede the existing Countywide Model Standard Urban Runoff Stormwater Mitigation Plan (SUSMP). Also note that the City of San Diego Jurisdictional Runoff Management Plan (JRMP) encompasses City-wide programs and activities designed to prevent and reduce storm water pollution within City boundaries. This plan was adopted by the City Council on June 16, 2015. In addition, multi-jurisdictional water quality improvement plans (WQIPs) have been prepared for different watershed management areas to protect, preserve, enhance, and restore water quality of receiving water bodies. This includes the Los Peñasquitos Watershed Management Area Water Quality Improvement Plan.

9 Mitigation Monitoring and Reporting Plan

A9-4 Page 9-42: The City of San Diego looks forward to reviewing the Storm Water Pollution Prevention Plan (SWPPP) as described in Table 9.1-1 under Mitigation Measure Hydrology-1.

Chris Zirkle, Deputy Director
Parks and Recreation Department, Open Space Division
czirkle@sandiego.gov, 619-685-1323

Executive Summary

A9-5 ES.2.2: If any work or access is occurring on City of San Diego lands outside of an SDGE easement, please contact the City Real Estate Assets division to obtain a right-of-entry permit.

A9-6 ES.5.2.1/2: The statement that this alternative would not result in greater environmental impacts should be revised to incorporate impacts to an MSCP-covered population of *Dudleya variegata* and an MSCP regional long-term monitoring site.

A9-7 ES.5.2.3: Is the new cable pole discussed in this alternative in addition to the recently added TSP installed at the Peñasquitos junction?

A9-8 ES.5.2.4: Open Space is concerned with the proposal to leave the unused H-frame and de-energized line in place on the northern border of Los Peñasquitos Canyon Preserve.

A9-9 Page ES-70: Mitigation Measure Bio-1a – Please note that smoking is not allowed in City of San Diego Open Space by ordinance.

A9-10 Page ES-82: Habitat Restoration Plan for City Open Space areas to be reviewed/approved by City MSCP biologist.

A9-11 Page ES-90: Mitigation Measure Bio-11 – Reseeded areas on and adjacent to City of San Diego lands shall use a seed mix(es) specific to the site and approved by the City of San Diego MSCP biologist.

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- A9-11 | Failure to do this could result in significant long-term impacts to habitat quality on MSCP-conserved open space lands, costing the City extensively and resulting in jeopardy of the MSCP ‘take’ permit.

Project Description

- A9-12 | 1. The Project Description lists a number of construction techniques options which could conceivably be implemented to minimize biological resource impacts and the “Applicant Proposed Measures” include minimizing biological resource impacts; however, there is no commitment to using these options and techniques in environmentally sensitive areas. For example, these techniques and options include: heavy lift helicopters “in areas with limited access”, micropile foundations “where access is limited” and “typical’ grading quantities for “typical” work areas. The project description also notes the use of “conventional tractor-trailer pulling equipment for stringing.
- Many of the proposed work sites are located in environmentally sensitive areas and are accessible only by relatively narrow and steep dirt roads with sharp corners. These should be considered areas with “limited access”. It is reasonable to expect that biological resource impacts erosion impacts from ground-disturbance at these worksites and within and adjacent to the access roads could be minimized by using the smallest equipment possible and by using helicopters.
- a. The EIR should include a commitment to using such equipment and construction techniques at all work sites, including re-conductoring sites, when doing so would reduce biological resource impacts and erosion-causing ground disturbance.
- b. The EIR should include a commitment to deviate from typically-sized work areas when doing so would reduce biological resource impacts and erosion-causing ground disturbance.
- c. The EIR should also describe an alternative to “conventional tractor-trailer pulling equipment” as moving equipment of this size into and around work sites could result in unnecessary biological resource impacts.
- A9-13 | 2. What is the nature of impacts at and size of the work area at re-conductoring sites?
- A9-14 | 3. Section 2.3.3.5 indicates that no tree removal would occur within structure work areas; however, the biological resources impact section indicates significant impacts to scrub oaks. This section should be revised.

Biological Resources

- A9-15 | The Biological Resources Section of the DEIR fails to provide even a brief discussion of the City’s Biology Guidelines or Environmentally Sensitive Lands Regulation. More specifically, **Subsection 4.1.4.3 Local** should include, at a minimum statement regarding the purpose and intent of the ESL Regulations which covers biological resources (uplands and wetlands), the City’s MSCP/MHPA, floodplains, steep hillsides, as well as coastal bluffs and beaches. The ESL Regulations can be found in Chapter 14 of the Land Development Code. The Biology Guidelines are designed to implement the ESL Regulations.

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- Table 4.1-3:**
Variegated dudleya should be listed as ‘high’ potential for the segment at Black Mountain Open Space Park where was known to occur within the past 25 years per the definition on page 4.1-9.
- Common name for Navarretia prostrata appears to be incorrect.
- A9-16 San Diego Mesa Mint are known from several occurrences on Del Mar Mesa; see City’s draft Vernal Pool HCP at <http://www.sandiego.gov/planning/programs/mscp/vphcp.shtml>
- Ashy spike-moss is known from the City’s long-term rare plant monitoring sites on Del Mar Mesa - <http://www.sandiego.gov/planning/programs/mscp/biomonitor/index.shtml>.
- San Diego fairy shrimp are known on Del Mar Mesa from the genetic analysis component of the City’s 2002-2003 Vernal Pool Inventory - <http://www.sandiego.gov/planning/programs/mscp/biomonitor/vpi/index.shtml>
- A9-17 Section 4.1.3.8: Note that the identified preserve areas are conserved under the City of San Diego’s Multiple Species Conservation Program and are, in many cases, purchased with grant-funds for conservation or mitigation for development projects.
- A9-18 Section 4.1.3.9: Note that the core resource areas and wildlife corridors noted in this section are based on the Multiple Species Conservation Program MSCP Plan (1998). City of San Diego 2014 reference is missing from the References section.
- A9-19 Table 4.1-9: Coast horned lizard is MSCP covered per Section 1.3 of the City’s MSCP Subarea Plan
- A9-20 San Diego fairy shrimp, Western spadefoot toad, red diamond rattlesnake, coast horned lizard, two-stiped garter snake, black-tailed jackrabbit and southern mule deer have been observed on Del Mar Mesa by City biologists during surveys in the past decade.
- A9-21 Northern harrier and white-tailed kite have been observed at Black Mountain Open Space Park by City biologists during surveys in the past decade.
- A9-22 Page 4.1-65: Mitigation Measure Bio-3 – Include process for when SDGE has an easement on City lands, including City review of weed control plan.
- A9-23 Weed Control Plan: Extra care with treating and completely eradicating non-native species should be taken with weed control on conserved lands that the City of San Diego relies on for their MSCP coverage.
- A9-24 Weed Control Plan: Include preventative measures protocols including vehicle wash stations to rid vehicles of weed seeds and lindahli fairy shrimp cysts, boot wash stations, etc. It is critical that San

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- A9-24 | Diego fairy shrimp populations not be mixed with *lindahli*, hybrid, or other invasive and/or non-sensitive species on Del Mar Mesa; this has already occurred on Carmel Mountain in SDGE access roads and is the subject of a study in *Journal of Crustacean Biology* titled *Landscape Homogenization Threatens the Genetic Integrity of the Endangered San Diego Fairy Shrimp *Branchinecta sandiegonensis** by Drs. Simovich, Davis and Bohonak. If this problem is expanded to Del Mar Mesa during this project, the cost to remediate the situation could be extremely high and could jeopardize the potential for a 'take' permit to be issued or maintained under the City of San Diego's proposed vernal pool HCP.
- A9-25 | Page 4.1-75: Mitigation Measure Bio-6 – In cases where impacts to sensitive vegetation communities occur in the City of San Diego MHPA, the mitigation shall also occur in the MHPA and shall be reviewed/approved by the City of San Diego MSCP Biologist.
- A9-26 | Page 4.1-88: Impact Bio-6 – Black-tailed jack rabbit are known to occur on Del Mar Mesa (incidental sightings by City biologists during annual rare plant and vernal pool surveys).
- A9-27 | Page 4.1-98: Indirect Impacts – An invasive species preventative measures protocol must be developed and included in the project plan to limit the invasive, non-native plant species brought into the work site on the soles of shoes or on the tires/undercarriages of vehicles/equipment.
- A9-28 | Page 4.1-99: Mitigation Measure Bio-11 – Reseeded areas on and adjacent to City of San Diego lands shall use a seed mix(es) specific to the site and approved by the City of San Diego MSCP biologist. Failure to do this could result in significant long-term impacts to habitat quality on MSCP-conserved open space lands, costing the City extensively and resulting in jeopardy of the MSCP 'take' permit.
- A9-29 | Page 4.1-102: Impact Bio-11 – City staff recognizes that PUC projects are not subject to local land use, zoning regulations and permitting in accordance with General Order No. 131-D, which is applicable to all components of a project including but not limited to the transmission lines and staging yards. As also stated, Section XIV.B obligates the utility to communicate with, and obtain the input of, local authorities regarding land-use matters and obtain any non-discretionary local permits. While a full analysis of the project's compliance with the ESL Regulations is not expected, should the utility be required to obtain a right of entry permit for access across City-owned open space or any other such instruments for use of, or access through City-owned lands, some degree of analysis would be required in order for staff to rely on this environmental document for issuance of ANY permit, ministerial or discretionary in nature. This section, at a minimum should include a brief discussion demonstrating how the project is consistent with the City's Environmentally Sensitive Lands Regulations (ESL) and Biology Guidelines.
- A9-30 | Section 4.1.10.1: Special Status Species – Note that the *Dudleya* population area identified by the City is the site of a long-term monitoring program with data collected for over a decade; impacts to the site would result in the loss of this regional long-term monitoring point.

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A9-31 [Figure 4.10-2 and Section 4.10.2.2 ‘Del Mar Mesa Preserve’: The trail system on Del Mar Mesa was expanded by a vote of City Council on August 4, 2015. The updated trail shapefile may be obtained from the City of San Diego (bmiller@sandiego.gov).

A9-32 [APM AES-3: Landscaping within City Open Space Parks shall consist of locally native species and be approved by the City’s MSCP Biologist.

Appendix G

A9-33 [Page G-17: San Diego goldenstar is present in Segment C on the State of California ‘bowtie’ parcel on Del Mar Mesa immediately to the east of the ‘no construction access’ area between E11 and E12; the site is a regional long-term rare plant monitoring location (<http://www.sandiego.gov/planning/programs/mscp/biomonitor/index.shtml>).

A9-34 [Page G-18: Orcutt’s brodiaea is present in Segment C on the State of California ‘bowtie’ parcel on Del Mar Mesa immediately to the east of the ‘no construction access’ area between E11 and E12 and within other vernal pools on Del Mar Mesa; the site is a regional long-term rare plant monitoring location (<http://www.sandiego.gov/planning/programs/mscp/biomonitor/index.shtml>).

A9-35 [Page G-20: Small-flowered morning glory in Segment C on the State of California ‘bowtie’ parcel on Del Mar Mesa immediately to the east of the ‘no construction access’ area between E11 and E12 and was recorded as part of the MSCP’s regional long-term rare plant monitoring program.

A9-36 [Page G-25: Variegated dudleya is present in Segment A between the Water Department storage facility and Carmel Valley Road; the site is a regional long-term rare plant monitoring location (<http://www.sandiego.gov/planning/programs/mscp/biomonitor/index.shtml>).

A9-37 [Page G-39: Ashy spike-moss is present in Segment C on the State of California ‘bowtie’ parcel on Del Mar Mesa immediately to the east of the ‘no construction access’ area between E11 and E12 and was recorded as part of the MSCP’s regional long-term rare plant monitoring program.

Myra Herrmann, Senior Planner/Archaeology/Tribal Liaison
Planning Department – Environmental & Resources Analysis Division

Cultural Resources

City staff generally concurs with the analysis provided in the DEIR for Cultural Resources, including proposed mitigation measures for sites within the City’s jurisdictional boundaries. However, we have the following comments or requests for revision and/or clarification in the section.

A9-38 [4.3.4.3 Local – Page 4.3-25
This subsection includes a discussion of the City’s General Plan, Historic Preservation Element and Historical Resources Guidelines, but fails to include a brief discussion of the Historical Resources

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Regulations. This subsection identifies the Guidelines as part of the Municipal Code, when they are actually part of the Land Development Manual. Furthermore, the subsection misidentifies the Guidelines as being the regulatory authority, when in fact that rests in the Historical Resources Regulations. As such, this subsection should be revised as shown in ~~strikeout~~/underline:

City of San Diego Municipal Code

~~The purpose and intent of the Historical Resources Guidelines Regulations of the City of San Diego's Land Development Code contain ordinances for is to protect, preserve and, where damaged, restore the historical resources of San Diego preserving, avoiding, and mitigating damage to historic resources. The Historical Resources Guidelines are designed to implement the City's Historical Resources Regulations (Chapter 14, Division 3, Article 2) and ensure consistency in the management of the City's historical resources, including identification, evaluation, preservation/mitigation and development.~~

A9-38

The following City of San Diego municipal codes ~~sections also apply to~~ Historical Resources:

- Municipal Code Chapter 11, Article 3, Division 1 defines several terms including the following: "Designated historical resource" means any historical resource, important archaeological site, or traditional cultural property which is designated by the Historical Resource Board, is included in the City of San Diego Historical Resources Board Register, or is eligible for listing in the CRHR or the NRHP.
- Municipal Code Chapter 12, Article 3, Division 2 establishes procedures to identify and designate for preservation those historical resources that embody the special elements of the City's heritage.
- Municipal Code Chapter 14, Article 3, Division 2 establishes regulations to protect, preserve, and restore the historical resources of San Diego.
- Municipal Code Chapter 14, Article 3, Division 2, Section 145.0253 requires that important archaeological sites shall be preserved in their natural state. If necessary to achieve a reasonable development area, up to 25 percent encroachment into any important archaeological site is allowed. Under specific conditions, a total encroachment of 40 percent into important archaeological sites is permitted for essential public service projects. Any encroachment into an important archaeological site shall include measures to mitigate for the partial loss of the site. APMs shall include preservation through avoidance of the remaining portion of the site and implementation of a research design and excavation program that recovers the scientific value of the portion of the site that would be lost due to encroachment.

A9-39

As stated previously under the Biological Resources comments, City staff recognizes that PUC projects are not subject to local land use, zoning regulations and permitting in accordance with General Order No. 131-D and no discretionary permits would be required relative to potential impacts on historical resources; however, we respectfully request immediate notification in the event that any human remains or new archaeological sites are encountered during monitoring within the City's jurisdictional boundaries. The City's Historical Resources Guidelines provide direction for the discovery of new archaeological sites and human remains. Additionally, specific protocols for human remains consultation were developed to ensure the appropriate treatment and repatriation of the remains in a dignified manner in accordance with the California Public Resources Code and the State Health & Safety Code. Furthermore, the City has specific requirements for the treatment of soil which contains human remains and/or burial related objects before it can be removed from a project site or returned to the trench.

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A9-39 | Should these circumstances arise during the course of construction-related activities on the project, City staff (archaeologist/Tribal Liaison) would be available to assist during consultation with the Most Likely Descendant identified by the NAHC.

Thank you for the opportunity to provide comments on the Draft EIR. Please contact me directly if there are any questions regarding the contents of this letter or if CPUC staff or the consultant team would like to meet with City staff to discuss our comments. Please feel free to contact me directly via email at mherrmann@sandiego.gov or by phone at 619-446-5372.

Sincerely,



Myra Herrmann, Senior Environmental Planner
Planning Department

cc: Reviewing Departments (via email)
Review and Comment online file

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3.2.9 Response to Letter A9: Myra Herrmann, San Diego Planning Department

- A9-1 The MS4 acronym has been revised in response to this comment under Section 4.6.2.1 of the Draft EIR and in the list of Acronyms and Abbreviations:
- Stormwater within San Diego is generally conveyed into the City’s municipal separate ~~stormwater storm sewer~~ system (MS4), which consists of modified natural drainages and built drainages.
- MS4 ~~Regional~~Municipal Separate Storm~~water~~ Sewer System
- A9-2 The permit number has been revised throughout the Draft EIR in response to this comment:
- The intent of the ordinance is to protect and enhance the water quality of watercourses, water bodies, and wetlands in a manner pursuant to and consistent with the CWA (33 USC Section 1251 *et seq.*) and NPDES Permit No. ~~CA0108758~~ CAS0109266, as amended.
- A9-3 It is noted that the City is in the process of updating the City of San Diego Storm Water Standards Manual in compliance with the current MS4 permit.
- A9-4 Comment noted. The City will have an opportunity to review the SWPPP as required in Mitigation Measure Hydrology-1.
- A9-5 Comment noted.
- A9-6 Alternative 1 would not impact *Dudleya variegata* (also referred to as variegated dudleya), as this plant species is not located within the Alternative 1 area. Alternative 2a occurs in an area of highly suitable habitat for *Dudleya variegata* as described in Section 4.1.10.1 of the Draft EIR. Impact Bio-1 for Alternative 2a describes that the alternative could impact variegated dudleya. Impacts on all special-status plant species, including *Dudleya variegata*, would be reduced with implementation of Mitigation Measures Biology-1, Biology-2, and Biology-3. The Executive Summary of the Draft EIR also stated, “Both underground options, Alternative 2a and Alternative 2b, would result in greater impacts on sensitive vegetation communities than the Proposed Project because they would both require trenching in a City MSCP Preserve.” The language in the Executive Summary correctly summarizes the overall level of impact compared to the Proposed Project. Table 6.4-3 of the Draft EIR states that Alternative 2a would result in greater impacts on special-status species including *Dudleya variegata* compared to Alternative 1, Alternative 2b, and the Proposed Project. The EIR correctly reflects the impacts on variegated dudleya and no changes are required.
- A9-7 The recently added pole at Peñasquitos Junction was placed by SDG&E to mitigate clearance violations. This pole would no longer be necessary with implementation

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of the Proposed Project and would therefore be removed during Proposed Project construction. The cable pole, mentioned under the Alternative 3 summary, would be a new cable pole and is not the recently installed steel pole at Peñasquitos Junction. The recently added pole would also no longer be necessary under Alternative 3 and would be removed should Alternative 3 be approved and constructed. Additional details regarding the new TSP, P43, located approximately 450 feet west of Peñasquitos Junction, is provided in Section 3.5.3.1 of the Draft EIR.

A9-8 Comment noted. SDG&E has stated that they would not remove the de-energized line from the open space areas if Alternative 4 is approved by the CPUC. The CPUC cannot require removal of the de-energized line under CEQA because the removal of the line would not mitigate an impact of the Proposed Project. See also General Response GR-14.

A9-9 Mitigation Measure Biology-1a has been revised to indicate that smoking is not permitted within the City of San Diego Open Space in response to this comment:

9. Wildfires shall be prevented or minimized by exercising care when driving and by not parking vehicles where catalytic converters can ignite dry vegetation. In times of high fire hazard, trucks shall carry water and shovels, or fire extinguishers in the field. The use of shields, protective mats, or other fire prevention methods shall be used during grinding and welding to prevent or minimize the potential for fire. Care shall be exhibited when smoking in permitted areas. Smoking is not permitted within City of San Diego Open Space.

A9-10 Mitigation Measure Biology-6 has been revised to indicate review and approval of Habitat Restoration Plan by City of San Diego MSCP biologist in response to this comment. See response to comment A2-8 for revisions to Mitigation Measure Biology-6.

A9-11 Comment noted. Language within Mitigation Measure Biology-11 states “Specific reseeding requirements stipulated in this mitigation measure shall be subject to approval and modification by any public land-owning agency.” The mitigation measure is clarified to include public-land owning agency input on the reseeding plan, as follows:

Mitigation Measure Biology-11: Reseeding for Fires. Should a fire occur and be determined by the CPUC’s Consumer Protection and Safety Division or the California Department of Forestry and Fire Protection (Cal Fire) to be caused by the project, SDG&E shall reseed all natural areas — both public and private — that are burned as a result of the project-caused fire. Reseeding shall continue until the native vegetation community is reestablished. For example, arid chaparral requires a minimum 10-year period to reestablish an adequate seed bank and thereby resist vegetation type conversion. A reseeding plan shall be developed with input from Cal Fire ~~and~~, CPUC, and City of San Diego (for ROW

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within and adjacent to City of San Diego MHPA) based on a native seed mix. Seeds shall be raked into the soil to avoid seed consumption, and reseeding shall be carried out once to coincide with the rainy season (October 1 through April 1) to increase the likelihood of germination success. SDG&E shall provide a written report documenting all reseeding activities to the CPUC. SDG&E shall make a good faith effort to obtain approval to reseed on private lands, as appropriate, and documentation of this good faith effort shall be submitted to the CPUC upon request. Specific reseeding requirements stipulated in this mitigation measure shall be subject to approval and modification by any public land-owning agency.

A9-12 Where possible, existing work areas would be used because most of the new poles would be located near existing poles, which already include an SDG&E-maintained work area (refer to Appendix A: Detailed Project Route Maps of the Draft EIR for aerial images of new pole areas). Mitigation Measures Biology-1 through Biology-11 would be implemented to reduce any impacts on biological resources (refer to Section 4.1.8 of the Draft EIR), and Mitigation Measure Hydrology-1 would be implemented to reduce any impacts on erosion associated with new work areas (refer to Section 4.6.7 of the Draft EIR).

Several types of construction equipment would be required for each phase of construction. A complete list is identified under Table 2.3-7 of the Draft EIR. The other construction equipment listed would require appropriately sized work areas similar to pulling rig/wire puller (referred to as conventional tractor-trailer pulling equipment). The pulling rig/wire puller is a necessary piece of equipment to achieve appropriate tension on the transmission lines. The pulling rig equipment could range from the size of a line truck (standard power line operating vehicle) to a tractor trailer depending on the location. Figure 3.2-1 shows typical pulling rig equipment that can be expected at the stringing sites.

A9-13 Activities associated with reconductoring include removal of old conductor, replacement of existing hardware and insulators when necessary, and installation of new conductor. The footprints of existing lattice towers or TSPs would not increase as a result of implementation of the Proposed Project; therefore, no permanent biological resource impacts would result from reconductoring. However, temporary impacts would result from habitat loss in order to provide adequate work space for line trucks and pulling/tensioning equipment. As described in Section 2.3.3.5 of the Draft EIR, most vegetation clearing activities would involve overgrown brush removal, trimming, and mowing. A mowing skid steer, weed whackers, blading equipment, and hand tools would be used for vegetation removal and trimming. The size of work areas at individual tower and pole structures would vary based on the work space clearance required. Furthermore, the resulting temporary habitat loss would vary based on the extent of existing cleared area at individual tower and pole structures and site-specific topography, which influences the extent of grading

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Figure 3.2-1 Typical Pulling Equipment



A bucket truck is shown in the foreground.



The cable reel and pulling rig are shown towed behind a line truck.

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for equipment access (i.e., steeper slopes tend to result in greater clearing and grading limits than do flatter or shallower topographic areas). The extent of anticipated work space areas are depicted in the detailed maps for the Proposed Project (refer to Draft EIR Appendix A: Proposed Project Pole Details) and project alternatives (refer to Draft EIR Appendix E: Detailed Alternative Route Maps).

A9-14 The language regarding tree removal under Section 2.3.3.5 of the Draft EIR has been removed in response to this comment:

~~No tree removal is anticipated to occur within structure work areas.~~

A9-15 A discussion of consistency between the Proposed Project and the Environmentally Sensitive Lands (ESL) Regulations and Biology Guidelines within the Land Development Code has been added under Impact Bio-11, as noted in response to comment A9-29. Information regarding the City of San Diego's Biology Guidelines has been added to Section 4.1: Biological Resources of the Draft EIR in response to this comment:

City of San Diego Land Development Code - Environmentally Sensitive Lands Regulations and Biology Guidelines

The City of San Diego Biology Guidelines have been formulated by the City's Development Services Department to aid in the implementation and interpretation of the Environmentally Sensitive Lands (ESL) Regulations of the San Diego Land Development Code (Chapter 14, Division 1, Section 143.0101 et seq.), and the Open Space Residential (OR-1-2) Zone, Chapter 13, Division 2, Section 131.0201 et seq. Section III of the Biology Guidelines (Biological Impact Analysis and Mitigation Procedures) also serve as standards for the determination of impact and mitigation under CEQA and the CCA.

The Biology Guidelines are the baseline biological standards for processing Neighborhood Development Permits, Site Development Permits and Coastal Development Permits issued pursuant to the ESL. The ESL Regulations are intended to guide development located in the vicinity of sensitive biological resources including MSCP/MHPA, wetlands, floodplains, steep hillsides, and coastal bluffs and beaches.

A9-16 Variegated dudleya has a high potential to occur within Black Mountain Ranch in Segment A of the alignment as noted in the comment; it was inadvertently marked with a dash in Table 4.1-3 of the Draft EIR. The following change has been made in Table 4.1-3 and Appendix G: Biological Resources Support Information of the Draft EIR in response to this comment. The revision does not affect the impact analysis or any significance conclusions drawn from the impact analysis because variegated dudleya was assumed to have a high potential to occur in the impact analysis (refer to 4.1.10.1 of the Draft EIR).

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The common name for *Navarretia prostrata* has also been revised in Table 4.1-3 of the Draft EIR.

Table 4.1-3:

Variegated dudleya <i>Dudleya variegata</i>	1B.2, NCCP, MSCP	-H	-	M	M	-
<u>Spreading Prostrate vernal pool</u> navarretia <i>Navarretia prostrata</i>	1B.1	-	-	M	M	-

Appendix G:

Variegated dudleya <i>Dudleya variegata</i>	1B.2, NCCP	Clay soils associated with vernal pools in chaparral, cismontane woodland, coastal sage scrub, and grassland/perennial herb/ April – June	Not observed in Segments A-D or any other work areas to date. Known historically from within 5 miles of the BSA (SDNHM 2013, CDFW 2013). Likely absent in Segments A and B and in the other work areas because of lack of suitable habitat (vernal pools). <u>High potential to occur within Segment A due to known presence in adjacent areas and suitable habitat.</u> Moderate potential to occur in Segments C and D because suitable habitat is present but limited.	AH	A	M	M	A
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The noted occurrences of Ashy spike-moss, San Diego mesa mint, and San Diego fairy shrimp in Del Mar Mesa are already reflected in Table 4.1-3. The table indicates that there is a high potential for these species within Segments C and D consistent with the comment. The species are not designated as present because they were not observed during surveys of the biological survey area.

A9-17 Additional information regarding the City of San Diego’s Preserves has been added to Section 4.1.3.8 of the Draft EIR in response to this comment:

Preserve areas within the Proposed Project region are shown on Figure 4.1-3. Portions of Segments A and B lie within the Black Mountain Open Space Preserve. The southern portion of Segment C falls within the Deer Canyon Environmental Mitigation Preserve LLC and Del Mar Mesa Preserve, and most of Segment D lies within the Los Peñasquitos Canyon Preserve. These preserves are conserved under the City of San Diego’s MSCP and are mostly purchased with grant-funds for conservation or mitigation for development projects. The Proposed Project would occur within an existing transmission line corridor through these preserve areas.

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A9-18 The citations under Section 4.1.3.9 of the Draft EIR were revised in response to this comment. The citations were inadvertently written as “City of San Diego 2014”. The reference for “City of San Diego 2014” was not included in the list of references because there is no such reference. A new citation, “City of San Diego 2012a”, has been added to the references for Section 4.1: Biological Resources of the Draft EIR. The previous “City of San Diego 2012” has been revised to “City of San Diego 2012b’ to accommodate the addition of the new reference.

Black Mountain Open Space Preserve is considered a core resource area, and one wildlife corridor links to the Black Mountain Open Space Preserve. That corridor includes Del Mar Mesa Preserve (City of San Diego [20142012a](#)). Black Mountain Open Space Preserve and Del Mar Mesa Preserve, along with other corridors connecting to Black Mountain Open Space Preserve ultimately allow for wildlife connections to Poway, Del Mar, Carlsbad, Santa Fe Valley, and other core resource areas (City of San Diego [20142012a](#)).

[. 2012a. Black Mountain Open Space Park Natural Resource Management Plan. March 2012.](#)

A9-19 The NCCP status of the coast horned lizard was added to Table 4.1-9 of the Draft EIR in response to this comment.

Coast horned lizard	SSC ₄ MSCP
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A9-20 The noted occurrences of San Diego fairy shrimp, Western spadefoot toad, red diamond rattlesnake, coast horned lizard, two-striped garter snake, black-tailed jackrabbit, and southern mule deer in Del Mar Mesa are reflected in Table 4.1-3 of the Draft EIR. The table indicates that there is a high potential for these species within Segments C and D, which cross through the Del Mar Mesa area. No changes were made.

A9-21 The noted occurrences of Northern harrier and white-tailed kite in Black Mountain Open Space Park are reflected in Table 4.1-3 of the Draft EIR. The table indicates that there is a high potential for these species within Segment A, which crosses through the Black Mountain Open Space Park. No changes were made.

A9-22 The following edits have been made to Mitigation Measure Biology-3 in response to this comment:

Mitigation Measure Biology-3: Weed Control Plan. SDG&E shall prepare and implement a comprehensive, adaptive Weed Control Plan for pre-construction and long-term invasive, non-native species abatement. Developed land shall be excluded from weed control. Where SDG&E owns the property, the Weed Control Plan shall include specific weed abatement methods, practices, and treatment timing developed [specifically for the Project area by qualified](#)

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~~individuals with at least 5 years of weed control experience within San Diego County. The Weed Control Plan shall address control methods and issues controlling invasive non-native species within all vegetation communities and land cover types found along the Project alignment in consultation with the San Diego County Agriculture Commissioner's Office and the California Invasive Plant Council (Cal-IPC). On ROW easement on MCAS Miramar, the Weed Control Plan shall incorporate all appropriate and legal U.S. Marine Corps-stipulated regulations. The Weed Control Plan shall be submitted to MCAS Miramar for final authorization of weed control methods, practices, and timing prior to implementation of weed control on MCAS Miramar. The Weed Control Plan shall be submitted to the City of San Diego for final authorization of weed control methods, practices, and timing prior to implementation of any weed control within the City of San Diego MHPA.~~

The Weed Control Plan shall include the following:

- ~~A pre-construction weed inventory shall be conducted by surveying the entire ROW and areas immediately adjacent to the ROW where access permission is obtained, as well as at all ancillary facilities associated with the Project project for weed populations that: (1) are considered by the San Diego County Agriculture Commissioner or MCAS Miramar (for ROW on MCAS Miramar), or City of San Diego (for ROW within the City of San Diego MHPA) as being a priority for control, (2) are weed populations that are rated High or Moderate for negative ecological impact in the California Invasive Plant Inventory (online) Database (Cal-IPC 2006 [and 2007 update]; <http://www.cal-ipc.org/ip/inventory/index.php>) or are weed species of concern to MCAS Miramar (for ROW on MCAS Miramar), and (23) aid and promote the spread of wildfires in San Diego County. Prolific wildfire promoting species such as brome grasses (*Bromus* sp.) shall be mapped but not targeted for control outside of Project impact areas. These populations shall be mapped and described according to density and area covered. These plant species shall be treated prior to construction or at a time when treatments would be most effective based on phenology according to control methods and practices for invasive weed populations included in the Weed Control Plan designed in consultation with the San Diego County Agriculture Commissioner's Office and Cal-IPC, or required by MCAS Miramar, or City of San Diego as appropriate.~~
- ~~A pre-construction weed inventory shall also be conducted by surveying areas that will be directly impacted by the project for weed populations that are rated High or Moderate for negative ecological impact in the California Invasive Plant Inventory (online) Database (Cal-IPC 2006 [and 2007 update]; [Sycamore-Peñasquitos 230-kV Transmission Line Project Final Environmental Impact Report • March 2016](http://www.cal-</div><div data-bbox=)~~

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~~ipc.org/ip/inventory/index.php) or are weed species of concern to MCAS Miramar (for ROW on MCAS Miramar). These plant species shall be treated prior to construction or at a time when treatments would be most effective based on phenology according to control methods and practices for invasive weed populations designed in consultation with Cal IPC and MCAS Miramar (for treatment in ROW on MCAS Miramar).~~

- Weed control treatments shall include all legally permitted methods to be used in the following prioritized order: preventative, manual, mechanical, and chemical. All treatments shall be applied with the authorization of the ~~San Diego County Agriculture Commissioner~~ and, MCAS Miramar, and City of San Diego as appropriate. The application of herbicides shall be in compliance with all state and federal laws and regulations under the prescription of a Pest Control Advisor (PCA) and implemented by a Licensed Qualified Applicator. Where manual and/or mechanical methods are used, disposal of the plant debris will be within an approved landfill area within San Diego County follow the regulations set by the San Diego County Agriculture Commissioner. The timing of the weed control treatment shall be determined for each plant species in consultation with the PCA for the Project, San Diego County Agriculture Commissioner, Cal IPC, and with MCAS Miramar, and City of San Diego as appropriate, with the goal of controlling populations before they start producing seeds. For the lifespan of the project (i.e., as long as the project is physically present), long-term measures to control the introduction and spread of weeds in the project area shall be taken as follows.
 - From the time construction begins until 2 years after construction is complete, annual surveying for new invasive weed populations and the monitoring of identified and treated populations shall be required in the survey areas described above. After this time, surveying for new invasive weed populations and monitoring of identified and treated populations shall be required at an interval of every two years. However, the treatment of weeds shall occur on a minimum annual basis, unless otherwise approved by the PCA, ~~the San Diego County Agriculture Commissioner, Cal IPC, and~~ MCAS Miramar, and City of San Diego as appropriate.
 - During project construction and operation/maintenance, all seeds and straw materials shall be certified weed free, and all gravel and fill material shall also be certified weed free ~~by the San Diego County Agriculture Commissioner's Office.~~

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- During project construction, vehicle and boot wash stations shall be provided.

- A9-23 Comment noted. See the edits made to Mitigation Measure Biology-3 in response to comment A9-22 above to include review and approval from the City of San Diego.
- A9-24 A sentence requiring wash stations has been added to Mitigation Measure Biology-3 as shown in response to comment A9-22 above.
- A9-25 See the edits made to Mitigation Measure Biology-6 as shown in response to comment A9-10, which requires review and approval by the City of San Diego for restoration within City of San Diego MHPA with respect to mitigation of temporary vegetation impacts. Permanent habitat loss would be mitigated through off-site purchase/dedication of suitable habitat for preservation. Off-site purchase would be based on available lands that provide high quality habitat roughly equivalent in composition to the habitats that would be impacted by the project and at appropriate acreages (per Mitigation Measure Biology-6). Such lands may or may not be located within the City of San Diego.
- A9-26 In the EIR analysis, the black-tailed jack rabbit has a high potential to occur based on the presence of suitable habitat. The incidental sightings of black-tailed jack rabbit on Del Mar Mesa are consistent with the high potential to occur noted in the EIR. No changes to the EIR are needed.
- A9-27 Comment noted. See responses to comments A9-24 and A9-22.
- A9-28 Comment noted. See response to comment A9-11 for revision to Mitigation Measure Biology-11.
- A9-29 Appendix K: Multiple Species Conservation Plan Subarea Consistency of the Draft EIR provides a consistency analysis of the Proposed Project with the City of San Diego MSCP Subarea Plan. In that the Proposed Project has been found to be consistent with the Subarea Plan, it is also generally consistent with the ESL Ordinance and Biology Guidelines. This is particularly true in regards to minimizing biological resource impacts and the compensatory mitigation requirements identified in EIR mitigation measures.

A discussion of consistency between the Proposed Project and the ESL Regulations and Biology Guidelines within the Land Development Code has been added under Impact Bio-11:

Construction

City of San Diego Land Development Code (Environmentally Sensitive Lands Regulations and Biology Guidelines)

Any ministerial or discretionary permit issued by the City of San Diego for the Proposed Project construction (e.g., a right-of entry permit for access across City-

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owned open space) requires the City to confirm that the activity(ies) subject to the permit are consistent with the City's Land Development Code Environmentally Sensitive Lands (ESL) Regulations and Biology Guidelines.

Proposed Project construction would be consistent with the ESL regulations and Biology Guidelines in that SDG&E would:

1. Obtain permits when required for any listed species and wetland impacts including authorizations from the USFWS, USACE, CDFW, RWQCB, and the CCC,
2. Avoid and minimize wetland impacts to the extent feasible and mitigate impacts where needed,
3. Be consistent with the MSCP Subarea Plan including mitigation ratios and MSCP Land Use Adjacency Guidelines (See Draft EIR Appendix K),
4. Minimize encroachment into steep hillsides, and
5. Minimize the alteration of natural landforms and would not result in undue risk from geologic and erosional forces, flood hazards, and fire hazards.

ESL regulations also require impacts within the City of San Diego to be mitigated within the City, preferably within an MHPA. Temporary impacts would be restored in place as required by Mitigation Measure Biology-6, consistent with the ESL regulations and Biology Guidelines. Off-site mitigation for Proposed Project temporary and permanent habitat impacts (i.e., purchase and dedication) may not occur within the City of San Diego MHPA as SDG&E has other mitigation lands at its disposal through the SDG&E Subregional NCCP/HCP. Overall, the Proposed Project would not conflict with this regulation.

Operation and Maintenance

City of San Diego Land Development Code (Environmentally Sensitive Lands Regulations and Biology Guidelines)

Any ministerial or discretionary permit issued by the City of San Diego for the Proposed Project operation and maintenance (e.g., a right-of entry permit for access across City-owned open space) requires the City to confirm that the activity(ies) subject to the permit are consistent with the City's Land Development Code ESL Regulations and Biology Guidelines.

Operation and maintenance of the Proposed Project would be consistent with the ESL regulations and Biology Guidelines in that SDG&E would:

1. Obtain permits, when required, for any listed species and wetland impacts including authorizations from the USFWS, USACE, CDFW, RWQCB, and the CCC,

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2. Avoid and minimize wetland impacts to the extent feasible and mitigate impacts where needed.
3. Be consistent with the MSCP Subarea Plan including mitigation ratios and MSCP Land Use Adjacency Guidelines (See Draft EIR Appendix K).
4. Minimize encroachment into steep hillsides, and
5. Minimize the alteration of natural landforms and would not result in undue risk from geologic and erosional forces, flood hazards, and fire hazards.

The Proposed Project would not conflict with this policy.

A9-30 Comment noted. Impacts on variegated dudleya are described in the Draft EIR in Section 4.1.8 for the Proposed Project and Section 4.1.10 for Alternative 2.

A9-31 The updated Del Mar Mesa Preserve trail system was reviewed in comparison to the trails shown in the Draft EIR. Changes to the trail system would not affect the impact analysis. Figures 4.10-2, 4.10-3, and 4.10-6 of the Draft EIR were revised to show the updated Del Mar Mesa Preserve trail system (see below).

A9-32 The following addition has been made to Mitigation Measure Aesthetics-4 to address this comment:

Mitigation Measure Aesthetics-4: Cable Pole Screening. SDG&E shall prepare a Landscape Plan that details the landscape treatment and fence design around the cable poles. The Landscape Plan shall include vegetation to screen the base of the cable poles. The Landscape Plan shall include vegetation to screen the base of the cable pole and fence to the extent feasible. Vegetation around the cable pole shall consist of container plantings due to the need to visually screen the cable pole. The vegetation type selected shall be drought-tolerant and compatible with the surrounding vegetation communities. Within City of San Diego Open Space Parks, vegetation shall consist of locally native species and shall be approved by the City of San Diego's MSCP Biologist.

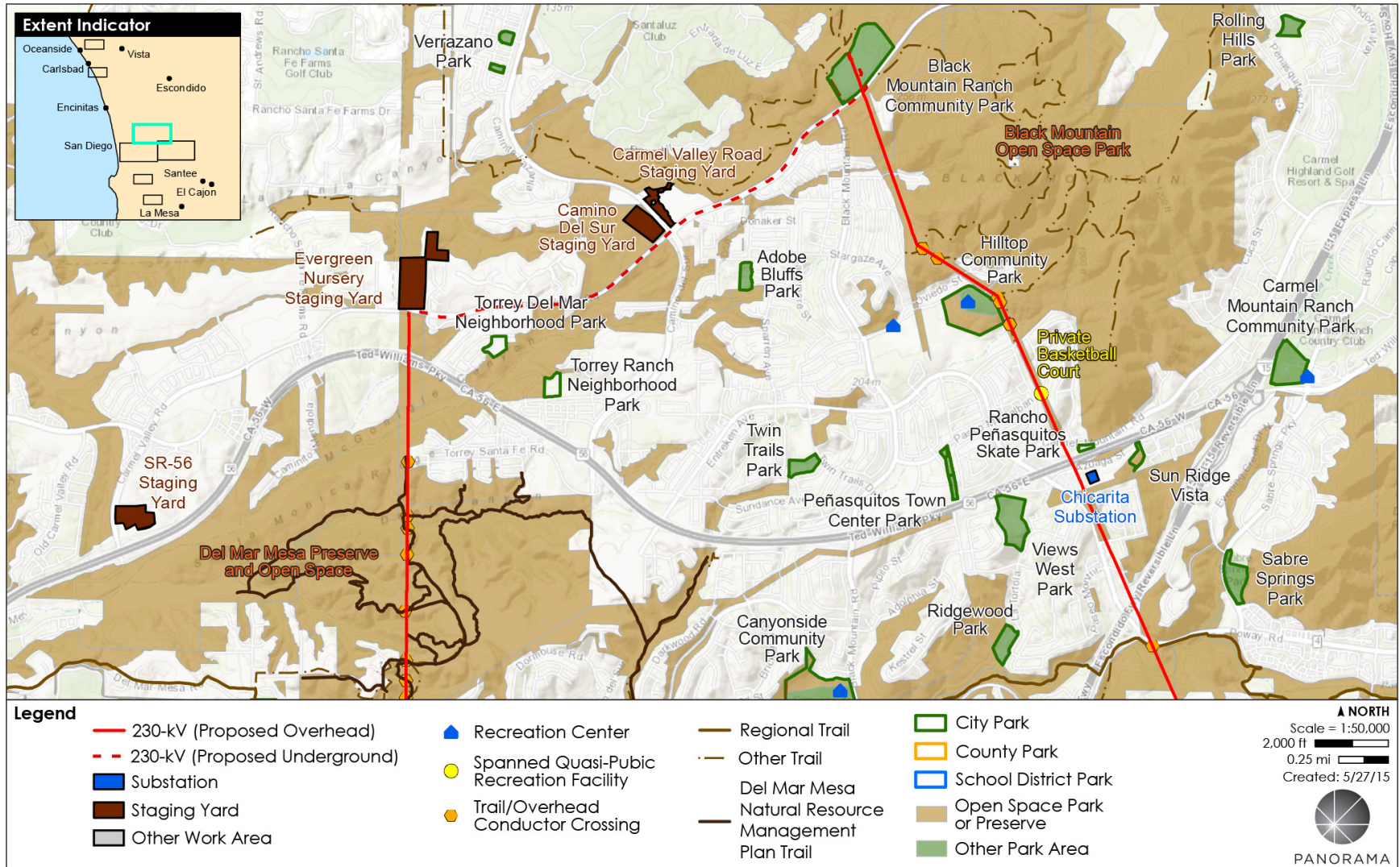
Vegetation planted around the cable pole shall be maintained and watered as needed until plant material is established. Plants that die shall be replaced with similar specimens. SDG&E shall monitor the vegetation around the cable pole until all container plants are fully established.

SDG&E shall submit the Landscape Plan to the CPUC for review and approval at least 60 days prior to construction of the cable pole. No work shall be conducted at the cable pole prior to CPUC approval of the Landscape Plan.

A9-33 The Draft EIR defined the potential for San Diego goldenstar as moderate within Segment C. Due to the noted presence of this species nearby, the potential is increased to "High" in Draft EIR Appendix G and in Table 4.1-3 of the EIR. The change from moderate to high does not affect the impact analysis or mitigation in

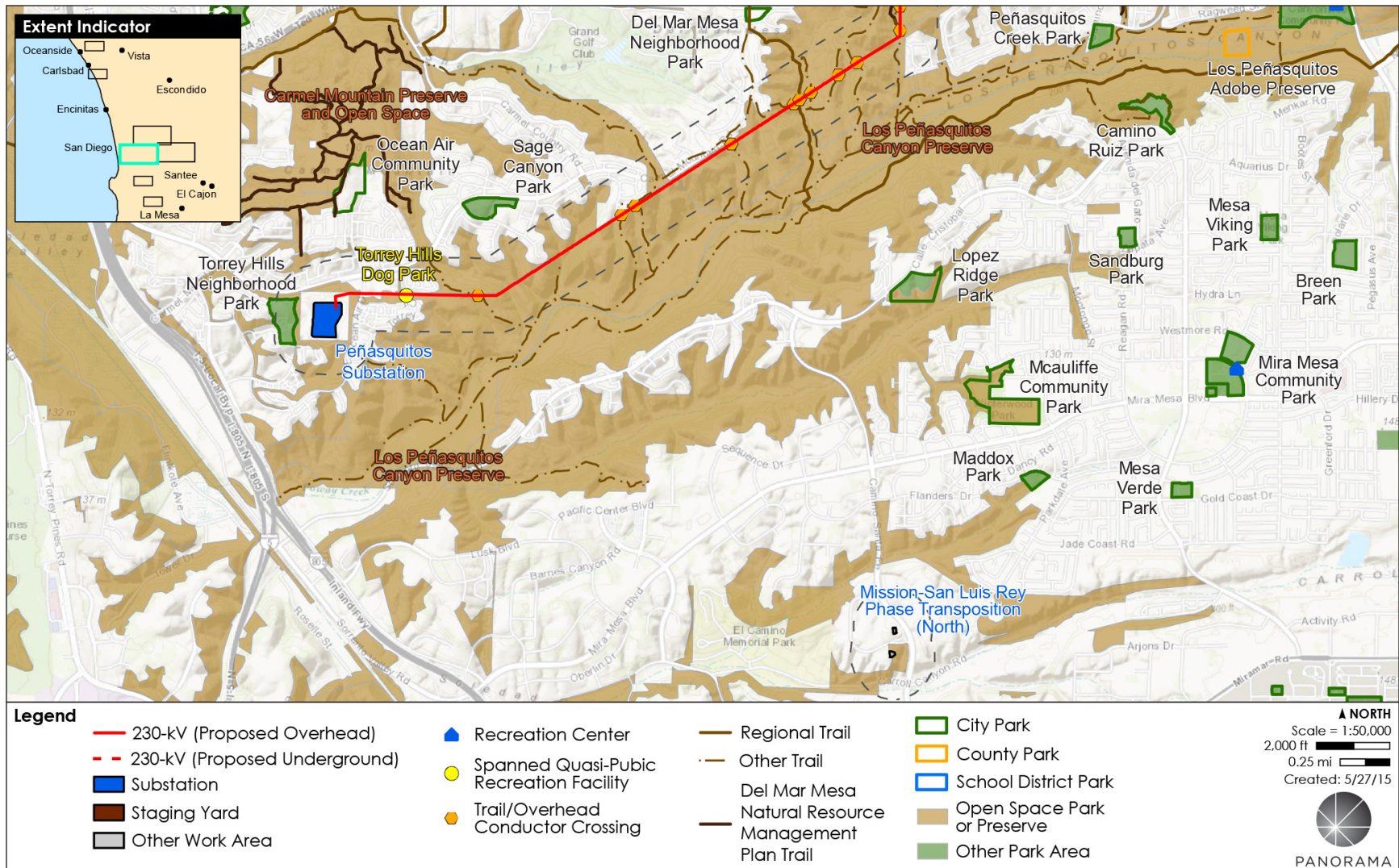
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Figure 4.10-2 Recreational Areas in the Proposed Project Vicinity and Surrounding Region (Map 2 of 4) **(Revised)**



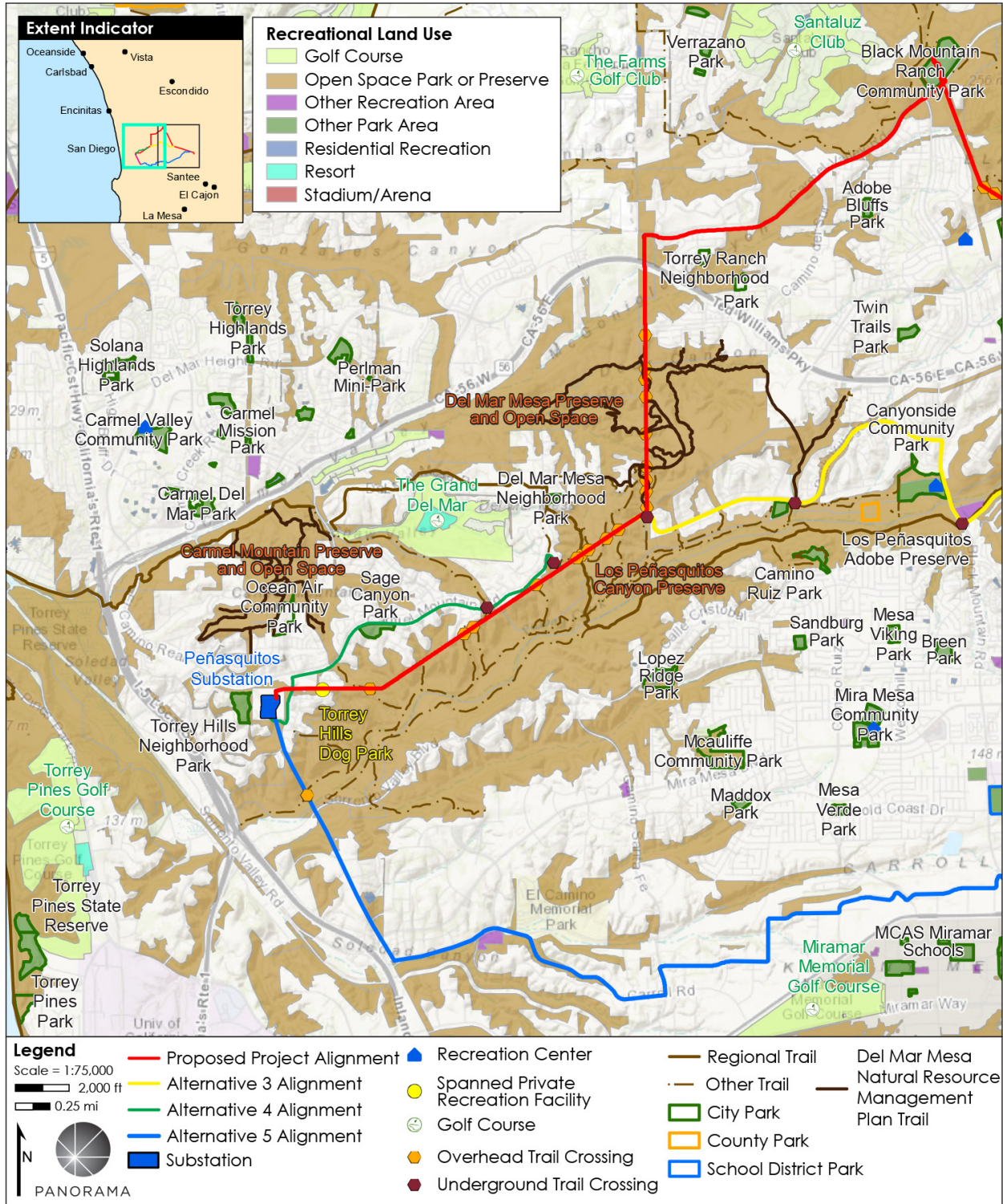
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Figure 4.10-3 Recreational Areas in the Proposed Project Vicinity and Surrounding Region (Map 3 of 4) (Revised)



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Figure 4.10-6 Recreational Areas in the Vicinity of Project Alternatives 3, 4, and 5 (Map 2 of 2) (Revised)



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the EIR because species with a moderate and high potential to occur require the same mitigation. The change is shown below.

Table 4.1-3:

San Diego goldenstar <i>Bloomeria clevelandii</i>	1B.1, NCCP, MSCP	M	M	M H	P (50)	M (EH)
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Appendix G:

San Diego goldenstar <i>Bloomeria clevelandii</i>	1B.1, NCCP	Grassland, chaparral, coastal sage scrub, vernal pools, clay soils/ bulbiferous herb/ April - May	Not observed in Segments A-C or any other work areas to date. Observed in grassland at one location in Segment D. <u>High potential to occur within Segment C due to known presence in adjacent areas and suitable habitat.</u> Moderate potential to occur in Segments A, B, C , and Encina Hub due to the presence of potentially suitable habitat. Low potential to occur in all other work areas due to lack of clay soils.	M	M	M H	P	M (EH) A (all other work areas)
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A9-34

The Draft EIR defined the potential for Orcutt’s brodiaea as moderate within Segment C. Due to the noted presence of this species nearby, the potential is increased to “High” in Draft EIR Appendix G and in Table 4.1-3 of the Draft EIR. The change from moderate to high does not affect the impact analysis or mitigation in the EIR because species with a moderate and high potential to occur require the same mitigation. The change is shown below.

Table 4.1-3:

Orcutt's brodiaea <i>Brodiaea orcuttii</i>	1B.1, NCCP, MSCP	-	-	M H	M	-
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Appendix G:

Orcutt's brodiaea <i>Brodiaea orcuttii</i>	1B.1, NCCP	Vernal pools associated with chaparral, cismontane woodland, closed-cone coniferous forest, meadows and seeps, and grassland, mesic, clay, and sometimes serpentine soils/ bulbiferous herb/ April - July	Not observed in Segments A-D or any other work areas to date. Known historically from within 5 miles of the BSA (SDNHM 2013, CDFW 2013). Likely absent in Segments A and B and in other work areas because of lack of suitable habitat (vernal pools). <u>High potential to occur within Segment C due to known presence in adjacent areas and suitable habitat.</u> Moderate potential to occur in Segments C and D because of presence of suitable habitat (vernal pools).	A	A	M H	M	A
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3 COMMENTS AND RESPONSES

A9-35 Comment noted. As noted in Draft EIR Appendix G, small-flowered morning glory is identified as having a high potential within the Segment C portion of the alignment. The high potential noted in the Draft EIR is consistent with the City's documented occurrence of the species in the area. The species was not observed during focused rare plant surveys of the biological survey area in Segment C.

A9-36 See response to comment A9-36 for revisions to Table 4.1-3 and Appendix G of the Draft EIR regarding the potential for variegated dudleya to occur in the BSA.

A9-37 Comment noted. As noted in Draft EIR Appendix G, there is the high potential for ashy spike-moss within Segment C. The high potential in the EIR is consistent with the City's documented occurrence of the species in the area. The species was not observed during focused rare plant surveys of the biological survey area in Segment C.

A9-38 The following additions have been made to Section 4.3.4.3 of the Draft EIR to address this comment:

City of San Diego Municipal Code

The purpose and intent of the Historical Resources Guidelines Regulations of the City of San Diego's Land Development Code ~~contain ordinances for preserving, avoiding, and mitigating damage to historic resources is to protect, preserve and, where damaged, restore the historical resources of San Diego.~~ The Historical Resources Guidelines are designed to implement the City's Historical Resources Regulations (Chapter 14, Division 3, Article 2) and ensure consistency in the management of the City's historical resources including identification, evaluation, preservation/mitigation and development.

The following City of San Diego municipal codes sections also apply to Historical Resources:

A9-39 Comment noted. Mitigation Measure Cultural Resources-1 requires treatment of artifacts consistent with California PRC. Mitigation Measure Cultural Resources-4 specifies procedures for discovery of human remains. These procedures are consistent with the requirements of California law.