

Comment Set SD San Diego Gas & Electric Company

The first bulleted item on page D.7-1 mischaracterizes the distribution of schools—27 schools in the “project area”—without (a) identifying the area, or (b) explaining the relevancy of school sites depending on the proximity away from the existing corridor. Also, the FEIR should explain that almost all of the schools were built after the transmission lines existed.

SD-162

The FEIR should clarify in this section and in Table D.7-1 that the Cottonwood at Rancho San Diego Golf Club is a *commercial* use although it provides private recreational opportunities. It is a stretch to categorize a private golf course with public lands in analyzing land use impacts. (page D.7-1)

SD-163

Agricultural Resources

This entire section of the Draft EIR is misleading because it describes the standards for identifying farmland and then immediately identifies the Proposed Project’s *non-farmland agricultural uses* without explaining that all of the prior paragraphs discussing farmland are irrelevant because there are no farmland uses in the project area except for an avocado grove adjacent to and in the ROW. (pages D.7-2, D.7-5) Also, the Draft EIR mischaracterizes a few decorative orange trees on a small area (that actually encroach on SDG&E’s ROW) as a bona fide agricultural use. (page D.7-5) Essentially, there are no real agricultural considerations relevant to the Proposed Project.

SD-164

D.7.3.1 Definition and Use of Significance Criteria

The reliance on “previous environmental documents for transmission line projects” should be limited to similar, existing transmission corridors that contain existing facilities. (page D.7-6) It is because of this overbreadth that the Draft EIR fails to give adequate treatment to the existing conditions in the project’s environmental setting, particularly visual resources, and arrives at erroneous conclusions. The Proposed Project is distinguishable from other projects requiring new utility rights-of-way because it would add structures and transmission lines to an existing corridor that holds many structures and transmission lines.

SD-165

D.7.3.2 Project Protocols

As clarification to Project Protocols 45 and 46, these two protocols were developed to address situations where SDG&E would need to acquire new easements or rights-of-way for the Proposed Project. (page D.7-7) In the acquisition of those new easements, SDG&E would pay compensation to affected landowners for the loss of practical use of land within the new easement area. Where SDG&E has existing easements with rights to construct, operate and maintain its facilities, private or public land containing those existing easements is already encumbered by those rights and no additional compensation would be required for the construction of the Proposed Project.

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D.7.3.3 Proposed Miguel-Mission 230 kV #2 Project

Contrary to the conclusion in the second paragraph of this section and Table D.7-3, the Proposed Project is consistent with all applicable land use plans, including the County of San Diego, because it would not disrupt recreational opportunities and construction work would occur entirely within SDG&E's corridor. (page D.7-8) Again, the Draft EIR fails to explain that the proposed route already successfully coexists with many subsequent types of adjacent land uses, including recreational ones.

SD-167

Impact L-2: Physically Divide an Established Community

The classification of the Proposed Project's potential to divide an established community as a "Class III" impact is incorrect. The Proposed Project cannot have an adverse effect on an established community because the existing transmission line corridor already traverses the area. (pages D.7-9 to D.7-10) The opposite is true. The transmission corridor was well established before the surrounding communities were developed.

SD-168

Impact L-3: Disrupt an Established Land Use

Similarly, the Proposed Project will not disrupt an established land use where the Proposed Project is adjacent to the parking lot of Steele Canyon High School, and there are no outside recreational uses that could be affected at the high school as the active outdoor use areas are located west of the ROW and buffered by the existing school buildings or the school parking lot. (page D.7-10)

SD-169

Impact L-4: Substantially Deteriorate a Recreational Facility

The analysis under Impact L-4 should make clear that while there may be temporary disruptions of recreational activities, the Proposed Project will not deteriorate any existing recreational facility. (page D.7-10) This impact should be categorized as Class IV. The Jamacha Valley 138 kV/69 kV Underground Alternative, however, would substantially deteriorate a recreational facility, the Cottonwood Golf Course because of the wall of steel created by new transition poles required along Willow Glen Drive required with that option. (See Section C, Alternatives)

SD-170

Impact L-5: Disrupt Recreational Activities

The analysis under Impact L-5 should state that the Proposed Project will not adversely change recreational opportunities, particularly at Cottonwood Golf Course where SDG&E will coordinate with the private owner of this commercial use. (pages D.7-10, D.7-11) SDG&E schedules construction work with recreational facilities to the extent feasible. In addition, the pertinent Project Protocols avoid or minimize effects on recreational uses in the vicinity and thus, justify categorizing the potential impact to existing recreational uses as Class III.

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Mitigation Measures for Impact L-5, Disrupt Recreational Activities

It is infeasible to prohibit construction activities at a minimum of 8 recreational areas from all holidays and weekends as required by Mitigation Measure L-5a (avoid peak recreational usage), particularly if either (a) agencies (i.e., Caltrans) mandate the construction times or (b) the owners of these facilities wish to coordinate work at that time (i.e., early holiday mornings). (pages D.7-12, D.7-18) This absolute prohibition is unworkable and could conflict with third party preferences. (CEQA Guidelines § 15364.) SDG&E does plan to schedule construction six days a week to meet the project in-service date. Also, it is improper for the Draft EIR to give the Commission carte blanche to identify other recreational facilities not adjacent to the ROW that could be impacted by the Proposed Project and thus included in this measure. Mitigation Measure L-5a should be revised in the FEIR to provide that SDG&E shall coordinate work with recreational facilities immediately adjacent to the ROW to avoid impacts to the extent feasible.

SD-172

The posting notice and public notification through community newspapers and bulletins to notify all recreational users, required by Mitigation Measure L-5b, are unjustified and infeasible. First, SDG&E does not have unrestricted rights to enter property to access its facilities. SDG&E often needs third-party authorization to enter non-fee owned property. Notifying the owner of the recreational uses (such as the private owner of the golf facility) of upcoming construction, who then can post notice at its site or provide other preferable notice to its users, is a more appropriate and correlative condition. (page D.7-12) Second, the requirements in this measure are not roughly proportional to the potential impacts to recreational uses along the proposed route. (*See, Dolan v. City of Tigard, supra*, 512 U.S. at 388-391.) Also, because the construction schedule for exact locations and dates cannot be known in such detail, these notice requirements would substantially delay the project schedule. The notice requirements in this mitigation measure are unworkable as written in the DEIR.

SD-173

Impact L-6: Convert Farmland to Non-Agricultural Use

The discussion of Project Protocol 18 in this context is incorrect. (page D.7-12) SDG&E is not acquiring new right-of-way within agricultural land uses, and Project Protocol 18 applies only in that instance.

SD-174

D.7.4.1 Jamacha Valley 138 kV/69 kV Underground Alternative *Environmental Impacts and Mitigation Measures*

The discussion of this alternative fails to disclose that the entrance to the Cottonwood Golf Course could be closed for up to 8 weeks during construction of this underground alternative and thus, severely restrict recreational opportunities. Because the entire analysis lacks factual development, the conclusion that this alternative minimizes the amount of disruption to land use and recreation is flawed. The Final EIR should contain a more realistic description of the possible restriction of recreational opportunities. Also, the 1,000 foot underground trench through undisturbed habitat at the northern end of this alternative would pose substantially greater land use, biological and

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potentially cultural resource impacts not fully evaluated in the Draft EIR. (page D.7-14) Permanent access over the top of this trench will be required for maintenance. In addition, two additional steel poles not mentioned in the DEIR will be required.

SD-175

D.7.4.4 and D.7.4.5 City of Santee Underground and Overhead Alternatives

SD-176

The discussion of these two Santee alternatives in their respective Environmental Impacts and Mitigation Measures sections references use of Mitigation Measures L-5a and L-5b (for recreational land use and users) as reducing impacts. (pages D.7-16) But there are no recreational lands uses in the area of either alternative. Because there is no impact, these mitigation measures cannot be imposed. (CEQA Guidelines § 15126.4; *Dolan v. City of Tigard, supra*, 512 U.S. at 388-191.) The FEIR should remove these mitigation measures.

Section D.8, Noise and Vibration

SD-177

**D.8.3.3 Proposed Miguel-Mission 230 kV #2 Project
*Mitigation Measures for Impact N-1, Construction Activity Would Temporarily Increase Local Noise Levels***

Although SDG&E acknowledges that the purpose of Mitigation Measures N-1a and N-1b is to inform individuals of potential temporary noise impacts and to reduce those impacts, the notice requirements are untenable and not roughly proportional to the potential impacts for numerous reasons. (pages D.8-8, D.8-16) First, the noticing time is inconsistent with other mitigation measures notification in advance of construction (e.g., Mitigation Measures T-1 and T-5). If these notifications were conducted independently, then SDG&E would be issuing multiple notices to essentially the same stakeholders, which would result in confusion among the public as to why they were being noticed multiple times.

Second, Mitigation Measure N-1a requires a second notice if construction is delayed beyond 7 days. Again, this requirement to provide multiple notifications is not in proportion to the degree of possible, short-term noise disruptions. Once notified of the general time frame of a project, the general public expects construction activity to occur and the exact day of occurrence may be unknown, but expected.

Third, the Commission's suggestion that "Notices shall provide tips on reducing noise intrusion, for example, by closing windows facing the planned construction" is not helpful to avoid noise impacts. If communicated as suggested in the mitigation measure, it could cause residents to disregard the intent of the message by insulting the common sense of the recipients of the notice. Closing windows is a common response to reducing outside noise. Additionally, it could expose SDG&E to liability if the tip had adverse counter-effects.

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Fourth, the condition that the Commission has to approve SDG&E's complaint resolution process is overreaching. SDG&E should be able to continue to follow its established and effective procedures for resolving complaints.

SD-179

Finally, even more unbelievable is the requirement that SDG&E notify third parties of planned work and inform them of how to make SDG&E reschedule construction to "avoid a conflict." In essence, this mitigation measure allows everyone but SDG&E to dictate its construction schedule. The allowance for rescheduling of SDG&E's construction at a third party's whim could defeat project construction altogether and cause lengthy delays as well as increased costs for trying to accommodate all requests to reschedule. For all of the foregoing reasons, the constraints in Mitigation Measures N-1a and N-1b are simply unworkable and must be revised. The notification requirement could be consolidated but still reduce potential noise disruptions. SDG&E suggests a notification requirement that provides broader notice of construction along the entire corridor with a range of work dates.

SD-180

For noticing requirements, SDG&E suggests that a general notification 30 days prior to start of construction to everyone abutting the ROW or adjacent to staging areas that the entire construction process will take approximately 2 years to complete. But construction will be performed in four phases so SDG&E could provide specific notice for each phase with approximate location and dates. The initial notification of construction, in addition to announcing the planned time frame of 2 years to construct the entire project, would also include the first phase to construct new access roads and construct the new pole line. The second phase of construction would remove existing 138 kV/69 kV conductors and make modifications to existing tower structures. The third phase would be the conductor stringing on modified towers from Miguel to Fanita Junction, and the fourth phase would be the conductor stringing from Fanita Junction to Mission Substation. Additionally, SDG&E could place signs/placards near roadways that indicate expected construction timeframe in that general area.

SD-181

Mitigation Measure for Impact N-3, Operation of the Transmission Line Would Cause Corona Noise

The requirement in Mitigation Measure N-3a "Achieve Compliance with City of San Diego noise abatement code" that SDG&E submit a noise assessment report to the Commission for approval 90 days' prior to start of construction is infeasible, inordinately long and does not reduce the potential noise impacts. (page D.8-10) CEQA requires mitigation to minimize significant adverse impacts (CEQA Guidelines § 15126.4(a)(1)) and is not required for effects which are not found to be significant. (CEQA Guidelines § 15126.4(a)(3).) This mitigation measure requires the preparation of a study to determine noise levels at the edge of the ROW and to file the report with the Commission and City of San Diego at least 90 days before commencing construction. Preparation of a study is not mitigation as defined by CEQA. (CEQA Guidelines § 15126.4(a)(1)(B).) It duplicates the analyses already conducted in the Draft EIR. The discussion on pages D.8-9 and D.8-10 to justify the imposition of this obligation relies on a 0.7 dBA exceedance of the City's 40 dBA noise ordinance. This estimate is one of 12 noise estimates along

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the corridor provided by SDG&E in its Proponent's Environmental Assessment (PEA) for the Proposed Project in Table 6-12. All 11 of the other noise estimates are below 40 dBA, and the 12 noise estimates average 34.1 dBA. Rather than use one data point that is 1.75% higher than a standard, the entire data set should be used as a reasonable assessment of the expected noise levels.

SD-183

Furthermore, an estimated excess of 0.7 dBA is well within the margin of error of any attempt to predict noise levels in a highly dynamic exterior environment; it does not rise to the level of a potentially significant impact justifying mitigation at all. (CEQA Guidelines § 15126.4(a)(3).) It is generally acknowledged in the acoustic engineering field that the level of perception of a noise change is 3 dBA, well above the 0.7 dBA noise surplus estimated in the DEIR. Noise would attenuate to well below 40 dBA at a sensitive receptor location located beyond the edge of the ROW. More importantly, this level of noise is only anticipated to occur during the worst-case scenario of severe weather conditions standing next to the transmission line. A person, to be affected by this noise level, would have to be out in severe weather and standing right next to SDG&E's transmission line ROW for this to be an impact, and given the extreme weather conditions required to produce this noise level, it would be an insignificant temporary impact. The true day to day noise impacts will not rise to that worst-case estimated level.

This mitigation measure is also problematic because it would unjustifiably delay the project in-service date based on the preparation of a new study (and associated data collection and interpretation), submittal to the Commission and the City of San Diego for review and confirmation of compliance with all noise limits **3 months** before SDG&E could commence work, and confirmation of compliance prior to construction. The Commission's ninety day review period is an inordinate amount of time. The secondary review by the Commission does not add any value to reducing the potential impact. A more balanced approach would be for SDG&E to submit its plans that already attempt to reduce corona noise in accordance with its Project Protocol 9.

In Mitigation Measures N-3b, the Commission reaches beyond this project to dictate how SDG&E should repair and maintain its insulators and other equipment. (page D.8-10) It is redundant to direct SDG&E to repair facilities already contemplated in SDG&E's existing practices and the Commission's regulations.

Impact N-4: Inspection and Maintenance Activities Would Cause Occasional Noise

The Impact N-4 discussion should be modified to explain that it accurately describes typical inspection and maintenance activities at substations such as SDG&E's Los Coches substation. (page D.8-10) The "hub" of SDG&E's system is located on the same piece of property as its Mission Substation as well as SDG&E's lineman training facility. This hub houses at least 100 personnel as its entire electric grid system is managed from this location. SDG&E's Miguel Substation is also located on a large piece of SDG&E owned property that houses storage yards for materials as well as two other

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transmission yards not a part of this project. Both of these major SDG&E facilities necessitate daily visits by many people.

SD-184

D.8.3.4 Future 230 kV Circuit within Miguel-Mission ROW

SD-185

With respect to the future 230 kV circuit, SDG&E does not expect to add transformers at the substations. (page D.8-11) This assumption should be removed from the Final EIR.

**D.8.4.1 Jamacha Valley 138 kV/69 kV Underground Alternative
*Environmental Impacts and Mitigation Measures***

SD-186

The Jamacha Valley Underground Alternative discussion does not illustrate the true temporary noise disturbances that residents will experience during trenching activities. (page D.8-11) There is no estimate of the duration of trenching along the proposed segment and unlike the Proposed Project, the Draft EIR suggests that some of this work could occur at night to avoid traffic disruption. The number of Jamacha Valley residents potentially disturbed during construction of this alternative is not specified. Also, the slight reduction in corona noise during operation of this alternative would only occur in the underground segment of the proposed route. Thus, the Draft EIR understates the construction noise and corona noise associated with the Jamacha Valley Underground Alternative.

The assertion that noise levels during operation of this underground alternative will be similar to those for the Proposed Project is false and not supported by the evidence in the text. (page D.8-12) Because SDG&E would have to work in the streets to access the underground facilities, there will be greater noise impacts during repair and maintenance than there would be for the Proposed Project. Operation activities would only slightly reduce corona noise along the underground segment. (page D.8-12) Once again, the understatement of the adverse noise effects inherent in the construction and operation of underground transmission lines biases the comparison with the Proposed Project such that the Commission arrives at an unsubstantiated conclusion.

D.8.4.4 City of Santee 138 kV/69 kV Underground Alternative

SD-187

See arguments for Jamacha Valley Underground Alternative. In addition, the Final EIR should be note that because this route is entirely through residential streets, approximately 50 Santee residents will suffer increased short-term noise impacts directly outside their homes during construction and any future repair. (page D.8-14)

Section D.9, Public Health and Safety

SD-188

Although the Draft EIR accurately recites the existing conditions and application thresholds for hazardous materials and contamination, its assessment breaks down with the imposition of mitigation measures that are redundant to existing practices and disproportional to the impacts.

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D.9.3.3 Proposed Miguel-Mission 230 kV Project
Mitigation Measure for Impact Hz-1, Previously Unknown Soil or Groundwater Contamination Could be Encountered During Construction

SD-188

Mitigation Measure HZ-1a unnecessarily mandates stopping work if visual contamination factors are observed during construction. (pages D.9-7, D.9-37) It grants too much discretion to stop work, particularly without SDG&E's ability to interface with the contractor and the Commission. The generalized order should be limited so that if observed, activity only at the location where visual contamination is noted should be suspended. Further, this measure requires that the contractor report directly to the Commission's environmental monitor throughout project buildout. If the contractor is retained on behalf of SDG&E, then SDG&E's contractor should be able to coordinate the report and proposed remedial actions to SDG&E. Because of SDG&E's potential exposure to liability, it is imperative that SDG&E provide immediate input on the proposed responsive actions to any potential contamination. In other words, SDG&E should be entitled to interact with its own contractor(s) to address potential contamination and remedies on its own project and inform the Commission on the remediation activities.

Mitigation Measure for Impact Hz-2, Potential Hazardous Substance Spills Could Occur During Construction

SD-189

With respect to Mitigation Measure HZ-2a, which requires a Hazardous Substances Control and Emergency Response Plan / Project Protocols 7 and 32, SDG&E will develop a Storm Water Pollution Prevention Plan (SWPPP) regarding potential hazardous substance spills during project construction. (page D. 9-8) SDG&E conducts training on the best management practice (BMPs) contained in the SWPPP, including BMPs that address management of contaminants. These BMPs will be available to personnel on construction sites. These actions render the proposed mitigation measures superfluous. The Final EIR should state that SDG&E's SWPPP and best management practices as developed and implemented will adequately reduce Impact HZ-1.

If the Commission insists on a Hazardous Substances Control and Emergency Response Plan, SDG&E should only have to submit to the Commission the confirmation of approval of the plan by the San Diego County Department of Environmental Health, Hazardous Materials Division, not the plan itself for the Commission's approval. (pages D. 9-8, D.9-37) The Commission lacks the expertise to comment and sign off on hazardous substances and emergency response procedures. As with other natural resource areas, evidence of the County's approval of the plan should satisfy SDG&E's compliance requirements to reduce significant impacts. Proof of compliance could be supplied to the Commission, if required.

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Impact Hz-3, Release of Hazardous Materials Could Occur During Substation Operations

SD-190

This impact analysis should be removed in its entirety from the Final EIR because SDG&E's operation of its existing substations is not a component of the Proposed Project. (page D.9-8) SDG&E has implemented an Spill Prevention, Control and Countermeasure (SPCC) Plan and Oil Spill Response Plan and standard operating practices in compliance with Commission regulations and orders for all of its substations. There is no potential environmental impact from its existing substations to analyze in this environmental review process.

Mitigation Measure for Impact Hz-3, Release of Hazardous Materials Could Occur During Substation Operations

SD-191

Based on the comments above for Impact Hz-3, it follows that Mitigation Measure HZ-3a should be removed because the Commission's monitoring of SDG&E's existing substations and its standard operating procedures is outside the scope of this transmission line project. Only minor modifications to the Miguel and Mission substations are part of the Proposed Project, and yet this measure requires SDG&E to prepare or update current SPCC Plans for each substation. (pages D.9-8, D.9-37) Although SDG&E has implemented a SPCC Plan and Oil Spill Response Plan for substations, a SWPPP will be implemented for construction activities, which will cover contamination that could be encountered during construction and spill control.

Likewise, Mitigation Measure HZ-3b, which requires (i) SDG&E to implement Project Protocols 7 and 33 at substations and (ii) submit to the Commission for approval an outline of its environmental training program, should be removed for at least two reasons. First, SDG&E already implements these protocols in its existing substation operating standards. Second, the Commission is not an expert on environmental training practices. SDG&E conducts training on the BMPs contained in its SWPPP, including BMPs that address management of contaminants. These BMPs will be available to personnel on construction sites. Providing the Commission with a list of names does nothing to reduce the potential risks associated with hazardous materials. SDG&E routinely coordinates with the San Diego County Department of Environmental Health, Hazardous Materials Division, with respect to hazardous substances.

SD-192

D.9.6 Electric and Magnetic Fields and Other Field-Related Concerns

SD-193

The 21-page EMF discussion is offered to the reader "for informational purposes only" because it is a non-CEQA issue. (pages D.9-13 to D.9-33) However, the discussion of EMF receives much more treatment in the Draft EIR than almost any other natural resource area required to be analyzed under CEQA. It is full of improper conclusions, recites scientific statements out of context and, most importantly, assumes the EMF calculations for the underground segments based on an uncertainty that the transmission lines will be placed exactly in the center of the road without the potential for conflict with other utility facilities. The exact location for a proposed underground alignment is

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unknown until research is done to determine what else is buried in the relevant streets and where the transmission lines can be properly and safely placed (i.e., distance from each other and other facilities in roads). Space constraints in the road may dictate placement closer to the edge of the road.

SD-193

The FEIR should make clear that the extensive EMF discussion is not a legal basis upon which the Commission may compare, assess and weight the Proposed Project and alternatives. One way to highlight this point is to bold the last two sentence of that first paragraph. The Final EIR should give a more accurate depiction of EMF on page D. 9-13 by stressing that:

“this section does not consider magnetic fields in the context of CEQA and determination of environmental impact, first because there is no agreement among scientists that EMF does create a potential health risk, and second because there are no defined or adopted CEQA standards for defining health risk from EMF.”

D.9.6.1 EMF in the Proposed Project Area

SD-194

The second paragraph of this discussion states that natural areas have low level EMF. (page D.9-15) This is false. Varying levels of EMF occur naturally. Thus, the last sentence should state, “In undeveloped and natural areas, only naturally occurring EMFs exist; measurable power frequency EMFs are not present except in the vicinity of existing power line corridors.” The next paragraph underestimates the total project length that has no nearby residences as 25 percent because the percentage is closer to 50. (page D.9-15) While SDG&E disputes that EMF should even be included in the Final EIR, these estimates seem high.

Table D.9-4 “Distances to Existing Transmission Lines at Left and Right Sides of Right-of-way by Subsection and Transmission Line Voltage” should be changed so that the note in Subsection B1 for the 69 kV line is repeated in Subsections B2 and C for the 69 kV lines. (page D.9-16) Another error is in Subsection F1-F7 where the distances for the 230 kV and 138 kV lines are switched. The FEIR should make these changes.

SD-195

D.9.6.2 Other Field-Related Public Concerns

Wind, Earthquake, and Fire Hazards

SD-196

This analysis implies that the National Electrical Safety Code’s loading standards for wind conditions applies to transmission lines—it does not. (pages D.9-18, D.9-34)

D.9.6.3 Scientific Background and Regulations Applicable to EMF

Scientific Panels Review

SD-197

In the description of Scientific Review Panels, the correct standards-setting organization for the first listed entity is the International Commission for Non-Ionizing Radiation Protection, not the International Non-Ionizing Radiation Committee. (page

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D.9-21) While SDG&E disputes that EMF should even be included in the Final EIR, if it is, the title of this organization should be corrected.

SD-197

On page D.9-22, the sentence following the (inappropriately) bolded paragraph should be clarified to state that “While the results of the DHS report indicate these scientists were inclined to believe that EMF can cause some degree of increased risk for certain health problems, the report did not quantify any risk.”

The conclusion of the NIEHS is extracted out of context and inappropriately bolded for the reader. (page D.9-22) The entire first paragraph of page D.9-23 is misconstrued and should be changed as follows: “In addition to uncertainty regarding the level of health risk posed by EMF, scientific panels have not been able to determine or reach consensus regarding what level of magnetic field exposure might constitute a health risk.” The last two sentences should be deleted altogether as irrelevant. Similarly, Table D.9-7 listing non-California state EMF levels is irrelevant to this California project. (page D.9-24)

CPUC Guidelines

The CPUC Guidelines analysis contains many misstatements and misdirects the public to believe that EMF demands CEQA-based mitigation measures. To counter this, the second sentence should be revised as follows: “This investigation explored whether there were public health impacts from EMF and, if so, what policies, procedures and regulations might be appropriate.” (page D. 9-25) To avoid further confusion, all references to EMF “mitigation measures” should be replaced with “field reduction techniques” in the Final EIR.

SD-198

SDG&E objects to the Draft EIR’s use of the existing system rather than the Proposed Project as the baseline for evaluating magnetic field reduction for several reasons. First, using an existing system baseline is inconsistent with SDG&E’s EMF Design Guidelines that were developed after workshops chaired by the Commission Advisory and Compliance Division, and based upon concepts and criteria required by CPUC Decision D.13-11-013.⁸ Second, it conflicts with nearly a decade of practical application by the three investor-owned utilities in California (SDG&E, SCE & PG&E) of this decision. Third, using the existing system as a baseline circumvents historical implementation of the “no-cost” and “low-cost” principal for determining applicable field reduction techniques.

SD-199

⁸ CPUC Decision D.13-11-013 “Order Instituting Investigation on the Commission’s own motion to Develop Policies and Procedures for Addressing the Potential Health Effects of Electric and Magnetic Fields” directs the utilities to, among other things, use “low-cost” and “no-cost” field reduction techniques for facilities requiring certification under GO 131-D. (see page D.9-25)

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D.9.6.4 Consideration of Electric and Magnetic Fields (EMFs)
EMF Issues Applicable to Alternatives

SD-200

The introductory paragraph misrepresents the relevancy of EMF to project alternatives. Although the DEIR repeatedly admits that the alternatives were developed in response to EMF concerns, as a speculative issue EMF is *not* a basis upon which to devise or evaluate other options to a proposed project under CEQA. Alternatives must lessen a significant impact. (CEQA Guidelines § 15126.6(a).) The Final EIR should correct this implication by making clear that EMF is not a basis upon which to identify, evaluate or compare alternatives.

When compared to the exposure to magnetic fields from household electric appliances, as described in the Draft EIR, the levels around the residential areas in Santee and Jamacha Valley would be a small percentage of magnetic field background exposure from household appliances. Nevertheless, the Commission requires all utilities to decrease EMF levels in project design through the implementation of no cost and low cost reduction techniques. The Commission's mandate to employ precautionary measures to reduce EMF exposure is sufficient, given the lack of conclusive evidence regarding adverse health effects. Still, the EMF alternatives do not discuss what "low cost, no cost" EMF field reduction methods would apply to the underground and overhead alternatives as the Proposed Project does. (pages D.9-31, D.9-33) As discussed below, the Proposed Project already incorporated methods to substantially reduce EMF levels.

The EMF measurements for the Jamacha Valley and Santee Underground Alternatives assume that the transmission line would be in the middle of roads that do not house other facilities. (pages D.9-31, D.9-32) But because there are likely existing public utilities in the roads, it is improbable that the transmission lines and equipment could be placed directly in the center of the roads. To the contrary, the proposed line in the Jamacha Valley Underground Alternative could be at the edge of the road closer to residences. In that case, the EMF levels for the underground segments would be higher than near those residences that measured in the Draft EIR. Noticeably absent from the Draft EIR is any mention of the techniques already incorporated into the Proposed Project that greatly reduce EMF levels, based on existing conditions, on the west side of the ROW and even more so on east side of the ROW.

SD-201

Finally, there is an error in the legend to Figure D.9-5. "Magnetic Field Levels: Underground Alternatives," which contains plots of the milligauss levels associated with the Jamacha Valley and the City of Santee Underground Alternatives. (page D.9-32) The legend associates the wrong alternative to each of the curves, based on the data presented below this plot in Tables D.9-10 and D.9-11. The references in the legend need to be switched in the FEIR, otherwise it could cause confusion as to the anticipated magnetic fields from each of these alternatives.

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D.9.7.2 Environmental Impacts and Mitigation Measures for the Proposed Transmission Line

Mitigation Measures for Impact PS-1, Radio and Television Interference

SD-203

As a preliminary matter, SDG&E disputes that Impact PS-1 constitutes a significant impact. The potential for a substantial adverse change to radio and television interference is low. Accordingly, Mitigation Measures PS-1a and PS-1b, which mandate notice and dispute resolution requirements in conjunction with energizing the lines, are inappropriate pursuant to CEQA Guidelines § 15126.4(a)(3), do not reduce potential radio and television interference. (pages D.9-34, D.9-38) Even assuming there is a basis to justify Mitigation Measure PS-1a, the Commission should simply confirm that SDG&E has complied with the IEEE Radio Noise Design Guide to limit the conductor electric surface gradient.

Additionally, SDG&E disputes that Mitigation Measure PS-2a is necessary because SDG&E's design already accounts for objects that have the potential for voltages. It is questionable whether this measure would truly reduce the potential for harm from induced current or shock hazards in joint use corridors. (See, CEQA Guidelines § 15126.4(a)(1) & (4).) Owners and occupants of property adjacent to the right-of-way are already aware that the entire corridor is energized with existing transmission lines. During construction, different lines may be taken out of service and reenergized as appropriate to accommodate taps, helicopter operations or safety regulations. Also, Project Protocol 9 and several other internal processes form SDG&E's complaint resolution procedures. (page D.9-38) SDG&E handles concerns and complaints regarding potential induced current or shock hazards in the same responsive and professional manner with respect to all of its facilities. Most importantly, it is ridiculous to suggest that SDG&E not only notify property owners yet again (30 days before) of the date the proposed line, in its existing corridor chock-full of energized transmission lines, will be energized, but also submit the draft notice to the Commission for review and approval. As with most of the mitigation measures in the DEIR, there is no time limit on the Commission's review and approval of various plans that SDG&E must submit—this despite the fact that SDG&E already implements them and/or received approval from the relevant agency. All of these requirements pose a disproportional burden based on the insignificant effect and will inevitably delay the in-service date. SDG&E request that the Final EIR remove the notice for energizing the line and accept SDG&E's existing dispute resolution process that reduces the potential for interferences.

SD-204

D.9.8 Mitigation Monitoring, Compliance, and Reporting Table

The Commission should be removed as a responsible agency for all of the hazardous materials mitigation measures because it lacks the expertise; DTSC and the San Diego County Department of Environmental Health properly regulate hazardous substances. (pages D.9-37, D.9-38) The FEIR should correct this inappropriate designation.

SD-205

Comment Set SD, cont.
San Diego Gas & Electric Company

Section D.10, Public Services and Utilities

SD-206

D.10.1 Environmental Setting for the Proposed Project

In the last sentence of the first paragraph of this section, “pipeline corridor” should be replaced with an accurate description of SDG&E’s transmission corridor. (page D.10-1)

D.10.2 Applicable Regulations, Plans, and Standards

The second sentence of Section D.10.2 incorrectly summarizes the law regarding Certificates of Public Convenience and Necessity such that “in which there is a significant potential for problems to occur,” should be deleted. (page D.10-3)

D.10.3.3 Environmental Impacts and Mitigation Measures

Impact U-1: Utility System Disruptions

SD-207

With respect to Impact U-1: Utility System Disruptions, the statement that “New tower drilling and excavation activities could potentially impact buried utility crossings along this segment of the route, particularly near residences in urbanized areas” is erroneous. SDG&E is not proposing to place new towers in the existing right-of-way with the Proposed Project, it is proposing to use steel and wood pole structures. (page D.10-5) One purpose for obtaining the land rights that accompanied the original acquisition of the existing SDG&E ROW is to prevent other utilities from longitudinal encroachments that could impact the addition of future structure lines. There are no underground utilities that impact SDG&E’s ability to expand the overhead transmission system as proposed.

The Draft EIR does a fair job of addressing the potential impacts to public services and utilities from the Proposed Project and concluding that little disruption, if any, will occur. (pages D.10-5 to D.10-7) The discussion should emphasize, however, that each of the proposed alternatives, particularly the underground segments, will result in greater potential utility and public service disruptions than the Proposed Project.

Impact U-3: Project-Required Utility and Public Service Demands

SD-208

At the top of page D.10-7, metal from the tower structures would be transported by truck or helicopter to staging areas for dismantling or may be dismantled on site, as appropriate and then hauled to staging areas. Soil screening would occur only if necessary to meet structural requirements. The reuse of unscreened soil would typically occur in order to avoid traffic and air quality impacts caused by the screening process and by screening trucks traveling to and from the ROW. Satisfactory native soil excavated during project activities may be placed along access roads or used in other construction activities in SDG&E’s corridor, if suitable. The FEIR should be revised to provide this flexibility because such flexibility would not cause any additional impacts.

Comment Set SD, cont.
San Diego Gas & Electric Company

D.10.4.1 Jamacha Valley 138 kV/69 kV Underground Alternative
Environmental Impacts and Mitigation Measures

SD-209

The DEIR should explain that with the Jamacha Valley Underground Alternative, routine and emergency access to residences may be temporarily blocked because of trenching in the streets. (pages D.10-8, D.10-11) Unlike the Proposed Project, such disruptions and blockages will occur during construction *and* operation because once installed SDG&E will have to access the underground facilities for repair and maintenance. The Final EIR should make clear whether measures can satisfactorily address the lack of emergency access with the underground alternatives. In the second paragraph of this section, there is no “proposed” substation in the Proposed Project and this reference should be deleted. (page D.10-8)

Because this is an underground alternative, the reference in the first paragraph to “impacts to emergency service vehicle access during transmission line stringing across public roadways” should be deleted. (page D.10-8)

Comparison to Proposed Project

SD-210

The classification of impacts from the Jamacha Valley Underground Alternative as compared to the Proposed Project is misleading and incomplete. (page D.10-8) The Draft EIR does not fully disclose that the impacts from this alternative would be substantially greater than those associated with the Proposed Project. There is a much greater probability of encountering existing buried utilities along Willow Glen Drive and Dehesa Road that could result in utility system disruptions. The underground trenching activities associated with this option would more severely restrict emergency service vehicle access. The Final EIR should include the full extent of possible effects with the underground segment.

D.10.4.3 Jamacha Valley Overhead B Alternative
Environmental Impacts and Mitigation Measures

SD-211

The DEIR lacks explanation of why the Jamacha Valley Overhead B Alternative would cause a slightly greater likelihood of disrupting utilities than the Proposed Project. (page D.10-10) This deficiency should be remedied in the Final EIR.

The DEIR identifies the need for additional water for dust suppression due to the increased scope of work for the Jamacha Valley Overhead A Alternative activities identified in Section D.10.4.2. This is true. However, the DEIR makes no mention in Section D.10.4.3 of the need for much more water for the additional work in the Jamacha Valley Overhead B Alternative. (page D.10-10) The water needed for dust suppression for this proposed alternative will likely triple that required for the Proposed Project.

**Comment Set SD, cont.
San Diego Gas & Electric Company**

**D.10.4.4 City of Santee 138 kV/69 kV Underground Alternative
*Environmental Impacts and Mitigation Measures***

SD-212

The Santee Underground Alternative discussion does not adequately describe the substantial restriction of emergency vehicle access to the adjacent residences along the underground portion. (page D.10-11) The public service and utility impacts associated with this alternative are more than just “slightly greater than the Proposed Project” because the trenching activities required for undergrounding the lines would cause greater disruptions. Thus, the classification of public service impacts is incorrect. Similar to the Jamacha Valley Underground Alternative, there is a greater potential to encounter existing buried utilities along Princess Joann Road to Magnolia Avenue that could result in utility interferences. Also, the Draft EIR fails to disclose that once installed, repair and maintenance of the underground lines would likewise restrict access for fire, police or other emergency vehicles along these roadways. The FEIR should address these deficiencies.

**D.10.4.5 City of Santee 230kV Overhead Northern ROW Boundary
Alternative
*Comparison to Proposed Project***

SD-213

This paragraph states that “construction . . . would be slightly less likely to disrupt utilities, especially east of Magnolia Avenue.” (page D.10-12) The Final EIR should clarify what utilities are referred to here and explain how/why there is less disruption to the utilities with this proposed alternative.

D.10.6 Mitigation Monitoring, Compliance, and Reporting Table

SD-214

Mitigation Measure U-2a requires SDG&E to implement measures from the Work Area Protection and Traffic Control Manual to maintain emergency access. (page D.10-13) But SDG&E must develop traffic control plans and apply for permits with the appropriate agency having jurisdiction (i.e., CalTrans, San Diego County) prior to starting work that could adversely affect traveled roadways. The traffic control plan/permit will contain the protocols set forth in this measure, so this mitigation measure is duplicative. Because it will not further reduce potential traffic impacts, this mitigation measure should be limited to SDG&E providing evidence of its traffic control plan and permits upon receipt.

SDG&E would like to acknowledge that the Draft EIR properly designates “Applicant” as the responsible agency to implement its own plan to reduce utility disruptions, rather than the Commission or local planning agencies.