

**SDG&E 11/12/10 Response**  
**A. 10-06-007 South Bay Substation Relocation Project PTC**  
**Energy Division Data Request 03 Dated November 4, 2010**  
**SDGE-ED-003: Q 1-5**

**Question #1**

San Diego Fairy Shrimp (*Branchinecta sandiegonensis*) – As indicated in Data Request No. 1, dated October 22, 2010, based on correspondence from the U.S. Fish and Wildlife Service (USFWS), seasonal ponds or basins that hold water are present on site, and these areas have the potential for being occupied by fairy shrimp (federally listed endangered San Diego fairy shrimp). USFWS indicated there are records of multiple pools that are located adjacent to San Diego Bay, just across the bay from the project site. The locations of these sites are available by contacting the USFWS Geographic Information Systems (GIS) Department. In addition, the project site contains soils that are typically associated with vernal pools.

Based on the recent rain events, it is recommended that the surveys are to be started the week of November 1, 2010. The USFWS is aware of the need to conduct the surveys and has indicated they are ready to approve the proposed survey upon request.

In the data response provided by San Diego Gas & Electric (SDG&E) on October 29, 2010, SDG&E indicated that the wet season survey is anticipated to be completed in spring of 2011, and if the results are negative, the dry season survey will be completed in late summer or early fall 2011. Please describe how SDG&E intends to mitigate for the occurrence of fairy shrimp in the event that the results of the surveys indicate they are present.

**SDG&E Response:**

During preparation of the Proponent's Environmental Assessment (PEA), Insignia conducted research to identify any and all biological resources, including potential suitable habitat that could be present within the Project area, and further, researched biological resources that occur within one to five miles of the Project area. A routine aspect of this research is a query of the California Natural Diversity Database (CNDDDB). From the database inquiry, we obtained a single record (Occurrence #47) of the San Diego fairy shrimp species documented in 2001 at the Navy base across the San Diego Bay from the Proposed Project site. This occurrence is more than one mile from the Project area and separated from the Project area by the San Diego Bay, which was considered an ecological barrier to dispersal of species to the Project site. Therefore, their presence in the Project area was considered unlikely.

In addition, there are no CNDDDB records of occurrences of San Diego fairy shrimp documented in Chula Vista. Further, the United States Fish and Wildlife Service (USFWS) published the "San Diego Fairy Shrimp (*Branchinecta sandiegonensis*) 5-Year Review: Summary and Evaluation" in 2008, in which there are no reported occurrences of the species in Chula Vista.

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As part of the research conducted, a request for information was submitted to the USFWS regarding federally listed species documented to occur in the vicinity of the Project. The response from the agency is included in Section 4.4-A: USFWS Species List of the PEA. Federally listed branchiopods were not on the list provided by the USFWS. Moreover, site specific investigations did not identify any vernal pools.

For all of these reasons, SDG&E does not anticipate potential impacts to fairy shrimp. Nonetheless, SDG&E is prepared to conduct protocol-level vernal pool branchiopod surveys at the Proposed Project area as soon as precipitation inundates the pools on the site. As of November 10, 2010, the pools remain dry. While SDG&E is committed to conducting these surveys to identify whether *B. sandiegonensis* is present within the Project area, we believe that it is premature to develop a mitigation plan. Should the species be discovered on site during the protocol-level surveys, SDG&E will develop and implement an appropriate mitigation plan in consultation with the USFWS.

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**Question #2**

Coastal Development Permit (CDP): SDG&E has determined that the CDP for the project will be issued by the California Coastal Commission (CCC) per the data response provided by SDG&E on October 29, 2010. Please indicate whether any correspondence has occurred between the Port of San Diego, City of Chula Vista, and CCC regarding this determination that has been made by SDG&E. Please provide a summary of any meeting discussions that have been held with the CCC, City of Chula Vista, and Port of San Diego since the filing of the Proponent's Environmental Assessment (PEA) on June 16, 2010, regarding issuance of the CDP.

Please also indicate whether there are any updates regarding whether the project site contains wetland characteristics or other habitats within the project site that are considered environmentally sensitive habitat areas (ESHA) under the California Coastal Act. Please indicate whether the CCC, California Department of Fish and Game (CDFG), and/or U.S. Army Corps of Engineers (ACOE) have provided any direction on this matter.

**SDG&E Response:**

Coastal Development Permit:

Although SDG&E's discussions with the various agencies are on-going, SDG&E has been provided with initial direction on the question of which agency will issue the CDP for the Project.

After the PEA was filed on June 16, 2010, SDG&E met with City of Chula Vista (City) staff on July 12, 2010 to discuss the permitting process and requirements for the Project. Subsequent to this meeting, during the months of July through September, SDG&E exchanged numerous communications with City staff regarding the applicability of standard City application requirements and the City's role under the California Environmental Quality Act (CEQA) in light of the California Public Utilities Commission (CPUC)'s on-going review of the Project and preemption of local permits under General Order 131-D.

During the months of October and November 2010, SDG&E had numerous informal communications with CCC, City, and the Unified Port District of San Diego (Port District) staff regarding its conclusion that the CCC retains permitting jurisdiction over the Project. SDG&E communicated this position to both the City and CCC on October 29, 2010, prior to communicating this position to the CPUC in the last data request response. The City has indicated that it would not exert coastal jurisdiction for permitting processes as long as the City's concerns are met, and that it will submit formal comments on the Project. The City

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has stated that it will transmit a letter regarding its review of the Project. To date, SDG&E has not received the City's letter. CCC staff has indicated that it believes the CCC retains permitting jurisdiction over both the existing and proposed substation sites until the Chula Vista Bayfront Redevelopment Port Master Plan and Local Coastal Program Amendment is approved by the CCC, at which point permitting jurisdiction will revert to the City and Port District. SDG&E left a voicemail with the Port District on November 9, 2010, but has not received a response.

**Wetland Characteristics:**

Please note that all discussions with all agencies regarding wetland characteristics are ongoing and SDG&E will update the CPUC and their environmental contractor as soon as possible.

CCC - SDG&E has not yet met with the CCC to discuss whether the Project site contains wetlands or Environmentally Sensitive Habitat Area (ESHA).

Regional Water Quality Control Board (RWQCB) - A site visit was conducted with RWQCB staff in May 2010. On November 1, 2010, SDG&E met with RWQCB, which took the position that the Project site contains jurisdictional waters both outside and within the Liquefied Natural Gas containment berm that will be regulated by the RWQCB either through the 401 Certification process or through the Waste Discharge Requirement (WDR) process.

U.S. Army Corps of Engineers (USACE): A site visit was conducted by SDG&E with USACE staff in May 2010. SDG&E is working to provide information to the USACE to determine the extent of USACE jurisdiction on the Project site.

California Department of Fish and Game (CDFG): SDG&E has not yet met with the CDFG.

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**Question # 3**

Substation Modifications: Response No. 7 provided by SDG&E on October 29, 2010, identified that substation modifications required to accommodate the proposed Bay Boulevard Substation will be provided at a later date. Please provide an update regarding improvements that will be completed at the Telegraph Canyon Substation, Imperial Beach Substation, and Miguel Substation.

**SDG&E Response:**

All modification work associated with the South Bay Substation Relocation Project to be completed at Telegraph Canyon Substation, Imperial Beach Substation, and Miguel Substation will be limited to the substation terminals and will be completed within the existing fence of each property. The modification work is limited to the control and protection system.

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**Question # 4**

**Jack-and-Bore Pit Construction:** Table 3-6 of the PEA indicates approximately 5.2 acres would be disturbed to complete jack-and-bore pit construction. Footnote 13 on Table 3-6 identifies that Telegraph Creek would be crossed using jack-and-bore construction methods, and up to four additional features have been identified that may be crossed using the jack-and-bore method of construction. Please indicate whether the 5.2 acres of temporary disturbance identified in Table 3-6 includes total temporary disturbance for construction activities associated with the five jack-and-bore pit construction areas. Please also provide a map identifying the worst-case footprint of the areas that would be disturbed during construction associated with the five jack-and-bore pit construction areas.

**SDG&E Response:**

The 5.2 acres of temporary disturbances indicated on the PEA in Table 3-6 takes into account the footprint disturbance of all jack and bores that may be required. The exact location of the bore pits has not been determined at this time so a map has not been developed. They are assumed to be located within the existing transmission easements, which were described in the PEA as being potentially impacted.

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**Question #5**

Wetland Data Request: Data Request 1 requested the geographic information system (GIS) files that were used to create exhibits included in the Preliminary Jurisdictional Wetland Delineation Report, dated June 11, 2010 (see *Exhibit 1*). The data received by SDG&E in response to this data request does not distinguish the different wetland features (i.e. seasonal pond, emergent wetland, mule fat scrub and disturbed wetland scrub). Please provide the GIS files that distinguish the different wetland features as depicted in *Exhibit 1*.

**SDG&E Response:**

SouthBay\_WetlandWaterwayFeatures.shp was provided on October 29, 2010 in response to Data Request 2, Question 3. This shapefile contains the potentially jurisdictional resources used to generate Figure 4a: Wetland and Waterway Features (North) and Figure 4b: Wetland and Waterway Features (South) contained within Attachment 4.4-B: Preliminary Wetland Delineation Report. The “veg” attribute contained within this shapefile provides the following categories that were used to symbolize the data for the aforementioned maps:

- Concrete-lined Ditch
- Disturbed Wetland Scrub
- Emergent Wetland
- Ephemeral Drainage
- Ephemeral Swale
- Intermittent Drainage
- Mule Fat Scrub
- Roadside Swale
- Seasonal Pond