

Appendix K
Contact Reports

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TL674A Reconfiguration and TL666D Removal Project

Contact Report

Ecology & Environment, Inc.

Meeting ()

Telephone Call (x)

E-mail (x)

Other ()

Date: March 6, 2019

Report Prepared By: Aileen Cole, Ecology and Environment, Inc. (E & E), representing the California Public Utilities Commission (CPUC)

Company/Agency: California Department of Parks and Recreation (Cal Parks)

Summary: Attempted correspondence between CPUC and Cal Parks to clarify Cal Parks comments on the Draft IS/MND for the TL674A Reconfiguration and TL666D Removal Project

On January 7, 2019, during the public comment period for the TL674A Reconfiguration and TL666D Removal Project (Project) Draft IS/MND, the California Department of Parks and Recreation (Cal Parks) submitted a comment letter to the California Public Utilities Commission (CPUC) via email. This comment letter has been included in Chapter 7.0, "Responses to Comments" in the Final IS/MND. The comment letter expressed general support for the Project, including support for the CPUC's approach to biological monitoring immediately outside of sensitive wetland Project areas, where helicopters would be utilized to minimize impacts. However, the comment letter also requested that the CPUC incorporate biological monitoring for all Project activities within upland habitats in Cal Parks land, including trails and bare areas, at Torrey Pines State Natural Reserve, identified in the comment letter as Poles 71–77 and Poles 82–89.

As described in the Draft IS/MND, Poles 71–77 would span the Torrey Pines State Natural Reserve Extension, which is an upland area north of Los Peñasquitos Lagoon. Poles 82–89 would span a wetland area within Los Peñasquitos Lagoon, identified as Los Torrey Pines State Natural Reserve. It is unclear from Cal Parks' letter whether they are requesting monitoring in upland areas only, which would take place in Torrey Pines State Natural Reserve Extension around Poles 71–77, or in the wetland areas also, which would take place in Torrey Pines State Natural Reserve around Poles 82–89. The Draft IS/MND already includes monitoring within the upland areas and immediately outside of wetland areas, as explained in **MM BR-1: Construction Monitoring**. This mitigation measure requires Project-specific biological monitoring procedures intended to minimize impacts to sensitive wetland resources; these procedures would be implemented in qualifying Project areas, including portions of Torrey Pines State Natural Reserve within Los Peñasquitos Lagoon. Additionally, this measure requires biological monitoring procedures in other sensitive Project areas that are not necessarily wetland habitats; such procedures would be implemented in upland areas in Cal Parks land, including areas between Poles 71–77.

On January 18, 2019, the CPUC submitted a comment clarification request letter to Cal Parks via email. The letter requested clarification that "Torrey Pines State Natural Reserve," as referenced in Cal Parks' comment letter, is intended to include both the upland area identified in the Draft IS/MND as Torrey Pines State Natural Reserve Extension (Poles 71–77), and the wetland area identified in the Draft IS/MND as Torrey Pines State Natural Reserve, within Los Peñasquitos Lagoon (Poles 82–89). After submittal, Silvia Yanez, the E & E Project Manager for the Project, called Cal Parks to verify receipt of this letter; Cal Parks verbally verified receipt. On February 6, 2019, the CPUC sent Cal Parks a follow-up email requesting that Cal Parks provide the clarifications requested in the original letter. While Cal Parks did not respond to this follow-up email or the original letter, they did submit a "read receipt" to the February 6, 2019 email; this read receipt indicates that the follow-up email had been opened by the intended recipient at Cal Parks. The original letter dated January 18, 2019, and all subsequent written correspondences between the CPUC and Cal Parks are included as Attachment 1 to this Contact Report.

As described in greater detail in Chapter 7.0, "Responses to Comments," the CPUC evaluated the *San Diego Coastal State Park System General Plan: Torrey Pine State Beach and Reserve* and noted that in the general plan document, Cal Parks defines Torrey Pines State Natural Reserve as a facility supporting "1,256 acres (502 hectares) of coastal terrace, bluffs, coastal wetlands, and floodplain. Included in the reserve are 183 acres 74 hectares of rugged ridges and canyons, commonly referred to as the 'Extension,' which is separated from the rest of the unit by private development. North Torrey Pines Road, a mostly four-lane portion of Highway 101, divides both the state beach and state reserve" (Cal Parks 1984). This is consistent with the area described as Torrey Pines State Natural Reserve in Cal Parks' comment on the Draft IS/MND. Because Cal Parks did not respond to the CPUC's comment clarification request letter or secondary outreach attempts, the CPUC has interpreted Cal Parks' request for biological monitoring within upland habitats to refer to habitats located within the area described in the Draft IS/MND as Torrey Pines State Natural Reserve Extension. Therefore, to clarify that biological monitoring would indeed occur within such habitats, **MM BR-1: Construction Monitoring** has been revised as indicated in Chapter 7.0, "Response to Comments," Section 5.4, "Biological Resources," and Chapter 6.0, "Mitigation Monitoring and Reporting Plan" of the Final IS/MND.

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



January 18, 2019

Darren Smith, District Services Manager
State of California Department of Parks and Recreation
San Diego Coast District
4477 Pacific Highway
San Diego, CA 92110

RE: TL674A Reconfiguration and TL666D Removal Project, Agency Comment Letter Received

Dear Darren Smith,

The CPUC received California State Parks' comment letter, dated January 7, 2019, regarding the Draft IS/MND for the TL674A Reconfiguration and TL666D Removal Project, and requests additional clarification regarding Agency concerns, as described below.

The CPUC agrees with California State Parks that the high biological sensitivity within the project area necessitates a careful balance to ensure adequate biological monitoring while minimizing habitat disturbance overall. Paragraph three of the Agency's comment letter includes a request to add onsite biological monitoring for all work in upland habitats (including trails and bare areas) at Torrey Pines State Natural Reserve, including the removal of Poles 71-77 and 82-89 (see maps 7-10 of Appendix J, attached). The letter also recognizes the safety constraints associated with project-related helicopter use, and requests that a biological monitor be in communication with technicians performing helicopter-related project activities.

As shown in Figure 5.4-1 of the Draft IS/MND, project activities that would occur within Torrey Pines State Natural Reserve (Poles 82-89) would be restricted to the following natural communities and land cover types:

- Coastal & Valley Freshwater Marsh
- Coastal Salt March
- Southern Coastal Salt Marsh
- Open Water
- Diegan Coastal Sage Scrub
- Urban/Developed

At Torrey Pines States Natural Reserve, upland habitat (Diegan Coastal Sage Scrub) is located only on the fringes of the proposed fly yard within the North Beach Day Use Lot, and at the southernmost extent of the lagoon alignment, where the alignment intersects with Sorrento Valley Road. Biological Monitors would be present to observe project activities within these upland areas, as close monitoring would not require direct access to the sensitive lagoon area.

However, due to safety and access restrictions, biological monitors would not enter project areas located within the interior lagoon area of Torrey Pines State Natural Reserve. As described above, project activities within this interior lagoon area would not occur in upland habitat (refer to Figure 5.4-1 of the

Draft IS/MND); monitors therefore would not be directly present, and would be obligated to observe project activities from a safe distance to minimize potential impacts. In the Final IS/MND, the CPUC will clarify that monitors observing project activities from outside of the lagoon areas will remain in regular communication with technicians conducting project work in the lagoon.

Poles 71-77 span Torrey Pines State Natural Reserve Extension, which consists entirely of the following natural communities and land cover types:

- Urban/Developed
- Southern Maritime Chaparral
- Torrey Pine Forest
- Diegan Coastal Sage Scrub

Project activities – including helicopter activities – proposed within the above-listed upland habitat areas in Torrey Pines State Natural Reserve Extension do not present safety and access restrictions comparable to those within Torrey Pines State Natural Reserve. Biological monitors would be present to observe all project activities within Torrey Pines State Natural Reserve Extension. In general, biological monitors within Torrey Pines State Natural Reserve Extension would conduct their observations from within or very close to project areas, though case-by-case safety setbacks may be required to accommodate certain activities, such as those in close proximity to helicopters, and/or near geologically unstable formations.

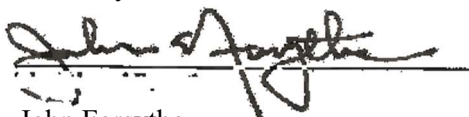
Based on the information described above, the CPUC requests the following clarification:

- Please verify that in California State Park’s request to, “[Add] to the mitigation and monitoring plan additional biological monitoring onsite for all work in upland habitats at TPSNR [Torrey Pines State Natural Reserve],” the Agency is referring to the upland areas at Torrey Pines State Natural Reserve Extension (Poles 71-77), not the wetland areas in Torrey Pines State Natural Reserve (Poles 82-89). Torrey Pines State Natural Reserve contains very limited upland habitat, and the monitoring protocol described in the Draft IS/MND is intended to protect wetland habitats within Torrey Pines State Natural Reserve. Biologists would be present in the vicinity to monitor project activities within the upland habitat areas in Torrey Pines State Natural Reserve Extension.

The CPUC appreciates the California State Park’s reviewing the information presented in this letter and respectfully requests your written response within 15 calendar days via email to TL674A.CPUC@ene.com. The CPUC’s environmental review team is also available to host a conference call next week (January 21st to 25th, 2019), in the event the California State Park’s staff has any questions to this letter.

Thank you for taking the time to help CPUC clarify the goals and intent of California State Parks’ comment letter regarding the TL674A Reconfiguration and TL666D Removal Project. Agency coordination helps ensure that potential impacts to biological resources on California State Parks land are minimized to the extent feasible.

Sincerely,



John Forsythe
Project Manager, California Public Utilities Commission
Energy Division | Infrastructure Permitting and CEQA Section

cc:

Cindy Krimmel, California State Parks, Environmental Planner

Silvia Yanez, E & E Project Manager

Michael Jacinto, E & E Deputy Project Manager

Aileen Cole, E & E Project Biologist

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Appendix J*

Detailed Project Components Maps

*Note: This is a copy of Appendix J, attached as part of the January 18, 2019 letter sent from CPUC to California State Parks. It is also included as a standalone appendix (Appendix J to the Final IS/MND).

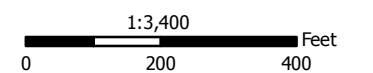
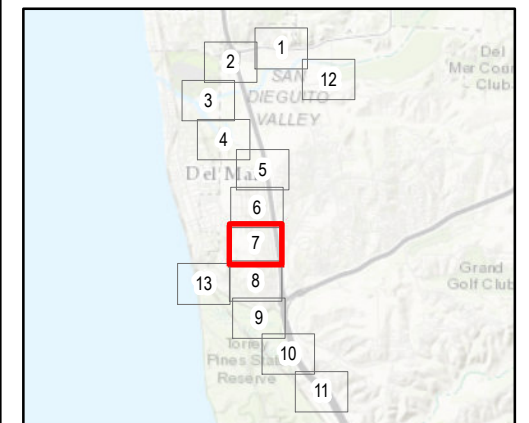
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**Detailed Project Components Map:
Map 7 of 13**

**TL674A Reconfiguration &
TL666D Removal Project**






- Remove Pole from Service
- Remove 69 kV Overhead
- Existing Access Road
- Existing Footpath
- Existing Footpath/ATV Access
- Work Area
- Staging Area/Fly Yard

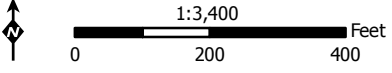
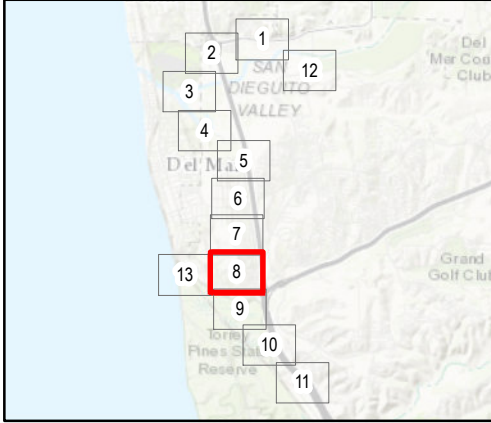




Detailed Project Components Map:
Map 8 of 13

TL674A Reconfiguration &
TL666D Removal Project

-  Remove Pole from Service
-  Remove 69 kV Overhead
-  Existing Footpath
-  Existing Footpath/ATV Access
-  Work Area

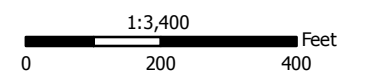
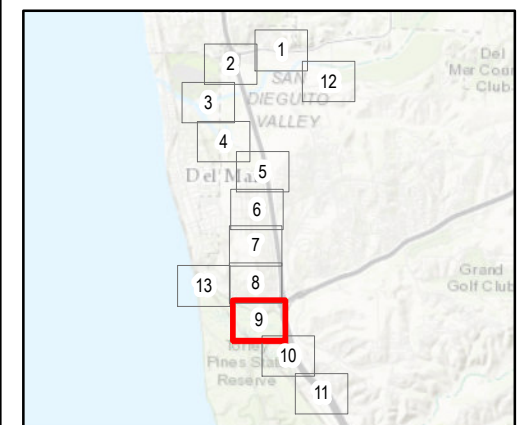




Detailed Project Components Map:
Map 9 of 13

TL674A Reconfiguration &
TL666D Removal Project

- Remove Pole from Service
- GuardStructure
- Remove 69 kV Overhead
- Existing Footpath
- Temporary Footpath
- Drop Zone
- Stringing Site
- Work Area

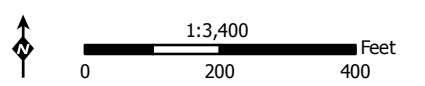
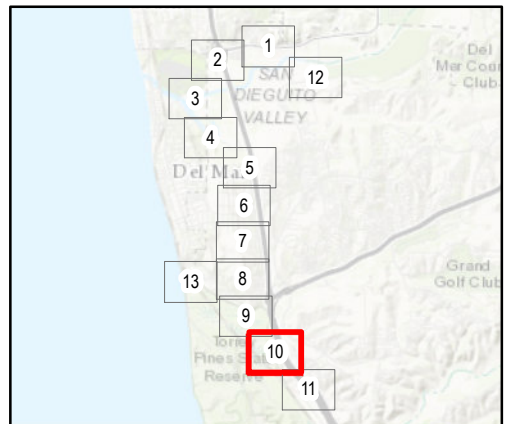




Detailed Project Components Map:
Map 10 of 13

TL674A Reconfiguration &
TL666D Removal Project

- Reconfigure Steel Pole Hardware
- Reconfigure Wood Pole Hardware
- Top Existing Steel Pole
- Top Existing Wood Pole
- New Wood Riser Pole
- Remove Pole from Service
- New Hand Hole
- New 12 kV Underground
- Remove 12 kV Overhead
- Remove 69 kV Overhead
- Remove 69 kV Overhead, Retain 12 kV Overhead
- Temporary Footpath
- Drop Zone
- Stringing Site
- Work Area



Yanez, Silvia A.

From: Yanez, Silvia A.
Sent: Wednesday, February 6, 2019 1:17 PM
To: Darren.Smith@parks.ca.gov
Cc: Forsythe, John; Cindy.Krimmel@parks.ca.gov; Jacinto, Michael; Cole, Aileen
Subject: RE: Comment Letter for TL674A and TL666D Project

Importance: High

Tracking:	Recipient	Read
	Darren.Smith@parks.ca.gov	
	Forsythe, John	
	Cindy.Krimmel@parks.ca.gov	
	Jacinto, Michael	
	Cole, Aileen	Read: 2/6/2019 1:32 PM

Dear Mr. Smith:

This email follows up the written communication sent by the CPUC last January 18, 2019, regarding the California State Parks' comment letter to the Draft IS/MND for the TL674A Reconfiguration and TL666D Removal Project (see email below).

As presented in the CPUC's letter sent on January 18, 2019, our team is currently working on the preparation of the Final IS/MND and is willing to clarify with the California State Parks' staff the following information at the earliest convenience:

- Please verify that in California State Park's request to, "[Add] to the mitigation and monitoring plan additional biological monitoring onsite for all work in upland habitats at TPSNR [Torrey Pines State Natural Reserve]," the Agency is referring to the upland areas at Torrey Pines State Natural Reserve Extension (Poles 71-77), not the wetland areas in Torrey Pines State Natural Reserve (Poles 82-89). Torrey Pines State Natural Reserve contains very limited upland habitat, and the monitoring protocol described in the Draft IS/MND is intended to protect wetland habitats within Torrey Pines State Natural Reserve. Biologists would be present in the vicinity to monitor project activities within the upland habitat areas in Torrey Pines State Natural Reserve Extension.

Would your team be available for a phone call this week to discuss this clarification request? Please advise.

Thank you in advance for your attention to this email. We look forward to continuing our agency coordination efforts to help ensure that potential impacts to biological resources on California State Parks land are minimized to the extent feasible.

Sincerely,

Silvia Yanez
CPUC's Consulting Team Lead for TL674A Reconfiguration and TL666D Removal Project

Silvia Yanez, Project Manager, Ecology and Environment, Inc.

NEW ADDRESS as of 2/1/2019: One Embarcadero Center Suite 500, San Francisco, CA 94111 | t: +1-415-398-5326 | m: +1-415-3104129 | www.ene.com

From: CPUC TL674A & TL666D <TL674A.CPUC@ene.com>
Sent: Friday, January 18, 2019 12:40 PM
To: Darren.Smith@parks.ca.gov
Cc: Forsythe, John <John.Forsythe@cpuc.ca.gov>; Cindy.Krimmel@parks.ca.gov; Yanez, Silvia A. <SYanez@ene.com>; Jacinto, Michael <MJacinto@ene.com>; Cole, Aileen <ACole@ene.com>
Subject: RE: Comment Letter for TL674A and TL666D Project

Dear Mr. Smith:

The CPUC reviewed the California State Parks' comment letter, dated January 7, 2019, regarding the Draft IS/MND for the TL674A Reconfiguration and TL666D Removal Project, and requests additional clarification, as described in the attached correspondence.

We appreciate the California State Park's reviewing the information presented in this letter and respectfully request your written response within 15 calendar days. The CPUC's environmental review team is also available to host a conference call next week, at your convenience, should the California State Park's staff has any questions to discuss about the attached letter.

Thank you for taking the time to participate in the CEQA review process for this project. Please do not hesitate in contacting us should you have any questions about this correspondence.

Sincerely,

Silvia Yanez
CPUC's Consulting Team Lead for TL674A Reconfiguration and TL666D Removal Project

Silvia Yanez, Project Manager, Ecology and Environment, Inc.

505 Sansome Street, Suite 300, San Francisco, CA 94133 | [t: +1-415-398-5326](tel:+14153985326) | [m: +1-415-3104129](tel:+14153104129) | www.ene.com

From: Forsythe, John
Sent: Wednesday, January 09, 2019 11:06:57 AM (UTC-08:00) Pacific Time (US & Canada)
To: Smith, Darren@Parks; CPUC TL674A & TL666D
Cc: Weinstein, Kimberly@Parks; Urbach, Lisa@Parks; Hardenbrook, Dylan@Parks; Kosek-Kelly, Susan@Parks; Schneider, Georgia@Parks; Stafford, Cara@Parks; Turner, Nicole@Parks; Krimmel, Cindy@Parks; 'mikehastings1066@gmail.com'
Subject: RE: Comment Letter for TL674A and TL666D Project

Hello Darren:

Thanks for your note and follow up phone call. Your comment letter has been accepted and logged and will be addressed in the Final IS/MND. We appreciate your participation in the CEQA compliance process for this project.

If you have any other questions or concerns, please don't hesitate to call or email me directly.

Regards,

John

John Edward Forsythe, AICP

Senior Environmental Planner

Public Utilities Regulatory Analyst IV

California Public Utilities Commission

Energy Division

Infrastructure Permitting and CEQA Section

300 Capital Mall, Suite 418

Sacramento, CA 95814

916.327.6782 (desk)

916.217.5073 (cell)

email: john.forsythe@cpuc.ca.gov

website: www.cpuc.ca.gov

From: Smith, Darren@Parks <Darren.Smith@parks.ca.gov>

Sent: Tuesday, January 08, 2019 11:35 AM

To: Forsythe, John <John.Forsythe@cpuc.ca.gov>; TL674A.CPUC@ene.com

Cc: Weinstein, Kimberly@Parks <Kimberly.Weinstein@parks.ca.gov>; Urbach, Lisa@Parks <Lisa.Urbach@parks.ca.gov>;

Hardenbrook, Dylan@Parks <Dylan.Hardenbrook@parks.ca.gov>; Kosek-Kelly, Susan@Parks <[\[Kelly@parks.ca.gov\]\(mailto:Kelly@parks.ca.gov\)>; Schneider, Georgia@Parks <\[Georgia.Schneider@parks.ca.gov\]\(mailto:Georgia.Schneider@parks.ca.gov\)>; Stafford, Cara@Parks](mailto:Susan.Kosek-</p></div><div data-bbox=)

<Cara.Stafford@parks.ca.gov>; Turner, Nicole@Parks <Nicole.Turner@parks.ca.gov>; Krimmel, Cindy@Parks

<Cindy.Krimmel@parks.ca.gov>; 'mikehastings1066@gmail.com' <mikehastings1066@gmail.com>

Subject: Comment Letter for TL674A and TL666D Project

Mr. John Forsythe,

We request that you accept our comment letter regarding the TL674A and TL666D Project Draft MND/IS (attached) even though we are a day late in our submittal. California State Parks is supportive of the project and looks forward to working with you to address some of the issues to avoid and minimize impacts to the resources and operations at Torrey Pines State Natural Reserve.

Thank you for consideration of this request.

Sincerely,

Darren Smith

District Services Manager, California State Parks San Diego Coast District

4477 Pacific Highway San Diego, Ca 92110

(619) 952-3895

Yanez, Silvia A.

From: Krimmel, Cindy@Parks <Cindy.Krimmel@parks.ca.gov>
To: Yanez, Silvia A.
Sent: Wednesday, February 6, 2019 1:58 PM
Subject: Read: Comment Letter for TL674A and TL666D Project

Your message

To:
Subject: Comment Letter for TL674A and TL666D Project
Sent: Wednesday, February 06, 2019 5:00:29 PM (UTC-05:00) Eastern Time (US & Canada)

was read on Wednesday, February 06, 2019 4:58:16 PM (UTC-05:00) Eastern Time (US & Canada).

Yanez, Silvia A.

From: Smith, Darren@Parks <Darren.Smith@parks.ca.gov>
To: Yanez, Silvia A.
Sent: Thursday, February 7, 2019 9:31 AM
Subject: Read: Comment Letter for TL674A and TL666D Project

Your message

To:
Subject: Comment Letter for TL674A and TL666D Project
Sent: Thursday, February 07, 2019 12:33:00 PM (UTC-05:00) Eastern Time (US & Canada)

was read on Thursday, February 07, 2019 12:30:49 PM (UTC-05:00) Eastern Time (US & Canada).

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