

PUBLIC UTILITIES COMMISSION
300 Capitol Mall
SACRAMENTO, CALIFORNIA 95814



Mitigated Negative Declaration

San Diego Gas & Electric Company TL674A Reconfiguration and TL666D Removal Project Application No. 17-06-029

1 **Lead Agency:** California Public Utilities Commission
2 Energy Division, Infrastructure Permitting and CEQA Section
3 300 Capitol Mall, Suite 418
4 Sacramento, California 95184
5
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7 (916) 327-6782 or john.forsythe@cpuc.ca.gov
8

9 **1.0 Mitigated Negative Declaration**

10

11 **1.1 Project Information**

12

13 **Project:** TL674A Reconfiguration and TL666D Removal Project
14 City of Del Mar and City of San Diego, California

15

16 **Proponent:** San Diego Gas & Electric Company
17 8330 Century Park Court, CP32A
18 San Diego, CA 92123

19

20 **Contact:** ~~Stacie Atkinson~~ Ms. Elizabeth Beaver, Regulatory Affairs
21 ~~(858) 654-6471~~ or satkinson@semprautilities.com
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23

24 **1.2 Background and Description of Project**

25

26 Pursuant to the California Public Utilities Commission's (CPUC) General Order 131-D, San Diego Gas &
27 Electric Company (SDG&E, or the applicant) has filed an application (A.17-06-029) with the CPUC for a
28 Permit to Construct the TL674A Reconfiguration and TL666D Removal Project (hereafter "proposed
29 project"). The application was filed on June 28, 2017, and includes the Proponent's Environmental
30 Assessment (PEA) prepared by SDG&E pursuant to the CPUC's Rules of Practice and Procedure
31 Rule 2.4 (CEQA Compliance).
32

1 The proposed project would consist of the following four components:
2

3 **TL674A Reconfiguration:** Proposes the Entails removal of an approximate 700-foot-long overhead 69-
4 kilovolt (kV) ~~tap~~ conductor, and installation of approximately 1.1 miles of
5 new underground duct bank and four vaults to connect TL674A (renamed
6 TL6973 as part of the proposed project) to the Del Mar Substation.
7

8 **TL666D Removal:** Includes removal of approximately 6 miles of overhead 69-kV ~~power tie~~ line
9 between the Del Mar Substation and the intersection of Vista Sorrento
10 Parkway and Pacific Plaza Drive.
11

12 **C510 Conversion:** Comprises the conversion of approximately 3,900 feet of existing overhead
13 12-kV distribution line to an underground configuration within San Dieguito
14 and Racetrack View Drive, removal of five distribution line poles adjacent to
15 Racetrack View Drive, and installation of several poles connecting existing
16 overhead to new underground configuration.
17

18 **C738 Conversion:** Proposes the Entails conversion of approximately 630 feet of existing
19 overhead 12-kV distribution line to an underground configuration within the
20 Sorrento Valley multi-use path, with removal of distribution line poles and
21 installation of several new poles and risers.
22

23 The project would also include the removal and replacement of a circuit breaker at the existing Del Mar
24 Substation to accommodate increased ampacity of TL6973¹.
25

26 The proposed project would be located primarily within the northern portion of the city of San Diego
27 along the Interstate 5 (I-5) corridor from Via de la Valle southward to where the power line crosses I-5 in
28 the vicinity of the Sorrento Valley and Torrey Hills communities. A portion of the proposed project
29 would be located in the city of Del Mar within the 22nd District Agricultural Association and within and
30 adjacent to the San Dieguito Lagoon. The proposed project would be located entirely within the Coastal
31 Zone and partially within the Torrey Pines State Natural Reserve and Torrey Pines State Natural Reserve
32 Extension.
33

34 SDG&E has stated that the proposed project is necessary to improve access to utility infrastructure
35 currently located in environmentally sensitive areas within the San Dieguito and Los Peñasquitos lagoons.
36 According to the applicant, undergrounding the distribution line would increase the safety and overall
37 reliability of the transmission system. Construction would be phased and could begin as early as year
38 2019, depending on CPUC approval. In accordance with the CPUC's General Order 131-D, the CPUC
39 may not consider approving "any new electric generating plant or the modification, alteration or addition
40 of electric transmission/power/distribution line facilities... [such as the proposed project] without first
41 complying with the provisions of this order, [including] with the California Environmental Quality Act
42 (CEQA)."
43

¹ Ampacity is defined as the maximum amount of current that an electrical conductor can safely carry.

1 The CPUC has prepared this Initial Study (IS) pursuant to CEQA for the proposed project to determine if
2 any significant adverse effects on the environment would result from project implementation. The IS uses
3 the significance criteria outlined in Appendix G of the CEQA Guidelines. If the IS for the proposed
4 project indicates that a significant adverse impact that could not be mitigated to a less than significant
5 level could occur, the CPUC would be required to prepare an Environmental Impact Report.

6
7 According to Article 6 (Negative Declaration Process) and Section 15070 (Decision to Prepare a Negative
8 Declaration or Mitigated Negative Declaration) of the CEQA Guidelines, a public agency shall prepare or
9 have prepared a proposed Negative Declaration or Mitigated Negative Declaration (MND) for a project
10 subject to CEQA when:

11
12 *(a) The initial study shows that there is no substantial evidence, in light of the whole record before*
13 *the agency, that the project may have a significant effect on the environment, or*

14 *(b) The initial study identifies potentially significant effects, but:*

15 *(1) Revisions in the project plans or proposals made by, or agreed to by the applicant before a*
16 *proposed mitigated negative declaration and initial study are released for public review*
17 *would avoid or mitigate the effects to a point where clearly no significant effects would*
18 *occur, and*

19 *(2) There is no substantial evidence, in light of the whole record before the agency, that the*
20 *project as revised may have a significant effect on the environment.*

21
22 Based on the analysis in the IS, the CPUC has determined that all environmental impacts related to the
23 proposed project would be less than significant or reduced to less-than-significant levels with
24 incorporation of feasible mitigation measures identified in the topical analyses. Mitigation measures
25 identified in this MND have been developed to avoid impacts altogether by avoiding certain actions or
26 parts of actions; limiting the degree or magnitude of particular action(s), including effects associated with
27 their implementation; rectifying effect(s) through repair, rehabilitation, or restoration of the impacted
28 environment; or reducing or eliminating impacts over time by preservation and maintenance
29 operations.... (Section 15370). The IS differentiates measures that have been incorporated into the
30 proposed project as specific design features or as applicant-proposed measures (APMs) from those
31 (mitigation measures) identified as necessary to reduce or eliminate significant environmental impacts.
32

1.3 Required Approvals

Table 1-1 lists permits and approvals that SDG&E may be required to obtain for the proposed project.

Table 1-1 Potential Project Approvals

Permit/Approval	Agency	Requirement
Nationwide Permit	U.S. Army Corps of Engineers	Consultation to determine necessity for permit to conduct construction in or adjacent to Waters of the United States
Permit to Construct	California Public Utilities Commission	Environmental clearance under CEQA
Coastal Development Permit	California Coastal Commission ⁽¹⁾	For construction, operation and maintenance within the coastal zone.
Right-of-Entry Permit	California State Parks	For construction, operation and maintenance within state park land.
Encroachment Permit	California Dept. of Transportation	For construction, operation and maintenance within, under, or over a state right-of-way.
<u>Archaeological Resources Investigation and Collection Permit</u>	<u>California Department of Parks and Recreation</u>	<u>Permit to Conduct Archaeological Investigation/Collections on State Parks land</u>
<u>Paleontological Resources Investigation and Collection Permit.</u>	<u>California Department of Parks and Recreation</u>	<u>Permit to Conduct Paleontological Investigation/Collections on State Parks land</u>
General Construction Storm Water Permit	State Water Resources Control Board	For stormwater discharges during construction.
Encroachment Permit Traffic Control Permit	City of San Diego	For construction, operation and maintenance within, under, or over City of San Diego rights-of way
Access Permit	City of Del Mar	For construction, operation and maintenance within, under, or over City of Del Mar rights-of way

Note:

(1) The California Coastal Commission extends its approval authority to local agencies that have adopted a Coastal Development Plan.

1.4 Environmental Determination

Pursuant to the Public Resource Code and CEQA Guidelines, the lead agency, the CPUC, has prepared an IS for the proposed project to evaluate the proposed project’s potential effects on the environment and to evaluate the level of significance of these effects. The IS relies on information in SDG&E’s PEA filed on June 28, 2017; SDG&E’s responses to data requests; project site reconnaissance by the CPUC environmental team in February 2018; the CPUC’s independent analysis; and other environmental analyses.

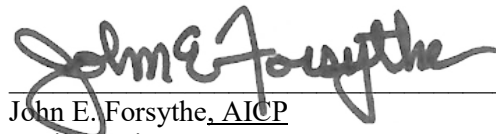
On December 6, 2018, the CPUC circulated the Draft IS/MND for the TL674A Reconfiguration and TL666D Removal Project for public review in compliance with CEQA and CPUC Rule 17.1. The Draft IS/MND was also filed with the State Clearinghouse on December 6, 2018, initiating a 30-day public review period. Written comments from two public agencies, one tribal organization, the applicant, and four residents were received during the public review period. Following closure of the public review period on January 7, 2019, the CPUC prepared responses to comments received, and the IS/MND was revised, as appropriate to reflect these comments. The comments and associated responses are presented in Chapter 7.0 of this document. Additional revisions made to the IS/MND are presented in Chapter 8.0.

1 Based on the IS, it has been determined that the proposed project would not have a significant effect on
2 the environment with the incorporation of the proposed APMs and mitigation measures. The IS/MND is
3 available for review at the offices of the CPUC, 300 Capitol Mall, Sacramento, California 95814, 505
4 Van Ness Avenue, San Francisco, California 94102; at the following public libraries within the:
5

San Diego County Library
Del Mar Branch
1309 Camino Del Mar
Del Mar, CA 92014

San Diego Central Library
MS-17 Gov. Documents
330 Park Blvd
San Diego, CA 92101

6
7 as well as digitally from the CPUC at <http://www.cpuc.ca.gov/environment/info/ene/delmar/delmar.html>.
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11 _____
12 John E. Forsythe, AICP
13 Senior Project Manager
14 Energy Division, California Public Utilities Commission
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3-21-19

Date

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1.5 Applicant Proposed Measures and Mitigation Measures

SDG&E's PEA identifies APMs to address potentially significant impacts; these APMs are considered to be part of the description of the proposed project and are listed in Table 4-9 of ~~Section~~ Chapter 4.0, "Project Description," in the IS. Based on the IS analysis, additional mitigation measures are identified for adoption to ensure that impacts of the proposed project would be less than significant. The additional mitigation measures supplement or supersede the APMs and the project applicant, SDG&E, agrees to implement all of the additional measures identified as mitigation as part of the proposed project.

~~Section~~ Chapter 6, "Mitigation Monitoring and Reporting Plan (MMRP)" is included in the IS to ensure that the APMs and mitigation measures presented below are properly implemented. The MMRP describes specific actions required to implement each APM and mitigation measure, including information on the timing of implementation and monitoring requirements. Following project approval, the CPUC would prepare and implement a Mitigation Monitoring Compliance and Reporting Program (MMCRP) to ensure compliance with the mitigation measures approved in the Final IS/MND.

Implementation of the following mitigation measures would avoid potentially significant impacts identified in the IS or reduce them to less-than-significant levels.

Biological Resources

MM GEN-1: Implementation of All APMs. The applicant shall implement all APMs as stated in this environmental document, except in cases where specific APMs were superseded by mitigation measures. The APMs shall be incorporated into the Mitigation, Monitoring, and Reporting Plan.

MM BR-1: Preconstruction Surveys. Thirty days prior to the start of construction activities in new work areas that have the potential to impact biological resources (e.g., staging, vegetation clearing, trenching, helicopter activities, pole removal, stringing, stockpiling), a CPUC-approved biologist shall conduct preconstruction surveys for sensitive biological resources within all qualifying work areas, including access roads, footpaths, fly yards, stringing sites, pole removal sites, etc. In efforts to minimize the extent of human activities within San Dieguito Lagoon and Los Peñasquitos Lagoon while maintaining worker safety, preconstruction surveys in the lagoon areas will be conducted from a safe distance that still allows for adequate biological observation (via binoculars or other means). Lagoon areas that are accessible by foot shall undergo standard preconstruction surveys. If construction activities halt within a work area for fourteen days, the biological monitor shall recheck the work area for any sensitive biological resources prior to the re-commencement of construction activities. Avian surveys shall be conducted in accordance with SDG&E's Subregional NCCP as well as all other applicable requirements, as described in MM BR-6: Nesting Bird Management Plan. Prior to the start of daily project-related activities within all work areas, all areas with habitat suitable to support special status plants and wildlife, and all areas and places in which wildlife could become trapped (trenches, holes, excluded areas, etc.) shall undergo a daily biological clearance sweep, to be conducted by a qualified, CPUC-approved biological monitor. Only after verbal clearance by the biological monitor may project-related activities commence within work areas.

MM BR-2: Designation and Exclusion of Work Area Boundaries, Environmentally Sensitive Areas (ESHAs, Jurisdictional Features), and Excavations. Construction activities, equipment, vehicles, and materials storage shall be restricted to approved work areas and laydown yards/fly yards, which shall be bordered by exclusionary fencing, flagging, or signage that shall be installed

1 prior to the start of construction activities. Setbacks for project activities including equipment storage,
2 equipment maintenance, and fueling shall be no fewer than 50 feet from aquatic resources, water
3 features, and ESHAs. These areas shall be situated in such a manner as to prevent any runoff from
4 entering sensitive habitat and aquatic features.

5 To minimize the potential for human-related impacts in sensitive areas, fencing, flagging, or signage
6 shall not be required in helicopter access-only work areas within San Dieguito Lagoon or Los
7 Peñasquitos Lagoon. However, as described in MM BR-4, a CPUC-approved biological monitor shall
8 observe project activities within such areas from a safe distance, assisted by binoculars as needed. In
9 work areas located outside of the lagoons or within the lagoons by fully accessible by foot, in which
10 construction activities are anticipated to last less than one day, fencing and flagging installation will
11 not be required, but a CPUC-approved biological monitor must be present to observe construction
12 activities per MM BR-4. Equipment such as PVC conduit, which could potentially entrap wildlife,
13 shall be inspected by a qualified, CPUC-approved biological monitor prior to use. Areas that would
14 be subject to excavation (e.g., trenches and holes), shall be excluded and fully covered at the end of
15 each day to prevent wildlife from falling in and becoming entrapped. If a trench or hole cannot be
16 fully covered at the end of the day for any reason, the applicant shall install wildlife escape ramps at
17 least every 100 feet, which shall have slopes no greater than 2:1.

18 Environmentally Sensitive Areas (areas with substantial biological resources such as special status
19 species, sensitive natural communities, occupied and/or suitable habitat, or aquatic features),
20 including Environmentally Sensitive Habitat Areas (ESHAs) and potentially jurisdictional aquatic
21 features (under USACE, CDFW, RWQCB, and/or CCC jurisdiction), shall be clearly flagged, fenced,
22 and/or indicated by signage to prevent inadvertent disturbance or trampling. Adequate buffer
23 distances surrounding Environmentally Sensitive Areas shall be determined by the CPUC-approved
24 biological monitor, based on the biological sensitivity of the resource and the nature of the approved
25 project-related activities occurring nearby. Buffers between staging areas, stringing sites, and both
26 ESHAs and wetland areas shall be no less than 50 feet, unless it is determined by the onsite, CPUC-
27 approved biologist that a lesser buffer distance is appropriate. Buffer distance reduction requests must
28 be directed to the CPUC, and should involve consultation with relevant agencies (USFWS, USACE,
29 CDFW, and/or CCC) as needed.

30 **MM BR-3: Worker Training Program.** The applicant shall develop a Worker Environmental
31 Awareness Program (WEAP), to be submitted to the CPUC for review and approval, that shall be
32 administered to all project-related staff who will conduct on-site work (e.g., construction crews,
33 management, monitors, contractors, sub-contractors, etc.). The applicant shall submit to the CPUC
34 monthly documentation of who has undergone WEAP training. The WEAP shall describe the
35 sensitive biological resources (plants, wildlife, and sensitive natural communities) that crews may
36 encounter onsite, mitigation measures that shall be used to reduce impacts to these resources, the
37 penalties associated with violations of the conditions of the IS/MND, acquired permits, and
38 SDG&E's best management practices (BMPs). Additionally, the applicant shall develop an
39 informational handout or booklet for each employee that will contain key aspects of the WEAP,
40 including sensitive species that workers may encounter onsite, whom to contact in the event of such
41 observations, and the roles and responsibilities of the CPUC, and of other applicable agencies (e.g.,
42 CDFW, USFWS, RWQCB). These materials will be posted in the onsite construction trailer(s) and
43 provided to crew supervisors, monitors, and to the SDG&E Field Construction Administrator.

44 **MM BR-4: Construction Monitoring.** The applicant shall ensure that a qualified, CPUC-approved
45 biological monitor is present at all times to monitor ground-disturbing activities (e.g., grading,

1 vegetation removal, trenching, digging, etc.) in areas that have the potential to support special status
2 species. All ground-disturbing activities that would occur within 50 feet of Environmentally Sensitive
3 Areas (areas supporting special status species, sensitive natural communities, and aquatic features),
4 ESHAs, and all potentially jurisdictional aquatic features (non-wetland waters of the state, wetlands,
5 streambeds, open water, tidal waters, and jurisdictional natural communities) will be monitored. To
6 minimize the potential for human-related impacts in sensitive areas and to maintain worker safety, a
7 biological monitor shall not be present to observe project activities within helicopter access-only
8 work areas in San Dieguito Lagoon or Los Peñasquitos Lagoon. The CPUC-approved biological
9 monitor shall observe project activities within such areas from a safe distance, assisted by binoculars
10 as needed. When the CPUC-approved biological monitor must observe project activities from a safe
11 distance, the monitor will maintain communication with pole removal technicians, both before and
12 after each workday, to ensure that appropriate biological resource protection protocols are
13 implemented. In work areas located outside of the lagoons, including upland habitat within Torrey
14 Pines State Natural Reserve Extension, and in work areas ~~or~~ within the lagoons ~~by~~ but fully accessible
15 by foot, the CPUC-approved biological monitor shall be present to observe project activities as
16 described above. Areas within existing pavement that do not have the potential to support special
17 status species will receive a pre-construction survey and spot-checks, as determined by the biological
18 monitor in accordance with SDG&E's NCCP. The biological monitor shall have temporary stop-work
19 authority if he or she determines that project-related activities present a threat to sensitive biological
20 resources. If the biological monitor must stop work due to threat to a biological resource, work may
21 resume once the biological monitor determines that activities will no longer risk or endanger the
22 resource, or upon further consultation with the appropriate agencies (CDFW, USFWS, USACE,
23 RWQCB, or CCC).

24 **~~MM BR-5: Natural Communities; Plant Protection Plan; Tree Protection and Preservation~~**
25 **~~Plan. Natural Communities, Protected Tree, and Plant Protection Plan.~~**

26 To minimize project-related impacts to natural communities, protected trees, and special status plants, SDG&E shall
27 adhere to the enhancement and restoration components of the NCTPP Plan, including the Quality
28 Assurance restoration protocols described in Chapter 7.2 Habitat Enhancement Measures.
29 Additionally, prior to construction, the applicant shall ensure that special status plant surveys are
30 conducted during appropriate phenological (blooming) periods within one year prior to the start of
31 construction to ensure detection. If detected, special status plants shall be flagged for avoidance. All
32 reasonably accessible Del Mar manzanita (*Arctostaphylos glandulosa* ssp. *crassifolia*) observed
33 ~~within 50 feet of~~ directly adjacent to, or within, or proximal to proposed work areas and access
34 roads/paths shall be staked, flagged, and/or fenced by a qualified biologist prior to construction. This
35 measure applies to Del Mar manzanita plants that could be inadvertently accessed and impacted by
36 project activities, and does not apply to Del Mar manzanita plants that are difficult to access and that
37 would be unlikely to be reached by construction crews or equipment. Additionally, no fewer than
38 ~~fourteen~~ 30 days prior to the start of construction, the applicant shall develop and submit to the Plan
39 to the CPUC, which shall include, at a minimum, the following:

- 40 • A Restoration Strategy, including a long-term monitoring strategy, for each protected tree species
41 and special status plant species that is known to occur within or near (within 50 feet) proposed
42 work areas, and that therefore could be impacted by proposed project activities. If a single
43 restoration strategy and/or long-term monitoring strategy would be effective for multiple species
44 or for groups of species, the discussion may be inclusive of all applicable species, as appropriate
45 long-term monitoring strategies should ensure successful restoration and recolonization by the
46 intended species.

- 1 • Restoration and long-term monitoring plans for natural communities including aquatic features
2 and ESHAs that may experience project-related impacts.
- 3 • A Noxious and Invasive Weed Control Strategy to prevent the colonization of noxious and
4 invasive weeds in areas disturbed by proposed project activities. The strategy shall include a
5 procedure for washing, inspecting, documenting, and approving vehicles and equipment prior to
6 being staged anywhere within the project area.
- 7 • Methods of communication between the applicant, the CPUC, and local qualified city arborists to
8 discuss which protected trees, if any, may require trimming before or during project construction,
9 and which protected trees may be subjected to construction activities within 20 feet of the
10 Dripline Area.

11 Because SDG&E may feasibly encounter unanticipated vegetation during project construction, the
12 NCTPP Plan shall be a live document, which may be updated on an as-needed basis to include
13 appropriate restoration strategies for natural communities, protected trees, and special status plants
14 that are not anticipated 30 days prior to the start of construction, but that may be later observed. If an
15 unanticipated qualifying resource is observed within or near (within 50 feet) of a work area, SDG&E
16 must avoid the resource, and must incorporate appropriate restoration and long-term monitoring
17 strategies for the unanticipated biological resource into the approved NCTPP Plan within ~~fourteen~~ 30
18 days of initial observation, for review and approval.

19 **MM BR-6: Avian Protection.** To minimize impacts to avian species, SDG&E shall adhere to all
20 applicable avian protection measures as described in the NCCP, including applicable Raptor Species
21 protections. Additionally, the applicant shall not conduct project-related activities within at least 100
22 feet of San Dieguito Lagoon, Los Peñasquitos Lagoon (Torrey Pines State Natural Reserve), or
23 Torrey Pines State Natural Reserve Extension during nesting bird season (February 1 to August 31).
24 A CPUC-approved avian biologist who is knowledgeable about avian species native to the coastal
25 San Diego region shall conduct special status avian surveys where construction would occur during
26 nesting bird season. The avian biologist shall conduct focused avian preconstruction surveys no more
27 than fourteen days before project activities begin in each workspace, in areas containing or adjacent
28 to suitable habitat for special status avian species. For project areas within 500 feet of or within
29 suitable habitat for Western Snowy Plover (*Charadrius alexandrinus nivosus*), the surveying avian
30 biologist must have documented experience surveying Western Snowy Plover. Surveys shall be
31 conducted within work areas plus a buffer large enough to encompass the ~~next~~ nest buffer of any
32 special status avian species for which suitable habitat is present (i.e., 100 to 500 feet). In work areas
33 that contain no suitable or potentially suitable habitat for special status avian species, and that would
34 not be subject to any ground disturbance or vegetation trimming/removal, focused avian
35 preconstruction surveys are not necessary.

36 If nesting birds are observed ~~within 500 feet of work areas within or adjacent to the lagoons, Torrey~~
37 ~~Pines State Natural Reserve Extension, ESHAs, or other proposed work areas~~ during focused avian
38 surveys or general preconstruction surveys (see MM BR-1), the avian biologist shall establish
39 appropriate, species-specific vertical and horizontal buffers between project activities and established
40 ests and territories. ~~to be no less than~~ The buffers shall be no less than 500 feet (vertical and
41 horizontal) for all raptors, Coastal California Gnatcatcher, and Western Snowy Plover nests (unless
42 otherwise approved by USFWS and/or CDFW). Buffers between project activities and other avian
43 nests shall be established on a species-specific basis, based on USFWS and CDFW recommendations
44 and avian biologist observations. ~~the following distances for each species:~~

- 1 • ~~500 feet (vertical and horizontal) for all raptors, Coastal California Gnatcatcher, and Western~~
2 ~~Snowy Plovers;~~
- 3 • ~~300 feet (vertical and horizontal) for all other special status avian species (passerine, waders,~~
4 ~~etc.); and~~
- 5 • ~~100 feet (vertical or horizontal) from nests of non-special status avian species.~~

6 If non-nesting special-status avian species are observed, project activities may resume at distances
7 greater than 100 feet from San Dieguito Lagoon, Los Peñasquitos Lagoon (Torrey Pines State Natural
8 Reserve), and Torrey Pines State Natural Reserve Extension during nesting bird season (February 1 to
9 August 31), but a CPUC-approved biological monitor must be present. If project activities would
10 occur between 100 and 500 feet of occupied (non-nesting) Western Snowy Plover habitat, then an
11 avian biologist with documented experience surveying Western Snowy Plover must be present to
12 observe all project activities.

13 ~~The nest buffer distances described above~~ Nest buffer distances may be reduced on a case-by-case
14 basis, based on scientific observations and biological reasoning by the avian biologist(s), taking nest
15 sensitivity and proposed project activities into consideration. Vertical nest buffers shall also be
16 established and defined in the Nesting Bird Management Plan where applicable, between helicopter
17 activities and active bird nests. The applicant shall notify the CPUC, USFWS, and CDFW of nest
18 buffer reductions on a weekly basis. The applicant shall coordinate with the USFWS and CDFW for
19 nest-buffer reductions to special status species and raptor nests and will provide verification to the
20 CPUC of this coordination when reducing such buffers. Nest buffer reductions for common, non-
21 special status species shall be reduced as established by protocols established in the Nesting Bird
22 Management Plan (NMBP). Requests to decrease buffer distances must be submitted to the CPUC for
23 review and approval prior to implementation. Buffer distances may not be reduced to less than 100
24 feet for special status avian species. All nests with a reduced buffer shall be monitored daily during
25 construction activities until the young have fledged, the nest becomes inactive, or until construction
26 activities have concluded within the buffer area.

27 The applicant shall develop an ~~Nesting Bird Management Plan (NBMP)~~ in accordance with the
28 Avian Power Line Interaction Committee (APLIC) and USFWS guidelines (APLIC and USFWS
29 2005), to be submitted to the CPUC no fewer than 30 days prior to the start of construction. The plan
30 shall contain, at a minimum, the following information and strategies intended to minimize impacts to
31 avian species:

- 32 • Methods from APLIC Reducing Avian Collisions with Power Lines: The State of the Art in 2012
33 (APLIC 2012) that would minimize the risk of avian collisions, injuries, and electrocutions
34 associated with new poles and aboveground utility features, including those associated with the
35 C738 and C510 conversions;
- 36 • Species-specific USFWS and/or CDFW survey protocols and planned compliance procedures
37 with the protocol(s);
- 38 • Survey timing, methods, and boundaries, protocols for determining whether a nest is active and
39 how to protect active nests, documentation and reporting methods for observed active nests, and
40 surveyor qualifications;
- 41 • Nest documentation (nest activity, active/inactive, etc.) and an established procedure for
42 contacting the appropriate agencies (CPUC, CDFW, USFWS) with inactive nest removal requests
43 for review;

- Nesting bird deterrent methods for activities to be conducted outside of the lagoons and Torrey Pines State Natural Reserve, but within nesting bird season;
- Species-specific buffer determinations relating to project components and protocols for requesting a reduced buffer distance from the CPUC and from the wildlife agencies; and
- Language indicating that buffer distances shall be based on biological data and site/species-specific observations, not generalized assumptions.

MM BR-7: Nighttime Lighting Protection. Any lighting required for construction activities, including activities that would occur at staging areas/fly yards, stringing sites, drop zones, and other work areas, shall be minimized to the extent feasible, and shall utilize the lowest illumination necessary for worker safety, in accordance with Occupational Health and Safety Administration standards. Lighting shall be selectively placed, oriented downward, and shielded to minimize offsite light spill. Nighttime lighting in wildlife corridor areas shall be of low-sodium or similar lighting methods, in accordance with the City of San Diego MHPA requirements. Construction equipment and vehicle speeds on unpaved roads during nighttime activities shall be restricted to 15 miles per hour as described in SDG&E's NCCP, and biologists shall conduct vehicle checks for trapped or concealed wildlife prior to moving equipment after dark to minimize strike and collision risk to nocturnal wildlife species. Lights shall not be left on during nighttime hours, except as required for nighttime work and/or an emergency.

MM BR-8: Butterfly Protection. Any tree trimming that would occur during western monarch butterfly overwintering season (September-February) shall be observed by a CPUC-approved biological monitor who is knowledgeable about western monarch butterfly ecology and life history. The monitor shall inspect the tree to determine the presence of overwintering western monarch butterfly, or to determine if the tree has a high potential to support overwintering western monarch butterfly populations, based on tree species and historic overwintering western monarch butterfly occurrences (see Table 5.4-10). Trees may only be trimmed or removed if the biologist determines that they do not support overwintering western monarch butterfly populations. No Torrey pines or eucalyptus trees may be trimmed within San Dieguito Lagoon, Los Peñasquitos Lagoon, Torrey Pines State Natural Reserve Extension, or the locations identified in Table 5.4-10 during overwintering season.

To minimize the potential for impacts to wandering skipper, a Narrow Endemic Species, and in accordance with SDG&E's NCCP, the applicant shall not conduct construction activities within San Dieguito Lagoon or Los Peñasquitos Lagoon during peak flight season (July-September). If construction activities within any work areas (within or outside of lagoon areas) would result in the removal of or damage to the wandering skipper host plant (salt grass) or to native nectar sources known to support western monarch butterfly, the applicant shall restore the nectar sources at a 1:1 ratio, restoring salt grass directly, and restoring monarch butterfly nectar sources either directly, or as described by the California Coast recommendations (Xerces 2016b). Only native milkweed species may be used for restoration.

~~**APM-BIO-09:** Prior to construction, a habitat survey for potential bat roosts that may be impacted by construction activities will be conducted. During the survey, potential roost sites will be searched for signs of bat use, such as urine streaking, grease marks and droppings, moth wings, and dead bats. Up to two weeks prior to construction, a qualified biologist will conduct bat surveys at roost sites identified as potentially active from signs of bat use identified during the survey. If bats are detected, SDG&E will avoid conducting construction activities that may directly impact the active roost site. If~~

1 ~~an active maternal roost is identified, no construction will occur within 200 feet of the maternal roost~~
2 ~~during the pupping season (typically April 1 through August 31).~~

4 Cultural Resources

5 **MM CUL-1: Archeological Site Buffer.** Buffers shall be established around each of the significant,
6 known archaeological sites in areas where ground disturbance is anticipated, and the sites will be
7 noted as “environmentally sensitive areas” to preserve confidential locational information as required
8 by law. Information relating to the exact location of these sites shall be considered confidential and
9 shall not be made publicly available to prevent unauthorized discovery and disturbance of
10 archeological resources in conformance with state law.

11 The buffer may consist of radial silt fencing or other means of identifying the area in which
12 construction or ground disturbance must be avoided. Mapping and other discoverable publications
13 shall redact citations to the specific locations of these resources.

14 **MM CUL-2: Cultural Resources Monitoring.** The applicant shall consult with all interested Native
15 American groups, per the recommendation of the Native American Heritage Commission, prior to
16 project construction. The tribes shall be notified at least 30 days prior to ground-disturbing
17 construction activities and shall be invited to voluntarily observe such activities and offer any
18 recommendations to the project’s qualified archaeological monitor.

19 A CPUC-approved archaeological monitor, overseen by a Secretary of Interior (SOI)-qualified
20 archaeologist, shall monitor ground-disturbing activities in all cultural resource sites of significance
21 identified within project work areas. The requirements for archaeological monitoring shall be noted in
22 construction plans for the proposed project via a Cultural Resources Monitoring Plan, to be submitted
23 to the CPUC for approval no fewer than 30 days prior to the start of project activities. The Cultural
24 Resources Monitoring Plan shall include, at minimum, information regarding the location of project
25 work areas/sites requiring cultural resources monitoring, how monitoring will be conducted, and the
26 respective roles and responsibilities of the CPUC-approved archaeological monitor and the SOI-
27 qualified archaeologist. Responsibilities for the CPUC-approved archaeological
28 monitor shall include cultural resources monitoring and implementing stop-work authority in the
29 event of an unanticipated cultural resources discovery during project activities. Responsibilities of the
30 SOI-qualified archaeologist shall include evaluation of any finds, issuing clearance to recommence
31 project activities after a stop-work order has been issued to protect potential cultural resources,
32 analysis and curation of materials, and preparation of a report detailing the results of monitoring
33 activities results report conforming to the California Office of Historic Preservation Archaeological
34 Resource Management Reports guidelines. The SOI-qualified archaeologist will determine when no
35 further monitoring is required, such as in the event that bedrock or fill material is reached.

36 Where cultural resources monitoring is needed at project work areas/sites within California State
37 Parks lands, a Permit to Conduct Archaeological Investigations on State Park Lands must be obtained
38 by submitting Form DPR-412A at least four weeks prior to the start of project activities within State
39 Park lands. All requirements of the permit must be fulfilled; documentation associated with the permit
40 will be reviewed and approved by the CPUC Project Manager prior to submittal to the appropriate
41 State Park.

42 **MM CUL-3: Cultural Resource Training.** Prior to construction, all SDG&E, contractor, and
43 subcontractor personnel associated with the proposed project shall receive training in the appropriate
44 work practices necessary to effectively identify and implement treatment of cultural resources and to

1 comply with the applicable environmental laws and regulations, including those related to
2 recognizing possible buried resources and maintaining the confidentiality of resources at in-situ
3 locations. This training shall include how to identify cultural resources (e.g., the types of resources to
4 look for) and what procedures are to be followed upon the discovery or suspected discovery of
5 archaeological materials, including Native American remains, as well as paleontological resources.

6 **MM CUL-4: Cultural Resource Discovery.** In the event that cultural resources are discovered
7 during construction, the applicant's archaeologist and Environmental Project Manager shall be
8 contacted upon the time of discovery. The field resource specialist shall evaluate the significance of
9 discovered resources using CRHR and NRHP criteria and accepted practices. The CPUC must concur
10 with the treatment of significant resources before construction activities in the vicinity of the
11 discovery shall be allowed to resume.

12 For significant cultural resources, a research design and, if needed, a data recovery program would be
13 prepared and carried out to mitigate impacts. All collected cultural remains shall be cleaned,
14 cataloged, and permanently curated at an appropriate institution or repatriated or redeposited in a
15 secure location onsite if curation is infeasible. All artifacts shall be analyzed to identify their function
16 and chronology as they relate to the prehistory or history of the area. Faunal material shall be
17 identified as to species.

18 **MM CUL-5: Paleontological Resource Monitoring and Discovery.** A qualified paleontologist
19 shall attend pre-construction meetings, when needed, to consult with the excavation contractor on
20 schedules, paleontological field techniques, and safety issues. A qualified paleontologist is defined as
21 an individual with a master's or doctorate degree in paleontology or geology and who is experienced
22 with paleontological procedures and techniques; who is knowledgeable in the geology and
23 paleontology of San Diego County; and who has worked as a paleontological mitigation project
24 supervisor in the region for at least one year.

25 The requirements for paleontological monitoring shall also be noted in the Paleontological
26 Monitoring Plan to be prepared by the applicants and approved by the CPUC at minimum 30 days
27 prior to construction beginning. A paleontological monitor is defined as an individual who has
28 experience in the collection and salvage of fossil materials. The paleontological monitor shall work
29 under the direction of a qualified paleontologist and shall be on site to observe excavation operations
30 that involve the original cutting of previously undisturbed deposits with high paleontological resource
31 sensitivity (i.e., Torrey Sandstone Formation, old paralic deposits, and very old paralic deposits).

32 In the event that fossils are encountered, the paleontologist will have the authority to divert or
33 temporarily halt construction activities in the area of discovery to allow recovery of fossil remains in
34 a timely fashion. The paleontologist shall contact the applicant's Cultural Resource Specialist and
35 Environmental Project Manager at the time of discovery. The paleontologist, in consultation with the
36 applicant's Cultural Resource Specialist, shall determine the significance of the discovered resources.
37 The applicant's Cultural Resource Specialist and Environmental Project Manager will need to concur
38 with the evaluation procedures to be performed before construction activities are allowed to
39 resume.

40 Small fossil remains may be present, and therefore a screen-washing operation may be set up onsite.
41 If fossils are discovered, the paleontologist (or paleontological monitor) will recover them, along with
42 pertinent stratigraphic data. The recovery of bulk sedimentary-matrix samples for offsite wet
43 screening from specific strata may be necessary, as determined in the field. Any fossil remains
44 collected during monitoring and salvage will be cleaned, repaired, sorted, cataloged, and deposited at

1 a scientific institution with permanent paleontological collections. A final summary report will be
2 completed that would outline the results of the recovery program. The report will discuss the methods
3 used, stratigraphic section(s) exposed, fossils collected, and significance of recovered fossils.

4 **MM CUL-6: Treatment of Human Remains.** The applicant will follow current legal requirements
5 at the time of discovery for the treatment of human remains. At present, pursuant to Section 5097.98
6 of the California PRC and Section 7050.5(e) of the California State Health and Safety Code Section
7 and PRC Section 5097.98, if human remains or bone remains of unknown origin are found at any
8 time during project-related construction activities, all work shall stop in the vicinity of the find, and
9 the San Diego County Coroner shall be contacted immediately.

10 If the remains are determined to be Native American, the coroner shall notify the NAHC, who shall
11 identify the person believed to be the MLD, who shall have at least 48 hours from notification of the
12 find to comment. The landowner and MLD, with the assistance of the applicant and the archaeologist
13 as requested, shall make all reasonable efforts to develop an agreement for the treatment of human
14 remains and associated or unassociated funerary objects with appropriate dignity (CEQA Guidelines
15 Section 15064.5(d)). If the MLD and the other parties do not agree on the reburial method, the
16 requirements of PRC Section 5097.98(e) shall be implemented, which states that "...the landowner or
17 his or her authorized representative shall reinter the human remains and items associated with Native
18 American burials with appropriate dignity on the property in a location not subject to further
19 subsurface disturbance."

20 Hazards and Hazardous Materials

21 **MM HAZ-1: Hazardous Materials Waste Management Plan / Emergency Spill and Evacuation**
22 **Training.** Prior to construction, the applicant shall prepare a Hazardous Materials and Waste
23 Management Plan, which shall be implemented during construction to prevent the release of
24 hazardous materials and hazardous waste. The plan shall include the following requirements and
25 procedures:
26

- 27 1. The Worker Training Program (see MM BR-3) would include training requirements for
28 construction workers such as in appropriate work practices, including and spill prevention and
29 response measures. Additional training for those performing excavation activities shall be
30 required and shall include training on types of contamination and contaminants (e.g., petroleum
31 hydrocarbons, asbestos, and hazardous materials as defined by the California HSC) and
32 identifying potentially hazardous contamination (e.g., stained or discolored soil and odor).
33 Training would also entail safe evacuation, which could be required due to an unanticipated
34 major spill or other emergencies such as fires and/or natural disasters that could occur within the
35 project area. Training would describe the means by which employees would safely vacate the
36 affected work site and specified, approved evacuation route(s) in case of emergency. This training
37 may be carried out as a stand-alone training module or in conjunction with the training required in
38 MM BR-3.
- 39 2. Containment of all hazardous materials at work sites and properly dispose of all such materials.
 - 40 a. Hazardous materials shall be stored on pallets within fenced and secured areas and protected
41 from exposure to weather and further contamination.
 - 42 b. Fuels and lubricants shall be stored only at designated staging areas.
- 43 3. Maintenance of hazardous material spill kits for small spills at all active work sites and staging
44 areas. Thoroughly clean all spills as soon as they occur. If an accidental spill or fluid leak occurs

1 at any time during project construction, including in locations within 50 feet of aquatic resources
2 in unanticipated circumstances such as equipment malfunction, secondary containment strategies
3 may be utilized to contain the spill.

- 4 4. Storing sorbent and barrier materials at all construction staging areas, including staging areas
5 used during activities for decommissioning. Sorbent and barrier materials will be used to contain
6 runoff from contaminated areas and from accidental releases of oil or other potentially hazardous
7 materials.
- 8 5. Performing all routine equipment maintenance at a shop or at the staging area and recovering and
9 disposing of wastes in an appropriate manner.
- 10 6. Monitoring and removal of vehicles used for construction-related activities with chronic or
11 continuous leaks from use and complete repairs before returning them to operation.
- 12 7. Storing shovels and drums at the staging areas. If small quantities of soil become contaminated,
13 use shovels to collect the soil and store in drums before proper offsite disposal. Large quantities
14 of contaminated soil may be collected using heavy equipment and stored in drums or other
15 suitable containers prior to disposal. Should contamination occur adjacent to staging areas
16 because of runoff, shovels and/or heavy equipment shall be used to collect the contaminated
17 material. Only trained construction workers shall handle hazardous, and potentially hazardous,
18 materials.
- 19 8. Transporting, shipping, and disposal procedures for hazardous waste.
- 20 9. Identification of a qualified field environmental representative for the proposed project for
21 management of hazardous materials, hazardous wastes, contaminated soil, and contaminated
22 groundwater.
- 23 10. Procedures for notifying applicant and agency personnel in the event of discovery of
24 contaminated soil and/or groundwater. Contact information for federal, regional, and local
25 agencies; the applicant's field environmental representative and environmental coordinator(s)
26 responsible for the cleanup of contaminated soil or groundwater; and licensed disposal facilities
27 and haulers.

28 This plan shall be submitted to the CPUC for review and approval at least 30 days prior to the start of
29 project construction.

30 **Noise**

31 **MM NOI-1: Limit Construction Hours.** Hours of operation of all construction equipment shall be
32 limited to the following days and times as permitted by the noise ordinances in each jurisdiction:

- 33 • **City of San Diego:** 7:00 a.m. to 7:00 p.m. Monday through Saturday (no holidays).
- 34 • **City of Del Mar:** 9:00 a.m. to 7:00 p.m. on Saturday and 7:00 a.m. to 7:00 p.m. Monday through
35 Friday (no holidays).

36 In the event that project scheduling necessitates work outside of the hours permitted under local noise
37 ordinances, SDG&E would meet and confer with the local jurisdictions, as needed, for guidance on
38 scheduling and managing such construction noise in compliance with Article 9.4: Noise Abatement
39 and Control, of the City of San Diego Municipal Code.
40

1 **MM NOI-2: Advance Notice of Construction.** The applicant shall notify all sensitive receptors,
2 including residences, within 50 feet of all project components at least 30 days prior to construction
3 activities occurring in that area to provide opportunity to avoid the noise. The notice shall include
4 dates, times, and description of construction activities. The applicant shall provide documentation of
5 the notice and coordination to the CPUC at least 20 days prior to construction.

6 **MM NOI-3: Measures to Reduce Noise Levels.** The applicant shall include measures to ensure that
7 the project would not increase ambient noise levels in excess of 10 dBA or to exceed levels specified
8 in the City of San Diego or Del Mar’s noise ordinance, whichever is higher. The measures shall be
9 selected based on the specific equipment used, activity conducted in specific locations, and proximity
10 to sensitive noise receptors and efficacy to reduce, avoid or eliminate sources of project-generated
11 noise in excess of acceptable standards. Specific measures may include:

- 12 • Temporarily and safely installing and maintaining absorptive noise control barriers ~~in the~~
13 ~~perimeter of construction sites and/or~~ between stationary construction equipment and sensitive
14 noise receptors when located within 200 feet of noise-intensive equipment operating more than 4
15 hours a day. The applicant shall notify all residents located within 50 feet of the absorptive
16 barriers.
- 17 • Limiting heavy equipment activity adjacent to residences or other sensitive receptors to the
18 shortest possible period required to complete the work activity.
- 19 • Ensuring that proper mufflers, intake silencers, and other noise reduction equipment are in place
20 and in good working condition.
- 21 • Maintaining construction equipment according to manufacturer recommendations.
- 22 • Minimizing unnecessary construction equipment idling.
- 23 • Reducing noise from back-up alarms (i.e., alarms that signal vehicle travel in reverse) in
24 construction vehicles and equipment by providing a layout of construction sites that minimize the
25 need for back-up alarms. Use flagmen to minimize the time needed to back up vehicles.
- 26 • When possible, using construction equipment specifically designed for low noise emissions, such
27 as equipment that is powered by electric or natural gas engines instead of diesel or gasoline
28 reciprocating engines.
- 29 • Where practical, locating stationary equipment such as compressors and generators away from
30 sensitive receptors.

31
32 **Recreation**

33 **MM REC-1: Documentation of Conditions.** The applicant shall photograph pre-project conditions
34 at the Torrey Pines and Del Mar Heights Fly Yards from multiple viewpoints to adequately represent
35 pre-construction conditions at both sites. The applicant shall submit a portfolio of these images to
36 CPUC staff and to appropriate representatives of Del Mar Heights Elementary School and Torrey
37 Pines State Beach prior to the use of either facility for construction-related purposes.


38 Upon completion of project construction, the applicant shall restore the fly yard sites to pre-project
39 conditions and submit a portfolio of “before and after” photographs documenting physical conditions
40 of each site, as applicable. The portfolio of images shall be submitted to the CPUC and to designated

1 agents on behalf of Del Mar Heights School and Torrey Pines State Beach parking facility to ensure
2 that the affected facilities are returned in satisfactory condition.
3

4 **1.6 Findings**

5
6 The IS was prepared to identify the potential effects on the environment from reconfiguration of TL674A
7 and removal of TL666D distribution lines and to evaluate the significance of those effects. Based on the
8 IS and Findings listed below, the lead agency (CPUC) has determined that the proposed project would not
9 have a significant effect on the environment.
10

- 11 • With implementation of the above mitigation measures and APMs listed in Table 4-9, the
12 proposed project would not significantly degrade the quality of the environment.
- 13 • With implementation of the above mitigation measures, both short-term and long-term
14 environmental effects associated with the proposed project would be less than significant.
- 15 • When impacts associated with implementing the proposed project are considered cumulatively,
16 the proposed project's contribution to project-related impacts are not considerable.
- 17 • Based on the IS, there is no evidence that implementing the proposed project would result in
18 substantial, adverse environmental impacts.

19
20
21 
22 _____
23 John E. Forsythe, AICP
24 Senior Project Manager
25 Energy Division, California Public Utilities Commission
26

3-21-19

Date