



# ORA

*Office of Ratepayer Advocates  
California Public Utilities Commission*

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September 24, 2015

California Public Utilities Commission  
RE: SOCRE Project  
c/o Ecology and Environment, Inc.  
505 Sansome Street, Suite #300  
San Francisco, CA 94111

**Subject: Office of Ratepayer Advocates Supplemental Comments on the Recirculated Draft Environmental Impact Report Issued regarding the South Orange County Reliability Enhancement Project.**

Reference: Recirculated Draft Environmental Impact Report, SCH No. 2013011011,  
California Public Utilities Commission Proceeding Application 12-05-020.

On September 11, 2015, Office of Ratepayer Advocates (“ORA”) submitted comments to the Recirculated Draft Environmental Impact Report. ORA submits the following supplemental comments on the same report regarding the South Orange County Reliability Enhancement Project (“SOCREP”) proposed by San Diego Gas & Electric Company (“SDG&E”) in Application 12-05-020.

The following recommendations are for the conceptual electrical interconnection and site plan for the Trabuco Substation, which is identified in the Recirculated Draft Environmental Impact Report as Alternative J.

In order for the Trabuco Substation to interconnect to one of the San Onofre – Santiago transmission lines, the breaker-and-a-half configuration is preferred.

While only one transformer bank (230/138 kV 392 MVA) is enough to effectively enhance the power supply reliability and flexibility for the South Orange County area, for future load growth, it is acceptable for two transformer banks to be planned.

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In the existing 138 kV switchyard, there are four 138 kV terminal positions but only three of them are being used. There is one unused 138 kV terminal position. SDG&E should be able to:

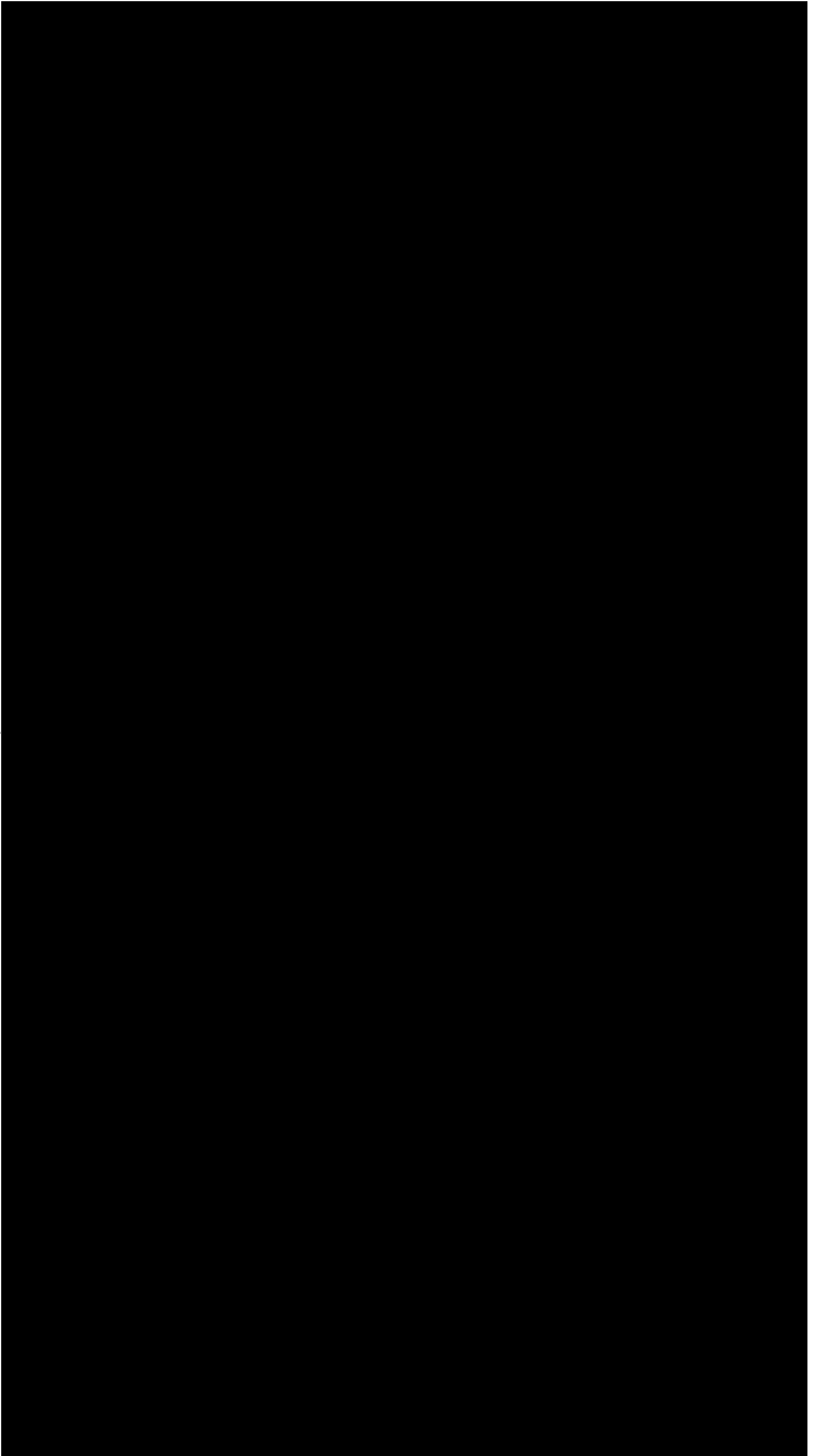
- 1) Shift TL13833 to the unused terminal position,
- 2) Interconnect the 138 kV sub-transmission line from the #1 230/138 kV transformer bank to the terminal position that is currently used by TL13833, and
- 3) Interconnect the other 138 kV sub-transmission line from the #2 230/138 kV transformer bank to the end of the 138 kV North bus.

Please review the attached diagram.

/s/ Charles Mee, P.E.

Charles Mee, P.E.  
Senior Utilities Engineer – Specialist  
[Charles.mee@cpuc.ca.gov](mailto:Charles.mee@cpuc.ca.gov)

# Trabuco Substation Conceptual Electrical Interconnection & Site Plan



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**From:** Gila Jones <gilajones247@gmail.com>  
**Sent:** Thursday, September 24, 2015 4:44 PM  
**To:** SOCRE CEQA  
**Cc:** Vital, Kirsten M.; Jim Reardon  
**Subject:** SDG&E SOCRE project, Revised DEIR

**Follow Up Flag:**  
**Flag Status:**

Dear Commissioners,

I am a long-time resident of San Juan Capistrano and an SDG&E customer. I am also a member of the Board of Trustees of the Capistrano Unified School District (CUSD), though my comments are my own and should not be regarded as an official communication of CUSD or our Board of Trustees.

I am very concerned about the effects of SDG&E's SOCRE project on CUSD schools, staff, and students. My most serious apprehension is for San Juan Hills High School (SJHHS). SJHHS is at capacity, and there are several thousand homes in the planning stages near the school. CUSD estimates that those homes will generate at least 800 additional high school students for SJHHS. CUSD has planned the construction of a new classroom building to accommodate those students.

Presently SDG&E operates a 138 KV transmission line that's buried under Vista Montana road (the sole entrance to the school) which is only 40 feet from the SJHHS campus boundary. I have read the description of Alternative J in the Revised DEIR, and I'm unable to determine whether the concerns I expressed about the original DEIR have been addressed.

If the SOCRE project is built as was proposed in the DEIR, it will bring SDG&E's 138 KV transmission line even closer to the San Juan Hills High School campus boundary while doubling the voltage on that line.

Simply put, if Alternative J still impacts SJHHS, 800 students will not be able to attend their local public high school. It will never be possible to expand SJHHS. Hundreds of students will have to drive a long distance to school every day.

In addition, the project plans call for the partial closure of Vista Montana for a period of 8 months. As this is the only entrance to SJHHS, we don't understand how it will be possible for students and staff to get to and from school during this time.

I appreciate that there may be a need to upgrade electric capacity in our area. However, the proposed plan to bring SDG&E's 138 KV transmission line even closer to the San Juan Hills High School campus boundary is simply unacceptable for CUSD students and staff, particularly those associated with San Juan Hills High School.

I hope you will send SDG&E's plan back to the drawing board and require them to come up with an alternative that allows for the expansion of SJHHS and limits the disruption of transportation to and from the school to weekends and school holidays only.

Sincerely,

Gila Jones  
31221 Belford Drive  
San Juan Capistrano, CA 92675  
949 973-3359

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**From:** Sean Mckevitt <viamglobal@gmail.com>  
**Sent:** Thursday, September 24, 2015 8:07 PM  
**To:** SOCRE CEQA  
**Subject:** Socre project

**Follow Up Flag:**  
**Flag Status:**

**This project has no place in San Juan Capistrano as the oldest city in Orange County! We were told by John Hotta SDGE we have an email stating that a year ago their would be no new structures in the community of Rancho Madrina as the homes are the most expensive in San Juan Capistrano all over 2 million any structure in the community especially close to the park would make the value of each home cut in half that is over a million a home!! This impacts 30 multi million dollars homes!!The area has been through Ortega hwy for 2 years and still not finished!! Our community along with the rest of San Juan Capistrano urge you to have compassion and understanding of home values and build this project where it is not around hundreds of residences!! Foothill is a much better choice with almost no impact!! Thank you for your time!!**

**Rancho Madrina community.**

**Sent from my iPhone**

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**From:** jayandthia <jayandthia@cox.net>  
**Sent:** Thursday, September 24, 2015 7:14 PM  
**To:** SOCRE CEQA  
**Subject:** SOCRE Project

**Follow Up Flag:**  
**Flag Status:**

**We want to thank the Commission for listening to the residents' concerns about the proposed hugely extensive "upgrade" of the Capistrano Substation by adding a new alternative at the Trabuco Substation. As you know, the Capistrano proposal would exceed our building codes on height, destroy a beautiful old building, and most importantly, cause a lot of pollution during the anticipated five-year construction period. Many of us in the neighborhood are elderly and often have difficulty breathing as it is, much less having to face the possibility of dealing with a lot of deconstruction/construction dust. The present Capistrano Substation may need a bit of upgrade and maintenance, and we understand that, but not to the extent proposed by SDG&E.**

**Thank you again,**

**Jay and Thia Neitzke  
31164 Via Santo Tomas  
SJC CA 92675**

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# City of San Clemente Planning

James Pechous, City Planner

Phone: (949) 361-6195 Fax: (949) 366-4750

pechousj@san-clemente.org

September 24, 2015

California Public Utilities Commission  
RE: SOCRE Project Recirculated DEIR  
c/o Ecology and Environment, Inc.  
505 Sansome Street, Suite #300  
San Francisco, CA 94111  
Email: SOCRE.CEQA@ene.com  
Fax: 415-398-5326

Dear California Public Utilities Commission,

Thank you for the opportunity to participate and provide comments on the Recirculated Draft Environmental Impact Report (DEIR) for San Diego Gas & Electric Company's proposal to construct the South Orange County Reliability Enhancement Project (SOCRE). The portions of this project that affect the City of San Clemente consist of the replacement of a single-circuit 138-kV transmission line between the applicant's Talega and Capistrano substations with a new double-circuit 230-kV transmission line (approximately 7.8-miles long), and the relocation of several transmission line segments (approximately 1.8 miles, total) adjacent to the Talega and Capistrano substations to accommodate the proposed Capistrano Substation expansion and a new 230-kV line. The City of San Clemente has reviewed the above referenced document and submits the following comments related to the recirculated portions of the DEIR for your response and consideration.

Per the process identified in the Recirculated DEIR, on page 1-3, lines 48-51, which states that "the CPUC will prepare a Final EIR that contains a response to each public agency, organization, and individual that commented during the initial circulation period that pertain to those portions of the Draft EIR that were not recirculated, and all comments received during the recirculation period that pertain to the recirculated portions of the Draft EIR (CEQA Guidelines Section 15088.5(f)(2)),” this letter contains only new and previously submitted comments



related to the recirculated portions of the DEIR. This letter does not contain any comments previously sent to the CPUC, in a letter dated April 9, 2015, regarding portions of the DEIR not recirculated, as those comments will be addressed in the Final EIR.

#### **Section 4.4 Biological Resources**

##### Comment 1

The DEIR inadequately identifies easements located within the proposed project site. On page 2-46 of the Recirculated DEIR, the document states that, “The proposed project would traverse through [...] City of San Clemente open space, including a yet-to-be-recorded conservation easement in the Talega Corridor” (lines 8-12). There is no map or written description of the precise boundaries of this easement. Additionally, there is no description of the legal easement holder. The DEIR should contain information that identifies the location of easements and all holders of easement rights on all potentially affected project areas. Because of this, the DEIR inadequately provides a complete analysis of the project area, and lacks sufficient detail to provide decision-makers with the information necessary to make an informed decision. (Pub. Res. Code § 21061 and 21100; State CEQA Guidelines §§ 15151 [An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences.].)

##### Comment 2

The DEIR lists inapplicable City of San Clemente General Plan Policies. The DEIR lists “Natural Resources Element policy NR-1.05 Coastal Canyons” on page 2-59 of the Recirculated DEIR, stating that the policy “[relates] to biological resources that are applicable to the project” (line 3). However, no portion of the proposed project is in the vicinity of a designated Coastal Canyon within the City of San Clemente.

##### Comment 3

The DEIR incorrectly identifies the proposed project’s compliance with applicable Habitat Conservation Plans, which is necessary to provide a complete analysis on Impact BR-6, which evaluates whether the proposed project would, “Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan” (page 2-75, lines 41-43). On page 2-75 of the Recirculated DEIR, it is written, “The SDG&E Subregional NCCP/HCP states that it is independent of

other NCCPs or HCPs; therefore it is neither dependent upon the implementation of other NCCPs or HCPs, nor is it superseded by other plans” (lines 47-50). This statement is expanded upon on page 2-138, where it is written, “because the applicant’s activities are regulated at the statewide level rather than at the local level, the legally applicable equivalent plan [to the Orange County Southern Subregion Habitat Conservation Plan] is the SDG&E Subregional Natural Community Conservation Plan (NCCP/Habitat Conservation Plan (HCP))” (lines 40-42).

Subsequently, on page 2-140, the DEIR provides San Clemente Zoning Ordinance Section 17.28.240 to bolster the claim that the proposed project does not require a Conditional Use Permit from the City of San Clemente. This section of the Zoning Ordinance states, “However, all routes and heights of proposed electric transmission systems of 69 KV and over [...] shall be located in conformance with the General Plan of the City” (lines 35-36). While the City of San Clemente does not agree that the proposed project is preempted from the discretionary project review process of the Conditional Use Permit, if Section 17.28.240 is used to justify why a Conditional Use Permit from the City of San Clemente is not required, then the proposed project should also be demonstrated to comply with the City’s General Plan.

The DEIR does not demonstrate compliance with the City of San Clemente General Plan Natural Resources Element Policy “NR-1.06. Habitat Conservation Plan”, which states, “We support and will follow the U.S. Fish and Wildlife Services Orange County Southern Subregion Habitat Conservation Plan (HCP) and Habitat Management Program.” This policy is listed in the DEIR on page 2-59, lines 34-36. The DEIR lacks sufficient discussion about the proposed projects compliance with the Orange County Southern Subregion Habitat Conservation Plan, instead opting, as noted above, to only analyze the project against the SDG&E Subregional NCCP/HCP. Because the DEIR lacks sufficient discussion about the projects compliance with the U.S. Fish and Wildlife Services Orange County Southern Subregion Habitat Conservation Plan (HCP) and Habitat Management Program, the DEIR fails to demonstrate the totality of effects on Impact BR-6, and thus does not contain substantial evidence to support its claims. (Pub. Res. Code § 21082.2; State CEQA Guidelines §§ 15384(a), (b) [substantial evidence includes facts, reasonable assumptions based on facts and expert opinion supported by facts; evidence which is clearly erroneous or inaccurate does not constitute substantial evidence].)

#### Comment 4

The DEIR inadequately analyses potential environmental impacts of the proposed project. On page 2-77 of the Recirculated DEIR, the document states that, “The

project may conflict with two conservation easements established within the Orange County Southern Subregion HCP and considered preserve areas by under the SDG&E NCCP/HCP” (lines 4-5), and goes on to state that, “Potential conflicts with the Talega Conservation Easement cannot be determined until the easement is recorded and the applicant conducts further consultation with the USFWS...” (lines 7-9). While the lack of information is acknowledged and the proposed project is identified as having a significant effect on Impact BR-6 because the effects cannot be ascertained at this time, the DEIR fundamentally lacks the information necessary to fully evaluate the proposed project’s environmental effects. As a result, the DEIR is incomplete and does not accurately disclose potential biological resource impacts, or potential mitigation measures, associated with the proposed project. The DEIR must be revised to address the potential impacts on the Talega Conservation Easement in order to contain adequate information to provide the lead agency with the information necessary to make a fully informed and publicly disclosed decision if the DEIR finds that the proposed project would have a significant effect on the environment. (Pub. Res. Code § 21082.2; State CEQA Guidelines §§ 15384(a), (b) [substantial evidence includes facts, reasonable assumptions based on facts and expert opinion supported by facts; evidence which is clearly erroneous or inaccurate does not constitute substantial evidence], and Pub. Res. Code § 21061 and 21100; State CEQA Guidelines §§ 15151 [An EIR should be prepared with a sufficient degree of analysis to provide decision makers with information which enables them to make a decision which intelligently takes account of environmental consequences.] )

#### **Section 4.10 Land Use and Planning**

##### Comment 5

The Recirculated DEIR has not been revised, based on previously submitted comments regarding the first draft EIR, to adequately identify the regulatory authority of affected jurisdictions. On page 2-138 of the Recirculated DEIR, the DEIR appears to indicate that local jurisdictions are preempted from regulating this project through any discretionary review processes. Citing California Public Utilities Code (CPUC) General Order 131-D, Section XIV.B, which states that, “local jurisdictions acting pursuant to local authority are preempted from regulating electric power line projects, distribution lines, substations, or electric facilities constructed by public utilities subject to the Commission’s jurisdiction,” the DEIR states that the applicant is required to, “obtain all applicable ministerial building and encroachment permits from local jurisdictions for the proposed project” (lines 36-37). However, General Order 131-D, Section XIV.B, only preempts local authority over those items listed above, of which transmission lines are not included.

General Order 131-D, Section I, clearly differentiates between the various types of electric lines where it states, “For purposes of this General Order, a transmission line is a line designed to operate at or above 200 kilovolts (kV). A power line is a line designed to operate between 50 and 200 kV. A distribution line is a line designed to operate under 50 kV.” The DEIR states that the proposed project includes, “the construction of a new double-circuit 230-kV transmission line (approximately 7.8 miles long) from the proposed San Juan Capistrano Substation to the applicant’s 230/138/69-kV Talega Substation” (page 1-1, lines 13-15). According to the definition referenced in General Order, Section I, the proposed project’s transmission lines meet the General Order’s definition of transmission line because they are over 200 kV. This General Order specifically exempts “power line projects” and “distribution lines,” while not including “transmission lines.” Therefore, local regulation of transmission lines is not preempted by General Order 131-D of the CPUC. Thus, the City has regulatory authority over the transmission lines and the project applicant must comply with local permitting requirements when installing this portion of the project within the City’s limits.

On a related note, because the DEIR is based upon the incorrect assumption that the project is not subject to the City of San Clemente’s local permitting requirements, the DEIR fails to accurately identify the City of San Clemente as a responsible agency. (See DEIR p. 2-81, Table 2-13.) A responsible agency is a public agency, other than the lead agency, which has responsibility for carrying out or approving a project. (Pub. Res. Code § 21069.) The State CEQA Guidelines explain further that a responsible agency is any public agency that has discretionary approval authority over a proposed project. (State CEQA Guidelines §15381.) Here, the City of San Clemente has local discretionary permitting authority over the transmission lines for the reasons outlined above. Therefore, the City of San Clemente should have been listed as a responsible agency in Table 2-13 of the DEIR.

Additionally, lead agencies have certain consultation obligations vis-à-vis responsible agencies. (Pub. Res. Code § 21080.3; State CEQA Guidelines § 15086) Lead agencies are required to consult with responsible agencies and responsible agencies are required to provide input on the scope of EIRs with respect to those activities involved in the project that are within the responsible agency’s area of expertise. (*Ibid.*) The PUC did not consult with the City of San Clemente as a responsible agency. Therefore, the City was precluded from providing early and meaningful input on the scope of the EIR and the analysis of impacts within the City’s boundaries. Had the PUC properly identified the City of San Clemente as a responsible agency and consulted with it, the City could have coordinated with the PUC on the issues raised in this comment letter at an earlier time.

Comment 6

The Recirculated DEIR has not been revised, based on previously submitted comments regarding the first draft EIR, to correctly identify the applicable zoning regulations for the sections of the project located in the City of San Clemente. On page 2-140 of the Recirculated DEIR, the DEIR states that the proposed project does not require a Conditional Use Permit because, “Section 17.28.240 of the City of San Clemente’s municipal code states that ‘public utility distribution and transmission line towers and poles for [...] electricity shall be allowed in all zones without obtaining a Conditional Use Permit. However, all routes and heights of proposed electric transmission systems of 69 KV and over [...] shall be located in conformance with the General Plan of the City.’” However, the development standards of the Zoning Ordinance are not the regulating development standards for the properties over which this project will occur. The City of San Clemente Zoning Ordinance defines a “zone” as, “a portion of the City within which certain uses of land and buildings are permitted or prohibited and within which certain development standards are established as set forth and specified in *this title [Title 17 of the San Clemente Municipal Code]*.” The uses of land and buildings and the development standards applicable to both are not contained in the Zoning Ordinance, therefore the Specific Plan areas of the City are not “zones” applicable to the requirements of Section 17.28.240. Therefore, the project is not a permitted use that is exempt from the Conditional Use Permit process.

As noted in the DEIR in Table 4.10-1, General Plan Land Use, Existing Land Use, and Zoning by Proposed Project, all of the property on which this project will take place, is part of the Talega Specific Plan. The San Clemente Municipal Code, Section 17.04.070, states that, “The regulations included in the specific and master plans supersede regulations in this title.” The Talega Specific Plan states that, “Infrastructure facilities and extensions necessary to serve the open space area and adjacent development areas, such as roads, utilities, and flood-control improvements, and fuel modification” (page 5-21) are permitted uses. However, the proposed project is beyond the scope of serving “adjacent development areas.”

Application A1205020 for a Certificate of Public Convenience and Necessity for the SOCRE Project states that the project is “for increased capacity” (page 3), and needed to, “accommodate customer load growth in the South Orange County area” (page 4). This indicates that the project is for more than “adjacent development areas” because the City of San Clemente is almost fully built-out. Any “customer load growth” would certainly come from outside City limits, such as Rancho Mission Viejo, which would not meet the definition of “adjacent development areas” contained in the Talega Specific Plan as those areas are outside the City’s jurisdiction. Therefore, the existing use of the Open Space zone of the Talega Specific Plan is a legal nonconforming use and an increase in the use of the Open

Space zone of the Talega Specific Plan is not permitted. The City of San Clemente should be consulted to identify what actions are required to amend the City's regulatory documents to make the existing use a permitted use and to allow the proposed project to be permitted, or conditionally permitted. Until such time as this is done, the DEIR fails to adequately describe the totality of the project's conflicts with local plans, policies, or regulations.

#### Comment 7

The Recirculated DEIR has not been revised, based on previously submitted comments regarding the first draft EIR, to accurately identify that the project is consistent with the City of San Clemente's applicable zoning regulations. Discussing how the project is determined to have less than a significant impact with mitigation on *Impact LU-2: Conflict with applicable plans, policies, or regulations*, the DEIR states that, "The proposed project would not conflict with the City of San Clemente Zoning Ordinance because public utilities are permitted in all zones and, as noted above, the proposed project would not conflict with the City of San Clemente Centennial General Plan" (page 2-144 of the Recirculated DEIR, lines 5-6). However, the project is not consistent with applicable zoning requirements for the reason listed in Comment 6. The Talega Specific Plan contains the controlling zoning regulations; therefore, the project must be evaluated for consistency with that document, not the City's Zoning Ordinance. As a result, the DEIR is incomplete and does not accurately disclose potential land use impacts associated with the proposed project. The DEIR must be revised to address the applicable zoning regulations within the City of San Clemente in order to contain substantial evidence to support its conclusion that the project "would have a less than significant impact on [...] San Clemente plans, policies, and regulations" (page 2-144, lines 10-11). (Pub. Res. Code § 21082.2; State CEQA Guidelines §§ 15384(a), (b) [substantial evidence includes facts, reasonable assumptions based on facts and expert opinion supported by facts; evidence which is clearly erroneous or inaccurate does not constitute substantial evidence].)

#### Comment 8

The DEIR inaccurately identifies that the project is consistent with the policies of the General Plan. On page 2-144, lines 2-4, it is stated, "proposed project would be compatible with the land use policies in the Land Use element of the San Clemente Centennial General Plan. The proposed project would be located within an existing ROW [right of way] and therefore would not conflict with goals of retaining open spaces and protecting environmental resources" However, on page 2-145, the DEIR states, "Potential conflicts with the Talega Conservation Easement cannot be determined until [...] the applicant conducts further consultation [...] regarding the establishment of new ROW" (lines 20-22).

Therefore, the DEIR conclusion that the proposed project is compliant with San Clemente's General Plan because the project is entirely in existing ROW is not based on substantial evidence. (Pub. Res. Code § 21082.2; State CEQA Guidelines §§ 15384(a), (b) [substantial evidence includes facts, reasonable assumptions based on facts and expert opinion supported by facts; evidence which is clearly erroneous or inaccurate does not constitute substantial evidence].)

Further, even if the proposed project was revised to remain in the existing SDG&E ROW, the project would still conflict with the City's General Plan Land Use Element. The General Plan designates the affected project areas as Open Space, which is encouraged to be preserved through multiple General Plan Policies, such as:

- BPR-4.01. Open Space Preservation. "We encourage and support the preservation of open space within and adjacent to the City."
- NR-2.07. Underground Utilities. "...Where undergrounding is determined by the City to not be physically possible, such features shall be located and designed to reduce their visibility and in developed areas, consistent with prevailing architectural character and scale. In beaches, parks and open spaces areas, such facilities shall be designed and located to blend in with natural colors, textures and landforms."
- BPR-4.02. Trails and Staging Areas. "We support the development, maintenance and enhancement of local trails and staging areas using best sustainable practices."

These policies make it clear that lands designated as Open Space in the Land Use Element of the General Plan are significant resources the City aims to protect. Increasing the height and visual impact of structures, the amount of structures and wires, and the overall intensity of the use in these areas does not comply with the City's General Plan. Consequently, the proposed project would have a potentially significant impact in this regard and must be reduced to less than significant levels by imposing all feasible mitigation measures. If no feasible mitigation exists, the impact must be identified as potentially significant and the PUC cannot approve the proposed project unless a statement of overriding considerations is first adopted. (Pub. Res. Code § 21081; State CEQA Guidelines § 15093.)

In addition to this comment regarding the project's conflict with the City's General Plan, this letter also identifies other General Plan conflicts under separate comments and those inconsistencies also result in potentially significant environmental impacts. As explained above, those impacts must be reduced to less than significant levels by imposing all feasible mitigation measures. If no feasible mitigation exists, the impacts must be identified as potentially significant

and the PUC cannot approve the proposed project unless a statement of overriding considerations is first adopted. (State CEQA Guidelines § 15093.)

#### Comment 9

The DEIR incorrectly identifies the proposed project's compliance with applicable Habitat Conservation Plans, which is necessary to provide a complete analysis on Impact LU-3, which evaluates whether the proposed project would, "Conflict with any habitat conservation plan or natural community conservation plan" (page 2-144, lines 40-41). On page 2-144 of the Recirculated DEIR, it is written, "The SDG&E Subregional NCCP/HCP states that it is independent of other NCCPs or HCPs; therefore it is neither dependent upon the implementation of other NCCPs or HCPs, nor is it superseded by other plans" (lines 46-48).

For the same reasons listed in Comment 3, the DEIR lacks sufficient discussion about the project's compliance with the U.S. Fish and Wildlife Services Orange County Southern Subregion Habitat Conservation Plan (HCP) and Habitat Management Program. Therefore, the DEIR fails to demonstrate the totality of effects on Impact LU-3, and thus does not contain substantial evidence to support its claims. (Pub. Res. Code § 21082.2; State CEQA Guidelines §§ 15384(a), (b) [substantial evidence includes facts, reasonable assumptions based on facts and expert opinion supported by facts; evidence which is clearly erroneous or inaccurate does not constitute substantial evidence].)

### **5.0 Comparison of Alternatives**

#### Comment 10

The DEIR incorrectly identifies all resource areas potentially impacted by the proposed project. On page 2-147 of the Recirculated DEIR, the document states that, "This EIR identified six resource areas for which impacts from the proposed project would be significant and unavoidable (air quality, biological resources, cultural resources, land use and planning, transportation and traffic, and cumulative impacts)..." (lines 36-38). In comments previously submitted for the first draft EIR, the City of San Clemente identified significant impacts to Aesthetic resources and Recreation resources that should be addressed in this Recirculated DEIR, and listed. (Pub. Res. Code § 21092.1; State CEQA Guidelines §§ 15088.5 (a) [A lead agency is required to recirculate an EIR when significant new information is added to the EIR after public notice is given of the availability of the draft EIR for public review under Section 15087 but before certification].)



Comment 11

The DEIR inadequately evaluates the impacts of the project alternatives. The DEIR states that the purpose of analyzing alternatives is to “identify feasible options that would attain most of the basic objectives of a proposed project while reducing its significant effects” (page 2-147, lines 3-4). The Recirculated DEIR identified significant effects to Air Quality, Biological Resources, Cultural Resources, Land Use and Planning, Transportation and Traffic, and Cumulative Impacts from the proposed project. In reviewing the feasible alternatives, the DEIR only specifically addresses how the alternatives would reduce impacts to these environmental aspects. However, as noted previously in this comment letter, the DEIR fails to acknowledge and evaluate this project’s impacts on Aesthetics and Recreation. The DEIR concludes, without supporting evidence, that impacts in the foregoing areas are less than significant. However, as indicated in this comment letter, the DEIR is based upon incomplete and inaccurate assumptions regarding the City of San Clemente’s General Plan, zoning and city-specific policies. State CEQA Guidelines section 15126.6(d) is clear that an EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis and comparison with the proposed project. Because the EIR contains incomplete and inaccurate information regarding potential impacts within the City of San Clemente, the alternatives cannot be meaningfully compared. Therefore, the DEIR must be revised to accurately disclose and analyze impacts to Aesthetics, Land Use and Planning and Recreation based on actual plans and policies adopted by the City of San Clemente. (Pub. Res. Code § 21082.2; State CEQA Guidelines §§ 15384(a), (b) [substantial evidence includes facts, reasonable assumptions based on facts and expert opinion supported by facts; evidence which is clearly erroneous or inaccurate does not constitute substantial evidence].) Thereafter, the alternatives section must be updated to reflect any new impacts or other relevant information that derives from the revised analysis.

Comment 12

The Recirculated DEIR has not been revised, based on previously submitted comments regarding the first draft EIR, to conclude that the alternatives attain the “basic objectives” of the project. On page 1-8 of the first draft EIR, lines 22-24, Section 1.2, Purpose and Objectives of the Proposed Project, the document states, “The purpose of the proposed project is to increase reliability of the applicant’s South Orange County 138-kV System by reducing the risk of instances that could result in the loss of power to customers through the 10-year planning horizon.” Subsequently, the first draft EIR specifies that, “The basic objectives of the proposed project are to:

1. Reduce the risk of instances that could result in the loss of power to customers served by the South Orange County 138-kV System through the 10-year planning horizon;
2. Replace inadequate equipment at Capistrano Substation; and
3. Redistribute power flow of the applicant's South Orange County 138-kV System such that operational flexibility is increased" (page 1-8, lines 34-40).

However, each alternative is only analyzed as to whether or not the capacity of the system is increased. Increasing capacity of the system is not mentioned as a "basic objective" of the project, it is only mentioned as a "result" of the project later in the DEIR, and in the application for a Certificate of Public Convenience and Necessity for the SOCRE Project. The DEIR must evaluate each alternative based on the "basic objectives" identified in the DEIR. (State CEQA Guidelines § 15126.6 [an EIR shall describe a range of reasonable alternatives to the project, or the location of the project, which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project] and Pub. Res. Code § 21082.2; State CEQA Guidelines §§ 15384(a), (b) [substantial evidence includes facts, reasonable assumptions based on facts and expert opinion supported by facts; evidence which is clearly erroneous or inaccurate does not constitute substantial evidence].)

### Comment 13

While the evaluation of the alternatives is incomplete, there appear to be alternatives that satisfy the goals of the applicant, are more consistent with the City's General Plan and applicable zoning regulations, and are environmentally superior. Alternative J appears to be the most appropriate alternative presented as it appears to satisfy the majority of the applicable objectives and regulations. This Alternative appears to be more appropriate because it both increases capacity of the system (which it is assumed would indicate that the basic objectives are also met, though as discussed in Comment 12, this is problematic), and would not have negative aesthetic impacts to the City of San Clemente to the degree that the proposed project would, in that there would be no additional electrical poles or lines constructed within the City limits. Also, this alternative would likely be substantially more consistent with the City's General Plan (however, to what degree is unknown as these projects are not fully analyzed in the DEIR), and less impactful to the City's recreation and transportation facilities as there is less disturbance in the City's trail systems. Additionally, Alternative B4 could comply with the City's requirements if the project was constructed in such a way so as not to increase the amount of lines or structures, and would be exempt from the City's regulatory authority. Therefore, the City would urge the PUC to select, in order of preference, either Alternative J, C1, C2, or B4, instead of the proposed project.

Comment 14

For all of the foregoing reasons, the City of San Clemente hereby requests that the PUC revise the DEIR. Changes made to the environmental setting (with respect to conservation easements, for example), and any additional data or other corrected information added to the DEIR, in response to the City of San Clemente's comments would be significant new information as defined by State CEQA Guidelines section 15088.5. The City of San Clemente and other interested members of the public would request an opportunity to review any new information added to the DEIR so that the City and other interested parties can meaningfully comment on the adverse environmental impacts of the proposed project. For all of the reasons set forth herein, the City of San Clemente would request that once the DEIR is revised to address the issues outlined herein that it be recirculated in accordance with State CEQA Guidelines section 15088.5.

We appreciate the opportunity to comment on the Recirculated DEIR. If you have any questions regarding this letter, please contact Associate Planner Adam Atamian at (949) 361-6197.

Sincerely,



James Pechous,  
City Planner

cc: City Manager  
Assistant City Manager  
Director of Community Development  
Director of Public Works/ City Engineer  
City Council Members

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**From:** kathleen Petersen <ktpetersen@msn.com>  
**Sent:** Thursday, September 24, 2015 11:43 AM  
**To:** SOCRE CEQA  
**Cc:** kathleen Petersen  
**Subject:** SDG&E Capistrano Substation Enhancement Project

TO: CA Public Utilities Commission  
From: Kathleen Petersen  
HOA President Capistrano Gardens HOA aka  
Las Brisas

As the voice for 178 homeowners adjacent to the proposed SDG&E Enhancement Project in San Juan Capistrano I would like to voice our final objection to this project.

In SDG&E's last correspondence they showed little regard to preserving the historic building as it stands on Camino Capistrano one of the main entrances into our historic village.

Secondly, we continue to hear of more deaths from cancer in our area.

Third, We do not want more electric lines with higher voltage added to the site near homes and families. The park that sits between HOA1 and HOA 2 has an EMF reading off the scale as it stands now. We understand there is no scientific evidence that EMF'S cause cancer but also know there is none showing that EMF'S don't cause cancer. THINK, the last century claims that cigarettes didn't cause cancer.

Fourth, San Juan has hosted SDG&E's substation for the last 100 years it needs to find a new home not in a residential area.

Fifth, businesses in San Juan continue to think they will be left without power if this project is denied and or moved out of our historic town. We do not believe this to be the case.

We believe that the PUC representing the people of CA will see that SDG&E should not be allowed to go ahead with this proposed project. There are far better alternatives to consider than a densely populated family area with parks and outdoor activities.

Thank You for considering our very serious and sincere concerns.  
Kathleen Petersen  
HOA Pres. Las Brisas

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September 24, 2015

California Public Utilities Commission  
Re: SOCRE Project  
c/o Ecology and Environment, Inc.  
505 Sansome Street, Suite #300  
San Francisco, CA 94111  
[SOCRE.CEQA@ene.com](mailto:SOCRE.CEQA@ene.com)

**RE: CAISO Comments on the South Orange County Reliability Enhancement Project Recirculated Draft Environmental Impact Report**

Dear Mr. Barnsdale;

**I Introduction**

The California Independent System Operator Corporation (CAISO) appreciates the opportunity to comment on the Recirculated Draft Environmental Impact Report (RDEIR) for the South Orange County Reliability Enhancement Project (SOCRE Project). The CAISO believes that the new Alternative J presented in the RDEIR potentially reduces transfer capability between the Southern California Edison Company (SCE) and San Diego Gas & Electric Company (SDG&E) high voltage systems.

**II Discussion**

The RDEIR identifies a new alternative as the environmentally superior alternative to the SOCRE Project. Alternative J proposes a new 230 kilovolt (kV) Loop In from the SCE system to the Trabuco Substation.<sup>1</sup> SDG&E's Second Supplemental Testimony describes the conceptual design for the RDEIR's Trabuco Alternative is infeasible because it provides insufficient space to construct the 230/138/12 kV Trabuco Substation within accepted standards for safety and reliability.<sup>2</sup>

Assuming that Alternative J was designed to meet the safety and reliability standards identified by SDG&E, the impacts of this alternative would be similar to other alternatives that parallel the SCE 230 kV system with SDG&E's South Orange County 138 kV system. The CAISO discussed these concerns in its prepared direct testimony served in A.12-05-020.<sup>3</sup> The CAISO noted as follows in its prepared direct testimony:

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<sup>1</sup> RDEIR, p. 2-22.

<sup>2</sup> SDG&E Second Supplemental Testimony, Chapter 4, Section 7. SDG&E specifically cites to IEEE, industry and SDG&E safety and reliability standards.

<sup>3</sup> Prepared Direct Testimony of Neil Millar on behalf of the CAISO, pp. 11-12; Prepared Direct Testimony of Robert Sparks on behalf of the CAISO, pp. 16-18. Specifically, see the CAISO's review of DEIR Alternatives C1, C2 and D.

At a high level, these alternatives negatively affect transfer capabilities because they would parallel the existing 230 kV corridor between San Diego and the Los Angeles basin with the 138 kV network. The CAISO does not recommend alternatives that limit the capabilities of an important 230 kV corridor that plays a key role in the reliability of the LA Basin and San Diego in order to address a local reliability issue that can instead be addressed by the SOCRE project.<sup>4</sup>

RDEIR Alternative J would have similar impacts on the 230 kV transmission path between SCE's LA Basin and the San Diego area because it also recommends interconnecting the SCE 230 kV with the SDG&E South Orange County 138 kV system.

Furthermore, RDEIR Alternative J would potentially impact transmission reliability in the adjacent SCE area due to shifting the South Orange County load that is currently supplied via the Talega 230 kV/138 kV substation to the Trabuco 230 kV/138 kV substation. This impact on the adjacent SCE area could be problematic as it would involve more generation re-dispatching or energy market adjustments under transmission contingencies in both the SDG&E and SCE areas. In addition, long term load growth and system expansion in the Orange County area combined with the build out of Alternative J could trigger additional network upgrades in both the SCE and SDG&E service areas.

### **III Conclusion**

The CAISO appreciates the opportunity to provide comments on the RDEIR Alternative J and will provide additional information in its prepared testimony.

Respectfully,

/s/ Jordan Pinjuv  
Jordan Pinjuv  
Counsel

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<sup>4</sup> Prepared Direct Testimony of Neil Millar on behalf of the CAISO, pp. 11-12.

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**From:** Delaney Educational Ent., Lois Rabalais <lrabalais@earthlink.net>  
**Sent:** Thursday, September 24, 2015 12:35 PM  
**To:** SOCRE CEQA  
**Cc:** Lois Rabalais  
**Subject:** SOCRE Project

**Follow Up Flag:**  
**Flag Status:**

**Gentlemen:**

**I am writing to tell you just how gratified I am that you have found another alternative for the Capistrano Substation. You have listened to us resident's and other's concerns about the health issues in our neighborhood, also the building codes in our City, and our historical building we want saved. The five plus years of construction would just ruin the daily lives of our residents. The Trabuco Alternative is a viable site and will not be disruptive of the things I have spoken of. Please choose this new alternative.**

**Thank you,**

**Lois Rabalais  
31096 Via El Rosario  
San Juan Capistrano, CA 92675  
(949) 496-5183**

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