## PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE SAN FRANCISCO, CA 94102-3298



November 29, 2017

Ms. Jennifer Kaminsky San Diego Gas and Electric Company 1010 Tavern Road Alpine, CA 91901

RE: Sycamore- Peñasquitos 230-kV Transmission Line Project—Review of Minor Project Refinement #11 Request

Dear Ms. Kaminsky,

On November 22, 2017, SDG&E submitted Minor Project Refinement (MPR) #11 for approval by the California Public Utilities Commission (CPUC) for the Sycamore-Peñasquitos 230-kV Transmission Line Project (Project). MPR #11 adds approximately 0.13 acres of temporary work space to accommodate the installation of the 138kV and 230kV trench packages north of Sycamore Canyon Substation, as shown in Exhibit 1 (attached).

The Project was evaluated in accordance with the California Environmental Quality Act (CEQA) and a Final Environmental Impact Report (FEIR) was prepared by the CPUC. The CPUC voted to approve the environmentally superior alternative, Alternative 5, on October 13, 2016 (Decision 16-10-005), and a Notice of Determination was filed with the State Clearinghouse (SCH# 2014081031). The mitigation measures (MMs) and Applicant Proposed Measures (APMs) described in the FEIR were adopted by the CPUC as conditions of Project approval. The CPUC also adopted a Mitigation Monitoring, Compliance, and Reporting Program (MMCRP) to ensure compliance with all APMs and MMs during Project implementation.

This letter documents the CPUC's thorough evaluation of all activities covered in this MPR request, including the CPUC evaluation table provided with the MPR analysis (See Attachment A). The evaluation process ensures that all MMs applicable to the location and activities covered in the MPR are implemented as required in the CPUC's decision. The evaluation process further ensures that the following criteria are met:

- Modifications would not be outside the geographic boundary of the study area utilized in the FEIR.
- A new significant impact or substantial increase in the severity of a previously identified significant impact would not be created, based on the thresholds used in the FEIR.
- Additional permit requirements would not be triggered that are not defined in the FEIR or MMCRP.
- There would not be a conflict with any APM or MM, and the modifications would not result in a new conflict with any applicable guideline, ordinance, code, rule, regulation, order, decision, statute, or policy not already identified within the FEIR.
- Modifications would not require new conditions for approval, without which the modifications would result in a new significant impact or substantially increase the severity of a previously identified significant impact.

MPR #11 is granted by the CPUC for the proposed activities based on the factors described below.

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**SDG&E MPR #11 Request.** Excerpts from the SDG&E MPR #11 Request, received October 6, 2017, are presented below (indented):

Under this proposed refinement, SDG&E seeks to add approximately 0.13 acres of temporary work space to accommodate the installation of the 138kV and 230kV trench packages north of Sycamore Canyon Substation. Establishment of the temporary work space would require vegetation removal and minor grading/leveling of slopes. Specifically, Locations 2 and 4 would require minor grading to provide a more leveled work space, while Locations 1 and 3 would require only vegetation removal. Minimal grading/leveling and vegetation removal would be completed via a back hoe, excavator, or similar construction equipment.

Upon completed use of the proposed refinement, all temporary impacts to sensitive vegetation communities would be restored per the Project's Habitat Restoration Plan, and all temporary impacts to non-sensitive communities would be stabilized in accordance with the Project's Storm Water Pollution Prevention Plan.

## **CPUC Evaluation of MPR #11 Request**

In accordance with the MMCRP, the MPR #11 request was reviewed by CPUC to confirm that no new impacts or increase in impact severity would result from the requested MPR activities. The following discussion summarizes this analysis for biological resources, cultural and paleontological resources, transportation and traffic, and other issue areas. A list of bulleted conditions is presented to define additional information and clarifications regarding mitigation measure requirements.

#### **Biological Resources**

The proposed refinement area is primarily within chaparral and coastal sage scrub habitats. On November 16, 2017 the proposed refinement was surveyed by a qualified botanist for sensitive plant species and a qualified biologist for sensitive wildlife species that are detectable during this time of year. Several patches of ashy spikemoss (Selaginella cinerascens) ranging in size from two to four square feet (totaling less than 100 square feet) were observed within the boundaries of Locations 3 and 4. Ashy spikemoss is ranked in the California Rare Plant Rank (CRPR) as 4.1. This species is moderately threatened and is of limited distribution in California. As stated in the FEIR, because of the lower sensitivity of this species, and low number of individuals impacted by the proposed Project, impacts would be less than significant.

No other sensitive plant or animal species were observed within the proposed refinement during the November 2017 survey and previous surveys completed for the FEIR. Sensitive vegetation communities, such as chaparral and coastal sage scrub, will be restored per the requirements of the Habitat Restoration Plan.

All work areas will be clearly delineated with lathe and flagging to ensure construction personnel stay within approved project limits. Furthermore, the proposed refinement area will be established outside of the nesting season.

There will be no new impacts to sensitive habitat, avian species, or sensitive or special-status species utilizing the habitat in the proposed refinement areas, and no increase in the severity of a previously identified impact on biological resources as identified in the FEIR.

## **Cultural and Paleontological Resources**

A cultural resource records search, covering the proposed refinement, was conducted for the FEIR in

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2016 and updated in January 2017 by SDG&E. Pedestrian surveys were not conducted for temporary work areas located within MCAS Miramar as MCAS Miramar is considered 100 percent inventoried and a further cultural resource survey of MCAS property is not necessary. However, a desktop review of the proposed refinement areas on MCAS Miramar was performed. No cultural resources are recorded in the vicinity of the proposed refinement. Monitoring by an archaeological monitor and a Native American monitor will be implemented during ground-disturbing activities.

The proposed refinement is located within the area analyzed for paleontological resources for Alternative 5 in the FEIR. Therefore, no additional paleontological survey or records searches were required for the proposed refinement. Consistent with the findings of the FEIR, the proposed refinement is located in high sensitivity geologic units (Torrey Sandstone and Stadium Conglomerate). Monitoring by a paleontological monitor will be implemented during ground-disturbing activities.

The proposed refinement would not result in any new impacts or increase the severity of a previously analyzed impact on cultural or paleontological resources as identified in the FEIR.

## **Other Issue Areas**

The proposed refinement areas would not result in a new impact, or increase the severity of a previously analyzed impact, on aesthetics, agriculture and forestry, air quality, fire and fuels management, geology and soils, greenhouse gas emissions, hazards and hazardous materials, hydrology and water quality, land use, noise, public services, recreation, transportation and traffic, or utilities and service systems.

# MPR #11 Conditions of Approval

MPR #11 is approved by the CPUC with conditions. The conditions presented below shall be met by SDG&E and its contractors:

- 1. All applicable Project MMs, APMs, compliance plans, and permit conditions shall be implemented. Some measures have on-going/time-sensitive requirements and shall be implemented prior to and during construction, where applicable. Prior to construction, SDG&E must submit all applicable permits to the CPUC.
- 2. Copies of all relevant permits, compliance plans, and this MPR, shall be available on site for the duration of construction activities.
- 3. Wildlife found to be trapped shall be removed by a qualified biological monitor.
- 4. SDG&E shall implement appropriate dust controls at the MPR #11 work area in accordance with the approved Dust Control Management Plan, and SWPPP. SDG&E shall use non-potable water for dust control, as required by MM Utilities-1.
- 5. SDG&E shall implement all appropriate erosion and sediment control BMPs for the MPR #11 work area as defined in the SWPPP, and as specified by the Qualified SWPPP Practitioner. Sediment and erosion control BMPs shall be properly maintained throughout the duration of construction activities.
- 6. All ground-disturbing activities (e.g., grading, trenching, etc.) shall be monitored by a CPUCapproved archaeological monitor and a Native American monitor in accordance with MM Cultural Resources-1, where appropriate. In the event of an archaeological discovery, all construction activity associated with MPR #11 shall be halted.
- 7. All ground-disturbing activities at the MPR #11 work area shall be monitored by a CPUC-approved paleontological monitor. In the event of a paleontological discovery, all earthwork must cease within 50 feet of the discovery, and procedures defined in MM Paleontology-3 shall be implemented.

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- 8. SDG&E shall properly store all hazardous materials and contain and dispose of contaminated soils and materials as described in the CPUC-approved Hazardous Substance Control and Emergency Response Plan.
- 9. All complaints received by SDG&E shall be logged and reported immediately to the CPUC. This includes complaints relevant to traffic, as well as lighting, noise and dust, etc. Where feasible, complaints shall be resolved, depending on the nature of the complaint, through construction site or activity modifications.
- 10. All workers shall receive Safety and Environmental Awareness Program (SEAP) training prior to work at the MPR #11 work area. A log shall be maintained on site with the names of all crew personnel who have received training. All training participants shall wear their SEAP hard-hat sticker for ease of compliance verification.
- 11. No additional tree removal or tree pruning in or adjacent to MPR #11 work areas shall occur unless the SDG&E construction safety advisor determines that an imminent threat to worker and/or public safety exists. The CPUC shall be advised of any tree removals or tree pruning efforts within 24 hours of their occurrence.
- 12. SDG&E shall minimize impacts to Ashy spikemoss to the greatest extent possible, and shall present the Post-Construction report to CPUC confirming actual impacts to sensitive vegetation communities at each work area.

Please contact me if you have any questions or concerns regarding this MPR approval.

Sincerely,

Billie Blanchark

Billie Blanchard Project Manager Energy Division, CEQA Unit

cc: Molly Sterkel, CPUC Program Manager Lonn Maier, CPUC Supervisor Marcelo Poirier, CPUC Attorney Jeff Thomas, Panorama Environmental Sheila Hoyer, Panorama Environmental Edith Moreno, SDG&E Ron Walker, AECOM

Exhibit 1: MPR #11 Map Attachment A: CPUC Evaluation of Minor Project Refinement #11

# Exhibit 1: MPR #11 Map

# Attachment A: CPUC Evaluation of Minor Project Refinement #9

Would the Proposed Project refinements result in a new impact, or increase the		
severity of a previously analyzed impact to:	No	Yes
Aesthetics (e.g., damage scenic resources or vistas, degrade the existing visual character of the site and its surroundings, or create sources of light or glare)?		
FEIR Significance: Significant and Unavoidable		
Summary of Proposed Project Refinement Impacts on Aesthetics:		
The proposed refinement would not increase the impact to the visual quality of the area. The refinement would be temporary in nature and would not result in a new impact, or increase of a previously analyzed impact on aesthetics as identified in the FEIR.		
Agriculture and Forestry Resources (e.g., convert Farmland to nonagricultural use, or create a conflict with existing agricultural zoning or a Williamson Act)?		
FEIR Significance: Less than Significant		
Summary of Proposed Project Refinement Impacts on Agriculture and Forestry Resources:		
The proposed refinement would not convert agricultural land to non-agricultural use, or result of agricultural land. The proposed refinement would not result in a new impact or increase of a previously analyzed impact on agriculture or forestry resources.		
Air Quality (e.g., produce criteria air pollutant emissions, or expose sensitive receptors to additional pollutants)?		
FEIR Significance: Significant and Unavoidable		
Summary of Proposed Project Refinement Impacts on Air Quality:		
Activities associated with construction and utilization of the proposed refinement area (suc of equipment used and run time of equipment) would be consistent with those discussed in Impacts on air quality would remain significant and unavoidable with the implementation of and Mitigation Measures Air-3, and Air-4. The proposed refinement would not result in a new increase the severity of a previously analyzed impact on air quality.	the FEI of APM	R. Air-2,
Biological Resources (e.g., have an adverse effect on sensitive or special-status species; impact riparian, wetland, or any other sensitive habitat; or conflict with local policies or ordinances protecting biological resources)?		
FEIR Significance: Less than Significant with Mitigation		

#### Summary of Proposed Project Refinement Impacts on Biological Resources:

This refinement would result in temporary impacts to approximately 0.11 acre of chaparral and 0.01 acre of coastal sage scrub habitats. Ashy spikemoss was observed at the time of the survey performed for the refinement in November 2017, and will be impacted by the proposed refinement. Ashy spikemoss is ranked CRPR 4.1, is considered moderately threatened, and is of limited distribution in California. As stated in the FEIR, because of the lower sensitivity of this species, and low number of individuals impacted by the proposed Project, impacts would be less than significant. The additional impacts from the proposed refinement would not significantly increase the numbers of individual plant impacts in total by the project. No other sensitive plant or animal species were observed within the proposed refinement during the November 2017 survey or previous surveys completed for the FEIR. A Post-Construction Report will be drafted to reconcile and confirm actual impacts to sensitive vegetation communities at each work area. The proposed refinement area would be established outside of the nesting season. The implementation of MM Biology-6, the Project's Habitat Restoration Plan, and SDG&E's NCCP would reduce impacts to less than significant. The refinement would not result in a new impact or increase the severity of a previously analyzed impact on biological resources.

# Attachment A: CPUC Evaluation of Minor Project Refinement #5 (Cont.)

Would the Proposed Project refinements result in a new impact, or increase the severity of a previously analyzed impact to:	No	Yes
Cultural and Paleontological Resources (e.g., cause an adverse change to a significant historical, archeological, or paleontological resource)?		
FEIR Significance: Less than Significant with Mitigation		

#### Summary of Proposed Project Refinement Impacts on Cultural and Paleontological Resources:

The proposed refinement area was included in a records search extending 0.50 mile beyond the project components that was completed for the FEIR in 2016 and updated by SDG&E in January 2017. All ESAs within the vicinity of project work areas have been flagged for avoidance and none are within the vicinity of the proposed refinement. Monitoring by an archaeological monitor and a Native American monitor will be implemented during ground-disturbing activities. Consistent with the findings of the FEIR, the proposed refinement is located in high sensitivity geologic units (Torrey Sandstone and Stadium Conglomerate). Monitoring by a paleontological monitor will be implemented during ground-disturbing activities. The implementation of MM Cultural Resources-1, MM Paleontology-1, and MM Paleontology-3 would reduce impacts to less than significant. The proposed refinement would not result in a new impact or increase the severity of a previously analyzed impact on cultural or paleontological resources.

 $\mathbf{X}$ Fire and Fuels Management (e.g., cause of expose people or structures to fire hazards, or create a conflict with a Fire Management Plan?)

FEIR Significance: Less than Significant with Mitigation

#### Summary of Proposed Project Refinement Impacts on Fire and Fuels Management:

Activities associated with construction and utilization of the proposed refinement area would be consistent with those discussed in the FEIR. The refinement would not result in a new impact or increase the severity of a previously analyzed impact on fire or fuels management.

Geology and Soils (e.g., cause or expose people or structures to geologic or soil hazards, including erosion or loss of topsoil)?

 $\boxtimes$ 

FEIR Significance: Less than Significant with Mitigation

#### Summary of Proposed Project Refinement Impacts on Geology and Soils:

The proposed refinement would involve ground-disturbing activities, vegetation removal, and minor grading/leveling of slopes to provide level work spaces. The proposed use of the refinement area would be similar to the FEIR analysis. The proposed refinement would not result in a new impact or increase the severity of a previously analyzed impact on geologic resources as identified in the FEIR.

 $\mathbf{X}$ Greenhouse Gas Emissions (e.g., produce criteria greenhouse gas pollutants, or expose sensitive receptors to additional pollutants)?

FEIR Significance: Less than Significant with Mitigation

#### Summary of Proposed Project Refinement Impacts on Greenhouse Gas Emissions:

The level of equipment use and run time of equipment required for the proposed refinement would be consistent with the equipment use and run time estimates included in the FEIR. The implementation of APM AIR-5 and Mitigation Measure GHG-1 would reduce the impacts on greenhouse gas emissions to less than significant. The proposed refinement would not result in a new impact, or increase the severity of a previously analyzed impact on greenhouse gas emissions.

# Attachment A: CPUC Evaluation of Minor Project Refinement #5 (Cont.)

Would the Proposed Project refinements result in a new impact, or increase the		
severity of a previously analyzed impact to:	No	Yes
Hazards and Hazardous Materials (e.g., create or increase the exposure of people or structures to hazardous materials, involve the use of additional hazardous materials or equipment, or interfere with an adopted emergency plan)?		
FEIR Significance: Less than Significant with Mitigation		

Summary of Proposed Project Refinement Impacts on Hazards and Hazardous Materials:

The proposed refinement would require use of the same types of equipment and hazardous materials that were analyzed in the FEIR, and will not interfere with the adopted emergency plan as analyzed in the FEIR and described in the Hazard Substance Control and Emergency Response Plan. The proposed refinement area does not contain known hazardous materials sites. The unexploded ordnance (UXO) surface sweep conducted for the Project in January 2017 included the proposed temporary work spaces. No UXOs were identified during the surface sweep. The implementation of APMs HAZ-1, HAZ-2, and HAZ-3, and Mitigation Measures Hazards-2, and Hazards-3 would reduce the impacts on hazards and hazardous materials to less than significant. The proposed refinement would not result in a new impact or increase the severity of a previously analyzed impact on hazards and hazardous materials.

Hydrology and Water Quality (e.g., degrade water quality, discharge waste or sediment, deplete groundwater, alter the existing drainage pattern, create additional runoff water or polluted runoff, place structures in a 100-year flood hazard area, or expose people or structures to a significant risk involving flooding)?

FEIR Significance: Less than Significant with Mitigation

#### Summary of Proposed Project Refinement Impacts on Hydrology and Water Quality:

The proposed refinement would be within the area previously surveyed for hydrological resources and would remain consistent with the impacts to hydrological resources and water quality analyzed in the FEIR. The proposed refinement consists of vegetated areas that are located within the Peñasquitos Watershed. The proposed refinement area does not contain jurisdictional waters and is not within a flood hazard. The implementation of Mitigation Measures Hydrology-1 and Hydrology-2 would reduce impacts on hydrology and water quality to less than significant. The proposed refinement would not result in a new impact or increase the severity of a previously analyzed impact on hydrology and water quality.

Land Use and Planning (e.g., conflict with a land use plan, policy, or regulation of an  $\square$  agency with jurisdiction over the project, or conflict with a habitat conservation plan)?

FEIR Significance: No Impact

#### Summary of Proposed Project Refinement Impacts on Land Use and Planning:

The proposed refinement would be located within the same area as the Project analyzed in the FEIR. The proposed refinement would have no impact on land use and planning.

Noise (e.g., expose sensitive receptors to additional noise or vibration)?	$\boxtimes$	

FEIR Significance: Significant and Unavoidable

#### Summary of Proposed Project Refinement Impacts on Noise:

Activities associated with construction and utilization of the proposed refinement area (such as use of heavy equipment) would be consistent with those discussed in the FEIR. The implementation of Mitigation Measures Noise-1, Noise-2, and Noise 3 would still result in impacts on noise that are significant and unavoidable. The proposed refinement would not result in a new impact or increase the severity of a previously analyzed impact on noise.

# Attachment A: CPUC Evaluation of Minor Project Refinement #5 (Cont.)

Would the Proposed Project refinements result in a new impact, or increase the severity of a previously analyzed impact to:	No	Yes
Public Services (e.g., result in adverse impacts on government facilities that provide a public service)?		
FEIR Significance: Less than Significant		
Summary of Proposed Project Refinement Impacts on Public Services:		
The proposed refinement does not have the potential to result in lane closures or delays o or otherwise affect public services. The proposed refinement would not be located near within a park. The proposed refinement would not result in a new impact or increase the s previously analyzed impact on public services.	a school	or
Recreation (e.g., increase the use of, or cause adverse effects on, parks or other recreational facilities)?		
FEIR Significance: Less than Significant with Mitigation		
The proposed refinement would not be located within a park, preserve, or trail. The refine would not impact parks or recreational facilities. The proposed refinement would not result impact or increase the severity of a previously analyzed impact on recreation.		
Transportation and Traffic (e.g., increase traffic congestion or degrade performance of the circulation system, taking into account all modes of transportation, or increase hazards due to a design feature)?		
FEIR Significance: Less than Significant with Mitigation		
Summary of Proposed Project Refinement Impacts on Transportation and Traffic:		
The proposed refinement would not result in an increase in vehicle traffic, lane closure, or nor would it result in the loss of parking, consistent with the analysis in the FEIR. The propose would not result in a new impact, or increase the severity of a previously analyzed impact transportation and traffic.	ed refine	
Utilities and Service Systems (e.g., result in the construction of new or expansion of existing water or stormwater drainage facilities, require additional water entitlements, create new solid waste disposal needs)?		
FEIR Significance: Less than Significant with Mitigation		
Summary of Proposed Project Refinement Impacts on Utilities and Service Systems		

### Summary of Proposed Project Refinement Impacts on Utilities and Service Systems:

The proposed refinement would not involve the construction of new, or expansion of existing water facilities, stormwater drainage facilities, and/or require water entitlements, or creation of new solid waste disposal needs. The proposed refinement would not result in a new impact or increase the severity of a previously analyzed impact on utilities.