



Rebecca Giles
Regulatory Case Manager
San Diego Gas and Electric Company
8330 Century Park Court
San Diego, CA 92123-1530

August 22, 2016

Reg.12-10/A.16-04-022
SDG&E TL695and 6971 PTC

Sent Via FedEx

Mr. Will Maguire
Project Manager Energy Division, CEQA Unit
California Public Utility Commission
505 Van Ness Avenue
San Francisco, CA 94102-3298

Re: SDG&E Response - Application Completeness – Permit to Construct the TL 695 and 6971 Reconductoring Project – Application No. A.16-04-022

Dear Mr. Maguire:

Attached please find SDG&E's responses to Energy Division's Deficiency Letter dated July 22, 2016. Please note that the attachments to Questions 4, 5, and 6 contain **confidential information produced pursuant to CPUC G.O. 66-C and CA. Pub. Util. Code § 583**. Per the recent CPUC ruling, we are attaching a Declaration of Confidentiality signed by David Geier, Vice President of Electric Transmission & System Engineering. This completes the utility's response to the request for information.

If you have any questions or require additional information, please feel free to contact me by phone at (858) 636-6876 or e-mail: RGiles@semprautilities.com.

Sincerely,

Signed

Rebecca Giles
Regulatory Case Manager

Enclosures

cc: Elizabeth Cason – SDG&E
Brian Roppe – SDG&E
Tania Treis, Project Manager, Panorama Environmental
Susanne Heim, Project Manager, Panorama Environmental

San Diego Gas & Electric Company (SDG&E) 08/22/16 Response
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1.	<p>Information Necessary to Complete an Adequate CEQA Document for Public Review is Marked Confidential. CEQA documents are public disclosure documents “explaining the effects of the proposed project on the environment, alternatives to the project, and ways to minimize adverse effects and to increase beneficial effects” (CEQA Guidelines 15149(b)). Under CEQA, the CPUC is required to “find out and disclose all that it reasonably can” to the public in a CEQA document (CEQA Guidelines Section 15144). Exceptions to public disclosure requirements under CEQA include trade secrets (PRC Section 21160), and location of archaeological sites and sacred lands and information about tribal cultural resources (CEQA Guidelines Section 15120(d), PRC Section 21082.3(c)).</p> <p>SDG&E submitted confidential materials under Public Utilities Code Section 583 and General Order 66-D, including the Biological Technical Report (BTR), GIS data, geotechnical report, and all of the cultural resources reports. With the exception of the location data contained in the cultural reports (CEQA Guidelines Section 15120(d)), information contained in these materials must be presented in the CEQA document to provide the public with an accurate disclosure of the environmental setting and environmental impacts caused by a proposed project (<i>Cadiz Land Co. v. Rail Cycle</i> (2003) 83 Cal.App. 4th 74, 87 [“Without accurate and complete information pertaining to the setting of the project and surrounding uses, it cannot be found that the [EIR] adequately investigated and discussed the environmental impacts of the development project.”]).</p> <p>Limiting the public disclosure of information contained in these supporting materials inhibits the CPUC from fully complying with CEQA. The PEA sections, including the biological resources section, cultural resources section, and geology and soils sections</p>	<p><i>Revised reports for the biological constraints survey, coastal cactus wren, pacific pocket mouse, and geotechnical investigation are provided in DEF2 Q01.</i></p> <p><i>SDG&E confirms that the GIS files themselves must not be publicly distributed and that mapping produced from the information in those files can be presented in the publicly available CEQA document, with the exception of the transmission pole numbers.</i></p>

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	<p>provide some discussion and summarizes information in the reports; however, these sections do not include all of the evidence needed to support the conclusions made. For example, the biological resources PEA section includes several references to the BTR to illustrate locations of resources and additional resource information needed to support the PEA conclusions; however, the BTR is not currently provided in a format that is accessible to the public. The cultural resources section of the PEA provides extremely limited information and the APMs and analysis cites and depends on the content of the cultural resources reports that are listed as confidential. The analysis in the PEA does not provide the public adequate information to meaningfully understand and comment on the project's impacts or to comment on the effectiveness of the protection measures.</p> <p>Please provide the CPUC with information that can be disclosed in the CEQA document at the level of detail provided in the BTR, the cultural resources reports (with the understanding that resource locations and maps are always confidential per CEQA Guidelines Section 15120(d), PRC Section 21082.3(c)), and the geotechnical report. The information presented in the PEA sections, alone, are insufficient in detail. Please clarify that only the GIS files themselves must not be publicly distributed and that any mapping from the information in those files can be presented in the publicly available CEQA document. CPUC must be able to create and disclose detailed project maps.</p>	
2.	<p>Provide Right-of-Way GIS. SDG&E provided their easements for TL 695 and 6975 in response to Deficiency Report #1; however, GIS data was not provided to support the easements. Provide GIS showing the boundaries of SDG&E's rights-of-way for all components of the proposed project.</p>	<i>GIS Provided (see attachment DEF2 Q02)</i>

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3.	<p>Provide the Results from Federal Aviation Administration’s Notice Criteria Tool. SDG&E noted in response to Deficiency Report #1 that “noticing of the Project poles to the FAA is not required” following a search of the Federal Aviation Administration’s Notice Criteria Tool (NCT). Provide the results of the NCT for verification.</p>	<p><i>Although MCBCP has jurisdiction over the project rather than the Federal Aviation Administration (FAA), structures were processed through the FAA’s Notice Criteria Tool (NCT) in January 2016. The results of the NCT indicated that none of the poles exceeded notice criteria and therefore noticing of the Project poles to the FAA was not required. Last week, SDG&E identified additional structures (see DEF2 Q03 attachment) and processed them through the FAA NCT. The results indicated those additional structures are in proximity to a navigation facility and the FAA requests that SDG&E file notice of construction. These structures have been filed with the FAA and we await the FAA review.</i></p> <p><i>In addition, we found that there were structures that were not processed through the NCT. Therefore, we will be processing these structures through the FAA NCT and will provide documentation to the CPUC once the processing is completed.</i></p> <p><i>Copies of the NCT results that were processed in January 2016 and for the five structures in August 2016 are attached in DEF2 Q03.</i></p>
4.	<p>Provide Cultural Resources GIS. Deficiency Report #1 contained a request for cultural resource survey areas; however, these areas were not provided in SDG&E’s response. Provide GIS data of all cultural resource survey areas from all cultural resource surveys. Additionally, the cultural resource sites provided by SDG&E in Deficiency Report #1 do not have the same boundaries as the cultural resource sites provided in Appendix 4.5-A of the PEA. Provide the GIS data of the cultural resource site boundaries</p>	<p><i>Shape files for cultural resource survey areas were provided in DEF1 Q07 and sent directly to Tania Treis via EDT.</i></p> <p><i>To provide clarification regarding the GIS files and differences in the reports and GIS data; Appendix 4.5-A includes 3 reports:</i></p>

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	shown in the maps in Appendix 4.5-A of the PEA, and provide an explanation why the two sets of cultural resource site boundaries differ.	<p>1) <i>HDR May 2013 Report (GIS data to match report provided here DEF Q)5A): The 2013 HDR report provided in 4.5-A includes the original/initial records search data from the South Coastal Information Center (SCIC) and the South Central Coastal Information Center (SCCIC) in 2013. The shapefiles provided in DEF2 Q04 match the HDR May 2015 report.</i></p> <p>2) <i>HDR March 2015 Report (GIS data to match report provided here DEF Q04): The March 2015 HDR report was an updated report that was based on a merged data set that combined and incorporated data from the SCIC, the SCCIC, and Camp Pendleton (CPEN) CPAG data. After further research and analyses, this merged data set was found to be a less accurate data set and was therefore not relied upon.</i></p> <p>3) <i>HDR November 2015 Report (most up-to-date report with recommendations, and GIS data was provided in DEF1 Q08 to match that report, provided again in DEF2 Q04C): The Final 2015 Recommendations Report prepared by HDR includes updated site data from CPEN CPAG database, from 2015. The GIS data matches with the HDR November 2015 Report in 4.5-A and SDGE provided these data in Data Response to DEF1 Q07.</i></p>

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		<i>In summary, the data provided in DEF1 Q08 matches the final report. GIS data for all three reports is provided in DEF2 Q04). It is important to note that CPEN manages and maintains cultural resources GIS data set, called CPAG. SDGE received the CPEN CPAG GIS data from CPEN in November of 2015. At that time, it was discovered that the CPAG GIS data is far more accurate and up to date than the previous information gathered from the Information Centers (ICs). In addition to obtaining the CPEN CPAG data, HDR staff archaeologist Kristin Tennesen completed in-house records searches at the CPEN Cultural Branch to verify and finalize data in Spring 2016.</i>
5.	Provide Cultural Resource Eligibility Determinations. SDG&E noted in response to Deficiency Report #1 that eligibility determinations were presented in Table 4 of Appendix 4-A of the PEA. However, the table shows that four (4) resource sites within area of project impact (CA-SDI-6692, CA-SDI-6693, CA-SDI-17545, and CA-SDI-20768) have not been evaluated. These sites are located within access roads that would be used using project construction. Use of heavy equipment on these roads could damage resources within these sites. Since the court decision was issued for <i>Madera Oversight Coalition, Inc. v. County of Madera</i> , the CPUC has required that all resources that are within the project area of effect and cannot be entirely avoided, be tested for eligibility for listing on the California Register of Historic Resources (CRHR) or National Register of Historic Places (NRHP) and the eligibility determination be presented in the CEQA document. Please provide the eligibility determinations for resources CA-SDI-6692, CA-SDI-6693, CA-SDI-17545, and CA-SDI-20768.	<i>Sites listed in Table 4 of Appendix 4-A includes recommendations and avoidance measures to avoid impacts to the sites that are recorded within or adjacent to access roads. SDG&E has surveyed all existing access roads on CPEN, and obtained a Decision Memorandum/Categorical Exclusion (NEPA PE20130061A) from CPEN. Avoidance measures and monitoring requirements for all resources, including the four resources identified in this question, are outlined in the DM/Catex, with conditions such as:</i> <ol style="list-style-type: none"> <i>a. Avoidance of all sites within the APE;</i> <i>b. Development and implementation of a monitoring program to ensure avoidance of direct impacts to the sites from the grading activities;</i> <i>c. Monitoring of all grading activities by qualified archaeological and Native American monitors;</i>

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		<p><i>d. Development and implementation of a discovery plan.</i></p> <p><i>CPEN has accepted the proposed avoidance measures at these four site locations. DM/Catex provided DEF2 Q05.</i></p>
6.	<p>Provide Paleontological Resources Record Search. In Section 4.5 of the PEA, SDG&E states that a paleontological resources records search was performed by Paleo Solutions with the San Diego Natural History Museum. Provide a copy of the records search, including any reports and GIS included with the records search.</p>	<p><i>Paleontological Report and Records Search prepared by the San Diego Natural History Museum provided in DEF2 Q06.</i></p>
7.	<p>Provide Description of Geologic Formations and their Paleontological Sensitivity. Section 4.5 of the PEA does not include a description of the geologic units in the project area, fossils previously found within those geologic units, and the paleontological sensitivity of each geologic unit. This information is needed to evaluate potential impacts on paleontological resources within the proposed project area. Provide a description of the geologic units in the project area, paleontological resources previously found within those geologic units, and the paleontological sensitivity of each geologic unit.</p>	<p><i>The Proposed Project is located within the following nine geologic units:</i></p> <ul style="list-style-type: none"> • <i>Holocene alluvial deposits (low paleontological sensitivity)</i> • <i>Quaternary landslide deposits (low paleontological sensitivity)</i> • <i>Pleistocene alluvial flood plain deposits (high paleontological sensitivity)</i> • <i>Bay Point Formation (high paleontological sensitivity)</i> • <i>Lindavista Formation (moderate paleontological sensitivity)</i> • <i>San Mateo Formation (high paleontological sensitivity)</i> • <i>Capistrano Formation (high paleontological sensitivity)</i> • <i>Monterey Formation (high paleontological sensitivity)</i> • <i>Santiago Formation (high paleontological sensitivity)</i>

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		<p><i>Although there are nine fossil localities within one mile of the project area, none of them are located within or adjacent to the project area. The nine fossil localities are situated in the following geologic units:</i></p> <ul style="list-style-type: none"> • <i>Monterey Formation (four fossil localities)</i> • <i>Santiago Formation (two fossil localities)</i> • <i>Topanga Formation (two fossil localities)</i> • <i>Niguel Formation (one fossil locality)</i> <p><i>Note that the Proposed Project does not pass through either the Topanga Formation or the Niguel Formation. Refer to DEF2 Q06 – SDG&E TL 695_TL 6971 Reconductor Record Search for additional information.</i></p>