

# 1. Introduction

## 1.1 Purpose

This document is the finalizing addendum to the Draft Environmental Impact Report (Draft EIR) prepared by the California Public Utilities Commission (CPUC) for consideration of San Diego Gas & Electric Company's (SDG&E) application to build and operate the Miguel-Mission 230 kV #2 Project (the "Proposed Project").

SDG&E submitted an application (A.02-07-022) to obtain a Certificate of Public Convenience and Necessity (CPCN) and a Proponent's Environmental Assessment (PEA) to the CPUC in July 2002. On April 1, 2004, the CPUC released the Draft EIR for public comment. This Final EIR has been prepared pursuant to the California Environmental Quality Act (CEQA) (Section 21000 et seq., California Public Resources Code) and in accordance with the Guidelines for the Implementation of the California Environmental Quality Act (Section 15000 et seq., California Code of Regulations, Tit. 14). The Guidelines stipulate that an EIR must be prepared for any project that may have a significant impact on the environment. Upon preliminary review, the CPUC determined that the Proposed Project may have a significant adverse impact on the environment.

This document, together with the April 2004 Draft EIR, constitute the Final EIR for the Proposed Project. The CPUC, as the Lead Agency for this process, is required by Section 15089 of the CEQA Guidelines to prepare a Final EIR. The Final EIR will be used by the CPUC as part of its CPCN approval process, which includes selecting project alternatives, adopting mitigation measures, and reviewing project costs.

## 1.2 Organization of Final EIR

As required by Section 15132 of the CEQA Guidelines, the Final EIR consists of the following elements:

- The Draft EIR.
- A summary of the public review process (see Final EIR Section 2).
- A list of persons, organizations, and public agencies commenting on the Draft EIR (see Final EIR Section 3).
- Comments and recommendations received on the Draft EIR, including (see Final EIR Section 3).
- Responses to significant environmental points raised in the review and consultation process (see Final EIR Section 3).
- Revisions to the Draft EIR (see Final EIR Section 4).

## 1.3 Decision Making Process

Pursuant to Article XII of the Constitution of the State of California, the CPUC oversees the regulation of investor-owned public utilities, including SDG&E. The CPUC is also the lead State agency ensuring compliance of the SDG&E's proposed Miguel-Mission 230 kV #2 Project with CEQA. This Final EIR

will ultimately be used by the CPUC, in conjunction with other information developed in the CPUC's formal record, to act on SDG&E's application for a CPCN. Under CEQA requirements, the CPUC will determine the adequacy of this Final EIR and, if adequate, will certify the document as complying with CEQA.

On March 24, 2004, as the Draft EIR was being published and released for public comment, the Administrative Law Judge (ALJ) Kim Malcolm and the Assigned Commissioner Loretta Lynch issued a Ruling and Scoping Memo for the proceeding. According to the Scoping Memo, the need for Evidentiary Hearings on the CPCN application has not yet been established. If no hearings are required, the CPUC could issue a Proposed Decision on the project in June 2004. If hearings are required, the Proposed Decision would occur after June.

The Decision, and the Evidentiary Hearings if needed, will cover environmental issues along with issues of project cost. Project need and an effective cost cap for the project were established by the CPUC on February 27, 2003 (Decision 03-02-069). The Scoping Memo describes the status of project cost issues:

“Since D.03-02-069 was issued, there exists the possibility that additional capacity will be available from Otay Mesa or Palomar [power plant] sites in the future. The extent to which potential plant additions might affect the economic viability of Miguel-Mission project is unclear. Finally, the EIR issued for the Miguel Mission project may propose modifications to the project that could increase project costs.” (Joint Assigned Commissioner and Administrative Law Judge's Ruling and Scoping Memo, March 24, 2004.)

The ALJ will consider this Final EIR and additional declarations from SDG&E on project costs as part of the formal record when preparing the Decision on the project.