

Comment Set F
Caltrans

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION

DISTRICT 11
P. O. BOX 85406, MS 50
SAN DIEGO, CA 92186-5406
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May 17, 2004

11-SD-VAR
PM VAR
(K.P. VAR)

Mr. Scott Morgan
State Clearinghouse
1400 Tenth Street
Sacramento, CA 95814

Dear Mr. Morgan:

Draft EIR for the Miguel-Mission 230kV #2 Transmission Line Project – SCH 2003091025

The California Department of Transportation (Department) comments are as follows:

- The project crosses and/or impacts Department facilities, highways, and right of way. The following routes are affected: State Routes 52, 67, 94 and 125; also Interstate Routes 8, 15 and 805. All impacts are to be addressed in the Final EIR, including construction and longer-term impacts to traffic and environmental resources. Typically, a project of this magnitude would have major visual impacts to the hundreds of thousands of motorists traveling daily on these highways. Any ground disturbance within Department right of way must be detailed, and may include impacts to biological, visual, paleontological, and cultural resources, as well as having potential for Hazardous Material and Water Quality impacts. Impacts at each point of ground disturbance should be quantified wherever possible. F-1
- Any work performed within Department right of way will require an encroachment permit. For those portions of the project within Department right of way, the permit application must be stated in both Metric and English units (Metric first, with English in parentheses). Additional information regarding encroachment permits may be obtained by contacting our Permit Office at (619) 688-6158. Early coordination with our agency is strongly advised for all encroachment permits. F-2
- The project analysis, to be included within a Final and Approved environmental document and supporting technical studies, must specifically identify impacts within Department right of way, present avoidance and minimization efforts as applicable, and provide mitigation measures associated with those impacts. All of this documentation must be included as part of the submitted encroachment permit application. If any of this documentation is missing, the application will be deemed incomplete and will be returned to the applicant. The indirect effects of any mitigation within Department right of way must also be addressed. The developer will also be responsible for procuring any necessary permits or approvals from the regulatory and resources agencies for the improvements. F-3
- All work proposed within Department right of way requires lane and shoulder closure charts. Request the charts from the District Traffic Manager, Camille Abou-Fadel, at (858) 467-4328. F-4

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Comment Set F, cont. Caltrans

Mr. Scott Morgan
May 17, 2004
Page 2

- Overhead/underground alternatives must provide detailed traffic control measures as part of the Encroachment Permit. Construction activities for overhead towers/underground stations, if within Department right of way, need to be detailed to show any impacts to traffic. F-5
- Traffic control plans are required prior to construction for a complete review. The plans shall be in accordance with the Department's Manual of Traffic Controls for Construction and Maintenance Work Zones [1996 (Revision 2) edition]. Pedestrian and possibly bicycle detours/traffic restrictions also need to be addressed. F-6
- All roadway features (signs, pavement delineation, roadway surface, etc.) within Department right of way must be protected, maintained in a temporary condition, or restored. F-7
- **Page ES-3, Project Route:** The beginning of the project at the Miguel Substation in Bonita would at least visually impact the State Route 125 (SR-125) South alignment. The Executive Summary does not discuss SR-125 South or any potential conflicts/coordination with the highway alignment. SR-125 South is a new facility currently under construction. Close coordination will be necessary to ensure all possible conflicts with the approved alignment, structures, and any ancillary facilities associated with SR-125 South are avoided. Text discussing this state facility should be added. F-8
- **Page ES-7, Areas of Controversy:** Comments received during scoping meetings do not require formal responses. However, given the scope of this proposed project and the type of comments submitted it seems prudent to indicate for the reader how these comments were addressed. A section reference, at a minimum, is necessary. F-9
- **Page ES-29, Mitigation Measures:** The text within this paragraph uses the terms minimization and mitigation interchangeably. This is inaccurate. Minimization is the direct reduction of an impact or effect. Mitigation typically occurs after the direct impact or effect and is proposed as a means of like type creation or preservation in perpetuity. Clarification of these terms and their use should be provided. F-10
- **Executive Summary - General:** Three specific resources (Mission Trails Regional Park, MSCP, MHPA) are only discussed in a cursory manner. The regional significance associated with each of these resources warrants specialized discussions and individual sections within this document. A detailed analysis presenting the potential impacts and how those impacts may affect the use and preservation efforts of each resource is needed. F-11
- **Executive Summary - General:** There is no discussion on cumulative impacts associated with this proposed project. A summary of Section F.4 should be added. F-12
- **Page D.3-1, Special Habitat Management Areas:** This section does not present or discuss the MSCP or MHPA. The section heading provides a specific opportunity to discuss, in detail, how this project may impact/affect land which falls within the boundaries of either program. The section's silence on these regional conservation programs is inappropriate. At a minimum, if the specific discussion exists elsewhere in the document, reference should be made to the section that provides the needed and detailed analysis on the project's impacts to the MSCP and MHPA. F-13
- **Pages D.3-51 - 58, Mitigation Monitoring, Compliance, and Reporting Table:** The mitigation measures discussed in this section assume either a 1:1 or 2:1 mitigation ratio. This ratio may not be accurate given the habitat/species impacts. There is also discussion on deducting mitigation credits from SDG&E's mitigation bank, again on a 1:1 ratio. The same comment on the mitigation ratio applies. F-14

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Comment Set F, cont.
Caltrans

Mr. Scott Morgan
May 17, 2004
Page 3

- **D.3 Biological Resources, General Comment:** This section is completely absent of discussion on existing mitigation sites within or adjacent to SDG&E's easements. The Department may have project mitigation areas that would be impacted by this project. These potential impacts need to be identified and discussed in detail. The anticipated mitigation ratios, if existing mitigation sites are impacted, will be much higher than those presented. F-15
- **Transportation and Traffic:** This section, both within the Executive Summary and the body of the DEIR, provides the document preparer with the opportunity to discuss the detail analysis necessary each time this project crosses or is adjacent to a state transportation facility or state owned property. The Executive Summary is silent on this project's interface with state transportation facilities, and Section D.12 only presents a cursory description of the state facilities within the project areas. This section's analysis must go beyond a simple operational discussion and remedies to traffic control. There are frequently sensitive resources within state right of way, which require specialized attention. As indicated in the third bullet on page one, this document must specifically identify the project impacts within state right of way and present avoidance, minimization, and mitigation measures as appropriate. Also, this section does not identify or discuss SR-125 South. This facility is under construction and warrants discussion and analysis compatible to the level of detail presented above. F-16
- **Cumulative Impact Analysis, Biological Resources:** This section of the document does not discuss wildlife corridors and the potential impacts this project may have on them. This discussion is an important element to biological resources and the regional conservation programs and warrants analysis. F-17

Our contact person for this project is Lu Salazar of my staff at (619) 688-3140.

Sincerely,

L. Salazar

for MARIO H. ORSO, Chief
Development Review Branch

Responses to Comment Set F

Caltrans

- F-1 Impacts to biological, visual, paleontological, and cultural resources, and impacts related to hazardous materials and water quality that could occur as a result of ground disturbance within Caltrans ROW are detailed in Sections D.3 (Biological Resources), D.4 (Cultural Resources), D.5 (Geology, Soils, and Paleontology), D.6 (Hydrology and Water Quality), D.9 (Public Health and Safety), D.12 (Transportation and Traffic), and D.13 (Visual Resources) of the DEIR. The discussions include the potential impacts to resources and associated mitigation for underground and overhead project alternatives.
- F-2 Comment noted. DEIR page D.12-6 notes that it will be necessary for SDG&E to obtain a Caltrans encroachment permit.
- F-3 SDG&E is responsible for submitting a complete application for the encroachment permit. SDG&E is free to submit this environmental document to Caltrans during that application process. Section D.12 of the DEIR (specifically Table D.12-7) includes a description of the measures that would be needed for avoiding or mitigating impacts for the Proposed Project or alternatives. Also, please see Response to Comment F-1.
- F-4 As part of Mitigation Measure T-1a (Prepare traffic control plans), SDG&E would be required to prepare and submit a traffic control plan to Caltrans. Lane and shoulder closures would need to be identified by SDG&E in this plan in consultation with the Caltrans District Traffic Manager.
- F-5 All construction activities within Caltrans ROW would need to be identified by SDG&E in the application for the encroachment permit.
- F-6 As part of Mitigation Measure T-1a (Prepare traffic control plans), SDG&E would also need to address compliance with the Caltrans Manual of Traffic Controls and strategies for pedestrian and bicycle detours.
- F-7 As part of Mitigation Measure T-3a (Repair damaged roadways), SDG&E would be responsible for protecting roadway features. The CPUC and Caltrans would share responsibility for monitoring compliance with this measure, as shown in DEIR Table D.12-7.
- F-8 A description of State Route 125 (SR 125) South has been added to the Transportation and Traffic analysis of Section D.12, page D.12-3. This highway is not shown on project maps because it is presently under construction. This transportation facility should be fully avoided by the Proposed Project because construction of SR 125 South is occurring west of the Miguel Substation, and modifications that would occur with the Miguel-Mission 230 kV #2 Project would all be on the east side of the substation.
- F-9 Tools used to determine the scope of an EIR include the Initial Study, early public and inter-agency consultation, the NOP, and scoping meetings with agencies and the public. Of these tools, only the NOP is mandatory under CEQA for preparation of an EIR as discussed under CEQA Guidelines §15082. Therefore, the Lead Agency is not required to respond to each individual scoping comment as it does for comments received on the Draft EIR (CEQA Guidelines §15088).

Regardless, the CPUC issued a comprehensive Scoping Report in December 2003 summarizing concerns received from the public and various agencies and presenting copies of comment letters received. Sixty-three letters and emails were received from public agencies and local residents during the NOP scoping period. The Scoping Report was made available for review on the project website and commenting agencies and scoping meeting attendees were notified via postcard that the Scoping Report was posted on the CPUC's website and available for review. Written and oral comments received during the scoping process became part of the project record and were considered in the EIR.

In addition to the discussion in Section 1.3 of the Executive Summary (page ES-7 of the Draft EIR), the main issues of concern raised during the scoping period are summarized in Section H.1.3, Scoping Report, of the Draft EIR. Section 2.1.2 of the Alternatives Screening Report in Appendix 2 of the Draft EIR also summarizes the individual comments received during the scoping period as they were used to develop the project alternatives. Finally, the individual alternative descriptions in Section 4 of Appendix 2 make reference to why each alternative was developed and who suggested it.

F-10 As the commenter notes, minimization is the direct reduction of an impact or effect. Mitigation is used to achieve this minimization of an environmental effect and is used within the Draft EIR strictly as an official CEQA term. According to CEQA Guidelines §15126.4(a)(1) and quoted on page ES-29, mitigation measures are described in general saying, "an EIR shall describe feasible measures which could minimize significant adverse impacts" Therefore, on page ES-29 and within the Draft EIR, the terms are used in different contexts and have not been used interchangeably, therefore, no additional clarification is necessary.

F-11 As discussed in CEQA Guidelines §15123(a), "An EIR shall contain a brief summary of the proposed actions and its consequences." As such, the intent of the Executive Summary is to provide a brief summary of the Draft EIR sections. Please refer to the detailed description and analysis of recreational uses provided in Section D.7 (Land Use and Recreation) of the Draft EIR. This section provides a discussion of impacts to recreational facilities (Impact L-4) and activities (Impact L-5) under Section D.7.3.3.

Section D.3.2.3 of the Draft EIR discusses the relationship of the Proposed Project with regional resource plans. The applicant, SDG&E, has a U.S. Fish and Wildlife (USFWS) and California Department of Fish and Game (CDFG) approved Subregional Natural Community Conservation Plan (NCCP). The SDG&E NCCP is consistent with the requirements of the NCCP Act of 1991 and covers the entire SDG&E right-of-way (ROW) alignment. As such, the proposed project and alternatives addressed in the Draft EIR are subject only to SDG&E NCCP requirements. It should be noted that the SDG&E NCCP is based on the same requirements that the County of San Diego's Multiple Species Conservation Program (MSCP), City of San Diego's MSCP Subregional Plan (which includes the MHPA), and draft City of Santee Subarea Plan are based on, and thus many of the conditions, standards and policies of the SDG&E Plan are duplicative with the other plans. Thus, the Proposed Project or alternatives would not additionally be subject to the requirements of the County or City's MSCPs. No further analysis regarding the applicability of these three plans is required.

F-12 As the commenter notes, Sections F.3 and F.4 of the Draft EIR discuss cumulative impacts. Under CEQA Guidelines §15123, which discusses the requirements of the summary section, no inclusion of a summary of cumulative impacts is required unless there is a

significant cumulative effect or a required mitigation measure. Regardless, text has been added to Section ES.3 providing the following paragraph summary of the cumulative impacts of the Proposed Project.

Cumulative Impacts. As defined in CEQA Guidelines §15355, “a cumulative impact consists of an impact which is created as a result of a combination of the [Proposed Project] together with other projects causing related impacts.” As discussed above, the impact assessment methodology includes the consideration of cumulative impacts (CEQA Guidelines §15130). Therefore, each individual issue area within the EIR evaluated the effect of over 40 past, present, and probable future projects in conjunction with the Proposed Project. Overall, in every issue area, cumulative impacts were found to be less than significant and no Class I (significant, unmitigable) impacts were found.

- F-13 Please refer to the Response to Comment F-11.
- F-14 The mitigation ratios discussed in Section D.3.3.3 on page D.3-25 and again in Section D.3.6 on pages D.3-51 through D.3-58 were extracted from Table 7-4 on page 122 of the SDG&E NCCP. Pursuant to the SDG&E NCCP, temporary and permanent impacts are assigned mitigation ratios based on a location either within or outside the Preserve. The Preserve is defined as habitat within the Multiple Habitat Preservation Area (MHPA), and/or the high/very high habitat classifications of the Habitat Evaluation Model (Ogden, 1994), and/or within quino checkerspot butterfly suitable or occupied habitat. Based on Table 7-4 of the SDG&E NCCP, appropriate mitigation ratios were used in determining mitigation acreage requirements in the Draft EIR. Additionally, SDG&E, pursuant to requirements under the NCCP, provided the USFWS and CDFG with funds for the procurement of approximately 240 acres of high quality habitat in order to create a conservation bank in which SDG&E would hold approximately 240 acres of Mitigation Credit. These Mitigation Credits are to be used by SDG&E for unavoidable impacts to covered species or sensitive habitats resulting from SDG&E activities and are subject to the mitigation ratios established in Table 7-4 of the SDG&E NCCP.
- F-15 Section D.3.3.3, Impact B-4.4: San Diego Fairy Shrimp on page D.3-32 of the Draft EIR, identifies Tower #873072 and its associated stringing site as being located within the Murphy Canyon Naval Family Housing Vernal Pool Preserve. Coordination with the USFWS and CDFG continues regarding appropriate mitigation for impacts to these preserved vernal pools and sensitive vernal pool species, as discussed in Mitigation Measure B-4e in Section D.3.3.3 on page D.3-33 of the Draft EIR. With regard to potential Caltrans mitigation sites, it is not expected that there would be any conflicts with the Proposed Project since all proposed work is located within SDG&E easements. It is assumed that any mitigation site that would have been constructed by Caltrans in the SDG&E easement would have already been coordinated with SDG&E and would have been disclosed by the project applicant and analyzed in the Draft EIR.
- F-16 The DEIR assesses the foreseeable impacts to transportation facilities (Section D.12) and includes strategies that would minimize those impacts (Table D.12-7), in a level of detail sufficient for CEQA purposes. For the purpose of issuing an encroachment permit, SDG&E would need to provide additional detail to Caltrans, after SDG&E successfully completes the CPUC proceeding. See also Response to Comment F-3. Additional information regarding SR 125 South is provided in this FEIR, as described in Response to Comment F-8.

F-17 A discussion regarding wildlife corridors is included in Section D.3.1.4 on page D.3-10. No adverse impact would occur to wildlife corridors upon implementation of the Proposed Project or any alternative due to the fact that much of the SDG&E alignment itself acts as a wildlife corridor and that both temporary and permanent impacts would be minimal. Although some wildlife movement would be disrupted at the location of the current phase of construction, construction would be conducted in phases, with limited areas of staging and stringing occurring at any one time. Due to the contiguity of the native habitat in the SDG&E ROW, it is assessed that wildlife would be able to circumvent construction activity. Once complete, the project would consist of structures and appurtenances that would not ultimately impose a barrier on the land surface for wildlife. As a result no significant impacts are assessed for the Proposed Project, therefore, no cumulative impacts were determined to occur.

Comment Set G
San Diego County Board of Supervisors



DIANNE JACOB
CHAIRWOMAN, SECOND DISTRICT
SAN DIEGO COUNTY BOARD OF SUPERVISORS

May 19, 2004

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Vijax*

Loretta Lynch, Commissioner
California Public Utilities Commission
505 Van Ness Avenue
San Francisco, CA 94102-3214

Dear Commissioner Lynch,

Thank you for the opportunity to express my views on the San Diego Gas and Electric (SDG&E) application to construct a 230 kV transmission line between its Miguel and Mission substations (Docket # A.02-07-022).

I recognize the fundamental importance of procuring and providing reliable electric power to the ratepayers of San Diego County, and I understand that periodic modifications and/or improvements to the transmission system are both essential and inevitable.

I am aware that the City of Santee has concerns about possible health effects related to the proposed project. I respect Santee's position and would like to limit my comments to portions of the project that would affect the unincorporated areas of San Diego County, specifically, Jamacha Valley.

I am aware that the project will take an estimated two years to complete. I respectfully request that during this process, the California Public Utilities Commission (CPUC), SDG&E and the County of San Diego work together to lessen the project's visual impacts, particularly in residential areas. SDG&E has expressed to me a willingness to replace existing lattice poles with less obtrusive monopoles. I encourage the CPUC to ensure that SDG&E takes all steps necessary toward achieving this goal.

I appreciate the opportunity to share my thoughts on this matter. If I can be of further assistance, please contact me at (619) 531-5522.

Sincerely,

DIANNE JACOB
Supervisor, Second District

G-1

Responses to Comment Set G San Diego County Board of Supervisors

G-1 Please refer to Section D.9 (Public Health and Safety) for a discussion of the health effects of the Proposed Project and General Response GR-2, which specifically addresses EMF.

The following two underground alternatives were carried forward for full analysis in the Draft EIR: the Jamacha Valley 138 kV/69 kV Underground Alternative, which would eliminate 14 proposed poles and is discussed in Section C.4.2.1 (see page C-9), and the City of Santee 138 kV/69 kV Underground Alternative, which would eliminate three proposed and two existing poles and is discussed in Section C.4.2.4 (see page C-30). The EIR visual analysis in Section D.13.4 (beginning on page D.13-124), concluded that the underground alternatives are preferable to SDG&E's Proposed Project, since these alternatives would not result in substantial visual changes to SDG&E's existing utility corridor; and long-term visual impacts along roadways where the lines would be installed underground, would not be visually evident after construction and restoration, except at the transition poles or structures.

In addition, within in Jamacha Valley, the Jamacha Valley Overhead A and the Jamacha Valley Overhead B Alternatives were developed based on concerns from residents. As shown in Sections D.13.4.2 and D.14.4.3 (see page D.13-128) and in the Comparison of Alternatives in Section E.2.1 (see also Executive Summary 4.2.1), both would also be preferred visually to the Proposed Project.

For the remainder of the project route, including other areas in unincorporated San Diego County, the Proposed Project would include the relocation of the 138 kV and 69 kV circuits on wood and steel pole structures and the installation of the 230 kV line on replaced or modified lattice towers. Implementation of Mitigation Measures V-1 through V-6 in these areas would reduce potential visual impacts to less than significant levels. These measures, which are listed in Table 13-9 on page D.13-130 of the Draft EIR, include mitigation that would act to minimize potential visual impacts, such as ensuring the conductors do not cause view obstructions from residences, using screening around construction staging areas, and minimizing ground disturbance to landscaping, etc. Please refer to General Response GR-5 for a discussion of aesthetic effects.

Comment Set H Federal Aviation Administration



U.S. Department
of Transportation
**Federal Aviation
Administration**

Western-Pacific Region
Airway Facilities Division

P.O. Box 92007
Los Angeles, CA 90009-2007

May 18, 2004

Michael Rosauer, CPUC
c/o Aspen Environmental Group
235 Montgomery Street, Suite 935
San Francisco, CA 94104

Dear Mr. Rosauer:

RE: Review of Draft EIR for the Miguel-Mission 230 kV #2 Project

The Draft Environmental Impact Report for the Miguel-Mission 230kV #2 Project was reviewed by the Environmental Engineering Section, AWP-472 of the Airway Facilities (AF) Division. It was determined that AF facilities and personnel are not affected by the proposed action.

H-1

If you have questions, or require additional information, please contact Charles Dodge, AWP-472.3 at (310) 645-4562.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Strong, Jr.", with a horizontal line extending to the left.

RM
Robert M. Strong, Jr.
Manager, Airway Facilities Division

**Responses to Comment Set H
Federal Aviation Administration**

H-1 The Federal Aviation Administration was included in the distribution of the Draft EIR based on the helicopter construction plans and the requirement for a Lift Plan Permit. It is noted that the Proposed Project would not affect AF facilities and personnel.

Comment Set I U.S. Fish and Wildlife Service and California Department of Fish and Game



U.S. Fish and Wildlife Service
Carlsbad Fish and Wildlife Office
6010 Hidden Valley Road
Carlsbad, California 92009
(760) 431-9440
FAX (760) 431-5902 + 9618



California Dept. of Fish and Game
South Coast Region
4949 Viewridge Avenue
San Diego, California 92123
(858) 467-4201
FAX (858) 467-4299

In Reply Refer To:
FWS-SDG-3820.2 / CEQA 2004-0296-R5

Mr. Michael Rosauer
California Public Utilities Commission
c/o Aspen Environmental Group
235 Montgomery Street, Suite 935
San Francisco, California 94104

Re: Comments on the Draft Environmental Impact Report for the San Diego Gas and Electric Company's Application for a Certificate of Public Convenience and Necessity for the Miguel-Mission 230 kV #2 Project, San Diego County, California (SCH 2003091025)

Dear Mr. Rosauer:

The California Department of Fish and Game (Department) and U. S. Fish and Wildlife Service (Service), collectively the "Wildlife Agencies," have reviewed the above-referenced draft Environmental Impact Report (EIR). The Service received the draft EIR on April 1, 2004, and the Wildlife Agencies were granted an extension to comment on the draft EIR until May 21, 2004 (Tom Huffman, personal communication). The comments provided herein are based on the information provided in the draft EIR; a site visit by the Wildlife Agencies, Helix Environmental, Aspen Environmental Group, Recon, Essex Environmental, and San Diego Gas and Electric (SDG&E) on October 2, 2003; the Quino Checkerspot Butterfly Protocol Survey Reports (Essex Environmental, July 2002 and June 2003); the Wildlife Agencies' knowledge of declining vegetation communities in San Diego County (County); and our participation in regional conservation planning efforts, including implementation of the SDG&E Natural Community Conservation Plan/Habitat Conservation Plan (NCCP/HCP; Plan). The Wildlife Agencies have concerns, outlined below, regarding potential impacts to vernal pools and vernal pool species, Quino checkerspot butterflies (*Euphydryas editha quino*; Quino), Hermes copper (*Lycaena hermes*), and coastal cactus wrens.

The primary concern and mandate of the Service is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Endangered Species Act of 1973, as amended (Act) (16 U.S.C. 1531 *et seq.*). The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA), Sections 15386 and 15381 respectively. The Department is responsible for the conservation, protection, and management of the State's biological resources, including rare, threatened, and endangered plant and animal species, pursuant to the California Endangered Species Act (CESA), and administers the NCCP Program. SDG&E finalized a Subregional NCCP/HCP in December 1995.



Comment Set I, cont.
U.S. Fish and Wildlife Service and California Department of Fish and Game

Mr. Michael Rosauer (FWS-SDG-3820.2 / CEQA 2004-0296-R5)

2

The proposed project includes the addition of a new 230kV transmission circuit, relocation of existing 69kV and 138kV transmission circuits, and substation modifications within SDG&E's existing right-of-way. The proposed project follows a route within SDG&E's Plan area from the Miguel Substation, northeast to the Los Coches Substation, west to Fanita Junction, and southwest to the Mission Substation, in San Diego County, California.

I-1

We offer the following recommendations and comments on the draft EIR to assist you in planning for the preservation of sensitive wildlife species and habitat types within the proposed Miguel-Mission 230kV project area. Our comments also address consistency with the SDG&E Subregional Plan and pertinent State and Federal statutes and laws.

1. SDG&E's Plan does not cover impacts to vernal pools and vernal pool species (including San Diego fairy shrimp) resulting from new projects, such as the Miguel-Mission project. However, SDG&E submitted a draft clarification to the Plan that addresses impacts to vernal pools (SDG&E Subregional Plan - Clarification Document, May 17, 2004; vernal pool clarification) that includes the use of existing access roads for new projects. This clarification is currently under review by the Wildlife Agencies. If agreement between the Wildlife Agencies and SDG&E on the vernal pool clarification is reached prior to project implementation, then impacts to vernal pools resulting from the Miguel-Mission project could be processed under the Plan, provided measures are consistent with the final vernal pool clarification. If the clarification has not been finalized, it is expected that permanent impacts will be mitigated at 2:1 for pools which do not support sensitive species and 3:1 for pools which support listed, covered, and/or sensitive species.

I-2

2. Quino is not a covered species under SDG&E's Plan. Although SDG&E has been working with the Wildlife Agencies to amend the Plan to include Quino as a covered species, it is not anticipated that the Quino Amendment will be finalized prior to project implementation. The proposed project contains appropriate measures to avoid and minimize impacts to Quino. These include grading and grubbing outside of the post-diapause larvae and adult flight season within suitable Quino habitat, to the extent feasible; or alternatively, performing surveys by a qualified biologist if ground disturbing activities must occur within suitable habitat during the post-diapause larvae or adult butterfly flight season. The draft EIR (page D.3-35, number 7) states that if the adult flight season has not begun, then a qualified biologist will survey the area for Quino checkerspot larvae. However, post-diapause larvae may also be present during the adult flight season, and therefore, larval surveys may also be necessary concurrent with the adult flight season (i.e., not limited to prior to the adult flight season).

I-3

Additionally, diapause larvae could be present within 10 meters of primary host plants (identified during the 2004 adult flight season survey) in occupied Quino habitat. Therefore, activities occurring at a time when diapause larvae could be present should either avoid disturbance within 10 meters of primary host plants (identified during the 2004 adult flight season survey) within occupied habitat, or a biologist qualified to identify diapause Quino larvae should conduct surveys within 10 meters of primary host plants prior to project activities. The Service is available to assist SDG&E and the quino biologist to avoid and minimize impacts to Quino as project specific actions and timing are identified.

I-4

Comment Set I, cont.
U.S. Fish and Wildlife Service and California Department of Fish and Game


Mr. Michael Rosauer (FWS-SDG-3820.2 / CEQA 2004-0296-R5)


3

3. The draft EIR states (pg D.3-29) that the Hermes copper is a “relatively low sensitivity” species. While not federally or state listed, this butterfly species has an extremely limited range (endemic to San Diego County). Furthermore, the extreme fires experienced in San Diego County in October 2003 severely burned a large percentage of the known sites supporting the Hermes copper. The Wildlife Agencies and local experts are concerned about the short and long-term effects on this species. To minimize potential adverse impacts from the Mission-to-Miguel project, we recommend that the biological monitor direct ground-disturbing activities into areas which will avoid or minimize impacts to the larval host plant, redberry (*Rhamnus crocea*), to the maximum extent practicable. I-5
4. The coastal cactus wren is a narrow endemic species under the SDG&E NCCP. As stated on page 43 of SDG&E's Plan, for new projects, kill or injury of such animal species or destruction of such plants or their supporting habitat is not covered by the Plan and Implementing Agreement. Although cactus wrens often nest in large patches of cactus, they also use smaller patches or large individual cholla cactus. Due to the long timeframe for cactus to reach a state of maturity which supports cactus wren nesting, we recommend that siting of facilities and impact areas emphasize avoidance of cactus stands in proximity to cactus wren populations, not only “large cactus patches” as stated on page D.3-30 of the draft EIR. The Wildlife Agencies are available to consult with SDG&E and the biological monitor on impact avoidance and/or minimization measures with respect to cactus wrens and their habitat. I-6

The Wildlife Agencies appreciate the opportunity to comment on the draft EIR for the Miguel-Mission 230kV project. Please contact Sandra Marquez of the Service at (760) 431-9440 extension 268, or David Mayer of the Department at (858) 467-4234, if you have any questions or comments concerning this letter.

Sincerely,


for Therese O'Rourke
Assistant Field Supervisor
U.S. Fish and Wildlife Service


FOR William E. Tippetts
Deputy Regional Manager
California Department of Fish and Game

cc: Mark Chomyn, San Diego Gas & Electric
Tom Murphy, Aspen Environmental
Tom Huffman, Helix Environmental

Responses to Comment Set I

U.S. Fish and Wildlife Service and California Department of Fish and Game

- I-1 Comment I-1 is a statement explaining history, the various roles of the USFWS and CDFG, and a general overview of the proposed project. No response is required.
- I-2 Text in Sections D.3.3.3 and D.3.6 regarding vernal pools [specifically, Impact B-3: Impacts to Vernal Pools and Mitigation Measure B-4e(3)] has been revised to discuss the SDG&E Subregional Plan – Vernal Pool Clarification Document dated May 17, 2004. Mitigation Measure B-4e(3) has been revised to state that the anticipated mitigation ratio would be 3:1 for vernal pools that do support listed, covered, and/or sensitive species.
3. The mitigation program required by USFWS and CDFG is expected to include a quantification of project impacts, a mitigation ratio of 2:1 for vernal pool surface area impacts that do not support sensitive species, a mitigation ratio of 3:1 for vernal pools that do support listed, covered, and/or sensitive species, implementation of a vernal pool restoration plan on an area with appropriate soils, and maintenance and monitoring for five years.
- I-3 Text has been added to Mitigation Measure B-4f(7) (Protect quino checkerspot butterfly and its suitable habitat) in Sections D.3.3.3 and D.3.6 to clarify that quino checkerspot butterfly larval surveys may be necessary concurrent with the adult flight season.
7. If grading and grubbing activities occur during the quino checkerspot butterfly larval and adult activity season (October 16 through May 31), a qualified quino checkerspot butterfly biologist shall survey the area prior to grading activities. If the adult flight season has not begun, according to USFWS Survey Protocol (2002), a qualified larval quino checkerspot butterfly biologist shall survey the area for larval quino checkerspot butterfly prior to grading and grubbing activities. As post-diapause larvae may also be present during the adult flight season, larval surveys may also be necessary concurrent with the adult flight season. If egg clusters, larvae, and/or adults are present within the impact area, and impacts to these individuals are unavoidable, the USFWS shall be contacted to determine whether the quino checkerspot butterfly shall be salvaged or relocated.
- I-4 An additional mitigation measure has been incorporated into Mitigation Measure B-4f (Protect quino checkerspot butterfly and its suitable habitat) in Sections D.3.3.3 and D.3.6. This new measure addresses the USFWS/CDFG concerns regarding the presence of diapause larvae within 10 meters of primary host plants (identified during the 2004 adult flight season survey) in occupied quino checkerspot butterfly habitat.
10. Activities occurring at a time when diapause quino checkerspot larvae could be present shall either (1) avoid disturbance within 10 meters of primary host plants (identified during the 2004 adult flight season survey) within occupied habitat, or (2) a biologist qualified to identify diapause quino checkerspot butterfly larvae should conduct surveys within 10 meters of primary host plants prior to project activities.
- I-5 The CPUC understands that Hermes copper butterfly has a limited range and that the October 2003 fires severely burned a large percentage of known sites supporting this

species. However, the Proposed Project would impact 0.5 acres (less than 2 percent) of suitable habitat for this species. Impacts to this amount of “potential” habitat are not considered significant. Potential adverse impacts have been limited to an acceptable level.

I-6 Text has been incorporated into Mitigation Measure B-4b(2) (Protect coastal cactus wren and its habitat) in Sections D.3.3.3 and D.3.6 in order to restrict clearing of all cactus patches during the cactus wren breeding season.

2. All grading or brushing of maritime succulent scrub, habitat for the coastal cactus wren, shall be conducted from September through February, which is outside the coastal cactus wren breeding season. Grading, brushing, and any other project activity shall avoid impacting ~~large~~ cactus patches within proximity to coastal cactus wren populations and/or that provide suitable nesting habitat for the coastal cactus wren.