

Comment Set 11 Linda Kirk

Miguel-Mission 230 kV #2 Project

From: Linda Kirk [ljkkirk@cox.net]
Sent: Monday, May 17, 2004 2:48 PM
To: miguelmission@aspenerg.com; ljkkirk@cox.net; ruthj@cox.net; Jeff
Subject: Comments on Draft EIR Miguel Mission 230 kV #2 Project

May 17, 2004

Michael Rosauer
California Public Utilities commission
c/o Aspen Environmental Group
235 Montgomery St., Suite 935
San Francisco, CA 94104

Re: comments on Draft EIR Miguel Mission 230kV #2 Project

To whom it may concern,

I am adding a copy of my initial response to your survey at the end of this letter. It states what my opinion of the proposed project was before I read the Draft EIR. Please review it before continuing with this letter.

11-1

My response after reading the Draft EIR is, SDG&E must be totally out of their minds if they think they are going to get support in any way, shape, or form for this project. I actually began reading the EIR with an open mind. I figured let's hear what they have to say before passing judgment. None of the alternatives outlined present a plan that is not detrimental to those whose lives and livelihoods are affected.

The summary states on page ES-11 "It is technically, legally, and regulatorily feasible." I believe in the old adage, "What's wrong is wrong even if everyone is doing it, and, what's right is right even if no one is doing it." Just because it's legally O.K. doesn't make it right. This project and all of the alternatives is just plain wrong.

One concern is the impact of EMFs on people, particularly children, if this project is completed. Any way you cut it, above or below ground, the possible EMF repercussions are extensive. Affected are Steele Canyon High School, Jamacha Elementary School, Steele Canyon County Park, Cottonwood at Rancho San Diego Golf Club, Cottonwood residential neighborhood, and Willow Glen Road. That's thousands of people on a daily basis. Can you imagine what a radiologist would look like if he/she didn't stand behind a lead shield for every x-ray? We all know that overexposure to radiation can be fatal. That hasn't always been known. Right now SDG&E is proposing to put something potentially fatal in our yards and over our heads. It seems as if they're saying, "Hey, they can't see the EMFs. If they can't see them maybe they won't notice they're there. What people don't know won't hurt them." Let's put one of these towers with the

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school and see how they like it. Would they take their families to the park for an afternoon of basking in the glow of EMFs. How about sharing the joys of sighting a three legged squirrel, or a two headed frog as they're enjoying a round of golf under the high frequency lines. I hope you get the point. Even if the lines are put underground for part of the route, as in one alternative, it solves none of the EMF issues.

11-2

I was tremendously disturbed when I read that SDG&E has already filed a plan to add an additional 230 kV line to this project, even before it has been approved. This is arrogance at its extreme. That would put two 230 kV lines in addition to the 69 kV and 138 kV circuits that exist. I'm not willing to risk the lives of people, animals, plants, or any of our natural resources to see this implemented. That SDG&E has the gall to believe they can get whatever they want, with almost total disregard for people, property, animals, and environment, is appalling.

11-3

Let's move on to the Summary of Impacts and Mitigation for the Proposed Project. Let me begin with a question. Who decided what would be considered significant? I'm sure the things I consider significant or adverse are considerably different than theirs.

11-4

There are a considerable number of items that have been categorized as Class III (less than significant) that are definitely significant to the inhabitants of the area, plant, human, and animal. There is no way you can undertake a project of this magnitude, using the equipment necessary, and not permanently affect the plant and wildlife in this area. The proposed mitigation measure for the majority of biological resources is to protect, restore, or compensate. When we're talking Class II impact, and real, living things, I don't believe adequate protection can be provided that will assure survival. Restoration of habitat doesn't do much good if the intended inhabitants are no longer in existence. How, and who, in the world would they compensate for these losses. There are some things that there is no adequate compensation for. The restriction of wildlife movement in wildlife corridors is listed as Class III with no mitigation measure planned. This is of great concern to us. We already have many coyotes, opossums, rabbits, and skunks that run through our neighborhoods as a result of what's already happened to their habitats. Recently a mountain lion had to be shot, between the golf course and the elementary school mentioned earlier in this letter, as a result of already reduced or destroyed habitat. The recent fires in San Diego caused many plant and animal deaths. We can't afford to add further to the hardships this area is suffering.

11-5

SDG&E seems to think that soil erosion, water quality degradation from construction and spill of potentially harmful materials, and increased runoff from new impervious areas is only a Class III with no mitigation measures planned. This is totally unacceptable. This is a hilly area and if your home is above or below one of those new impervious areas you're in big trouble.

11-6

It seems that physically dividing an established community is only Class III with no mitigation planned. Again, no consideration is being given to the residents residing therein. Not acceptable.

11-7

Disrupting an established land use and substantially deteriorating a recreational facility also Class III, no mitigation. Not acceptable. People's livelihoods depend on some of

11-8

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these things. It's not O.K. to destroy their ability to make a living so SDG&E can make a buck. Not acceptable.

11-8

Converting farmland to non-agricultural use or conflict with an existing agricultural use. Not important enough to mitigate? Tell that to the farmers and schools making a living and teaching students on that acreage. Not acceptable.

Operation of the transmission line would cause corona noise. This is a Class II and by golly they're going to mitigate. They're going to comply with City of San Diego noise abatement code. Which doesn't mean "diddly squat" if you still have to listen to it 24 hours a day. Oh, they're going to respond to complaints of corona noise. What are they going to do say, "Yep, that's corona noise. Nothin' we can do about it but we'll sure write down that you don't like it." Not acceptable.

11-9

When it comes to public health and safety, all but two of the areas evaluated are Class II. One that I am particularly fond of is, "Release of hazardous materials could occur during substation operations." They're going to make plans and they're going to cover their behinds by documenting that they are in compliance. The fact that they're going to be compliant with whatever regulations are required, is going to make the people happy as the backhoe removes all of the newly contaminated soil from their yard, their years of landscaping going to the toxic landfill. Their children, deformed as a result of the exposure, will be infinitely comforted by the fact that SDG&E was in compliance when their lives were permanently altered. Not acceptable.

11-10

When it comes to induced currents and shock hazards in joint use corridors, Class II, it will be of great comfort to the grieving to know that a survey was done and potential hazards were documented. Not acceptable.

11-11

The family of the man whose pacemaker stops as a result of the effects of SDG&E's project will not consider that a Class III consideration with no mitigation proposed. Not acceptable.

11-12

TV addicts, sports fans, and couch potatoes will not be satisfied with their Class II radio and television interference. The mitigation measure? They'll document the complaints. Not acceptable.

It also seems that displacement of people or existing housing is not considered significant enough to require mitigation. Tell that to the people being displaced because SDG&E wants to make some money. SDG&E also deems that being consistent with applicable plans and policies is only Class III and requires no mitigation. SDG&E seems to think it's above all. Not Acceptable

11-13

SDG&E may have ROW but they don't have the right to choose the quality of life for those living along that ROW.

11-14

There is an option that is acceptable. That's the NO PROJECT option. The EIR states that SDG&E has other avenues it can pursue that will accomplish the same end, without adversely affecting the quality of life of so many.

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There is a significant difference between "Have-to" and "Want-to." They WANT to complete this project, they DON'T "Have to." Even small children know and can comprehend the difference. It's time for SDG&E to grow up and learn that lesson. You don't always get to do what you want.

11-14

We are opposed to this project above ground, below ground, or anywhere in between.

Sincerely,

Linda Kirk
Representing my family, Harry, Jeffrey, and Harrison Kirk
Our pets
Our wildlife
Our neighbors
Our friends
2454 Wind River Road
El Cajon, CA 92019
(619) 444-7311
lj Kirk@cox.net

Here is a copy of my previous e-mail 10-5-03
My name is Linda Kirk. My family has been residing at 2454 Wind River Road, El Cajon for 19 years. Our home is on the hilltop overlooking Rancho San Diego and Steele Canyon Golf Courses. Over the years we have seen many changes to our area which have enhanced the lives of those living here. Your project promises nothing positive that I can see other than profit for SDG&E. The proposed positioning of additional towers and power lines within 100 feet of the homes in this neighborhood is totally unacceptable. The potential health risks, from living in such close proximity to an extraordinarily high electromagnetic field, are extremely negative. People living in other areas with comparable exposure have documented increases in cases of cancer, leukemia, tumors, miscarriage, and birth defects. Would you knowingly put your family in such a detrimental environment? I think not. Don't do it to mine or those living near me.

11-1

One of the best things about the location of many of these homes is the unobstructed view we share. Your proposed towers will spoil those views and bring down our property values considerably. We were assured when we purchased this home, as were other homeowners, that the area below our homes would remain a natural area. No construction of any kind could or would be performed in this area.

The wildlife in this area is an important resource and is very fragile. Construction of these towers and roads for access to them would have a significant negative impact on our local creatures. There is no way this construction can take place without significant destruction of habitat and life.

I am also concerned about the effects of construction on the stability of the mountainside. If the mountainside goes, so goes my home.

Unless you are willing to accept responsibility and compensate all involved for:

1. Major reduction of Home Value
2. Destruction of people's and animals' health and any and all medical costs and complications caused by living in close proximity to the power lines.
3. Loss of stability of base of hillside which may not be detected until our homes go sliding down.
4. Breach of agreement for no additional construction
5. Loss of natural habitat and wildlife

DO NOT PROCEED WITH THIS PROJECT.....
There is no compensation that could adequately cover the loss of any of the above. These things are

Comment Set 11, cont.
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priceless. We spend our lives and money maintaining them for the future of our families, not for your destruction of the things we value.

If you were a potential homebuyer there's no way in this world you would put your life or the lives of your family members in the environment you plan to create for us. My life and the lives of my family and neighbors are just as valuable. We don't deserve to be plunged into an environment of your choosing.

We are opposed to your proposal.

Sincerely,
Linda Kirk
Representing my family, Harry, Jeffrey & Harrison Kirk
Our Pets
Our wildlife
Our Neighbors
Our Friends
2454 Wind River Road
El Cajon, CA. 92019
(619) 444-7311
LJKirk@Cox.net

11-1

Responses to Comment Set 11 Linda Kirk

11-1 The commenter's initial response and opposition to the Proposed Project is noted, as well as her current opposition to the Proposed Project and all alternative routes. Please refer to Section D.9 (Public Health and Safety) and General Response GR-2 regarding EMF. The Proposed Project is proposed to be located in an already existing utility ROW, where lines have existed since the mid 1950s. Please refer to Response to Comment 3-2 and General Response GR-4 for a discussion concerning property values.

Implementation of Mitigation Measures V-1 through V-6 would reduce all 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.

In addition, Mitigation Measures B-1 through B-7 would reduce all temporary and permanent impacts to biological resources (i.e., sensitive vegetation and animal communities and habitats) to less than significant levels. Mitigation Measures B-4a through B-4g specifically address impacts to sensitive animal species and require actions, such as limiting the construction season, requiring surveys, removing sensitive species, reducing noise, flagging/staking sensitive areas, and monitoring, etc.

Impact G-2 on page D.5-17 of the Draft EIR specifically addresses slope instability, including landslides, earth flows, and debris flows, and their impact on the stability of new pole foundations. A landslide initiated by construction of a pole foundation could impact the public; however, implementation of SDG&E's Project Protocols, specifically PP-64, and Mitigation Measure G-2a would reduce potentially significant impacts associated with slope instability to less than significant levels (Class II).

Section C.2 outlines the alternatives screening methodology, including consistency with project objectives, feasibility, and potential to lessen significant impacts of the Proposed Project without creating new significant impacts. Feasibility of alternatives is outlined in Section C.2.2, including legal feasibility, which is just one of the feasibility factors used in the screening process. Please refer to Response to Comment 10-7.

As described on page C-1 of the Draft EIR, the environmental review process attempts to identify and assess reasonable alternatives that would potentially avoid or minimize the impacts of a proposed project, including a "No Project" Alternative (CEQA Section 15126.6(e)(1)). This requirement is emphasized in the CEQA Guidelines, Section 15126.6(a), which states:

An EIR shall describe a range of reasonable alternatives to the project, or to the location of the project which would feasibly attain most of the basic objectives but would avoid or substantially lessen any of the significant effects of the project and evaluate the comparative merits of the alternatives.

Section 15126.6(b) further states that the alternative analysis shall include alternatives capable of eliminating or reducing the significant environmental impacts of a project, even if those alternatives would hinder the attainment of the project objectives, or would be more costly to implement. CEQA, however, does not say that *all* impacts need to be reduced or eliminated with an individual alternative.

11-2 The suspected health risks of electric and magnetic fields, including a description of research on diseases in laboratory animals, are described in Section D.9.6.3 of the Draft EIR (see pages D.9-21 to D.9-23). This discussion in the Draft EIR also explains how the CPUC treats EMF, given the uncertainty of the risk of EMF and the contradictory or inconclusive nature of research regarding public health risks. The levels that could occur with the Proposed Project at the schools and neighborhoods mentioned in the comment are shown in the Draft EIR: Table D.9-9 (Segments A2 and A3), Figure D.9-1, and Table D.9-10 (for Willow Glen Drive). Please see General Response GR-2 for a further discussion of the how the decision-makers handle EMF issues.

11-3 Please refer to Response to Comment 11-1. See also General Response GR-1 and Response to Comment E-1 for a discussion of the future circuit and the Otay Mesa Power Purchase Agreement Transmission Project.

11-4 The purpose of the EIR is to objectively state the environmental effects of the Proposed Project in regards to the established CEQA significance criteria. Public Resources Code §21068 defines a "significant effect on the environment" to mean "a substantial, or potentially substantial, adverse change in the environment." CEQA Guidelines §15382 makes clear that the "environment" in question is "any of the physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise and objects of historic or esthetic significance." It also states that "[a]n economic or social change by itself shall not be considered a significant effect on the environment," although when "related to a physical change may be considered in determining whether the physical change is significant."

The CEQA Guidelines further state that "[a]n ironclad definition of significant effect is not possible because the significance of an activity may vary with the setting" [CEQA Guidelines §15064(b)]. CEQA Guidelines §15064(b) also requires that significance determinations be "based to the extent possible on scientific and factual data."

Therefore, each individual issue area discusses potential impacts of the Proposed Project and alternatives and classifies each potential impact based on significance criteria within Section D of the Draft EIR (see CEQA Guidelines §15064 et seq.). Class I impacts (there are none associated with the Miguel-Mission project) are significant and cannot be mitigated to a level that is less than significant. Class II impacts are potentially significant, but can be mitigated to a level that is less than significant. Class III impacts are adverse but are less than the significance threshold established by the significance criteria. Finally, Class IV impacts are beneficial. Mitigation measures are recommended to reduce the effects of the project to a level that is less than significant. A general discussion of the environmental assessment methodology is found in Section D.1.2 of the Draft EIR. In the General Proceeding, the CPUC may also take into consideration other issues such as "community values" when making a decision.

11-5 The biological study area for the Proposed Project consisted of approximately 2,569 acres. Impacts to sensitive habitats and sensitive species have been minimized by the project design. The Proposed Project completely avoids impacts to all wetland communities that occur within the study area, and impacts to sensitive species (such as San Diego ambrosia) have been minimized by project design modifications. It is also noted that the majority of the new facilities are being located adjacent to already existing facilities and already existing access roads, which minimizes the impacts of the project. Although the Proposed Project would temporarily impact approximately 105.6 acres (4 percent) and permanently impact 10 acres (0.4 percent) of upland habitat, mitigation (within a regional context) is proposed consistent with the SDG&E NCCP to offset these impacts. The SDG&E NCCP covers 52 sensitive plant species and 58 animal species. Please refer to Responses to Comments F-11 and F-14 for additional information regarding the NCCP and related mitigation requirements. With regard to the comment regarding wildlife corridors, please refer to Response to Comment F-17.

11-6 The writer is concerned that soil erosion, degradation of water quality, spills from potentially harmful materials, and increased runoff are considered by SDG&E and the Draft EIR (see Section D.6.3.3) as only Class III (not requiring mitigation). The proposed disturbance, in the context of the entire watershed, is relatively minor. Soil erosion is addressed extensively in the SDG&E Project Protocols (i.e., Project Protocols 3, 5, 6, 12, 38, 55, and 64), and additional mitigation measures (i.e., Mitigation Measures H-5a, G-3a and G-5a) have been provided in the FEIR that strengthen protections against erosion of desert soils. Further, existing water quality regulations (see Section D.6.2) that must be complied with will ensure that project-related soil erosion and water quality contamination are minimal. Increased runoff is a result of the installation of new surfaces that do not allow percolation of rainfall into the ground, such as cement or asphalt-covered areas.

Additional cement tower footings along the alignment as a result of the Proposed Project would not create a significant increase in runoff due to a decrease in permeable soil. In addition, the substations are mainly gravel-floored and have adequate drainage control. Finally, graded roads may become slightly less permeable as they become compacted during use, but they would not count as an “impervious surface.” Therefore, the impervious areas that would occur as a result of Proposed Project construction are minor in comparison to the watershed area and thus, are unlikely to result in an appreciable increase in runoff.

11-7 As detailed in Section D.7.3.3 under the discussion of Impact L-2 (Physically Divide and Established Community), transmission lines would physically divide communities by introducing a substantial linear facility with actual and perceived physical barriers to crossing. Major linear facilities separate communities by at least the width of the ROW, introducing a physical separation that would result in fewer interactions among community members. The Proposed Project and construction access routes would cross or run adjacent to a range of land use types, including residential, agricultural, industrial, public service, open space, and recreational lands. However, the Proposed Project is part of an existing transmission corridor and would therefore not result in further physical division of the nearby communities as a result of long-term physical or visual barriers.

11-8 As acknowledged under the discussion of Impact L-3 (Disrupt Established Land Use) in Section D.7.3.3 of the Land Use Section, construction activities would have the potential to

disrupt land uses along the transmission corridor for short periods. For example, temporary staging areas located outside the ROW could temporarily affect surrounding communities and the respective land uses by disrupting access to properties adjacent to the ROW or precluding some outdoor activities very close to the ROW, such as at Herrick Children's Center or Steele Canyon High School, as both these institutions abut the ROW. However, these instances are expected to be short-term and infrequent because most if not all the construction activity would take place within the existing corridor (see Section B, Description of Project). In addition, any new access roads constructed as part of the Proposed Project and not needed for future maintenance activities would be permanently closed (as outlined in Project Protocol 37). This would limit new or improved accessibility to the area, preventing land use changes stemming from improved accessibility to the ROW.

With regard to deterioration of recreational facilities (see Section D.7, Land Use and Recreation), under CEQA, this would be a significant impact if a project would result in or accelerate the substantial physical deterioration of recreational facilities by increasing their use beyond existing capacity. Generally, this increased use is a result of an increase in population local to the recreational resources. As shown in Section D.11, Socioeconomics, the Proposed Project is not expected to induce either short-term or long-term population growth, and is unlikely to draw additional residents or recreationists to the area. Therefore, the Proposed Project would not increase local need for recreational resources, and the Proposed Project would not lead to the physical deterioration of recreational facilities due to increased use. The Proposed Project could also deteriorate recreational facilities if it reduced the value of their use. This could occur, for example, through reduced visual value (see Section D.13, Visual Resources), increased noise (see Section D.8, Noise and Vibration) and traffic (see Section D.12, Transportation and Traffic), or increased dust and emissions (see Section D.2, Air Quality). These impacts are addressed in their respective sections elsewhere in Section D of the Final EIR. The Proposed Project could also reduce the value of recreational resources through a physical intrusion into the resource. However, the Proposed Project would not include any permanent components outside the existing ROW. This limits potential physical intrusions to recreational resources resulting from temporary construction activities (Impact L-4, Substantially deteriorate a recreational facility). Mitigation Measures L-5a and L-5b would also reduce potential disruptions to recreational activities (Class II) to less than significant levels.

Under CEQA, the conversion of Farmland to non-agricultural uses is considered a significant impact if the Farmlands have a high capacity for agricultural production. As discussed in Section D.7.3.3 on page D.7-12 of the Draft EIR, the Proposed Project does not cross or run adjacent to any lands designated by the by the State of California Department of Conservations as Farmland. Therefore, impacts to Farmland from the Proposed Project are unlikely and would be considered less than significant (Class III).

It should also be noted that according to CEQA Guidelines §15131, economic or social effects of a project per se are not considered as significant effects on the environment unless there is an indirect physical effect to the environment. For example, fiscal impacts to any businesses along the right-of-way would only be considered significant, if a business was forced to move as a result of loss of business directly due to the proposed project. Sections D.11.3 and D.11.4 of the Draft EIR found that all impacts would be less than significant (Class III), and, therefore, neither the Proposed Project nor any alternatives would result in any socio-economic impacts requiring mitigation. Please refer to Section D.11 (Socioeconomics) for a more detailed discussion of the Proposed Project's potential impacts on socioeconomics.

- 11-9 The discussion of Impact N-3, related to corona noise (page D.8-9), shows that the area of highest noise impact would along portions of the segments of the Proposed Project that would be within the City of San Diego (i.e., segments near the Miguel Substation). Within the City of Santee, the Proposed Project would not cause excessive corona noise, a maximum of 35.8 dBA, which would not exceed any local standard (see also Response to Comment E-12). Mitigation Measure N-3b, related to noise complaints, would require SDG&E to repair damaged components of the system if they are found to cause excessive noise.
- 11-10 The discussion of Impact HZ-3 (Release of Hazardous Materials During Substation Operations, page D.9-8), shows that relatively small quantities of hazardous materials would be used at substation locations. This impact would not differ substantially from the existing conditions. Under present conditions, accidental spills or releases of small quantities of oils could also occur. Proper training and response plans (in Project Protocols 7 and 33) can be effective at preventing such accidents. The San Diego County Department of Environmental Health, Hazardous Materials Division would also oversee SDG&E's efforts to comply with the plans, which involves periodic on-site inspections. With recommended Mitigation Measures HZ-3a and HZ-3b, related to updating required plans and documenting compliance, an additional level of CPUC oversight would be required beyond that which occurs under the present conditions.
- 11-11 In joint use corridors, it is common for property owners and utilities to work together to safely share the ROW. The discussion of Impact PS-2 (Induced Currents and Shock Hazards, page D.9-35) explains that proper grounding would be necessary for objects within the ROW. SDG&E should work with the property owners that could be affected by this impact prior to and after the line is energized. Recommended Mitigation Measure PS-2a, related to shock hazards, would require not only documentation of hazards, but also responsive action and resolution taken by SDG&E. The Draft EIR, Section G.6 provides a dispute resolution process under the oversight and direction of the CPUC in the event of a dispute between the utility and property owners regarding the implementation of mitigation measures.
- 11-12 Typical pacemaker operation is described in the Draft EIR (page D.9-19) as an introduction to the discussion of Impact PS-3 (Effects on Cardiac Pacemakers, page D.9-35). The Proposed Project would not be likely to cause malfunction of pacemakers because they are designed to adapt their pacing if they encounter electrical interference. The possible effects of Impact PS-2 (Radio and Television Interference, page D.9-34) and the associated Mitigation Measure PS-1b, related complaints of interference, would require not only documentation of interference, but also responsive action and resolution taken by SDG&E.
- 11-13 As acknowledged by the discussion under Impact S-4 (Displacement of People or Existing Housing) in Section D.11.3.3 of the Draft EIR, while residential developments occur along the route, all proposed project activities during construction and operation would occur within the existing transmission line ROW and would not require the removal or relocation of any residential units or business uses. Therefore, the Proposed Project would not result in any displacement impacts. It should be noted that the Miguel-Mission 230 kV #2 Project EIR has been prepared by the CPUC in review of SDG&E's application to build and operate the project. Therefore, the contents and analysis of the document have been prepared by CPUC and not SDG&E.

11-14 The commenter's opposition to the Proposed Project and all alternatives is noted. A determination of need for the project has already been approved by the CAISO and the CPUC in 2003 (see General Response GR-1). The Purpose and Need for the Proposed Project is described in Section A.2 of the Draft EIR, but it is not an issue determined by CEQA. Therefore, the need for this project is not addressed or decided within this EIR.

CEQA requires an evaluation of the No Project Alternative so that decision-makers can compare the impacts of approving the project with the impacts of not approving the project. The No Project Alternative scenario is detailed in Section C.6 on beginning on page C-57 of the Draft EIR. The scenario factors in components, such as additional regional generation (could be cancelled/delayed or could be necessary) and congestion issues (short-term congestion measures would need to be implemented, etc.). Each issue area in Section D evaluates the No Project Alternative and Section E.3 on page E-8 compares the No Project Alternative to the Environmentally Superior Alternative.

Comment Set 12
Ruth G. Jones

Miguel-Mission 230 kV #2 Project

From: Ruth G Jones [ruthj@cox.net]
Sent: Monday, May 17, 2004 2:35 PM
To: miguelmission@aspeneg.com
Subject: DEIR comments

Dear Sirs:

After reading the DEIR report on the project, I believe that the Jamacha Valley 138kv/69kv Underground Alternative is the only acceptable plan for the residents of the Cottonwood community. Any other option would visually degrade this highly residential area to the point of sinfulness. We are already tolerating looking at what exists. Please, please do not alter the location of the existing poles or add any new poles to this neighborhood!

12-1

Sincerely,
Ruth Jones
2460 Wind River Road
El Cajon, CA. 92019
(619) 444-7428

Responses to Comment Set 12
Ruth G. Jones

- 12-1 The commenter's support for the Jamacha Valley 138 kV/69 kV Underground Alternative and request not to alter the location of the existing poles or add any new poles to the Cottonwood neighborhood are noted.

Comment Set 13
Katherine L. Marsh

Katherine L. Marsh
12520 Robison Blvd.
Poway, CA 92064
(858) 748-7584

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

**Comment Set 13, cont.
Katherine L. Marsh**

Re: Application Number 02-07-022, Draft Environmental Impact Report, 230kv Miguel-Mission #2 projects.

**First Issue: Method of Notice Excludes Private Citizen and Homeowner
Participation During Critical DEIR Evidence Gathering Phase.**

13-1

There has been little public participation during the critical DEIR evidence-gathering phase. This is unacceptable. Private citizens and homeowners need to be given a chance to participate.

The letter of "Application for Certificate of Public Convenience and Necessity," written by the San Diego Gas and Electric and mailed out by the PUC in April, 2004, used techniques that must be examined closely for their effect on public participation. The letter is attached as Exhibit One.

Books and business letters use font size 12, one and one-half to double spaced, for the clarity and ease of the reader. One normally reads a font size 12 in letters and you are reading a size 12 here.

Contrast that to the following:

- The first segment of this project between Miguel Substation and Fanita Junction will involve the installation of approximately 24 miles of overhead conductor on the modified lattice tower and tubular steel poles currently proposed for the SDG&E Miguel to Mission #2 Project. Construction of this segment will not require installation of any new structures or any modifications to the Miguel to Mission #2 Project. The remaining four-mile segment between Fanita Junction and Sycamore Substation will involve installing overhead conductor in the vacant position on existing lattice structures within SDG&E's existing right-of-way, reconductoring an existing 138kV transmission line, and replacing nine two-pole wood structures along the route.

The SDG&E two-page notification of April 2004 looked that way throughout. The Additional Project Information section in the letter, which contains the phone number to obtain further information, is written in the even smaller font size 8. I can't read print that small. Please see attached Exhibit One.

Comment Set 13, cont.
Katherine L. Marsh

A scan of the contents of the letter into Microsoft Word’s Flesch Readability Scores, sheds more light on the matter. Please see the attached Flesch Reading Ease Score Information sheet, Exhibit 2.

13-1

The Flesch Reading Ease Score rates a document on a scale from zero to 100 points. Flesch uses sentence length and the average number of syllables per word. “The higher the Flesch score, then the easier it is to understand the document. ... Most documents aim for a score of approximately 60 to 70”¹. The Flesch Reading Ease score rated the SDG&E letter about a nine. A nine is pathetic.

The SDG&E letter uses the word “reconductoring” and the phrase “associated disconnect.” What is with that? The word “reconductoring” does not exist in the Webster’s college dictionary, a typical dictionary. We looked for the word. The word “reconductoring” does not even exist in the English language dictionary, Webster’s Third New International Dictionary, Unabridged, published in the year 2000 and used in libraries. We looked. There is no such word. What does SDG&E wish to say when it says reconductoring? Further in the Notice, SDG&E says there will be an “associated disconnect,” even read in context the phrase makes no sense.

13-2

Books are not published at typeset size 9 because the size of the type off-puts the public. The public cannot see the words. Books are not published single-spaced because the type spacing excludes the public. The public cannot look at it. The doctor’s talk in simple language, to lawyers, PhD’s in English, environmental scientists, those outside of the profession, so the public can understand and thereby participate.

¹ Microsoft MSIT, “Readability scores”, p.1.

**Comment Set 13, cont.
Katherine L. Marsh**

The public looks at the SDG&E letter and it is very hard to look at it, then the letter uses made up words, then most importantly, the contents are nearly impossible to understand. Those tactics compromised public participation, during the critical evidence-gathering phase of the Draft Environmental Impact Report.

13-2

**Second Issue: The Otay Mesa MiguelMission Project Physically Divides
The Established Community of Lakeside**

13-3

The DEIR misstates the facts about the location of the ROW in the established Community of Lakeside.

In section B.2.3, the DEIR says of the Right of Way, "...it runs adjacent to Lakeside". The Community of Lakeside has a population of 72,576 people².

These power lines, poles and towers actually run right through the established Community of Lakeside. They run beside 10881 Oak Creek Dr., Lakeside, CA 92040. They run near people's churches both Mormon and Baptist on Maplevue St., just two blocks from the Los Coches substation. They run next to their schools. They cross through the center of the established Community of Lakeside

When the DEIR mentions all of the following underlined areas: "After the ROW crosses Interstate 8, it proceeds northwest and parallels Lake Jennings Park Road where it runs adjacent to the community of Lakeside. Near the R.M Levy Water Treatment Plant, the ROW crossed Lake Jennings Park Road just south of Los Coches Substation. As the ROW passes the Los Coches Substation, it continues along the western boundary of the Lake Jennings campground and then heads north, crossing the San Diego River. Once across the river, the ROW continues north to the southern boundary of the Louis A. Seltzer County Park. At this point the ROW turns west, following the southern boundary of the par. crossing State Route 67 and passing through the residential community of

13-4

² <http://www.co.san-diego.ca.us/cnty/cntydepts/landuse/planning/GP2020/pubs/popsummary.htm>

Comment Set 13, cont.
Katherine L. Marsh

Eucalyptus Hills, ... That entire underlined section is all talking about the established Community of Lakeside. Quite a difference, from, “adjacent to Lakeside,” huh?

13-5

I wonder how the private citizens and homeowners of Lakeside would feel when they found out that Lake Jennings and the Lake Jennings Recreation Area are no longer in Lakeside? I wonder how the residents of the 9366 Palomino Ridge Rd., Lakeside, California 92040 neighborhood, would feel when they found out they are no longer residents of Lakeside? A list of the 15 member Lakeside Community Planning Group can be found at [http://www.co.san-](http://www.co.san-diego.ca.us/cnty/cntydepts/landuse/planning/GP2020/comm/lakeside.htm)

[diego.ca.us/cnty/cntydepts/landuse/planning/GP2020/comm/lakeside.htm](http://www.co.san-diego.ca.us/cnty/cntydepts/landuse/planning/GP2020/comm/lakeside.htm)

They could provide the EIR group with the boundaries of the Community of Lakeside. El Capitan High School delineates the boundaries so Lakeside residents must attend the Lakeside’s High School. The Lakeside U.S. Post Office knows the boundaries too. So do many of the churches, which serve Lakeside residents.

The Los Coches substation is adjacent to the town center neighborhood of the Community of Lakeside.

The SDG&E will stick 37 more wooden poles through Lakeside. 230kV towers, poles and more lines will divide the established Community of Lakeside as the ROW marches across her Lake Jennings Park Road to the Los Coches substation and it will crisscross her as it snakes north and west. Those wires will be 33% larger, and noisier. The SDG&E asks that the insulation covering them only be the legal minimum. That is pathetic too.

13-6

The DEIR says the Project Route is 35 miles. That treats the route as though it were a pencil line on a map. 12 square miles more accurately depicts the actual land usage just by towers and poles. A large piece of that square mileage usage occurs within the Community of Lakeside. This project gives no economic benefits to Lakeside; in fact the project degrades Lakeside. No wonder it wanted the DEIR to think Lakeside and her 72,576 citizens is someplace else.

13-7

Comment Set 13, cont.
Katherine L. Marsh

Third Issue: Safety Consideration -Water Damage

13-8

The Lake Jennings Reservoir and huge water towers are almost directly above the Los Coches Substation. Please consider what would happen to the Los Coches Substation if the water towers above the Substation crack or break during an earthquake.

During the past 38 years the San Diego River in the community of Lakeside has flooded once.

There are scrub oaks throughout the area from Seltzer County Park to Oak Creek Drive. Scrub oaks indicate ground water. What are the ground water levels in that ROW area? How safe are the poles and towers and lines of that ground over the ground water? Will the ground water become contaminated?

Fourth Issue: Miguel and AB970

13-9

The SDG&E cites AB970 from 1999-2000 as authority to rush ahead with the Miguel substation, however AB970, aptly named, California Elective Demand Reduction Bill, concerned the demand side of the economic equation during the energy problems for California during the early deregulation of the energy industry. We needed to turn off the lights and turn up the air conditioners and duct tape their hoses, and we did. AB970 tried to figure out how to get the extra power some had, quickly to others who needed it in 1999 and 2000.

Miguel Mission project is a supply side, complex, economic and environmental issue and needs to be handled with more consideration. We are not just turning on the lights here.

SDG&E uses The Demand Reduction Bill AB970 to push the Miguel project through the PUC process to sell just any old power to cities other than San Diego. The citizen ratepayers and homeowners of San Diego, particularly Lakeside, will pay financially and aesthetically; and if it turns out that radiation concentrated in 230kV wires causes diseases after 20-30 years, then the people may possibly pay with their health and safety for the Miguel Mission infrastructure. Ironically, San Diego's maximum energy usage needs are met, so the supply of 230kV from all these lines and towers and poles will go to cities outside of San Diego.

**Comment Set 13, cont.
Katherine L. Marsh**

**Fifth Issue: Miguel Substation Is One Incremental Step in a Bigger
Picture**

Section 15125 of the California Environmental Quality Act says, “Knowledge of the regional setting is critical to the assessment of environmental impacts. Special emphasis should be placed on environmental resources that are rare or unique to that region and would be affected by the project. The EIR must demonstrate that the significant environmental impacts of the proposed project were adequately investigated and discussed and it must permit the significant effects of the project to be considered in the full environmental context.”

Baja California, Mexico sits 6 miles from the Miguel substation. Baja California, Mexico is a rare, unique local attraction to many San Diegans and San Diego tourists. The virgin beaches of Baja California no longer exist in San Diego. The only place California’s virgin coast exists is next door in Baja California.

As Sempra moves forward with the Miguel Substation Project, the Sempra Power is concurrently conducting a project next door in Mexico. The Sempra Power has purchased land in Baja Mar to build gasification plants off the coast of Baja California next to San Diego³. I am no expert, but as a simple citizen I know those greenhouse gas emissions do not stop at borderlines drawn on a map. I also know air and water pollution do not stop at borderlines. Our neighbors in Mexico have the potential to substantially shoot down the air and water quality and quality of life in San Diego as they scamper to accommodate Sempra Power and Shell Oil. See www.scerp.org/scerp/docssweedler/energy/23.gif Figure 1.23 Western Section: U.S. Mexico Electric Power System. Ironically, Miguel is a gun turned back on its owner.

The skeleton of one past gasification plant sits in Scotland. The single largest man-made disaster in the history of the world was a gasification plant explosion off the coast of Scotland.

³ Robert Valdez, cell phone: 1-619-933-4121
Office phone: 1-619-472-0768.

13-10

13-11

Comment Set 13, cont.
Katherine L. Marsh

Miguel-Mission 230 kV #2 Project

From: Katherine L. Marsh [klmarsh@cox.net]
Sent: Monday, May 24, 2004 2:01 PM
To: miguelmission@aspeneg.com
Subject: maps, winds

Katherine L. Marsh
12520 Robison Blvd.
Poway, CA 92064
(858)748-7584

Michael Rosauer, CPUC:

May 17, 2004, I emailed and sent comments on the
d EIR regarding Miguel Mission.

I am currently compiling and preparing an addendum to facts in the
dEIR
re: the maps in the miguel/mission dEIR contain misrepresentations
and the wind's directions in the miguel/mission dEIR contain
misstatement.

13-12

The dEIR project corridor maps look about 24 years old, it
misses whole housing developments.

The dEIR misstates the wind direction at the San Diego/ Mexico border
The dEIR states the wind blows from the North to the South. No

13-13

Mostly, the wind at Brown Field Airport in Chula Vista, California--
less than one mile from Mexico--
blows from the west towards the east and from
the southwest towards the northeast. (from Mexico into
San Diego). Mostly the wind at LindberghField/San Diego International
Airport
blows the same direction ---from the west to the east and the from the
southwest
to the northwest (from Mexico to San Diego)

(Brown Field Airport in Chulavista and the
Lindbergh Field/San Diego Int'l Airport)

I am compiling documentation to follow.

13-14

The cars in Baja California Mexico
do not have exhaust system regulations as they do
in this country. The carbon pollution from
Mexico's unregulated cars blows into and hangs over San Diego.

Kathy

Responses to Comment Set 13

Katherine L. Marsh

- 13-1 Please refer to Response to Comment 9-1 for a discussion of the public notification process for the Miguel-Mission 230 kV #2 Project. Although the Miguel-Mission 230 kV #2 Project includes a discussion of the future circuit, which is included as part of the Otay Mesa Power Purchase Agreement Transmission Project (Application #A.04-03-008), the Otay Mesa Project is a separate project with its own CEQA environmental review process. Please see also Response to Comment E-1 and General Response GR-1 for a discussion of this project's relation to the Otay Mesa Power Purchase Agreement Project. Although the Notice of Availability for the Miguel-Mission project is also attached, the commenter's Exhibit One, which is referred to in this letter, is a notice for the Otay Mesa project and was mailed by SDG&E, therefore, it is not associated with the CPUC mailings nor this project.
- 13-2 Please refer to Response to Comment 13-1. As used in the notice by SDG&E, "reconductoring" is an electrical term used when an existing transmission line is essentially rebuilt to increase the transmission capacity of the line. Circuit breakers are automatic devices that "trip" to isolate a problem and de-energize the piece of equipment that it is designed to protect. Associated disconnect switches are manual devices used to further isolate the equipment so that if for some inadvertent reason the automatic breaker device is closed, the piece of equipment that is being isolated remains isolated and not energized. These devices are used to self-contain internal problems without affecting the entire transmission system.
- 13-3 The text of the Draft EIR in Section B.2.3 (Project Route) has been corrected to say "through the community of Lakeside," not "adjacent to," and it now reads:
- After the ROW crosses Interstate 8, it proceeds northwest and parallels Lake Jennings Park Road where it runs ~~adjacent to~~ through the community of Lakeside.
- 13-4 The Proposed Project would pass through the community of Lakeside and the text has been changed accordingly (see Response to Comment 13-3).
- 13-5 Please see Responses to Comments 13-3 and 13-4.
- 13-6 Corona noise for the portions of the ROW through Lakeside would not exceed the applicable San Diego County Code ordinances, as described in Section D.8.3.3, under the discussion of Impact N-3, related to corona noise (DEIR page D.8-9). For these subsections of the Proposed Project, SDG&E anticipates that the highest noise levels at the edge of the ROW, even with the higher voltage wires, would be under 36 dBA, which would not exceed any local standard (see also Response to Comment E-12).
- 13-7 Throughout Section B.1 and specifically on page B-1 of the Draft EIR, the overview of the Proposed Project says that the new 230 kV circuit "would be located entirely within SDG&E's existing 35-mile ROW." "ROW" is used in every instance that "35-mile" is used to describe the route. Section B.2.4, Right-of-Way, and Table B-2 (Existing ROW widths between Miguel and Mission Substations) state that the current SDG&E ROW easement along the Proposed Project route ranges from 150 feet to 250 feet. In addition, Section D.3, Biological Resources, lists temporary and permanent land impacts in acres in Table D.3-5. Draft EIR Section D.7.1, Environmental Setting for Land Use and Recreation, describes the particular land uses along the project route; this method of ROW description is standard for transmission line projects.

As stated in Section A.2 on page A-2 of the Draft EIR, the purpose of the Miguel-Mission 230 kV #2 Project is to reduce existing transmission constraints on SDG&E's electrical system. The Miguel-Mission 230 kV #2 Project is intended to provide customers of SDG&E and the CAISO with benefits, including system reliability and increased access to remote sources of generation, which will enhance competition among energy suppliers. Access to new generation is needed to provide substantial reliability benefits to SDG&E's service territory and improve the regional transmission infrastructure, while at the same time adding to statewide capacity requirements and to helping to prevent future electric energy resource deficiencies, load curtailments, and energy price spikes.

13-8 The writer is concerned for potential flooding of the Los Coches Substation caused by either an earthquake-caused dam break at Jennings Reservoir or from flooding along the San Diego River. Several major active faults cross through San Diego County both onshore and offshore: the Rose Canyon Fault is about 10 miles away and the other faults are many tens of miles distant. Maps developed by the U.S. Geological Survey and the California Geological Survey that show the potential intensity of groundshaking caused by a large earthquake show that the Los Coches area is in a zone of low shaking hazard (due to the distance from faults and the firm nature of the bedrock). The Jennings Reservoir Dam is built on strong metamorphic bedrock and is not crossed by fault traces. It is extremely unlikely that any damage would occur to the dam, even in a major earthquake on one of the active faults. The seismic setting of the Proposed Project is discussed in Section D.5.1 on page D.5-5 of the Draft EIR and Section D.6.3.3 includes Impact H-6 (Construction in a Potential Dam Inundation Area), which is less than significant (Class III).

The writer is also concerned about the safety of towers and poles placed in areas of high groundwater, and about groundwater contamination. Many of the poles in the existing ROW have been in place where groundwater has fluctuated over the course of decades with no apparent damage. Tower footings in areas of loose sediments are drilled very deep, to bedrock if possible. The foundation holes would be up to 8 to 9 feet in diameter and 20 to 40 feet in depth. The design of these footings and foundations take into account local soil and groundwater conditions. Potential groundwater impacts are addressed in Impact H-3, Groundwater Disturbance and Water Quality Degradation Through Project-Related Excavation in Section D.6.3 of the Draft EIR. With the implementation of the Project Protocols (specifically PP-38 and PP-39), groundwater is not negatively impacted by the placement of cement tower footings (Class III).

However, the description of Impact H-6, Construction in a Potential Dam Inundation Area, has been revised to include the Los Coches substation in the following text. Since the risk of dam inundation, as well as adverse environmental consequences, is considered to be low, this impact would still be considered adverse but less than significant (Class III) and no mitigation would be required.

The unlikely event of a dam failure would result in a dam-inundation floodplain crossing the project path and possibly inundating a portion of the Los Coches substation. The Proposed Project power lines would span the dam inundation area with overhead cables. Tower foundations within the dam inundation area could be affected by flowing water, which would cause scour issues around the base of the towers and poles. The likely worst-case consequences would be a destabilization of the power poles and flood damage to the Los Coches substation, which may result in temporary interruption of the power supply.

13-9 Please see Sections 4.5.3.1 (Demand-Side Management) and 4.5.4 (Integrated Resource Management) in Appendix 2 of the Draft EIR for a discussion of demand-side management and electricity conservation. Demand-side management is also included as an alternative in Section C.5.5.1. Please see Response to Comment 13-7 for more information on the purpose of the project.

CEQA does not address cost in the evaluation of the Proposed Project or alternatives. Cost of the project and alternatives is addressed by the CPUC in the General Proceeding on the project. Please refer also to Responses to Comments 4-1, SD-1, and SD-2.

Implementation of Mitigation Measures V-1 through V-6 would reduce all 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. Please also refer to General Response GR-2 for a discussion of EMF.

13-10 The EIR evaluated the Proposed Project from the viewpoint of 12 issue areas. In accordance with the California Environmental Quality Act (CEQA), the environmental setting, potential impacts of the Proposed Project, mitigation measures, and alternatives were all discussed and analyzed (see also General Response GR-5). With the implementation of Project Protocols and mitigation measures, all potential impacts would be reduced to less than significant levels. Please see Response to Comment SD-17, which details out the requirements for descriptions of the project's environmental setting, including where information is located in the DEIR with regard to the project area's natural and environmental resources, cultural resources, and land uses. Based on CEQA requirements, the proposed project EIR includes comprehensive environmental and regulatory setting descriptions for each of the 12 environmental issue areas presented in the DEIR in the respective Subsections 1 (Environmental Setting for the Proposed Project) and 2 (Applicable, Regulations, Plans, and Standards) of Sections D.2 through D.13. The environmental and regulatory setting subsections of D.2 through D.13 total about 200 pages of information presented in tabular, graphic, and text forms in order to characterize the project and regional setting as they apply to each environmental issue area.

13-11 Where the Proposed Project would be likely to affect the regional and international environmental setting, the potential impacts have been identified. For example, Draft EIR Section D.2.3.3 includes Impact A-3, regarding impacts from air pollution from power plants. The Proposed Project may make it more economically attractive to operate natural gas-fired power plants in Mexico by reducing constraints to the existing electrical system in San Diego County (see Section A.2.1, Statement of Objectives, page A-3 and page D.2-11). However, because demand for electricity would not change as a result of the Proposed Project, power plants elsewhere would be forced to reduce their operation. The description of Impact A-3 (DEIR, page D.2-12) is revised in the Final EIR to update the status of federal actions on the international transmission lines.

Whether or not the environmental setting of the Proposed Project would be altered by development of liquefied natural gas (LNG) re-gasification facilities in Baja Mexico is beyond the scope of this analysis because no new use of natural gas would occur with the Proposed

Project. The Proposed Project would improve the electrical transmission infrastructure rather than natural gas facilities. New re-gasification facilities in Mexico could either serve Mexican or U.S. demand for natural gas; however, that potential exists with or without the Proposed Project.

- 13-12 Area maps and photos showing the environmental setting of the Proposed Project come from a variety of sources. Although some of the base maps from the United States Geological Survey may be many years old, Appendix 1 (Proposed Project Aerial Photographs) and Appendix 3 (Biological Resources Technical Report) each include a separate set of aerial photographs that depict the vicinity of the Proposed Project as of January 2001. Therefore, housing developments as of January 2001 would be included on the aerial photographs. Analysis of the environmental baseline also included site reconnaissance and visits during the preparation of the Draft EIR and as recently as May 2004. Past, present, and probable future developments are also included in Table F-1 in Draft EIR Section F (Other CEQA Considerations) and are incorporated into the analysis of cumulative impacts by each issue area.
- 13-13 The Draft EIR notes that the winds are highly influenced by local topography, but tend to prevail from the west to the east (page D.2-1).
- 13-14 The Draft EIR notes that air quality problems on either side of the California-Mexico border can be caused by emissions transported across the border in either direction (page D.2-2). The comment notes that mobile source emissions are not as aggressively controlled in Mexico as they are in California, and the Draft EIR acknowledges that mobile sources are a large component of the existing emission inventory (page D.2-2). However, it is beyond the scope of this EIR to recommend change or mitigations with respect to Mexico car emissions standards. Although the Proposed Project may cause minor amounts of emissions from vehicles used for construction and maintenance, it would not affect the performance of emission sources in the mobile sector.

Comment Set 14
Kevin Marsh

To whom it may concern:

This letter is in regard to the Draft Environmental Impact report for the proposed 230kv Miguel-Mission # 2 projects. Section D 2.3 impact A-3. While it is true that the plan will not change the overall demand for power, it will shift the location of power generation. Currently all power transmitted from plants in Mexico must flow through the Miguel Substation before arriving in San Diego¹ upgrades in transmission capacity from the Miguel Substation represents an increased likelihood of utilization of capacity from those plants. Further more, because the purpose of the project is economical^{2, 3}, gains from this project will come from the purchase of power from the lowest cost sources. Because the majority of recent (non peaker) power generation capacity in the San Diego/ Baja California region has been constructed in Mexico, it would be fair to infer that facilities located there are less expensive to operate than those elsewhere. If those facilities represent the least expensive source of electricity generation then they will be run at maximum capacity and focus pollution around those areas while reducing generation elsewhere. The DEIR for this project even admits, "It is foreseeable that emissions could increase at some plants". The impact on air quality by increased emissions from these plants due to the completion of this line should be addressed.

Secondly there are several proposed power generation facilities planned for the U.S./ Mexican Border^{4,5}. The DEIR did not address the affect this proposed project will have on those proposed facilities. In addition Sempra Energy has proposed a L.N.G gassification plant near Baja Mar, Baja California⁶. If the Miguel-Mission project #2 increases gas demand from electrical generation plants on the border, LNG gassification plants will have a greater likelihood of being constructed and their environmental impact should be addressed by this project DEIR.

Sincerely,
Kevin Marsh

¹ The San Diego Regional Energy Strategy May 2003 pg. 22

² Judy Grau, Senior Mechanical Engineer
IEPR Workshop on Staff's Draft Report chapter 3
February 26, 2003

³ Jeff Miller Miguel-Mission and Imperial Valley
Transmission Upgrades pg. 4
June 25, 2002

⁴ Jeff Miller Miguel-Mission and Imperial Valley
Transmission Upgrades
June 25, 2002

⁵ Proponent Environmental Assessment

⁶ Robert Valdez, Baja Mar Resort
cell phone: 1-(619)933-4121
Business phone: 1-(619) 472-0768.

14-1

14-2

14-3

Comment Set 14, cont.
Kevin Marsh

To whom it may concern:

My name is Kevin Marsh a concerned citizen of San Diego County and I believe that there are serious issues with the Miguel-Mission #2 project that have not been addressed. First, the Draft Environmental Impact Report does not address the possible air quality issues due to increased generation south of the border in Mexico. There are currently proposals for 6 new gas power plants just across the border according to the Proponent's Environmental Assessment¹. These plants will have a capacity of 2100 MW. Interestingly according to the California Independent System Operator the entire county of San Diego has a capacity of 2265 MW². While All of the plants in San Diego meet strict E.P.A and California standards, plants in Mexico are not subject to the same standards.

14-4

The Miguel Mission project might encourage the construction of plants in Mexico. The Transmission capacity of the current links between the miguel and mission substations is between 1100-1400 MW³ this capacity would be increased to 2100 MW if the project is approved. Dovetailing nicely with the 2400MW transmission capability of the mission substation with San Luis Rey and points north.

The DEIR should determine if the project will influence the construction of power plants in Mexico. If the plants will not be built without transmission lines through the county. Then the projects DEIR should address those plants impacts on San Diego Air Quality. This may be the only governmental check on such Air pollution and I employ you to require further investigation and research.

14-5

Second I believe that the Miguel Mission project also outsources jobs. By encouraging the construction of plants in Mexico we lose jobs at power plants that could be build here.

14-6

Thirdly the cost of any upgrades to the power grid should be carried out by the power companies not by rate payers. Sempra energy the parent of SDG&E has a market capitalization of over 7 billion dollars and paid out over 230 million in dividends last year. The company has the resources to pay for capital improvements that it will benefit from financially through the generation of power from proposed Sempra plants in Mexico⁴.

14-7

⁴ ¹ Figure2-1: US/Mexico Border Proposed Generation Project, 2002-2005

², ³ Miguel Congestion Projects

CALIFORNIA INDEPENDENT SYSTEM OPERATOR

STAKEHOLDER MEETING

APRIL 15, 2004

Responses to Comment Set 14 Kevin Marsh

- 14-1 The Draft EIR notes that a diverse range of energy providers would be used to provide power (page D.2-2; Table D.2-2; and Impact A-3, pages D.2-11 and D.2-12), but the CPUC cannot predict the ultimate location of power generation. The discussion of air quality impacts (Impact A-3, related to emissions from power plants) notes that decreased operation of local power plants could occur if increased operation of power plants in Mexico occurs to help meet San Diego area power demand. This could occur as a result of reducing constraints on the local electrical system (see Section A.2.1, Statement of Objectives). The Draft EIR Table D.2-2, page D.2-5, shows that the new Mexican power plants emissions of certain pollutants (e.g., nitrogen oxides) would generally be lower than that of the older local power plants. The Draft EIR analyzes this impact qualitatively (Impact A-3) and finds that it would be less than significant. Please also refer to Response to Comment 13-11.
- 14-2 The environmental impacts associated with construction and operation of power plants connected to the California grid are assessed prior to approval of those power plants by agencies other than the CPUC. For large power plants within California, the California Energy Commission is the lead agency under CEQA, responsible for reviewing impacts, and for transmission line connections to Mexican power plants, the U.S. Department of Energy ensures compliance with the NEPA process. Because these environmental assessments assume that the power plants will be fully dispatched, the worst case environmental impacts have been previously assessed by the agencies having jurisdiction over the power plants. The Proposed Project would not alter or change the worst case impacts that are assessed by the other agencies. As described for Impact A-3 (Draft EIR, page D.2-12), because the Proposed Project is primarily intended to reduce existing transmission constraints, and because it would not result in new construction or increased operation of any power plant beyond that contemplated by the agencies having jurisdiction, additional review of emissions from power plants connected to the grid is not necessary.
- 14-3 Please refer to Response to Comment 13-11, which explains that the Proposed Project would not result in development of LNG re-gasification facilities.
- 14-4 The interconnected nature of the electrical power grid means that there is a relationship between development of power plants and transmission lines. As shown in the discussion for Impact A-3 (Draft EIR, page D.2-11), the Proposed Project would change how the demand for electricity is served, but it would not result in construction or operation of any power plant. Please also refer to Response to Comment 14-2 and General Response GR-1, which explain the relationship of the Proposed Project with other energy-related development in the region.
- 14-5 Please refer to Response to Comment 14-2, which explains that the environmental review of power plant construction and operation is not necessary in the CEQA assessment of the Proposed Project.
- 14-6 As is discussed in Section D.11.3, Socioeconomics, Impact S-1 (Project-related population growth) and Impact S-2 (Induced demand for labor) would be less than significant. The transmission lines built for the Miguel-Mission project could be used to connect to power plants within southern California as well. For example, a future circuit, discussed within

each issue area in Section D of the Draft EIR, could eventually connect to the Otay Mesa Power Plant. The relation of this project to the Otay Mesa Power Purchase Agreement Transmission Project is detailed in General Response GR-1.

- 14-7 Please refer to Response to Comment 14-1 and Section 1 of this Final EIR regarding the scope of this proceeding. CEQA does not address cost or need in the evaluation of the Proposed Project or alternatives. Discussion of who should pay for the project is also beyond the scope of the EIR. Cost of the project and alternatives is addressed by the CPUC in the General Proceeding on the project. The Purpose and Need for the Proposed Project is discussed in Section A.2 of the Draft EIR, but it is not an issue specifically determined under CEQA. One of SDG&E's objectives of the Proposed Project (see page A-3 of the Draft EIR) is to reduce transmission constraints within SDG&E's electric system, which would reduce system congestion costs and would provide economic benefit to SDG&E and CAISO consumers.

The need for this project is not addressed or decided within this EIR. On February 27, 2003, the CPUC made a finding of need for the Miguel-Mission Project citing economic benefits (see Decision D.03-02-069 in docket No. I.00-11-001) (DEIR, page A-3).

Comment Set 15
Bob and Gail Crawford

Bob and Gail Crawford
10857 Oak Creek Dr.
Lakeside, CA. 92040

Tom Murphy, Aspen Environmental Group
Vice President Sacramento Operations
1760 Creekside Oaks Dr. Ste 170
Sacramento, CA. 95833

Cc: Public Utilities Commission
Michael Rosauer CPUC c/o Aspen Environmental Group
Director, Energy Division, Public Utilities Commission

Re: Project name: Otay Mesa Power Purchase Transmission Project
Application Number: A. 04-03-008

Dear Sir,

We object to this project. We never received required notice of proposal of the MissionMiguel project DEIR #0207022. We just learned from our neighbor that they are going to be making huge changes to the power lines and we were never notified during the scoping process. We have towers within 300 ft. of our home. We were not given any opportunity to participate, as we were never notified of the scoping process. We had no time to come together with our neighbors and community regarding this project to decide if there is a need for legal advice; as we believe the scope of this project is very narrow.

15-1

Sincerely,



Mr. and Mrs. Bob and Gail Crawford

Responses to Comment Set 15
Bob and Gail Crawford

15-1 Please refer to Response to Comment 9-1.