

Responses to Comment Set SD San Diego Gas & Electric Company

SD-1 SDG&E supports the Proposed Project. The EIR concludes that many segments of the Proposed Project provide an environmentally superior routing option due to the use of an existing corridor. However, the final selection of the Proposed Project or an alternative will be made in the CPUC's Decision on the project.

As documented in DEIR Section E (Comparison of Alternatives), alternatives are preferred over the Proposed Project for less than 5 miles out of the 35-mile transmission line route. The merits of the Proposed Project in comparison with the alternatives are defined in Section E. SDG&E's specific concerns are addressed in response to numerous comments below. As also acknowledged in the DEIR, SDG&E's Project Protocols mitigate many potentially significant impacts, but additional mitigation measures were required in several issue areas to further clarify mitigation requirements.

The CPUC previously determined that the project is needed (Decision D.03-02-069). However, issues such as project need, electric system reliability, transmission costs, and electric system efficiency are not considered in the CEQA process and are not addressed in the EIR. These issues are considered in the CPUC's General Proceeding and will be addressed in the Commission's decision on the project. Within the Draft EIR SDG&E's project objectives are identified in Section A.2.1 (and listed below). These objectives are considered primarily with respect to identification and screening of alternatives, as required by CEQA Guidelines §15126.6(c).

- 1. Reduce Transmission Constraints on SDG&E's Electric System.** The first project objective is to reduce constraints on SDG&E's existing electrical transmission system in accordance with AB 970. AB 970 directed the CPUC to "undertake and identify those actions necessary to reduce or remove constraints on the State's existing electrical transmission and distribution system" Reducing system constraints in SDG&E's service territory would allow electric generation to meet demand by increasing state-wide and regional access to new merchant generation capacity. In addition, system congestion costs would be reduced, and SDG&E and CAISO consumers would realize potentially significant economic benefits. On February 27, 2003, the CPUC made a finding of need for the Proposed Project citing these benefits (see Decision D.03-02-069 in docket No. I.00-11-001) (CPUC, 2003).
- 2. Provide Reliability Benefits and Operational Flexibility for SDG&E's Service Territory.** The second project objective is to improve the existing SDG&E transmission system infrastructure and to ensure that the electric system can safely and reliably serve the SDG&E service territory. The project has the potential to prevent overloads on various 138 kV and 69 kV circuits in the SDG&E service territory, and eliminate various Remedial Action Schemes (RAS) that limit the ability of Miguel Substation to accept and transfer power from new generation sources into the existing transmission system. Elimination of existing RAS would allow for greater system reliability, greater operational flexibility, and more frequent maintenance of existing transmission facilities.
- 3. Improve Regional Transmission System Infrastructure.** The third project objective is to improve regional transmission system infrastructure in order to ensure that the electric system better provide for delivery of economic energy supplies and reliability for the State of California, and the WECC area. Infrastructure improvements would

allow the reliable transfer of power from new merchant generating facilities south and east of Miguel Substation, increasing local, statewide, and regional access to additional generating capacity and improving the overall reliability of the State's integrated transmission grid.

SD-2 SDG&E states that the underground alternatives considered in the DEIR are not economically feasible and cannot be timely implemented. CEQA Guidelines §15126.6 states that an EIR should include “. . . a range of reasonable alternatives to the project . . . which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project.” CEQA Guidelines (Section 15364) define “feasible” to include implementation within a reasonable time, and the alternatives considered in this EIR clearly fit into this time frame. As discussed below, it appears that the two underground alternatives could be constructed within the schedule defined for the Proposed Project, if adequate planning is completed. The CPUC in its Decision will address the importance of timing as a component of selection of alternatives.

In addition, the project objectives listed in Section A.2.1 of the DEIR also do not discuss the critical timing and economic components associated with the Miguel-Mission 230 kV #2 Project. These three Proposed Project objectives (listed above) were used in the development of the alternatives to the Proposed Project. Furthermore, CEQA does not require that all project objectives be met.

Regarding economic feasibility, it is acknowledged that underground transmission lines can cost from 5 to 10 times more than overhead lines. However, this does not mean that they are economically infeasible. Cost is an issue in consideration of alternatives only if the cost of an alternative is so high as to make it economically infeasible. The underground alternatives in the DEIR represent a total of less than 15 percent of the project length (a 3.5-mile segment and 1.5-mile segment). The CEQA process does not make conclusions based on relative cost of alternatives (CEQA Guidelines §15126). Issues of cost and ratepayer burden of lost savings are addressed in the CPUC's General Proceeding.

Undergrounding of transmission lines has become standard utility practice in areas where there are sensitive visual resources or other constraints. Other utility companies are currently supporting all-underground transmission routes, some of them resulting in an underground route of over 25 miles in length. As a result, the EIR does not consider underground alternatives to be economically infeasible.

SDG&E states that a requirement for underground segments would prohibit timely installation of the new line. The independent engineering firm evaluating the project for the CPUC (Commonwealth Associates, Inc.) believes that with careful planning and scheduling, the construction of the two environmentally superior underground segments (again, less than 5 miles in length) could be accomplished within the original two-year construction schedule (see DEIR Appendix 2 – Alternatives Screening Report). Separate construction crews would be used for overhead and underground segments, so these two components could be built at the same time. Nearly the entire length of the underground segments is within public roadways, so permitting is a matter of developing franchise agreements with local jurisdictions, which is the responsibility of the Applicant. As a result, schedule delays would not be expected associated with the underground routes.

- SD-3 Please see Response to Comment SD-2 regarding timing. The CPUC agrees that need has been determined – see General Response GR-1. As explained in Section C.4 of the DEIR, the rationale for evaluation of each of the alternatives shows how project objectives would be met. CEQA requires only that alternatives meet “most” project objectives, and the EIR evaluates alternatives within this legal framework. However, if public policy reasons support approval of the Proposed Project because meeting all objectives is important in that context, the CPUC can make that determination in its Decision on the project.
- SD-4 SDG&E is correct that CEQA does not define a process for comparing alternatives. As explained in DEIR Section E.1, the weighting of various impacts and comparison of alternatives is a difficult and complex process. Although all potential impacts of the Proposed Project would be reduced to less than significant levels with the implementation of mitigation measures, long-term permanent impacts were weighed more heavily than short-term impacts, such as those associated with construction, for the purposes of recommending the preferred routes. Given that Section D of the DEIR presents detailed analysis of the Proposed Project and all alternatives in 12 separate issue areas, and these conclusions are clearly summarized in Section E, all of the advantages and disadvantages of each alternative are clear to the public and decisionmakers. It should be noted that the CPUC through the General Proceeding may consider other issues (outside of CEQA process) in determining the decision for the Miguel-Mission 230 kV #2 Project.
- SD-5 SDG&E’s position is noted. In evaluating impacts, the EIR follows commonly accepted practice in the evaluation of infrastructure projects for impacts that will exist for many years or for the life of a project (e.g., visual impacts or permanent loss of habitat) to carry a greater weight in consideration of alternatives than short-term and temporary impacts that would exist only during the few months of project construction. This is a standard approach to large infrastructure projects like the Miguel-Mission 230 kV #2 Project, and it is consistent with the approach that has been used on numerous transmission line projects at the CPUC.
- SD-6 The DEIR clearly describes the short-term construction impacts that would occur with the Proposed Project and the alternatives (e.g., see DEIR Section D.2.3, Air Quality and D.8.3, Noise). The DEIR correctly concludes that impacts in these issue areas would be greater for the underground alternatives than for the overhead alternatives. However, these impacts would completely disappear after construction, whereas the visual impacts of the additional towers would be present for as long as 50 years.
- In addition, CEQA does not require the same level of detail and analysis for alternatives as it does for the Proposed Project (CEQA Guidelines §15126.6(d)). Each issue area in the DEIR (Sections D.2 through D.13) clearly states the relative differences in impacts between the Proposed Project and alternatives. In addition, Section E and the Executive Summary provide a summary of the alternatives in comparison to the Proposed Project.
- SD-7 SDG&E is correct that Electric and Magnetic Fields (EMF) is not considered to be a CEQA issue, but SDG&E is incorrect in stating that the DEIR presents mitigation measures for EMF. The discussion of EMF in Section D.9.6.4 presents discussion and description of the CPUC’s no-cost/low-cost measures only as adopted by D.93-11-013. The only mitigation measures presented relate to radio/television interference and induced currents/shock hazard. EMF information is routinely provided in CPUC’s environmental documents and

is included in this EIR for two reasons: (a) the public has indicated a substantial concern about this issue and facts about comparative magnetic fields of the alternatives provides them and the CPUC decisionmakers with data for their consideration, and (b) the CPUC's no-cost/low-cost EMF mitigation policy is explained so the public can understand the context of the CPUC's decisionmaking on this issue. As presented in Section E (Tables E-1 and E-2), comparison of route alternatives was based on environmental factors (e.g., visual resources, noise, air quality, biological resources) and did not consider EMF levels as a basis to include or exclude alternatives.

SDG&E is incorrect in stating that "CEQA and Commission rules preclude the Commission from rendering a decision based on EMF considerations." As clearly explained throughout the DEIR (Section D.9.6.4 (page D.9-25 and elsewhere)), the EIR presents EMF data for information only, but the Commission itself considers a broader range of issues than those in the EIR. EMF is clearly one of the issues that the Commission may consider in its decisionmaking process, especially as related to the Commission's responsibility to implement the no-cost/low-cost mitigation and to evaluate "community values" pursuant to D.93-11-013. Also, please see General Response GR-2.

SD-8 DEIR clearly describes the impacts of the alternatives in a manner consistent with CEQA requirements (see Section D and Appendix 2 in the Draft EIR). Because this paragraph of SDG&E's comment letter does not provide specific examples, it is not possible to refute this allegation of inconsistency or inadequacy.

SD-9 SDG&E provides broad and unspecific criticism of the visual methodology. The methodology used for the Visual Analysis in the DEIR is consistent with methods and approaches used by the CPUC on previous, similar projects (e.g., Lucerne Valley to Big Bear Valley Transmission Line Project EIR/EIS, Application No. A.96-06-033, SCH#20030120066) as well as professional standards established by federal agencies, including the U.S.D.A. Bureau of Land Management. As described in DEIR Section D.13, the visual resource assessment is based upon a review of SDG&E's Application and PEA, field studies conducted in late 2003 and early 2004, and photographic visual simulations prepared to illustrate the visual changes from select Key Observation Points (KOPs). The methodology used for this assessment is based on federally established visual assessment principals and techniques for evaluating overall visual sensitivity, and overall visual changes, considering visual contrasts, view obstructions and visual dominance (see Draft EIR Section D.13.3). These factors considered are systematically and objectively applied to the KOPs and reported in the EIR for the Proposed Project and alternatives.

While the study is based on established principals and methods, that have been applied objectively and consistently to the Proposed Project and alternatives, visual analyses are inherently subjective in nature. Disagreements among professionals and the public often occur. Areas of disagreement with SDG&E are reported in this FEIR, as appropriate and for information purposes (CEQA Guidelines §15151).

SD-10 The existing baseline conditions reported in the DEIR have repeatedly recognized and documented the presence of SDG&E's existing utility corridor and transmission facilities, and the location of these facilities in relationship to residential, recreational, and public facility land uses. The following DEIR pages are provided as examples of specific references to the presence of the existing utility corridor in the baseline description of the

Key Observation Point (KOP): pages D.13-3, D.13-4, D.13-5, D.13-8 (KOP 1), D.13-12 (KOP 2), D.13-16 (KOP 3), D.13-20 (KOP 4), D.13-24 (KOP 5), D.13-32 (KOP 6), D.13-38 (KOP 7), D.13-46 (KOP 8), D.13-50 (KOP 9), D.13-52 (KOP 10), D.13-58 (KOP 11), K.13-62 (KOP 12), D.13-66 (KOP 13), D.13-70 (KOP 14), D.13-74 (KOP 15), D.13-78 (KOP 16), D.13-82 (KOP 17), D.13-86 (KOP 18), D.13-90 (KOP 19), D.13-94 (KOP 20), D.13-98 (KOP 21), D.13-102 (KOP 22), D.13-106 (KOP 24).

In addition, photographs from each KOP are also included in Section D.13.1, Visual Resources Section, Environmental Setting of the Proposed Project. Figures that show photographs of SDG&E's existing transmission facilities include: Figure D.13-2 (KOP 1), Figure D.13-3 (KOP 2), Figure D.13-4 (KOP 3), Figure D.13-5 (KOP 4), Figures D.13-6, D.13-7, and D.13-8 (KOP 5), Figures D.13-9 and D.13-10 (KOP 6), Figures D.13-11, D.13-12, and D.13-13 (KOP 7), Figure D.13-14 (KOP 8), Figure D.13-15 (KOP 9), Figure D.13-16 (KOP 10), Figure D.13-17 (KOP 11), Figure D.13-18 (KOP 12), Figure D.13-19 (KOP 13), Figure D.13-20 (KOP 14), Figure D.13-21 (KOP 15), Figure D.13-22 (KOP 16), Figure D.13-23 (KOP 17), Figure D.13-24 (KOP 18), Figure D.13-25 (KOP 19), Figure D.13-26 (KOP 20), Figure D.13-27 (KOP 21), Figure D.13-28 (KOP 22), Figure D.13-30 (KOP 24).

The visual assessment did not assume that the Proposed Project is compatible with all settings and viewer groups, merely based on the presence of the existing transmission facilities. However, the analysis does consider the existing setting and the incremental change that would result from the Proposed Project. The degree of compatibility of the Proposed Project with the existing visual settings and SDG&E's facilities was evaluated individually, for each KOP, as part the impact assessment. Pages D.13-111 and 112 describe the methods and criteria used in the impact evaluation.

With respect to the electric conductors, the visual assessment recognized the presence of these features as well as the existing lattice towers and wood poles. DEIR Page D.13-121 discusses under Impact V-4 the number of conductors present today, and the number of conductors that will be present in the future with the Proposed Project. This section further discusses the visibility variables that were considered for the assessment of conductor impacts, including setting and background influences, time of day, season, and atmospheric conditions. The visual assessment specifically considered at each KOP the existing conductors and future conductors, as well as the existing and future tower and pole designs, heights and right-of-way configurations. Also, please see Response to Comment SD-17 regarding environmental setting.

- SD-11 SDG&E's comment refers to the general methodology used for the visual assessment, rather than the conclusions of the analysis. The following is a further explanation of the methodology used, and references to the DEIR where information on methods are explained. Pages D.13-111 and D.13-112 summarize the methods and criteria used in the impact evaluation. As stated on Page D.13-112, the 'Overall Visual Change' was determined by considering three issues: (1) the visual contrasts that the Proposed Project would create; (2) the degree to which the Proposed Project would be visually dominant (termed Project Dominance), and (3) whether the project would create view or significantly increased blockages or view impairments from existing residential areas, park and recreation sites, public facilities or travel routes. The determination of Visual Contrasts was based upon the BLM's Visual Contrast Rating principals. A systematic approach was

used to estimate whether the changes in line, form, color and texture would be weak, moderate, or strong, based on changes brought about by the new poles, conductors, and hardware, and proposed road improvements. This contrast assessment considered the visual changes that would be brought about by the Proposed Project's line, form color and texture elements, in conjunction with the specific viewing conditions at each KOP, including distance, angle of observation, lighting and atmospheric conditions. A composite contrast rating was made for each KOP based on these variables.

Project Dominance was considered as a separate factor from each KOP, as described on Page D.13-111. This assessment considered what the relative size of the Proposed Project would be, in relationship to other spatial features considering pole placement, viewing distance, topography, and foreground or background screening by vegetation or other structures. Assessments were made according to three possible levels of dominance: subordinate, balanced, or dominant.

View Blockages or View Impairments were also considered as a separate factor from each KOP. This issue is discussed on Page D.13-111 of the Draft EIR. This assessment evaluated whether the Proposed Project would have the potential to further obscure views, beyond obstructions already caused by the existing transmission towers and conductors. From each KOP, view blockages/impairments were rated according to yes or no levels of potential occurrence.

In all cases, the assessment of 'Overall Visual Change' was based on the following technical data that underlies the evaluations: (1) project description information provided by SDG&E as part of the Application and PEA regarding proposed actions and related structure designs, (2) detailed aerial photographs, contained in PEA Figures 4-1 through 4-40 dated January 2001, that show the specific proposed locations of new and relocated structures for the 138 kV/69 kV system, and 230 kV system, and improved access roads; and (3) data provided by SDG&E on existing and proposed structure heights for each of the new and existing structures. This information was used as the basis of the photographic visual simulations, prepared for selected KOPs to accurately illustrate the future appearance of the Proposed Project or alternatives from KOPs.

The Overall Visual Change level reflects the composite findings of these evaluations. Table D.13-1 is a matrix that shows the relationship of visual sensitivity ratings, and visual change ratings in determining whether impacts were considered significant under CEQA. This matrix and the factors underlying the ratings were consistently and systematically applied to all the KOP evaluations. Factors that were especially influential in the analysis included the degree of contrast that the new 138 kV/69 kV poles, hardware, and conductors would create within the foreground viewing distance of sensitive residential, recreational, and travel route KOPs. Within the middleground viewing distance zone, the contrasts created by the increased number and location of conductors were also influential in the findings. In all cases, the visual analysis considered both the incremental contrasts created by these project features, as well as the cumulative visual changes that would result from both the 138 kV/69 kV and 230 kV system modifications to sensitive viewers exposed to the utility corridor. It should be noted that despite attempts to employ refined methods of visual analysis, the evaluation of the significance of visual impacts remains somewhat subjective. However, as stated in Response SD-9 above, the approach and criteria used in the visual assessment are established methods previously applied by the CPUC on similar transmission projects.

SD-12 The visual analyses of the underground alternatives are based upon the descriptions provided in the Draft EIR. The Draft EIR describes the Jamacha Valley 138 kV/69 kV Underground Alternative in Section C.4.2.1, Pages C-9 through C-17, and the City of Santee 138 kV/69 kV Underground Alternative in Section C.4.2.4, Pages C-30 to C-35. See Responses to Comment SD-10 and -11 above regarding how the methodology was conducted.

The visual analysis (see DEIR sections D.13.4.4, D.13.4.1, E.2.3) has concluded that the underground alternatives are preferable to SDG&E's Proposed Project. 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.

The Jamacha Valley and City of Santee Underground Alternatives would relocate the 138 kV and 69 kV circuits underground in existing roadway shoulders or medians, depending on available space. These alternatives would result in short-term impacts during construction to local and recreational travelers along Willow Glen Road, and to residents of Santee traveling along Magnolia Drive and Princess Joann Road (see DEIR sections D.13.4.4 and D.13.4.4). Long-term, however, once construction and site restoration are completed, the underground alternatives would result in little to no additional visual impacts over existing conditions, except where views to the transition structures occur. The DEIR shows that the long-term visual impacts of the transition stations would be adverse. These visual impacts would be localized at the transition station sites and are therefore considered less than the Proposed Project's visual impacts.

For the underground alternatives, the long-term visual changes to views of SDG&E's existing utility corridor in this part of Jamacha Valley and the City of Santee would be minor when compared to the existing conditions (i.e., transition structures). SDG&E has not proposed to change the height or mass of the existing 138 kV/69 kV lattice structures when converting these facilities into 230 kV structures. The major visual change that would be perceived with the underground alternatives would be the increased number and size of the 230 kV conductors, and related insulators and hardware.

Compared to the underground alternatives, SDG&E's Proposed Project would result in both the conversion of the existing lattice structures, or replacement of lattice structures with tubular steel poles to support the new 230 kV circuits; along with the installation of additional 138 kV/69 kV pole structures, hardware and conductors to support the relocated circuits. The underground routes would eliminate the need to construct 14 poles in Jamacha Valley, and 3 proposed poles and 2 existing poles in the City of Santee.

Overall, the visual analysis has concluded that undergrounding alternatives provide long-term visual benefits, compared to the Proposed Project, since, in comparison, these two alternatives would reduce or eliminate the visual contrasts and dominance that the Proposed Project would create through areas of high visual sensitivity. Areas of high visual sensitivity have been detailed in the DEIR in section D.13.1. At the same time, the undergrounding alternatives would not create significant long-term adverse impacts along the roadways that would be used for underground placement of these circuits. Long-term visual impacts would occur at the transition pole/stations, however these impacts were found to be adverse, and less than significant with mitigation (Mitigation Measure V-6a and V-6b).

- SD-13 As stated in Responses to Comment SD-2, SD-3, and SD-21, underground alternatives are considered to be economically feasible for CEQA analysis purposes and as a result were considered in the Draft EIR. However, the CEQA process does not make conclusions based on relative cost of alternatives. Issues of cost and ratepayer burden are addressed in the CPUC's General Proceeding.
- SD-14 There is no precedent in CEQA for weighing alternatives based on the number of concerned citizens that comment during Scoping (see Section CEQA Guidelines §15126.6). Alternatives are developed based on both public comments and on the analysis of the environmental specialists preparing the EIR. The decision regarding which alternatives would be evaluated in the EIR was made during the alternatives screening analysis, prior to the detailed impact assessment in the Draft EIR (see DEIR Appendix 2). This alternatives screening analysis is consistent with CEQA standards for evaluating potential alternatives, and is consistent with the approach used in other transmission proceedings at the CPUC. In the case of the Jamacha Valley alternatives, the potential visual and biological impacts of the Proposed Project were considered to be substantial enough to merit full consideration of the underground alternative.
- SD-15 SDG&E's preference is noted. Please see DEIR Section E.2.2 and Table E-2 (City of Santee alternatives), as well as Section E.2.1 and Table E-1 (Jamacha), for the selection of the environmentally superior alternative. The determination in the DEIR was based not only on visual impacts, but also on greater impacts in areas of biological resources. The Proposed Project was preferred for issue areas that would result in short-term and temporary (e.g., traffic), but not for issue areas that would result in long-term permanent impacts (e.g., visual and biological resources).
- SD-16 The DEIR clearly illustrates that information on electric and magnetic fields is provided for informational purposes only (see DEIR Executive Summary Section 3.8.3, p. ES-44, and the first paragraph under Section D.9.6, p. D.9-13). Other comments received during the public review period indicate that this issue is of concern to the community. The CPUC considers EMF issues pursuant to policies established in D.93-11-013 and has a responsibility to disclose EMF information for those who are interested. As described in General Response GR-2, identifying superior alternatives in the DEIR does not depend on EMF information.
- SD-17 SDG&E is correct that an accurate description and evaluation of the existing environmental baseline is essential to the accurate assessment of environmental impacts. As acknowledged by the commenter, CEQA Section 15125 guides the preparation of environmental setting sections of EIRs and states the following:
- (a) An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time the notice of preparation is published, or if no notice of preparation is published, at the time environmental analysis is commenced, from both a local and regional perspective*
- (c) Knowledge of the regional setting is critical to the assessment of environmental impacts*
- (d) The EIR shall discuss any inconsistencies between the proposed project and applicable general and regional plans*

Based on these requirements, the proposed project DEIR 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.

It should be noted that while SDG&E may have acquired the ROW when it passed through a primarily rural area, many areas along the ROW are now developed with immediately adjacent residential subdivisions and other signs of urbanism. According to CEQA the requirements of 15125(a) referenced by the commenter, the environmental baseline is fixed as of the date of the Notice of Preparation (September 5, 2003). Residents moving to the area adjacent to the ROW were certainly aware of the existing transmission corridor to the extent that they could visually observe it. However, there would be no way for these residents to have knowledge of the SDG&E's plans for future expansion of the ROW or the Proposed Project. The fact that the transmission line ROW existed prior to the development of the nearby existing land uses does not preclude the fact that these uses could be impacted by new construction and operational activities, which are not currently part of the existing environmental setting of the area. Therefore, it is fully appropriate for the impacts of a new project on these landowners to be evaluated. In addition, the environmental and regulatory setting subsections of DEIR Section D repeatedly acknowledge the existing utility corridor in the setting descriptions, and factor its existence as the existing condition against which the project impacts are analyzed.

SD-18 Please see Response to Comment SD-17.

SD-19 See responses to SDG&E comments 10 and 11 for general information regarding the methodological approach used for the visual analysis. The DEIR does not provide an exaggerated characterization of SDG&E's Proposed Project visual impacts. The EIR assessment of visual changes and the supporting photographic simulations are based on the technical information provided by SDG&E as part of its Application and PEA and the existing conditions observed and photographed in the field. Information provided by SDG&E for this assessment included the exact pole locations, designs and heights of the new poles that will be installed for the relocated 138 kV and 69 kV circuits. Specific information provided by SDG&E was used in the assessment of impacts from each KOP. Overall, new wood and steel poles, installed to support the relocated 138 kV/69 kV circuits, would vary in height between 51 feet to 139 feet. SDG&E's data indicates that the majority of poles would be in the range of 70 feet to 100 feet in height. The number and height of the poles, in conjunction with the increased hardware (insulator design) and number of conductors, proposed by SDG&E were considered in the assessment of visual impacts from the KOPs. The EIR visual assessment does not agree with SDG&E's opinions that installing the new wood poles for the relocated 138 kV and 69 kV circuits, combined with modifying the existing lattice structures, and installing the additional 230 kV circuits, would result in visual changes that are 'so slight that . . . (they would be) likely imperceptible at most KOPs'.

SD-20 See Responses to Comment SD-9 through SD-19, and General Response GR-2.

SD-21 Cost efficiency and ratepayer impacts are not addressed in the CEQA process but will be considered in the CPUC's General Proceeding. As required by CEQA and as described in the Response to Comment SD-2 and SD-3, the economic feasibility of the alternatives was considered and they were found to be feasible.

The mitigation measures presented in the Draft EIR are also considered to be feasible, and are similar to those implemented by the CPUC in other transmission line situations.

SD-22 Please refer to Response to Comment SD-21.

SD-23 This comment presents detailed information on the cost differentials between the alternatives and the equivalent Proposed Project segments. Cost is an issue in consideration of alternatives only if the cost of an alternative is so high as to make it economically infeasible. This was considered in the alternatives analysis and all alternatives carried forward for detailed analysis were found to be economically feasible. Because relative cost of alternatives is not an issue for consideration in the CEQA process, this information is not relevant to this phase of the CPUC's proceeding. Cost and schedule implications will be considered in the CPUC's General Proceeding.

As also stated in the Response to Comment SD-2 and SD-3, it is noted again that the total length of both the Jamacha Valley and Santee Alternative segments is only 15 percent of the total length of the Proposed Project and should not be prohibitive to project regarding either time or cost components. The schedule concerns defined in this comment could be substantially reduced if SDG&E proceeds immediately with construction of the other 85 percent of the transmission line route, while concurrently completing design, material procurement, and construction requirements.

SD-24 Several of the mitigation measures presented in the Draft EIR have been modified in response to comments from SDG&E and other parties. These changes are documented in responses to comments on DEIR Section D. However, overall the mitigation measures are proportional to the impacts identified and consistent with similar measures applied on other transmission projects, including those within existing corridors.

Impact analysis assumed implementation of all of SDG&E's Project Protocols (PPs). In many cases, the PPs were considered not to be adequately detailed or specific, so additional mitigation was required to ensure that impacts would be less than significant. In these cases it may appear that the mitigation measure duplicates the requirements of the PPs, but in fact they may add only a few details to ensure adequate resource protection. SDG&E's specific comments on mitigation measures are addressed below.

SD-25 As Lead Agency under CEQA, the CPUC has not only the authority but the responsibility to assure implementation of all adopted mitigation measures identified in the DEIR. As stated in DEIR Section G, CEQA Guidelines §15097 was added in 1999 to further clarify agency requirements for mitigation monitoring or reporting. DEIR Section G (also provided below) fully describes the CPUC's responsibilities; this monitoring system has been successfully used by the CPUC in the construction of major linear projects since the mid-1990s.

“The California Public Utilities Code confers authority upon the CPUC to regulate the terms of service and the safety, practices and equipment of utilities subject to its jurisdiction. It is the standard practice of the CPUC, pursuant to its statutory responsibility to protect the environment, to require that mitigation measures stipulated as conditions of approval are implemented properly, monitored, and reported. In 1989, this requirement was codified statewide as Section 21081.6 of the Public Resources Code, which requires a public agency to adopt a MMRP when it approves a project that is subject to the preparation of an EIR and where the EIR for the project identifies significant adverse environmental effects. CEQA Guidelines §15097 was added in 1999 to further clarify agency requirements for mitigation monitoring or reporting.”

SD-26 The CPUC agrees that only appropriate and proportional mitigation should be required. The mitigation presented in the DEIR is consistent with measures used in many other transmission projects. Specific comments on individual mitigation measures are addressed in response to comments on DEIR Section D.

SD-27 As Lead Agency under CEQA, the CPUC is responsible for defining and assuring implementation of mitigation measures and has broad-based discretionary authority in reviewing and approving the Proposed Project. The CPUC works closely with responsible agencies, deferring to their comments where appropriate, and coordinating mitigation monitoring efforts. Specific concerns of SDG&E regarding specific mitigation measures are addressed in responses to comments associated with Section D of the DEIR. For reference, the applicable regulations are reproduced below.

Public Resources Code Section 21004. In mitigating or avoiding a significant effect of a project on the environment, a public agency may exercise only those express or implied powers provided by law other than this division. However, a public agency may use discretionary powers provided by such other law for the purpose of mitigating or avoiding a significant effect on the environment subject to the express or implied constraints or limitations that may be provided by law.

CEQA Guidelines 15040(c). Where another law grants an agency discretionary powers, CEQA supplements those discretionary powers by authorizing the agency to use the discretionary powers to mitigate or avoid significant effects on the environment when it is feasible to do so with respect to projects subject to the powers of the agency.

CEQA Guidelines 15041(a). A Lead Agency for a project has authority to require feasible changes in any or all activities involved in the project in order to substantially lessen or avoid significant effects on the environment.

SD-28 See Response to Comment SD-25. Where warranted, mitigation measures can impose additional requirements beyond those that a regulatory agency could, in order to ensure adequate mitigation of identified impacts. SDG&E misunderstands the origin of Mitigation Measure A-1b, which would require use of low-emission construction equipment. As explained in the analysis of construction emissions, the emission calculations supporting the information in DEIR Table D.2-7 are based on the assumption that heavy off-road equipment would meet modern standards (see p. D.2-10, final paragraph before Mitigation Measure for Impact A-1). This mitigation measure would not regulate mobile sources, but it would prescribe the off-road equipment that SDG&E and contractors could use. With the mitigation,

- the off-road equipment would emit on average less than 6.9 grams of NO_x-per horsepower hour. The mitigation is necessary because without mitigation, NO_x emissions from off-road equipment would exceed the levels shown in DEIR Table D.2-7, and they would be likely to exceed SDAPCD significance thresholds.
- SD-29 The CPUC's mitigation monitoring approach including requirements to provide plans, designs, etc. is standard mitigation procedure. It is an effective and meaningful effort consistent with CEQA requirements. This program has been used in CPUC monitoring of transmission line construction for over 10 years. The CPUC utilizes consultant support to review technical plans and pre-construction documents. This process is described in EIR Section G. Also, please see Response to Comment SD-268 regarding the MMCRP.
- SD-30 It is acknowledged that SDG&E has an approved NCCP through which SDG&E is given take authority for impacts to certain listed species. Section D.3 Biological Resources of the Draft EIR (for example, Sections D.3.2.3 and D.3.3.2) includes a discussion and analysis of the project protocols that SDG&E proposes as project mitigation. It should be noted that the SDG&E NCCP does not cover certain biological resources, such as impacts to wetlands and wetland dependant species, or the quino checkerspot butterfly in the project area. In addition, mitigation measures must also be evaluated under CEQA, which may require that the CPUC impose mitigation measures that are in addition to those required in the NCCP as further discussed in Response to Comment SD-113 and SD-120, below.
- SD-31 Responses to SDG&E's specific comments are presented below.
- SD-32 SDG&E's assertion that EIR alternatives development was guided by "just 7 letters expressing concern about the visual resources" of the project is inaccurate. The numbers of scoping comments on specific issues do not guide EIR evaluation. Scoping comments can expand the preliminary range of EIR issues, but the ultimate determination regarding the presence or absence of impacts and the severity of the impacts falls to the CPUC and EIR preparers. The scoping process provides input as to public agency and individual concerns, and in many cases specific alternatives are suggested. However, all suggestions and concerns are carefully considered in the process of alternatives screening (see DEIR Section C and Appendix 2).
- Because the scoping timeframe is very early in the CEQA process, often not many people are aware of the project at that time. As a result, scoping comments are considered to be representative of potential concerns, but they should not be considered to be a complete record of all public interest.
- SD-33 Please see Response to Comment SD-2 and SD-3. The alternatives defined in the EIR can be completed within "a reasonable period of time" assuming that SDG&E properly plans and schedules construction activities.
- SD-34 As stated in Response to Comment F-11, the CPUC agrees that the SDG&E NCCP is the governing NCCP document for the proposed project and any alternative. Section 1.3 of the Executive Summary in the Draft EIR (page ES-7) merely discloses issues and concerns resulting from the scoping process.
- SD-35 Please see Response to Comment SD-2, SD-3, and SD-23.

- SD-36 The placement of transmission lines underground removes several major causes of line disruptions (e.g., fire, wind damage, vehicle collision, wildlife), which would result in better overall reliability of the system. Line failures underground are less likely to occur and typically result from third-party excavation activities. It is true that locating a line fault in an underground position can be more time-consuming than the same process for an overhead line. However, SDG&E can proactively minimize downtime and enhance reliability for underground lines by maintaining an adequate supply of replacement cable.
- SD-37 Please see Response to Comment SD-7 and General Response GR-2. The presentations in DEIR Section C and the Executive Summary, referenced in this comment, are not impact analyses but only present descriptions of public concerns. As clearly stated in Section D.9 (see “Summary Regarding EMF” on page D.9-33), the EIR does not identify EMF impacts. However information on EMF is presented for the benefit of the public and the CPUC decisionmakers.
- SD-38 SDG&E suggests that the CPUC should have “explored more thoroughly the motivation for the City’s scoping comments.” The City expressed a concern regarding visual impacts along the ROW in the City of Santee. While EMF may also have been a component of this concern, it was not a basis for alternative inclusion. Alternative development was based primarily on visual resources concerns, as well as biological and cultural resources issues.
- The description of alternatives in Section C.2.3 of the DEIR (p. C-4) shows that alternatives were developed with the intent of avoiding significant environmental effects. Underground alternatives were created to minimize the project-related impacts to visual and biological resources, also noting relevance to community concerns over EMF (see Section 2.1.2 of DEIR Appendix 2, Alternatives Screening Report, p. Ap.2-6). Whether or not the alternative would exceed the spending guidelines of the no-cost/low-cost decision (D.93-11-013) regarding EMF was not considered because the cost of an alternative is not relevant to the identification of alternatives in the CEQA process, except related to feasibility. Cost issues associated with the Proposed Project and alternatives are considered by the CPUC in the General Proceeding on the project.
- SD-39 Where foreseeable, the DEIR identifies the need for new transition poles in its description of the underground alternatives (e.g., see DEIR p. ES-11, under Alternative Description). In the responses to comments below (for DEIR Sections C and D) at specific locations, additional information on transition poles and poles for electrical clearances is included in this FEIR.
- SD-40 The referenced paragraph (page ES-13) has been corrected as follows:
- In addition, this alternative would slightly decrease corona noise levels along the ROW as a result of undergrounding the 138 kV and 69 kV circuits along ~~Willow Glen Drive~~ Princess Joann Road.
- SD-41 Please see Response to Comment SD-32 regarding the consideration of the quantity of scoping comments. In addition, refer to Response to Comment GR-2 for EMF discussion.
- SD-42 As described in DEIR Section C.6.2, the No Project Alternative required for consideration under CEQA regulations would mean that the Miguel-Mission 230 kV #2 Project would not be built. CPUC acknowledges that the issues related to project delay and connections to power plants will be addressed in the CPUC’s General Proceeding and are not CEQA issues.

- SD-43 Please see Response to Comments SD-17 and SD-18 regarding the EIR's description of the environmental baseline. See Response to Comment SD-4 for weighting and impact issues. No specifics are provided in this comment, so no response is possible.
- SD-44 SDG&E is incorrect in stating that the Proposed Project would not have significant impacts. As summarized in the Impact Summary Table (Executive Summary, Tables ES-5 and ES-6), 38 Class II impacts have been identified for the Proposed Project. The definition of a Class II impact is one that would be significant in the absence of adequate mitigation. Therefore, while the EIR does not identify any impacts that are "significant and unmitigable (Class I)", this does not mean that the project has no potential to create significant impacts. Class II impacts are those for which adequate implementation of mitigation is essential. SDG&E's comments on individual mitigation measures are addressed in the responses to comments on EIR Section D. The FEIR includes revisions to the Executive Summary to clearly state that no Class I impacts were found.
- SD-45 Please see Response to Comment SD-32. SDG&E's position is noted.
- SD-46 Please see Response to Comment SD-16 and General Response GR-2 regarding the approach to EMF under CEQA. With respect to the approach to visual resources analysis, please see Responses to Comments SD-9 through SD-12.
- SD-47 The methodology used in the Draft EIR to determine the Environmentally Superior Alternative is well-established and has been used by the CPUC in many other cases. SDG&E is correct that some differences between alternatives are "slight;" where this is the case, that information is clearly presented (e.g., in Tables E-1 and E-2).
- SD-48 SDG&E is concerned about how the Environmentally Superior Alternative was determined. Please see Response to Comments SD-4, SD-5, and SD-47, as well as Section E of the Draft EIR.
- SD-49 SDG&E is concerned about how the Environmentally Superior Alternative was determined. Please see Response to Comments SD-4, SD-5, and SD-47, as well as Section E of the Draft EIR.
- SD-50 The referenced paragraph in DEIR Section A has been corrected as shown below:
- The Otay Fire burned more than 46,000 acres in the area around the City of ~~Otay Mesa~~
Chula Vista.
- SD-51 The statement in Section A of the DEIR that a decision on the project would be issued "in late 2004" was based on the schedules for previous CPUC transmission projects. The FEIR notes the correct schedule.
- SD-52 As a general practice and as is the case with the Miguel-Mission 230 kV #2 Project, the CPUC does attempt to address affected local jurisdictions' plans and policies in its environmental review documents. As part of project approval, when granted, the Commission instructs utilities to consult with local agencies regarding land use matters and obtain all necessary local and state permits and approvals. Nevertheless, pursuant to General Order 131-D, the Commission retains exclusive jurisdiction over the regulation of electric power line projects, distribution lines, substations, or electric facilities constructed by regulated public utilities. Pursuant to General Order 131-D, the Commission shall resolve any differences that arise between the utilities and local agencies regarding these issues.

- SD-53 The changes recommended by SDG&E for the Project Description are not included throughout the document. SDG&E requests a change in circuit placement for Subsection C (DEIR, Figure B-10) that would alter the EMF values reported in Appendix 5 of the DEIR. Because EMF is not a CEQA consideration, the EMF data in Appendix 5 of the DEIR is not revised with this Final EIR. Also, please see Responses to Comment SD-153 regarding the SWPPP, and SD-268 regarding the project MMCRP.
- SD-54 Shifting staging areas around may lead to unpredictable impacts, which may require a variance in the Mitigation Monitoring, Compliance, and Reporting Program..
- SD-55 Minor changes to project protocols are included in Section B.6 based on SDG&E's comments.
- SD-56 Please see Response to Comment SD-7 regarding the EIR's approach to EMF information and analysis. Again, while EMF issues are not considered in the CEQA process, they are appropriate for consideration by the CPUC in its ultimate decision on the project.
- SD-57 The CPUC agrees that the impacts created by each alternative must be considered along with the environmental benefits that are provided by avoidance of use of the Proposed Project segment. Each issue area's discussion in DEIR Section D (Environmental Analysis) presents analysis of impacts for each alternative. Note though that DEIR Section C (Alternatives), for which this comment is presented, does not present impact analysis. Section C presents a summary of the information developed fully in DEIR Appendix 2 (Alternatives Screening Report), so only provides summary screening criteria for each alternative.
- SDG&E is incorrect in saying that "there are no significant effects of the project." However, in the absence of the mitigation that was developed in this EIR, there would have been over 30 impacts that would have been significant (Class II impacts, as presented in Tables ES-5 and ES-6 in the Executive Summary).
- Again, we refer the reader to DEIR Section D for a discussion of potential impacts associated with the Proposed Project and alternatives.
- SD-58 CEQA guidelines require consideration of alternatives capable of reducing or eliminating significant environmental effects even though they may impede attainment of project objectives (Section 15126.6(b)). Therefore, each potential alternative evaluation would not necessarily need to meet all of SDG&E's objectives (see Section C.2.1 in the Draft EIR) All alternatives considered in the DEIR meet the operating criteria defined in GO-95.
- Again, DEIR Section C is not where impacts of alternatives are evaluated. We refer the reader to Section D for a discussion of potential impacts associated with the Proposed Project and alternatives.
- SD-59 As stated in Section C.4.2.1, the Jamacha Valley Underground Alternative was developed in response to concerns about visual impacts. During the alternative screening process, each alternative was evaluated based on the following criteria: (1) does the alternative meet most of the project objectives; (2) is the alternative feasible; (3) does the alternative avoid or substantially lessen any significant effects of the Proposed Project; and (4) would the alternative result in an significant effects that are greater than those of the Proposed Project? For a visual standpoint, this alternative clearly avoided and substantially lessened the long-term visual issues associated with the Proposed Project. However, it was also found that

this alternative would increase impacts in other short-term issue areas (e.g. air quality, noise). Because it meets the project objectives, is feasible, and would lessen more permanent/significant environmental impacts, this alternative was retained for full analysis in the EIR. Refer to Section D for a detailed assessment of the potential impacts associated with the Proposed Project and alternatives.

SD-60 Regarding the availability of space in the roadway. The environmental consultant team conducted a preliminary review of the utilities within Willow Glen Drive and determined that there is adequate room to install the proposed circuits within Willow Glen Drive.

SD-61 DEIR Section C is not intended to present detailed impact analysis, but only to highlight initial environmental concerns of the proposed route segment in comparison to alternative segment. Impact analysis of the alternative was completed based on the alternative descriptions provided in DEIR Appendix 2, Alternatives Screening Report.

The visual effects identified in this comment are more appropriately addressed in Section D.13.4.1 (Visual Resources). While the visibility of the transition station components described in the comment is acknowledged, the impact created is not considered significant. Transition structures can be designed in a variety of forms, including a single-pole tubular steel structure that would not create a “wall of steel” along Willow Glen Drive. The EIR analysis was based on the design shown in SDG&E’s PEA, Figure 3-1. This type of structure would not create a ‘wall of steel’ and can be mitigated effectively with material, color, and landscaping treatments described in Section D.13.4.1.

SD-62 As stated in Response to Comment SD-61, the transition from overhead to underground can be accomplished with a single tubular steel pole, minimizing the water management concerns related to foundation construction. This construction could be accomplished without major disturbance of golfers.

SD-63 Please see Response to Comment SD-61.

SD-64 DEIR Section C is not where impacts of alternatives are evaluated. At the screening stage, the only information available was the presence of cultural resources within the Proposed Project’s ROW. After detailed analysis, the cultural resources impacts of the Jamacha Valley Underground Alternative were fully considered in DEIR Section D.4.4.1. This section identifies the potential for significant impacts to cultural resources along the Sweetwater River, presents a specific mitigation measure (Mitigation Measure C-5a), and states that impacts would be greater than those of the Proposed Project. The EIR agrees with SDG&E that with respect to cultural resources, this alternative is not preferable to the Proposed Project. As described in Appendix 2, this alternative was found to have long-term beneficial impacts to visual and biological resources.

SD-65 There is no structure number 30 in Figure C-2a.

SD-66 The DEIR acknowledges that the undergrounding alternatives would provide only a slight reduction in corona noise (DEIR, Section D.8, Noise and Vibration, pp. D.8-12 and D.8-14). The Executive Summary (DEIR, pp. ES-12 and ES-13) includes minor revisions to clarify that reductions would be slight.

SD-67 The DEIR does not state that the proposed transmission line would be need to be installed in the center of the street, only that this position was assumed for the purposes of defining magnetic fields. The CPUC would not require that SDG&E relocate existing utilities in order to achieve a particular placement in a road. In addition, the environmental engineering team members found that it is feasible to construct an underground transmission line in this segment of the Miguel-Mission ROW (See Appendix 2 of the Draft EIR).

EMF mitigation under the no-cost/low-cost policy could include deeper burial of the transmission line to reduce magnetic fields at the edge of the road or require it to be placed on the other side of the road.

SD-68 As stated in the comment, the DEIR acknowledges the potential for expanding the width of the ROW with the Jamacha Valley Overhead A Alternative.

SD-69 The visual impacts of this alternative are not considered in Section C, but in Section C.13.4.2. Regarding the relative heights of the 230 kV monopoles, the EIR analysis is based on information provided by SDG&E regarding this alternative structure design and its comparison to existing structures within the ROW. On average, the alternative 230 kV monopole design was assumed to be approximately 20 to 30 feet taller than the existing lattice 138 kV/69 kV structures. The visual analysis and supporting simulations took these variables into consideration. See FEIR Figures D.13-32 and D.13-46 for comparison of this alternative to the Proposed Project.

SD-70 SDG&E's comment is correct that, as stated in Section C.4.2.2, magnetic field levels would not decrease with this alternative. The estimated magnetic fields are presented for the information of the public and decisionmakers.

The DEIR notes that the Jamacha Valley Overhead A Alternative would not substantially reduce EMF levels (DEIR, pp. ES-45 and ES-56). Note, a typographical error on DEIR p. ES-45 has been corrected to show that EMF would increase on the east edge. As described previously, identifying superior alternatives in the DEIR does not depend on EMF information.

SD-71 Please see Response to Comment SD-32 regarding the relevance of the numbers of scoping comments received and the process for consideration of alternatives.

SD-72 As stated in Section D.13.4.2, the visual resources analysis of the Jamacha Valley Overhead A Alternative, the overall visual impact of this alternative would be similar to that of the Proposed Project.

It is accurate to state that the Jamacha Valley Overhead A Alternative may impact San Diego ambrosia above and beyond the anticipated impact from the Proposed Project. However, all impacts related to this alternative would be reduced to a less than significant level with the implementation of the mitigation measures identified for the Proposed Project.

SDG&E must confer with the USFWS and CDFG regarding any impact to San Diego ambrosia, regardless of the approved scenario. In addition, on-going mitigation monitoring is not unusual for a major transmission line project like Miguel-Mission 230 kV #2 Project.

SD-73 The comment notes that multiple crossings of the transmission lines could jeopardize system reliability. Although there are risks of outages with crossings, the crossings would be compliant with all design standards, which would take into account line sag and swing from wind, and minimize the risks. Therefore, the alternative is still considered to have acceptable reliability.

SD-74 The Jamacha Valley Overhead A Alternative could be constructed to conform with CPUC General Order 95. There are no clearance requirements that would preclude the 48.5-foot pole-to-tower spacing that is included in this alternative. As with the Proposed Project, detailed design and engineering would need to occur before construction to verify conformity of the specific system with all design standards. Additionally, the 48.5-foot distance could be expanded if SDG&E follows a construction schedule that involves dismantling the existing 138/69 kV lattice structure prior to constructing one of the two new pole alignments under this alternative. More narrow pole placements would occur under the Proposed Project elsewhere in the ROW. For instance, SDG&E proposes a 38-foot pole-to-tower spacing in Subsection E (DEIR, Figure B-12).

This alternative was developed to address the concerns of residents in the Jamacha Valley living near or adjacent to the Miguel-Mission ROW regarding potential long-term visual impacts.

SD-75 It is incorrect to assume that the access roads required to reach towers proposed under the Jamacha Valley Overhead B Alternative would essentially double impacts to biological resources. During the analysis of the biological impacts for this alternative, it was determined that necessary access roads would spur off existing access roads to reach the proposed towers. This was determined based on the location of the proposed poles along this segment and the existing access roads that would be required for the Proposed Project. As such, the impact acreages and mitigation quantities discussed in Section D.3.4.3 on pages D.3-45 and D.3-46 reflect calculations based on this assumption.

SD-76 The Jamacha Valley Overhead B Alternative is technically feasible, which would satisfy a fundamental factor for alternatives under CEQA. Reliability is not an area of analysis that must be considered under CEQA, however it is addressed because providing improved system reliability is a project objective. This alternative would provide improved system reliability when compared to the existing conditions (DEIR, p. C-30). Compliance with General Order No. 95, regarding line construction, is addressed in Response to Comment SD-74, above.

SD-77 The Jamacha Valley Overhead B Alternative was deemed visually superior to SDG&E's Proposed Project in this area for several reasons. First, the alternative would alter the existing visual character of the utility corridor by reducing the mass and scale of the structures. This change would result from replacing the existing 138 kV/69 kV lattice structures with single steel poles. The tubular steel poles would project substantially less mass and scale than the existing lattice structures, especially at foreground viewing distances. Second, the single steel poles are assessed to be visually more compatible in these mixed man-made and natural landscapes than the lattice structures, since the poles would repeat line, form and color elements typically seen.

The single tubular steel poles would also be more suitable for appropriate paint treatments to further reduce visual contrasts in color and texture.

With respect to impacts to residents living along Wind River Road, visual impacts would not be greater than reported for the Proposed Project. This alternative does not place new poles higher on the upslope above Willow Glen Drive than the Proposed Project. Furthermore, the alternative would not create new or greater impacts to residents on Wind River Road. The DEIR, Figures C-4a, C-4b and C-4c show the locations where the new steel poles would be placed for both the new 230 kV circuits and the replaced 138 kV and 69 kV circuits, under the Jamacha Valley Overhead B Alternative. A comparison of these DEIR alternative figures to SDG&E's proposed pole locations, (provided by SDG&E as part of the Application and PEA and shown on PEA Figures 4-10 and 4-11) demonstrate that the Alternative does not place new poles further upslope than SDG&E's proposed corridor plan. Pole locations for the 138 kV/69 kV circuits and converted lattice structures for the new 230 kV circuits are essentially in the same locations; and it is solely the arrangement and design of the poles that differ under this alternative.

With implementation of the Jamacha Valley Overhead B Alternative, the existing lattice structures, that currently support the 138 kV and 69 kV circuits would be removed. The new 138 kV/69 kV pole structures would be located on the west side of the ROW, closest to the homes on Wind River Road. Under SDG&E's Proposed Project, the existing lattice structures, to be converted to support the 230 kV circuits, would be the closest to the homes. Consequently, due to both the Alternative's design that would place the 230 kV circuits further from the homes and would use less massive single steel poles, the visual impacts to the residents of Wind River Road would be less than SDG&E's Proposed Project. Furthermore, with respect to the cumulative visual impacts of the utility corridor, this alternative would result in reduced comparative impacts, since residents would see two sets of single steel poles, and one set of lattice structures, rather than two sets of lattice structures and one set of new set of single poles.

With respect to construction scheduling, please see the Response to Comment SD-2 and SD-3. Regarding visual impacts, Section D.13.4.3 addresses visual impacts of this alternative in detail. Impact analysis is not presented in Section C. As stated in Section D.13.4.3, the primary visual difference between this alternative and the Proposed Project would result from the use of tubular steel poles rather than lattice structures. The tubular steel poles are considered to be beneficial to the visual setting.

SD-78 It is accurate to state that the Jamacha Valley Overhead B Alternative may impact San Diego ambrosia above and beyond the anticipated impact from the proposed project. The potential impacts to San Diego ambrosia are acknowledged in DEIR Section D.3.4.3 (Biological Resources). However, SDG&E must confer with the USFWS and CDFG regarding any impact to San Diego ambrosia, regardless of approved scenario. Note that this alternative is not found to be the environmentally superior alternative (see DEIR Section E.2.1).

SD-79 The Jamacha Valley Overhead B Alternative is technically feasible, which would satisfy a fundamental factor for alternatives under CEQA. Reliability is not an area of analysis that must be considered under CEQA, however it is addressed because providing improved system reliability is a project objective. This alternative would provide improved system reliability when compared to the existing conditions (DEIR, p. C-30). Compliance with General Order No. 95, regarding line construction, is addressed in Response to Comment SDGE-74, above.

SD-80 Section C.4.2.4 and Appendix 2 (Alternatives Screening Report) describes all the components (e.g., transition poles, the net reduction in poles, location of the undergrounding) of the alternative, as described in this comment.

SD-81 SDG&E is correct that the existing baseline includes the current lines and structures in the existing corridor. However, the presence of these structures does not mean that the addition of another set of towers and conductors will not be visible or of concern to adjacent residents. This alternative is evaluated with the existing conditions in mind. Refer to Response to Comments SD-17 for detailed discussion on baseline development/existing setting.

SD-82 With respect to the transition stations, the long-term overall visual change level of this alternative has been reassessed as Moderate where the transition poles would be openly visible from this Santee residential area, at both the east and west ends of the alternative. Impacts from the transition poles are re-assessed as Class II impacts. In order to reduce visual contrasts to less than significant levels, paint treatments of the transition poles would be necessary to blend the transition facilities with the natural background landscape (Mitigation Measure V-6a). These changes have been made to the DEIR, Section D.13.4.4.

SD-83 The DEIR visual assessment of this alternative is based on the alternative description shown in DEIR Section C.4.2.4 and illustrated on Figure C-5. This alternative was developed in consultation with Commonwealth Engineering and input received from the City of Santee regarding the feasibility of the alternative, including the use of the existing access road for undergrounding the 138 kV and 69 kV circuits. The DEIR visual assessment assumed that the 69 kV and 138 kV circuits would be placed underground either within, or immediately adjacent to, the water line road. Short-term visual impacts from construction of this alternative would be substantial (High-Moderate), although short-term in duration, until native vegetation is revegetated and restored to pre-existing conditions. These impacts are reassessed as Class II, and would require Mitigation Measure V-6b to reduce to a level less than significant.

The long-term degree of visual change resulting from the operation and maintenance of this alternative would be low along most of this alternative route, especially where the 138 kV and 69 kV conductors would be placed underground adjacent to existing homes, south of the ROW.

SD-84 The text on Page C-35 under Potential to Lessen Significant Environmental Effects has been modified to delete the potential to lessen effects on cultural resources with the City of Santee 138 kV/69 kV Underground Alternative. This modification does not change the conclusion of the DEIR.

- **Biological and Cultural Resources.** This route has the potential to reduce temporary and permanent impacts to biological resources (e.g., coastal sage scrub) ~~and known cultural resources (four identified cultural resource sites are within the existing ROW)~~ because construction would occur in city streets and not within the ROW. ~~With regard to cultural resources, this alternative would avoid the four known cultural resource sites located within the ROW.~~

SD-85 Although it is true that the Proposed Project alignment will pass through SDI-12246, this site was previously evaluated and determined to be not eligible for listing in California Register of Historic Resources (CRHR). Disturbance to this site from construction is not an

- adverse impact because it is ineligible for listing in the CRHR. Mitigation Measure C-2b, which requires construction monitoring, would reduce potential impacts to unanticipated discoveries in the site vicinity to less than significant levels. The text in Section D.4.4.4 under Comparison to Proposed Project on page D.4-23 has been modified to clarify this point. This modification does not change the conclusion of the DEIR.
- SD-86 Upon closer examination of the City of Santee 138 kV/69 kV Underground Alternative alignment it is agreed that a “blue-line” stream is depicted on the 1971 USGS 7.5-minute San Vicente quadrangle where the southwestern curve of the alignment is proposed. Construction of the underground transmission line in this area using traditional installation techniques (trenching) would be authorized by a Nationwide 12 permit from the U.S. Army Corps of Engineers. A 1602 Streambed Alteration Agreement from the CDFG and a Water Quality Certification from the San Diego Regional Water Quality Control Board would also be required. These permits would not be difficult to obtain. It is also noted that the project proponent may also be able to jack-and-bore under the stream rather than trench through it in order to avoid any impacts to jurisdictional areas and need for permits. A bridge would not be required to accommodate implementation of the City of Santee 138 kV/69 kV Underground Alternative.
- SD-87 Again, Section C does not present environmental impacts of alternatives. Impact analysis of the alternatives is presented in Section D for each environmental issue area. Specific issues are addressed in Responses to Comments SD-80 to SD-86.
- SD-88 This Final EIR includes clarifying statements regarding the potential for adding additional ROW for the City of Santee 230 kV Overhead Northern ROW Boundary Alternative (DEIR Executive Summary Section 2.1 and Section C.4.2.5). The impacts of this alternative have been fully considered and the comparison of this alternative with the Proposed Project and other alternatives would not change. The time required to acquire new ROW could be concurrent with construction of the project in the remaining over 30 miles of the route, eliminating the potential for schedule delay.
- Refer to Response to Comment SD-73 for a discussion on multiple crossings and reliability issues.
- SD-89 The crossing of the existing lines is acknowledged in the description of this alternative in Section C.4.2.5. It is also acknowledged that this may create the additional work during the construction of this alternative.
- SD-90 Please refer to Response to Comment SD-73.
- SD-91 The DEIR visual assessment for the Santee 230 kV Overhead Northern ROW Boundary Alternative, is based on DEIR Figure C-6a, and Section C Description, Section C.4.2.5. DEIR Section D.13.4.5 contains the impact findings for visual resources. The text has been modified to clarify the number of poles that will be moved under this alternative. The impact findings remain unchanged
- SD-92 The DEIR notes that the City of Santee 230 kV Overhead Northern ROW Boundary Alternative would decrease EMF levels on the south side, while increasing them on the north side (DEIR, pp. ES-45 and ES-58). As described in General Response GR-2, identifying superior alternatives in the DEIR does not depend on EMF information.

- SD-93 Please refer to Response to Comment SD-73.
- SD-94 Please see Section D.13.4.5 for analysis of the visual impacts of this alternative. The two transition structures would be located in areas with many fewer nearby residences than those that would be immediately adjacent to the Proposed Project route. In addition, there would be a net reduction of three proposed poles and two existing poles associated with this alternative.
- SD-95 As stated in Section C.4.2.5 (p. C-36), the City of Santee 230 kV Overhead Northern ROW Boundary Alternative would be slightly less likely to cause a nuisance from construction dust because the new poles would be installed further from the residences to the south. This is supported by the analysis in DEIR Section D.2.4.5 (p. D.2-15).
- SD-96 The City of Santee 230 kV Overhead Northern ROW Boundary Alternative would be slightly less likely to cause noise nuisances during construction because the new poles would be installed further from the residences to the south (DEIR, Section D.8.4.5, p. D.8-15). Blasting could be necessary for this alternative, just as it could be for the Proposed Project, except that under this alternative it would occur more than 100 feet further to the north, away from the residence along the SDG&E ROW.
- SD-97 The impact analysis in the DEIR was consistent and accurate. Without specific examples, it is not possible to respond to this comment in more detail. Refer to Section D.1.2.2 for a detailed description of the impact assessment methodology, and how we used the impact classification (Class I through Class IV) consistently throughout the document.
- SD-98 Please see Response to Comment SD-34. As illustrated in the Executive Summary's Impact Summary Tables (Tables ES-5 and ES-6), there are 38 Class II impacts identified for the Proposed Project. Without adequate mitigation, each of these impacts would be significant.
- SDG&E is correct that CEQA does not require mitigation of impacts that are less than significant (i.e., Class III impacts). However, SDG&E is not correct that such mitigation cannot be legally implemented. The CPUC has taken a position in many past projects that encourages mitigation to the maximum extent feasible. The identification of impacts as Class III (less than significant, but still adverse) makes it clear that the mitigation need not be implemented. Decisionmakers at the CPUC will determine whether this mitigation, which is still beneficial to the environment, should be implemented.
- Neither the referenced Nollan or Dolan cases are CEQA cases; they simply require a proportional connection between project effects and conditions imposed. The CPUC will only impose mitigation measures for less than significant effects where such a connection exists.
- SD-99 Please see Response to Comments SD-17 and SD-18 regarding the accurate assessment of environmental baseline.
- SD-100 The Existing Emission Inventory described in DEIR Section D.2.1 (p. D.2-2) accurately portrays the diverse geographic origin of power traveling through the electrical grid in the project area. No revisions are necessary.
- SD-101 The purpose of the table of notable power plants in the Existing Emission Inventory of DEIR Section D.2.1 (p. D.2-5) is to show the larger full-time generating facilities that normally provide power to the SDG&E customer area. The word "notable" is used because the list

is not exhaustive. Facilities under 49.5 MW are not included. Revisions are included to show the correct owner names for Encina and Larkspur facilities.

- SD-102 The comment notes that most construction equipment are mobile sources, and that the U.S. EPA/CARB emission standards described in the DEIR (p. D.2-7) would be applicable. Construction activities include operation of off-road equipment, on-road mobile sources, and other activities that can cause dust (as shown in DEIR Table D.2-7, p. D.2-10) and jurisdiction of these emissions is split between the federal, State, and local agencies. SDAPCD regulates dust emissions that cause high levels of opacity. No revisions are necessary because the description of rules is accurate.
- SD-103 As mentioned in Response to Comment SD-102, jurisdiction of construction emissions is split between federal, State, and local agencies. Auxiliary engines and compressors are examples of portable equipment that may be included in the voluntary CARB registration program (shown on p. D.2-7).
- SD-104 Programs for managing regional air quality beyond San Diego County are described because of the connection of the Proposed Project to a system that leads to merchant generating facilities south and east of the Miguel Substation (see DEIR Section A.2, Project Purpose and Need, and Statement of Objectives, p. A-3). The California-Mexico border is about 10 miles from the project ROW.
- SD-105 Revisions are included under DEIR Section D.2.3.1, Definition and Use of Significance Criteria (p. D.2-8) to distinguish the difference between construction-phase emissions, which are quantified for the Proposed Project and compared to San Diego Air Pollution Control District (SDAPCD) thresholds, and post-construction-phase emissions, which are not quantified. The South Coast Air Quality Management District thresholds are not used for construction-phase activities, because SDAPCD has provided specific recommendations there. Please refer to Response to Comment SD-28 for an explanation of the measures that would be needed to reduce construction equipment emissions. Without the specified measures, project related construction equipment would exceed the SDAPCD thresholds for NOx. See Section D.2.3.3 for a description of how the emissions were quantified.
- SD-106 The analysis of construction emissions accounts for the fact that activity would vary day-to-day over the two-year duration. The SDAPCD thresholds for construction (DEIR Table D.2-5), however, are on a daily basis and the worst-case day must be considered in the assessment. Construction activity could include days with simultaneous work for excavating and installing towers, especially given the urgency of the schedule (shown in DEIR Table B-4, page B-33). (The equipment needed for simultaneous pole line activity and substation work efforts was defined by SDG&E's Table 1 of Attachment 1 to the Supplemental Application No. 2, December 2002, but as described on DEIR page D.2-10, supporting calculations were not provided, and DEIR preparers were forced to develop independent calculations.)

Project Protocols 7, 11, and 12 are mainly for controlling soil erosion and were not identified by SDG&E as air quality measures in the PEA or in the subsequent Matrix of Construction Activities and Protocols (Supplemental Application No. 2, December 2002). These protocols were considered in the air quality assessment of the DEIR, but because they lack specific instructions for dust suppression, they were not listed in DEIR Table D.2-6.

- Project Protocol 56 and 57, in conjunction with Mitigation Measure A-1a, for dust suppression, would provide sufficient instructions for eliminating the likelihood of a nuisance condition. Both Project Protocols and Mitigation Measures would need to be implemented to reduce emissions to less than significant levels.
- SD-107 Mitigation Measure A-1a, for dust suppression, is typical of measures recommended by the CPUC in other recent CEQA proceedings. The comment claims that “standard procedure” should be followed when determining how often visible dust suppression is necessary, but does not say what is “standard procedure.” The mitigation would provide the CPUC field monitors with criteria for determining whether or not the mitigation is being successfully implemented. SDAPCD Rule 50 is a useful surrogate for identifying excessive dust, but determining compliance with SDAPCD Rule 50 requires specialized opacity training, while no training would be needed to determine compliance with Mitigation Measure A-1a. Mitigation Measure A-1a is not duplicative and is necessary because it provides a rigorous program of dust control, which would be necessary to achieve levels of fugitive dust of less than 100 pounds per day, as shown in DEIR Table D.2-7. SDG&E provided no emission calculations for fugitive dust demonstrating that the Project Protocols would adequately reduce dust emissions to less than significant levels. Mitigation A-1a goes beyond what is required by Project Protocols 56 and 57. As stated above, Both Project Protocols and Mitigation Measures would need to be implemented to reduce emissions to less than significant levels.
- SD-108 Mitigation Measure A-1b, for low emission construction equipment, is typical of measures recommended by the CPUC in other recent CEQA proceedings where potentially significant emissions of NO_x would occur (e.g., the SCE Viejo System Project). It is not a federal, State, or local requirement, but it would be needed for a successful CEQA demonstration of less than significant impacts. The emission calculations supporting the information in DEIR Table D.2-7 are based on the assumption that heavy off-road equipment would meet modern, post-1996 standards (see p. D.2-10, final paragraph before Mitigation Measure for Impact A-1). Failure to use modern equipment could result in construction equipment emissions of NO_x exceeding the SDAPCD 250 pound per day threshold, which may cause a significant air quality impact. This measure should be feasible, and it will not preclude construction of the project. This measure encourages construction contractors to upgrade their fleet, while allowing SDG&E to complete the Proposed Project with less than significant emissions of NO_x. Please also see Response to Comment SD-28 for further explanation on why this measure is necessary.
- SD-109 The comment notes that greater emissions would occur during trenching for underground alternatives, and the DEIR explains that increased emissions would be more likely to cause a nuisance and would be of a longer duration (Section D.2.4.1, p. D.2-13 and Section D.2.4.4, p. D.2-15). Operation and maintenance of the underground alternative would not be expected to require any increased need for trenching because failures of underground transmission systems are rare. (This is according to the SDG&E Preliminary Environmental Assessment for the Otay Mesa Power Purchase Agreement Transmission Project, which would include underground segments).
- SD-110 The DEIR includes information relevant to demonstrate that the Jamacha Valley Overhead A Alternative would cause greater construction emissions, due to the need to create access roads (DEIR, Section D.2.4.2, p. D.2-14). In addition, CEQA does not require the same level of detail for alternatives as it does for the Proposed Project (CEQA Guidelines §15126.6(d)).

- SD-111 Please see Response to Comment SD-109 for explanation on why impacts related to construction of underground alternatives are accurately portrayed in the DEIR.
- SD-112 Response to Comment SD-107 explains why it is not appropriate to remove compliance criteria from Mitigation Measures A-1a, for dust suppression. Please also see Responses to Comments SD-28 and SD-108 for information on why the determination of less than significant impacts from NO_x emissions depends on implementation of Mitigation Measure A-1b, for low emission construction equipment. With regard to the construction contract, as part of the MMCRP (see Section G of the Draft EIR), the CPUC requires the contractor to sign a formal contract/agreement that they understand the requirements associated with the low-emissions equipment, and that they will comply with this agreement during construction of the Miguel-Mission 230 kV #2 Project.
- SD-113 As stated above in Response to Comment F-11, the CPUC agrees that the SDG&E NCCP is the governing document for the proposed project and any alternative. Moreover, the CPUC agrees with the proposed Project Protocols as described in Section D.3.3.2 on pages D.3-18 through D.3-24 of the Draft EIR. However, in some cases, these Project Protocols have been supplemented with additional requirements because certain impacts are not covered by the NCCP and because SDG&E protocols may not in some cases be adequate to satisfy CEQA concerns. Specifically, Mitigation Measures B-2a (San Diego ambrosia), B-4b (Coastal cactus wren), and B-4f (Quino checkerspot butterfly) were included in the Draft EIR as these species are not covered under the NCCP or take authorization is limited to emergencies and unavoidable impacts from repairs to existing facilities only. Additionally, Mitigation Measure B-2a was revised based on the spring 2004 survey results. Mitigation Measures B2-b (San Diego barrel cactus), B-4a (Raptors), and B-4c (Coastal California gnatcatcher) have been supplemented to clarify timing of specific activities or to clarify protection activities. Mitigation Measures B-3, B-4d and B-4e, which relate to vernal pools and San Diego fairy shrimp, were included in the Draft EIR due to the fact that impacts to vernal pools and vernal pool species are not covered by the NCCP, although a SDG&E Subregional Plan – Clarification Document, May 17, 2004 has been submitted. Please refer to Response to Comment SD-30.
- SD-114 The reason the text in Section D.3-1.4 of the Draft EIR states that “non-protocol” surveys were conducted for the San Diego fairy shrimp is because the surveys were not initiated at the beginning of the rainy season as required by the USFWS protocol for the San Diego fairy shrimp. It is acknowledged that the surveyors followed protocol techniques during the surveys that were conducted, but the surveys are not considered to meet a full wet season San Diego fairy shrimp protocol survey because they were initiated too late into the season. With regard to the quino checkerspot butterfly, the text has been revised to clarify that the quino checkerspot butterfly sighting was incidental.
- SD-115 Text has been added to Section D.3.1.5 of the Draft EIR in order to clarify that the sighting of the quino checkerspot butterfly was incidental to the protocol surveys.
- SD-116 Text in Section D.3.2.3 has been revised to read:
- “The project falls within the area where SDG&E’s utility operations are governed by the NCCP, ~~with the exception of the areas on MCAS Miramar, including areas within the County of San Diego, cities of San Diego and Santee, and MCAS Miramar.~~” The letter to Mr. Donald Haines of SDG&E, dated February 5, 2004, clarifies that the SDG&E easement covered by the SDG&E NCCP applies to project areas within MCAS Miramar.

SD-117 Text in Section D.3.3.2, Project Protocol 34, has been revised to read, “In areas where soils and vegetation are particularly sensitive to disturbance ~~(as defined in this PEA)~~. . .”

SD-118 It has been confirmed that RECON conducted a spring survey for San Diego ambrosia on April 14, 2004, as requested by the USFWS. The survey limits of this species were demarcated using global positioning satellite (GPS). Figure 4-9 of the Biological Technical Report has been revised to reflect the new survey limits. In addition, text in Sections D.3.3.3 and D.3.6 has been revised to reflect new information. Revised Figure 4-9 is included in Section 4 of the Final EIR.

SD-119 Text in Mitigation Measure B-4b(4) in Sections D.3.3.3 and D.3.6 has been revised to clarify that consultation with the USFWS and CDFG would occur in accordance with the SDG&E NCCP, which in the case of the cactus wren does not require a Section 7 or 10 consultation. Formal consultations are only required in the case of impacts to non-covered species or activities.

SD-120 As stated above in Response to Comment F-11, the CPUC agrees that the SDG&E NCCP is the governing document for the proposed project and any alternative. Moreover, the CPUC agrees with the proposed Project Protocols as described in Section D.3.3.2 on pages D.3-18 through D.3-24 of the Draft EIR. However, in some cases, these Project Protocols have been supplemented with additional requirements because SDG&E protocols may not, in some cases, be adequate to satisfy CEQA concerns. In this case, the CPUC feels it is appropriate for the monitoring biologist to make recommendations (regarding measures to avoid and/or minimize impacts) that can be considered as part of any required consultation with the Resource Agencies.

Additionally, text in Mitigation Measure B-4c(4) in Section D.3.3.3 and D.3.6 has been revised to clarify that consultation with the USFWS and CDFG would occur in accordance with the SDG&E NCCP.

This mitigation measure is not redundant as it clarifies timing of surveys, and because it ensures that the monitoring biologist (who may not be familiar with SDG&E Protocol) is clear on the extent of the mitigation measure.

SD-121 The text in DEIR Sections D.3.3.3 and D.3.6 regarding the feasibility of Mitigation Measure B-4e (i.e., Page D.3-33) is clearly defined for Measure B-4e(1) and again for Measures B-4e(2) and (3) regarding vernal pools and vernal pool species. The mitigation measure suggest the use of an alternative access road because the USFWS, the agency mandated to protect the endangered San Diego fairy shrimp, strongly suggested an alternative route at a field meeting with the applicant, and later in a written comment. It is noted that the mitigation measure does not provide an alternative way of complying with the mitigation that does not involve an alternative access route.

Additionally, Mitigation Measure B-4d(4) (Protect San Diego fairy shrimp and vernal pools, or provide compensation for impacts) in Sections D.3.3.3 and D.3.6 has been revised to clarify:

4. If the alternate access route to Tower #873072 and its associated stringing site is feasible, and approval from MCAS Miramar, USFWS and CDFG is granted, this route shall be used for all project activities associated with Tower #873072 including its stringing site.

SD-122 Text in Sections D.3.3.3 and D.3.6 of the Draft EIR regarding mitigation measures for impacts to quino checkerspot butterfly under Mitigation Measure B-4g (Protect quino checkerspot butterfly) has been revised to read “biologist” rather than “botanist.”

1. A qualified ~~botanist~~biologist shall identify “suitable quino habitat” any time of the year, but prior to clearing and grubbing.

Text has been revised in Sections D.3.3.3 and D.3.6 under Impact B-4.5 (Quino Checkerspot Butterfly) to incorporate the following additional definition of suitable quino checkerspot butterfly habitat.

- Additionally, as defined in the SDG&E NCCP Amendment, suitable QCB habitat “areas that meet the shrub cover standard are excluded if the ground cover vegetation is disturbed and/or covered by understory vegetation to the extent that larval host plants do not grow. Areas of solid rock substrate are also excluded.

Mitigation Measure B-5a (Protect project area from introduction or establishment of invasive species) in Sections D.3.3.3 and D.3.6 of the Draft EIR, has been clarified regarding the proposed 10-day grading window period.

- Existing vegetation shall be cleared only from areas scheduled for immediate construction work (within 10 days) and only for the width needed for active construction activities with one exception: If the grading within the 10-day window would occur during a time frame which prohibits grading in certain areas for specific species (e.g., coastal California gnatcatcher) then grading may occur outside the 10-day window, in which case, SDG&E would immediately implement appropriate erosion control measures and commence work as soon as possible.

SD-123 Text has been eliminated in Sections D.3.3.3 and D.3.6 of the Draft EIR regarding the Mitigation Measure B-5a as it relates to “weed-free” soil.

B-5a Protect project area from introduction or establishment of invasive species. SDG&E shall prevent invasion of invasive, non-native plant species into sensitive plant species habitats and vegetation types by:

- ~~Implementation of specific protective measures during construction, such as cleaning vehicles prior to off road use, using weed free imported soil, restricted vegetation removal and requiring topsoil storage~~
- ~~Development and implementation of weed management procedures to monitor and control the spread of weed populations along the ROW~~
- ~~Vehicles used in transmission line construction shall be cleaned prior to operation off of maintained roads~~
- ~~Fill material, soil amendments, gravel, etc., required for construction/restoration activities shall be obtained from a source that can certify the soil as being “weed free”~~
- Existing vegetation shall be cleared only from areas scheduled for immediate construction work (within 10 days) and only for the width needed for active construction activities with one exception: If the grading within the 10-day window would occur during a time frame which prohibits

grading in certain areas for specific species (e.g., coastal California gnat-catcher) then grading may occur outside the 10-day window, in which case, SDG&E would immediately implement appropriate erosion control measures and commence work as soon as possible.

- During construction, the upper 12 inches of topsoil (or less depending on existing depth of topsoil) shall be salvaged and replaced wherever the transmission line is trenched through open land (not including graded roads and road shoulders)
- Disturbed soils shall be revegetated with an appropriate seed mix that does not contain invasive, non-native plant species.

SD-124 Text has been revised in Section D.3.3.3 to reflect the information that circuit height differentials may vary up to 40 feet, instead of 10 feet.

The difference in height between the proposed 230 kV circuits and the relocated 138 kV/69 kV circuits would ~~be less than 10 feet and therefore, would not be considered a significant impact~~ differ by as much as 40 feet due to varying topography, as well as height differentials of structures and conductors. Although the project would introduce new wires at varying heights from what currently exist, the potential collision impact to birds is not considered significant because wires already exist in the vicinity of where the new wires will extend, and because this area is not a major flyway.

SD-125 The CPUC agrees that temporary impacts would be less than those analyzed for the Proposed Project. However, the CPUC does not agree that permanent impacts would be greater. The Proposed Project would permanently impact 9.96 acres of sensitive habitat while the Jamacha Valley 138 kV/69 kV Underground Alternative would permanently impact 9.12 acres, a reduction of 0.84 acres, as shown in Tables D.3-5 and D.3-8. Thus, text has been revised in Section D.3.4.1, under heading “Environmental Impacts and Mitigation Measures,” to clarify that both temporary and permanent impacts are less than the impacts described for the Proposed Project.

Regarding text in Section D.3.4.1, on page D.3-41, under heading “Comparison to Proposed Project,” the result of the conclusion is supported by data shown in Tables D.3-5 and D.3-8 and in the very text of this paragraph which states, “Assuming implementation of the Jamacha Valley 138 kV/69 kV Underground Alternative as a component of the Proposed Project, this alternative would temporarily affect 10.5 fewer acres, permanently affect 0.84 fewer acres, and require 8.46 fewer acres of habitat mitigation.” This is a moderate reduction in impacts to and mitigation for sensitive vegetation communities.

SD-126 The first part of this comment reflects the opinions of the commenter and does not require a response. With regard to the NCCP mitigation measures, please refer to Response to Comments F-11 and SD-113.

SD-127 Although SDG&E is a public utility, it is not the Lead Agency under CEQA for this project. As the Lead Agency under CEQA for this project, the CPUC is the agency responsible for ensuring compliance with each mitigation measure. Thus, although the CPUC may delegate responsibility to other agencies, it is ultimately responsible for all actions related to this project. For Mitigation Measures B-4b, B-4c, B-4d, B-4e and B-5a, the USFWS and CDFG

have been added as responsible agencies. In fact, a better term would be to call them responsible parties, since under CEQA they technically are not “responsible agencies” since they do not require a discretionary action as defined by CEQA. However, they would need to be consulted (in accordance with the NCCP) as part of certain mitigation measures, so they have been added to Mitigation Measures B-4f and B-4g as “responsible agencies” in the EIR.

Additionally, it is agreed that Mitigation Measures B-4d, B-4e, B-4f, and B-4g should occur prior to and during construction. Text has been revised to reflect this change. However, Mitigation Measure B-5a requires monitoring the revegetated areas. As such, timing shall remain as stated in the Draft EIR as occurring “prior to, during and after construction.”

SD-128 Whereas it is true that areas of existing transmission towers, substations, and access roads are developed and that the ROW crosses developed land, the ROW also includes long expanses of undisturbed open space.

Under CEQA, the CPUC is required to make a determination that the Proposed Project is in compliance with all applicable regulations, plans and standards, including those pertaining to cultural resources.

SD-129 Text in Section D.4.3.2 Project Protocols and in Table D.4-3 Project Protocols – Cultural Resources, as well as text in Section D.4.3.3 under Impact C-1: Construction Operations Could Affect Known Cultural Resources has been modified to include Project Protocol 17. Project Protocol 15 addresses potential impacts to paleontological resources. Its does not discuss cultural resources and is not pertinent to this section.

SDG&E is not correct that the Project Protocols regarding cultural resources fully reduce potential impacts to less than significant levels. This issue is addressed in the DEIR in Section D.4.3.2 Project Protocols on pages D.4-10 and D.4-11 and in Section 4.3.3 Proposed Miguel-Mission 230 kV #2 Project on page D.4-16. The discussion for Impact C-1 illustrates that the protocols only imply avoidance of cultural sites, and they do not specify avoidance. Additionally, the protocols fail to explicitly identify the criteria for determining where monitoring shall occur, they do not specify criteria for selecting which sites will be marked for avoidance, and they are unclear about timing and evaluation procedures. Without the mitigation measures specified in the DEIR, the Project Protocols fail to reduce potential impacts to cultural resources to less than significant levels.

SD-130 This comment is unclear. SDG&E objects to Mitigation Measure C-4a requiring installation of locked gates on access roads on the grounds that SDG&E believes that it is unlikely that *maintenance personnel* would conduct vandalism or unauthorized collection of cultural materials from sites. Mitigation Measure C-4a addresses the potential impact to cultural resources from vandalism and unauthorized collection from the *general public*, not from SDG&E maintenance staff.

The CPUC appreciates SDG&E’s faith that maintenance personnel would not vandalize or commit unauthorized collection of cultural materials from sites. Unauthorized collection is often performed by people with the best of intentions, but who are unaware of the legal protection afforded cultural resources. Education is an effective way to control such behavior and Mitigation Measure C-3a requiring cultural resources awareness training for maintenance personnel will reduce this potential impact to less than significant levels.

SD-131 Project Protocols 7, 17, 39, 40, 41, 53, and 63 cannot effectively mitigate potential impacts to less than significant levels. This issue is addressed in the DEIR in Section D.4.3.2. Although the Project Protocols attempt to anticipate and prevent adverse project effects to cultural resources, they are unclear and lack the specificity to be properly implemented. In addition, some protocols omit crucial steps in the established procedures regarding the treatment of cultural resources. The required treatment of cultural resources under CEQA is: identification; avoidance, if feasible; evaluation of resources that cannot be feasibly avoided; assessment of project effects on historical resources or unique archaeological resources; and mitigation of adverse project effects on historical resources or unique archaeological resources. The mitigation measures presented in this EIR, as appropriate, bring the Project Protocols into compliance with established procedures for the treatment of cultural resources. Without the mitigation measures specified in the DEIR, the Project Protocols fail to reduce potential impacts to cultural resources to less than significant levels.

SDG&E objects to Mitigation Measure C-1b requiring construction monitoring within 150 feet of a known cultural resource as a blanket condition because they state that “many sites that appear near the proposed activity actually exist beyond the recommended 150-foot buffer radius if accurate delineation efforts are made.” Mitigation Measure C-1b requires SDG&E to conduct construction monitoring within 150 feet of known cultural resources. This mitigation measure does not preclude SDG&E from more accurately delineating site boundaries through surface mapping and subsurface testing. If SDG&E can demonstrate that sites, which are currently believed to be located within 150 feet of construction areas are actually located beyond that radius, then, by definition, monitoring of that area per Mitigation Measure C-1b is not required. Requiring SDG&E to perform boundary testing and evaluation of sites located outside construction zones but within 150 feet of construction areas would not be proportional to potential impacts and is not required, but SDG&E is free to do so if they wish.

SDG&E objects to monitoring construction at sites determined ineligible for listing in the California Register of Historical Resources (CRHR). Many of the cultural resources in the existing ROW have been assumed ineligible based on lack of integrity because they are located in areas disturbed by past construction. Most of these sites, however, were not evaluated through subsurface testing and it is unknown if intact portions of the sites survive. Although formal evaluation through hand excavation is not warranted in these situations, monitoring ground disturbing activities at such sites is a reasonable and prudent way to insure against potential adverse impacts to unanticipated discoveries.

SD-132 Mitigation Measure C-2a requiring archaeological survey has been modified to address SDG&E’s concern regarding additional survey of portions of the Proposed Project where initial conditions prevented adequate coverage.

SD-133 Mitigation Measure C-2b requiring construction monitoring calls for SDG&E to conduct construction monitoring for cultural resources, which is standard practice for construction activities. This measure addresses potential adverse impacts to unanticipated discoveries. SDG&E objects to this requirement as a blanket mitigation measure stating that construction monitoring in non-depositional settings, disturbed areas, and ineligible resources is inappropriate. In Project Protocol 53, SDG&E identifies construction monitoring as a valid tool to accomplish the primary goals of avoiding impacts to environmental resources and to mitigate for unavoidable impacts. As stated in the DEIR in Section D.4.3.3 under Impact C-2:

Construction Operations Could Affect Undiscovered Cultural Resources on page D.4-17, the provisions in the Project Protocols fail to address potential adverse effects to unknown (unanticipated) cultural resources. Mitigation Measure C-2b provides SDG&E with a tool for identifying unknown cultural resources during construction.

We disagree with SDG&E that construction at sites determined ineligible for listing in the CRHR need not be monitored. See response to comment SDG&E 131.

SDG&E also objects to monitoring in non-depositional environments or disturbed areas. We agree that it is unnecessary to monitor construction activities in non-depositional environments when excavation occurs in sediments predating the Pleistocene/Holocene transition. We also agree that it is unnecessary to monitor areas so extensively disturbed that there is little chance for intact archaeological deposits to be present. It is inappropriate, however to dismiss all disturbed areas from monitoring. Archaeological excavation throughout the State shows that intact archaeological deposits can be preserved under construction fill. Mitigation Measure C-2b requiring construction monitoring has been modified to exclude monitoring in disturbed areas where the underlying intact sediments predate the late Pleistocene/Holocene transition. This mitigation measure has also been modified to allow the project archaeologist discretion in excluding areas from monitoring or to terminate monitoring when field conditions show a low likelihood for the presence of intact archaeological deposits.

SD-134 CEQA requires a Lead Agency to consider the effects of a project on cultural resources. As stated in Section D.4.3.3 Proposed Miguel-Mission 230 kV #2 Project under Impact C-3: Future Maintenance Operations Could Affect Known Cultural Resources on page D.4-17, it is clear that future maintenance operations have the potential to affect cultural resources during maintenance operations from accidental damage, vandalism, or unauthorized collection. Consequently SDG&E must take steps to address these potential impacts from future maintenance operations. In Project Protocol 7, SDG&E commits to training SDG&E, contractor, and subcontractor personnel to effectively implement the Project Protocols and to comply with all applicable environmental laws and regulations regarding cultural resources. None of the Project Protocols commit to training SDG&E maintenance personnel after project completion. We commend SDG&E for developing a cultural resources training module instructing its personnel on consideration of cultural resources during project planning and design. Unfortunately, SDG&E failed to include a provision in the Project Protocols for extending that training program to include future maintenance operations. Mitigation Measure C-3a requiring cultural resources awareness training to maintenance personnel rectifies that shortcoming.

Mitigation Measure C-3a only states that SDG&E is required to provide cultural resources awareness training regarding the appropriate work practices necessary to effectively protect cultural resources in and adjacent to the project area. It does not require SDG&E to develop a different separate training module if one already exists. Considering that SDG&E already has developed a training module regarding cultural resources, it is neither extensive nor redundant for SDG&E to extend the existing training to include maintenance personnel.

Please see Response to Comment SD-128 regarding SDG&E's characterization of the existing transmission corridor as highly developed.

SD-135 It is not correct that the impact discussion overestimates the potential threat to cultural resources from vandalism and unauthorized collection by the general public. In 1987, the Government Accounting Office estimated that at least one third of the known sites on federal land in the Southwest had been subject to unauthorized collection to some extent; a House subcommittee report puts the percentage at between 50 and 90 percent (cited in King 2000). In the nearly two decades since those reports were published the problem has only worsened. Although many of the sites in the project area may not be as attractive to collectors as are those in other areas of the Southwest, numerous sites in southern California have been adversely affected by such activities.

According to SDG&E's cultural resources consultant, at least one site within the existing Miguel-Mission ROW has been subjected to past vandalism. When describing the current condition of site SDI-13652 they state "visibility of the site matrix is very high. Illicit collections here result in numerous holes, pits, eroded areas, and scattered artifacts and fragments (SDG&E 2003)."

SDG&E objects to Mitigation Measure C-4a requiring installation of locked gates on access roads on the grounds that it violates legal access rights by private land owners who use SDG&E roads to access their property. SDG&E also states, however, that in rural areas, existing access roads are gated and locked to restrict unauthorized access. Mitigation Measure C-4a merely requires SDG&E to extend its existing policies to include new access roads. This mitigation measure does not require SDG&E to install additional gates where gates currently exist. Text in the measure has been modified as follows to reflect the comment:

C-4a Install locked gates on access roads. Locked gates shall be installed on all access roads, where possible, to prevent unauthorized public vehicular traffic to areas containing cultural resources.

SD-136 As explained here, the buried sites testing program (BSTP) ordered in Mitigation C-5a is suitable as currently written. The Jamacha Valley 138 kV/69 kV Underground Alternative is located along the Sweetwater River in an area with a high probability of buried sites located in the vicinity. Throughout the United States buried sites testing programs are a common component of preconstruction identification efforts in environments with a high likelihood of containing buried, or otherwise obscured, cultural resources. As described in Response to Comment SD-131, the required treatment of cultural resources under CEQA is: identification; avoidance, if feasible; evaluation of resources that cannot be feasibly avoided; assessment of project effects on historical resources or unique archaeological resources; and mitigation of adverse project effects on historical resources or unique archaeological resources. Therefore, the commenter's recommendation for mere collection and documentation is not sufficient to reduce potentially significant impacts to significant archaeological resources.

Mitigation Measure C-5a requires development and implementation of a BSTP to inventory the presence of buried archaeological sites. The mitigation measure purposefully does not specify the method or equipment to be used in the program. Although backhoe trenching is probably the most common technique used for discovering buried sites, other methods, including remote sensing, mechanical bucket augers, and hand excavation are appropriate in some situations. Similarly, Mitigation Measure C-5a does not specify the sampling strategy to be used, and it is rare for BSTPs to involve the same amount of ground disturbance as

the construction project itself. Any effective BSTP must be tailored to the specific project and developed in consultation with the project geoarchaeologist — different approaches can be developed for specific depositional environments. In fact, a well-designed BSTP would initially evaluate the depth and location of the proposed trenching against the construction history of the project area. If excavation associated with this alternative would be confined to previously disturbed sediments, then additional work might not be warranted. Mitigation Measure C-5a provides SDG&E a tool for making better informed decisions regarding potential adverse affects to unknown cultural resources along this alternative.

SDG&E may be correct in assuming that trenching will be one component of the BSTP for this alternative but its conclusion that “trenching similar to that involved in actual construction may be the ultimate result of the required testing program” is misleading. SDG&E’s statement implies that because the BSTP and actual construction may both result in trenches being excavated, that the process of these two activities are equivalent and that construction monitoring by an archaeologist is sufficient. This position is misleading because it conflates similar ends (trenches being excavated) with similar processes. Although the physical result of a BSTP might be similar to trenching for actual construction, the processes used for these two activities is very different. Construction trenching for underground power lines is conducted with equipment and techniques suited to rapid trench excavation, powerline installation, and backfilling. Even if archaeologists monitor these activities, they are there as observers and can only react to any particular discovery, often times after a portion of the site is destroyed. Trenching performed as part of a BSTP is a proactive process specifically designed for discovering and evaluating archaeological deposits with minimal damage. Unlike construction trenching, BSTP trenching is conducted under the direction of an archaeologist who controls the speed and precision of excavation. BSTP trenching is conducted more carefully than construction trenching and is typically far less destructive to archaeological sites. In addition, sediment samples are typically collected and screened during BSTP trenching allowing for identification of subtle archaeological signatures that might otherwise be missed during monitoring.

SDG&E is correct that Section C.4.2.1 Potential to Lessen Significant Environmental Effects contradicts the statements in Section D.4.4.1 Jamacha Valley 138 kV/69 kV Underground Alternative. As stated in Section D.4.4.1 under Comparison to Proposed Project on pages D.4-19 and 20, this alternative would increase potential impacts to cultural resources. Section C.4.2.1 has been modified to eliminate cultural resources from the list of significant environmental effects that would be reduced by the alternative.

SD-137 The subheading entitled “Environmental Impacts and Mitigation Measures” under Section D.4.4.2 (Jamacha Valley Overhead A Alternative) does acknowledge that there would be impacts due to access roads. However, text has been added to this section as follows to reflect the comment:

Installation of this alternative has the potential to affect known and unknown cultural resources during construction and maintenance operations related to access roads, pole installation, work areas, staging areas, stringing sites, and substations. The construction of access roads for this alternative could potentially impact undiscovered cultural resources, since access roads would not be within the SDG&E right-of way.

SD-138 The Confidential Cultural Resources Archaeological Site Maps provided by SDG&E dated 06/05/03 show that the route of City of Santee 138 kV/69 kV Underground alternative was not surveyed for the presence of cultural resources and the maps do not depict any cultural resources along this alternative. Section D.4.4.4 City of Santee 138 kV/69 kV Underground Alternative was prepared based on those maps.

The four sites referred to on Page C-35 are located within the *Proposed Project ROW*, not within the route of the alternative. As stated in Section D.4.4.4 none of the proposed 138 kV/69 kV transmission structures that would be eliminated under this alternative would affect known cultural resources. This alternative does not appreciably remove any potential impacts to known cultural resources, but only slightly increases the likelihood of affecting unknown buried cultural resources by increasing the amount of ground-disturbing construction.

SD-139 **D.5.2 Applicable Regulations, Plans, and Standards – The California Building Code.** The comment is correct. The FEIR has been modified as follows to list GO 95 rather than the CBC:

~~The State of California General Order 95, Building Code (CBC, 2001) Rules for Overhead Electric Line Construction (CPUC, 1998) is the governing document for most of the construction of the Proposed Project. is based on the 1997 Uniform Building Code (UBC), with the addition of more extensive structural seismic provisions. Chapter 16 of the CBC contains definitions of seismic sources and the procedure used to calculate seismic forces on structures. Because the Proposed Project route lies within UBC Seismic Zone 3, provisions for design should follow the requirements of Chapter 16. Chapter 33 of the CBC contains requirements relevant to the construction of underground transmission lines. California Code of Regulations Title 24, Section 3301.2 and 3301.3 et seq. contain the provisions requiring protection of adjacent properties during excavations and requires 10 days written notice and access to the excavation be given to the adjacent property owners.~~

SD-140 **City of San Diego Municipal Code.** Reference to the SDMC has been removed from the FEIR as follows:

~~**City of San Diego Municipal Code**~~

~~The following regulations apply:~~

- ~~• Excavation fees and permits (Ch 6, Art 2, Div 12, Sec 62.1205)~~
- ~~• Grading regulations (Ch 14, Art 2, Div 1 and 4)~~
- ~~• Building regulations (Ch 14, Art 5, Div 2 Sec 145.0203 and 145.0206)~~

SD-141 **D.5.3.1 Definition and Use of Significance Criteria.** The sentence containing reference to the significance criteria and methods of analysis has been removed — it did not add any useful information to the paragraph.

~~Significance criteria and methods of analysis were also based on standards set or expected by agencies for the evaluation of geologic hazards.~~

SD-142 **D.5.3.2 Project Protocols.** Since Project Protocols were presented by SDG&E in its PEA as part of its CPCN Application to the CPUC, and are considered part of the Proposed Project description, removal or modification of any of these protocols would result in a change in the

project necessitating an application amendment. However, Project Protocols can be modified in the future through the MMCRP variance process. Please see Response to Comment SD-268 regarding details on the MMCRP.

- SD-143 **D.5.3.3 Proposed Project, Impact G-2.** The comment addresses both Impact G-1 and Impact G-2. Regarding the comment asking “what is the basis for the assumption that Tower 1290 and above are more susceptible to seismic activity” (Impact G-1): Tower 1290 and above occur on ridge tops capped by sedimentary materials as is shown on the geologic map and observed during the site visit. Sedimentary earth materials are more likely than crystalline earth materials to fail during earthquake shaking due to the lower strength of sedimentary rocks, especially when the sedimentary units are exposed along a steep slope. The towers placed on ridge tops west of Tower 1290 are also closer to the potentially active La Nacion Fault and may be subject to stronger ground shaking which sets up the conditions for more likely coseismic ground failure. Text explaining this has been added as follows to page D.5-16:

The most likely areas susceptible to seismic instability occur at Towers #1290 and above, where tower footings are placed on ridges and slopes on sedimentary rock and are closer to the potentially active La Nacion Fault. Tower footings placed on crystalline bedrock are less susceptible to seismic slope instability

However, there is no change to the overall Class II impact conclusion for Impact G-1.

Regarding the comment on evidence to support the statement that small landslides have occurred in all areas of the Proposed Project where sediments overlie granitic or metamorphic bedrock (Impact G-2): During the site visit, the team geologist observed numerous small and large landslides, especially along the sides of mesas or flat-topped ridges where nearly flat-lying sediments topped a ridge that had granite or metamorphic rock beneath the nonconformable boundary with the sedimentary units. There is no map compiling the small landslides along the project area, or it would have been referenced. Text was added to the beginning of the paragraph under Impact G-2 stating that the landslides were observed.

- SD-144 **D.5.3.3 Proposed Project, Mitigation Measure for Impact G-2.** A geotechnical engineer is qualified to consider stability of a site only after borings are made or a geophysical survey has been run. It is important to include a geologist in the identification of potential hazards at a tower site because they can look at the overall response of the terrain to the inherent stability of the material and can form a useful evaluation of stability without invasive techniques. The text in both the Impact paragraph and the mitigation measure have been changed to add “geologic engineer.”

- SD-145 **D.5.3.3 Proposed Project, Impact G-3.** During the site visit, the CPUC drove many of the roads that access the towers along the project alignment. The visit happened shortly after local rains, and we were stopped at one point because the access road had been washed out. The geologist on the team made several observations of other small washouts and evidence of continuing erosion concentrated along the access roads. Since erosion and washouts are expected to occur in a desert setting, Mitigation Measure G-3a (Soil erosion along maintenance roads) is intended to address potential impacts due to soil erosion and to strengthen BMPs and Project Protocols. SDG&E’s PP-5 discusses the use of water bars on the roads but does not include grading or drainage maintenance. PP-6 also mentions water bars, and

describes the use of silt fences and straw bales, but does not describe eventual removal of those temporary measures. PP-11 describes the use of culverts, but is not specific about maintenance. PP-55 discusses the *Erosion Control and Sediment Transport Control Plan* but SDG&E has indicated that it will not be submitting such a plan to San Diego County, because it is redundant to the BMPs in SDG&E's SWPPP. The text of the mitigation measure has not been changed.

SD-146 **D.5.3.3 Proposed Project, Mitigation Measure for Impact G-4, Erodible Soils.** SDG&E's comment regarding this section states that Mitigation Measure G-4a is unnecessary because Project Protocol 37 and SDG&E's NCCP cover the same issues of soil erosion. Project Protocol PP-37 reads:

“All new access roads constructed as part of the project that are not required as permanent access for future project maintenance and operation would be permanently closed. Where required, roads would be permanently closed using the most effective feasible and least environmentally damaging methods appropriate to that area with the concurrence of the underlying landowner and the governmental agency having jurisdiction (e.g., stock piling and replacing topsoil or rock replacement). This would limit new or improved accessibility into the area. Mowing of vegetation can be an effective method for protecting the vegetative understory”

The only mention of access control in the NCCP is number 49, “SDG&E will consider providing access control on access roads leading into the regional preserve system where such control provides benefit to sensitive resources.” Mitigation Measure G-4a is very different in that it specifically addresses limiting access and damage caused by unauthorized off-roaders. During the site visit, the team geologist noted obvious evidence of unauthorized use of the access roads by non-SDG&E people (beer bottles and trash), indicating access restrictions can be improved. Mitigation Measure G-4a is proposed to strengthen SDG&E's current practices and should not place an undue burden in terms of compliance. However, the measure has been revised as follows to reflect the comment:

G-4a Restrict access to maintenance roads. To prevent erosion caused by unauthorized use of the maintenance roads by the general public, access to maintenance roads shall be restricted with devices that effectively bar access by unauthorized vehicles. ~~Abandoned maintenance roads shall be checked periodically (annually) to ensure no additional erosion occurs.~~

SD-147 **D.5.3.3 Proposed Project, Impact G-5.** Based on the maps developed on aerial photographs that were provided by SDG&E prior to preparation of the DEIR, a new tower in the proposed project will be placed in nearly the same location as existing Tower 1380 (Map 17 of a 17-map series provided on CD-ROM). This site is located on the outside curve of a bend in Quail Canyon, a natural side-canyon of Sycamore Canyon. Sycamore Canyon is the site of a chain of aquifer recharge ponds and likely has flood control on this major wash. However, drainage in Quail Canyon is not managed in any way and could flood. Flooding of desert washes often is associated with rapid erosion especially on the outer bank of a bend in the streambed — this is where Tower 1380 is located. The access road passes this tower and it was observed and noted during the site visit. The following text in the EIR has been modified to be more precise, giving the name of the wash and the relative location of Tower 1380, so that it reads:

“ . . . however existing Tower #1380 is currently situated ~~within~~ immediately adjacent to a cut bank in an active wash in Quail Canyon ~~an active wash~~.”

SD-148 **D.5.3.3 Proposed Project, Mitigation Measure for Impact G-6, Expansive Soils.** SDG&E's complete set of Standard Engineering Design Practices was not available for review during the development of this DEIR.

SD-149 **D.5.3.3 Proposed Project, Mitigation Measure for Impact G-7, Paleontological Resources.** The comment raises the point that perhaps was not clear in the DEIR. Text has been added as follows to specify that only workers doing earthmoving during the construction of the primary project need to be trained:

G-7b Paleontological training and monitoring. A qualified paleontologist familiar with the results of the findings of G-7a shall be employed to help implement the paleontological portion of the environmental training program for construction workers. All employees involved with earthmoving during the primary project construction shall receive this training and shall be instructed as to the laws regarding the protection of paleontologic resources. The paleontologist or qualified monitors selected by the paleontologist shall also monitor excavations and drilling for new footings or foundations in sensitive geologic units at the Miguel Substation and along the route west of Eucalyptus Hills (Valle Vista Road). Where fossil finds have been disturbed due to excavation or road grading, the fossils should be collected (salvaged) and prepared for curation with a public museum that has a paleontologic collection. The paleontologist should sample the excavation spoils pile for both mega fossils (can be seen by the naked eye) and microfossils (very tiny fossils that must be retrieved through wet or dry screening of fine-grained samples). The Society of Vertebrate Paleontology guidelines (1995) for monitoring, sampling, and salvaging fossils shall be followed. The results of the paleontologic monitoring shall be presented in a final paleontologic report following completion of the primary project. The report~~that~~ will be held confidential to protect the locations of paleontological resources. A copy of the confidential report and all paleontologic finds from the project shall be donated to a curating museum.

This limits the training requirement to only the time-frame of the project construction. The comment also questions the necessity of creating, implementing and submitting to the CPUC a training program prior to beginning construction. Creating a training program is not time-consuming or difficult. An experienced paleontologist familiar with the region should be able to generate a program with moderate effort. SDG&E could consult UC San Diego Geology Department for names of reputable paleontologists. Training programs can be delivered by video or DVD, but should be of good quality and present the correct information. Under CEQA Guidelines Appendix G, Item V, paleontological resources and unique geologic features are categorized as cultural resources. As described in Response to Comment SD-131, the required treatment of cultural resources under CEQA is: identification; avoidance, if feasible; evaluation of resources that cannot be feasibly avoided; assessment of project effects on historical resources or unique archaeological resources; and mitigation of adverse project effects on historical resources or unique archaeological resources. Therefore, the commenter's recommendation for documentation of resources found is not sufficient to reduce potentially significant impacts to significant paleontological resources.

SDG&E's proposal to monitor and document paleontological resources appears to be consistent with mitigation measure G-7b. The measure is not asking that monitoring continue beyond the time-frame of the project construction.

SD-150 D.5.4.4 City of Santee Underground Alternative. The comment from SDG&E suggesting that the extent of geologic impacts caused by installing a 1.35-mile underground utility line beneath mostly paved roads is somehow downplayed is incorrect. Of course, in terms of short-term transient effects of construction, there is more disturbance. However, considering the overall, long-term effect of an underground portion, disturbance caused by trenching is only slightly greater than installation of overhead lines. Most of the trenching will occur within established paved streets that will be repaved after the lines are placed. Impacts of the project on the geology are minimal in this developed area. The impacts of geology on the project are approximately equivalent to placing new tower footings, in that a certain amount of cubic feet of undisturbed material will be removed either from footing foundations or a trench and replaced (with either concrete or soil, respectively). While over this particular section, there will be more cubic feet of soil disturbed during placement of an underground line, when taken as part of the overall project, the impact is still considered only slightly greater than the impact imposed by an overhead line.

The potential to affect the archeological site at the east end of Princess Joann Road, as well as other sites within this area and all areas of the Proposed Project and alternatives, is detailed in Section D.4 (Cultural Resources). As discussed in Section D.4.4.4, the City of Santee 138 kV/69 kV Underground Alternative would have a slightly higher potential impact to cultural resources, however, implementation of the Project Protocols and the mitigation measures developed for the Proposed Project would reduce potentially significant impacts to cultural resources to less than significant levels.

SD-151 D.5.6 Mitigation Monitoring, Compliance, and Reporting Table. Reference to "Local planning agencies" has been removed from all places in the mitigation monitoring, compliance and reporting table.

Responsible Agency	CPUC and local planning agencies
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SD-152 The floodplain information on page D.6-2 is a project setting and no indication is given with regard to potential impacts. With the exception of Impact H 5: Encroachment into a Floodplain or Watercourse by Permanent Aboveground Project Features, which relates to other issues than those addressed in this comment, the impact section of the EIR does not state that there will be new impacts to floodplains.

SD-153 Whereas the information provided in the Erosion Control and Sediment Transport Control Plan (Project Protocol 55) may be duplicated in the SWPPP, the SWPPP is not necessarily reviewed by San Diego County, the CDFG and the ACOE. These agencies bring different perspectives that should enhance the effectiveness of the proposed BMPs. For this reason, Project Protocol 55 will remain in the FEIR to ensure these agencies' review of this plan. In addition, since Project Protocols were presented by SDG&E in its PEA as part of its CPCN Application to the CPUC, and are considered part of the Proposed Project description, removal of any of these protocols would result in a change in the project necessitating an application amendment. However, Project Protocols can be removed in the future through the MMCRP variance process. Please see Response to Comment SD-268 regarding details on the MMCRP.

- SD-154 Impact H-1: Soil Erosion, Water Quality Degradation and Sedimentation from Construction Activity and Access Roads, is Class III, which means the impact is adverse, but not significant, and no mitigation is necessary. This is, in effect, the same level of classification that is described in the comment (i.e., minimal impact). The only lesser classification, Class IV, is a beneficial impact.
- SD-155 Please see Response to Comment SD-154.
- SD-156 The determination of what is the reasonably expected flow path would be determined by an engineer with expertise in river mechanics, and reviewed by engineers at CPUC. In most, if not all, cases the answer would be determined quickly by a field visit and review of aerial photographs and floodplain data, if available. The impact analysis found only one case where this impact could potentially occur, and this case is described clearly in the description of Impact H-5. Impact H-5, Encroachment Into a Floodplain or Watercourse by Permanent Aboveground Project Features, is written broadly for the reason that the plans could change between now and construction. It is not clear why 60 days notice is unduly restrictive since the location of future poles would be known well in advance of construction and the required analysis and design of protective measures could and should be taken at the time the poles are designed. The 60-day time frame is standard for mitigation measures and submittal of information required by them. The documentation and engineering analysis required for mitigation should be well within the capabilities of registered engineers licensed in the State of California. Please see Response to Comment SD-268 regarding details on the MMRP.
- SD-157 Section D.6.4.1 of the EIR has been revised to add a mitigation measure for potential groundwater impacts by the Jamacha Valley Underground Alternative. The comparison to the proposed project in the same section has also been revised to reflect this. These text changes are as follows:

Impact H-3, Groundwater Disturbance and Water Quality Degradation Through Project-Related Excavation, applies in the same manner as for the Proposed Project, but the Jamacha Valley 138 kV/69 kV Underground Alternative would require approximately 3.5 miles of trenching through an area overlying a portion of the Sweetwater Valley Groundwater Basin. This linear trenching activity has the potential to ~~create a conduit for~~ disturb or contaminate shallow groundwater, ~~which may result in groundwater impacts~~. Mitigation Measure H-3a is recommended to ensure groundwater impacts for this alternative are less than significant (Class II).

Mitigation Measure for Impact H-3, Groundwater Disturbance and Water Quality Degradation Through Project-Related Excavation

H-3a Groundwater evaluation prior to construction. A groundwater evaluation shall be conducted before construction to determine areas where, based on well logs and other available groundwater information, proposed trenching is likely to encroach into the groundwater table. SDG&E shall document results of the groundwater evaluation in a letter report to the CPUC at least 30 days before construction starts and shall propose specific means to minimize the impact on groundwater if shallow groundwater is expected to be found within the trench area. These measures must be approved by the CPUC prior to the start of construction of the underground segment.

~~However, the risk of groundwater contamination is expected to be low because the excavation would be shallow and beneath an existing roadway, which is located above the 100 year flood level. Further, PP 16, PP 38, and PP 39 would ensure proper disposal of hazardous materials~~

~~and proper construction techniques in groundwater areas. With the implementation of the Project Protocols, and considering the shallow depth of excavation, Impact H-6 is classified as adverse but less than significant with no mitigation required (Class III) for this alternative.~~

~~As described above, this alternative would cross a tributary to the Sweetwater River. Impact H-7 is added for this alternative.~~

SD-158 Section D.6.4.1 of the EIR has been revised as follows to apply Mitigation Measure H-7a, Underground Cable Shall be Protected Against Scour and Erosion, to the Jamacha Valley 138 kV/69 kV Underground Alternative:

~~As described above, this alternative would cross a tributary to the Sweetwater River. Segments of the underground cable placed below natural-bed streams, or adjacent to natural-bank streams could be exposed through scour or bank erosion. Exposure of the duct bank and cable could lead to power outages or shock hazard. However, these adverse impacts from stream scour issues are unlikely to occur with this alternative because the cable would be placed in a concrete duct bank and protected by a roadway embankment. Mitigation Measure H-7a is recommended to ensure stream scour related impacts are less than significant (Class II). ~~As a result, Impact H-7 is considered adverse but less than significant (Class III), and no mitigation is required.~~~~

~~*Mitigation Measure for Impact H-7, Exposure of the Underground Cable to Damage through Stream Scour and Erosion*~~

~~**H-7a** Underground cable shall be protected against scour and erosion. At locations where the underground cable would cross below or pass adjacent to streams with erodible beds or banks, the burial depth shall be extended below the estimated 100-year depth of scour for that stream, or located at a sufficient distance from the bank as to avoid erosion that can reasonably be expected to occur during the life of the project. Plans depicting proposed burial depths, with supporting calculations, shall be submitted to the CPUC for review and approval at least 60 days before construction.~~

SD-159 The comparison to the proposed project in Section D.6.4.1 has been corrected to state that construction related water quality impacts for the Jamacha Valley 138 kV/69 kV Underground Alternative are potentially greater than for the proposed project.

SD-160 The CPUC, as Lead Agency, is responsible to ensure that mitigation measures are adequate and applied properly. The engineering analysis required for Mitigation Measure H-7a, Underground Cable Shall be Protected Against Scour and Erosion, should be well within the capabilities of registered engineers licensed in the State of California. Mitigation Measure H-7a has been revised to indicate that plans shall be submitted.

Mitigation measures have been recommended in cases where there is a potential for impacts to exceed the thresholds of significance as described in Section D.6.3.1. Also, please see Responses to Comment SD-156 and SD-268 regarding details on the MMCRP.

SD-161 Section D.7 (Land Use and Recreation) is intended to provide a description of existing land uses. Descriptions and general locations of public services and utilities are provided in Section D.10 (Public Services and Utilities). The sections referenced by the commenter

adequately characterize the land use setting. The text in Section D.7.1 (Environmental Setting for the Proposed Project) provides a detailed characterization of the project area's land uses. No change to text is required.

SD-162 The project area is described in detail in the second paragraph under Section D.7.1. The 27 schools referenced lie within the vicinity of the described project. As acknowledged by the second half of the bullet referenced by the commenter, there are “. . . three schools within a quarter mile of the Project route (e.g., Steele Canyon High School).” These schools could be potentially impacted by project activities given their proximity to the right-of-way. The fact that the transmission line right-of-way existed prior to the development of the schools nearby does not preclude the fact that these sensitive receptors could be impacted by proposed project construction activities, which are not currently part of the existing environmental setting of the area.

SD-163 Although the Cottonwood at Rancho San Diego Golf Club is privately owned, it is still considered a recreational use given that it is a popular destination for golfers. As indicated by the title of Table D.7-1, the resources listed in the table are recreational resources in the project area and are not necessarily publicly-owned facilities. The Cottonwood Golf Club is considered a sensitive receptor similar to other golf courses and recreational facilities, and is therefore correctly analyzed as such a land use.

SD-164 Note that there is a distinction between farmland and “Farmland” as designated by the U.S. Department of Agriculture, Soils Conservation Service, and used by the State of California Department of Conservation (DOC) in their Farmland Mapping and Monitoring Program. “Farmland” with a capital letter at the beginning is in reference to Prime Farmland, Farmland of Statewide Importance, and Unique Farmland, all of which are included within CEQA significance criteria (CEQA Guidelines, Appendix G) for determining impacts on agricultural resources. All of these Farmland designations are specifically defined under Section D.7.1 of the Draft EIR on page D.7-2. The intent of describing the non-Farmland agricultural uses near the project area is to point out the fact that although these activities occur, they are not considered Farmland as defined by the DOC. The analysis of impacts under Section D.7.3.3 under Impact L-6 (Convert Farmland to Non-Agricultural Use) specifically acknowledges that “The Proposed Project does not cross or run adjacent to any lands designated by the DOC as Farmland (PEA, 2002). Therefore, impacts to Farmland from the Proposed Project are unlikely and would be considered less than significant (Class III). Therefore, there is no misleading information or mischaracterization of agricultural resources.

SD-165 Section D.7.3.1 (Definition and Use of Significance Criteria) states that significance criteria are, “Based on the CEQA Guidelines (Appendix G, Environmental Checklist Form), standard CEQA practice and previous environmental documents analyzing transmission line projects.” Therefore, use of previous and similar environmental documents was not the only method used for determining significance criteria for analysis of proposed project impacts. It should also be noted that in accordance with CEQA Guidelines §15064(b), “*The determination of whether a project may have a significant effect on the environment calls for careful judgment on the part of the public agency involved, based to the extent possible on scientific and factual data.*” The reference to previous environmental documents for transmission line projects is directly relevant, because CPUC has prepared several documents for transmission line projects within existing utility rights-of-way in the recent past using similar

criteria. The commenter is specifically referencing land use significance criteria in Section D.7 (land Use and Recreation) of the DEIR. For issues relating to visual resources, please see the responses to your comments on the visual resources section of the DEIR (i.e., Responses to Comments SD-228 through -258.

SD-166 As acknowledged in the text under Section D.7.3.2 (Project Protocols), the Land Use and Recreation protocols presented in Table D.7-2 are intended to “reduce general land use, agricultural, and recreational impacts associated with construction (SDG&E, 2002).” Since these protocols were presented in SDG&E’s PEA, they are “considered part of the project description for purposes of environmental analysis.” In their analysis of the proposed project and alternatives, the EIR preparers assume these protocols to be part of project implementation in an effort to reduce the need for recommendation of mitigation measures. As such, Protocols 45 and 46 will remain in Table D.7-2 in the event that there would be a need for new easement or right-of-way acquisition.

SD-167 As stated in the text in Section D.7.3.3 and Table D.7-3 (Consistency with Applicable Land Use Plans and Policies), the Proposed Project has the potential to disrupt recreation areas as analyzed in detail under Impact L-5 (Disrupt Recreational Activities). It should be noted that implementation of the proposed project in the existing SDG&E right-of-way does not preclude the project’s construction impacts on recreationists due to access restrictions. Therefore, the proposed project does have the potential to disrupt recreationists (Impact L-5) despite its consistency with applicable plans and policies. However, implementation of Mitigation Measures L-5a and L-5b would reduce these impacts to less than significant levels. Therefore, the Proposed Project would not substantially deny citizens opportunities for recreation as is acknowledged by the analysis in Section D.7.3.3. In addition, the Draft EIR and Section D.7 (Land Use and Recreation) repeatedly acknowledge the implementation of the proposed project in an existing utility right-of-way. Therefore, there is no failure in describing the proposed route.

SD-168 As defined by Section D.1 (Introduction to Environmental Analysis), under subheading D.1.2.2 (Environmental Consequences), a Class III impact is “Adverse, less than significant” consistent with the CEQA Guidelines classification of impacts. As described above in Response to Comment SD-162, the fact that the transmission line right-of-way existed prior to the development of nearby land uses does not preclude the fact that these uses could be impacted by proposed project construction activities, which are not currently part of the existing environmental setting of the area. As such, the discussion of Impact L-2 (Physically Divide an Established Community) as detailed in Section D.7.3.3, provides an analysis of the proposed project’s potential to physically divide communities, because transmission lines often introduce 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. However, the analysis does go on to acknowledge and that 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. Therefore, the Class III impact conclusion for Impact L-2 is correct and remains unchanged.

SD-169 As described above in Response to Comment SD-168, the fact that the transmission line right-of-way existed prior to the development of nearby land uses does not preclude the fact that these uses could be impacted by proposed project construction activities, which are not currently part of the existing environmental setting of the area. As described in detail in the

discussion of Impact L-3 (Disrupt and Established Land Use), “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.” The impact analysis goes on to acknowledge that “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).”

- SD-170 As defined by Section D.1 (Introduction to Environmental Analysis), under subheading D.1.2.2 (Environmental Consequences), a Class IV impact is a “Beneficial impact.” As acknowledged by the discussion under Impact L-4 (Substantially Deteriorate a Recreational Facility), impacts on recreational facilities due to construction disruptions is less than significant (Class III). However, given the fact that disruptions would occur, as acknowledged by the commenter, it is unlikely that recreational facilities would experience beneficial impacts (Class IV) from these proposed project disruptions. Therefore, the impact conclusion remains unchanged.
- SD-171 As acknowledged in detail in Section D.7.3.3 under Impact L-5 (Disrupt Recreational Activities), the proposed project would largely occur within the boundary of the existing ROW and outside the boundaries of recreational areas. Due to the expected location of construction outside the majority of recreation areas, work on the proposed project is not anticipated to substantially restrict access or preclude the use of recreational facilities. Project construction activities, could, however, restrict the use of access roads or otherwise temporarily block access to recreational resources near the ROW, particularly Cottonwood at Rancho San Diego Golf Club. These impacts would be considered potentially significant (Class II), but could be reduced to less than significant levels with the implementation of mitigation measures. In addition, while SDG&E includes as part of the Proposed Project various Project Protocols intended to reduce impacts of the Proposed Project, these protocols do not fully mitigate recreational resource disruptions to less than significant levels, because they do not recommend any specific methods to avoid or minimize the potential disruptions due to construction activities. Therefore, the impact conclusion for Impact L-5 remains unchanged.
- SD-172 Mitigation Measure L-5a (Avoid Peak Recreational Usage) has been modified to reflect the comment and include that the definition of peak usage times at affected recreational facilities is to be defined by and coordinated with the operators of these facilities.
- SD-173 Posting of notices and public notification through community newspapers as outlined in Mitigation Measure L-5b (Notify users of recreational resources) is justified and feasible. The U.S. Supreme court held, in *Dolan v. City of Tigard* [(1994) 512 U.S. 854], that there must be “rough proportionality” between the environmental problems caused by a development project and the mitigation measure imposed on the project applicant. Given that impact L-5 addresses disruptions to recreational activities and users of recreational facilities, Mitigation Measure L-5b is directly proportional in helping to minimize project construction access impacts to recreational land uses by providing the users with ample notification. In fact, the notification methods outlined in Mitigation Measure L-5b are often used by local government entities when implementing projects. Local entities will often notify their constituents of impending project activities by posting simple signs at project sites or providing notifica-

- tion through legal ads of local newspapers that indicate what the project activities would be and when they would occur. The intent of such notification efforts is to minimize nuisance impacts on surrounding land uses by providing them with ample notice and the opportunity to either be aware of project activities and/or to avoid the area during those activities if they so choose. On-site notices can be in the form of banners or flyers and can be prepared easily. Therefore, providing such notification at least thirty days prior to the start of construction is reasonable. It is likely that SDG&E would know the location of project construction activities well in advance of thirty days as outlined in Mitigation Measure L-5b. In addition, legal ads can be published to provide a general timeframe for construction activities at affected recreational facilities. It is also likely that SDG&E would know the general timeframe of construction activities well in advance of such activities occurring. Therefore, Mitigation Measure L-5b remains unchanged. Further, as noted by modifications to the text in Mitigation Measure L-5a (Avoid peak recreational usage), SDG&E shall coordinate its activities with recreational facility operators. As such, access to private recreation properties should not pose a problem due to these coordination activities.
- SD-174 Please see Response to Comment SD-164 regarding Impact L-6 (Convert Farmland to Non-Agricultural Use), and Response to Comment SD-166, which summarizes the text under Draft EIR Section D.7.3.2 (Project Protocols). The Land Use and Recreation protocols presented in Table D.7-2 are intended to “reduce general land use, agricultural, and recreational impacts associated with construction (SDG&E, 2002).” Since these protocols were presented in SDG&E’s PEA, they are “considered part of the project description for purposes of environmental analysis.” In their analysis of the proposed project and alternatives, the EIR preparers assume these protocols to be part of project implementation in an effort to reduce the need for recommendation of mitigation measures. In particular, Project Protocol 18 would apply in the event that the Proposed Project affects any other agricultural lands (i.e., non-Farmland used for agricultural purposes). As such, Project Protocol 18 will remain in the text discussion of Impact L-6.
- SD-175 The text in Section D.7.4.1 (Jamacha Valley 138 kV/69 kV Underground Alternative) does acknowledge that “Construction impacts resulting from undergrounding the 138 kV/69 kV circuits in Jamacha Valley would be potentially greater than the Proposed Project due to a longer construction schedule and increased potential disruptions of access associated with the undergrounding process.” Also, text has been added to Section D.7.4.1 under the Environmental Impacts and Mitigation Measures subheading to reflect the information provided in your comment as follows:
- Construction impacts resulting from undergrounding the 138 kV/69 kV circuits in Jamacha Valley would be potentially greater than the Proposed Project due to a longer construction schedule and increased potential disruptions of access associated with the undergrounding process. For example, according to SDG&E, the entrance to Cottonwood Golf Course could be closed for up to eight weeks during construction activities. In addition, 1,000 feet of trenching would be required in the northern end of this alternative, and the installation of two additional steel poles would be required.
- SD-176 Text in Section D.7.4.4 (City of Santee 138 kV/69 kV Underground Alternative) and Section D.7.4.5 (City of Santee 230 kV Overhead Northern ROW Boundary Alternative) remain unchanged. Please note that these alternatives are minor route modifications (approximately less than one mile in length) within the City of Santee. Impacts to Land Use and Rec-

reation for the remainder of the project route would remain the same as the Proposed Project. Mitigation Measures L-5a (Avoid peak recreational usage) and L-5b (Notify users of recreational resources) are intended to mitigate impacts to the recreational resources (described in Table D.7-1 and Figure D.7-1) along the portions of the route outside of the City of Santee, since no such resources in the City would be directly affected.

- SD-177 The discussion of Impact N-1 (Construction Noise) illustrates that the Proposed Project could cause noise in excess of local standards, and that notification of adjacent landowners and residences would be appropriate. In general CPUC agrees with the request in the comment for consolidating notifications. However, the notifications for Impacts T-1 (Road Closures) and T-5 (Emergency Response) would be made to public agencies, and the noise notifications under Mitigation Measure N-1a would be made to private residences. As such, the notification requirements are not to the same stakeholders, and the notifications for Impact N-1 cannot be consolidated with the traffic notifications. Nothing in Mitigation Measure N-1a would restrict SDG&E from consolidating noise notifications with other mailings, if they occur at roughly the same time to the same parties.
- SD-178 It is unclear what type of liability SDG&E would suffer if neighbors are reminded to close their windows during construction. This portion of Mitigation Measure N-1a, related to providing advance notice, aims to reduce the likelihood of a nuisance complaint. Because the Proposed Project includes few features to protect neighbors from construction noise, the reminder is relevant.
- SD-179 Mitigation Measure N-1b, related to resolution of nuisance complaints, is an important component of reducing the likelihood of nuisance complaints. As suggested by the comment, the procedures previously established by SDG&E may be adequate for resolving complaints. However, consistent with the responsibilities of the Lead Agency under CEQA (See EIR Mitigation and Monitoring Section G), it is appropriate for SDG&E to allow the CPUC to review and approve the complaint procedures prior to implementation.
- SD-180 The comment requests removing the requirement in Mitigation Measure N-1a to reschedule construction activity in the case of other sensitive third-party activities. The CPUC agrees that this portion of Mitigation Measure N-1a could be unnecessarily disruptive of the project schedule. With the remaining requirements to notify residences and other receptors of the construction schedule and provide a liaison for addressing complaints (Mitigation Measure N-1b), the impact would be adequately mitigated. This Final EIR includes the recommended revisions to Mitigation Measure N-1a.
- SD-181 The CPUC agrees that the notification required by Mitigation Measure N-1a should identify phasing of the Proposed Project and the approximate locations and dates of the work. Mitigation Measure N-1a would not require multiple notifications for the various phases, but SDG&E is welcome to provide separate notifications for the major phases.
- SD-182 The information submitted by SDG&E indicates that the project corona noise levels could exceed the City of San Diego threshold of 40 dBA L_{eq} in low-density residential areas. This could occur for Segment F6, to the north of the ROW, where the level of 40.7 dBA L_{50} is predicted (from Table 6-2, SDG&E PEA, 2002). There are residences along the north edge of the ROW in this area (west of the Elliott Substation). It would be inaccurate to assess corona noise as an average level along the entire alignment because levels vary with

tower placement and line loading, and receptors are not located along every segment of the ROW. As the noise could exceed the standards established in the local noise ordinance, a potentially significant impact would occur for Segment F6, and mitigation is appropriate under CEQA. Additional study of this impact and consultation with the City of San Diego are appropriate strategies for mitigation under CEQA because the measure involves identification of the available steps for reducing noise (design features or changes in line configuration), if the City determines they are needed. This Final EIR includes revisions to Mitigation Measure N-3a to eliminate the 90-day requirement and avoid possible delay of commencing construction.

SD-183 The comment notes that the modeled noise levels are only marginally (less than one dBA) above 40 dBA. The CPUC agrees that the severity of the impact depends on a variety of conditions including the weather, the time of day, and the orientation of the receptor. However, it is common practice to numerically model environmental noise levels for the purpose of avoiding highly variable ambient conditions, and when the modeling indicates a potentially significant impact (as discussed in Response to Comment SD-182), mitigation measures must be identified.

The measures for managing corona noise would jointly provide assurance that the Proposed Project is designed to comply with the 40 dBA L_{eq} threshold (Mitigation Measure N-3a) and that it does not cause excessive corona noise nuisances as a result of faulty system components (Mitigation Measure N-3b). Mitigation Measure N-3b is not redundant because it is not clear how SDG&E's existing practices assure noise is minimized. Project Protocol 8 allows for repairs as a result of complaints of radio or television interference, and Project Protocol 9 provides steps to minimize noise but contains no opportunity for registering complaints. Mitigation Measure N-3b supplements these two protocols, which allows for repairs and replacements as a result of complaints of excessive audible noise. This Final EIR includes revisions to the measures to avoid possible delay of commencing construction.

SD-184 The description of Impact N-4, related to noise from inspection and maintenance activities (Draft EIR, p. D.8-10), is revised in the Final EIR to clarify that the Proposed Project would generate very few trips to the substations.

SD-185 The comment notes that the future 230 kV circuit would not be likely to require installation of new transformers, but according to information submitted by SDG&E for the OMPPA Project, it may be necessary to install breakers at the Sycamore Canyon Substation. The description of impacts from the future 230 kV circuit (Draft EIR, p. D.8-11) is revised in the Final EIR to clarify possible noise impacts.

SD-186 The comment notes that a greater level of construction noise would occur during trenching for underground alternatives. This impact is not underestimated because the Draft EIR explains that increased construction noise levels would be more likely to cause nuisances and would be of a longer duration. Detailed information on corona noise is not available for the alternatives, but in agreement with the comment, the Draft EIR shows that it would only be slightly reduced (see Section D.8.4.1, p. D.8-12 and Section D.8.4.4, p. D.8-14). Operation and maintenance of the underground alternative would not be expected to require any increased need for trenching because failures of underground transmission systems are rare. (This is according to the SDG&E Preliminary Environmental Assessment for the Otay Mesa Power Purchase Agreement Transmission Project, which would include underground segments). In addition, CEQA does not require the same level of detail for alternatives as it does for the Proposed Project (CEQA Guidelines §15126.6(d)).

- SD-187 Please see Response to Comment SD-186 for explanation on why impacts related to construction of underground alternatives are accurately portrayed in the Draft EIR.
- SD-188 Mitigation Measure HZ-1a, related to observation of soil for contamination, is necessary for the possible unexpected discovery of soil or groundwater contamination. As recommended by the comment, the Final EIR includes revisions to this measure to clarify that construction activity would only need to be suspended in the vicinity of the discovery. The comment also suggests that this measure reduces the ability of SDG&E to control contractor actions. The CPUC anticipates that SDG&E would retain full control of the contractor and would be available to provide immediate input on the responsive actions upon discovery of contamination. However, consistent with standard mitigation and monitoring implementation procedures, the measure requires the contractor, presuming with SDG&E oversight, to notify the CPUC of the discovery and proposed responsive actions.
- SD-189 Mitigation Measure HZ-2a, for reviewing the training and response plan, is not superfluous because it provides the CPUC with necessary mitigation and monitoring oversight to review and comment on a plan that SDG&E has already committed to under Project Protocols 7 and 32. Beyond allowing agency review and approval of the plan, Mitigation Measure HZ-2a does not require any additional action or practices. Please also refer to Response to Comment SD-268, which describes the monitoring responsibilities of the CPUC.
- SD-190 The Draft EIR recognizes that minor changes in substation operation would be necessary to accommodate the new circuit (DEIR, Section B.1.1.3, p. B-2, and p. D.9-8). SDG&E would need to operate the additional equipment proposed for the substations in the original Project Description (in SDG&E PEA, Table 1-1, p. 1-8 and PEA Section 1.5.3, p. 1-16). After the modifications of the Proposed Project are in place, the CPUC would need to verify whether SDG&E has appropriately updated the spill prevention and hazardous materials plans. Failure to update the plans as needed could increase the risk of a hazardous materials release (as described under Impact HZ-3, p. D.9-8).
- SD-191 As explained in Response to Comment SD-190, CPUC verification of the appropriately updated plans is intended to minimize the risk of hazardous materials release. No revisions are necessary for Mitigation Measure HZ-3a, related to preparing the plans.
- SD-192 The Final EIR includes revisions to Mitigation Measure HZ-3b, for documentation of compliance, to remove the requirement to maintain a list of names of personnel who have completed training. The remainder of the measure is necessary to ensure the CPUC adequately fulfills its responsibility as a Lead Agency under CEQA for mitigation and monitoring implementation and compliance. Please also see Response to Comment SD-25.
- SD-193 The Draft EIR (p. D.9-13, and elsewhere) accurately portrays the opinion expressed by this comment that EMF is not a CEQA issue. Please refer to General Response GR-2 for more information on how the CPUC handles EMF information during the decision making process. The Final EIR includes revisions to the description of underground alternatives (DEIR, p. D.9-31) in order to clarify that the duct bank is assumed to be in the center of the ROW.
- SD-194 The Final EIR includes the suggested revisions to the description of naturally occurring EMFs (DEIR, p. D.9-15). Few of the transmission line segments would be located away from residences. Because EMF management is generally implemented uniformly across each line segment, the portion of the Proposed Project that is far from surrounding residences (DEIR, p. D.9-15) is described segment-by-segment; no revisions are necessary.

- SD-195 The comment identifies typographical errors in DEIR Table D.9-4 (p. D.9-16), which are corrected in the Final EIR.
- SD-196 The comment corrects how the National Electrical Safety Code's standards apply as shown in the DEIR (p. D.9-18 and p. D.9-34), which is revised in the Final EIR.
- SD-197 The comment recommends changing the CPUC's summary of various scientific background material. Public interest is the primary reason for including the background information EMF research and other efforts outside California. CPUC environmental documents routinely summarize all the EMF research information included in the EIR for public disclosure and for the benefit of decisionmakers. It would not be appropriate to selectively omit information as suggested by the comment. Describing efforts to manage EMF outside California provides a useful indication of whether the policies within California are reasonable. Minor changes to this summary (DEIR, pp. D.9-21 through D.9-25) are included in the Final EIR, where necessary to correct technical errors.
- SD-198 Please refer to Response to Comment SD-197 regarding technical errors. Whether or not public health risks would occur from EMF was one aspect of the proceedings leading to the no-cost/low-cost policy in D.93-11-013 (described on DEIR, p. D.9-25). The CPUC relied upon and continues to rely upon studies by the Department of Health Services and others to determine whether risks would occur (as explained on DEIR, pp. D.9-21 to D.9-22). Although EMF is not a CEQA issue, use of the word "mitigation" is not inaccurate because the proceedings leading to D.93-11-013 investigated the CPUC's potential role in mitigating adverse health effects, if any. The EIR acknowledges that D.93-11-013 constitutes the CPUC's current policies on EMF avoidance and minimization measures.
- SD-199 The Draft EIR provides information on the existing system (see Table D.9-9, and Figures D.9-1 through D.9-4) and refers to it as the baseline condition because it is present in the existing environmental setting. The setting is described this way for similarity with the CEQA issues in the EIR. The Draft EIR is not an analysis of compliance with EMF Design Guidelines, nor does it represent an analysis of the no-cost/low-cost requirements. Because EMF levels are provided only for informational purposes, it is appropriate to show existing conditions for comparison with any incremental changes resulting from the Proposed Project. Please note that EMF levels of Draft EIR alternatives (DEIR, pp. D.9-31 through D.9-33) are compared with the Proposed Project, not the existing setting.
- SD-200 The Draft EIR (p. D.9-13, p. D.9-25, and elsewhere) accurately portrays the opinion expressed by this comment that EMF is not a CEQA issue. Please refer to General Response GR-2 for more information on the presentation of EMF information during the decision making process. The Draft EIR repeatedly identifies the reductions in EMF levels that would occur with the Proposed Project compared to the baseline (e.g., see Figures D.9-1 through D.9-4). Section D.9.6.4 (DEIR, p. D.9-30) illustrates SDG&E's proposed EMF mitigation. For example, the low-cost/no-cost EMF reductions that could apply to the underground alternatives, should they be selected, could likely include changing configuration of the circuits in the duct bank or the depth of the installation.
- SD-201 Please refer to Response to Comment SD-193 and SD-200.
- SD-202 The references in the legend of DEIR Figure D.9-5 (p. D.9-32) are revised in the Final EIR to address this comment.

- SD-203 The Draft EIR notes that the potential impacts to radio and television interference would be low (Impact PS-1, p. D.9-34). The recommended Mitigation Measures PS-1a and PS-1b, for limiting conductor surface potential and responding to broadcast interference, would be necessary because there are no local, State, or federal regulations that would limit high frequency emissions from the lines (DEIR, page D.9-33). The revisions suggested by this comment for Mitigation Measure PS-1a are included in the Final EIR.
- SD-204 Although the transmission line corridor is presently energized, the Proposed Project represents a major increase in capacity for the corridor. Because CPUC GO 95 and the NESC do not have specific grounding requirements, there is a real risk of increased current and shock hazards (Impact PS-2, p. D.9-35) with the Proposed Project compared to the existing conditions, especially when including the future 230 kV circuit within the Miguel-Mission ROW. SDG&E suggests that it would be unnecessary to notify landowners at the time of the new lines are energized. Notification for identifying shock problems is recommended because previous notifications (e.g., related to construction scheduling under Mitigation Measure N-1a, for construction noise) could occur as much as two years prior to the lines being fully energized. The notification recommended as part of Mitigation Measure PS-2a, for documenting current and shock hazards, represents the only notification to landowners that the line is ready for operation. Allowing the CPUC to review a draft of this notification prior to distribution would be consistent with the statutory responsibility of the CPUC to ensure that mitigation is implemented properly. The precise timing of this type of activity is typically worked out between the CPUC and utility subsequent to project approval.
- SD-205 The CPUC may delegate mitigation compliance to other responsible agencies, but as a Lead Agency, the overall responsibility lies with the CPUC for ensuring mitigation measures are implemented properly, monitored, and reported. Please also see Response to Comment SD-25.
- SD-206 The Final EIR includes revised text in Sections D.10.1 and D.10.2 as suggested.
- SD-207 Text in Section D.10.3.3 under Impact U-1 (Utility System Disruptions) has been modified as follows to reflect the comment:
- New tower drilling and excavation activities could potentially impact buried utility crossings along ~~this~~ segments of the proposed route, ~~particularly that are~~ near residential areas or public ROWs in urbanized areas.
- However, this text change does not change the conclusion for Impact U-1. In addition, the analysis of underground alternatives provided in Draft EIR Section D.10.4 (Project Alternatives) does acknowledge the potential for greater impacts to utilities as a result of trenching.
- SD-208 Text has been added to the discussion of Impact U-3 (Project-Required Utility and Service Demands) to reflect the information provided in the comment regarding project generated spoils and solid waste. The text change is as follows:
- Metal from the tower structures would be transported by truck or helicopter to staging areas for dismantling, or may be dismantled on site, as appropriate and then hauled to staging areas.

SD-209 Text in Section D.10.4.1 (Jamacha Valley 138 kV/69 kV Underground Alternative) has been modified as follows to reflect the comment:

The impacts of this alternative would be greater than those of the Proposed Project due to trenching required for the underground portion of the alternative along the length of Willow Glen Drive to the intersection of Willow Glen Drive and Dehesa Road. Emergency access could potentially be blocked due to trenching. The proposed PP-66 and Mitigation Measure U-1a (below) would reduce service disruption impacts to buried utility lines (Impact U-1) to ~~adverse but~~ less than significant levels (~~Class III~~). Similar to the Proposed Project, this alternative route could result in impacts to emergency service vehicle access during ~~transmission line stringing across public roadways~~project implementation (Impact U-2). Mitigation Measure U-2a associated with the Proposed Project would also be required to mitigate possible emergency access impacts during construction of this alternative to less than significant levels (Class II).

Construction of the alternative would require water for dust suppression and would generate small amounts of construction waste and construction debris. Minimal wastewater is expected to be generated during construction. Operations of the proposed substations project would require no water and would generate no solid waste or wastewater and would have no impact on water supply, wastewater, and solid waste facilities. Impacts on utility and service provider demands (Impact U-3) associated with water supply, wastewater facilities, area landfills, and police and fire service would be adverse but less than significant (Class III).

Because underground line construction involves more construction in close proximity to existing utilities on a mile-per-mile basis than overhead construction, the chances of underground line construction activities causing an accidental utility service interruption are greater than for overhead construction. In addition, there is potential for the proposed underground transmission line to increase corrosion on existing steel pipelines which could lead to long term accidental system disruption of such pipelines. Accidental service disruptions would be considered potentially significant impacts, but mitigable to less than significant levels (Class II) with implementation of Mitigation Measures U-1a below.

U-1a Protect Utilities Against Corrosion. SDG&E shall evaluate the potential for the underground transmission line to increase corrosion on existing pipelines. If this potential is determined to exist, SDG&E shall be responsible for installation of the required cathodic protection systems that would eliminate this risk. A letter documenting these consultations and their results, including concurrence by the affected jurisdiction(s) and other companies, shall be provided to the CPUC prior to the start of construction.

SD-210 Text in Section D.10.4.1 (Jamacha Valley 138 kV/69 kV Underground Alternative) does acknowledge that impacts associated with this underground alternative would be greater than those of the Proposed Project. However, some of the text recommended in the comment has been added to this section to emphasize the potential impacts. Please see Response to Comment SD-209 for these text changes.

SD-211 Text has been added to Section D.10.4.3 to indicate that more water for dust suppression would be required for this alternative than for the Proposed Project, and to clarify why slightly greater utility disruption impacts are expected. However, these text changes do not change the impact conclusions. The text changes are as follows:

Construction of the alternative would require more water for dust suppression than for the Proposed Project., ~~and would generate~~ Also, small amounts of construction waste and construction debris would be generated.

Comparison to Proposed Project

Installation of the Jamacha Valley Overhead B Alternative would cause a slightly greater likelihood of disrupting utilities during construction when compared to the Proposed Project due to the need for installation of additional poles. Similar to the Proposed Project, this alternative would require notification to the public should utility services be disrupted in the surrounding area. Mitigation associated with the Proposed Project would also be required to mitigate possible emergency access impacts during construction of this alternative.

- SD-212 Text in Section D.10.4.4 (City of Santee 138 kV/69 kV Underground Alternative) does acknowledge that “Excavation for the underground portion of the route would have a greater potential to disrupt utilities such as water, electricity, natural gas, and telecommunications than excavation required for tower foundations.” However, text has been revised as shown below to emphasize the potential impacts. No change in impact results from these changes.

Impacts associated with the City of Santee 138 kV/69 kV Underground Alternative would be ~~slightly~~ greater than the Proposed Project. Excavation for the underground ~~ing portion~~ of the route would have a greater potential to disrupt utilities such as water, electricity, natural gas, and telecommunications than excavation required for tower foundations. In addition, underground trenching activities could potentially restrict emergency vehicle service access. However, as discussed above, utility service interruptions could occur during construction of both the Proposed Project and alternatives. Both would require notification to the public should utility services be disrupted in the surrounding area to mitigate these impacts.

- SD-213 The following text has been added to Section D.10.4.5 (City of Santee 230 kV Overhead Northern ROW Boundary Alternative) under the Comparison to Proposed Project subheading to clarify that utility service disruption impacts would be slightly less due to construction of one less pole than the proposed project.

Installation of the City of Santee 230 kV Overhead Northern ROW Boundary Alternative would result in temporary construction impacts similar to those of the Proposed Project, except that construction along the northern edge of the ROW would be slightly less likely to disrupt utilities, especially east of Magnolia Avenue because one less pole would need to be constructed.

- SD-214 Text in Mitigation Measure U-2a (Maintain adequate emergency vehicle access) has been revised as shown below to incorporate the recommendations in the comment and eliminate duplication. This measure addresses the need for SDG&E to provide evidence of its traffic control plan and permits to the CPUC.

U-2a Maintain adequate emergency vehicle access. ~~As appropriate, SDG&E shall implement measures from the Work Area Protection and Traffic Control Manual to maintain adequate emergency vehicle access when crossing existing roadways.~~ SDG&E shall coordinate with appropriate permitting agencies for review and

approval of proposed project traffic control plans and any required protocols to maintain adequate emergency vehicle access when crossing existing roadways. These protocols (usually from the Work Area Protection and Traffic Control Manual) would help ensure use of highly visible warning signs, flaggers, barricades, flashers, or traffic cones to give advance warning, and use of channelization devices to define traffic lanes through the work zone and separate opposing lanes of traffic. Flaggers shall wear approved warning garments and follow standard flagging procedures. SDG&E shall provide to the CPUC evidence of its Traffic Control Plan for the proposed project and any associated permits with regard to emergency vehicle access upon approval and receipt from appropriate permitting agencies.

- SD-215 The comment seems to request clarification regarding whether SDG&E should be required to send notice to bicyclists prior to construction along Class II Bikeways. Please see Response to Comment SD-173 regarding notification. Mitigation Measure L-5b (DEIR p. D.7-12), for Impact L-5 (Disrupt Recreational Activities), would not require SDG&E to send notices regarding Class II bikeways. However, it would require on-site notification to recreationists and notification through community newspapers and bulletins in advance of affecting recreational facilities, including Class II Bikeways. Identification of Class II Bikeways has been added to DEIR Section D.2.1.1 for each roadway.
- SD-216 The regulatory discussion presented in Section D.12.2 regarding encroachment permits and other similar legal agreements is accurate. Because no other agencies would be involved, the revision suggested by the comment is included in Section D.12, page D.12-6.
- SD-217 Repair and maintenance of the underground lines would only disrupt traffic near access vaults in the roadways and during failure of the underground cable systems.
- SD-218 Table D.12-5 and the accompanying text on DEIR page D.12-9 is revised with this Final EIR to reflect SDG&E's estimation that the Proposed Project would result in less than 200 average daily trips.
- SD-219 Mitigation Measure T-1b (restrict time of land closures) would not include a "total prohibition on lane closure times," but rather allows the appropriate agencies to determine when lane closures would be allowed to occur, including the potential for Sunday closures. This provides SDG&E, Caltrans, and the local jurisdictions with flexibility to specify restrictions on closures as needed for local circumstances. It is therefore not necessary to revise this measure.
- SD-220 The description of Impact T-3 (DEIR p. D.12-10), related to physical impacts to roads and sidewalks, is revised with this FEIR to clarify that unexpected impacts could occur as construction equipment would use public roads and cross sidewalks and roadside drainage structures for access to the ROW or staging areas.

The Proposed Project is not expected to cause any physical damage to public roads or sidewalks ~~because beyond that planned for trenching and~~ excavation operations would occur in ~~specified areas~~ the ROW. However, there is the potential for unexpected damage by vehicles and equipment to occur as heavy equipment would use public roads and cross sidewalks and roadside drainage structures for access to the ROW or staging areas. This would be potentially significant, but would be reduced to less than significant levels with implementation of Mitigation Measure T-3a (Class II).

- SD-221 Mitigation Measure T-3a (repair damaged roadways) would be implemented to ensure that the facilities used by SDG&E during construction are repaired in the event that unexpected damage by construction vehicles and equipment occurs as a result of heavy equipment use of public roads. The mitigation measure simply requires that SDG&E return the roadways to their pre-construction condition. SDG&E would be free to use existing franchise agreements that require restoration of damaged roadways as a means of demonstrating to the CPUC compliance with Mitigation Measure T-3a in lieu of developing new access agreement/easements. It is therefore not necessary to revise this measure.
- SD-222 Impact T-4 (DEIR p. D.12-11), related to pedestrian and bicycle circulation and safety, also applies to overhead line construction because construction equipment would use and cross public roads, including pedestrian and bicycle facilities, to access the ROW or staging areas. In addition, during overhead line stringing operations it would be necessary to close public roads, some of which have bicycle lanes and sidewalks. Mitigation Measure T-4a would only require SDG&E to provide temporary access, detours, or signs, where pedestrian or bicycle facility closures occur.
- SD-223 Impact T-5 (DEIR p. D.12-11), related to interference of emergency response, addresses the fact that under any alternative, except for the No Project Alternative, construction equipment and temporary closures could impede the travel of emergency vehicles through work areas. The method of notification specified by Mitigation Measure T-5a, which would ensure emergency response access, is revised with this FEIR to clarify that local jurisdictional agencies would need to be notified in lieu of notifying each emergency service provider.

T-5a Ensure emergency response access. SDG&E shall coordinate in advance with ~~emergency service providers~~local jurisdictions to avoid restricting movements of emergency vehicles. SDG&E shall request that police~~Police~~ departments, fire departments, ambulance services, and paramedic services ~~shall~~ be notified in advance by SDG&E each jurisdiction of the proposed locations, nature, timing, and duration of any construction activities and advised of any access restrictions that could impact their effectiveness. At locations where access to nearby property is blocked, provision shall be ready at all times to accommodate emergency vehicles, such as plating over excavations, short detours, and alternate routes in conjunction with local agencies. Traffic control plans (Mitigation Measure T-1a) shall include details regarding emergency services coordination and procedures, ~~and copies shall be provided to all relevant service providers.~~ Documentation of coordination with ~~service providers~~local jurisdictions shall be provided to the CPUC prior to the start of construction.

- SD-224 As identified in Section D.12.4.1 of the DEIR (p. D.12-15), implementation of the Jamacha Valley 138 kV/69 kV Underground Alternative would result in a significant amount of additional temporary construction impacts within public road ROWs compared to the Proposed Project's overhead alignment, which would have little direct effect on roadways. The discussion states that underground construction would cause a much greater likelihood of disrupting travel on Willow Glen Drive, and it would cause an additional potentially significant impact (Impact T-7) not identified under the Proposed Project by restricting access to properties along the underground route. The impacts related to temporary lane closures and access restrictions during underground construction activities are not underestimated, because regardless of the precise alignment, the impacts would be potentially significant. Mitigation Measures T-7a and T-7b, for providing access to properties and coordinating with businesses, would be necessary.

SD-225 Mitigation Measure T-7b includes a construction work scheduling option to mitigate impacts related to business access restrictions in the event that substitute parking within 1,000 feet is not available. Mitigation Measure T-7b has been modified to include language that SDG&E shall coordinate the construction schedule so as to prevent disrupting the functions of the businesses to the maximum extent feasible as determined by the CPUC Mitigation Monitor. This Final EIR includes revisions to DEIR Section D.12.4.1 (p. D.12-13) that reflects that maintenance and repair operations associated with the Jamacha Valley Underground Alternative would have the potential to induce greater traffic disruption impacts compared to the operations of the Proposed Project. This would not change the conclusion of the comparison with the Proposed Project because over the long-term, temporary traffic disruptions during the operations phase for repair and maintenance of the project would be rare. See also Response to Comment SD-186.

T-7b Coordinate with businesses. If private parking lots serving businesses or institutions would be effectively blocked during construction, SDG&E shall either make prior arrangements with the business owner(s) to provide alternative parking within reasonable walking distance (i.e., no more than 1,000 feet), or shall coordinate the construction schedule so as to prevent disrupting the functions of the business(es) to the maximum extent feasible as determined by the CPUC Mitigation Monitor.

SD-226 This Final EIR includes revisions to DEIR Section D.12.4.4 (p. D.12-16) that reflects that maintenance and repair operations associated with the City of Santee 138 kV/69 kV Underground Alternative would have the potential to induce greater traffic disruption impacts compared to the operations of the Proposed Project. Please also see Response to Comment SD-225.

SD-227 The comment recognizes that Commission may delegate mitigation compliance to other responsible agencies. In some resource areas, other than traffic and transportation, the CPUC has retained responsibility to assure implementation of all adopted mitigation measures identified in the DEIR.

SD-228 The DEIR Section D.13.3 accurately reports in narrative and photographs the established power structures and conductors that are visible from various KOPs. The DEIR reports that there are 18 conductors within the existing right-of-way on page D.13-121. Specific conditions at each KOP are shown in photographs of the existing KOP settings. See Response to Comment SD-10 for specific references to Figures where this information is provided.

With respect to Visual Sensitivity, the visual impact analysis does not assume that viewers are not sensitive to visual changes or increased visual impacts solely because the SDG&E utility corridor predates surrounding residential uses. This suggested type of approach is not consistent with CEQA, nor the public record on similar projects. Public concern regarding the visual impacts of new or upgraded utility lines is often an issue raised during scoping, regardless of whether a proposed transmission line would be wholly new, rebuilt, or an expansion of an existing system, as is the case with SDG&E's Proposed Project. For relevant examples, see response to SDG&E Comment SD-9.

The visual assessment of the Miguel-Mission 230 kV #2 Project relies on the principles of visual sensitivity established by federal land management agencies and previously considered by the CPUC in CEQA compliance documents, and their applicability to the project

- area. Public concerns regarding visual changes have been raised for this project, by the City of Santee. These comments confirm the relevancy of evaluating visual sensitivity in the manner used in this EIR. It is noted, however, that relatively few public comments regarding the visual impacts of the project have been received on the Draft EIR. Consequently, the EIR analysis of visual impacts represents a ‘worst-case’ scenario with respect to visual sensitivity findings.
- SD-229 The analysis of KOP 2 is not incomplete, and does not inaccurately portray the viewing conditions at this location. Viewing Distance Zones are defined on page D.13-5 of the DEIR, according to the distance ranges that are considered applicable to the project area. Foreground, Middleground, and Background viewing conditions are defined on page D.13-5 as follows: foreground — within 0.5 mile; middleground — 0.5 to 1.5 mile; and background 1.5 miles and greater. D.13-12 subsequently reports the applicable distance zone for KOP 2 as Middleground to Background. Ranges of distance zones (e.g. Middleground to Background) are provided in instances where long stretches of the existing utility corridor are visible. This is reported for KOP 2 on Page D.13-12 under Viewer Exposure. It should be noted that the Draft EIR accurately reports the visibility of SDG&E’s existing corridor, both in narrative (Page D.13-12) and in Figure D.13-3. From KOP 2, the existing transmission line towers are fully visible along the slopes of Mother Miguel and San Miguel Mountains. It is also important to recognize that while photographs are a valuable tool to convey information to the EIR reader on the existing visual conditions, photographs do not replicate what the human eye actually sees. For this reason, the EIR analysis disagrees with the commenter’s conclusion that a viewer would barely be able to see the towers and that the assessment is skewed or flawed.
- SD-230 See Response to Comments SD-10 and SD-228. The assessment of visual sensitivity remains unchanged.
- SD-231 See Response to Comments SD-10 and SD-228. The assessment of visual sensitivity remains unchanged.
- SD-232 Comment noted. DEIR Figure D.13-32 contains a note right on the figure that states this simulation is incomplete because SDG&E did not provide the design for the turning structure in time for the publication of the DEIR.
- SD-233 The cited text is an introductory definition of what types of changes would constitute an adverse visual impact. The assessment of the Proposed Project is then further described on page D.13-111 according to the specific factors that were considered in measuring these changes — namely visual contrast, project dominance and view blockage effects. These issues and the approach to their evaluation are described on DEIR pages D.13-111 through D.13-113, and further addressed in Response to SDG&E’s comment SDG&E 11. The EIR analysis fundamentally disagrees with this comment and the commenter’s assumptions in determining if a visual impact would result. See responses to SDG&E Comment 19 and 228 for discussion of areas of disagreement regarding what constitutes a “perceptible” change and “visual sensitivity.”
- SD-234 The statement on page D.13-112 is describing the approach, rather than the findings of the analysis. The reference to Overall Visual Impact on Page D.13-112 is explaining the range of impact changes that were considered in the evaluation. These include 5 levels, as listed on

Table D.13-1, for Determining Visual Impact Significance. The 5 levels shown on Table D.13-1 include Low, Low to Moderate, Moderate, Moderate to High and High. The Overall Visual Impact findings for SDG&E's Proposed Project are listed on Table D.13-3, page D.13-116 and 117. As shown on Table D.13-3, none of the KOPs were assessed to incur a High degree of Overall Visual Impact from the Proposed Project. The highest level of Overall Visual Impacts are reported as Moderate to High.

SD-235 For response to this comment, see responses to SDG&E comments SD-9, SD-10, and SD-11.

SD-236 Please see Response to Comment SD-98 regarding presentation of mitigation for Class III impacts.

SD-237 Mitigation Measure V-1a has been modified in response to this comment as shown below.

V-1a Reduce visibility of construction activities and equipment. Adjacent to residences, parks, recreation areas, and public schools, ground disturbance due to staging and storage areas shall be screened with temporary fencing of an appropriate design and color. Along the entire ROW, all evidence of construction activities, including ground disturbance due to staging and storage areas, shall be removed and all disturbed areas shall be remedied to an original ~~or improved~~ condition upon completion of construction, including the replacement of any vegetation or paving removed during construction. SDG&E shall submit final construction plans, demonstrating compliance with this measure to the CPUC for review and approval at least 60 days prior to the start of construction or 14 days prior to the first use of each site. No site may be used by SDG&E in any manner until CPUC approval of site conditions and visual protection plans.

SD-238 Given that construction will occur along a 35-mile ROW, careful scheduling should allow avoidance of construction at recreation sites without overall delays in project completion. Therefore, the weekend and holiday avoidance requirement is retained. However, recreation areas that are not immediately adjacent to the ROW have been eliminated from the measure. Changes to Mitigation Measure V-1b are shown below.

V-1b Avoid construction on weekends and holidays near recreation sites and parks. Construction activities shall not occur on weekends or holidays on or adjacent to developed recreation sites and parks. ~~I in order to minimize visual impacts from construction activities and at snub/stringing sites. , -construction shall not occur on weekends or holidays or within 0.25 miles of the following recreation areas and parks: Steele Canyon County Park, Recreational resources adjacent to the right-of-way that should be avoided include:~~ Cottonwood at Rancho San Diego Golf Club, Lake Jennings County Park, Santee Lakes County Park, Louis A. Stelzer County Park (if reopened by time construction occurs), Mission Trails Regional Park, and Admiral Baker Golf Course.

SD-239 The referenced DEIR section is 3 paragraphs in length and appears on pages D.13-118 and D.13-119. This section details the basis for the Class III (adverse, less than significant) impact findings, and acknowledges that less than significant impacts would result from the modified 230 kV structures. However, the fact that facilities currently exist in the right-of-way does not preclude the incremental visual changes resulting for installation of additional towers and conductors in the ROW from being adverse.

The 'range of visual changes' is referring to the different types of poles and lattice structures that SDG&E will use to support the new 230 kV circuits. This phrase does not imply a range of visual impacts and the section is clear in its conclusion that the impacts will be Class III.

SD-240 Please see Response to Comment SD-98 regarding mitigation for Class III impacts. In addition, SDG&E is proposing several types of structure upgrades and new structures to support the proposed 230 kV conductor between Miguel Substation and Fanita Junction, which will result in a range of visual changes. Although the DEIR concludes that these visual changes constitute less than significant impacts, they are still adverse. As such, mitigation measures are recommended to ensure that the new structures would be visually compatible with existing settings, to the extent feasible.

SD-241 As described in the Response to Comment SD-2 and -3, the addition of a new transmission line within an existing corridor is not considered to be a minor and insignificant visual change. The fact that it is an existing corridor does minimize the severity of visual impacts created by the Proposed Project, as evidenced by the fact that no Class I (significant and unmitigable) visual impacts are identified in Section D.13. However, to reduce the residual visual impact to the maximum extent feasible, mitigation measures requiring use of paint to blend with the landscape are not considered to be burdensome. This surface treatment is consistent with the extent of the impact. At the same time, it is recognized that unpainted, steel poles may be the best visual mitigation measure to minimize the visual contrasts of the proposed 138 kV/69 kV poles and rebuilt 230 kV poles in some specific locations. Mitigation Measures V-2a and V-2b require SDG&E to submit the proposed pole material/painting plans to the CPUC prior to construction for review and approval. The selection of appropriate materials and colors would be reviewed on a case-by-case basis at that time.

SD-242 Use of painted transmission towers is a common practice in scenic areas, so SDG&E's concern about increased maintenance and paint chipping is not considered to be viable. Painting of the new poles would clearly lessen the visibility of those poles (the ones that are part of the Proposed Project), so the corridor itself would not appear as crowded. Also, please see Response to Comment SD-241 regarding the application of color versus untreated pole materials and painting.

SD-243 KOPs were selected to illustrate the typical viewer groups and viewing conditions that would occur in the project area, given viewer types and locations, landscape settings, and the Proposed Project's design and extent of proposed modifications to the existing facilities. KOPs are also identified in areas where impacts may be greater than the norm, due to the factors noted above. It is not feasible, required under CEQA, nor cost effective, to evaluate the visual consequences of the Proposed Project from every conceivable viewing location along the 35 miles of the right-of-way where the new 230 kV circuit will be installed. For example, the 11 miles of the right-of-way between Fanita Junction and Mission Substation were not evaluated in detail for KOPs since the degree of visual change was determined to be less than significant with the addition of the 230 kV circuit on the existing towers. Similarly, KOPs were not evaluated in detail in the DEIR for the locations noted on the top of page D.13-121, since other KOPs could serve as indicators of the types and significance of visual impacts that would occur from the Proposed Project in these locations. With one exception, areas listed on the top of page D.13-121 were observed in the field to confirm the applicability of impact findings from other KOPs. In these sensitive viewing locations,

the visual impacts of the Project would substantially result from the visibility of the new 138 kV/69 kV monopoles and conductors (Impact V-3) within foreground viewing distances. Mitigation measures V-3a and V-3b would reduce these visual impacts to less than significant levels. It should be noted, however, that the applicability of these findings were not observed in the field from the Louis A. Stelzer County Park, since the park was closed due to the October 2003 fires. Based on a review of the USGS topographic map and the park map showing hiking trails, however, the visual impacts to the park are expected to be as reported in the DEIR. Visual impacts from the park hiking trail would primarily result from viewing the increased number of conductors from elevated trail that overlooks the valley below. Depending on their location, the poles and conductors may present new view obstructions to views along the park's trail.

SD-244 The DEIR text is correct as written and remains unchanged. The DEIR is not inconsistent in findings, as suggested by this comment. Impact V-4 (long-term visibility of new conductors) is found to be less than significant with mitigation (Class II), and are discussed in the DEIR on page D.13-122. This impact would not result from the increased visual contrasts of the conductors, but rather from the new or increased view obstructions that would result from the increased number of conductors visible to residences of the Cottonwood neighborhood that live west of SDG&E's right-of-way (three additional conductors would be added with the Proposed Project). Views from residential homes located on the elevated hillside west and adjacent to the SDG&E utility corridor are panoramic in extent and are oriented to the east, towards both the existing SDG&E utility lines and the Jamacha Valley, the golf course and mountains. The existing conductors and structures are in the foreground views of these residences, however, view obstructions to the Jamacha Valley below do not occur in all cases, due to the close proximity and position of the structures and lines, relative to the dominant view orientations below. In other words, the degree of existing view obstruction, that currently results from the existing utility lines, is limited from some homes, since the position of the conductors do not directly interfere with views to the east and below. The visual assessment concluded, however, that the Proposed Project has the potential to substantially increase view obstructions, or create new view obstructions, due to both the number of conductors and structures and their proposed location. Based on line of sight analyses conducted in the field, the assessment concluded that the variable topography of the right-of-way, combined with the variable and shorter height of the proposed 138 kV/69 kV structures and conductors, would cumulative result in new or substantially increased view obstructions from some of the residences located in this neighborhood.

The commenter is confusing the criteria of visual contrast, which is discussed on page D.13-121 and 142, with the criteria of view blockage or impairment, which is discussed on page D.13-122. The impact assessment criteria, including visual contrasts and view blockage and impairment, are defined on DEIR page D.13-111, and apply to overall visual sensitivity conditions represented by KOP 13 (See pages D.13-66 and D.13-67).

SD-245 Mitigation Measure V-4a already includes the language "to the degree feasible." The measure does not require that towers be raised in order to allow conductor height matching. The measure has been modified to allow SDG&E to submit a plan that describes the process to be used in minimizing view obstructions, rather than the specific tower-by-tower design features.

V-4a Reduce potential for visual impacts due to view obstructions. To the degree feasible, transmission structures shall be designed to ensure that conductors do not cause new or significantly increased view obstructions from residential areas. Conductors that have the potential to cause significantly increased view obstructions shall be designed to be at the same or similar elevation as the existing conductors, or at an elevation that reduces or avoids potential conflicts with residential views. SDG&E shall submit a plan that describes the process to be used to minimize view obstructions in project segments with adjacent residential properties~~demonstrating compliance with this measure~~ to the CPUC for review and approval at least 60 days prior to the start of construction.

Project Protocol 61 does not fully reduce impacts the potentially significant impacts due to the long-term visibility of the new 230 kV conductors to less than significant levels. In addition, providing proof of compliance, in and of itself, is not considered adequate mitigation.

SD-246 Mitigation Measure V-5a does not apply to the majority of the ROW. It applies to “to all park and recreation areas, residential areas, and public facilities’ landscaped grounds crossed by and adjacent to the ROW.” If in fact, as SDG&E states, there will be no long-term visual harm from these operational inspection activities, compliance with this measure will not present a burden.

SD-247 In response to SDG&E’s suggested revision of Mitigation Measure V-5 (at the end of this comment), the CPUC does not present “mitigation” that simply requires the applicant to abide by existing requirements. Such requirements are already enforceable, and therefore are considered to be essentially components of the Proposed Project. Mitigation is presented only when such existing requirements are inadequate to reduce the identified impact.

SDG&E’s comment states that the CPUC does not have jurisdiction to present mitigation related to project operation. However, CEQA requires that all phases of a proposed project be evaluated in an EIR. Therefore, to the extent that impacts are identified, mitigation is appropriate. As described in detail in Section G (Mitigation Monitoring and Reporting) of the DEIR, the California Public Utilities Code confers authority upon the CPUC to regulate the terms of service and the safety, practices and equipment of utilities subject to its jurisdiction. It is the standard practice of the CPUC, pursuant to its statutory responsibility to protect the environment, to require that mitigation measures stipulated as conditions of approval are implemented properly, monitored, and reported. In 1989, this requirement was codified statewide as Section 21081.6 of the Public Resources Code, which requires a public agency to adopt a Mitigation Monitoring, Compliance, and Reporting Program (MMCRP) when it approves a project that is subject to the preparation of an EIR and where the EIR for the project identifies significant adverse environmental effects. CEQA Guidelines §15097 was added in 1999 to further clarify agency requirements for mitigation monitoring or reporting. The purpose of a MMCRP is to ensure that measures adopted to mitigate or avoid significant impacts of a project are implemented. The CPUC views the MMCRP as a working guide to facilitate not only the implementation of mitigation measures by the project proponent, but also the monitoring, compliance and reporting activities of the CPUC and any monitors it may designate. The CPUC will address its responsibility under Public Resources Code Section 21081.6 when it takes action on SDG&E’s application for a Certificate of Public Convenience and Necessity. If the CPUC approves the application, it will also adopt a MMCRP that includes the mitigation measures as a condition of approval.

In response to SDG&E's concern about access roads and landscaping, Mitigation Measure V-5a has been modified as follows:

V-5a Reduce direct impacts to, and visual degradation of, exotic landscapes and natural scenic areas for the life of the project. Ground disturbances resulting from routine access to the ROW during the operational life of the project shall be minimized to the extent possible. This measure shall apply to all park and recreation areas, residential areas, and public facilities' landscaped grounds crossed by and adjacent to the ROW, with the exception of (a) all access roads, (b) corridors immediately above underground lines, and (c) landscaping installed in violation of SDG&E's easement. All evidence of maintenance activities, including ground disturbances from the movement and use of vehicles and equipment shall be remedied to an original ~~or improved~~ condition, outside of access roads, including the replacement of any vegetation or paving removed during construction. SDG&E shall submit final maintenance plans, demonstrating compliance with this measure to the CPUC for review and approval at least 60 days prior to the start of construction.

SD-248 The DEIR visual assessment of the Jamacha Valley Underground Alternative, in section D.13.4.1, is based on the following design characteristics. Two transition stations would be necessary where the 138 kV and 69 kV lines would transition to underground and again to overhead lines. One transition station would be located on the east side of Willow Glen Road, near the south end of the Rancho San Diego at Cottonwood Golf Course, where the line would transition from overhead to underground. The second transition station would be located near the intersection of Willow Glen Road and Dehesa Road. This second station would be sited north of Dehesa Road, and west of Willow Glen Road and the Singing Hills Memorial Park, near an existing wood pole utility line and unpaved access road. Between these two transition poles, the proposed 138 kV/69 kV lines would be placed underground within the road shoulder or center divide of Willow Glen Road and along the existing unpaved utility access road. The DEIR visual assessment considered the location of the transition poles, as described above, and the design of the transition poles, as based on SDG&E's PEA Figure 3-1. No new access roads were assumed to be necessary due to the availability of existing road access to the transition pole locations, along Willow Glen Road and the unpaved utility access road. The DEIR addresses the impacts of the transition poles in Table D.13-4, under KOPs 8 and 23. The visual change level at KOP 8 was assessed as low since the visual impacts of the transition pole would be localized and the height and mass of the transition pole would be similar to a singular one of the 138 kV/69 kV poles, proposed for the Proposed Project. Visual impacts of the transition stations would be further mitigated with landscaping and material treatments described in mitigation measures V-6a and V-6b. The visual change level at KOP 23 was also assessed as Low, for similar reasons. This transition station would be visible from the Singing Hills Memorial Park, but would not draw the viewer's attention from this park, or from either Dehesa Road or Willow Glen Road, since the transition pole would be set back from these roads and the park, and partially screened by the background hillside. The visual contrasts of both transition stations were assessed as low since the poles would be similar in scale, and height as one of the 138 kV/69 kV poles, and this alternative would require only one pole structure that would be visible from each of the two KOP's, rather than the multiple poles that would be seen with the proposed Project.

- SD-249 It is acknowledged that underground construction would take longer than an equivalent segment of overhead construction. However, construction impacts would still be short-term, disappearing entirely after the construction period. Therefore, the Class III (adverse, less than significant) impact determination is considered to be correct.
- SD-250 There is no legal prohibition for implementation of mitigation measures for impacts that are less than significant (Class III). The identification of impacts as Class III (less than significant) makes it clear that the mitigation need not be implemented, and it is the decision makers at the CPUC who can determine whether this mitigation, which is still beneficial to the environment, should be implemented. Also, please see Response to Comment SD-98.
- SD-251 Underground transmission lines are accessed for maintenance and repairs only through the vaults established for this purpose. There is no long-term visual impact of these vaults, which are evidenced only by their manhole access points. Noise is minimal because activity occurs within the underground vaults. Trenching would not be expected to occur during maintenance because defective conductor segments would be installed at the vaults on either side of the fault location. In turn, it is likely that traffic disruptions during maintenance would be intermittent and minimal.
- Mitigation Measure V-5a has been modified as presented in Response to Comment SD-247 to account for the ability to leave the area over an underground line free of landscaping.
- SD-252 While the visibility of transition station components is acknowledged, transition structures can be designed in a variety of forms, including a single-pole tubular steel structure that would not create a “wall of steel” effect. The EIR analysis was based on the design shown in SDG&E’s PEA, Figure 3-1. This type of structure would not create a ‘wall of steel’ and can be mitigated effectively with material, color and landscaping treatments described in Section D.13.4.1. Mitigation Measures V-6a and V-6b in this Section of the DEIR are relevant to this alternative because painting requirements would apply to transition structures in the same manner as the requirements would apply to transmission towers in order to reduce impacts to less than significant levels. Also, please see Response to Comment SD-61.
- SD-253 Please see Response to Comment SD-77 regarding the overall visual impact of this alternative. Visual impacts resulting from grading of access roads for maintenance of this alternative would be minimal when compared to above ground structures that would result from the Proposed Project.
- SD-254 Please see Response to Comment SD-83 regarding structures required for the Santee Underground Alternative. See Response to Comment SD-252 regarding Impact V-6.
- SD-255 In comparison to the Proposed Project, the three proposed 138 kV poles in the area (230 kV steel mono-poles under this alternative) would be located along the northern boundary of the existing ROW, approximately 150 to 200 feet north of the residences in the City of Santee under the City of Santee 230 kV Overhead Northern ROW Boundary Alternative. This would substantially reduce the adverse visual impacts to the residents located along the existing southern ROW boundary because the poles and circuits would be further away from the residential community. Section 4.2.2.4 of Appendix 2 also includes that two additional poles would be needed east and west of the residents to transition the pole from the middle of the ROW to the northern boundary. Even with the consideration of the two additional transition poles, the visual impacts of this alternative would still be less than sig-

nificant with the implementation of mitigation measures; and, overall, this alternative would improve the viewshed for those residents located along this segment of the Miguel-Mission ROW.

Therefore, the following text has been added to Section D.13.4.5 under Environmental Impacts and Mitigation Measures describing the type and degree of visual impacts that would occur with the City of Santee 230 kV Overhead Northern ROW Boundary Alternative, but the impact analysis has not been changed.

230 kV Steel Mono-Poles – Two additional 230 kV steel mono-poles would be added to allow crossover of the circuits at the two endpoints of this alternative.

An independent engineering firm (CAI) reviewed the City of Santee 230 kV Overhead Northern ROW Boundary Alternative to evaluate its feasibility (see Appendix 4 of the Draft EIR for the complete feasibility assessment) and found that this alternative would be both technically feasible and would meet all of the project objectives, including providing reliability and operational benefits, reducing transmission constraints, and improving regional transmission infrastructure. Although there are risks of outages with crossings, the crossings would be compliant with all design standards, which would take into account line sag and swing from wind and would minimize the risks. Therefore, this alternative is still considered to have acceptable reliability.

SD-256 Mitigation Measure V-1b does not require restoration to an improved condition. Mitigation Measures V-1a, V-5a, V-6a has been modified to delete reference to an “improved condition” (see Response to Comment SD-237 and SD-247).

V-6a Reduce visual impacts at transition poles/stations. All evidence of construction activities, including ground disturbance due to installation of the overhead to underground transition stations shall be removed and all disturbed areas shall be remedied to an original ~~or improved~~ condition upon completion of construction, including the replacement of any vegetation or paving removed during construction. Long-term visual impacts at the transition sites shall be reduced for the life of the project through color treatment of poles to blend with surrounding landscapes, use of non-specular hardware, and landscaping, as required. SDG&E shall submit final construction, landscaping, and pole/station color treatment plans, demonstrating compliance with this measure to the CPUC for review and approval at least 60 days prior to the start of construction.

SD-257 The 60-day review requirement is standard for CPUC projects. SDG&E may expedite this process by submitting plans as early as possible. The CPUC commits to an expedited review of pre-construction plans. Also, please see Response to Comment SD-247.

SD-258 The Final EIR contains the corrected image (Figure D.13-32) that was prepared based on design information provided by SDG&E.

SD-259 Please see Responses to Comments SD-4, SD-5, and SD-6.

SD-260 This Final EIR includes revisions to the text in Table E-1 (DEIR, p. E-4) for hydrology impacts for the Proposed Project to clarify that it would have less potential for groundwater impacts. However, as also stated in the “Comparison to the Proposed Project” discussion

- on DEIR p. D.6-14, “Construction-related water quality impacts would be reduced due to the avoidance of new power poles proposed along this segment of the ROW under the Proposed Project, and resulting avoidance of the need to construct access roads in those areas.” In addition, construction would occur mainly within paved roadways with the Jamacha Valley 138 kV/69 kV Underground Alternative. Therefore, because the Proposed Project is located in an unpaved existing corridor and thus has the potential for substantially greater erosion and sedimentation, it also has the potential for more far-reaching effects on water quality. Overall, the Jamacha Valley 138 kV/69 kV Underground Alternative is still environmentally preferred to the Proposed Project for hydrology and water quality and there is no change in the overall comparison of alternatives for the Jamacha Valley segment.
- SD-261 This comment is incorrect in its conclusion that there is “no clear preference for a Jamacha Valley alternative in comparison to the Proposed Project.” While SDG&E is correct that some impact differences are not large, the conclusion presented in DEIR Section E.2.1 (page E-3, Comparison of Jamacha Valley Alternatives) clearly states that the Jamacha Valley Underground Alternative is preferred, especially regarding long-term impacts in the issue areas of biological resources, geology, soils and paleontology, hydrology and water quality, and visual resources. The Proposed Project is preferred in the other issues areas regarding short-term impacts based on reduced construction duration and disturbance. There is no preference for socioeconomics.
- SD-262 While SDG&E is correct that there is a small difference in acreage affected between the Proposed Project and the Jamacha Valley Underground Alternative, the acreage figures (based on SDG&E’s data provided with the PEA) are used consistently in the Draft EIR to compare alternatives. As stated on page D.3-41, the Proposed Project would temporarily impact approximately 105.61 acres and permanently impact approximately 9.96 acres requiring a total of 89.12 acres of habitat mitigation. Assuming implementation of the Jamacha Valley 138 kV/69 kV Underground Alternative as a component of the Proposed Project, this alternative would temporarily affect 10.5 fewer acres, permanently affect 0.84 fewer acres, and require 8.46 fewer acres of habitat mitigation. Therefore, the conclusion is correctly stated in Table E-1 as “a slight difference.” Please refer to SD-4 and SD-5 for a discussion of the weighing of alternatives.
- SD-263 Alternatives ranking schemes such as that presented in this comment by SDG&E do not allow for consideration of important weighing and assessment factors, such as: whether an impact is temporary (short-term) or permanent (long-term). To give these two types of impacts the same weight does not represent reality when an industrial project like the proposed transmission line could be in place for 50 years or more. See also Responses to Comments SD-4, SD-5, and SD-6.
- SD-264 Temporary impacts and disturbance, which occur during the construction of the Proposed Project, are identified in DEIR Section D.3.4.4 (Biological Resources, page D.3-48) as affecting 3.43 more acres than the Santee Underground Alternative. The difference between permanent impacts, which occur during the operation phase of the project in areas such as in the location of new facilities and poles, is only 0.13 acres (the underground alternative would affect 0.13 more acres than the Proposed Project). Overall, the Proposed Project would require nearly 3 additional acres of mitigation than the underground alternative. Given the three comparison factors (temporary impacts, permanent impacts, and mitigation required), the logical and consistent conclusion was to note a slight preference for the Santee Underground Alternative. This Final EIR includes revisions to DEIR Table E-2 (DEIR page E-6) for clarification (see Final EIR Section 4).

SD-265 Please see Response to Comment SD-263.

SD-266 Please see Response to Comment SD-241.

SD-267 There is no basis for emphasizing the NCCP over the mitigation measures proposed in the EIR. The EIR recognizes that the NCCP requirements apply and that SDG&E has complied with them in the past, but the EIR mitigation measures would also be specifically relevant to this project, if they are adopted and the project is approved. Also, please see Responses to Comment SD-30, -119 through -124, and SD-247.

SD-268 ***Authority for the CPUC's MMCRP.*** As described in detail in Section G.1 (Authority for the Mitigation Monitoring, Compliance, and Reporting Program) of the DEIR, the California Public Utilities Code confers authority upon the CPUC to regulate the terms of service and the safety, practices and equipment of utilities subject to its jurisdiction. It is the standard practice of the CPUC, pursuant to its statutory responsibility to protect the environment, to require that mitigation measures stipulated as conditions of approval are implemented properly, monitored, and reported. In 1989, this requirement was codified statewide as Section 21081.6 of the Public Resources Code, which requires a public agency to adopt a MMCRP when it approves a project that is subject to the preparation of an EIR and where the EIR for the project identifies significant adverse environmental effects. CEQA Guidelines §15097 was added in 1999 to further clarify agency requirements for mitigation monitoring or reporting.

The purpose of a MMCRP is to ensure that measures adopted to mitigate or avoid significant impacts of a project are implemented. The CPUC views the MMCRP as a working guide to facilitate not only the implementation of mitigation measures by the project proponent, but also the monitoring, compliance and reporting activities of the CPUC and any monitors it may designate.

The CPUC will address its responsibility under Public Resources Code Section 21081.6 when it takes action on SDG&E's application for a Certificate of Public Convenience and Necessity. If the CPUC approves the application, it will also adopt a MMCRP that includes the mitigation measures as a condition of approval.

CPUC Adoption of MMCRP. The mitigation measures that would be implemented under the MMCRP would be those from the Proposed Project Environmental Impact Report (EIR), consisting of the Draft EIR and Final EIR as adopted by the CPUC as conditions of project approval. In addition to the mitigation measures, project design and impact-reduction measures that SDG&E commits, as part of their proposed project would be implemented. The implementation of these "applicant proposed measures" and project protocols would also be monitored as part of the MMCRP.

Construction Monitoring, Enforcement, and Compliance Responsibilities. The CPUC environmental monitors (EM) would perform compliance inspection throughout the construction of the project to ensure compliance with all applicable plans, permits, and conditions of approval of the CPUC. The EM would monitor all active construction areas, contact personnel on-site, and access technical experts as needed during construction progress. With regard to compliance and enforcement activities, if necessary, the EM would prepare and issue Non-Compliance Reports (with levels of severity ranging from a warning to an immediate stop-work order) as appropriate, depending on severity of the incident and the potential impact.

Implementation of the MMCRP would include completion of weekly reports to the CPUC project manager from the CPUC EM that records construction activities.

The CPUC's project website and hotline would be used to provide project information to the public. The project website would make project information accessible via the Internet and would include a link to the site where the text of the EIR is located. The website would include a home page describing the MMCRP and agency roles; and would include a general map of the construction area and updates on construction progress. The project would provide current information regarding the progress of the project and would be the primary contact number for questions from the public.

The CPUC EM would document all observations and communications in a logbook and determine whether the observed construction activities are consistent with mitigation measures, Applicant-proposed measures, and project protocols and parameters as identified in the FEIR and adopted by the CPUC. The EM would not direct the work of a construction contractor or subcontractor. If the activity does not meet the specific aspects of the mitigation measures, the activity would be recorded as "Non-Compliance," and the level of non-compliance would be determined. A non-compliance is defined as any deviation from applicable mitigation measures, Applicant-proposed measures, and project parameters, and permit conditions or requirements. Violation levels would be defined in detail in the finalized MMCRP for the Proposed Project.

Variance Process. A variance is: (1) any deviation from the description of the project as proposed in the FEIR; or (2) a construction activity or practice that is not carried out in accordance with approved construction plans, mitigation measures, or other conditions of approval. Variances are limited to minor project changes that will not trigger any other permit requirements, that will not increase the severity of an impact, and that will clearly and strictly comply with the intent of all adopted mitigation measures. There are two types of variances:

- (1) Route and construction changes or non-compliance with specific mitigation measures or applicant proposed measures proposed by SDG&E prior to the start of construction, and
- (2) Changes proposed by SDG&E after construction has started.

The CPUC has the authority to halt any construction activity associated with the Proposed Project if the activity is determined to be a deviation from the approved project or adopted mitigation measures and permit conditions. Any deviation from the procedures identified in the EIR must be approved in advance by the CPUC. The EM would immediately report any unapproved variances to CPUC Project Manager. Variances may only be approved by the CPUC; variances cannot be approved by the EM. When SDG&E identifies a project change (including route changes, change in description of the project, or proposed change in construction methods) a written request letter shall be prepared and submitted to CPUC according to the type of change of action, to be defined in detail by the finalized MMCRP

Dispute Resolution. The EM would maintain frequent informal communication with SDG&E's Environmental Coordinator in order to minimize the occurrence of non-compliance events. However, disputes may arise and a process for their resolution is required. Should a dispute arise on interpretation of the mitigation measures, the following steps would be used:

Step 1: Disputes and complaints (including those of the public) should be directed first to CPUC's designated Project Manager. The EM would attempt to resolve the dispute in consultation with CPUC Project Manager.

Step 2: Should this informal process fail; the CPUC Project Manager may initiate enforcement or compliance action to address deviations from the Proposed Project or the MMCRP adopted with the EIR.

Step 3: If a dispute or complaint regarding the implementation or evaluation of the MMCRP or the mitigation measures cannot be resolved informally or through enforcement or compliance action by the CPUC, any affected participant in the dispute or complaint may file a written "Notice of Dispute" with the CPUC's Executive Director. This notice should be filed in order to resolve the dispute in a timely manner, with copies concurrently served on other affected participants. Within 10 days of receipt, the Executive Director or designee(s) shall meet or confer with the filer and other affected participants for purposes of resolving the dispute. The Executive Director shall issue an Executive Resolution describing his/her decision, and serve it on the filer and other affected participants.

Step 4: If one or more of the affected parties is not satisfied with the decision as described in the Executive Resolution, such party (ies) may appeal it to the CPUC.

Parties may also seek review by the CPUC through existing procedures specified in the CPUC's Rules of Practice and Procedure, although a good faith effort should first be made to use the foregoing procedure.

Also, please see Responses to Comments SD-25, SD-27, and SD-29.

SD-269 The CPUC's practice is to use a consultant to carry out field monitoring duties. The consultant would report directly to the CPUC's Project Manager and all major decisions would be made by the CPUC. Monitors used by the CPUC have worked on other transmission line projects and are knowledgeable about transmission construction requirements. Where an approved project passes through local jurisdictions, the CPUC's Project Manager and the field monitor generally coordinate with local officials to ensure that they are aware of construction activities and the required mitigation measures. Also, please see Response to Comment SD-268.

SD-270 The mitigation monitoring system described in Section G and above in Response to Comment SD-268 has been effectively and efficiently used on many previous CPUC-approved transmission projects. As described in the Response to Comment SD-270, the CPUC uses experienced monitors with knowledge of transmission line construction practices and extensive experience coordinating with resource agencies. Also, please see Response to Comment SD-268.

SD-271 Please see Responses to Comment SD-268 and SD-270.

SD-272 The CPUC's variance process is defined in more detail with an applicant after project approval. This process acknowledges that construction projects often require changes. As a result, the existing variance process establishes a range of actions that can be accomplished with varying levels of approval and information submitted. This system has worked effectively on numerous past projects. Also, please see Response to Comment SD-268, which describes the variance process.

- SD-273 As explained in the Responses to Comment SD-268 and SD-272, the mitigation monitoring process is defined in more detail after project approval. The details include definition of several levels of “non-compliances.” The levels depend on the severity of the violation, but generally start with a verbal warnings to the applicant’s construction manager, followed by a written notice and finally, in extreme cases, a shut-down of project work.
- SD-274 The CPUC is aware that work stoppage is a very serious action, and such an action has very rarely been required in past projects. Monitors do not have the authority to half construction unless life-threatening actions are taking place. Shut-down authority is retained by the CPUC Project Manager in order to allow this serious action to be given full consideration. Also, please see Response to Comment SD-268.
- SD-275 The dispute resolution mechanism defined in Section G-6 and Response to Comment SD-268 would be utilized only when all other negotiations and discussions fail. The CPUC and its field monitors always attempt to resolve problems by discussing concerns at the field level first, elevating to higher authority only if absolutely required. The system defined by SDG&E is in fact very similar to the one that is generally defined in the CPUC’s Implementation Plan for a mitigation monitoring program as described in Response to Comment SD-268.
- SD-276 The frequency of monitor inspection would be determined by the CPUC based on the extent and location of construction activity. On some projects, inspection has occurred on a random basis approximately twice a week; on other projects in highly sensitive areas, monitoring may occur every day in different portions of the right-of-way. Also, please see Response to Comment SD-268.
- SD-277 The referenced bullet in Section G.7.2 has been modified as follows:
- SDG&E will prepare contracts that will be signed by the construction companies hired for the project that outline the purposes and procedures for successful mitigation. Similarly SDG&E will have ~~the contract signed by~~ all construction crews and other personnel sign an acknowledgement of their familiarity with adopted mitigation measures prior to working on the job site.
- SD-278 SDG&E would not be “in charge” of the independent monitor(s) responsible for this project. Monitors would attend any required safety training and would abide by all requirements applicable to construction personnel. However, in order to effectively ensure mitigation implementation, monitors must be independent and have the flexibility to inspect various construction areas at will and without notice to SDG&E. This cannot be accomplished if they are accompanied by SDG&E. Again, this system has been successfully implemented in many previous transmission projects. Also, please see Response to Comment SD-268.
- SD-279 Please see Response to Comment SD-268. Thank you for providing comments.
- SD-280 Thank you for providing graphic information about the transmission line structures within the existing alignment and those that would occur with the proposed project.
- SD-281 Please see Response to Comment SD-116.