

Comment Set I0001, cont. San Diego Gas & Electric Company

Invasive species mitigation measures - Mitigation Measure B-3a on pages 2-39 and 2-40 should be revised because the process of washing all vehicles including undercarriage (and tools) before and after leaving the work site each day is excessive and would greatly impact the work schedule and project cost. Typical tracking control measures such as the use of grills and/or 6-inch gravel at access entrances are standard Best Management Practices (BMPs) used by SDG&E. They collect mud and dirt from vehicle tires that may contain invasive seed species and should be considered as an alternative to the proposed vehicle washing. The proposed excessive invasive species measure will require significant additional water resources and water disposal measures, as well as increased work areas and longer construction durations. A comprehensive weed abatement plan is unnecessary for those portions of the line that are located within or adjacent to an existing transmission ROW or other linear feature. Also, this measure should not continue for long-term maintenance activities. In recent transmission projects, such as SDG&E's Miguel Mission #2 project (D.04-07-026), the CPUC's final mitigation to control noxious weeds only required the following:

- Existing vegetation shall be cleared only from areas scheduled for immediate construction (within 10 days) and only for the width needed for active construction activities with one exception: If grading within the 10-day window would occur during a time frame which prohibits grading in certain areas for specific species 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 the 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.

SDG&E requests that the Final EIR/EIS contain a similar invasive species mitigation measure.

Special status plant species - As recognized in the RDEIR/SDEIS, no special status plant species occur at the proposed Jacumba Substation site based on a special status plant survey conducted in 2008. (RDEIR/SDEIS at 2-41.) Nevertheless, the RDEIR/SDEIS concluded that Impact B-5 is Class I. With the exception of the Jacumba Substation, rare plant surveys have not yet been conducted but the RDEIR/SDEIS assumed presence and that all impacts would be unmitigable. Documentation of occurrences through focused surveys and subsequent project design would avoid many plant impacts. Unavoidable impacts would be compensated through off-site mitigation. Again, current research indicates that adequate mitigation lands are available.²⁵ The Final EIR/EIS should recognize that the potential impacts to special status plant species are less than significant through avoidance, minimization and mitigation measures.

Avian collisions - With respect to Impact B-10, the Final EIR/EIS should reflect that the SWPL loop-in and 69 kV transmission line will not have significant impacts in regards to avian

²⁵ See, SDG&E's comment letter #2 dated 2/11/08.

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collision and mortality. (RDEIR/SDEIS at 2-55.) The RDEIR/SDEIS states that the SWPL loop-in and the 69 kV transmission line will have Class I impacts to listed species and Class II impacts for collision for non-sensitive species or daytime migration. The Jacumba Substation will not be located within a major flyway for migratory birds. One existing tower of the SWPL will be replaced and two new structures will be constructed just east of the Jacumba Substation as part of the SWPL loop-in. The replacement of the existing tower will not increase avian collision rates from what they are currently for SWPL. The addition of two new towers closely placed near the proposed Jacumba Substation site will not significantly increase collision rates. The new 69 kV line will be shorter than the existing 500 kV line, which it will parallel for approximately 10 miles, thus impacts would not be significantly different than the existing conditions. The north/south portion of the new transmission line is not expected to have a significant avian collision effects because most species migrate north/south. Additionally, SDG&E will ensure that the 69 kV transmission structures are spatially configured and designed in accordance with the Avian Power Line Interaction Committee's *Suggested Practices for Avian Protection on Power Lines* in order to minimize the potential for avian collisions. As a result, impacts should be characterized as less than significant.

I0001-30 cont.

Native tree mitigation measures - Regarding Impact B-1, impacts to native trees, mitigation should only be required for native trees where greater than 30 percent of the canopy is trimmed. As stated on page 2-28 of the RDEIR/SDEIS, "Trimming more than 30 percent of a native tree's crown would diminish the tree's value as wildlife habitat and could cause harm to the tree leading to its decline or death." Consistent with this finding, mitigation should only be required for native trees where greater than 30 percent of the canopy is trimmed.

I0001-31

Riparian Birds - Mitigation Measure B-12(a) details extensive mitigation requirements for coastal California gnatcatcher, least Bell's vireo and southwestern willow flycatcher. (RDEIR/SDEIS at 2-59 to 2-60.) Yet, according to the San Diego County Bird Atlas, other published data, and field surveys by qualified biologists, there are no known nesting sites for these species located within the anticipated Jacumba Substation site, SWPL loop-in or 69 kV transmission line corridor and the species are not expected to occur within the area.²⁶ The Final EIR/EIS should reflect that impacts to these species are not expected to occur and that no mitigation is required.

I0001-32

Type Conversion - With respect to Section 2.2.2 starting on page 2-29, the increased fire hazard in the project area can be attributed to other influences not directly related to power lines such as (a) extended period of drought, in excess of 10 years below average rainfall; (b) many more people living and recreating in the wildland urban intermix areas increasing ignition sources; (c) land planning activities encouraging clustering, which leaves high fuel loads available for consumption; (d) past fire suppression practices creating patches of high fuel loads; and (e) federal, state and local land management agencies dedicating large expanses of open space for non-development and preservation.

I0001-33

Because power lines cause a very low percentage of wildland fires, the Final EIR/EIS should reflect that they are not significant contributors to type conversion (that require multiple fires over a short duration). According to Cal Fire's latest Fire and Resource Assessment

²⁶ Unitt, Philip. *San Diego County Bird Atlas*. San Diego Natural History Museum. San Diego, California. 2004.

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Program (FRAP) data (2006), in the fire perimeter layer, only 170 out of 15,737 fires statewide were listed as caused by power lines. This constitutes 1.1% of all fires in Cal Fires' assessment program, which includes fires from 1950 through 2006. Even when power lines have been associated with fires, they typically result from distribution rather than transmission lines such as those proposed for the Sunrise project. Based on SDG&E's records since the initiation of its Fire Information Reporting System in 2004 through March 2008, the cause of 114 fires was related to SDG&E equipment or facilities. Of these 114 fires, less than 0.4 of 1% were related to transmission facilities and less than 0.1 of 1% were caused by major transmission structures. The CPUC itself has recognized that power line fires generally make up only 1% of ignitions, and high-voltage lines only make up about 3% of these. (RDEIR/SDEIS at 1-4.)

I0001-33 cont.

In addition, electric systems have been in existence in San Diego County for 100 years, and there is no correlation between type conversion and transmission lines. This was confirmed by SDG&E's analysis of the available data using three different approaches, which demonstrated that (1) using non-native vegetation as a proxy of type conversion reveals that non-native vegetation cannot be correlated with the presence of the lines themselves; (2) a GIS analysis reveals that only 0.55 miles of transmission line cross undeveloped land containing non-native vegetation; and (3) non-native vegetation located within and adjacent to transmission line ROW in the County totals 47.39 acres, or only 0.43% of the total 11,016 acres of non-native vegetation and only 1.8% of the non-native vegetation located in undeveloped and non-agricultural areas. In sum, because the evidence demonstrates that type conversion cannot be attributed to transmission lines, any suggestion that power lines create a risk of type conversion should be removed from the Final EIR/EIS.

Visual Resources

The anticipated Jacumba Substation has fewer visual resources impacts and should have less mitigation than described in the RDEIR/SDEIS. Overall, the aesthetics analysis exaggerates the expected level of visual impact associated with several of the project components. It does not acknowledge the effectiveness of feasible mitigation, such as landscape screening, which will reduce the project's visibility with respect to affected public views. In addition, the visual analysis incorrectly identifies "view blockage" as a visual effect associated with the project. As outlined below, the RDEIR/SDEIS overstates three "Class 1" (significant) visual impacts and overestimates the need for visual mitigation.

I0001-34

With respect to the Jacumba Substation (V-87), the RDEIR/SDEIS inaccurately identifies a "significant, unmitigable visual impact with respect to views from Old Highway 80. At page 2-68, the RDEIR/SDEIS purports that viewer exposure is "moderate to high"; however, this does not account for the fact that the substation will be visible from a limited segment of Old Highway 80, which means that the duration of affected roadway views will be relatively brief. Despite the lack of a visual simulation showing the appearance of the project, making a comparative assessment of "before" and "after" visual conditions difficult, the RDEIR/SDEIS claims the project would result in "Increased structure contrast, industrial character, view blockage, sky lining..." (RDEIR/SDEIS at 2-68.) The RDEIR/SDEIS provides no support for this claim.

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The RDEIR/SDEIS states that the affected viewing area is “adjacent and to the immediate south of the existing Southwest Powerlink (SWPL) transmission line,” which includes a number of large scale lattice tower transmission structures. (RDEIR/SDEIS at 2-67.) Several of these structures appear in the existing view from Old Highway 80. (See, Figure 2.3-2) However, the RDEIR/SDEIS analysis fails to mention that many of the new structures within the Jacumba Substation will be considerably lower in height than the existing SWPL lattice transmission towers, which are generally well over 100-feet-tall. Further, the RDEIR/SDEIS does not recognize the effectiveness of mitigation, such as landscaping and revegetation using native plant material. Implementation of these measures will effectively minimize potential visual contrast, thus reducing the project’s visibility. A more detailed and accurate visual impact assessment with visual simulations will be included in SDG&E’s PEA for that project (when it is filed) and will clearly demonstrate that while the project will appear against a landscape backdrop, it will not substantially block views of the background mesa and mountain slopes. The Jacumba Substation structures will generally neither “skyline” nor will they appear to noticeably contrast with the surrounding landscape setting in terms of line, form or color. Given these visual effects and the potential to mitigate them, the visual impact should be characterized as less than significant.

I0001-36

On page 2-67, the RDEIR/SDEIS describes the Jacumba Substation as two adjacent substations, which is not accurate because the substation will be comprised of two pads, as previously explained. The visual impact of a substation on a single pad would be greater due to larger slopes.

I0001-37

SDG&E agrees with the statement in the RDEIR/SDEIS at page 2-77 that the landscape presently exhibits an industrial character due to SWPL. As with lattice structures, substation structures are not completely solid and backgrounds can be seen behind the structures. The new structures will not significantly block the views of the Sierra Juarez mountains. SDG&E intends to revegetate the slopes around the substation after completion of construction and the substation surface will be similar in color to the natural soils in the area. SDG&E is also positioning the substation such that views from the north and east are blocked by Jade Peak.

I0001-38

SDG&E disagrees, however, with the statement on page 2-77 that “There is no mitigation available to reduce the significant visual impact of the substation complex to a level that would be less than significant, aside from selection of an entirely different substation location.” SDG&E performed a constraints analysis and site evaluation study as part of its development of the substation project, which included visual resources as a constraint. The proposed site was chosen based on the analysis of all of the constraints. SDG&E selected the location west of the location shown in the DEIR/EIS to reduce visual impacts. The substation would be highly visible to the town of Jacumba and the proposed Ketchum Ranch development if built in the location suggested in the document.

The description of the Boulevard Substation Expansion has changed since information was provided to the CPUC. The substation is being rebuilt adjacent to the existing site instead of expanded. Regardless of the final design, the rebuilt Boulevard Substation will not dramatically change the character of the area. The existing Boulevard Substation is on an elevated pad, and the proposed rebuild will be built at a lower elevation. There is also a CalTrans facility

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approximately ¼ mile east of the substation. That facility has several tall buildings and idle vehicles, which are all visible from Old Hwy 80. This information should be included in the Final EIR/EIS.

I0001-39 cont.

SDG&E intends to use landscaping and visual screening concepts (fencing with slats) at the Boulevard Substation to mitigate aesthetic effects. Figure 2.3-5B exaggerates the size of the 69 kV rack. The 69 kV rack is only one bay in depth, whereas this figure shows two bays in depth (north-south). The 12 kV rack is also only one bay in depth (north-south). The 12kV rack is also only one bay in depth (north-south).

I0001-40

Mitigation Measure V-21a requires permanent lighting must not be visible to the public. (RDEIR/SDEIS at 2-81.) SDG&E installs lighting on the transmission structures consistent with FAA regulations which may require installations that conflict with this mitigation measure. The mitigation measure should be amended accordingly.

I0001-41

Mitigation Measure V-3a states that no new access roads should be immediately straight downhill from structure. (RDEIR/SDEIS at 2-81.) This will increase impact areas, cost and schedule. Typical design focuses on avoidance of hydrology and soil disturbance concerns. The Final EIR/EIS should clarify how far from the structure does the access need to go before proceeding downhill and what minimum grade must exist before this requirement for access roads applies, as well as revise this measure to provide more flexibility.

I0001-42

Although the anticipated 69 kV transmission line follows 4.5 miles of new right-of-way, it is still less of a visual impact than some of the other alternatives that were initially evaluated. It also would be less of a visual impact than the routes proposed in Figure 2.3-4A of the RDEIR/SDEIS.

I0001-43

SDG&E disagrees with this statement on page 2-85 that the new 69 kV line would block views of Boundary Peak. SWPL structures and distribution structures already exist in the area, so a new 69 kV line is not expected to change the character beyond what it is today or block views of Boundary Peak. SDG&E does not agree that the routes proposed in Figure 2.3-4A will be less of a visual impact. Those routes would be much more visible from Old Hwy 80, which is traveled more frequently than Tule Jim Lane. The red routes shown in Figure 2.3-4A would be much more visible.

I0001-44

Land Use

The analysis for Impact L-2 concludes that the presence of a project component (the Boulevard Substation rebuild) would result in a significant, unmitigable impact because of a division of an established community or disruption of existing land uses. (RDEIR/SDEIS at 2-115.) But, as noted in the discussion, the landowner would be compensated based on the fair market value of the property. (*Ibid.*) In the CPUC's Mitigated Negative Declaration for the Uptown Substation Project (A.04-03-015), the CPUC concluded that the displacement of six residential units resulting in the displacement of approximately 17 people would have a less than significant impact with the implementation of the relocation program. A copy of the CPUC's MND's title page and page B.4.12-3 are attached hereto as Attachment 1 and incorporated by

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reference. Furthermore, the Boulevard Substation is an existing use that SDG&E is moving slightly and expanding, so it is not a change or disruption to the existing land use. Because a permanent community division or disruption will not occur by the relocation of a resident, this impact classification should be reduced to Class II in the Final EIR/EIS.

I0001-45 cont.

SDG&E wants to clarify the statements regarding the communication facilities. On pages 2-113, 2-116, 2-161 and 2-170, the White Star site where SDG&E proposes work is described as being owned by the County. Although the County is the underlying fee owner, SDG&E would like to clarify that it has an easement and the right to build its facilities thereunder without the need to obtain any additional land rights from the County.

I0001-46

Agriculture

On page 2-125, the RDEIR/SDEIS states: ““Substantial impacts relating to other issues,” is defined to include effects that result in a permanent reduction in productivity or the ability to conduct pre-project operations (e.g., obstruction of and disturbance to agricultural land and operations, interference with aerial spraying applications, exposure of livestock to stray voltage and EMF, and avian perching near vineyards).” (Emphasis added.) EMF should not be included with stray voltage in referring to presumed impacts on livestock. No significant behavioral or physiological impacts to livestock have ever been scientifically demonstrated for power-frequency EMF.

I0001-47

In Section 2.6, the RDEIR/SDEIS states that forage crops are grown between MP 2.3 and 3.75; however, based on field observation, the crops grown in this area are organic salad crops (e.g., lettuce, cabbage and kale). (RDEIR/SDEIS at 2-126.) Approximately two transmission structures will be erected on the property. In order to provide a safe work space, each transmission structure will require approximately 70 feet by 70 feet of cleared workspace for construction activities. Additionally, temporary disturbance of an approximately 115 feet by 115 feet area may be required for staging and operation of vehicles and equipment to facilitate each pole installation. Therefore, a total of approximately 0.8 acre of temporary disturbance is anticipated for the construction of both transmission structures. The total agricultural portion of Jacumba Valley Ranch (proposed location for the Ketchum Ranch development) is approximately 320 acres and the area that will be temporarily removed from agricultural production represents 0.25 percent of the total area. Moreover, SDG&E will coordinate with the landowner to minimize disturbance to agricultural activities during construction and will compensate for any associated losses, as appropriate. Therefore, the temporary impacts resulting from construction will be less than significant and should be revised accordingly in the Final EIR/EIS.

I0001-48

Cultural

On page 2-128, the RDEIR/SDEIS states that “The 69 kV transmission line crosses the historical Old Highway 80. This former intercontinental highway once called the “Broadway of America” has been designated as a County of San Diego “Historic Route” and has been nominated as a “State Historic Route.” A 33-mile portion of the Old Highway 80 route has been recommended eligible for NRHP and CRHR under Criteria A and C, with specific contributing

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and non-contributing elements (Lortie, 2000).” Delete the phrase “and has been nominated as a State Historic Route” and insert the following after the citation to (Lortie, 2000): “It should also be noted that the remaining portions of Old Highway 80 in Imperial and San Diego counties that are still in use today were designated as “Historic U.S. Highway Route 80” in the California legislature. The assembly concurrent resolution 123 (ACR 123) was chaptered by the California Secretary of State on August 16, 2006. While ACR designates Old Hwy 80 as a historic highway route, it does not provide it protection from future planning or development. Rather, ACR 123 states “That the designation of Historic U.S. Highway Route 80 pursuant to this resolution shall have no impact upon the future planning or development of adjacent private and public properties....”

I0001-49 cont.

The discussion on page 2-129 of the RDEIR/SDEIS concerning Los Pinos should be deleted in the Final EIR/EIS because SDG&E is not proposing any work related to the Jacumba Substation at this location.

I0001-50

On page 2-132, 4th paragraph and in the “Components and Comments” column in the table on page 2-145, SDG&E suggests the Final EIR/EIS include “and rock art” after “and a third is presumed eligible due the recorded presence of cremations” and reference the fact that Ken Hedges from the San Diego Museum of Man recorded rock art features at this site in 1979.

I0001-51

Page 2-132 of the RDEIR/SDEIS states that construction of Jacumba Substation, SWPL loop-in, and 69kV transmission line may have Class II impacts; however, impacts to human remains will be Class I. SDG&E believes that impacts to human remains will be reduced to Class II with the implementation of Mitigation Measure C-2a: Properly Treat Human Remains and other pertinent mitigation measures.

I0001-52

Page 2-138 of the RDEIR/SDEIS states that construction of the 69 kV line will cause adverse change to sites known to contain human remains; however, the one site mentioned, CA-SDI-176, which was originally recorded in 1942, noted evidence of cremations. This site was updated in 2006 during a survey for the BLM and no human remains were found. The northern boundary of this site extends only to the southern most boundary of the transmission line ROW. As a result, known human remains will not be impacted.

I0001-53

A portion of Mitigation Measure C-2a states that “Although subject to the recommendations of the MLD...” (RDEIR/SDEIS at 2-139.) To take into account the possibility that remains may be located on private lands, this statement should be revised to read “Recommendations may be made by the MLD, *and if agreed upon with the landowner...*”

I0001-54

With respect to Impact C-3, the construction of the Jacumba Substation, SWPL loop-in, 69 kV transmission line will not have Class I impacts to unknown significant buried prehistoric and historical archaeological sites or buried Native American human remains. Page 2-139 of the RDEIR/SDEIS states that construction of Jacumba Substation, SWPL loop-in, and 69 kV transmission line may have Class II impacts; however, impacts to human remains will be Class I. SDG&E believes that impacts to human remains will be reduced to Class II with the implementation of Mitigation Measure C-2a: Properly Treat Human Remains and other pertinent mitigation measures.

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Operation and maintenance of the Jacumba Substation, SWPL loop-in and 69 kV transmission line will not have Class I impacts to known historic properties (Impact C-5). Pages 2-143 and 2-144 of the RDEIR/SDEIS state that operation and maintenance of the Jacumba Substation, SWPL loop-in and 69kV transmission line may have Class II impacts; however, impacts to human remains will be Class I. Once again, SDG&E believes that impacts to human remains will be reduced to Class II with the implementation of Mitigation Measure C-2a: Properly Treat Human Remains and other pertinent mitigation measures.

I0001-56

Noise

SDG&E disagrees that there would be significant impacts associated with the inspection and maintenance of the Boulevard Substation because a substation already exists there today and the maintenance activities would not change after the substation is rebuilt. (RDEIR/SDEIS at 2-159.) Inspection of the transmission line would involve routine observation of the facility usually done from a pickup truck. Because the poles and crossarms will be steel, and the insulators made of a polymer material, the maintenance activities are expected to be minimal. The noise associated with the transmission maintenance activities would be minor, and the Final EIR/EIS should be revised accordingly.

I0001-57

Impacts to sensitive receptors due to construction-related noise at the Boulevard Substation and 69 kV transmission line should not be deemed Class I. Page 2-154 of the RDEIR/SDEIS does not simulate the potential increases in ambient noise due to construction of the 69 kV transmission line and Boulevard Substation. Instead, it assumed that these activities will result in a Class I impact. Further, due to the linear nature of the 69 kV transmission line's construction, ambient noise level increases at sensitive receptors will be short-term in nature. The ambient noise related to the construction of the transmission line will be localized near individual poles and will not be distributed along the entire 69 kV transmission line. In addition, construction will be phased and is not expected to occur at the same site for multiple, sequential days. Sensitive receptors are not likely to be subjected to noise in excess of 75dB due to their distance from the poles (at least 300 feet), and all noise impacts will be for short periods of time. These impacts will be less than significant.

I0001-58

If a comprehensive noise simulation indicates that these receptors could be exposed to construction-related noise in excess of 75dB for extended periods of time, mitigation measures are available to SDG&E in order to reduce impacts to a less-than-significant level. These measures may include erecting shielding or barriers to block or attenuate the construction noise from the sensitive receptors or temporarily relocating residents during peak construction periods. As a result, impacts should be characterized as Class II or Class III.

I0001-59

Finally, all construction activities will be restricted to those hours allowed by the applicable noise ordinances unless otherwise allowed by the applicable jurisdiction. As a result, the project will not violate any local ordinances. Impacts to local rules, standards and/or ordinances should not be classified as a Class I impact.

I0001-60

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Increases in ambient noise levels due to routine inspection and maintenance activities at the Boulevard Substation and along the 69 kV transmission line should not be classified as Class I. Page 2-158 of the RDEIR/SDEIS states that routine inspection of the 69 kV transmission line will bring construction equipment within 200 feet of sensitive receptors creating a significant impact. The routine, ground-based inspection and maintenance activities that will typically consist of a crew accessing the structures to perform various maintenance activities within a 150-foot diameter work area centered on each structure. In general, these planned maintenance activities will not require the use of heavy equipment and will be short-term in nature. Visual inspections of the 69 kV transmission line, performed by helicopter, will occur several times annually. These inspections will cause short-term increases in ambient noise along the transmission line ROW. Routine inspection and maintenance at the Boulevard Substation will not differ significantly from the current schedule and activities. Due to the short term and periodic nature and the fact that these inspections already occur in the area for existing facilities, ambient noise levels will not increase significantly during these activities. As a result, noise impacts should be characterized as less than significant.

I0001-61

Transportation and Traffic

Impacts resulting from temporary road closures associated with construction of the Jacumba Substation project components should not be classified as Class II. Page 2-164 of the RDEIR/SDEIS states that that construction of the 69 kV transmission line and the communication facility could cause temporary road and lane closures that would disrupt the flow of traffic. Although SDG&E agrees that traffic may be disrupted temporarily, SDG&E disagrees that Mitigation Measure T-1a, which restricts lane closures to off-peak periods in congested areas, is required. All roadways in the 69 kV transmission line and communication facility area are rural and have very low traffic volumes. Traffic may be stopped on local rural roadways for a maximum of 15 minutes while conductor is pulled for the 69 kV transmission line, but no roadways will be closed for construction. A traffic control plan will be developed for the transmission portion of the project. As a result, impacts will be less than significant and do not justify the imposition of Mitigation Measure T-1a.

I0001-62

Impacts resulting from the temporary disruption of pedestrian and bicycle movement should not be classified as Class II. Page 2-166 of the RDEIR/SDEIS states that the construction of the 69 kV transmission line, the Boulevard Substation rebuild and the communication facility would be result in the temporary closures of sidewalks and pedestrian facilities. SDG&E disagrees with this statement because there are no sidewalks or pedestrian facilities in the area of these facilities. Although bicyclists may be stopped for a maximum of 15 minutes while conductor is pulled across local roadways for the 69 kV transmission line, these impacts will be brief and distributed across the area. Therefore, this impact should be reclassified in the Final EIR/EIS as Class III.

I0001-63

Public Health and Safety

On page 2-179, the RDEIR/SDEIS states that “at this time we are unable to determine whether there is a significant scientifically verifiable relationship between EMF exposure and negative health consequences.” The CPUC’s Findings of Fact #5 in D.06-01-042 (page 19) more

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explicitly states, “As discussed in the rulemaking, a direct link between exposure to EMF and human health effects has yet to be proven despite numerous studies including a study ordered by this Commission and conducted by DHS.” (Emphasis added.) The CPUC’s own Findings of Fact should trump introductory comments taken out of context.

I0001-64 cont.

Under the discussion of Electric and Magnetic Fields, the RDEIR/SDEIS states that “Mitigation measures may be determined on a project by project basis by the CPUC in any proceeding decision.” SDG&E would like to the Final EIR/EIS to clarify that clear policy guidance and mitigation criteria are provided in D.06-01-042 and in CPUC-mandated and approved EMF Construction Guidelines. D.06-01-042 states in relevant part “When new scientific research becomes available, we will then consider opening a new rulemaking. As a result, prospective policy changes regarding EMF health effects should not be litigated in future utility Certificate of Public Convenience and Necessity (CPCN) or Permit to Construct (PTC) proceedings.” (p. 19.) Also, D.06-01-042, Conclusions of Law 2, states, “EMF concerns in future CPCN and PTC proceedings for electric transmission and substation facilities should be limited to the utility’s compliance with the Commission’s low-cost/no-cost policies.” (p. 21.) The Final EIR/EIS should include these limitations on mitigation.

I0001-65

Air Quality

Under Mitigation Measure AQ-1a, SDG&E may be required to apply water to unpaved areas three times daily irrespective of visible dust levels and wind conditions. (RDEIR/SDEIS at 2-185) This is an overly burdensome measure that should be more flexible in the Final EIR/EIS. Field personnel should only be required to water areas as needed (so long as visible emissions are minimized to below required Air District thresholds). Also, this mitigation measure requires a Dust Control Plan (DCP) to be prepared and filed with the ICAPCD, SDAPCD, BLM, and CPUC. The SDAPCD only requires compliance with its Visible Emissions and Nuisance rules and does not mandate preparation and/or filing of a DCP. The requirement to prepare a DCP for the SDAPCD should be deleted in the Final EIR/EIS.

I0001-66

Under Mitigation Measure AQ-1b, portable diesel engines (rated ≥ 50 HP) that are not registered under CARB’s Portable Equipment Registration Program (PERP) would, at a minimum, have to be Tier 2 certified engines. (RDEIR/SDEIS at 2-185.) Furthermore, this mitigation measure states that engines rated greater than 100 HP could be Tier 1 (if Tier 2 certification is not available for that HP range). The mitigation measure also specifies the use of diesel particulate filters on all uncertified engines that are greater than 100 HP. Mitigation Measure AQ-1a is unnecessary and is in conflict with the State’s Airborne Toxics Control Measure (ATCM) for portable diesel engines. The ATCM already requires all ≥ 50 HP portable diesel engines (registered under CARB’s PERP or local air district portable programs) that are uncertified (i.e. Tier 0) to be retired from service by Jan 1, 2010. The ATCM also requires all new engine purchases (starting Jan 1, 2006) meet the most stringent Tiered certification for the applicable HP range (e.g. current new registrations are limited to Tier 3 or higher engines for most HP classes above 50 HP). Most portable diesel engines that will be employed during construction will meet the ATCM requirements and likely exceed the requirements of Mitigation Measure AQ-1b.

I0001-67

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Mitigation Measure AQ-1g states that unnecessary construction vehicle and idling time will be minimized. (RDEIR/SDEIS at 2-186.) The Final EIR/EIS should note that CARB has already inserted specific idling restrictions in its recently adopted ATCM regulation for off-road diesel vehicles (≥ 25 HP). The ATCM specifies that idling cannot exceed 5 consecutive minutes (this idling restriction would not apply to certain situations such as queuing, testing/servicing, or if idling is necessary to accomplish work -- such as operating a crane). CARB has also adopted similar idling requirements for On-Road Heavy-Duty commercial diesel vehicles (greater than 10,000 pounds GVW). Compliance with these ATCM regulations will not necessitate additional mitigation requirements for vehicle idling.²⁷

I0001-68

Hydrology

Mitigation Measure H-1a to limit grading activities to the dry season would potentially increase impacts to water quality at the Jacumba Substation. (RDEIR/SDEIS at 2-192.) This measure may not be feasible and is contrary to most BMPs, as it could result in a suspension of grading activities for eight months, as opposed to completing the grading phase and permanently stabilizing soils disturbed by the project. Thus, this mitigation measure should be removed. The requirements of the SWPPP and SDG&E's BMP Manual, which include specific BMPs on scheduling, would ensure that impacts to water quality would be less than significant. Furthermore, timing restrictions for this region are not warranted due to the low level of precipitation in the area.

I0001-69

On page 2-201, the RDEIR/SDEIS states that a large spill at the Jacumba Substation could travel downstream into Boulder Creek, resulting in a significant hydrology impact without mitigation. However, during field surveys of the Jacumba Substation site by qualified biologists, it was observed that the substation site is down slope and at least 1,500 feet west of Boulder Creek and could not be hydrologically connected to Boulder Creek. In addition, Boulder Creek flows north and east away from the proposed Jacumba Substation site. Nonetheless, the substation would be built according to the Environmental Protection Agency (EPA) spill prevention control and countermeasure regulations for electrical substation projects to prevent an inadvertent release of oil from the substation site. As a result, accidental releases of contaminants from project facilities during operation will not degrade water quality in Boulder Creek (Impact H-7).

I0001-70

Geology, Mineral Resources and Soils

On page 2-206, under White Star Communication Tower, the last few sentences of the discussion relate to the substation not communication facilities and should therefore be removed from this section.

I0001-71

SDG&E requests that the Final EIR/EIS rectify and make consistent impacts and mitigation identified in the DEIR/DEIS and the RDEIR/SDEIS. For example, any southern route alternative would impact desert pavement areas yet the impact and associated mitigation is not mentioned in the RDEIR/SDEIS. Based on SDG&E's review of the desert pavement Mitigation Measure G-2a, which affects the design and project description of the alternatives discussed in

I0001-72

²⁷ SDG&E's comment letter #3 dated 3/18/08.

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the RDEIR/SDEIS, temporary mats would be ineffective in protecting desert pavement, given its relatively delicate nature and proclivity to disturbance. It is also unclear whether the impact is visual, as a unique geologic feature, or whether there is a natural habitat component associated with the resource. Assuming that the visual component is the unique element of desert pavement, and given the fact that desert pavement is widespread along the southern alternative routes and may be difficult to substantially avoid and remain roughly parallel to SWPL within the BLM-Designated Utility Corridor, SDG&E proposes the following revisions to Mitigation Measure G-2a in the Final EIR/EIS:

I0001-72 cont.

Mitigation Measure G-2a Protect desert pavement. Grading for new access roads or work areas in areas covered by desert pavement shall be avoided or minimized *to the greatest extent feasible*. If avoidance of these areas is not possible, the desert pavement surface shall be protected from damage or disturbance from construction vehicles by use of temporary mats placed on the ground surface. *be restored with a BLM-approved oxidizing stain or similar treatment to replicate the dark visual characteristic of the desert pavement.* A plan for identification and avoidance or protection of sensitive desert pavement *and a delineation of short- and long-term access routes to the towers with specific limits to vehicle parking, turn-around and foot travel* shall be prepared and submitted to the CPUC and BLM for review and approval at least 60 days prior to start of construction. The plan shall define how protective measures will prevent destruction of desert pavement.

Fire and Fuels Management

With respect to Section 2.15, SDG&E's following comments apply generally throughout this section, starting on page 2-224.

I0001-73

As a preliminary matter, power lines cause a very low percentage of wildland fires. Even when fires have been associated with power lines, they typically have not involved transmission lines such as those proposed for Sunrise. As discussed above, power line fires constitute approximately 1% of ignitions statewide and high-voltage lines only make up about 3% of these fires. Vegetation management practices have reduced power line related fires in recent years, and SDG&E hazard reduction practices around substations in the wildland further reduce fire risk.

In addition, all activities potentially creating a fire risk during construction can be mitigated to an insignificant risk level despite the RDEIR/SDEIS impact classifications summarized on page 2-225. For example, high risk activities can be scheduled during low risk fire days. SDG&E can develop and adhere to a Fire Plan for all project activities in the wildland. SDG&E could also assign a "Fire Patrol" during construction activities, specifically assigned to mitigate fire risk; have proper equipment immediately available on site to suppress fires should they occur; perform hazard reduction activities where appropriate to reduce risk prior to construction; conduct pre-project inspections with jurisdictional fire representatives; and hold pre-project fire safety meetings and periodic safety meetings throughout construction, with emphasis on high fire danger days.

Comment Set I0001, cont. San Diego Gas & Electric Company

Power lines are an existing presence, which both aerial and ground resources work with on a daily basis in most every geographic area. They are linear features that occupy minimal space with respect to an overall fire area. In most cases, the power lines can be easily avoided with little to no impact on firefighting activities. In situations where it is critical to work under or immediately adjacent to these facilities, the lines can be de-energized in very short order. On those rare occasions that electric demand prevents taking a line out of service (such as when the possibility of causing a rolling blackout exists), aerial firefighting operations can continue as long as there are no ground resources underneath the lines. In sum, fire and fuel management impacts are not significant and should be reduced in classification in the Final EIR/EIS.

I0001-74

With respect to Mitigation Measure F-1a on pages 2-227 and 2-228, SDG&E can conduct certain construction and maintenance activities that pose no fire risk, so they should be able to continue. Also, there may be no fire risk in certain areas such as those that Cal Fire has classified as low risk (i.e., urban areas), so construction and maintenance should also be able to continue in those areas. Prohibiting all construction activities would unnecessarily delay the project, particularly because the prohibition would be at odds with other mitigation measures that restrict construction activities to the dry season. Therefore, SDG&E suggests the following revisions to Mitigation Measure F-1a be included throughout the Final EIR/EIS:

I0001-75

During Red Flag Warning events, as issued daily by the National Weather Service in SRAs and Local Responsibility Areas (LRA), and when the USFS Project Activity Level (PAL) is Very High on CNF (as appropriate), ~~all~~ construction and maintenance activities ***that pose a fire risk*** shall cease ***in Cal Fire's very high, high or moderate fire severity zones***.

Mitigation Measure F-1b on page 2-228 requires that "SDG&E shall submit the Plan for review and approval by the following agencies at least 90 days prior to energizing the Proposed Project: CPUC, BLM, CAL FIRE, US Forest Service and ABDSP." SDG&E suggests that the Final EIR/EIS delete "approval" and replace it with "comment," as getting final approval from all of the listed agencies will be difficult if not impossible to do in a timely manner and incorporating the agencies' comments will still reduce the impacts to a sufficient level. SDG&E has no objection to the other numerous requirements in this measure.

I0001-76

Paragraph 3 of Mitigation Measure F-1c states in pertinent part that "SDG&E shall contact Cal-Fire and CNF dispatch seven days prior to helicopter use..." (RDEIR/SDEIS at 2-229.) Seven days advance notice is very excessive in an emergency fire suppression situation and would not provide any advantage to the dispatch centers. A week's notice would likely get "lost in the shuffle" and be difficult for everyone involved to manage, if it is even possible to provide so much advance notice. Two days is more than adequate notice to coordinate helicopter activities in an emergency.

I0001-77

Section 3 – Revisions To Proposed And Alternative Transmission Line Routes

Section 3.1.1.3 states, "Because the original Proposed Project has been 66 percent intensively surveyed for cultural resources (100 percent of its length, but only a 200-foot wide corridor), compared to approximately one percent of the BLM Gifted Lands Reroute, there is a

I0001-78