

ED17 Follow up-SDGE 08/11/2015 Response
A.14-04-011 SXPQ 230kV Transmission Line CPCN Project
Energy Division Data Request 17 Follow Up Dated August 5, 2015

Question 1:

We've reviewed the information that SDG&E provided in response to Data Request #17 and there is an outstanding point that needs to be resolved before we can finish the EIR analysis. We understand that SDG&E has committed to reducing habitat impacts from the Sycamore-Peñasquitos Project to 29.4 acres. One of the revisions that SDG&E made in order to meet this 29.4 acre commitment was to remove our calculated access road impacts (based on four-foot buffer from edge of road) from the project GIS data. As stated in your data response, SDG&E "...believes that a blanket assumption of impacts to natural communities within a buffer adjacent to all access roads does not accurately describe the Proposed Project or the actual impact the Proposed Project may have." However, our analysis is based on the information (or lack thereof) provided by SDG&E in its PEA project description and data responses. We believe that inclusion of access road buffers are necessary in order to consider the reasonable extent of project construction impacts in our CEQA analysis. To date, SDG&E has described the need for access road refreshing but has not been specific as to the activities involved in "refreshing", or the location(s) where this would occur. SDG&E's response to Data Request #17 indicates "SDG&E cannot know what the existing access road conditions may be at the time of construction, and exact road repairs (such as road refreshing) also cannot be known at this time." Based on the information SDG&E has provided, and the CPUC's experience, access road buffers have been included to account for a reasonable project impact and to give SDG&E flexibility during project implementation such that a Petition for Modification would likely not be necessary.

For purposes of the CEQA analysis, removing the calculated buffer impacts would necessitate an assumption that all project construction-related work areas could be accessed during construction without impacting any sensitive habitats (i.e., all construction vehicles and equipment would fit within existing disturbed areas that are free of vegetation on the access road and there would be no passing locations outside of disturbed areas). Is SDG&E committing to this? Your response to Data Request #17 suggests otherwise. SDG&E's response noted that "If any road repairs are required outside of existing/historic access road alignments, SDG&E would conduct the appropriate review required for a deviation from the final engineering footprint and account for any impacts to natural communities during that review." This approach is actually in conflict with SDG&E's proposed limit of impacts to 29.4 acres because the 29.4 acres assumes no vegetation impacts outside of the disturbed road bed.

To ensure that no vegetation impacts occur along access roads during project construction, it would be necessary to install construction fencing (e.g., staking with rope or orange barrier safety fencing) along all access roads to ensure that use of and work on those access roads does not deviate from the existing roadbed. Is SDG&E willing to commit to such a measure? If not, what would be the maximum amount of additional access road improvements by habitat type and acreage that would be required outside of the existing disturbed road in order to assure sufficient access for project construction?

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SDG&E Response to Q1:

Maintenance of the existing SDG&E Transmission Construction and Maintenance (TCM) access road network is conducted on a bi-annual basis throughout the SDG&E service territory. This access road maintenance includes the existing transmission corridor that the Proposed SX-PQ 230 kV Project occupies.

Standard access road maintenance and road refreshing activities are described in the Proposed Project Record¹, and includes the following activities: 1) access road refreshing; and 2) access road re-establishment. These access road maintenance and repair activities occur within the existing footprint of SDG&E's TCM access roads. As was outlined within SDG&E's response to Deficiency Report (Question 3) Partial Response 1:

***“Refreshing:** Road refreshing is necessary on maintained access roads to improve the roads that require minor maintenance in preparation for construction vehicle/equipment use. Activities would consist of: (1) vegetation clearing, trimming, or mowing of any overgrown portions of the access road using a mowing skid steer, weed whacker, hand tools, etc.; (2) minor re-surfacing and smoothing where necessary using a grader; and (3) watering using a water truck to provide moisture for optimum compaction and dust control.*

***Re-establishment:** Road re-establishment is necessary on unmaintained access roads to re-establish the roads for construction vehicle/equipment use. Re-establishment of the access road surface could include grading, smoothing, and the transfer, addition and compaction of fill, as well as the activities required for refreshing (listed above and including vegetation clearing, trimming or mowing, re-surfacing and smoothing, and watering). In some cases a D4 bulldozer would be used to repair access specifically for re-shaping, transferring of fill, road compaction, and re-surfacing as necessary.”*

These activities are considered a baseline condition under the SDG&E NCCP, where pre-existing access roads are considered part of the existing environment. Therefore, SDG&E is not required to mitigate for any impacts to habitats of Covered Species² through credit withdrawal from the SDG&E Mitigation Bank nor is SDG&E required to account for (subtract from) impacts to habitats of Covered Species under the SDG&E NCCP impact cap, as any such impacts from these activities are pre-mitigated for by the NCCP permit.

SDG&E believes that a blanket assumption of impacts to all natural communities within a four-foot buffer adjacent to all Proposed Project access roads does not accurately describe the Proposed Project or the actual impact the Proposed Project may have because standard road maintenance and refreshing activities *do not occur* outside of the road bed of existing access roads. If SDG&E determines that any Project-related impacts for turn-around areas, passing lanes, or any other construction-related activity is required outside of existing access road

¹ PEA Section 3.0; Deficiency Report (Question 3), Partial Response 1; Data Request 2 (Question 16), Partial Response 1.

² The habitats of Covered Species includes all NCCP habitat types except the following: bare ground, eucalyptus forest, agricultural, developed, landscape/ornamental, disturbed and non-vegetated flood channel.

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footprints, then SDG&E would conduct the appropriate review required for a deviation from the Approved Project or Notice to Proceed and account for any impacts to natural communities during that review. Based on SDG&E's past experience and knowledge of the Proposed Project alignment, such minor changes, if needed, would typically be located within the CEQA study area; would not change the nature or increase the severity of any impacts disclosed within the CEQA record; would not result in alteration to project APMs; would not alter existing project mitigation measures; would not require new mitigation measures; and would not require new permits, new regulatory approval (permit), or other new regulatory consultation.

As SDG&E has also committed to not impacting more than 29.41 acres of habitats of Covered Species, SDG&E would reduce impacts to habitats of Covered Species at another Proposed Project location commensurately in order to maintain no net increase in impacts to habitats of Covered Species above the 29.41 acres approved for use by the Proposed Project.

SDG&E does not agree that it is necessary or appropriate to install any type of fencing along the boundaries of existing access roads to preclude general Project-related impacts to adjacent natural habitats, except to delineate specific environmentally sensitive areas such as sensitive cultural resource sites. In addition, pursuant to APM HAZ-1, all Project personnel will receive environmental training prior to the initiation of construction which will include the importance of remaining within existing SDG&E and mapped Project access roads. If any vehicles or equipment accidentally impacts habitats of Covered Species outside of existing Project access roads, the impacts will be recorded and tracked in the weekly MMCRP report. SDG&E would then reduce impacts to habitats of Covered Species at another Proposed Project location commensurately in order to maintain no net increase in impacts to habitats of Covered Species above the 29.41 acres approved for use by the Proposed Project.