

**ATTACHMENT 4.9-A: LAND USE PLANS AND POLICIES**



## **ATTACHMENT 4.9-A: LAND USE PLANS AND POLICIES**

### **1.0 INTRODUCTION**

This attachment describes land use plans and policies for the area crossed by the San Diego Gas & Electric Company (SDG&E) East County (ECO) Substation Project (Proposed Project). Aesthetic, biological, and noise policies are addressed in their respective sections. The construction, operation, and maintenance of the Proposed Project will not conflict with any environmental plans, policies, or regulations adopted by agencies with jurisdiction over local land uses as set forth below.

### **1.1 DOCUMENTS REVIEWED**

The following documents were reviewed for this analysis:

- San Diego County General Plan
- Bureau of Land Management (BLM) Eastern San Diego County Management Framework Plan
- BLM Eastern San Diego County Resource Management Plan and Final Environmental Impact Statement (EIS)
- Mountain Empire Subregional Plan
- SDG&E's Subregional Natural Community Conservation Plan (NCCP)
- SDG&E's Low Effect Habitat Conservation Plan (HCP) for the Quino Checkerspot Butterfly (QCB)
- San Diego County Multiple Species Conservation Program (MSCP)

### **1.2 RELEVANT PLANS AND POLICIES AND PROJECT CONSISTENCY**

The California Environmental Quality Act (CEQA) requires that projects be evaluated in terms of potential conflicts with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project, and has been adopted for the purpose of avoiding or mitigating an environmental effect (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance), or any applicable HCP or NCCP.

Pursuant to Article XII, Section 8 of the California Constitution, the California Public Utilities Commission (CPUC) has exclusive jurisdiction, in relation to local government, to regulate the design, siting, installation, operation, maintenance, and repair of electric transmission facilities. Other state agencies have concurrent jurisdiction with the CPUC. Although local governments do not have the power to regulate such activities, the CPUC encourages, and SDG&E participates in, cooperative discussions with affected local governments to address their concerns where feasible. As part of the environmental review process, SDG&E considered relevant city and county land use plans and policies to prepare this evaluation.

The following sections identify land use plans and policies that are applicable to the Proposed Project and any potential conflicts with these policies.

### **1.2.0 San Diego County General Plan**

An update to the County of San Diego General Plan is slated for review by the San Diego County Board of Supervisors in the fall of 2010. Because the update has not yet been approved, the existing San Diego County General Plan was reviewed for applicable policies. The San Diego County General Plan contains one element—The Energy Element—with policies relevant to the Proposed Project, as follows:

- Goal 1: Define and assure adequate energy supplies for San Diego County
- Goal 2: Encourage the utilization of alternative passive and renewable energy resources
- Goal 3: Maximize energy conservation and efficiency of utilization
- Goal 4: Minimize environmental impact of energy sources
- Goal 5: Minimize economic or social impacts of energy supply and demand
- Goal 6: Minimize possibility of energy shortages and resulting hardships
- Goal 7: Seek equitable sharing of both the benefits of energy consumption and the hardships of energy shortage
- Goal 8: Encourage compatibility with national and state energy goals and city and community general plans/regional comprehensive plans
- Policy LI-1: Encourage a proper balance between energy supply and environmental protection

As discussed in Chapter 2 – Project Purpose and Need, SDG&E encourages utilization of alternative and energy conservation practices. SDG&E has developed a Long-Term Resource Plan (LTRP) that sets forth a strategy of mixed resources to ensure long-term, reliable, and affordable power in the region. SDG&E is aggressively implementing measures to ensure that the energy service it provides customers is sufficiently adequate, affordable, technologically advanced, environmentally sound, and consistent with the objectives of SDG&E's LTRP and the CPUC Renewable Energy Portfolio Standards. The Proposed Project is essential to meeting these plans, and it is designed to facilitate the interconnection of renewable generation and ensure reliable power to meet the power demands of San Diego County. As discussed throughout the Proponent's Environmental Assessment, SDG&E has designed this Proposed Project to minimize impacts to the environment and comply with the Energy Element.

### **1.2.1 BLM Eastern San Diego County Management Framework Plan**

The Eastern San Diego County Management Framework Plan (MFP), approved in 1981, is comprised of management decisions specific to the BLM's Eastern San Diego County Planning Unit. This area encompasses 98,902 acres of public land located adjacent to the southwestern boundary of the California Desert Conservation Area. The MFP guides the management of resources on public land in Eastern San Diego County, including mineral deposits; soils; watersheds; livestock grazing allotments; and recreational, cultural, and biological resources. The 138 kilovolt (kV) transmission line component of the Proposed Project will cross the Eastern San Diego Planning Unit. The MFP does not have any policies that are applicable to the Proposed Project.

### **1.2.2 BLM Eastern San Diego County Resource Management Plan and Final EIS**

A new Resource Management Plan (RMP) and EIS for the Eastern San Diego County Planning Area were prepared in November 2007 by the United States (U.S.) Department of the Interior, BLM. The Eastern San Diego County Planning Area spans a portion of the eastern escarpment of the Peninsular Mountain Range. The Planning Area is bordered by the San Diego-Riverside county border to the north, U.S.-Mexico border to the south, San Diego-Imperial county border to the east, and Western San Diego County Planning Area to the west. The main goal of the RMP is to provide guidance in the management of lands and resources administered by the El Centro Field Office in eastern San Diego County in a way that:

- addresses conflicts between motorized, mechanized, and non-motorized/non-mechanized recreationists;
- protects sensitive natural and cultural resources from impacts due to recreational use, livestock grazing, and other land uses;
- provides guidance for renewable energy development; and
- addresses other planning issues raised during the scoping process.

The 138 kV transmission line will cross BLM land between approximate Mileposts 0.1 and 1.6, and this land is designated as Multiple Use Class M (Moderate Use) and open for recreational use by the public. In accordance with the Eastern San Diego County Management Framework Plan, land in Multiple Use Class M provides for a wide variety of present and future uses, including mining, livestock grazing, recreation, energy, and utility development. Located within this area is a designated utility corridor that is 1.5 miles long and two miles wide, that is south of Table Mountain near Interstate 8. Under the proposed RMP/Final EIS, the utility corridor would remain 1.5 miles long; however, it would be reduced to one mile in width and the northern boundary would be the southern boundary of the Interstate 8 right-of-way (ROW).

### **1.2.3 Mountain Empire Subregional Plan**

The Mountain Empire Subregional Plan, which covers six areas in eastern San Diego County, has one applicable policy in its Public Facilities and Services guidelines. The goal of Policy 2 is to maintain unobstructed access to and along the path of existing power transmission facilities and lines.

SDG&E will build approximately 2,900 linear feet of new access road from Old U.S. Highway 80 to the ECO Substation in order to allow safe access to the substation and facilitate the delivery of equipment. Existing dirt roads, new access roads, and the Southwest Powerlink (SWPL) ROW will be utilized for the installation of the SWPL loop-in structures, removal of an existing SWPL tower, and stringing of conductor. SDG&E will use existing dirt and paved roads to the maximum extent possible during the construction of the new 138 kV transmission line. New access roads will be constructed to reach 138 kV tower work areas as needed. SDG&E maintains access to its lines and checks them to ensure nothing has been constructed within the ROW. Construction of the Proposed Project components will not impede or obstruct access to any existing line. Therefore, the Proposed Project is consistent with this policy.

#### **1.2.4 SDG&E's Subregional Natural Community Conservation Plan**

Under the federal and California Endangered Species Acts and the NCCP, the U.S. Fish and Wildlife Service (USFWS) and the California Department of Fish and Game (CDFG) provide for the protection, preservation, and conservation of plants, animals and their habitats, natural communities, and natural resources while allowing compatible land use.

The purpose of the Subregional NCCP is to establish and implement a long-term agreement between SDG&E, the USFWS, and the CDFG for the preservation and conservation of sensitive species and their habitat, while allowing SDG&E to develop, install, maintain, operate, and repair its facilities as needed to provide energy services to customers living within SDG&E's service area. The NCCP does not cover extraordinary expansions to SDG&E's electric system, but covers new electric substations with less than 20 acres of habitat disturbance. Although the Proposed Project is not covered by the NCCP, it will be evaluated by the standards set forth in the NCCP. For a more detailed discussion of the avoidance and minimization measures, which are partially based on the NCCP that will be implemented for the Proposed Project, refer to Section 4.4 Biological Resources.

#### **1.2.5 San Diego County Multiple Species Conservation Program**

The MSCP is a comprehensive habitat conservation planning program for southwestern San Diego County. The purpose of the MSCP is to preserve a network of habitat and open space while protecting biodiversity and enhancing the region's quality of life. The MSCP provides an economic benefit by reducing constraints on future development and decreasing the costs of compliance with federal and state laws protecting biological resources. It was designed to preserve native vegetation and meet the habitat needs of multiple species, rather than focusing preservation efforts on one species at a time. The MSCP was developed cooperatively by participating jurisdictions and special districts in partnership with wildlife agencies, property owners, and representatives of the development industry and environmental groups.

The Proposed Project area does not lie within the current MSCP; however, it will fall within the proposed planning area of San Diego County's Draft East County MSCP. This subarea plan of the current MSCP is not expected to be finalized until 2010 or later.

#### **1.2.6 SDG&E's Low Effect Habitat Conservation Plan for the Quino Checkerspot Butterfly**

SDG&E prepared a HCP to minimize and mitigate the effects of its activities on the federally endangered QCB and to obtain incidental take authorization for QCB from the USFWS for construction, operation, and maintenance of its projects. The HCP emphasizes protection of habitat through avoidance and use of operational protocols designed to avoid or minimize impacts to QCB. The HCP was prepared in consultation with the USFWS to fulfill the requirements of a Section 10(a)(1)(B) permit application for proposed activities. SDG&E proposes to mitigate Proposed Project effects to QCB by implementing the HCP. The Proposed Project will likely impact more than one acre of QCB habitat and will require additional USFWS review beyond the HCP. However, all Proposed Project impacts and mitigation will be consistent with the HCP. For a more detailed discussion of the HCP, refer to Section 4.4 Biological Resources.

### 1.3 REFERENCES

- BLM. 1981. *Eastern San Diego County Management Framework Plan*.
- BLM. 2007. *Eastern San Diego County Proposed Resource Management Plan and Final Environmental Impact Statement*.
- CPUC. Memorandum. Applicants Filing Proponent's Environmental Assessment. November 24, 2008.
- California Resources Agency. 2007. Title 14 California Code of Regulations, Chapter 3 Guidelines for Implementation of the California Environmental Quality Act. CEQA Guidelines.
- Official California Legislative Information. California Constitution Article XII. Online. [http://www.leginfo.ca.gov/.const/.article\\_12](http://www.leginfo.ca.gov/.const/.article_12). Site visited January 7, 2009.
- San Diego County. 1967–2005. *San Diego County General Plan*.
- San Diego County. 1995. *Mountain Empire Subregional Plan*.
- San Diego County. 1998. *Multiple Species Conservation Program*.
- San Diego Gas & Electric. 1995. *Subregional Natural Community Conservation Plan*.
- San Diego Gas & Electric. 2007. *SDG&E's Low Effect Habitat Conservation Plan for the Quino Checkerspot Butterfly*.

