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Governor's Office of Planning & Research

May 30, 2019

Mr. David D. Davis  
Environmental Science Associates  
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MAY 30 2019  
STATE CLEARINGHOUSE

**Subject: Notice of Proposed Draft Initial Study and Mitigated Negative Declaration for the San Diego Gas and Electric Company's San Marcos to Escondido Tie Line (TL) 6975 69 kilovolt (kV) Project, California Public Utilities Commission (SCH # 2019049009)**

Dear Mr. Davis:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Proposed Draft Initial Study (IS) and Mitigated Negative Declaration (MND), dated April 1, 2019, and has identified potential effects of this project on wildlife and sensitive habitats. The comments and recommendations provided herein are based on the information provided in the IS/MND and associated documents, as well as our knowledge of sensitive and declining vegetation communities and our participation in regional conservation planning efforts.

The Department is a Trustee Agency and a Responsible Agency pursuant to the California Environmental Quality Act (CEQA) and is responsible for ensuring appropriate conservation of the State's biological resources, including rare, threatened, and endangered plant and animal species pursuant to the California Endangered Species Act (Fish and Game Code §2050 *et seq.*) and other sections of the Fish and Game Code. The Department also administers the Natural Community Conservation Planning (NCCP) program (Fish and Game Code 2800, *et seq.*). San Diego Gas and Electric (SDG&E) participates in the NCCP program by implementing its approved Sub regional NCCP. The SDG&E NCCP commits SDG&E to implement operational protocols to avoid and minimize potential impacts to sensitive resources, and to provide mitigation for habitat impacts.

SDG&E proposes to construct, reconductor, and operate a new, approximately 12-mile 69kV overhead electric transmission line between Escondido Substation and San Marcos Substation (Project). The Project will consist of three primary segments: Segment 1 consists of rebuilding approximately 2.0 miles of existing facilities, Segment 2 consists of an addition of approximately 2.8 miles of new facilities within an existing SDG&E corridor, and Segment 3 consists of reconductoring approximately 7.4 miles of de-energized transmission line. The Project would occur within the cities of Carlsbad, Escondido, Vista, and San Marcos, as well as the unincorporated County of San Diego.

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The Project proposes to permanently impact a total of 2.0 acres of habitat and temporarily impact 79.4 acres of habitat. Of these total impacts, there will be 0.8 acre of permanent impacts to Diegan coastal sage scrub, 0.3 acre of permanent impacts to southern maritime chaparral, 0.7 acre of temporary impacts to Diegan coastal sage scrub, 0.3 acre of temporary impacts to southern maritime chaparral, 0.01 acre of temporary impacts to non-native grassland, and 0.01 acre of temporary impacts to southern riparian forest. Use of the SDG&E NCCP or Low Effect Habitat Conservation Plan (LEHCP) is proposed for mitigation of Project-related impacts in Mitigation Measure (MM) BIO-1.

CDFW offers the following comments and recommendations to assist the CPUC and SDG&E in avoiding, minimizing, and adequately mitigating Project-related impacts to biological resources, and to ensure that the Project is consistent with all applicable requirements of SDG&E's approved NCCP.

1. Section 2.5.9 of the IS/MND discusses belowground construction and trenching methods. Please ensure measures that exclude wildlife or enable trapped wildlife to escape are incorporated into the Project as stated in the SDG&E NCCP operational protocol numbers 37 and 38.
2. Applicant Proposed Measure (APM) BIO-3 states that, "Except when not feasible due to physical or safety constraints, all Project construction vehicle movement will be restricted to the Project work areas, existing roads, and access roads constructed as part of the Project and mapped by SDG&E in advance of construction." It is recommended that all vehicles, Project equipment, and Project personnel are restricted within the designated Project areas to avoid any and all unanticipated impacts to biological resources in proximity to the Project areas. If it is required that an activity takes place outside of the project work areas due to physical or safety constraints, then the biological monitor should document all permanent or temporary impacts associated with those activities so they can be presented in the Post Construction Report. Furthermore, this allows proper mitigation or restoration of the affected areas to be applied as required in the SDG&E NCCP.
3. Per APM BIO-5, "Prior to the start of construction, the boundaries of sensitive plant populations that require protection will be delineated with clearly visible flagging or fencing by a qualified biologist". The Department recommends that all sensitive habitats and jurisdictional resources in proximity to the Project areas also be posted, flagged, or fenced to exclude Project personnel, material, and equipment from habitat areas not designated for impacts.
4. APM BIO-7 states that if a raptor nest is observed during preconstruction surveys, a qualified biologist would determine if it is active and that if the monitor determines that the Project activities are disturbing or disrupting the

nest, the monitor will make recommendations to reduce noise and/or disturbance to the nest. The Department recommends that if an active raptor or avian nest has been observed and identified in proximity to Project activities and is being disturbed, then the Project activities should cease in the area and an appropriate buffer per MM BIO-2 should be evaluated and applied by the appointed biological monitor.

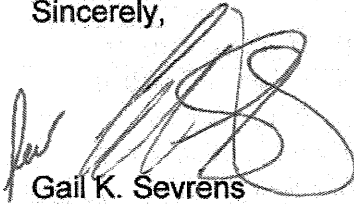
5. Per MM BIO-2, "The biological monitor shall establish a three-dimensional cylinder-shaped buffer around active nests that have the potential to be affected by helicopter use or ground-based activities associated with helicopter use." While the measure specifically calls for buffer implementation during Project activities relating to helicopter use and ground-based Project activities associated with helicopter use, general construction noise and most Project activities also have the potential to cause adverse effects on nesting behavior, nesting activity, and nesting success. The Department recommends that the proposed mitigation measure MM BIO-2 apply to all Project-related activities (ground or air) with the potential to negatively influence any nesting or breeding activities regardless of time spent in the vicinity of the nest. Also, appropriate nest buffers should be determined and applied by the observations and professional judgement of the on-site qualified biological monitor to minimize any and all impacts to active nest locations. Furthermore, the Department recommends that aircraft not be flown above observed active nest locations; currently the proposed mitigation measure calls for vertical buffers of 300 feet and 500 feet for passerine and raptor species, respectively; however, helicopters and other Project aircraft should be rerouted around sensitive areas to avoid impacts to nesting or breeding activities.
6. Please provide information regarding the location of the documented wart-stemmed ceanothus and Nuttall's scrub oak. While the IS/MND and included Biological Technical Report (BTR) both quantitatively documented the potential permanent and temporary impacts to each species, there is no information in either report documenting the specific locations of the proposed permanent or temporary impacts to either species. The Department recommends providing this information in a Pre-activity Survey Report as required by the SDG&E NCCP so that reductions in impacts or avoidance and minimization measures to these sensitive species can be explored in discussion with both the Department and the United States Fish and Wildlife Service at a later date. If impacts cannot be avoided or further reduced, then the habitat and sensitive species in proximity to the Project area should be flagged, fenced, and avoided during construction activities. Also, if impacts on sensitive plant species are unavoidable, SDG&E should perform soil and plant salvage or translocation activities to enhance recovery of these special-status plants, consistent with the provisions in the Enhancement Section 7.2.1 of their NCCP.

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7. Per the BTR page 3-18, biological surveys were not completed at, between, or around Locations 103 and 104 due to ongoing private construction. Providing a complete record of the biological resources encountered throughout the project area is necessary to ensure that the Department can provide proper comments and recommendations. According to the information provided in the BTR, these two locations were determined to have the potential for both Nuttall's scrub oak and wart-stemmed ceanothus. Without completed surveys at these two locations the determination that no significant impacts to either species will occur is not supported. The Department recommends that the resource surveys be completed at locations 103 and 104 prior to issuance of a Notice to Proceed by the CPUC.

We appreciate the opportunity to comment on the subject IS/MND. If you have questions regarding this letter, please contact Environmental Scientist Patrick Tilley at (858) 467-4237 or [patrick.tilley@wildlife.ca.gov](mailto:patrick.tilley@wildlife.ca.gov).

Sincerely,



Gail K. Sevens  
Environmental Program Manager

cc: Karen Goebel, USFWS  
State Clearinghouse