
Appendix A

NOP Comments



Date of Notice: October 15, 2018

PUBLIC NOTICE OF PREPARATION OF A PROGRAM ENVIRONMENTAL IMPACT REPORT AND A SCOPING MEETING PLANNING DEPARTMENT

PUBLIC NOTICE: The City of San Diego as the Lead Agency has determined that the project described below will require the preparation of a Program Environmental Impact Report (PEIR) in compliance with the California Environmental Quality Act (CEQA). This Notice of Preparation of a PEIR and Scoping Meeting was publicly noticed and distributed on October 15, 2018. This notice was published in the SAN DIEGO DAILY TRANSCRIPT and placed on the City of San Diego website at:

<http://www.sandiego.gov/city-clerk/officialdocs/notices/index.shtml>

and on the Planning Department website at:

<https://www.sandiego.gov/planning/programs/ceqa>

SCOPING MEETING: A public scoping meeting will be held by the City of San Diego's Planning Department on **Tuesday, October 23, 2018** from 5:30 PM to 7:30 PM in the Auditorium at the San Diego Public Utilities Department located at 9192 Topaz Way, San Diego, CA 92123. **Please note that depending on the number of attendees, the meeting could end earlier than 7:30 PM.** The scoping meeting will be conducted in a workshop format where staff will provide a brief PowerPoint presentation to the public about the project scope, environmental issues to be analyzed in the PEIR, and how to comment on the NOP. Written comments regarding the scope of environmental issues and alternatives to be analyzed within the proposed PEIR will be accepted at the meeting.

Written, email, or mail-in comments may also be sent to the following address: **Myra Herrmann, Environmental Planner, City of San Diego Planning Department, 9485 Aero Drive, San Diego, CA 92123** or e-mail your comments to PlanningCEQA@sandiego.gov with the Project Name in the subject line within 30 days of the date of the Public Notice above (**November 14, 2018**).

Responsible agencies are requested to indicate their statutory responsibilities in connection with this project when responding. A PEIR incorporating public input will then be prepared and distributed to the public for review and comment.

PROJECT NAME/PROJECT NUMBER: Utilities Undergrounding Program / Project No. N/A
COMMUNITY PLAN AREAS: Citywide
COUNCIL DISTRICTS: All

PROJECT BACKGROUND: In 1967, the California Public Utilities Commission (CPUC) issued Decision 73078, which established rules for electric and communication utility service

connections and overhead conversions. The Decision also created tariff rules, titled Rule 20, which mandated that utilities allocate funds annually for the conversion of existing overhead utility lines to underground. Part A of Rule 20 requires San Diego Gas and Electric (SDG&E) to fund the conversion of overhead electric lines which meet the criteria of focusing on high traffic densities and tourism areas.

In 2002, the CPUC approved an additional mechanism (CPUC Energy Division Resolution E-3788) for funding and executing undergrounding work within the City jurisdiction to improve public safety, community character, and visual quality. A Surcharge Fund was established by applying an underground surcharge component to residents' electric bills, managed separately from the City's General Fund. The Surcharge program also funds street resurfacing, curb ramps, street lights and street trees within each undergrounding project boundary. Council Policy 600-08 (CP600-08) was established to guide the management of funds and execution of projects under this new funding mechanism. In addition, Chapter 06, Article 01, Division 05 of the Municipal Code includes details on the undergrounding process, including interaction with the City Council, responsibilities to residents, and overall undergrounding requirements and definitions.

The Utilities Undergrounding Program (Program) is managed by the City's Transportation & Storm Water Department in coordination with SDG&E and other utilities which provide telephone, cable television, and broadband services throughout the City. The Program has a goal of undergrounding approximately 15 miles of overhead utility lines each year. Approximately 406 miles of overhead utilities have been converted to underground as of July 2016, and approximately 1,000 miles of overhead utility lines remain to be undergrounded to date.

PROJECT DESCRIPTION: The proposed activities under the Program would consist of the systematic conversion of overhead utilities to underground throughout the City of San Diego. The implementation of proposed activities would occur based on a prioritization system developed by the City and would be implemented in five-year increments.

The Utilities Undergrounding Program consists of two types of projects: one involves SDG&E Rule 20A projects that must meet certain public benefit criteria consistent with the CPUC's statewide program. This program relates primarily to overhead lines along major city streets. The other type is known as a Surcharge project in which the project is funded by the increased franchise fee authorized by the CPUC in Resolution E-3788. Projects that fall into the surcharge category are typically found in residential areas that do not meet Rule 20A criteria.

The Utilities Undergrounding Program Master Plan (Master Plan) was developed in 2003 and updated most recently in 2018 to guide the allocation of both Rule 20A and Surcharge projects for the duration of the Program. The Master Plan outlines the geographic boundary, estimated cost, and other parameters for future projects covering all areas in the City where undergrounding is needed. The Master Plan is the governing document for how the Program will execute its future projects and activities.

All undergrounding projects under the Program undergo the following six-stage process:

- **Allocation:** In this phase, City Council approves the identification and initiation of new undergrounding projects.
- **Public Hearing Process:** Undergrounding projects are required to complete the environmental review process after which an underground utility district is created

through noticed public hearings to hear from residents and property owners that reside within the proposed utility district.

- **Design:** The 12- to 24-month design process includes a predesign meeting to inform property owners and community members about the project and its design considerations and gather their input for design teams regarding utility box and streetlight locations, as well as street tree preservations and plantings associated with the project.
- **Notification Process:** Once the design for the subject Underground Utility District is complete, property owners are invited to a community forum to give input on the placement of utility boxes, streetlights, and other areas where project flexibility remains.
- **Construction Process:** Construction of new underground utility systems and the subsequent removal of overhead utility systems consists of trenching or tunneling, cabling, cut-overs (switch all properties over to the new underground system), and pole removal. The construction phase would typically last 18 to 36 months.
- **Post-Construction Activities:** Once the new underground utility lines are in place, the City will install curb ramps, replace street lights, plant new street trees, and repair damaged pavement.

PROJECT LOCATION: Citywide. All activities associated with implementation of the Program would generally be located within the City's geographic boundaries and jurisdiction. The City of San Diego land area covers nearly 372 square miles and is located in the southwestern corner of California, within the county of San Diego. The gray areas on Figure 1 represent the Proposed Utilities Undergrounding Districts that will be analyzed in the PEIR within the City's jurisdictional boundaries.

APPLICANT: City of San Diego, Transportation & Storm Water Department

RECOMMENDED FINDING: Pursuant to Section 15060(d) of the CEQA Guidelines, it appears that the proposed project may result in significant environmental impacts in the following areas: **Land Use, Visual Effects and Neighborhood Character, Air Quality/Odor, Greenhouse Gas Emissions, Biological Resources, Historical (Built-Environment and Archaeology) and Tribal Cultural Resources, Hydrology, Water Quality, Noise, Paleontological Resources, and Solid Waste.**

AVAILABILITY IN ALTERNATIVE FORMAT: To request this Notice in alternative format, call the Planning Department at (619) 235-5200 OR (800) 735-2929 (TEXT TELEPHONE).

ADDITIONAL INFORMATION: For environmental review information, contact Myra Herrmann at (619) 446-5372. For information regarding public meetings/hearings on this project, contact the Project Manager, Donna Chralowicz, at (619) 533-3722. This notice was published in the SAN DIEGO DAILY TRANSCRIPT and distributed on October 15, 2018.

Alyssa Muto
Deputy Director
Planning Department

DISTRIBUTION: See Attached
ATTACHMENTS: Figure 1 – Project Location

DISTRIBUTION LIST:

Copies of the NOP were distributed to the following individuals, organizations, and agencies:

Federal Government

Naval Facilities Engineering Command, SW Division, Environmental Planning (12)
MCAS Miramar (13)
US Environmental Protection Agency (19)
US Border Patrol (22)
US Army Corps of Engineers Los Angeles District, Shelly Lynch (26)
US Fish and Wildlife Service, Pat Gower (23)

State of California

Caltrans, District 11 (31)
California Department of Fish and Wildlife (32)
Cal EPA (37A)
Toxic Substance Control (39)
California State Parks (40A)
California Natural Resources Agency (43)
Regional Water Quality Control Board: Region 9 (44)
Department of Water Resources (45)
State Clearinghouse (46)
California Coastal Commission, San Diego District (47)
California Air Resources Board (49)
California Transportation Commission (51)
State Water Resources Control Board (55)
Native American Heritage Commission (56)
California Department of Parks and Recreation (345)
California Department of Parks and Recreation (371)
Eric Becker, San Diego Regional Water Quality Control Board
California Department of Fish and Wildlife, South Coast Region, Kelly Fisher

County of San Diego

Air Pollution Control District (65)
Department of Planning and Development Services (68)
Department of Parks and Recreation (69)
Department of Public Works (72)
County Water Authority (73)
Department of Environmental Health (75)
Land & Water Quality Division (76)

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Susan Morrison, Associate Planner

Transportation & Storm Water Department (Applicant)

Kris McFadden, Director
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Nathan Patterson, Deputy Director
Drew Kleis, Deputy Director
James Nabong, Program Manager
Donna Chralowicz, Senior Planner
Ana Legy Del Rincon, Senior Engineer – Civil
Sameera Rao, Project Officer I

Development Services Department

Elyse Lowe, Director
Gary Geiler, Deputy Director
Anna McPherson, Program Manager
Angela Nazareno, Development Project Manager III
Helene Deisher, Development Project Manager II

Communications Department

Anthony Santacroce

Environmental Services Department

Mario Sierra, Director
Lisa Wood, Program Manager
Jane-Marie Fajardo, Senior Planner

Parks and Recreation Department

Herman Parker, Director
Jeannette DeAngelis, Deputy Director – Open Space Division
Laura Ball, Project Officer II

Public Utilities Department

Matt Vespi, Interim Director
Keli Balo, Project Officer II
Nicole McGinnis, Senior Planner

Public Works Department

James Nagelvoort, Director
Carrie Purcell, Assistant Deputy Director
James Arnhart, Project Officer II

Real Estate Assets Department

Cybele Thompson, Director

Susan Taylor

City Libraries

Library Gov't Documents Department (81 & 81A)

Balboa Branch Library (81B)

Beckwourth Branch Library (81 C)

Benjamin Branch Library (81D)

Carmel Mountain Ranch Branch (81 E)

Carmel Valley Branch Library (81 F)

City Heights/Weingart Branch Library (81G)

Clairemont Branch Library (81 H)

College-Rolando Branch Library (81 I)

Kensington-Normal Heights Branch Library (81K)

La Jolla/Riford branch Library (81 L)

Linda Vista Branch Library (81 M)

Logan Heights Branch Library (81 N)

Malcolm X Library & Performing Arts Center (81O)

Mira Mesa Branch Library (81P)

Mission Hills Branch Library (81 Q)

Mission Valley Branch Library (81 R)

North Clairemont Branch Library (81 S)

North Park Branch Library (81 T)

Oak Park Branch Library (81 U)

Ocean Beach Branch Library (81 V)

Otay Mesa-Nestor Branch Library (81 W)

Pacific Beach/Taylor Branch Library (81 V)

Paradise Hills Branch Library (81 Y)

Point Loma/Hervey Branch Library (81 Z)

Rancho Bernardo Branch Library (81AA)

Rancho Peñasquitos Branch Library (81BB)

READ/San Diego (81CC)

San Carlos Branch Library (81DD)

San Ysidro Branch Library (81 EE)

Scripps Miramar Ranch Branch Library (81 FF)

Serra Mesa Branch Library (81 GG)

Skyline Hills Branch Library (81 HH)

Tierrasanta Branch Library (81 II)

University Community Branch Library (81JJ)

North University Branch University (81JJJ)

University Heights Branch Library (81 KK)

Other City Governments

City of Chula Vista (94)

City of Del Mar (96)

City of Escondido (98)

City of Imperial Beach

City of La Mesa (100)

City of Lemon Grove (101)

City of National City (102)

City of Poway (103)

City of Santee

Other Agencies

County Water Authority (73)
SANDAG (108)
San Diego Unified Port District (109)
San Diego County Regional Airport Authority (110)
Metropolitan Transit System (112, 115)
San Diego Gas & Electric (114, 381)

School Districts

Poway Unified School District (124)
SDUSD, Tony Raso (125)
San Dieguito Union High School District (126)
San Ysidro School District (127)
South Bay Unified School District (130)
San Diego City Schools (132)
San Diego Community College District (133)
UCSD Library (134)

Community Groups, Associations, Boards, and Committees

Community Planning Committee (194)
Balboa Park Committee (226 and 226A)
Black Mountain Ranch-Subarea I (226C)
Otay Mesa-Nestor Planning Committee (228)
Otay Mesa Planning Committee (235)
Clairemont Mesa Planning Committee (248)
Greater Golden Hill Planning Committee (259)
Serra Mesa Planning Committee (263A)
Kearney Mesa Community Planning Group (265)
Linda Vista Community Planning Committee (267)
La Jolla Community Planning Association (275)
City Heights Area Planning Committee (287)
Kensington-Talmadge Planning Committee (290)
Normal Heights Community Planning Committee (291)
Eastern Area Planning Committee (302)
North Bay Community Planning Committee (307)
Mira Mesa Community Planning Committee (310)
Mission Bay Park Committee (320)
Mission Beach Precise Planning Board (325)
Navajo Community Planners, Inc. (336)
Carmel Valley Community Planning Board (350)
Del Mar Mesa Community Planning Board (361)
North Park Planning Committee (363)
Ocean Beach Planning Board (367)
Old Town Community Planning Board (368)
Pacific Beach Community Planning Committee (375)
Pacific Highlands Ranch-Subarea III (377A)
Rancho Peñasquitos Planning Board (380)
Peninsula Community Planning Board (390)
Rancho Bernardo Community Planning Board (400)
Sabre Springs Community Planning Group (406B)
San Dieguito River Park Joint Power Authority (425A)
San Pasqual-Lake Hodges Planning Group (426)
San Ysidro Planning and Development Group (433)
Scripps Miramar Ranch Planning Group (437)

Miramar Ranch North Planning Committee (439)
Skyline Paradise Hills Planning Committee (443)
Torrey Hills Community Planning Board (444A)
Civic San Diego (448)
Southeastern San Diego Planning Committee (449)
Encanto Neighborhoods Community Planning Group (449A)
College Area Community Planning Board (456)
Malcolm A. Love Library, SDSU (457)
Tierrasanta Community Council (462)
Torrey Highlands – Subarea IV (467)
Torrey Pines Community Planning Board (469)
University City Community Planning Group (480)
Uptown Planners (498)

Town/Community Councils

Town Council Presidents Association (197)
Barrio Station, Inc. (241)
Downtown Community Council (243)
Harborview Community Council (245)
Clairemont Town Council (257)
Serra Mesa Community Council (264)
La Jolla Town Council (273)
Rolando Community Council (288)
Oak Park Community Council (298)
Darnell Community Council (306)
Mission Beach Town Council (326)
Mission Valley Community Council (328C)
San Carlos Area Council (338)
Carmel Mountain Ranch Community Council (344)
Ocean Beach Town Council, Inc. (367A)
Pacific Beach Town Council (374)
Rancho Peñasquitos Town Council (383)
Rancho Bernardo Community Council, Inc. (398)
San Dieguito Planning Group (412)
United Border Community Town Council (434)
Murphy Canyon Community Council (463)

Historical, Archaeological and Tribal Groups

Carmen Lucas (206)
South Coastal Information Center (210)
San Diego Historical Society (211)
San Diego Archaeological Center (212)
Save Our Heritage Organization (214)
Ron Chrisman (215)
Clint Linton (215B)
Frank Brown, Inter-Tribal Cultural Resource Council (216)
Campo Band of Mission Indians (217)
San Diego County Archaeological Society Inc. (218)
Native American Heritage Commission (222)
Kuumeyaay Cultural Heritage Preservation (223)
Kuumeyaay Cultural Repatriation Committee (225)

Native American Distribution

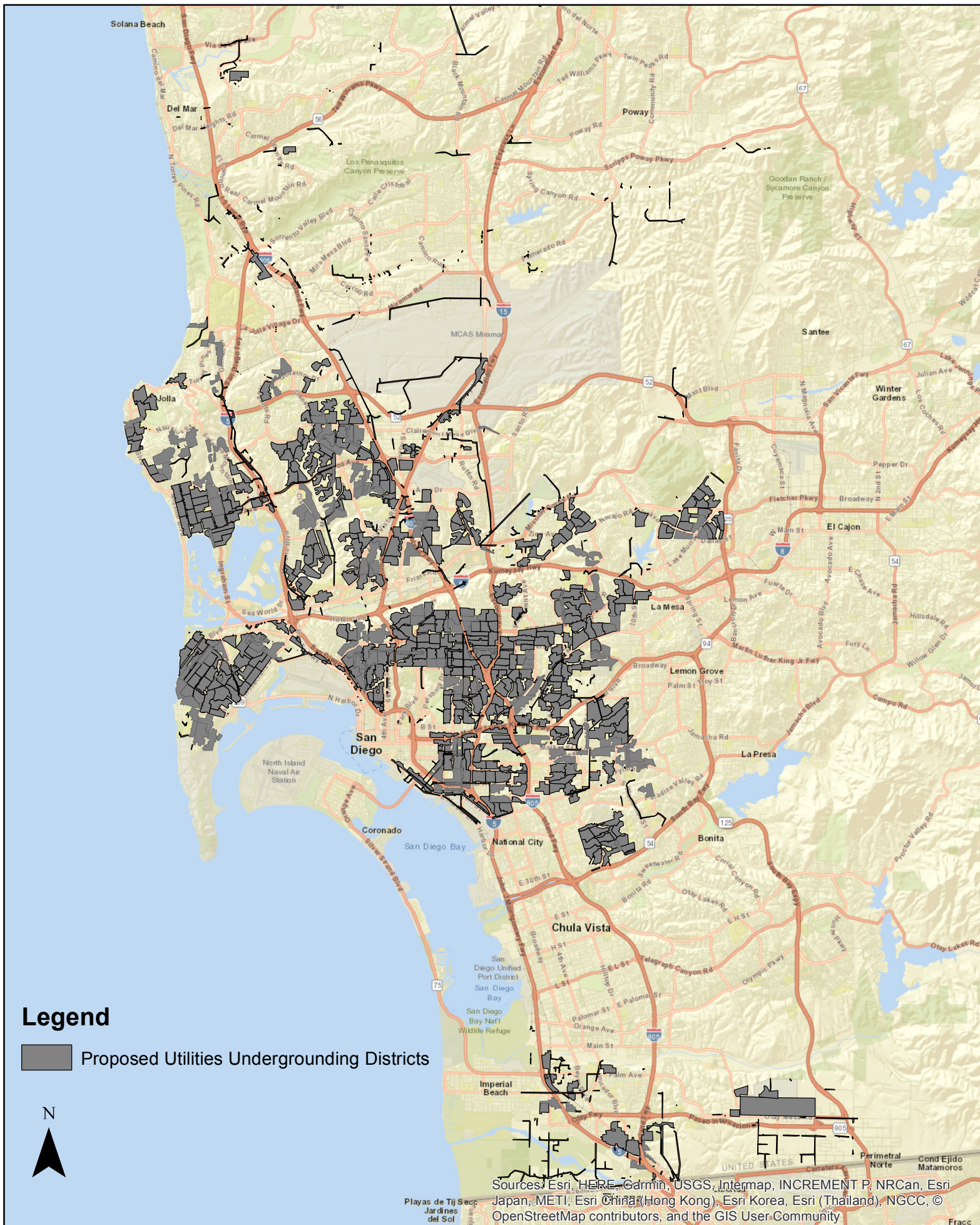
Barona Group of Capitan Grande Band of Mission Indians (225A)
Campo Band of Mission Indians (225B)
Ewiiapaayp Band of Mission Indians (225C)
Inaja Band of Mission Indians (225D)
Jamul Indian Village (225E)
La Posta Band of Mission Indians (225F)
Manzanita Band of Mission Indians (225G)
Sycuan Band of Mission Indians (225H)
Viejas Group of Capitan Grande Band of Mission Indians (225I)
Mesa Grande Band of Mission Indians (225J)
San Pasqual Band of Mission Indians (225K)
Iipai Nation of Santa Ysabel (225L)
La Jolla Band of Mission Indians (225M)
Pala Band of Mission Indians (225N)
Pauma Band of Mission Indians (225O)
Pechanga Band of Mission Indians (225P)
Rincon Band of Luiseno Indians (225Q)
San Luis Rey Band of Luiseno Indians (225R)
Los Coyotes Band of Mission Indians (225S)

Other Interested Agencies, Organizations, and Individuals

Daily Transcript
San Diego Chamber of Commerce (157)
Building Industry Association (158)
Sierra Club San Diego Chapter (165)
San Diego Canyonlands, Eric Bowlby (165A)
San Diego Natural History Museum (166)
San Diego Audubon Society (167)
Jim Peugh (167A, 324)
San Diego River Conservancy (168)
Environmental Health Coalition (169)
California Native Plant Society, San Diego Chapter (170)
San Diego Coastkeeper, Matt O'Malley (173)
Citizens Coordinate for Century 3 (179)
Endangered Habitats League, San Diego Chapter (182A)
Janet Vadakkumcherry (236)
Balboa Avenue CAC (246)
Mary Johnson (263B/328B)
MCAS Miramar (263C)
La Jolla Shores Association (272)
Theresa Quiroz (294)
Fox Canyon Neighborhood Association Inc. (285)
William Jones – Citylink (296)
Fairmount Park Neighborhood Association (303)
John Stump (304)
Friends of Los Penasquitos Preserve, Inc. (313)
Surfers Tired of Pollution (318)
Debby Knight, Friends of Rose Canyon (320)
Mission Hills Association (327)
Friars Village HOA (328A)
Mary Johnson (328B)
San Diego River Conservancy (330A)
Friends of the Mission Valley Preserve (330B)

Mission Valley Unified Planning Group (331)
San Diego River Park Foundation (333, 335)
Mission Trails Regional Park CAC (341)
Diana Gordan (355)
Torrey Pines Association (379)
Los Penasquitos Lagoon Foundation, Mike Hastings (384)
Los Penasquitos Canyon Preserve CAC (385)
San Dieguito Lagoon Committee (409)
San Dieguito River Park CAC (415)
Friends of San Dieguito River Valley (421)
San Dieguito River Valley Conservancy (422)
RVR PARC (423)
San Dieguito River Valley Conservancy (422)
San Dieguito River Park JPA (425A, 432B)
Beeler Canyon Conservancy (436)
Jim Dawe (445)
Encanto Neighborhoods Community Planning Group (449A)
Kathleen Harmon – Chair, Central Imperial PAC (452)
W. Anthony Fulton, Director – SDSU Facilities & Mgmt. (455)
Malcolm A. Love Library, SDSU (457)
Mission Trails Regional Park, Dorothy Leonard (465)
University City Community Assn. (486)
Hillside Protection Assn. (501)
Banker's Hill Canyon Assn. (502)
Allen Canyon Committee (504)
Asian Business Association, Robert Ito
Asian Pacific American Coalition, Michael Wong
Clairemont Chamber of Commerce, Richard Morris
Convoy District Partnership, Ping Wang
FilAm Chamber of Commerce of San Diego, William Peetoom
University City Community Foundation President, Ruth DeSantis
Jennifer Sucha, Dudek
Carey Fernandes, Dudek
Tamseel Mir, Dudek

Figure 1: Project Location



DEPARTMENT OF TRANSPORTATION

DISTRICT 11

4050 TAYLOR STREET, MS-240

SAN DIEGO, CA 92110

PHONE (619) 688-6960

FAX (619) 688-4299

TTY 711

www.dot.ca.gov

*Making Conservation
a California Way of Life.*

November 1, 2018

11-SD-VAR

PM VAR

Utilities Undergrounding Program

SCH#2018101037

Ms. Myra Herrmann
City of San Diego Planning Department
9485 Aero Drive
San Diego, CA 92123

Dear Ms. Herrmann:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the Notice of Preparation of a Program Environmental Impact Report for the Utilities Undergrounding Program located throughout the City of San Diego. The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development-Intergovernmental Review (LD-IGR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities.

Caltrans has the following comments:

Any work performed within Caltrans right-of-way (R/W) will require discretionary review and approval by Caltrans and an encroachment permit will be required for any work within the Caltrans R/W prior to construction. As part of the encroachment permit process, the applicant must provide an approved final environmental document including the California Environmental Quality Act (CEQA) determination addressing any environmental impacts within the Caltrans's R/W, and any corresponding technical studies. Please see Section 600 of the Encroachment Permits Manual for requirements regarding utilities and state R/W:
<http://www.dot.ca.gov/trafficops/ep/docs/Chapter 6.pdf>

If you have any questions, please contact Roy Abboud, of the Caltrans Development Review Branch, at (619) 688-6968 or by e-mail sent to roy.abboud@dot.ca.gov.

Sincerely,

A blue ink signature of Jacob Armstrong, consisting of stylized initials "JA" followed by a surname.

JACOB ARMSTRONG, Branch Chief
Local Development and Intergovernmental Review Branch



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor
CHARLTON H. BONHAM, Director



November 15, 2018

Ms. Myra Herrmann, Senior Planner
City of San Diego
9485 Aero Drive, MS 413
San Diego, CA 92123
PlanningCEQA@sandiego.gov

Subject: Comments on the Notice of Preparation of a Draft Program Environmental Impact Report for the City of San Diego Utilities Undergrounding Project, City of San Diego, San Diego County, California (SCH # 2018101037)

Dear Ms. Herrmann:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Notice of Preparation (NOP) for the City of San Diego Utilities Undergrounding Project (Project) Draft Program Environmental Impact Report (DPEIR).

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that CDFW, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

CDFW ROLE

CDFW is California's Trustee Agency for fish and wildlife resources, and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; California Environmental Quality Act [CEQA] Guidelines § 15386, subd. (a).) CDFW, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, CDFW is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

CDFW is also a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) CDFW may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to CDFW's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

CDFW also administers the Natural Community Conservation Planning (NCCP) program. The City of San Diego (City) participates in the NCCP program by implementing its approved Multiple Species Conservation Program (MSCP) Subarea Plan (SAP).

Conserving California's Wildlife Since 1870

Project Location and Project Description

The Project includes the systematic conversion of overhead utilities to underground throughout the City. Project activities would occur based on the City's prioritization system and be implemented in five-year increments. The Project consists of two types of activities: 1) projects subject to San Diego Gas and Electric's Rule 20A relating primarily to overhead power lines along major city streets; and 2) surcharge projects funded by the increased franchise fee authorized by the California Public Utilities Commission by Resolution E-3788 typically involving residential areas that do not meet Rule 20A criteria. The Utilities Undergrounding Program Master Plan outlines the geographic boundary, estimated cost, and other parameters for future projects covering all areas in the City where undergrounding is needed.

COMMENTS AND RECOMMENDATIONS

CDFW offers the following comments and recommendations to assist the City in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

Specific Comments

1. The DPEIR should analyze the project's potential to impact the SAP Multi-Habitat Planning Area (MHPA) and preserve lands (e.g. Habitrak Gain lands). Given the programmatic nature of the environmental document, the Department acknowledges that the City is not obligated to fully analyze subsequent activities for which insufficient data exists at the time a program document is certified. However, CEQA findings of significance should only be made when those findings are supported by substantial evidence in the record (CEQA Guidelines § 15091(b)). Where impacts of subsequent projects cannot be reasonably known, the DPEIR should acknowledge the uncertainty and abstain from making project-level CEQA findings of significance.
2. The DPEIR should analyze the Project's potential to impact each of the SAP planning areas, i.e., the Southern Area, the Eastern Area, Urban Areas, Northern Areas, and Cornerstone Lands. We recommend that the DPEIR identify all applicable MHPA Guidelines by Planning Area to streamline future project-level review and tiering from this program. In addition, the DPEIR should identify the necessary process (e.g., providing a project-level checklist) by which future tiered documents will be evaluated for consistency with this program document, the MHPA Guidelines, City Biology Guidelines, City ESL regulation, City Land Use Adjacency Guidelines, and the City MSCP.

Based on the scale of the NOP's *Figure 1: Project Location* we believe that the Project has the potential to affect a number of Planning Areas including, but not limited to:

Southern Area: Planning Areas A1, A2, A3, A4, A5, A6, A7, A8, A9, A10, A12, A13, A14, A16, A17, and A19;

Eastern Area: B8, B11, and B13;

Urban Areas: B15;

Northern Area: C26, C1, C3, C6, C7, C11, C15, and C18.

We recommend that the DPEIR include a Geographic Information Systems (GIS) analysis to refine the accuracy of the estimates provided above. The DPEIR should confirm if City Cornerstone lands and/or Hodges Reservoir/San Pasqual Valley lands are within the scope of the Project.

3. The DPEIR should analyze the linear feet of each undergrounding project adjacent to MHPA. Edge effects, including non-native species introduction, control, and management, should be analyzed by the DPEIR. A mitigation measure with appropriate, project-specific funding should be identified within the Mitigation Monitoring and Reporting Program (MMRP) and quantify the increased weed control management necessary to combat edge effects.
4. The DPEIR should identify all laydown areas and trenching widths (including material side cast) that impact native habitat. The DPEIR should include typical cross-sections, and figures illustrating the limits of work, existing rights-of-way, and where applicable, the limits of previously disturbed/developed lands and/or native vegetation.
5. The DPEIR should identify a mitigation measure(s) requiring habitat revegetation and erosion control treatments within temporary disturbance areas of native habitat, in accordance with the San Diego Municipal Code, Land Development Code–Biology Guidelines (City of San Diego 2012), and the San Diego Municipal Code.

General Comments

Streambeds and Riparian Habitats

6. The Department has responsibility for wetland and riparian habitats. It is the policy of the Department to strongly discourage development in wetlands or conversion of wetlands to uplands. We oppose any development or conversion which would result in a reduction of wetland acreage or wetland habitat values, unless, at a minimum, project mitigation assures there will be “no net loss” of either wetland habitat values or acreage. Development and conversion include but are not limited to conversion to subsurface drains, placement of fill or building of structures within the wetland, and channelization or removal of materials from the streambed. All wetlands and watercourses, whether ephemeral, intermittent, or perennial, should be retained and provided with substantial setbacks which preserve the riparian and aquatic values and maintain their value to on-site and off-site wildlife populations. Mitigation measures to compensate for impacts to mature riparian corridors must be included in the DPEIR and must compensate for the loss of function and value of a wildlife corridor.

The Department also has regulatory authority over activities in streams and/or lakes that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of any river, or stream, or use material from a river, or stream. For any such activities, the project applicant (or “entity”) must provide written notification to the Department pursuant to section 1600 et seq. of the Fish and Game Code. Based on this notification and other information, the Department determines whether a Lake and Streambed Alteration Agreement (LSA) with the applicant is required prior to conducting the proposed activities. The Department’s issuance of a LSA for a project that is subject to CEQA will require CEQA compliance actions by the Department as a Responsible Agency. The Department as a Responsible Agency under CEQA may consider the local jurisdiction’s (lead agency) Negative Declaration or Environmental Impact Report for the project. To

minimize additional requirements by the Department pursuant to section 1600 et seq. and/or under CEQA, the document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the LSA.¹

Biological Resources within the Project's Area of Potential Effect

7. To provide a complete assessment of the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, sensitive, and locally unique species and sensitive habitats, the DPEIR should include the following information.
 - a) Per CEQA Guidelines, section 15125c and Section III of the City's Biology Guidelines, information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis placed on resources that are rare or unique to the region.
 - b) A thorough, recent floristic-based assessment of special status plants and natural communities, following the Department's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (see <http://www.dfg.ca.gov/habcon/plant/>) or Section III of the City Biology Guidelines. The Department recommends that floristic, alliance-based and/or association-based mapping and vegetation impact assessments be conducted at the Project site and neighboring vicinity. The Manual of California Vegetation, second edition, should also be used to inform this mapping and assessment (Sawyer et al. 2008²). Adjoining habitat areas should be included in this assessment where site activities could lead to direct or indirect impacts off-site. Habitat mapping at the alliance level will help establish baseline vegetation conditions.
 - c) A current inventory of the biological resources associated with each habitat type on site and within the area of potential effect. The Department's California Natural Diversity Data Base in Sacramento should be contacted at www.wildlife.ca.gov/biogeodata/ to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code.
 - d) An inventory of rare, threatened, endangered and other sensitive species on site and within the area of potential effect. Species to be addressed should include all those which meet the CEQA definition (see CEQA Guidelines, § 15380). This should include sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the

¹ A notification package for a LSA may be obtained by accessing the Department's web site at www.wildlife.ca.gov/habcon/1600.

² Sawyer, J. O., T. Keeler-Wolf and J.M. Evens. 2009. A Manual of California Vegetation, Second Edition. California Native Plant Society Press, Sacramento.

project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service.

Analyses of the Potential Project-Related Impacts on the Biological Resources

8. To provide a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts, the following should be addressed in the DPEIR.
 - a) A discussion of potential adverse impacts from lighting, noise, human activity, exotic species, and drainage should also be included. The latter subject should address: project-related changes on drainage patterns on and downstream of the project site; the volume, velocity, and frequency of existing and post-project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-project fate of runoff from the project site. The discussions should also address the proximity of the extraction activities to the water table, whether dewatering would be necessary, and the potential resulting impacts on the habitat, if any, supported by the groundwater. Mitigation measures proposed to alleviate such impacts should be included.
 - b) Discussions regarding indirect project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands (e.g., MHPA and/or preserve lands associated with the City SAP). Impacts on, and maintenance of, wildlife corridor/movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated in the DPEIR.
 - c) A cumulative effects analysis should be developed as described under CEQA Guidelines, section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Mitigation for the Project-related Biological Impacts

9. The DPEIR should include measures to fully avoid and otherwise protect Rare Natural Communities and City SAP covered habitats from project-related impacts. The Department considers these communities as threatened habitats having both regional and local significance.
10. The DPEIR should include mitigation measures for adverse project-related impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail.
11. For proposed preservation and/or restoration, the DPEIR should include measures to perpetually protect the targeted habitat values from direct and indirect negative impacts,

conform to City Biology Guidelines Mitigation Element. The objective should be to offset the project-induced qualitative and quantitative losses of wildlife habitat values. Issues that should be addressed include restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.

12. In order to avoid impacts to nesting birds, the DPEIR should require that clearing of vegetation, and when biologically warranted construction, occur outside of the peak avian breeding season which generally runs from February 1 through September 1 (as early as January 1 for some raptors). If project construction is necessary during the bird breeding season a qualified biologist with experience in conducting bird breeding surveys should conduct weekly bird surveys for nesting birds, within three days prior to the work in the area, and ensure no nesting birds in the project area would be impacted by the project. If an active nest is identified, a buffer shall be established between the construction activities and the nest so that nesting activities are not interrupted. The buffer should be a minimum width of 300 feet (500 feet for raptors), be delineated by temporary flagging, and remain in effect as long as construction is occurring or until the nest is no longer active. No project construction shall occur within the flagged nest zone until the young have fledged, are no longer being fed by the parents, have left the nest, and will no longer be impacted by the project. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.
13. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Studies have shown that these efforts are experimental in nature and largely unsuccessful.
14. Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant revegetation techniques. Each plan should include, at a minimum: (a) the location of the mitigation site; (b) the plant species to be used, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity.

We appreciate the opportunity to comment on this NOP. Questions regarding this letter and further coordination on these issues should be directed to Eric Weiss at (858-467-4289) or Eric.Weiss@wildlife.ca.gov.

Sincerely,



Gail K. Sevens
Environmental Program Manager
South Coast Region

ec: Office of Planning and Research, State Clearinghouse, Sacramento
David Zoutendyk, U.S. Fish and Wildlife Service, Carlsbad

Literature Cited:

City of San Diego. 1997. Implementing Agreement by and between United States Fish and Wildlife Service, California Department of Fish and Game and City of San Diego to Establish a Multiple Species Conservation Program ("MSCP") for the Conservation of Threatened, Endangered and Other Species in the Vicinity of San Diego, California.

City of San Diego. 2012. San Diego Municipal Code Land Development Code—Biology Guidelines. Amended April 23, 2012.

City of San Diego. July 2016. California Environmental Quality Act Significance Determination Thresholds.

Oct 19, 2019

Re Response to CEQA Scoping process.
Utilities Undergrounding Program/SCH No. Pending
Date of Notice October 15, 2018.

Thank you for the opportunity to contribute to this important public process, defining the scope of the PEIR for the Citywide undergrounding program.

This long range program has many desirable affects, but also some perhaps inevitable adverse impacts as well, which should be considered, avoided where possible, and mitigated when not possible to do so.

My following comments particularly address potential significant environmental impacts in the areas of “visual effects and neighborhood character”, “historical”, and “tribal cultural resources”.

The scope of the PEIR should include analysis, and propose mitigation where appropriate, of the following:

Impacts on subsurface cultural/ archeological resources, of both the distant and more recent past.

Streets often provide a protective cap over otherwise undisturbed land, and the potential for tribal and similar material can be high in some areas, and possible in other locations.

Resources from a more recent past are also covered by streets, and will be exposed during construction.

A good example of this is the streetcar tracks which made possible many of our pre WWII suburbs (“streetcar suburbs”)

Both of these should be considered in the scope of the PEIR.

A second category of resources subject to adverse impacts of the project is the “historic infrastructure” which define the character of many of our older communities.

These elements include sidewalks, other walkways, curbs, masonry (e.g. retaining walls) and others, on both public and private property.

Design, materials, color, and texture are among the character defining features of these readily visible “surface” resources.

Mitigation of adverse impacts on these would be consistent with existing City policy to replicate historic design features, such as grid patterns, and to preserve in place early contractor stamps, when new infrastructure is installed, but it would be desirable to integrate these programs across the City, and including this in the PEIR would serve that purpose.

In the past, projects have included a consultant to advise on these issues, but their scope of work was limited to already historically designated resources only.

Having such a professional on the team is an appropriate mitigation, but their contract should not be restricted to designated resources only.

Of course it would be desirable to include a program to minimize or avoid damage to these resources with appropriate work standards, such as providing an underlay support for heavy equipment.

These resources in existing Historic Districts as well as in the “Proposed Historic Districts” identified in a number of adopted community plans, should perhaps have an enhanced consideration, but adverse impacts should be considered Citywide, especially in our older communities, and damage or loss should also be analyzed for cumulative impacts.

And avoided or mitigated.

A related issue is potential adverse impacts to mature trees, some of which may be “heritage” or historic” trees, and all of which contribute to the quality and character of our communities and our City.

Impacts on these trees should be considered in the PEIR, both independently as well as in relation to the City Climate Action Plan (CAP), Urban Forestry program, and other related contexts.

And this analysis should include trees on private property as well as street trees and other trees in the public right of way.

Adverse impacts to trees can be the result of trenching, above surface conflicts with equipment, and soil compaction, among other causes.

Thanks again for the opportunity to comment on the scope for the Program Environmental Impact Report for the Citywide Undergrounding program.

I have suggested analysis in the PEIR of both surface resources, which are and will remain visible, as well as subsurface resources, and the potential adverse impacts of the project on both classes of cultural resources.

Yours,
David Swarens.

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From: loscalifornios@aol.com [<mailto:loscalifornios@aol.com>]

Sent: Saturday, October 20, 2018 11:42 AM

To: PLN_PlanningCEQA <planningceqa@sandiego.gov>

Cc: Herrmann, Myra <MHerrmann@sandiego.gov>

Subject: Utilities Undergrounding Program/SCH No. Pending PEIR Comments

Hello.

Enclosed are my comments on the PEIR for the City's City wide utilities undergrounding program.

These should not by any means be considered comprehensive.

I write with specific experience with two properties that have previously gone through the current program, one a designated historic resource, the other in a : "proposed historic district" identified in the community plan (and since designated).

In the later, the contractor (Patriot) was very good at trying to do a great job, but would have benefited from access to the the consultant provided for, but whose scope of work specified in the contract did not allow to work on a not yet designated property.

In the former, curbs were destroyed, and it took over five years for the rubble from that to be removed from the parkway where it had been left piled, and the curbs have yet to be replaced (temporary asphalt curbs in place).

Yours,
David Swarens.

From: Maggie McCann <margaretbeth@cox.net>

Sent: Saturday, January 26, 2019 5:22 PM

To: Councilmember Georgette Gomez; Councilmember Barbara Bry; Councilmember Jennifer Campbell; Councilmember Christopher Ward; Councilmember Monica Montgomery; Councilmember Mark Kersey; CouncilMember Chris Cate; Councilmember Scott Sherman; Councilmember Vivian Moreno

Cc: CLK City Clerk; SDAT City Attorney

Subject: Item 336, City Council Regular Meeting of January 29, 2019

Council President Gomez and Councilmembers,

With regard to Item 336 : Creation of Utilities Undergrounding Districts in the communities of University City (1S), Mission Beach (2S3), Kensington (3AA), Teralta (3AA1), Normal Heights (3BB, 3BB2), Encanto (4R1), Clairemont Mesa (6K, 6K2), Allied Gardens (7R1) and Del Cerro (7U), I respectfully request the removal from the agenda of the consideration of forming a Utility Undergrounding District in Kensington, Project 3AA. The City has not performed the required environmental review nor prepared an Environmental Impact Report (EIR) for Project 3AA. Instead, according to the November 27, 2018 Staff Report for this item, staff reached the following conclusion:

Environmental Impact: This activity is adequately addressed in the CEQA Exemption (dated July 30, 2018) prepared for the Group 160621 Underground Utility Districts / Project No. 594590 pursuant to State CEQA Guidelines Section 15302(d) (Replacement or Reconstruction), for which a Notice of Right to Appeal (NORA) has already been completed, and no appeals were filed.

This decision by staff is fraught with issues. First, the CEQA Exemption cited applies to a Undergrounding Utility District Project in a neighborhood in another part of the City. As that project does not relate to Kensington's 3AA project, it cannot be expected that Kensington residents would have been aware of any environmental analysis performed, nor the subsequent report, and would not have had an opportunity to provide input or appeal the findings. The residents of Kensington, therefore, were not properly noticed that a Draft EIR applicable to the 3AA project was available, and therefore had no opportunity to comment.

Secondly, Title 14, California Code of Regulations Chapter 3, Guidelines for Implementation of the California Environmental Quality Act, Article 19, Categorical Exemptions: Section 15300 Categorical Exemptions provides the following under 15300.2 Exceptions:

(c) Significant Effect. A categorical exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.

(f) Historical Resources. A categorical exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

The Mid-City Communities Plan of 1998 is the overarching planning document for the neighborhood of Kensington. Included in the plan is this description: “Named for a borough in London, England, Kensington is a pioneering subdivision dating to 1910. With its stone gateways, ornamental lighting, and curving streets, the neighborhood is a strong candidate for designation as a historic district.” Indeed, Kensington currently boasts 89 designated historical resources; thirteen historically designated resources are located within the boundaries of Project 3AA.

Additionally, the 1996 Greater Mid-City San Diego Preservation Strategy identifies more than 260 properties within the Project 3AA boundaries that are contributors to a potential historic district.

Also within the project boundaries are thirty California Pepper Trees, *Schinus molle*, in the parkways that were planted in 1910 by the original developers of the Kensington Park subdivision. All 35 pepper trees in Kensington Park have been nominated as Heritage Trees and Parkway Resource Trees under the City’s Conserve-a-Tree program. The mature trees are in excess of 110 years old, with broad canopies. The 2018 Climate Action Plan report from the City of San Diego calls for 15 percent of the city to be covered in trees, up from 13 percent today. However, to meet that target the city would need to plant roughly 150,000 new trees. Last year, it planted 307, according to the progress report. The UUP attempts to reduce the impact associated with tree removal on these projects, by planting new street trees when the City is able to get a property owner to agree to water and care for the tree until it becomes established. This policy does not ensure that trees will be replaced if property owners cannot make the commitment to provide adequate water needed to establish the tree, especially considering the ongoing drought conditions and the high cost of water in San Diego.

The Kensington pepper trees are part of the City’s urban tree canopy which needs to be expanded in order to eliminate more greenhouse gases and make the goals of the Climate Action Plan feasible. Any damage to or removal of these historical trees would have a measurable environmental impact, especially when any replacement trees, if any, would take decades to grow to the size of these well-established resources. Damage to or removal of these historically significant trees would have a negative impact on community character and aesthetics.

The concentration of historical houses, commercial buildings, sidewalks and trees in the project area indicates that a categorical exemption under CEQA should not be used, as trenching and utility box placement may have a significant effect on these historical resources. An environmental analysis of the Project 3AA area must be performed, an Environmental Impact Report prepared and distributed, and the affected community members given notice and an opportunity to comment on any and all mitigation measures proposed in the EIR. Pursuant to Section 15060(d) of the CEQA Guidelines, it appears that the proposed project may result in significant environmental impacts in the following areas: Visual Effects and Neighborhood Character, Air Quality/Odor, Greenhouse Gas Emissions, Biological Resources, and Historical (Built-Environment).

One mitigation measure that should be considered going forward can be found in the Utility Undergrounding Advisory Committee Report - Attachment B: Utilities Undergrounding Community Process (Surcharge Program), dated March 23, 2015:

6) VOLUNTARY EASEMENTS

d) Purpose: The purpose of this step is to allow property owners, with the assistance of the community, to offer voluntary easements to mitigate the aesthetic and practical impacts of above ground equipment. The decision to grant a voluntary easement remains with the property owner. The utility companies will identify locations that are acceptable for their above ground equipment to meet technical parameters, and with UUP staff, will be available to address technical questions. Should a property owner voluntarily agree to an easement, they will work directly with UUP staff and the utility companies on the necessary paperwork.

III. PRIORITIES, LOCAL PREFERENCES, REQUIREMENTS CRITERIA

C. RESIDENTIAL ALLEYS LOCATIONS If the Local Preference is to avoid relocating overhead lines in the alley to underground lines in the fronting streets, allow reasonable time for the community to secure easements outside the alley (right-of-way) to accommodate above ground equipment. This option can only be considered if enough property owners voluntarily cooperate in providing all necessary utility easements.

In the Project 3AA area the majority of the existing utility poles are located in the alleys. When taking into consideration the impact on historical resources, aesthetics, neighborhood character, and mature trees, it would be preferable to locate the above ground equipment in the alleys and/or at the rear of the properties in this area. Understanding that it will be necessary to obtain utility easements, some modification to the UUP process may be needed. Individual property owners may or may not be amenable to granting the needed easement, depending on the number and size of the above ground equipment boxes. It would seem that some portion of the design work must be completed before attempting to secure the easements. If this can be accomplished and the easements granted, the impact of both the trenching activities and the resultant utility box placement can be mitigated to an acceptable level. It should also be more cost effective to locate the equipment off the alleys, since the homeowners' electrical panels are located at or near the alleys. Trenching across 100 feet of landscaping per parcel would not be necessary, and it would also be unnecessary to run above-ground conduit along buildings, the majority of which are historical in nature. Locating the boxes off the alleys would also ensure that there is not a negative impact on street parking, which is at capacity.

In conclusion, a proper environmental assessment under CEQA should be performed for UUP Project 3AA, and strong consideration given to locating the above ground equipment at the rear of the properties.

Respectfully,

Margaret B. McCann

4650 Edgeware Road

San Diego, CA 92116

619-518-8753



NATIVE AMERICAN HERITAGE COMMISSION

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November 6, 2018

Myra Hermann
City of San Diego
9485 Aero Dr., MS 413
San Diego, CA 92123

RE: SCH# 2018101037 City of San Diego Utilities Undergrounding Program, San Diego County

Dear Ms. Hermann:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b))). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1))). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).
8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).
9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Katy.Sanchez@nahc.ca.gov.

Sincerely,



for

Katy Sanchez
Associate Environmental Planner

cc: State Clearinghouse

Rancho Bernardo Community Planning Board

12463 Rancho Bernardo Road #523, San Diego, CA 92128

www.rbplanningboard.com

November 15, 2018

Ms. Myra Herrmann,
Environmental Planner, City of San Diego Planning Department
9485 Aero Drive
San Diego, CA 92123

RE: Notice of Preparation of a Draft Program Environmental Impact Report for the City of San Diego's Utilities Undergrounding Program

Dear Ms. Herrmann:

The Rancho Bernardo Community Planning Board (Planning Board) appreciates the opportunity to review and provide input on the Notice of Preparation (NOP) for the draft Program Environmental Impact Report (PEIR) for the City of San Diego's (City) Utilities Undergrounding Program (Program). The proposed activities under the Program, which is managed by the City's Transportation & Storm Water Department in coordination with SDG&E and other utilities which provide telephone, cable television, and broadband services throughout the City, would consist of the systematic conversion of overhead utilities to underground throughout the City. Approximately 1,000 miles of overhead utility lines remain to be undergrounded within the City. The Program has a goal of undergrounding approximately 15 miles of overhead utility lines each year and would be implemented in five-year increments in accordance with a prioritization system developed by the City. The construction phase for each project is expected to last 18 to 36 months.

Implementation of this Program is of interest to the community of Rancho Bernardo because a few areas of the community are still awaiting the undergrounding of utilities. The Planning Board offers the following comments regarding the scope of the analysis to be provided in the draft PEIR. These comments were for submittal to the City by a vote of 15-0-0 at the Planning Board's meeting of November 15, 2018.

Environmental Effects – The Planning Board requests that the list of potential significant adverse effects listed in the NOP be expanded to include to following:

- 1) **Traffic/Parking:** Analysis of potential effects to local and community-wide traffic congestion and parking availability related to activities occurring in public roadways for periods of up to 18 to 36 months should be included in the PEIR. Programmatic mitigation measures that should be implemented to minimize disruption of traffic flow and parking availability should be included in the discussion.

- 2) **Noise/Lighting:** Night construction activity occurring in proximity to residential development and other sensitive noise receptors will result in increases in the ambient noise levels and potential impacts related to night lighting during construction. Anticipated noise levels should be disclosed and the potential effects of night lighting addressed. If necessary, appropriate mitigation measures should be incorporated into the project to minimize impacts to residents and other sensitive receptors.
- 3) **Climate Change/Sea-level Rise:** The draft PEIR should also address the potential for future impacts to underground utilities due to inundation resulting from sea-level rise and/or increased flood levels due to climate change. The project description should include information about how underground utilities in vulnerable areas will be protected during periods of inundation.

Thank you again for the opportunity to provide our comments. The Planning Board requests that it be notified when the draft EIR is made available for public review and comment.

Sincerely,

Robin Kaufman

Robin Kaufman
Chair, Rancho Bernardo Community Planning Board

cc: Councilmember Mark Kersey, District 5



San Diego County Archaeological Society, Inc.

Environmental Review Committee

28 October 2018

To: Ms. Myra Herrmann
Planning Department
City of San Diego
1010 Second Avenue, Mail Station 614C
San Diego, California 92101

Subject: Notice of Preparation of a Draft Program Environmental Impact Report
Utilities Undergrounding Program

Dear Ms. Herrmann:

Thank you for the Notice of Preparation for the subject project, received by this Society earlier this month.

We are pleased to note the inclusion of historical resources in the list of subject areas to be addressed in the DEIR, and look forward to reviewing it during the upcoming public comment period. To that end, please include us in the distribution of the DEIR, and also provide us with a copy of the cultural resources technical report(s).

SDCAS appreciates being included in the City's environmental review process for this project.

Sincerely,

James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: SDCAS President
File



Save Our Heritage Organisation

Saving San Diego's Past for the Future

Thursday, October 25, 2018

Myra Herrmann, Environmental Planner
City of San Diego Planning Department
9485 Aero Drive
San Diego, CA 92123

Re: Utilities Undergrounding Program, PEIR & Scoping

Ms. Herrmann,

Save Our Heritage Organisation (SOHO) understands a Program Environmental Impact Report (PEIR) will be prepared as part of the Underground Utilities Program, a program which may result in significant environmental impacts to Visual Effects and Neighborhood Character, and Historic (Built-Environment and Archaeology) and Tribal Cultural Resources, among other impacts. SOHO strongly suggests for the scope of the PEIR to include the impacts and exposure of various subsurface resources, and the adverse impacts to historic infrastructure, mature trees and landscaping as well as viewsheds. Any determined adverse impacts should be carefully considered, avoided and thoughtfully sited where possible, and otherwise mitigated.

The PEIR scope should include impacts on the subsurface cultural and archeological resources, from both the distant and more recent past, such as streetcar tracks. Often, our streets provide a protective cap over otherwise undisturbed land, and the possibility for tribal and/or similar material remains present in several areas.

The scope of the PEIR should also include potential adverse impacts to historic infrastructure, mature trees and landscaping, and viewsheds, all of which help define the character for many older San Diego communities. Historic infrastructure includes elements such as sidewalks and walkways, curbs, masonry details such as retaining walls, and other examples, on both public and private property. Design, materials, color, and texture are some of the character-defining features for these infrastructure-type resources. Further, rights-of-way surveys and cultural landscape surveys should be utilized, such as the 2007 Uptown Cultural Landscape Survey, which will help the project scope identify these features, where they are likely to be located, and the avoidance, careful siting or mitigation that would be required. While avoidance and careful siting are certainly preferred, other mitigation of adverse impacts, which is consistent with existing City policy, is to replicate historic design features (such as grid patterns) and preserve (in place) early contractor sidewalk or curb stamps when new infrastructure is installed.

The City houses various trees that have the potential to be identified as “witness,” “heritage” or historic trees, which contribute to the quality and character of our communities and larger city, and have the ability to be adversely impacted by this project. Adverse impacts to trees can result from trenching, above ground conflicts with equipment, and soil compaction among other causes. Impacts on these potential trees should be considered within the PEIR and the analysis should include trees on private property as well as street trees and other trees within the public rights of way.

These community features are also commonly found within existing Historic Districts, including the many identified "Proposed Historic Districts," which are specified within the various of community plans. While these areas should be given additional consideration-- first to avoid and carefully site necessary infrastructure-- and second to avoid adverse impacts upon these character-defining community features; however, they should be considered citywide, with damage or loss of these features being analyzed for cumulative impacts.

SOHO strongly encourages the scope of the PEIR to include the impacts and exposure of various subsurface resources, and the adverse impacts to historic infrastructure, mature trees and landscaping as well as viewsheds. Any determined adverse impacts should be carefully considered, avoided and thoughtfully sited where possible, and otherwise mitigated.

Thank you for the opportunity to comment,

A handwritten signature in black ink, appearing to read "Bruce Coons", written over a thin horizontal line.

Bruce Coons
Executive Director
Save Our Heritage Organisation



EDMUND G. BROWN JR.
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH



KEN ALEX
DIRECTOR

Notice of Preparation

October 17, 2018

To: Reviewing Agencies

Re: City of San Diego Utilities Undergrounding Program
SCH# 2018101037

Attached for your review and comment is the Notice of Preparation (NOP) for the City of San Diego Utilities Undergrounding Program draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

**Myra Hermann
City of San Diego
9485 Aero Dr, MS 413
San Diego, CA 92123**

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2018101037
Project Title City of San Diego Utilities Undergrounding Program
Lead Agency San Diego, City of

Type **NOP** Notice of Preparation

Description The proposed activities under the program would consist of the systematic conversion of overhead utilities to underground throughout the City of San Diego. The implementation of proposed activities would occur based on a prioritization system developed by the city and would be implemented in five-year increments.

The Utilities Undergrounding Program consists of two types of projects: one involves SDG&E Rule 20A projects that must meet certain public benefit criteria consistent with the CPUC's statewide program. This program relates primarily to overhead lines along major city streets. The other type is known as a Surcharge project in which the project is funded by the increased franchise fee authorized by the CPUC in Resolution E-3788. Projects that fall into the surcharge category are typically found in residential areas that do not meet Rule 20A criteria.

Lead Agency Contact

Name	Myra Hermann		
Agency	City of San Diego		
Phone	(619) 446-5372	Fax	
email			
Address	9485 Aero Dr, MS 413		
City	San Diego	State CA	Zip 92123

Project Location

County	San Diego			
City				
Region				
Cross Streets				
Lat / Long	32° 57" N / 117° 16' 11" W			
Parcel No.				
Township		Range	Section	Base

Proximity to:

Highways	Multiple
Airports	San Diego Intl
Railways	Multiple
Waterways	Multiple
Schools	Multiple
Land Use	various for multiple locations

Project Issues Aesthetic/Visual; Air Quality; Archaeologic-Historic; Biological Resources; Coastal Zone; Drainage/Absorption; Flood Plain/Flooding; Noise; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Landuse; Cumulative Effects; Tribal Cultural Resources; Other Issues

Reviewing Agencies Resources Agency; Office of Historic Preservation; Department of Parks and Recreation; Department of Fish and Wildlife, Region 5; Native American Heritage Commission; Public Utilities Commission; State Lands Commission; Caltrans, Division of Aeronautics; California Highway Patrol; California Energy Commission; Caltrans, District 11; Air Resources Board; State Water Resources Control Board, Division of Drinking Water; Regional Water Quality Control Board, Region 9; San Diego River Conservancy

Date Received	10/16/2018	Start of Review	10/17/2018	End of Review	11/15/2018
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Note: Blanks in data fields result from insufficient information provided by lead agency.

Notice of Completion & Environmental Document Transmittal**2018101037**

Mail to: State Clearinghouse, P.O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613
 For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH # Pending**Project Title:** City of San Diego Utilities Undergrounding ProgramLead Agency: City of San DiegoContact Person: Myra HerrmannMailing Address: 9485 Aero Drive, MS 413Phone: 619-446-5372City: San Diego, CaliforniaZip: 92123County: San Diego**Project Location:** County: San Diego County City/Nearest Community: Citywide projectCross Streets: N/AZip Code: N/ALongitude/Latitude (degrees, minutes and seconds): 32 ° 71 ' 57 " N / 117 ° 16 ' 11 " W Total Acres: N/AAssessor's Parcel No.: N/ASection: N/A Twp.: N/A Range: N/A Base: N/AWithin 2 Miles: State Hwy #: MultipleWaterways: MultipleAirports: San Diego International AirportRailways: MultipleSchools: Multiple**Document Type:**CEQA: ☒ NOP☐ Draft EIRNEPA: ☐ NOIOther: ☐ Joint Document☐ Early Cons☐ Supplement/Subsequent EIR☐ EA☐ Final Document☐ Neg Dec

(Prior SCH No.) _____

☐ Draft EIS☐ Other: _____☐ Mit Neg Dec

Other: _____

☐ FONSI**Governor's Office of Planning & Research****Local Action Type:**☐ General Plan Update☐ Specific Plan☐ Rezone☐ Annexation☐ General Plan Amendment☐ Master Plan☐ Prezone☐ Redevelopment☐ General Plan Element☐ Planned Unit Development☐ Use Permit☐ Coastal Permit☐ Community Plan☐ Site Plan☐ Land Division (subdivision)☐ Other: City Council Approval**Development Type:**☐ Residential: Units _____

Acres _____

☐ Office: Sq.ft. _____

Acres _____

Employees _____

☐ Transportation: Type _____☐ Commercial: Sq.ft. _____

Acres _____

Employees _____

☐ Mining: Mineral _____☐ Industrial: Sq.ft. _____

Acres _____

Employees _____

☐ Power: Type _____

MW _____

☐ Educational: _____☐ Waste Treatment: Type _____

MGD _____

☐ Recreational: _____☐ Hazardous Waste: Type _____☐ Water Facilities: Type _____

MGD _____

☒ Other: Conversion of overhead utilities to underground**Project Issues Discussed in Document:**☒ Aesthetic/Visual☐ Fiscal☐ Recreation/Parks☒ Vegetation☐ Agricultural Land☒ Flood Plain/Flooding☐ Schools/Universities☒ Water Quality☒ Air Quality☐ Forest Land/Fire Hazard☐ Septic Systems☒ Water Supply/Groundwater☒ Archeological/Historical☐ Geologic/Seismic☐ Sewer Capacity☒ Wetland/Riparian☒ Biological Resources☐ Minerals☒ Soil Erosion/Compaction/Grading☐ Growth Inducement☒ Coastal Zone☒ Noise☒ Solid Waste☒ Land Use☒ Drainage/Absorption☐ Population/Housing Balance☒ Toxic/Hazardous☒ Cumulative Effects☐ Economic/Jobs☐ Public Services/Facilities☒ Traffic/Circulation☒ Other: GHG, Paleo, Tribal**Present Land Use/Zoning/General Plan Designation:**

Various for multiple locations.

Project Description: (please use a separate page if necessary)

See attached.

NOP Distribution List

County: San Diego

SCH#

2018101037

Resources Agency

☒ Resources Agency
Nadell Gayou

☐ Dept. of Boating & Waterways
Denise Peterson

☐ California Coastal Commission
Allyson Hitt

☐ Colorado River Board
Elsa Contreras

☐ Dept. of Conservation
Crina Chan

☐ Cal Fire
Dan Foster

☐ Central Valley Flood Protection Board
James Herola

☒ Office of Historic Preservation
Ron Parsons

☐ Dept of Parks & Recreation
Environmental Stewardship Section

☐ S.F. Bay Conservation & Dev't. Comm.
Steve Goldbeck

☐ Dept. of Water Resources
Resources Agency
Nadell Gayou

Fish and Game

☐ Depart. of Fish & Wildlife
Scott Flint
Environmental Services Division

☐ Fish & Wildlife Region 1
Curt Babcock

☐ Fish & Wildlife Region 1E
Laurie Harnsberger

☐ Fish & Wildlife Region 2
Jeff Drongesen

☐ Fish & Wildlife Region 3
Craig Weightman

Independent Commissions, Boards

☐ Delta Protection Commission
Erik Vink

☐ Delta Stewardship Council
Anthony Navasero

☒ California Energy Commission
Eric Knight

☐ Fish & Wildlife Region 4
Julie Vance

☒ Fish & Wildlife Region 5
Leslie Newton-Reed
Habitat Conservation Program

☐ Fish & Wildlife Region 6
Tiffany Ellis
Habitat Conservation Program

☐ Fish & Wildlife Region 6 I/M
Heidi Calvert
Inyo/Mono, Habitat Conservation Program

☐ Dept. of Fish & Wildlife M
William Paznokas
Marine Region

Other Departments

☐ California Department of Education
Lesley Taylor

☐ OES (Office of Emergency Services)
Monique Wilber

☐ Food & Agriculture
Sandra Schubert
Dept. of Food and Agriculture

☐ Dept. of General Services
Cathy Buck
Environmental Services Section

☐ Housing & Comm. Dev.
CEQA Coordinator
Housing Policy Division

☒ Native American Heritage Comm.
Debbie Treadway

☒ Public Utilities Commission
Supervisor

☐ Santa Monica Bay Restoration
Guangyu Wang

☒ State Lands Commission
Jennifer Deleong

☐ Tahoe Regional Planning Agency (TRPA)
Cherry Jacques

Cal State Transportation Agency CalSTA

☒ Caltrans - Division of Aeronautics
Philip Crimmins

☐ Caltrans - Planning HQ LD-IGR
Christian Bushong

☒ California Highway Patrol
Suzann Ikeuchi
Office of Special Projects

Dept. of Transportation

☐ Caltrans, District 1
Rex Jackman

☐ Caltrans, District 2
Marcelino Gonzalez

☐ Caltrans, District 3
Susan Zanchi

☐ Caltrans, District 4
Patricia Maurice

☐ Caltrans, District 5
Larry Newland

☐ Caltrans, District 6
Michael Navarro

☐ Caltrans, District 7
Dianna Watson

☐ Caltrans, District 8
Mark Roberts

☐ Caltrans, District 9
Gayle Rosander

☐ Caltrans, District 10
Tom Dumas

☒ Caltrans, District 11
Jacob Armstrong

☐ Caltrans, District 12
Maureen El Harake

Cal EPA

☒ Air Resources Board
☒ Airport & Freight
Jack Wursten

☐ Transportation Projects
Nesamani Kalandiyur

☐ Industrial/Energy Projects
Mike Tollstrup

☐ California Department of Resources, Recycling & Recovery
Kevin Taylor/Jeff Esquivel

☐ State Water Resources Control Board
Regional Programs Unit
Division of Financial Assistance

☒ State Water Resources Control Board
Cindy Forbes - Asst Deputy
Division of Drinking Water

☐ State Water Resources Control Board
Div. Drinking Water # _____

☐ State Water Resources Control Board
Student Intern, 401 Water Quality Certification Unit
Division of Water Quality

☐ State Water Resources Control Board
Phil Crader
Division of Water Rights

☐ Dept. of Toxic Substances Control Reg. # _____
CEQA Tracking Center

☐ Department of Pesticide Regulation
CEQA Coordinator

Regional Water Quality Control Board (RWQCB)

☐ RWQCB 1
Cathleen Hudson
North Coast Region (1)

☐ RWQCB 2
Environmental Document Coordinator
San Francisco Bay Region (2)

☐ RWQCB 3
Central Coast Region (3)

☐ RWQCB 4
Teresa Rodgers
Los Angeles Region (4)

☐ RWQCB 5S
Central Valley Region (5)

☐ RWQCB 5F
Central Valley Region (5)
Fresno Branch Office

☐ RWQCB 5R
Central Valley Region (5)
Redding Branch Office

☐ RWQCB 6
Lahontan Region (6)

☐ RWQCB 6V
Lahontan Region (6)
Victorville Branch Office

☐ RWQCB 7
Colorado River Basin Region (7)

☐ RWQCB 8
Santa Ana Region (8)

☒ RWQCB 9
San Diego Region (9)

☐ Other _____

☒ San Diego
Conservancy

VIEJAS

TRIBAL GOVERNMENT

P.O. Box 908
Alpine, CA 91903
#1 Viejas Grade Road
Alpine, CA 91901

Phone: 6194453810
Fax: 6194455337
viejas.com

October 22, 2018

Myra Herrmann
Environmental Planner
City of San Diego Planning Dept.
9485 Aero Drive
San Diego, CA 92123

RE: Utilities Undergrounding Program/ SCH No. Pending

Dear Ms. Herrmann,

The Viejas Band of Kumeyaay Indians ("Viejas") has reviewed the proposed project and at this time we have determined that the project site has cultural significance or ties to Viejas.

Viejas Band request that a Kumeyaay Cultural Monitor be on site for ground disturbing activities to inform us of any new developments such as inadvertent discovery of cultural artifacts, cremation sites, or human remains.

Please provide us, prior to ground disturbing activities, with the name and contact information for the ground disturbing contractor or business firm.

Please call me at 619-659-2312 or Ernest Pingleton at 619-659-2314 or email, rteran@viejas-nsn.gov or epingleton@viejas-nsn.gov, for scheduling. Thank you.

Sincerely,



Ray Teran, Resource Management
VIEJAS BAND OF KUMEYAAY INDIANS

18. *Staphylococcus aureus* (Gram positive) is a common cause of skin infections.

m

3

*

[illegible]

SIGN IN SHEET

For the

UTILITIES UNDERGROUNDING PROGRAM

ENVIRONMENTAL IMPACT REPORT SCOPING MEETING & WORKSHOP

Tuesday, October 23, 2018, 5:30 p.m. – 7:30 p.m.

San Diego Public Utilities Department - MOC II Auditorium

9192 Topaz Way, San Diego, CA 92123

****PLEASE PRINT****

[illegible]