



THE CITY OF SAN DIEGO  
**REPORT TO THE CITY COUNCIL**

DATE ISSUED: November 29, 2006 REPORT NO: 06-188  
ATTENTION: Council President and City Council  
Docket of Dec. 5, 2006  
SUBJECT: 30<sup>th</sup> Street Phase II/ 26<sup>th</sup> Street Transmission Undergrounding  
REFERENCE: Mitigated Negative Declaration, Project No. 113310

REQUESTED ACTION:

Certify that the information contained in Mitigated Negative Declaration, Project No. 113310 has been completed in compliance with the California Environmental Quality Act and State CEQA Guidelines, and that said Mitigated Negative Declaration reflects the independent judgment of the City of San Diego as Lead Agency, state for the record that the final Mitigated Negative Declaration has been reviewed and considered prior to approving the project, and Adopt the Mitigation, Monitoring and Reporting Program covering this activity.

STAFF RECOMMENDATION:

Certify that the information contained in Mitigated Negative Declaration, Project No. 113310 has been completed in compliance with the California Environmental Quality Act and State CEQA Guidelines, and that said Mitigated Negative Declaration reflects the independent judgment of the City of San Diego as Lead Agency, state for the record that the final Mitigated Negative Declaration has been reviewed and considered prior to approving the project, and Adopt the Mitigation, Monitoring and Reporting Program covering this activity.

EXECUTIVE SUMMARY:

In May 2002, the City Council allocated funds to continue the undergrounding of the 138 kV transmission overhead line along the 30<sup>th</sup> Street/Fern corridor from Maple Court to "A" Street. The following year, the City Council allocated funds to underground the 26<sup>th</sup> Street section of the same 138 kV line that runs on 30<sup>th</sup>/Fern Streets. Subsequent Council actions created the Underground Utility Districts and certification of appropriate environmental review documents.

Sometime in the spring/summer of 2004, during the design phase of the project, SDG&E made the City aware that due to multiple conflicts on the 30<sup>th</sup> Street/Fern corridor, SDG&E would need to explore parallel alternative routes, and over the last two years, City staff and SDG&E have been exploring options. Three presentations with three alternative routes have

been presented to the Greater Golden Hill Community Planning Committee. The route most desired and contemplated in this Mitigated Negative Declaration is able to keep the underground alignment most closely to the alignment of the existing overhead lines.

Because the alignment of the underground transmission line will not entirely match the alignment contemplated by previous environmental reviews, a new environmental review was performed which contemplates the proposed alignment.

Prior to commencement of construction, SDGE will file an Advice Letter with the California Public Utility Commission (CPUC). SDG&E will include a copy of the City Council certified environmental determination/documents. All property owners and residents who own property or reside within 300 ft of the proposed undergrounding alignment will be notified in writing of SDG&E's filing with the CPUC and be given the opportunity to express any concerns they may have directly to the CPUC.

Should the CPUC approve SDG&E's advice letter, construction would be expected to begin sometime in late March or April 2007. Construction is estimated to be complete around November 2007.

#### FISCAL CONSIDERATIONS:

None with this action

#### PREVIOUS COUNCIL and/or COMMITTEE ACTION:

1. City Council Resolution R-296566, May 28, 2002 - for FY 2003 Annual Allocation of Undergrounding Projects
2. City Council Resolution R-297711, April 7, 2003 - creating the 30<sup>th</sup> Street Phase II Underground Utility District
3. City Council Resolution R-298586, November 17, 2003 - for FY 2004 Annual Allocation of Undergrounding Projects
4. City Council Resolution R-298829, March 9, 2004 - creating the Residential Project 8F Underground Utility District and includes the 26<sup>th</sup> Street transmission line.

#### COMMUNITY PARTICIPATION AND PUBLIC OUTREACH EFFORTS:

On November 10, 2004, City staff and SDG&E staff presented the project and a proposed alternate route at the Greater Golden Hill Community Planning Committee (GGHCPC). SDG&E answered questions about EMF concerns, and route selection criteria and agreed to explore all possible alternatives that did not pose significant cost increases to the project. City staff and SDG&E agreed to bring back to the planning group its findings regarding other possible alternative routes.

On October 12, 2005, City staff and SDG&E staff presented a second proposed route at the GGHCPC that emerged after an exhaustive six month study of all available streets. The proposed route presented at that time consisted of 30<sup>th</sup> Street south to Grape, west on Grape to Dale, south on Dale to Date, west on Date to Granada, south on Granada to A, west on A to 28<sup>th</sup> St, south on 28<sup>th</sup> St to Island, west on Island to 26<sup>th</sup> and south on 26<sup>th</sup> to Commercial.

In an effort to notify members of the community of this second presentation/ meeting regarding the status of the project, City staff noticed, via U.S. Mail, approximately 1,500 property owners and residents who reside or own property within 300 feet of the proposed alignment. The notice included a description of the project, the history of the project, project challenges, and maps of the proposed route.

As a result, approximately 100 people attended the GGHCCPC meeting. There were significant concerns expressed regarding, electromagnetic fields (EMF), and public safety of the project in regards to the proposed route. There was also a suggestion from the public to explore other alternative routes and designs (i.e. bury the lines at 60 ft depth, keep parts of the line overhead through Balboa Park and go through Switzer Canyon). Some speakers requested SDG&E and staff to return with more information regarding EMFs and modeling of EMFs with similar installations. Other residents did not oppose the proposed design entirely, but needed more information as to the greater benefit for the community at large.

On October 11, 2006, City and SDG&E staff made a third presentation and answered questions regarding another proposed alignment as well as a proposed schedule to the Greater GGHCCPC. This current proposed route, described here, keeps much more in line with the existing overhead. Again, City staff noticed, via U.S. Mail, approximately 900 property owners and residents who reside or own property within 300 feet of the proposed alignment, as well as the 1,500 property owners who lived along the previously contemplated route and were previously noticed. Again, the notice included a description of the project, the history of the project, project challenges, a web link to the environmental review being presented here, and maps of the proposed route.

Approximately 25 interested persons attended the October 11 GGHCCPC meeting with much of the same concerns that had been previously expressed, most notably regarding Electromagnetic Fields (EMF). There was some concern over design details and impacts to specific properties by a half dozen or so property owners. As a result, SDG&E agreed to host a project walkthrough with the project engineers and any interested parties on Saturday October 14 in order to discuss project details and provide EMF models of possible impacts to specific property owners. On Saturday, October 14, representatives from SDG&E conducted a walking tour of the entire proposed alignment with Pat Shields, the Chair of the GGHCCPC and one other GGHCCPC board member. It is thought that rain kept others from attending. SDG&E explained the exact location of the lines and presented EMF modeling graphs showing that in most locations, EMF levels will be reduced by 80% to 90% of current levels.

Overall, Pat Shields and the other members were satisfied and concluded that another presentation to the GGHCCPC would not be necessary as they would report back their findings. SDG&E volunteered that they would be willing to conduct other walking tours for members of the community either on weekends or weekdays on an as requested basis.

#### KEY STAKEHOLDERS & PROJECTED IMPACTS (if applicable):

1. City and SDG&E staff and engineers have met on site with the Principal and others of the Albert Einstein Academy an elementary charter school located at 30<sup>th</sup> St and A to discuss the current proposed alignment and impacts to the school. Currently the school has several two story

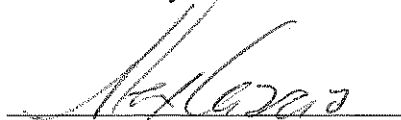
buildings which are in very close proximity to the existing overhead lines and the school has expressed concerns over current EMF exposure levels. The school has had SDG&E EMF personnel taking monthly readings regarding EMF levels throughout the school and as a result have closed several classrooms from use. EMF Modeling presented by SDG&E to the school principal show that the Undergrounding Project will reduce EMF from the transmission line by 90%. The school principal supports the project as presented. Should the project proceed, future meetings between City/SDGE staff and Albert Einstein Academy parents will be scheduled prior to start of construction.

2. In December 2004, Hal Tyvol, a resident on 29<sup>th</sup> Street and a member of CAUSE, filed a complaint with the CPUC against SDG&E and the City of San Diego over concerns related to both the 30<sup>th</sup> Street Phase I and Phase II projects. The City was subsequently dismissed from the complaint and April 27, 2006, the CPUC issued a final opinion dismissing the CAUSE complaint filed by Hal Tyvol for the 30<sup>th</sup> Street Phase I. In summary the CPUC ruled:

“We find that, in planning and constructing the 30<sup>th</sup> Street 138 kV underground conversion project in San Diego (Undergrounding Project), defendant San Diego Gas & Electric Company (SDG&E) did not comply with the mandates of the California Environmental Quality Act (CEQA), Pub. Res. Code §21000 *et seq.*, and General Order (GO) 131-B. Since the Undergrounding Project has already been built, however, we will not now require SDG&E to take any remedial steps with respect to the requirements of GO 131-D or CEQA for the Undergrounding Project. We also find that SDG&E complied with the requirements of Decision (D).93-11-013 regarding no-cost and low-cost measures to mitigate the impact of electromagnetic fields (EMF) in the construction of the Undergrounding Project.”

As previously noted, for this project, SDG&E will file an Advice Letter with the CPUC and include the certified MND in the filing. SDG&E will also notify all property owners and residents – and any other interested parties – when this filing is made. The CPUC Advice Letter process does contain a public comment period. Through this process concerns can be brought to the attention of the CPUC.

Submitted by:



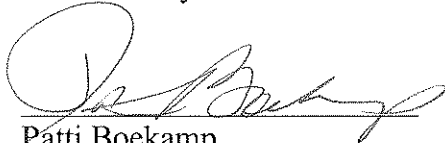
Afshin Oskoui  
Deputy Director

Approved by:



Rich Haas  
Deputy Chief/Chief Operating Officer

Reviewed by:



Patti Boekamp  
Director