

RESPONSES TO COMMENTS

Comment No. 57

858 637 3700 SDGE ENVIRONMENTAL SOLUTIONS DEPT. 03:59:28 p.m. 07-15-2005 2 /5



8315 Century Park Court
San Diego, CA 92123-1548

July 15, 2005

Mr. Scott Donnell
Associate Planner
City of Carlsbad Planning Department
1635 Faraday Avenue
Carlsbad CA 92008

**RE: Precise Development Plan and Desalination Plant Project, EIR 03-05
SCH# 2004041081**

Mr. Donnell:

San Diego Gas and Electric Company (SDG&E) submits this letter in response to the City of Carlsbad's Notice of Completion of a Draft EIR (DEIR) for a Precise Development Plan and Desalination Plant on land adjacent to the Encina Power Station (Project). SDG&E supports the efforts of the Project proponent, Poseidon Resources, in their effort to develop alternative, supplemental sources for the region's potable water supply. At the same time, SDG&E must be assured that the facilities and infrastructure required for this commendable effort do not adversely affect the ability to provide reliable electrical and natural gas service to its customers.

A

Within this context, we offer the following comments on the Project DEIR.

Section 3.0 - Project Description

Text in Section 3.3 Environmental Setting and Baseline Conditions describes the location of SDG&E property and facilities surrounding the project. However, no easements, property lines or labels for SDG&E facilities are provided on Figures 3-4, or 3-6 to orient the reader regarding their locations. We suggest that this information be added to the figures so that it is clear where potential future conflicts might occur. As the project proceeds, SDG&E would expect the Project proponent to coordinate with SDG&E and submit development plans to insure no conflicts will result between the Project and existing utility systems or facilities, and that the Final EIR could include a condition to encourage that coordination.

B

RESPONSE TO COMMENT NO. 57 San Diego Gas and Electric Mark Chomyn (Letter dated July 15, 2005)

- 57A** Comment noted. This comment does not raise issues relative to the environmental analysis, therefore no additional response is required.
- 57B** Exhibit 4 of the Precise Development Plan (PDP) delineates Cabrillo and SDG&E ownership. Since no significant impacts to electrical services were identified, the Lead Agency does not believe that the suggested mitigation measure is necessary. However, it is acknowledged that the project applicant will need to coordinate with SDG&E for certain activities, such as construction access and coordination for off-site facilities and other related details.
- 57C** See Response 57B. The applicant will be responsible for any easement or access agreement required by SDG&E relative to their properties or facilities.
- 57D** Widening Carlsbad Boulevard and constructing a screen wall along the Encina Power Station's Carlsbad Boulevard frontage are both described on page 3-29 in EIR Section 3.0. The improvements are contemplated as provisions of the Development Agreement that the City would enter into with the applicant. The City may also condition a project permit to install the improvements, including but not limited to the proposed amendment to the Encina Specific Plan. The Encina Specific Plan encompasses the EPS, the SDG&E North Coast Construction and Operations facility, and adjacent Carlsbad Boulevard. The City would ensure SDG&E is consulted as part of Carlsbad Boulevard widening so adequate driveway access is maintained during construction.

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| <p>The discussion of the off-site water delivery system on page 3-16 and in Section 3.4.3 Offsite Project Elements should note that one of the alternative water delivery alignments along the east side of I-5 would cross SDG&E property containing a major electric and natural gas transmission line corridor. This potential alignment is noted on Figure 3-5. If the Project intends to utilize easements or ROW containing SDG&E utility facilities, to accommodate the off-site pipeline water delivery alternatives an noted on Figure 3-5, the potential for that use to disrupt or potentially affect SDG&E facilities and their reliability should be addressed in the DEIR.</p> | C | <p>57E As noted on page 4.10-10 of the Traffic and Transportation section of the Draft EIR, “the generating station’s [EPS’s] main entrance on Carlsbad Boulevard will serve as the access for all operational traffic.” Operational traffic, which describes the project’s permanent/long term traffic, includes the “transport of bulk supplies of water treatment chemicals.” Further, appropriate emergency response measures are identified in Section 4.6 of the Draft EIR.</p> | | | |
| <p>Section 4.1 – Aesthetics</p> | D | <p>57F Comment noted, the Final EIR has been revised to include the requested detail.</p> | | | |
| <p>It is unclear why the installation of a screening wall along Carlsbad Boulevard and the widening of Carlsbad Boulevard are discussed on page 4.1-9. It appears that neither of these improvements is required as Project mitigation and the relevance of their discussion to the Project is unclear. Since SDG&E currently maintains an entrance to its North Coast Construction and Operations (C&O) facility on Carlsbad Boulevard, we would want to be advised if a widening of Carlsbad Boulevard is related to the Project.</p> | D | <p>57G See Response 57B. No significant impacts to land uses have been identified.</p> | | | |
| <p>Section 4.6 – Hazardous Materials</p> | E | <p>57H Whether or not existing rights-of-way or easements can accommodate the proposed pipelines are precisely the type of conflicts that the Draft EIR indicates could potentially occur. However, as noted in the Draft EIR, contingencies to address these conflicts are available to ensure that the project can be feasibly developed. These contingencies include optional alignments.</p> | | | |
| <p>It appears that delivery vehicles transporting chemicals required for Project operation would have the option of using the Cannon Road driveway entry currently used by both SDG&E and Cabrillo Power. The Project’s potential use of the Cannon Road driveway and its proximity to the SDG&E North Coast C&O, dictate that the emergency response plans mentioned on page 4.6-14 and in Mitigation Measure 4.8-7 consider appropriate measures for incidents that may affect the C&O.</p> | E | <p>57I Any activity that requires work on private property will require agreements with each of the owners, lease holders, easement holders or others with recorded interests in the properties. Therefore, it is not considered to be necessary for the EIR to identify noticing requirements.</p> | | | |
| <p>Section 4.8 – Land Use/Planning</p> | F | | | | |
| <p>Table 4.8-1 should include the SDG&E North County C&O as an existing land use to the South and the electric transmission facilities contained in SDG&E transmission ROW in the agricultural fields to the East.</p> | F | | | | |
| <p>Page 4.8-11 of the DEIR notes no land use compatibility impacts are expected since the Project does not divide an existing community or change the character or intensity of existing land uses. Outside that finding, however, the DEIR does not consider or adequately evaluate the potential effects on SDG&E facilities that could result from the Project’s use of existing utility easements, ROW or property access drives. If the Project intends to utilize easements or ROW containing SDG&E utility facilities, such as in off-site pipeline water delivery alternatives, the potential for that use to disrupt or potentially affect SDG&E facilities and their reliability should be addressed. More importantly, the DEIR should propose</p> | G | | | | |

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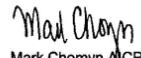
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| <p>mitigation for any potential impacts to utility system reliability including, but not limited to, coordination with SDG&E.</p> | | <p>Page 4.8-12 of the DEIR notes that the Project's potential conflicts with, or indirect impact to, utilities would be identified in final design. And, that the potential conflict of off-site water delivery pipelines with utilities could be avoided using specific pipeline alternative alignments. However, the DEIR fails to discuss whether or not existing utility easements or ROW can accommodate the proposed pipelines without impacting the reliability of SDG&E's existing utility systems and the ability to operate and maintain those systems.</p> | <p>Other than the coordination with McClellan-Palomar Airport mentioned in Section 4.8.5, there is no requirement to provide advance notice to other property owners in the on-site and off-site work areas alerting them of where and when Project construction will occur. The Final EIR should require advance notice to surrounding property owners.</p> | <p>Section 4.10 – Transportation and Traffic</p> | <p>SDG&E's use of the Cannon Road driveway entrance into the North Coast O&M may be affected by the Project's short-term off-site pipeline construction and the long-term future operation of the desalination facility. The DEIR should include the short-term measures and long-term measures that will be implemented to avoid conflicts between SDG&E utility activities and the Project activities. These measures must ensure that the Project proponent and its contractors will ensure continuous, unobstructed pedestrian and vehicular access to SDG&E property and facilities.</p> | <p>Section 4.11 – Public Utilities and Service Systems</p> | <p>The discussion of significance criteria for energy on page 4.11-6 should include consideration of Project impacts to the reliability of existing electric and natural gas utility systems, as well as the addition or expansion of any new electric or natural gas utility systems to accommodate the Project.</p> | <p>On page 4.11-21 the DEIR concludes that impacts to energy resources and facilities are less than significant because the project will not require expansion or improvements to electric or natural gas utility systems. However, the DEIR fails to discuss the potential impacts of the Project on existing utility systems, particularly with respect to the potential installation of water delivery distribution pipelines within SDG&E's existing property, easements or ROW. Where the Project intends to use SDG&E property, easements or ROW, the DEIR should consider and evaluate the potential of that use to affect the reliability of SDG&E's existing utility facilities. More importantly, the DEIR should propose mitigation for potential impacts to existing utility facilities, including but not limited to, coordination with SDG&E.</p> | <p>57J As discussed in Section 4.10, Transportation and Traffic, of the Draft EIR, the primary construction access (page 4.10-4) and long term/permanent operational traffic access (page 4.10-10) for the proposed desalination plant will be from the main EPS entrance on Carlsbad Boulevard, not from the access on Cannon Road. It is anticipated that the Cannon Road entrance will continue to serve as an emergency access to the EPS, which would include emergency access to the proposed desalination plant. Furthermore, since SDG&E controls the right to use the Cannon Road access, it can condition that right as it sees fit, and therefore no mitigation required.</p> <p>57K Section 4.11 of the Draft EIR includes a complete analysis of energy use and reliability issues.</p> <p>57L See Response 57B.</p> |

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858 637 3700 SDGE ENVIRONMENTAL SOLUTIONS DEPT. 04:00:22 p.m. 07-15-2005 5/5

Please call me at (858) 637-3709 if you have any questions.

Sincerely



Mark Chomyn AICP
Land Planning Supervisor
SDG&E

Cc: Ruth Love, SDG&E Principal Real Estate Advisor
Mike Williams, SDG&E Land Management Representative
Jill Larson, Sempra Energy Sr. Counsel
Peter MacLaggan, Poseidon Resources Corporation

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Comment No. 58



ARNOLD SCHWARZENEGGER, Governor
MIKE CHRISMAN, Secretary

July 12, 2005

Mr. Scott Donnell, Principal Planner
City of Carlsbad
1635 Faraday Ave.
Carlsbad, CA 92008

Dear Mr. Donnell:

This letter is in response to the EIR prepared to evaluate the environmental effects of the proposed Carlsbad Seawater Desalination facility.

The California Resources Agency is charged with overseeing 24 departments, commissions, boards and conservancies on conservation, water, fish and game, forestry, parks, energy, coastal, marine and landscape. We offer the following comments on the draft EIR that address resource impacts.

The California Water Plan Update 2005 provides that desalination, where economically and environmentally appropriate, should be considered as an element of a balanced water supply portfolio. The proposed Carlsbad Seawater Desalination Plant will add 50 million gallons per day (mgd) to the drinking water supply to supplement imported water supplies available to the City of Carlsbad and the San Diego region. It will have the added benefits of reducing future demand on the Sacramento-San Joaquin Delta and the Colorado River. The proposed project would serve all of Carlsbad Municipal Water District's potable water needs with a high quality, highly reliable new water supply at a price not to exceed the cost of the district's current water supply, thereby ensuring equitable access to project benefits and ensuring the proposed project will not have disproportionate impacts to low-income and/or ethnic communities.

Co-locating with the existing power plant provides several benefits to the project. The concerns of entrainment and impingement impacts are minimized because the project involves the secondary use of a once-through cooling water system from the power plant and does not require the power plant to increase the quantity or velocity of water withdraw. The EIR demonstrates that the proposed project would be operated to minimize impingement and entrainment impacts consistent with the recommendations set forth in the 2003 Desalination Task Force Recommendations. The DEIR demonstrates that the proposed project will not cause significant entrainment losses to marine organisms. The DEIR found that the incremental entrainment effect of larval fishes from the desalination plant operations would be less than one percent and would not result in significant impacts on those species. (DEIR pages 4.3-35 through 4.3-43).

1416 Ninth Street, Suite 1311, Sacramento, CA 95814 Ph. 916.653.5656 Fax 916.653.8102 <http://resources.ca.gov>

Baldwin Hills Conservancy • California Bay-Delta Authority • California Coastal Commission • California Coastal Conservancy • California Conservation Corps
California Tahoe Conservancy • Coachella Valley Mountains Conservancy • Colorado River Board of California • Delta Protection Commission • Department of Boating & Waterways
Department of Conservation • Department of Fish & Game • Department of Forestry & Fire Protection • Department of Parks & Recreation
Department of Water Resources • Energy Resources Conservation & Development Commission • Native American Heritage Commission • San Diego River Conservancy
San Francisco Bay Conservation & Development Commission • San Gabriel & Lower Los Angeles Rivers & Mountains Conservancy • San Joaquin River Conservancy
Santa Monica Mountains Conservancy • Sierra Nevada Conservancy • State Lands Commission • Wildlife Conservation Board

RESPONSE TO COMMENT NO. 58

California Resources Agency

Mike Chrisman

(Letter dated July 12, 2005)

58A This letter expresses an opinion of the proposed project and the adequacy of the environmental analysis. No issues relative to the Draft EIR are raised in this comment, therefore no additional response is required.

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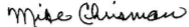
Mr. Donnell
July 12, 2005
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The DEIR also evaluates potential Lagoon enhancements that include easements for use, leases, or the dedication of land to the City of Carlsbad for general public benefit. These features include the land located on the north side of the lagoon just west of the railroad tracks, and is proposed to be used as a site for expansion of the highly successful Whit Sea Bass fish hatchery operated by Hubbs Sea World Research Institute. (DEIR page 4.11-7).

Similarly, the land use and environmental impacts are minimized through co-location with the Encina Power Plant. Disruption of the sensitive coastal property such as Carlsbad State Beach is avoided through the existence of existing industrially zoned property and intake and outfall facilities for the power plant that will be jointly used by the desalination project. Co-location with the power station provides optimum use of available coastal property, thereby achieving the project objectives in an environmentally acceptable manner.

In summary, this project complements this Agency's ongoing commitment to conservation and sensitivity to the environment. The project as proposed would not have a significant impact on the local environment.

Sincerely,



Mike Chrisman
Secretary for Resources

—A (cont.)

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Comment No. 59


OCEAN HILLS COUNTRY CLUB
HOMEOWNERS ASSOCIATION

June 24, 2005

Chris DeCerro
Principal Planner
The City of Carlsbad
1635 Faraday Avenue
Carlsbad, CA 92008



RE: Desalination Plant Project

Dear Mr. DeCerro:

The OHCC community generally supports the concept of developing alternative water sources, including desalination, and commends the City of Carlsbad and Poseidon for pursuing this project. OHCC is also pleased that the San Diego County Water Authority has begun the process of becoming a major part of this project.

One of the pipeline alternatives that may be chosen to connect the Desalination Facility with the Second Aqueduct in San Marcos will bring that pipeline close to OHCC and is certain to affect our community, especially during the construction phase. Laying of the pipeline from Maerkle Reservoir to its connection with the Tri Agencies Pipeline will be immediately adjacent to many homes in OHCC, especially in the villages of Zante, Santorini and Portofino. If this alternative is chosen, every effort must be made by the contractors to minimize noise, dirt and traffic associated with the construction.

A pumping station is proposed in order to deliver the desalinated water to the cities that will receive the water. We believe the noise of a pumping station near the Maerkle Reservoir could significantly affect our community in a negative way. We feel an alternative location should be chosen. We think that the best alternative would be a larger pumping station located in the Desalination Facility complex.

Sincerely,


Donald D. Estes
President

Copies: OHCC Board of Directors
City of Oceanside

4600 Leisure Village Way, Oceanside, California 92056-5101
Tel (760) 758-7080 • Fax (760) 758-8647

RESPONSE TO COMMENT NO. 59
Ocean Hills Country Club Homeowners Association
Donald Estes
(Letter dated June 24, 2005)

59A This letter expresses an opinion of the proposed project and does not raise issues relative to the Draft EIR, therefore no additional response is required.

59B The project analyzed by this EIR and proposed by Poseidon Resources does not propose (1) a pump station near Maerkle Reservoir or Ocean Hills Country Club or (2) a pipeline to the Second Aqueduct, a San Diego County Water Authority (SDCWA) facility in San Marcos. However, as described on page 3-2 in EIR Section 3.0, Project Description, the SDCWA is currently conducting planning and environmental studies for a regional seawater desalination facility at the Encina Power Station. The SDCWA project would connect to the Second Aqueduct. Additionally, one of the pipeline alignments under consideration by SDCWA that would carry desalinated water passes by Maerkle Reservoir and may include a secondary pump station at that location. As noted on page 3-2, it is assumed that if the desalination project proposed by Poseidon Resources and analyzed by this EIR is approved and built, the SDCWA desalination facility proposal at the Encina Power Station and related pipelines would not be built. More information about the SDCWA project may be obtained by contacting Bob Yamada of the Water Authority, at 858-522-6744 or ryamada@sdcwa.org.

The project analyzed by this EIR and proposed by Poseidon Resources does include a proposed pipeline alignment that runs along the east boundary of Ocean Hills Country Club from Maerkle Reservoir to the Tri

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| | <p>Agencies Pipeline near Shadowridge Drive. Construction of this alignment, if chosen, will require the contractor to observe city-imposed limits on construction hours and measures to control dust and erosion and regulate construction traffic.</p> |
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