

TABLE OF CONTENTS

4.9 LAND USE AND PLANNING..... 4.9-1

4.9.1 Introduction..... 4.9-1

4.9.2 Methodology 4.9-1

4.9.3 Existing Conditions..... 4.9-2

4.9.4 Potential Impacts..... 4.9-24

4.9.5 Applicant Proposed Measures..... 4.9-27

4.9.6 References..... 4.9-27

LIST OF FIGURES

Figure 4.9-1: Existing Land Uses in the Proposed Project Vicinity 4.9-5

LIST OF TABLES

Table 4.9-1: Designated and Existing Land Uses in the Proposed Project Area..... 4.9-17

THIS PAGE IS INTENDED TO BE LEFT BLANK

4.9 LAND USE AND PLANNING

Would the project:		Potentially Significant Impact	Potentially Significant Unless APMs Incorporated	Less than Significant Impact	No Impact
a.	Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b.	Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c.	Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

4.9.1 Introduction

This section of the PEA describes the existing land use and land use and zoning designations within the Proposed Project vicinity and the potential impacts to land use from construction, operation, and maintenance of the Proposed Project.

While the Proposed Project is not subject to local zoning regulations or discretionary land use approval, the Proposed Project is consistent with existing land uses (which include electric transmission and distribution facilities and substations), designated land uses, general plan and zoning designations. The Proposed Project would be constructed almost entirely within existing SDG&E ROW and existing substation property boundaries. The Proposed Project would not physically alter or divide an established community. No impacts to land use and planning were identified.

4.9.2 Methodology

The land use analysis within this section involved a review of various documents including aerial photographs of the Proposed Project area, the general plans for the cities of San Juan Capistrano and San Clemente and the County of Orange, other relevant land use planning documents such as applicable specific plans and zoning ordinances, and other available online information sources. Key agency documents that were reviewed include the *City of San Juan Capistrano General Plan*, the *City of San Clemente General Plan*, the *Talega Specific Plan*, the city of San Juan Capistrano Municipal Ordinance, the *Orange County General Plan*, the *SDG&E Subregional NCCP*, the *Southern Orange County Subregional NCCP*, and the Camp Pendleton INRMP. The review also included the use of GPS data and interactive mapping software including Google Earth. Site visits to the Proposed Project area were utilized to confirm existing land uses within and adjacent to the Proposed Project area and agency documents and maps were utilized to verify jurisdictional boundaries and designated land uses.

4.9.3 Existing Conditions

4.9.3.1 Regulatory Setting

State

California Public Utilities Commission

Pursuant to Article XII, Section 8, of the California Constitution, the CPUC has exclusive jurisdiction, in relation to local government, to regulate the design, siting, installation, operation, maintenance, and repair of electric transmission facilities. SDG&E must receive a CPCN from the CPUC in order to gain regulatory approval for the Proposed Project.

Other state agencies have concurrent jurisdiction with the CPUC. Although local governments do not have the power to regulate construction of electric transmission facilities and substations, the CPUC encourages, and SDG&E participates in, cooperative discussions with affected local governments to address their concerns, where feasible. As part of the environmental review process, SDG&E has considered relevant city and county land use plans and policies, specific plans, community plans, and HCPs adopted by local jurisdictions crossed by the Proposed Project, and prepared this evaluation of the Proposed Project’s potential impacts to land use and planning. Further, SDG&E should obtain ministerial permits from local agencies as applicable to the Proposed Project.

Local

City of San Juan Capistrano

The *City of San Juan Capistrano General Plan* provides a broad framework of policies, objectives, and land use designations to guide the future development of the city of San Juan Capistrano. Title 9, Chapter 3, Zoning Districts and Standards, of the city of San Juan Capistrano’s Municipal Code further refines the *City of San Juan Capistrano General Plan* and provides additional detail pertaining to allowed and conditional uses and specific development standards for the various zoning districts.

The *City San Juan Capistrano General Plan* contains the following potentially applicable policy:

Land Use Element - Policy 7.3: Utilize programs for the rehabilitation of physical development, infrastructure, and undergrounding of utilities within the city to improve community neighborhoods.

General plan goals and policies relating specifically to utilities (including electrical transmission utilities) are discussed within Section 4.15, Utilities and Service Systems.

City of San Clemente

The *City of San Clemente General Plan* serves as the foundational planning document for the city of San Clemente, providing policies regarding the management of new development, economic development, and conservation of natural resources, as well as many other issues affecting the city of San Clemente. It defines the framework by which the city of San Clemente

would change and grow, detailing how physical and economic resources are to be managed and utilized over time.

The city of San Clemente's Municipal Code includes Title 17, Zoning. Title 17 was established in order to provide a uniform basis for regulating the use of land, buildings and structures, to promote the orderly growth and development of the various unique areas of the city of San Clemente, to establish minimum site development regulations and performance standards applicable to sites within the city of San Clemente, and to preserve the public health, safety and welfare.

The Proposed Project falls within the city of San Clemente's *Talega Specific Plan* area, which encompasses a total of 3,510 acres in the northeastern portion of the city of San Clemente. The *Talega Specific Plan* consists of the city of San Clemente's long-term plan for development of the entire Talega Substation property and is a planning and regulatory document written for the purpose of implementing the *City of San Clemente General Plan*. The *City of San Clemente General Plan* contains the following potentially applicable objectives and policies:

Policy 1.8.2: Designate and acquire, through dedication or other legal means, lands for the continuation of utility corridors, easements, and facilities (sewer, water, energy, storm drainage, telecommunications, etc.) on the Land Use Plan Map, which support existing and future land use development.

General plan objectives and policies relating specifically to utilities (including electrical transmission utilities) are discussed within Section 4.15, Utilities and Service Systems

Orange County

The *County of Orange General Plan* is a blueprint for growth and development within unincorporated portions of Orange County, yet it also affects the entire county. The *County of Orange General Plan* includes the following mandatory seven elements: 1) Land Use; 2) Circulation; 3) Housing; 4) Conservation; 5) Open Space; 6) Noise; and 7) Safety. In addition, the *County of Orange General Plan* also includes two optional elements: Public Services and Facilities and Growth Management.

The *County of Orange General Plan* is largely implemented through zoning and subdivision decisions. All subdivision, capital improvements, development agreements, projects subject to the zoning code, specific plans, and other land use actions must be consistent with the adopted *County of Orange General Plan*.

Section 7-9, The Comprehensive Zoning Code, of the County of Orange's Municipal Code formally implements the *County of Orange General Plan*. The Comprehensive Zoning Code was adopted for the purpose of promoting the health, safety and general welfare. The *County of Orange General Plan* contains the following potentially applicable policies:

Policy 6 – New Development Compatibility: To require new development to be compatible with adjacent areas.

Policy 2: To encourage to the extent feasible the preservation and utilization of agricultural resources as a natural resource and economic asset.

Habitat Conservation Plans

Southern Orange County Subregional NCCP

The Proposed Project is located within the *Southern Orange County Subregional NCCP*. The *Southern Orange County Subregional NCCP* covers 32 special status animal species and 10 vegetation communities, including seven federally listed species. Refer to Section 4.4, Biological Resources for more information about the *Southern Orange County Subregional NCCP*.

SDG&E Subregional NCCP

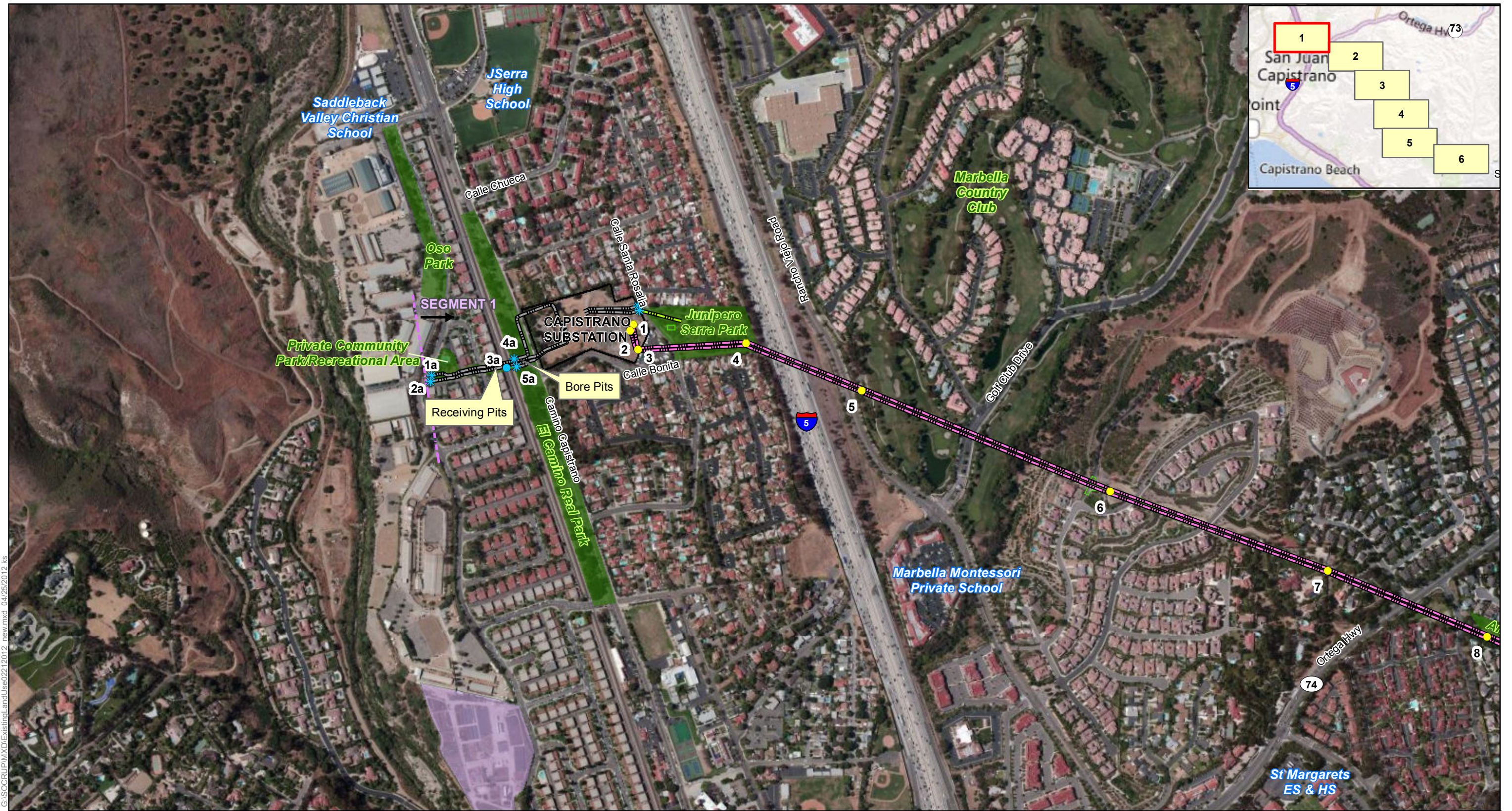
The Proposed Project falls within the area in which SDG&E's utility operations are governed by *SDG&E's Subregional NCCP*. As a part of the *SDG&E Subregional NCCP*, SDG&E has been issued incidental take permits (Permit PRT-809637) by the USFWS and the CDFG for 110 Covered Species. Even with the *SDG&E Subregional NCCP*, SDG&E's goal is to avoid "take" of Covered Species whenever possible and to implement measures to minimize and mitigate any take to the maximum extent possible. The *SDG&E Subregional NCCP* includes mitigation measures and operational protocols designed to avoid potential impacts and to provide appropriate mitigation where such impacts are unavoidable, to ensure the protection and conservation of federal and state listed species and Covered Species. Refer to Section 4.4, Biological Resources for more information about the *SDG&E Subregional NCCP*.

Camp Pendleton Integrated Natural Resources Management Plan

The *Camp Pendleton INRMP* is a planning document that guides the management and conservation of natural resources on the Camp Pendleton property, including 18 federally listed threatened or endangered species. The primary land uses on Camp Pendleton are military training and training support facilities, infrastructure (e.g., roads, recreational facilities), and mission support activities. Other land uses in the form of leases, easements, and real estate agreements include row crop production and seed collection, San Onofre State Beach (leased to California State Parks from the Department of Navy), electric utilities and transit corridors. SDG&E's Talega Substation is located on the Camp Pendleton property by easement. The easement is from the Department of Navy as the underlying land owner, which, as stated above, is the lessor to the California State Parks for the San Onofre State Beach which overlies the existing Talega Substation and Talega area transmission line easements within Camp Pendleton.

4.9.3.2 Land Use Setting

The Proposed Project lies almost entirely within Orange County, and runs through the cities of San Juan Capistrano and San Clemente, as well as unincorporated areas (see Figure 4.9-1, Existing Land Uses in the Proposed Project Vicinity). As previously described (refer to Section 3.2, Proposed Project Location and Regional Context), the Talega Substation is located on land owned by Camp Pendleton. The majority of the Proposed Project would be installed within existing SDG&E ROW and existing substation property boundaries. Small portions of new ROW would be acquired: approximately 0.04 acre near the Rancho San Juan development (Transmission Line Segment 2) and approximately 9.64 acres near the Talega Substation (Transmission Line Segment 4) outside of Camp Pendleton. Table 4.9-1, Designated and Existing Land Uses in the Proposed Project Area, and the following sections summarize the existing land uses and land use designations crossed and/or adjacent to the Proposed Project.



G:\SOCRUP\IMXD\ExisIncl_andUse0212012_new.mxd 04/25/2012 kjs

Created For: **Mary Turley**
 Created By: **TRC**
 Date: 5/10/2012

SDG&E is providing this map with the understanding that the map is not survey grade.

Legend

Proposed Transmission Lines

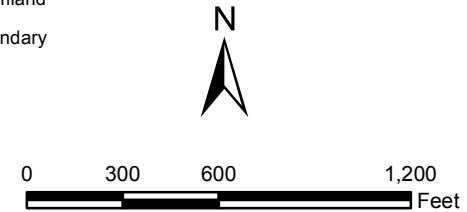
- 230kV Transmission Line - Overhead
- 138kV Transmission Line - Overhead
- 69kV Transmission Line - Overhead
- 230kV Transmission Line - Underground
- 138kV Transmission Line - Underground
- 69kV Transmission Line - Underground

New Poles

- 230kV Standard Pole
- 230kV Cable Pole
- 138kV Standard Pole
- 138kV Cable Pole
- 69kV Standard Pole
- 69kV Cable Pole

- Stringing Sites
- Lay Down Areas
- Project Segment Boundary
- Local Park or Recreational Area
- Prime Farmland
- Farmland of Statewide Importance

- Unique Farmland
- County Boundary

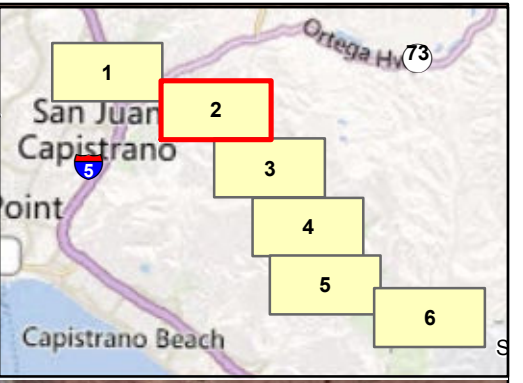
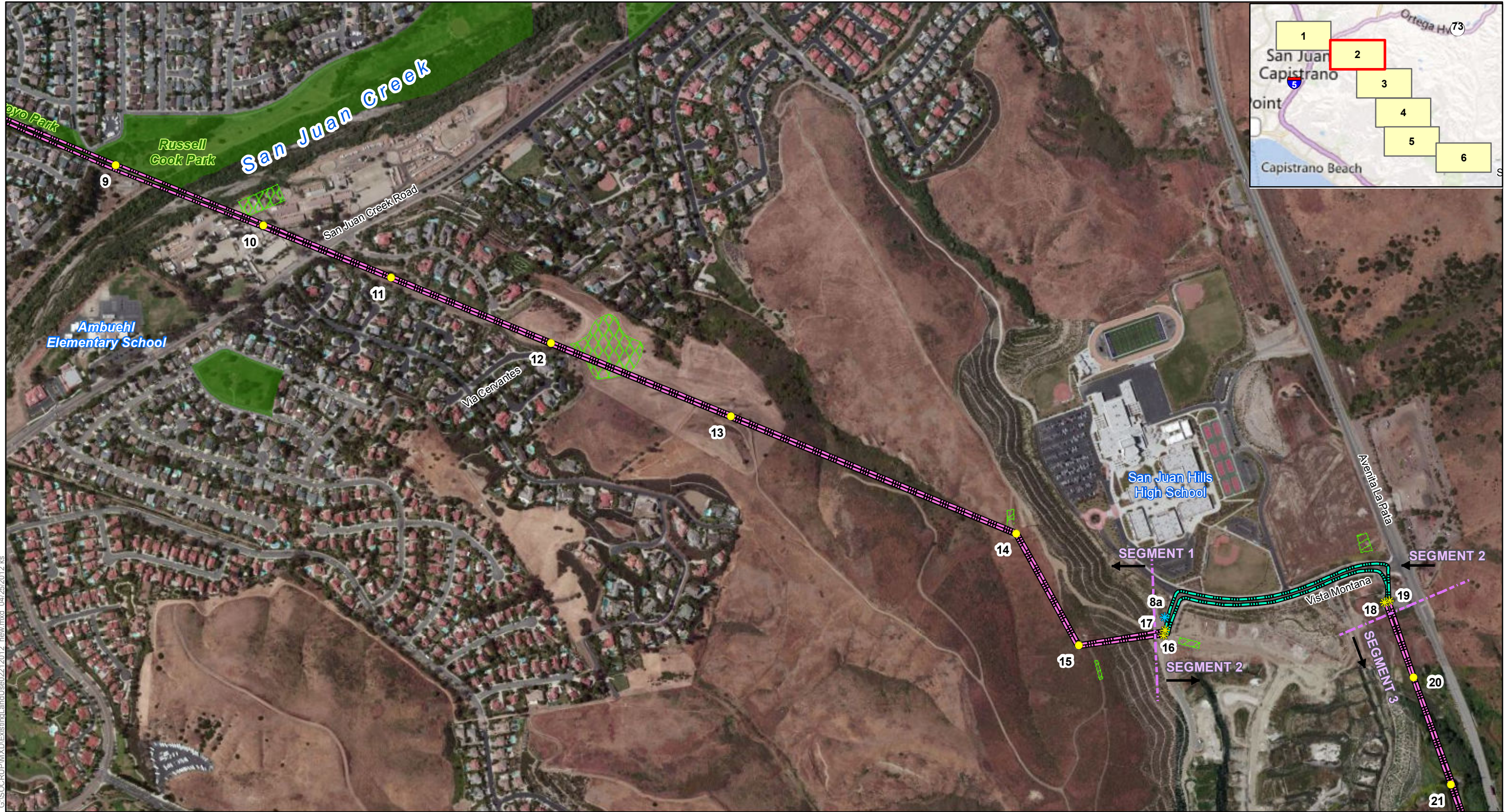


South Orange County Reliability Enhancement Project
 Existing Land Uses in the Project Vicinity

Figure 4.9-1
 Sheet 1 of 6

THIS PAGE IS INTENDED TO BE LEFT BLANK

BACK OF FIGURE 4.9-1 (SHEET 1)

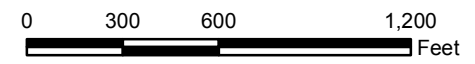


G:\SOCRUP\MXD\Existing\andUse0212012_new.mxd 04/25/2012 ks

Created For: **Mary Turley**
 Created By: **TRC**
 Date: 5/10/2012

SDG&E is providing this map with the understanding that the map is not survey grade.

Legend	
Proposed Transmission Lines	New Poles
230kV Transmission Line - Overhead	230kV Standard Pole
138kV Transmission Line - Overhead	230kV Cable Pole
69kV Transmission Line - Overhead	138kV Standard Pole
230kV Transmission Line - Underground	138kV Cable Pole
138kV Transmission Line - Underground	69kV Standard Pole
69kV Transmission Line - Underground	69kV Cable Pole
Stringing Sites	Unique Farmland
Lay Down Areas	County Boundary
Project Segment Boundary	Local Park or Recreational Area
Prime Farmland	Farmland of Statewide Importance



South Orange County Reliability Enhancement Project
 Existing Land Uses in the Project Vicinity

Figure 4.9-1
 Sheet 2 of 6



THIS PAGE IS INTENDED TO BE LEFT BLANK

BACK OF FIGURE 4.9-1 (SHEET 2)



G:\SOCRUP\MXD\Existing_LandUse0212012_new.mxd 04/25/2012 ks

Created For:
Mary Turley

Created By:
TRC

Date: 5/10/2012

SDG&E is providing this map with the understanding that the map is not survey grade.

Legend

Proposed Transmission Lines

- 230kV Transmission Line - Overhead
- 138kV Transmission Line - Overhead
- 69kV Transmission Line - Overhead
- 230kV Transmission Line - Underground
- 138kV Transmission Line - Underground
- 69kV Transmsion Line - Underground

New Poles

- 230kV Standard Pole
- 230kV Cable Pole
- 138kV Standard Pole
- 138kV Cable Pole
- 69kV Standard Pole
- 69kV Cable Pole

- Stringing Sites
- Lay Down Areas
- Project Segment Boundary
- Local Park or Recreational Area
- Prime Farmland
- Farmland of Statewide Importance

- Unique Farmland
- County Boundary

South Orange County Reliability Enhancement Project
 Existing Land Uses in the Project Vicinity

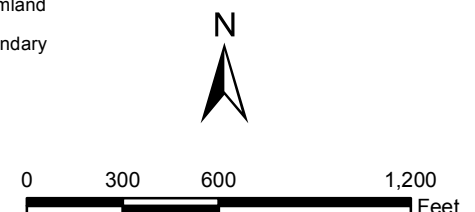
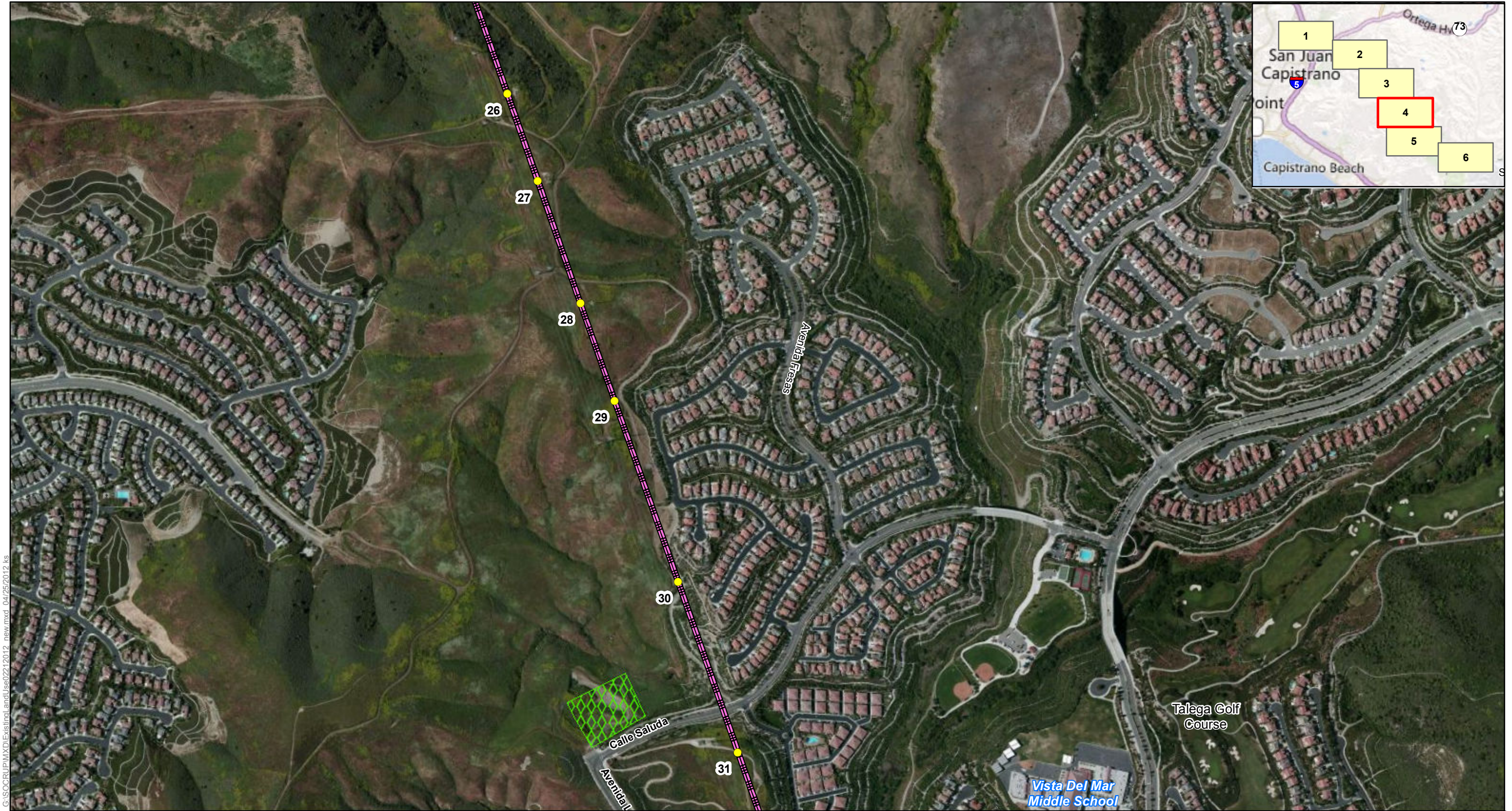


Figure 4.9-1
 Sheet 3 of 6



THIS PAGE IS INTENDED TO BE LEFT BLANK

BACK OF FIGURE 4.9-1 (SHEET 3)



G:\SOCRUP\IMXD\ExistIncl_andUse0212012_new.mxd 04/25/2012 ks

Created For: **Mary Turley**
 Created By: **TRC**
 Date: 5/10/2012

SDG&E is providing this map with the understanding that the map is not survey grade.

Legend

Proposed Transmission Lines

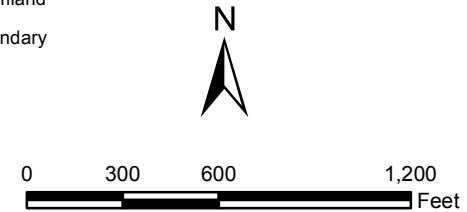
- 230kV Transmission Line - Overhead
- 138kV Transmission Line - Overhead
- 69kV Transmission Line - Overhead
- 230kV Transmission Line - Underground
- 138kV Transmission Line - Underground
- 69kV Transmission Line - Underground

New Poles

- 230kV Standard Pole
- 230kV Cable Pole
- 138kV Standard Pole
- 138kV Cable Pole
- 69kV Standard Pole
- 69kV Cable Pole

- Stringing Sites
- Lay Down Areas
- Project Segment Boundary
- Local Park or Recreational Area
- Prime Farmland
- Farmland of Statewide Importance

- Unique Farmland
- County Boundary

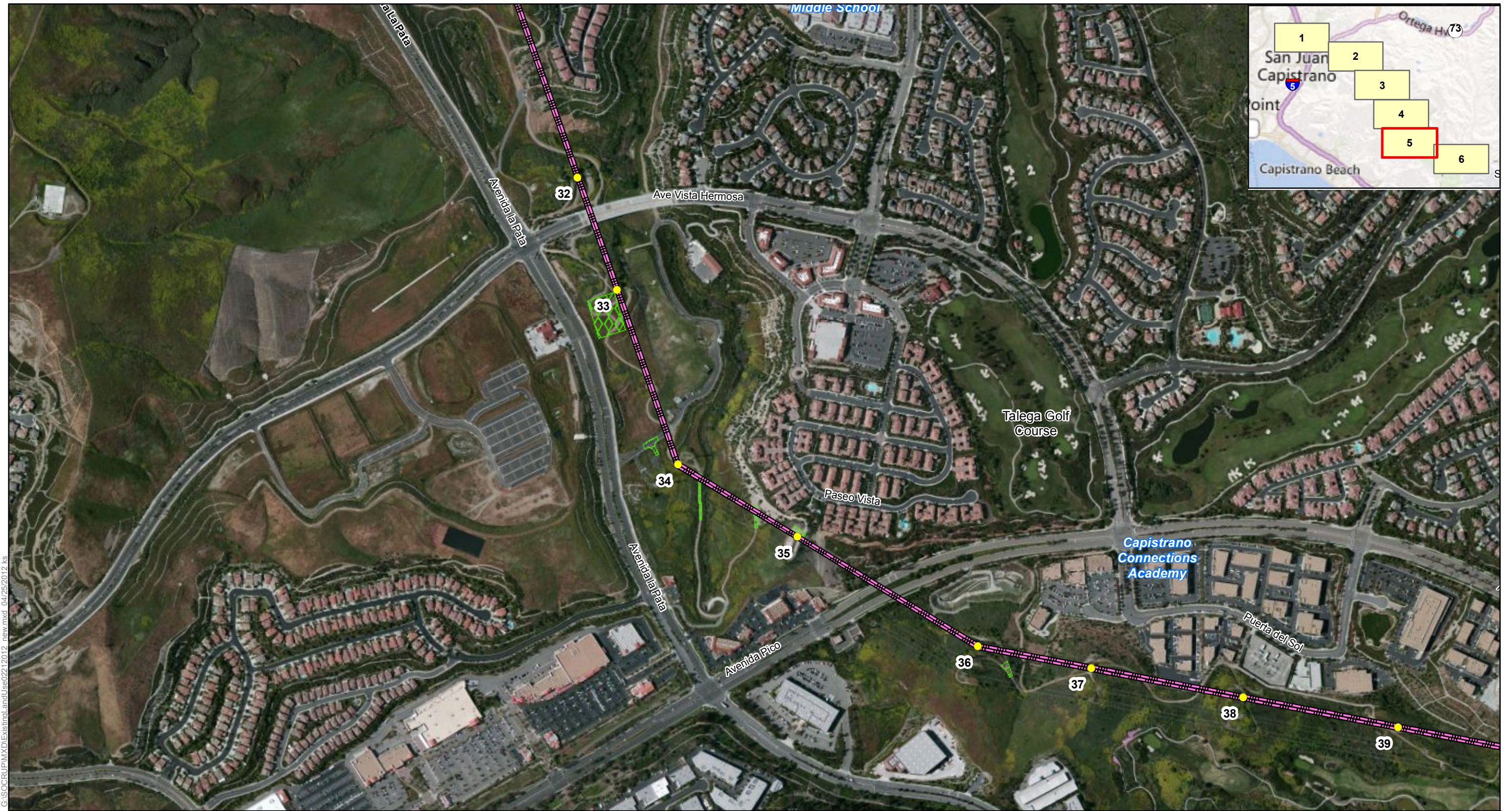


South Orange County Reliability Enhancement Project
 Existing Land Uses in the Project Vicinity

Figure 4.9-1
 Sheet 4 of 6



THIS PAGE IS INTENDED TO BE LEFT BLANK
BACK OF FIGURE 4.9-1 (SHEET 4)



G:\SOCRUP\MXD\ExisIncl_andUse0212012_new.mxd_04/25/2012.kx

Created For: **Mary Turley**
 Created By: **TRC**
 Date: 5/10/2012

SDG&E is providing this map with the understanding that the map is not survey grade.

Legend

Proposed Transmission Lines

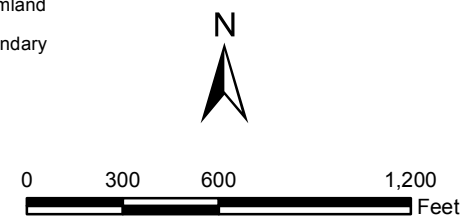
- 230kV Transmission Line - Overhead
- 138kV Transmission Line - Overhead
- 69kV Transmission Line - Overhead
- 230kV Transmission Line - Underground
- 138kV Transmission Line - Underground
- 69kV Transmission Line - Underground

New Poles

- 230kV Standard Pole
- 230kV Cable Pole
- 138kV Standard Pole
- 138kV Cable Pole
- 69kV Standard Pole
- 69kV Cable Pole

- Stringing Sites
- Lay Down Areas
- Project Segment Boundary
- Local Park or Recreational Area
- Prime Farmland
- Farmland of Statewide Importance

- Unique Farmland
- County Boundary



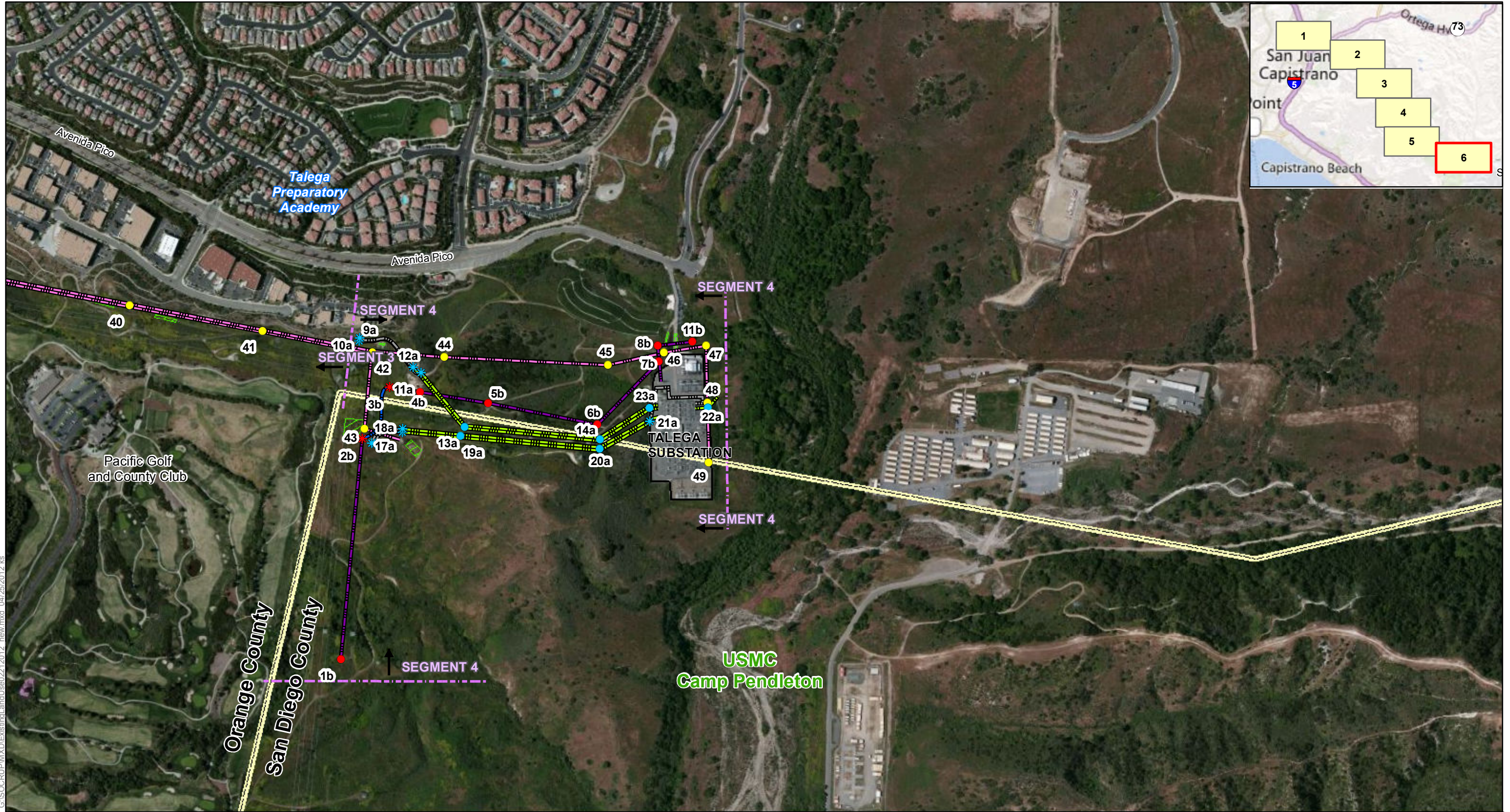
South Orange County Reliability Enhancement Project
 Existing Land Uses in the Project Vicinity

Figure 4.9-1
 Sheet 5 of 6



THIS PAGE IS INTENDED TO BE LEFT BLANK

BACK OF FIGURE 4.9-1 (SHEET 5)

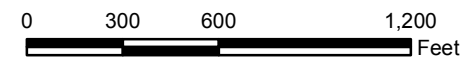


G:\SOCRUP\MXD\Existing_Land_Use\0212012_new.mxd 04/25/2012 ks

Created For: Mary Turley
 Created By: TRC
 Date: 5/10/2012

SDG&E is providing this map with the understanding that the map is not survey grade.

- Legend**
- | | | | |
|---------------------------------------|---------------------|--------------------------|----------------------------------|
| Proposed Transmission Lines | New Poles | Stringing Sites | Unique Farmland |
| 230kV Transmission Line - Overhead | 230kV Standard Pole | Stringing Sites | Unique Farmland |
| 138kV Transmission Line - Overhead | 230kV Cable Pole | Lay Down Areas | County Boundary |
| 69kV Transmission Line - Overhead | 138kV Standard Pole | Project Segment Boundary | Local Park or Recreational Area |
| 230kV Transmission Line - Underground | 138kV Cable Pole | Prime Farmland | Farmland of Statewide Importance |
| 138kV Transmission Line - Underground | 69kV Standard Pole | | |
| 69kV Transmission Line - Underground | 69kV Cable Pole | | |



South Orange County Reliability Enhancement Project
 Existing Land Uses in the Project Vicinity

Figure 4.9-1
 Sheet 6 of 6



THIS PAGE IS INTENDED TO BE LEFT BLANK

BACK OF FIGURE 4.9-1 (SHEET 6)

Table 4.9-1: Designated and Existing Land Uses in the Proposed Project Area

Pole(s) and other Components	Jurisdiction/Community	General Plan Land Use Designation¹	Zoning Designation²	Existing Land Use³
West of Capistrano Substation (Transmission line Segment 1)				
Pole Nos. 1a to 3a and underground trench packages	San Juan Capistrano	High Density	Multi-Family Residential	Existing electric transmission and distribution lines, open space including community park and recreational facilities, apartment homes
Pole Nos. 4a and 5a and underground trench packages	San Juan Capistrano	Undesignated Space ⁴ and Open Space Recreation	Open Space Recreation	Existing electric transmission and distribution lines, railway line and ROW, El Camino Real Park, Camino Capistrano
Capistrano Substation to Rancho San Juan (Transmission Line Segment 1)				
Substation and Pole Nos. 1 to 3, 6a and 7a	San Juan Capistrano	Quasi Industrial	Commercial Manufacturing	Capistrano Substation

¹ Designated land use is taken from the general plan land use map and generally reflects designated land uses within and adjacent to the ROW.

² Zoning designations were taken from official zoning maps for the cities of San Juan Capistrano and San Clemente as well as for Orange County. Zoning signifies the general nature of pre-approved land uses within a given area.

³ Existing land use generally reflects the current land uses within and adjacent to the ROW.

⁴ Roadways and highways are not designated on the city of San Juan Capistrano Official Land Use Map or the Zoning Map.

Table 4.9-1 (cont.): Designated and Existing Land Uses in the Proposed Project Area

Pole(s) and other Components	Jurisdiction/Community	General Plan Land Use Designation¹	Zoning Designation²	Existing Land Use³
Pole No. 4	San Juan Capistrano	Neighborhood Park	Neighborhood Park	Existing electric transmission and distribution lines, Junipero Serra Park
Pole Nos. 4 to 5	San Juan Capistrano	Undesignated Space ⁴	Undesignated ⁴	Existing electric transmission and distribution lines, I-5
Pole No. 5	San Juan Capistrano	Open Space Recreation	Planned Community	Existing electric transmission and distribution lines, Marbella Country Club & Golf Course
Pole Nos. 6 to 8	San Juan Capistrano	Very Low Density Residential, Low Density Residential	Planned Community, Single Family Residential	Existing electric transmission and distribution lines, Undeveloped (within ROW) and residential development (within and adjacent to ROW)
Pole No. 8	San Juan Capistrano	General Open Space	Open Space Recreation	Existing electric transmission and distribution lines, Arroyo Park

Table 4.9-1 (cont.): Designated and Existing Land Uses in the Proposed Project Area

Pole(s) and other Components	Jurisdiction/Community	General Plan Land Use Designation¹	Zoning Designation²	Existing Land Use³
Pole No. 9	San Juan Capistrano	Community Park	Community Park	Existing electric transmission and distribution lines, Russell Cook Park
Pole No. 10	San Juan Capistrano	General Open Space	General Open Space	Existing electric transmission and distribution lines, equestrian stables
Pole Nos. 11 to 13	San Juan Capistrano	Very Low Density Residential, Low Density Residential	Single Family Residential, General Open Space, Planned Community, Residential/Agriculture District	Existing electric transmission and distribution lines, low-density residential and undeveloped
Pole Nos. 14 and 15	San Juan Capistrano	General Open Space, Planned Community	Planned Community	Existing electric transmission and distribution lines, undeveloped

Table 4.9-1 (cont.): Designated and Existing Land Uses in the Proposed Project Area

Pole(s) and other Components	Jurisdiction/Community	General Plan Land Use Designation¹	Zoning Designation²	Existing Land Use³
Rancho San Juan (Transmission Line Segment 2)				
Pole Nos. 16 to 19 and new underground trench packages	San Juan Capistrano, Rancho San Juan, unincorporated Orange County	Planned Community, General Open Space, Open Space	Planned Community, General Agriculture	Existing electric transmission and distribution lines, undeveloped, San Juan Hills High School, Rancho San Juan Development (under construction)
Rancho San Juan to Talega Hub (Transmission Line Segment 3)				
Pole Nos. 20 and 21	Rancho San Juan, unincorporated Orange County	Planned Community, Open Space, Landfill Site (Public Facilities)	General Agriculture, Planned Community	Existing electric transmission and distribution lines, undeveloped, La Pata Avenue, Prima Deshecha Landfill
Pole Nos. 22 to 25	Unincorporated Orange County	Landfill Site (Public Facilities)	General Agriculture	Existing electric transmission and distribution lines, undeveloped

Table 4.9-1 (cont.): Designated and Existing Land Uses in the Proposed Project Area

Pole(s) and other Components	Jurisdiction/Community	General Plan Land Use Designation¹	Zoning Designation²	Existing Land Use³
Pole Nos. 26 to 41	San Clemente, Talega	Talega Specific Plan: Open Space, Residential, Local Parks and Recreation, Mixed Use, Golf Courses, Low-Medium Density Residential, Medium Density Residential, Commercial, Business Park, Village Center	Talega Specific Plan: Open Space	Existing electric transmission and distribution lines, open space, undeveloped land, medium density residential development, commercial development, golf courses
Talega Hub to the Talega Substation (Transmission Line Segment 4)				
Substation, Pole Nos. 42 to 49, 9a to 23a, 1b to 9b	Camp Pendleton, San Clemente, Talega	Talega Specific Plan: Open Space, Commercial State Parks Land (Camp Pendleton)	Talega Specific Plan: Open Space and Commercial	Existing electric transmission and distribution lines, undeveloped land, Talega Substation

West of Capistrano Substation (Transmission Line Segment 1)

West of Capistrano Substation (Transmission Line Segment 1) currently includes existing electric transmission and distribution facilities. The Proposed Project would include improvements to these facilities (transmission lines) west of the Capistrano Substation, extending to Avenida De La Vista. The lines would extend from the southern portion of the San Juan Capistrano Substation property, under Camino Capistrano through a landscaped median, under railroad tracks and then through the existing SDG&E ROW located within a residential development. SDG&E currently has two existing 138kV transmission lines and an existing distribution line within this segment of ROW.

The SDG&E ROW through the residential neighborhood is bordered by single-family residential uses on both sides and then extends under the community's recreational area that includes a sand court and pool. This area is designated for High Density Residential uses and zoned as a Multi-Family Residential district.

San Juan Capistrano Substation to Interstate 5 (Transmission Line Segment 1)

San Juan Capistrano Substation to I-5 (Transmission Line Segment 1) currently includes existing electric transmission, distribution and substation facilities. The Capistrano Substation to I-5 segment of the Proposed Project consists of 900 feet of overhead transmission line between the new San Juan Capistrano Substation and the I-5 freeway, within the city of San Juan Capistrano (refer to Figure 4.9-1, Sheet 1). Beginning at the Capistrano Substation, the transmission line runs west across Calle Santa Rosalia and through Junipero Serra Park to I-5.

The Capistrano Substation property is designated Quasi Industrial (light manufacturing and industrial uses) and zoned as Commercial Manufacturing. Junipero Serra Park is designated and zoned as Neighborhood Park. The JSerra Catholic High School, Saddleback Valley Christian School, El Camino Real Park, and Rio Oso Park are located within 0.25 mile of the Proposed Project area within this Proposed Project segment.

Interstate 5 to Rancho San Juan (Transmission Line Segment 1)

The I-5 to Rancho San Juan Segment (Transmission Line Segment 1) currently includes existing electric transmission and distribution facilities. The I-5 to Rancho San Juan segment of the Proposed Project runs approximately 2.5 miles through the city of San Juan Capistrano (refer to Figure 4.9-1, Sheets 1 through 3). Beginning at I-5, the line runs southeast across the Marbella Country Club, Arroyo Park, and partially or fully developed residential areas. The transmission line crosses approximately 0.6 mile of open space before ending at the Rancho San Juan planned development.

This segment of the Proposed Project crosses land designated and zoned as Residential, Community Park, Open Space Recreation, General Open Space, Residential/Agriculture, and Planned Community. There are three schools including the Marbella Montessori School, St. Margaret's Episcopal School, and Harold Ambuehl Elementary School within 0.25 mile of this portion of the Proposed Project transmission lines. In addition, the Marbella County Club, Russell Cook Park, San Juan Hills Golf Club, and Four Oaks Park, are all located within 0.25 mile of the transmission line within this Proposed Project segment.

Rancho San Juan (Transmission Line Segment 2)

The Rancho San Juan Segment (Transmission Line Segment 2) currently includes existing electric transmission and distribution facilities. At the Rancho San Juan planned development, the line transitions to underground for approximately 1,700 feet. Approximately 1,300 feet are within the city of San Juan Capistrano and 400 feet are within unincorporated Orange County. The entire segment is inside the limits of the Rancho San Juan planned development, which is designated and zoned as a Planned Community and is currently partially developed. Some of the land surrounding this segment of the Proposed Project is also designated for Open Space. The San Juan Hills High School is located immediately north east of the transmission line route (refer to Figure 4.9-1, Sheet 2).

Rancho San Juan to Talega Hub (Transmission Line Segment 3)

The Rancho San Juan to Talega Hub Segment (Transmission Line Segment 3) currently includes existing electric transmission and distribution facilities. The Rancho San Juan to Talega Hub segment runs south for approximately four miles through unincorporated Orange County and the city of San Clemente (refer to Figure 4.9-1, Sheets 3 through 6).

The area surrounding the portion of the transmission line that is located within unincorporated Orange County (Pole Nos. 18 to 25) is designated Planned Community, Open Space, and Landfill Site (Public Facilities). This area is zoned as Planned Community within the city of San Juan Capistrano (adjacent to the ROW) and General Agriculture within the unincorporated Orange County (within the ROW). The portion of San Clemente that the Proposed Project crosses is zoned under the *Talega Specific Plan*. The land use designation of the area containing the ROW is Open Space. The ROW directly borders on lands designated as low, medium-low, and medium density residential, commercial, business park, and village center. However, the area where the ROW is located remains undeveloped with residential and commercial developments directly abutting the ROW in some places. In addition to the San Juan Hills High School, located immediately north (within Segment 2) of the transmission line, Vista Del Mar Middle School, Capistrano Connections Academy, and the Talega Preparatory Academy are all educational centers within 0.25 mile of the Proposed Project lines. Recreational facilities within 0.25 mile of the Proposed Project area lines include Liberty Park, La Pata/Vista Hermosa Sports Park, and the Pacific Gold and Country Club golf course.

Talega Hub to Talega Substation (Transmission Line Segment 4)

The Talega Hub to Talega Substation Segment (Transmission Line Segment 4) currently includes existing electric substation, transmission and distribution facilities. The Talega Hub to Talega Substation segment is approximately 2,000 feet long. A portion of the segment is within the city of San Clemente and the other portion is on land owned by Camp Pendleton (refer to Figure 4.9-1, Sheet 6). SDG&E, through its parent company, Sempra Energy, holds more than 1,300 acres of leases/ROW agreements with Camp Pendleton for transmission lines and various associated support facilities. Talega Substation and the transmission line corridors are easements granted from the Department of Navy to SDG&E as they are located on Camp Pendleton. There is also an overlying lease of this area to California State Parks from the Department of Navy. Regardless of leasehold or easement, the underlying ownership of this area is Camp Pendleton and the Department of Navy.

The area in the immediate vicinity of the Talega Hub and Talega Substation is completely undeveloped. The surrounding area includes the Talega development to the north and east, which is developed with residential and commercial uses and. The portion of the ROW within the *Talega Specific Plan* is designated/zoned for open space with a small section of commercial. The *Talega Specific Plan* states that this small section of commercially zoned land is for a potential commercial development to be located at the intersection of the 241 Toll Road extension (Foothill Transportation Corridor) and Avenida Pico. Camp Pendleton and the Pacific Golf and Country Club are located immediately to the south and undeveloped hills to the east.

4.9.4 Potential Impacts

4.9.4.1 Significance Criteria

Standards of impact significance were derived from Appendix G of the *CEQA Guidelines*. Under these guidelines, the Proposed Project could have a potentially significant impact to land use and planning if it would:

- a) Physically divide an established community;
- b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect; or
- c) Conflict with any applicable habitat conservation plan or natural community conservation plan.

4.9.4.2 Question 9a – Physically divide an established community?

Construction – No Impact

The Proposed Project would replace existing electric transmission, distribution and substation facilities and would be constructed almost entirely within existing SDG&E ROW and substation property boundaries. Storage and staging areas would also be located within SDG&E’s existing ROW system and/or other previously disturbed areas and would not divide any established communities. All areas of temporary disturbance, including staging areas, would be restored to pre-construction conditions following the completion of the Proposed Project. No above-ground permanent changes to the physical environment would occur outside of current SDG&E property or ROW, except along one new section of ROW (approximately 1,200 linear feet long) between the Talega Hub and the Talega Substation (Transmission Line Segment 4), which is currently undeveloped. The San Juan Capistrano and Talega Substations would be modified within their existing property boundaries. Therefore, Proposed Project construction would not result in the division of any established community and there would be no impacts.

Impacts relating to access to parks, golf courses, and other recreational facilities are discussed in Section 4.12, Public Services. Impacts associated with construction within public roadways (and associated lane closures) are discussed in 4.14, Transportation and Traffic.

Operation & Maintenance - No Impact

The overhead portion of the new 230kV transmission lines would be replacing an existing 138kV transmission line and would be parallel to another existing 138kV transmission line in SDG&E's existing ROW. The underground portion of the new 230kV transmission lines would be located entirely within existing roadways. The Proposed Project would not physically divide an established community to any greater extent than the existing condition. New facilities at the San Juan Capistrano and Talega Substation sites would be installed within the existing property boundaries. Therefore, neither the new San Juan Capistrano Substation nor the upgraded Talega Substation would divide any existing community. Therefore, no impact would result from operation and maintenance of the Proposed Project.

4.9.4.3 Question 9b – Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?

Construction - No Impact

As noted above, local land use plans, policies and regulations do not apply to the Proposed Project as a matter of law. As such, the underlying general plans and zoning ordinances are not “applicable” and the Proposed Project does not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the Proposed Project.

Even assuming that the local land use plans, policies and regulations applied to the Proposed Project, due to the temporary nature of construction activities; the Proposed Project's compliance and consistency with existing land use plans, policies and regulations; and the existing electrical transmission infrastructure located within and adjacent to the Proposed Project area; there would be no significant impacts to existing land use plans, policies, or regulations as a result of construction of the Proposed Project. Construction of the Proposed Project would occur almost entirely from within existing SDG&E ROW and existing substation properties. The Proposed Project represents an upgrade of existing land uses within existing site boundaries and ROW. The two areas where new ROW is required (approximately 0.04 acre within Segment 2 – Rancho San Juan and approximately 1,200 linear feet within Segment 4 – Talega Hub to Talega Substation) are not incompatible with existing land uses or designations. The new ROW in Segment 2 would accommodate new underground facilities (trench packages) and would not adversely affect the function of the roadways or surrounding uses during operation and maintenance of the Proposed Project. The new ROW within Segment 4 is all within an existing utility corridor (refer to Figure 3-7) with multiple existing transmission and distribution lines and a large amount of existing ROW. The only functional use of this area is open space and recreation (hiking and horse trails) which would not be adversely affected by the addition of ROW in this area.

Refer to Section 4.12, Public Services for impacts to recreational facilities during construction of the Proposed Project and Section 4.14, Transportation and Traffic, for impacts to traffic as a result of construction related traffic and construction activities within roadways.

Operation & Maintenance - No Impact

Camp Pendleton

All of the facilities proposed to be constructed and in operation for the Proposed Project associated with Camp Pendleton would be located within existing SDG&E easements. The only additional land rights required to implement and operate the Proposed Project are the addition of underground rights to relocate and reconnect existing overhead 69kV and 138kV transmission lines to accommodate the overhead 230kV line replacing the 138kV line, which would be obtained from the Department of Navy. There would be no change in the land use of the existing SDG&E easement area. Furthermore, there would be no land use change that would affect the San Onofre State Beach lease area since all Proposed Project facilities are contained within existing utility easement areas.

Local Plans and Policies

As noted previously, local land use plans, policies and regulations do not apply to the Proposed Project as a matter of law. As such, the underlying general plans and zoning ordinances are not “applicable” and the Proposed Project does not conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project.

Even assuming that the local land use plans, policies and regulations applied, the Proposed Project would not pose any potential significant impacts. The Proposed Project includes the replacement and upgrading of existing electric transmission, distribution and substation facilities, and does not include the installation of new electric transmission facilities in areas where similar facilities do not already exist. These existing facilities constitute the baseline from which potential land use impacts were evaluated. The existing Capistrano Substation and other existing transmission and distribution facilities were constructed before almost all of the surrounding development throughout the Proposed Project area.

With the exception of approximately 1,200 linear feet of new transmission line facilities at Segment 4, none of the new above-ground facilities would be located outside of existing SDG&E ROW, easement, or fee property. All aspects of the Proposed Project are consistent with the applicable plans, policies, and goals of the *City of San Juan Capistrano General Plan*, *City of San Clemente General Plan*, and the *Orange County General Plan*, as well as the local zoning designations. With respect to the San Juan Capistrano Substation, the site is currently zoned for Commercial Manufacturing, which is considered an industrial land use district under the San Juan Capistrano Municipal Code. Pursuant to the San Juan Capistrano Municipal Code, public utilities are a principal permitted use within the Commercial Manufacturing zone. For these reasons, there are no impacts.

4.9.4.4 Question 9c – Conflict with any applicable habitat conservation plan or natural community conservation plan?

Construction - No Impact

Proposed Project construction activities would fully comply with the *SDG&E Subregional NCCP*, which supersedes the *Southern Orange County Subregional NCCP*, and the *Camp Pendleton INRMP*. As concluded in Section 4.4, Biological Resources, construction of the

Proposed Project would result in less than significant impacts in regards to consistency with the *SDG&E Subregional NCCP*. Therefore, there would be no impact.

Operation & Maintenance - No Impact

As discussed above and concluded in Section 4.4, Biological Resources, the Proposed Project would be consistent with the *SDG&E Subregional NCCP*. Therefore, there would be no impact.

4.9.5 Applicant Proposed Measures

The Proposed Project would not result in significant impacts regarding land use and planning and therefore no APMs are proposed.

4.9.6 References

Capistrano Unified School District. October 18, 2004. *Approval of Resolution No. 0405-37 Requesting a Setback Exemption for San Diego Gas and Electric Company Power Lines at San Juan Hills High School*.

City of San Clemente. 1993. *General Plan*.

City of San Clemente. 2003. *Talega Specific Plan*.

City of San Clemente. 2007. *San Clemente Community View by Digital Maps Products*. Online: http://maps.digitalmapcentral.com/CommView/SanClemente_cv/index.html. Site visited September 2, 2011.

City of San Juan Capistrano. 2002. *General Plan*.

City of San Juan Capistrano. Updated June 2011. Municipal Code. City of San Juan Capistrano. *San Juan Capistrano Community View by Digital Maps Products*. Online: http://maps.digitalmapcentral.com/CommView/sjc_cv5/index.html. Site visited September 2, 2011.

City of San Juan Capistrano. 2002. *Zoning Map*. Online: <http://www.sanjuancapistrano.org/Modules/ShowDocument.aspx?documentid=8412>. Site visited September 2, 2011.

County of Orange. 2005. *General Plan*.

County of Orange. 2005. *Zoning Code*.

County of Orange, Resources and Development Management Department. 2004. *Master Plan of Regional Riding and Hiking Trails*. Online: <http://www.ocparks.com/strategicplan/RegionalRiding.pdf>. Site visited May 2, 2008.

Marine Corps Base Camp Pendleton. 2007. *Integrated Natural Resources Management Plan*. Online: <http://www.pendleton.usmc.mil/base/environmental/inrmp/summary.pdf>. Site visited August 31, 2011.

San Diego Gas & Electric. 1995. *Subregional Natural Community Conservation Plan*. December 15, 1995.