Addendum to South Poway Planned Community Development Plan Poway Environmental Impact Report SCH No. 84053008

Nighthawk Energy Storage Project

JULY 2024

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Table of Contents

SECTION **PAGE**

TABLES

FIGURES

APPENDICES

Acronyms and Abbreviations

Acronym/Abbreviation	Definition
µg/m^3	micrograms per cubic meter
AB	Assembly Bill
AC	alternating current
APM	applicant proposed measure
APN	Accessor's Parcel Number
ASMD	area specific management directive
BESS	battery energy storage system
BMP	best management practice
BTU/hr	British thermal units per hour
CAAQS	California Ambient Air Quality Standards
CBC	California Building Code
CAISO	California Independent System Operator
CARB	California Air Resources Board
CDFW	California Department of Fish and Wildlife
CRHR	California Register of Historical Resources
CRPR	California Rare Plant Rank
CRR	Cultural Resources Review
CUP	Conditional Use Permit
CAP	Climate Action Plan
DC	direct current
DOC	California Department of Conservation
EIR	Environmental Impact Report
FHMPP	Fire Hazard Mitigation and Prevention Plan
FHSZ	Fire Hazard Severity Zone
GHG	greenhouse gas
HMBP	Hazardous Materials Business Plan
kV	kilovolt
MHPA	Multi-Habitat Planning Area
MM	Mitigation Measure
MMRP	mitigation monitoring and reporting plan
MSCP	Multiple Species Conservation Program
MV	medium voltage
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCCP	Natural Community Conservation Plan
NRHP	National Register of Historic Places
NFPA	National Fire Protection Association
RAQS	Regional Air Quality Standards
RTP	Regional Transportation Plan

Acronym/Abbreviation	Definition
SANDAG	San Diego Association of Governments
SCADA	supervisory control and data acquisition
SCS	Sustainable Communities Strategy
SDAB	San Diego Air Basin
SDAPCD	San Diego Air Pollution Control District
SDG&E	San Diego Gas & Electric
SDMC	San Diego Municipal Code
SDS	safety data sheets
SEIR	Subsequent Environmental Impact Report
SUSMP	Standard Urban Stormwater Mitigation Plan
SWPPP	Stormwater Pollution Prevention Plan
TAC	toxic air contaminant
USDA	U.S. Department of Agriculture
USFWS	U.S. Fish and Wildlife Service
VMT	vehicle miles traveled
WQIP	Water Quality Improvement Plan

1 Introduction

1.1 Summary of the Proposed Project

The Nighthawk Energy Storage Project (project) consists of a 300-megawatt battery energy storage system (BESS) that would deliver and receive electric power at the existing San Diego Gas & Electric (SDG&E) Sycamore Canyon Substation. The primary project components would be located on an approximately 10-acre portion within the northeastern corner of approximately 82 acres of partially developed land consisting of Assessor's Parcel Number (APN) 320-031-0300 in the City of Poway, California.

Nighthawk Energy Storage, LLC (the "applicant") is requesting to construct and operate a 300 MW battery storage facility on APN 320-031-03, owned by Clerco, Inc. The applicant is requesting a Design Review Permit to allow for the construction of the facility and a Specific Plan Amendment (SPA) to allow the zoning change from Mineral Resource Extraction (MRE) to Light Industrial (LI) in the South Poway Specific Plan (SPSP) area. The LI zoning was originally authorized and analyzed in the South Poway Planned Community Development Plan Final Environmental Impact Report dated July 30, 1985, prior to the plan's amendment to the current MRE zoning.

Currently, there are two property owners associated with the three parcels for Granite Construction's aggregate operation. The two westerly parcels, APN 320-031-06 and 320-031,03 are owned by Clerco, Inc. (Clerco Parcels). The easterly parcel, APN 320-031 04, is owned by Calmat Co. (Calmat Parcel). The three parcels (collectively "Mining Site") are located south of Kirkham Way and north of Beeler Canyon Road on properties designated as MRE in the SPSP. Surrounding land uses include industrial development, open space, and single-family residences to the west, industrial development to the north, an apprenticeship training center and open space to the east, and single-family residences and open space in the City of San Diego to the south across Beeler Canyon Road.

As part of the SPA, two pads (Pad 1 and Pad 2) are being rezoned from MRE to back to their original zone of LI. The City previously analyzed the environmental impacts of developing the combined 15 acres of Pad 1 and Pad2 pursuant to an LI zoning designation in its 1985 EIR for the South Poway Specific Plan. A Final Subsequent EIR (SCH# 89010025) was certified by the City Council on August 7, 1990. A CUP Amendment was approved in April 2023 permitting construction Pad 1 and Pad 2 in their proposed locations. The City found that no further environmental analysis was required because the project's impacts were already analyzed and are fully covered by the previously certified Final Subsequent EIR, and there were no significant changes proposed that would require subsequent or supplemental environmental review pursuant to Public Resources Code section 21166 and CEQA Guidelines sections 15162 and 15163. The 2023 CUP Amendment conditions and Final Subsequent EIR provide mitigation for construction of Pad 1 and Pad 2.

As noted, above discretionary approvals related to the development of Pad 2 for this project include Design Review and amendment of the South Poway Specific Plan to reinstate the Light Industrial (LI) designation from the City of Poway. Improvements associated with a high-voltage underground generation interconnection transmission line (gen-tie) would be located within the City of Poway, the City of San Diego, and Marine Corps Air Station Miramar (Miramar Marine Corps Base) and require approvals from multiple jurisdictions. Discretionary and other approvals relating to the gen-tie line and related improvements include (i-(i) authorization to cross underneath a Biological Conservation Easement (BCE) associated with Beeler Creek, in the form of an encroachment agreement from the City of Poway and letter of concurrence from the California Department of Fish

and Wildlife (CDFW); (ii) authorization to cross beneath a recreation trail easement held by the City of Poway in the form of an encroachment agreement with the City of Poway, as well as a floodplain development permit from the City of Poway for gen-tie facilities constructed within the FEMA regulated floodplain; (iii) authorization to cross a flowage easement held by the City of Poway in the form of a encroachment agreement and floodway permit with the City of Poway; (iv) authorization to cross beneath Beeler Creek from CDFW in the form of a Streambed Alteration Agreement (SAA) or concurrence that no SAA is required; (v) authorization to cross beneath the Stonebridge Parkway ROW, Beeler Canyon Road ROW and associated public services easements held by the City of San Diego in the form of an Encroachment Authorization Maintenance and Removal Agreement, Neighborhood Development Permit for construction in the right-of-way, easement and/or other type of approval from the City of San Diego; (vi) authorization to develop within the City of San Diego's Multi-Habitat Planning Area (MHPA) and Environmentally Sensitive Lands in the form of a Site Development Permit or other form of development permit; (vi) authorization of crossing and partial release of an open space easement mapped south of Beeler Canyon and north of Stonebridge Drive on the sycamore Estates Tentative Map;(viii) authorization to encroach into a Conservation Easement (CE) associated with the Stonebridge residential project held by the City of San Diego in the form of a CE amendment or other form of consent from the City of San Diego with concurrence from CDFW and the United States Fish and Wildlife Service (USFWS) (ix) an easement over the Marine Corps Base to access the existing SDG&E Substation on the base from the Department of Navy; (x) a right to enter approval from the Department of the Navy to access the work site on the Marine Corps Base through its guarded access points; and (x) approvals from SDG&E to cross existing, non-exclusive SDG&E utility easements in the form of an Advice Letter submitted by SDG&E to the California Public Utilities Commission (CPUC).

The project would be composed of lithium iron phosphate batteries installed in racks, inverters, medium-voltage (MV) transformers, switchgear, a collector substation, and other associated equipment to interconnect into the SDG&E Sycamore Canyon Substation (point of interconnection). The batteries would be installed in purpose-built enclosures. The enclosures would have battery storage racks, with relay and communications systems for automated monitoring and managing of the batteries to ensure design performance and detect and prevent thermal anomalies that could otherwise lead to battery failure. A battery management system would be provided to control the charging and discharging of the batteries, along with temperature monitoring and control of the individual battery cell temperature with an integrated cooling system. Batteries operate with direct current (DC) electricity, which must be converted to alternating current (AC) for compatibility with the existing electric grid. Power inverters to convert between AC and DC, along with transformers to step up the voltage, would be included. The battery system selected has been tested via purposeful efforts to stress the batteries into a thermal runaway and the tests did not result in a visible battery fire. To help ensure against a fire event, the system has many redundant fire safety controls and built-in passive and active mitigation systems to safely prevent fires and shut down components in the case of any abnormal operating characteristics.

The project would provide a service to the regional electric grid by receiving energy (charging) from the SDG&E electric transmission system, storing energy on site, and then later delivering energy (discharging) back to the point of interconnection. Following construction, routine operation of the use would not result in air pollutant emissions, require on-site sanitary facilities or consume water.

1.2 Project Location

The primary project components would be located on an approximately 10-acre portion within the {northeastern corner| of a larger property that consists of approximately 82 acres in the City of Poway, California. The project site

is located in the southern portion of the City, north of Beeler Canyon Road and south of Kirkham Way (see Figure 1, Project Location). The project site is approximately 1.2 miles to the east of Interstate 15 (I-15).

The southern portion of the larger 82-acre property on which the project site is located is currently being utilized for mineral resource extraction. The primary project components would be located on the northwestern corner of the 82-acre parcel adjacent to Kirkham Way. Surrounding land uses in the area consist of undeveloped lands, mineral resource extraction and commercial uses. The SDG&E Sycamore Canyon Substation is located approximately 1.1 miles to the south. The SDG&E Sycamore Canyon Substation would receive and deliver power from the project site via an underground high-voltage gen-tie line constructed within the City of Poway, the City of San Diego and Miramar Marine Corps Base.

1.3 Project Objectives

The project would provide the City of Poway and the State of California with a reliable and economically desirable development to receive, store, and discharge electricity within the California Independent System Operator (CAISO) controlled electric grid, including renewable energy produced by existing and planned solar and wind resources in the region. Construction of the project would accomplish the following:

- Establish a new energy storage facility to reliably receive, store and discharge renewable energy in an economically feasible and commercially financeable manner.
- Provide economic benefit to the City, the region, and the state through construction jobs, property and sales taxes, construction and maintenance services, and increased energy efficiency and reliability.
- Use a proven and established energy storage technology that is efficient, has low maintenance requirements, and is recyclable.
- Assist California in meeting its greenhouse gas (GHG) emissions reduction goals by 2020 and 2030 as required by the California Global Warming Solutions Act (Assembly Bill [AB] 32), as amended by Senate Bill [SB] 32 in 2016 and AB 1279 in 2022.
- Assist California in transitioning away from reliance on fossil-fuel generation by allowing renewable generation to be stored and discharged back to the grid when necessary.

In addition to these benefits to the region and California, specific benefits to the City of Poway and the City of San Diego are as follows:

- Investment of nearly $500 million in local economy (including both City of San Diego and City of Poway) over a 30-year period.
- Has limited traffic impacts to local citizens and nearby residences and businesses during construction, and nominal traffic impact when operating.
- Creates approximately 100 well-paying full-time and part-time construction jobs.
- Enhances existing electrical system deliverability and reliability, helps to avoid grid outages.
- Is operationally quiet.
- Helps to maximize the use and integration of renewable energy sources.
- Provides new grid capacity for growing businesses and residential communities.
- Can safely power up to 300,000 homes for 4 hours (based on megawatt capacity).

- The project proponent will work with local organizations that promote science, technology, engineering and mathematics (STEM) education.

1.4 Project Characteristics

The project would include the development of energy storage facilities and associated infrastructure. The BESS would be housed in enclosures that would consist of modular battery units. Power released or captured by the project would be transferred to and from the SDG&E Sycamore Canyon Substation via a gen-tie line. The project would consist of lithium iron phosphate batteries (which would be installed in racks), inverters, MV transformers, switchgear, a collector substation and other associated equipment. The project would include the following components, which are described in more detail following the bulleted list:

- **Energy Storage Facility:** Energy storage enclosures and appurtenances would be constructed to provide energy storage capacity and dispatch services for the electric grid.
- **Power Inverters and Transformers:** Power inverters to convert between AC and DC would be included, along with transformers that would step up the voltage.
- **Collector Substation:** A collector substation would be installed that would include the open rack, air insulated switch gear, and the main power transformer to step up from 34.5 kilovolts (kV) to 138 kV.
- **Telecommunication Facilities:** Telecommunication equipment, including underground and overhead fiber optics or supervisory control and data acquisition (SCADA), would be installed.
- **Site Access and Security:** On-site access driveways, 12-foot-tall perimeter security wall, and nighttime directional lighting would be provided for the project.
- **Gen-Tie Line:** A 138 kV gen-tie line would be constructed to transfer power between the SDG&E Sycamore Canyon Substation and the project. The selected gen-tie line route is included on Figure 2. The gen-tie facility would be located on lands within the City of Poway, City of San Diego, and Miramar Marine Corps Base.

The facilities are intended to operate year-round and would be available to receive and deliver energy 24 hours per day, 365 days per year.

San Diego Gas & Electric Company Facility Upgrades

SDG&E has identified a need for the project to contribute its fair-share payment toward utility grid system upgrades that are planned to be completed within SDG&E's service territory. All improvements would be completed to existing SDG&E facilities within the associated SDG&E footprint. Specific improvements are listed below:

- Cable and cable terminations from the point of change of ownership (POCO) to the termination stand inside the Sycamore Canyon Substation
- Surge arrestors at the termination stand inside the Sycamore Canyon Substation
- Upgrading all facilities within the Sycamore Canyon Substation fenced area, including (1) adding a 138 kV circuit breaker; (2) installing 138 kV disconnect switches and associated foundations, structures, and relaying; and (3) upgrading circuit breakers at Sycamore Canyon to 230 kV
- Conduit package and any applicable substructure(s) as required; trenching for and installing conduit package and any applicable substructure(s) from the POCO to the Sycamore Canyon Substation fence

- Communication lines and other infrastructure of appropriate and acceptable design from the POCO to the Sycamore Canyon Substation fence

Battery Energy Storage System Operations and Maintenance

The energy storage batteries would be housed in containers or purpose-built enclosures. The BESS would be designed and installed in conformance with the nationally recognized National Fire Protection Association (NFPA) 855 Standard for the Installation of Stationary Energy Storage Systems, along with all applicable state and City fire protection requirements. These include Underwiter's Laboratory (UL) standards including UL 9540 and 9450A, the California Fire Code, and Poway Fire Department requirements. The BESS would be unstaffed, with remote operational control and periodic inspections and maintenance performed, as necessary.

Batteries and Racks

The lithium iron phosphate batteries would be housed in racks similar to common computer server racks. The racks are typically made of aluminum, but sometimes may be composed of steel. The lithium iron phosphate technology is considered one of the safest, most easily understood, and most efficient methods of energy storage on the market. The facility would use a l lithium iron phosphate technology that has a long lifespan and boasts superior safety and stability characteristics. The battery racks would be designed and installed in accordance with the local seismic design requirements.

Fire Protection System

The project would use a BESS that is NFPA 855 Code compliant, and UL certified and that includes built-in failsafe and cooling systems designed to prevent thermal runaway and the spread of fire, in the unlikely scenario that a fire occurs. A fire protection system would be installed to automatically shut down any affected battery storage components and prevent the spread of fire to the other battery storage modules.

The Poway Fire Department (the authority having jurisdiction) would have review and approval rights for the facility fire protection and suppression plans. The review/approval by the authority having jurisdiction would cover all applicable design, construction, and testing requirements of the NFPA 855 Code.

Gen-Tie Line

An underground gen-tie line would be constructed that would transfer power to and from the project and the SDG&E Sycamore Canyon Substation. The gen-tie line route is included on Figure 2. The gen-tie facility would be located on lands within the City of Poway, City of San Diego, and Miramar Marine Corps Base. The portion of the gen-tie within the City of San Diego is located within Open Space lands pursuant to the Rancho Encantada Precise Plan (community planning area) and in the City of San Diego's MHPA. This portion is approximately 2.7 acres.

Consistent with the Public Facilities and Services Element of the Precise Plan, the gen-tie is designed to avoid and minimize intrusion into the MHPA by utilizing street or utility rights-of-way and by restoring all areas to pre-construction conditions following construction.

Outdoor Electrical Equipment

MV transformers and additional electrical equipment would be installed outside the BESS enclosures. The collector substation would be located to the west of the BESS facility components on approximately 0.3 acres. Components would include a main power transformer, control house, IR cameras and switchgear. Underground wires and cabling would run from the battery cable collection box (inside the enclosure) to a concrete pad housing the inverter and transformer. From the MV transformer, cabling would run to the collector substation. All outside electrical equipment would be housed in the appropriate National Electrical Manufacturers Association (NEMA) rated enclosures and screened from view to the extent possible, on all sides. All outside electrical cabling on the site would be run underground.

Inverters

The Applicant uses only industry-standard, nationally (and internationally) recognized equipment. These inverters are unattended, stand-alone units that operate in all conditions. They operate in both a charge mode and a discharge mode. They are UL listed for bi-directional use and are monitored and controlled remotely. There would be on-site disconnects in the case of an emergency or unscheduled maintenance. They are designed to last more than 30 years with proper preventive maintenance and scheduled maintenance.

Telecommunication Facilities

The project would also require telecommunication facilities to meet the communication requirements for interconnecting and communicating with the SDG&E/CAISO facilities and to support remote project operations monitoring. To provide for communication with SDG&E facilities, a fiber-optic cable would be used to connect the project substation with the SDG&E point of interconnection. Utility interconnection regulations require the installation of a second, separate, redundant fiber-optic cable. The redundant fiber-optic cable would also be installed between the project substation and point of interconnection.

The project would use local exchange carrier services for telecommunication to support remote monitoring requirements. The project would connect to telecommunication fiber-optic lines owned and managed by local telecommunication providers.

The SCADA system is critical to the CAISO and SDG&E utility interconnection and for the proper operation and maintenance of the project. The SCADA system uses proprietary software; a fiber-optic transmission system; a telephone, radio, and/or microwave communication network; and other means of communication such as radio links and phase loop communication systems. The SCADA system functions as a remote start, stop, reset, and tag out for the facility, thus minimizing the labor and site diagnostic information generated from the panels. The SCADA system would also control the substation, allowing for fully centralized operation of the project to meet all CAISO and utility interconnection requirements.

Site Access and Security

The project site can be accessed from various roadways. Interstate 15 is the largest highway in the area and provides regional access to the project site from the north and south. Access to the main project site would be provided via Kirkham Way and access to the gen-tie corridor, as permitted, would be provided by the existing Beeler Canyon Road or Stonebridge Parkway. No new roads would be required to provide access to the project site.

Walls would be installed around the perimeter of the primary project site for safety and security purposes. The fencing would be installed prior to the start of construction and would remain for the operating life of the project consistent with commercial insurance requirements for community scale battery storage facilities.

Permanent motion-sensitive, directional security lights would be installed to provide adequate illumination around the substation area and points of ingress/egress. All lighting would be shielded and directed downward to minimize the potential for glare or spillover onto adjacent properties. Security cameras would be placed on site and monitored 7 days per week, 24 hours per day.

1.5 Construction

Schedule and Workforce

Construction of the project would last approximately 12 months. Construction activities for the project generally fall into three main categories: (1) site preparation; (2) system installation; and (3) testing, commissioning, and site restoration.

The on-site construction workforce is expected to peak at between 75 and 100 individuals; however, the average daily workforce on site during construction is expected to be 60 individuals, comprising construction, supervisory, support, and construction management personnel. It is anticipated that the construction workforce would commute to the site each day from local communities and report to the designated construction staging yards prior to the beginning of each workday. Construction staff not drawn from the local labor pool would stay in local hotels in the City or other local communities. Deliveries of equipment and materials would generate an estimated five to seven round-trips per day during peak construction periods.

The project would be constructed by several specialized construction contractors. Construction would primarily occur during daylight hours, Monday through Saturday between 7:00 a.m. and 5:00 p.m., as required to meet the construction schedule while complying with City construction noise regulations. Any construction work performed outside the normal work schedule would be coordinated with the appropriate agencies and would conform to City regulations.

Site Grading and Earthwork

Construction activities would be expected to include excavation and grading of the project site. Site preparation and construction would occur in accordance with all federal, state, and City zoning codes and requirements and would comply with the prepared Storm Water Pollution Prevention Plan (SWPPP) during construction, in accordance with the state's General Construction Stormwater Permit – 99-08-DWQ. Noise-generating construction activities would be limited to Monday through Saturday between 7:00 a.m. and 5:00 p.m. in accordance with City requirements. All stationary equipment and machines with the potential to generate a significant increase in noise or vibration levels would be located away from noise receptors to the extent feasible. The contractor would conduct construction activities in such a manner that the maximum noise levels at the affected buildings would not exceed established noise levels.

All applicable federal, state, and local requirements and best management practices (BMPs) would be incorporated into the construction activities for the project site. Beginning work on the project site would involve preparing the land for installation of the BESS-related infrastructure, access driveways, and temporary construction staging areas.

The construction contractor would be required to incorporate BMPs consistent with the City Stormwater Management and Discharge Control ordinance at Poway Municipal Code Chapter 13.09, and Best Management Practices Manual pursuant to PMC 13.09.040(C), and guidelines provided in the California Stormwater Quality Association's Construction BMP Handbook (CASQA 2019), as well as a soil erosion and sedimentation control plan to reduce potential impacts related to construction of the project. Prior to initial construction mobilization, pre-construction surveys would be performed and sediment and erosion controls would be installed in accordance with state and City guidelines. Stabilized construction entrances and exits would be installed at driveways to reduce tracking of sediment onto adjacent public roadways.

Site preparation would be consistent with City BMPs and the SDAPCD Rule 55 Fugitive Dust Control (SDAPCD 2009). Site preparation would involve the removal and proper disposal of existing debris that would unduly interfere with project construction or the health and safety of on-site personnel. Dust-minimizing techniques would be employed, such as placement of wind control fencing, application of water, and application of dust suppressants. Conventional grading would be performed throughout the project site but minimized to the maximum extent possible to reduce unnecessary soil movement that may result in dust. Earthworks scrapers, excavators, dozers, water trucks, paddlewheels, haul vehicles, and graders may all be used to perform grading. Land-leveling equipment, such as a smooth steel drum roller, would be used to even the surface of the ground and to compact the upper layer of soil to a value recommended by a geotechnical engineer for structural support. Soil movement from grading would be balanced on the site. However, Class II road base would be imported to the site to create necessary compaction under the equipment, as determined by geotechnical testing and project specifications.

Trenching and boring would be required for placement of underground electrical and communication lines, and may include the use of trenchers, backhoes, excavators, haul vehicles, compaction equipment, and water trucks. After preparation of the site, the pads for enclosures, equipment enclosures, and equipment vaults would be prepared per geotechnical engineer recommendations. The substation area would have a grounding grid installed and would be covered with aggregate surfacing for safe operation.

During this work, multiple crews would be working on the site with various equipment and vehicles, including vehicles for transporting the batteries and other equipment. As the BESS enclosures are constructed, the electrical collection and communication systems would be installed. The wiring would connect to the appropriate electrical and communication terminations and the circuits would be checked and commissioned prior to operation. It is estimated that site grading and preparation would require use of the equipment listed in Table 1.

Table 1. Site Grading and Preparation Equipment

Equipment Type	Preliminary Quantity
Bulldozer (e.g., CAT D7)	1
Grader (e.g., CAT D7)	1
Scraper (15–30 cubic yard)	2
Water truck (3,000–5,000 gallon)	1
Self-propelled compactor	1
Dump truck	1
Tractor/loader/backhoe (e.g., Case 590)	1
Bobcat	1

Construction Water Use

During construction of the project, water would be required for common construction-related purposes, including but not limited to dust suppression, soil compaction, and grading. Dust-control water may be used during ingress and egress of on-site construction vehicle equipment traffic and during the construction of the energy storage equipment. A sanitary water supply would not be required during construction because restroom facilities would be provided by portable units to be serviced by licensed providers. During the 12-month construction period, the water used is anticipated to be supplied by purchasing water from a local water purveyor.

Solid and Nonhazardous Waste

The project site would produce a small amount of solid waste from construction activities. This may include paper, wood, glass, plastics from packing material, waste lumber, insulation, scrap metal and concrete, empty nonhazardous product containers, and vegetation waste. These wastes would be segregated, where practical, for recycling. Non-recyclable wastes would be placed in covered dumpsters and removed on a regular basis by a certified waste-handling contractor for disposal at a Class III (nonhazardous waste) landfill.

Hazardous Materials

The hazardous materials used for construction would be typical of most construction projects of this type. Materials would include small quantities of gasoline, diesel fuel, oils, lubricants, solvents, detergents, degreasers, paints, ethylene glycol, dust palliatives, herbicides, and welding materials/supplies. A Hazardous Materials Business Plan (HMBP) in accordance with federal and State law (Federal Regulations Title 40, Section 355.61; California Health and Safety Code Division 20, Chapter 6.95 and California Code of Regulations, Title 19, Division 2, Chapter 4) would be provided to the City. The HMBP would include a complete list of all materials used on site and information regarding how the materials would be transported and in what form they would be used. This information would be recorded to maintain safety and prevent possible environmental contamination or worker exposure. During project construction, safety data sheets (SDS) for all applicable materials present at the site would be made readily available to on-site personnel.

Hazardous Waste

Small quantities of hazardous wastes likely would be generated over the course of construction. These wastes may include waste paint, spent construction solvents, waste cleaners, waste oil, oily rags, waste batteries, and spent welding materials. Workers would be trained to properly identify and oversee all hazardous materials. Hazardous waste would be either recycled or disposed of at a permitted and licensed treatment and/or disposal facility. All hazardous waste shipped off site for recycling or disposal would be transported by a licensed and permitted hazardous waste hauler.

Gen-Tie Line

Construction of the 138 kV gen-tie line would take approximately 3 months to complete and would occur primarily within the greater project site in the City of Poway, and in the City of San Diego, primarily in developed areas, and Miramar Marine Corps Base, within existing utility easements. Trenching will be required to construct the 138 kV underground gen-tie line, and may include the use of trenchers, backhoes, excavators, haul vehicles, compaction equipment, and water trucks. The workspace will be limited to within the road right-of-way and private property.

Within the northern portion of the gen-tie line alignment, work will be located entirely within developed lands. Permanent structures (equipment vaults) will be constructed at six locations along the alignment, one on Paine St, one north of Beeler Canyon, one in the right-of-way on the south side of Beeler Canyon Road, one just north of Stonebridge Parkway on Green Valley Court, one on an existing access road at the edge of the Miramar Base, and one just outside of the Sycamore Canyon Substation. Temporary work areas will be designated around each of the vaults. Construction of the proposed project will implement open cut trenching and jack and bore installation in two locations. Upon project construction the temporary work areas around the vaults will be restored via San Diego Landscape guidelines (City of San Diego 2023) Avoidance of City of San Diego wetlands, waters, non-native grassland, and scrub oak chaparral located south of Stonebridge Parkway, will be achieved via Jack and Bore. Jack and Bore is a trenchless method that involves the use of a boring machine to create a tunnel, through which a pipe is then installed.

A permit application would be submitted to the City of San Diego and Miramar Marine Corps Base as a responsible agency with jurisdiction over part of the project. Poway will require proof of obtaining City approval of applicable development permits as of the timeline required by the applicable legal requirements recognized by the City of Poway. A portion of the gen-tie located within Miramar Marine Corps Base is located within an existing utility easement area and may also require confirmation or approval of related access and easement rights. The project has obtained approval from the Miramar Marine Corps base as of August 1, 2023.

1.6 Operation and Maintenance Activities

Typical operations and maintenance activities that would occur on the project site during operation include, but are not limited to, liaison and remote monitoring administration and reporting; semi-annual and annual services; remote operations of batteries, inverters, substation, and site security and management; additional communication protocols; and repair and maintenance of the BESS, electrical gen-tie lines, and other project facilities. The electrical equipment; heating, ventilation, and air conditioning; fire protection systems; and security would be automated and monitored remotely. Periodic in-person inspections would be performed as needed, as part of a security contract. The site would be unoccupied but would be visited periodically (up to approximately four times per year) during the operating period for equipment inspections, monitoring and testing, and maintenance as needed. Maintenance of the gen-tie line would require pulling the line out from existing points of entry and would not require any new trenching.

The project design is consistent with the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) Ordinance (Poway Municipal Code Chapter 16.100) and BMPs, and Stormwater would be treated in accordance with City requirements. Outdoor equipment would be sealed or enclosed and would not affect stormwater quality.

Solid and Nonhazardous Waste

The project would produce a small amount of waste associated with maintenance activities, which could include broken and rusted metal, defective or malfunctioning electrical materials, empty containers, and other miscellaneous solid waste, including the typical refuse generated by workers. Most of these materials would be collected and transported to the manufacturer or to recyclers. Non-recyclable waste would be placed in covered dumpsters and removed on a regular basis by a certified waste-handling contractor for disposal at a Class III landfill.

Hazardous Materials

Limited amounts of hazardous materials would be stored or used on the site during operations, including diesel fuel, gasoline, and motor oil for vehicles; mineral oil to be sealed within the transformers; and lead-acid-based batteries for emergency backup. Appropriate spill containment and cleanup kits would be maintained during operation of the project. A Spill Prevention Control and Countermeasures plan (SPCC) would be developed for site operations, consistent with federal and state law (Health & Safety Code Section 25504 and California Code of Regulations Title 22 Section 66262.34), the Poway Multiple Species Conservation Program (MSCP) Subarea Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) and the MHPA Adjacency Guidelines.

Hazardous Waste

Fuels and lubricants used in operations would be subject to the SPPC plan to be prepared for the project, consistent with federal and state law, the MSCP and MHPA Adjacency Guidelines. Solid waste, if generated during operations, would be subject to the material disposal and solid waste management plan to be prepared for the project in accordance with the California Integrated Waste Management Act (Public Resource Code Section 40000 et seq).

Security and Lighting

The project would include a perimeter screening wall along the northern, eastern, and western perimeter and a 12-foot-high perimeter wall would be constructed on all sides to help prevent access by the public. Gates would be installed at the roads entering the project site along Kirkham Way. Limiting access to the project site would be necessary both to ensure the safety of the public and to protect the equipment from potential theft and vandalism.

The project's lighting system would provide operations and maintenance personnel with illumination for both normal and emergency conditions. Lighting would be designed to provide the minimum illumination needed to achieve safety and security objectives. Additionally, lighting would be directed downward and shielded to focus illumination on the desired areas only and to avoid light trespass consistent with the South Poway Specific Plan Development Standards, the MSCP and the MHPA Adjacency Guidelines.

1.7 Decommissioning

At the end of the project's operational term, 30 years, the project will be decommissioned and deconstructed. Any extension of its Development Review permit would require appropriate CEQA analysis. The project includes measures to ensure the collection and recycling of batteries and to avoid the potential for batteries to be disposed of as municipal waste.

All decommissioning and restoration activities would adhere to the requirements of the appropriate governing authorities and be in accordance with all applicable federal, state, and City regulations. Following the expiration of the project's useful life, the facility would be decommissioned, which would include project enclosures being removed from the ground on the project site. Aboveground equipment that would be removed includes battery containers/enclosures, inverters, transformers, substation steel bus work and enclosures, and electrical wiring. Underground items, such as the138 gen-tie line, will be capped and left in place in perpetuity. These gen-tie lines would be jacketed in a steel conductor that is encased in concrete; therefore, no decomposition of the gen-tie line materials would occur. Analysis of potential environmental impacts associated with the gen-tie line capped and left in place in perpetuity have been assessed.

Alternatively the 138 kV lines would be pulled from the ends via existing access points at vaults to remove the conductors; however no ground disturbance will be required for this activity to take place. Equipment would be de-energized prior to removal, salvaged (where possible), placed in appropriate shipping containers, and secured in a truck transport trailer for shipment off site to be recycled or disposed of at an appropriately licensed disposal facility. Site infrastructure would be removed, including the perimeter walls and the concrete pads that may support the battery containers/enclosures, inverters, transformers, and related equipment. The demolition debris and removed equipment may be cut or dismantled into pieces that can be safely lifted or carried with the decommissioning equipment being used. Removal efforts would be made outside any sensitive lands (from either the Miramar Base or existing vaults within the roadways), and the lines would be pulled from points of entry on either side. As such, there would be no new ground disturbance associated with the removal effort and no impacts to environmentally sensitive lands would occur. The area would be thoroughly cleaned, and all debris would be removed. A collection and recycling program would be implemented to promote recycling of project components and minimize disposal in landfills in accordance with California Green Building Standards. The environmental impacts generated by decommissioning generally would be the same or less than those for its construction, though the decommissioning period would be expected to be shorter than the construction period.

1.8 Applicant Proposed Measure

The applicant has incorporated the following applicant proposed measure (APM) into the proposed project to reduce or avoid the potential for environmental effects. This APM will be made a condition of approval for the proposed project to ensure this measure is implemented.

APM-TCR-1 Tribal Monitoring. A tribal monitoring program and potential data recovery program shall be implemented during grading activities around Beeler Creek and include the following requirements:

a. Pre-Construction
   - The project developer shall contract with a San Pasqual Native American monitor to conduct monitoring for the project in areas determined to be sensitive per the discretion of the Native American monitor in coordination with the Archaeological Monitor.
   - The pre-construction meeting shall be attended by the San Pasqual Native American monitor.

b. Construction
   - Monitoring – The San Pasqual Native American monitor would be on site during all earth-disturbing activities in areas determined to be sensitive per discretion of the Native American monitor in coordination with the Archaeological Monitor.
   - Inadvertent Discoveries
     - The San Pasqual Native American monitor has the authority to divert or temporarily halt ground disturbance operations in the area of the discovery.
     - The San Pasqual Native American monitor shall determine the significance of discovered resources and whether they constitute a TCR.
     - Construction activities shall be allowed to resume after the City has agreed with the significance evaluation.

- Isolates and non-significant deposits shall be minimally documented in the field. If the isolates and non-significant deposits are not collected by the San Pasqual Native American monitor may collect the cultural material for transfer to a tribal curation facility or repatriation program.
- If cultural resources are determined to be significant, a research design and data recovery program shall be prepared by the San Pasqual Native American monitor and approved by the City DSD Department. The program shall include reasonable efforts to preserve (avoid) unique cultural resources or sacred sites, to cap identified sacred sites or unique cultural resources and to place development over the cap if avoidance is infeasible; and to perform data recovery for non-unique cultural resources. The preferred option is preservation (avoidance).

c. Cultural Material Conveyance

- A final report shall include the following:
  - Evidence that all cultural resources be curated at a tribal curation facility that meets federal standards according to Title 36, Part 79, of the Code of Federal Regulations or alternatively have been repatriated to a culturally affiliated tribe.

2 Summary of Original Projects

2.1 South Poway Planned Community Plan Environmental Impact Report (1985 EIR)

The primary project components of the Nighthawk BESS facility and a portion of the gen-tie line would be located in the city of Poway in the South Poway Planned Community (SPPC) area. An EIR was prepared for the SPPC Development Plan in 1985. The South Poway Planned Community Plan Final EIR (State Clearinghouse [SCH] No. 84053008) (1985 EIR) (City of Poway 1985) provided a comprehensive single environmental document that allowed the City of Poway, as Lead Agency under the California Environmental Quality Act (CEQA), to carry out the entire project, including the approval of all discretionary actions required to implement the SPPC. The EIR was certified by the Poway City Council on July 30, 1985, via Resolution No. P-85-45.

The 1985 EIR analyzed a 2,500-acre planned community which incorporated a variety of land uses into an organized, comprehensive community. The project proposed in 1985 included a mix of light industrial and residential land uses with ancillary commercial uses. The 1985 project also proposed several roadways in conjunction with the project including the construction of a regionally planned highway (the South Poway Arterial), and a loop road with connectors which encompassed and linked the centrally located industrial areas. Open space for recreational uses and buffering was also purposed for the area. Development phasing of the 1985 project was to span 15 to 20 years and outlined steady incremental industrial development spanning 17 years. A General Plan Amendment, SPPC (PC 84-01), Development Guidelines, a Rezone and a Resource Protection Ordinance (RPO) Permit were approved after certification of the 1985 EIR.

The significant effects of the approved SPPC were identified in the 1985 EIR as follows:

- Large-scale landform modifications associated with grading for industrial and commercial land uses and roadways.
- Erosion and sedimentation increase during grading and construction phases.
- Cumulative increase in runoff and long-term urban runoff pollutant discharges to downstream areas.
- Removal of significant habitat, wildlife resources, and sensitive species from proposed development areas.
- Irrevocable commitment of existing open space to developed uses.
- Generation of up to an estimated 73,158 vehicle trips per day.
- Short-term air quality impacts associated with grading and construction phases (e.g., dust, equipment, emissions) and long-term impacts from mobile and stationary emission sources.
- Increased noise levels on site and off site, most notably as a result of increased traffic volumes.
- Significantly increased demand for services and facilities, including fire and police protection utilities, schools, solid waste disposal, and wastewater facilities.
- Increased consumption of scarce regional water and energy supplies.
- Alteration of views of natural landforms in the central highlands due to grading and industrial/ commercial development.

Under Resolution No. P-85-45, the City adopted findings of fact with respect to the above significant effects, and found changes or alterations were required in, or incorporated into, the 1985 project (mitigation measures and requirements for specific future studies), which avoid or substantially lessen the significant environmental effects as identified in the 1985 Final EIR. A statement of overriding considerations and a mitigation monitoring and reporting plan (MMRP) were adopted under the subject resolution.

2.2 City-Initiated General Plan Amendment/Zone Change 88-02A Concerning Amendments to the South Poway Planned Community Development Plan Text (1988 EIR)

Subsequent to City Council approval of the SPPC Development Plan and certification of the 1985 EIR, the City received four new applications for proposed tentative maps for properties located within the SPPC Development Plan area (TM 860928 American Newland Association, TM 86-08D Martin Lots, TB86-09 Bothwell, Pomerado Properties, and TM 87013 Parkway Partners). The proposed maps required significant increases in net pad acreage for industrial and commercial-related development that were over and above that allowed by the adopted SPPC Development Plan.

The City prepared and certified a Subsequent Environmental Impact Report (SEIR) (SCH #880427161) to the South Poway Planned Community Plan EIR that analyzed the proposed amendments to the SPPC Development Plan Text and a number of city-initiated amendments to the adopted SPPC Development Plan as follows:

- Inclusion of retail warehousing-type uses as a permitted or conditionally permitted land use.
- Combining the Light Industrial and Industrial Park land uses into a single “business park” land use.

- Realignment of Midland Road easterly to its intersection with South Poway Parkway.
- Proposed deletion of Poway Creek Road/Community Road intersection.
- Proposed elimination of New Beeler Canyon Road east of Calmat property, with retention of the roadway as a future connection north to the South Look Road (Kirkham Road).
- Proposed closing of Beeler Canyon Road west of Calmat to emergency access only and redirection of General Dynamics traffic north to Kirkham Road and South Poway Parkway.
- Reallocation of all future, residual-residential units (95 maximum) to candidate receiver areas within South Poway.

The SEIR was certified via Resolution No.P-88-074 on July 26, 1988 (1988 SEIR). The SEIR found significant or potentially significant impacts to the following resource areas: Land Use; Traffic and Circulation; Air Resources; Acoustic Environment; Geology, Soils and Mineral Resources; Health, Safety and Nuisance Factors; Public Services and Utilities; Socioeconomics; Hydrology and Water Quality; Cultural Resources; and Biological Resources. With incorporation of mitigation measures incorporated in the 1985 EIR and in the 1988 SEIR, the City determined the proposed amendments would not result in any significant unmitigated or cumulative impacts and certified the 1988 SEIR for the South Poway Planned Community Development Plan.

2.3 Calmat-Poway (formerly Padre Transit Mix–Poway) Conditional Use Permit/Reclamation Plan 89-05 (1990 EIR)

Subsequent to the certification of the 1988 SEIR, the City received a proposal to expand the CalMat-Poway Extraction Facility (CalMat-Poway Project) in 1989. The Calmat-Poway Extraction Facility was an existing resource extraction site operated by CalMat. The 1989 project involved the expansion of the CalMat-Poway operation to include the use of primary and secondary processing facilities, which allowed production of a full range of construction aggregate, road base and fill material. The project proposed to extend the site from the existing 83 acres eastward to include 66 acres. The project also proposed to add an additional 17 acres located adjacent to the western property boundary, but only a portion of that acreage was proposed for extraction operations. An access road to Kirkham Way (located north of the site) was also proposed to divert truck traffic generated by the project from Beeler Canyon Road as part of the expansion project.

In 1990, the City prepared an SEIR (SCH #89010025) to the South Poway Planned Community EIR (1990 SEIR) to analyze the potential environmental impacts that could result from implementation of the proposed CalMat-Poway Project. The Poway City Council certified the SEIR and approved the Calmat-Poway Project's Conditional Use Permit (CUP) 89-05 via Resolution P-01-48R and Reclamation Plan 89-05 via Resolution No 91-078 on July 23, 1991. The 1990 SEIR found significant or potentially significant impacts to aesthetics/landform alteration, biological resources, traffic, noise, air quality and utilities. The 1990 SEIR included additional mitigation measures which avoided or minimized the environmental impacts of the project. An MMRP and Statement of Overriding Considerations for remaining significant impacts on landform/aesthetics and biology was adopted under Resolution P-91-48R. CUP 89-05 was subsequently modified by approval of CUP 19-009 in February 2020 and CUP 22-0005 in April 2023 upon a determination that the changes did not require further analysis and all impacts were analyzed by the 1990 SEIR.

This Addendum considers the environmental issues analyzed in the previously certified 1985 EIR and its SEIRs as well as project-specific environmental analysis pursuant to CEQA. The analysis in this document evaluates the adequacy of the 1985 EIR and its SEIRs relative to the project and documents that proposed modifications and/or refinements would not cause new or more severe significant impacts than those identified in the previously certified environmental documents.

2.4 Rancho Encantada EIR

A portion of the proposed project's gen-tie line goes through the Rancho Encantada Precise Plan area in the city of San Diego. The city of San Diego prepared and certified an EIR for the Rancho Encantada Precise Plan via Resolution No. R-295401 on August 7, 2001. The Rancho Encantada Final EIR (LDR No. 99-1094/SCH No. 2000011053) provided a comprehensive single environmental document that allowed the city of San Diego to carry out the entire project, including the approval of all discretionary actions required to implement the project. The 2,658-acre Rancho Encantada Precise Plan that was analyzed in the Rancho Encantada EIR included 834 single-family lots, two institutional sites, 106 multifamily units, an elementary school and park site, roadways, landscaping, utility improvements and open space. Off-site roadway improvements were proposed west of the property on Pomerado Road and off-site sewer and water improvements were proposed north and west of the site in Beeler Canyon Road, Pomerado Road and other off-site property. Specific discretionary actions required by the city of San Diego and evaluated by the EIR included a General Plan Amendment, a Precise Plan, three Planned Residential Developments (PRD) Permits, two Vesting Tentative Maps (VTMs), an RPO Permit, and an MHPA boundary adjustment. A rezone was also evaluated to allow for the Sycamore Estates sub-project (LDR No. 99-0899), which included its own VTM, Planned Residential Development (PRD), and RPO Permit.

A portion of the proposed gen-tie line would be located in the Sycamore Estates VTM that was analyzed in the Rancho Encantada EIR. The Sycamore Estates sub-project was analyzed as follows: (1) grading of up to 14.9 million cubic yards of earth on 590 acres; (2) subdivision of a 2,132-acre site into 631 lots to construct 557 single-family residences; (3) construction of 106 multi-family units on a 9.9-acre parcel; (4) creation of two lots totaling 13.9 acres to allow for future institutional uses; (5) construction of a 4-acre neighborhood park and 12-acre elementary school site; and (6) creation of 11 open space lots totaling 1,498.6 acres.

When evaluating the portion of the gen-tie line in the city of San Diego, this Addendum considers the environmental issues analyzed in detail in the previously certified Rancho Encantada EIR as well as project-specific environmental analysis pursuant to CEQA. The analysis in the document evaluates the adequacy of the Rancho Encantada EIR relative to the gen-tie project component and documents that the proposed modifications and/or refinements to the Sycamore Estates sub-project would not cause new or more severe significant impacts than those identified in the previously certified environmental document.

The Rancho Encantada EIR found that implementation of the precise plan would result in significant direct environmental impacts in the following areas: land use, visual quality/landform alteration, biological resources, geology/soils, hydrology/water quality, traffic circulation, noise, historical resources, paleontological resources, public services (public schools, parks, fire protection), public safety, water conservation, and natural resources. The EIR also concluded that the project would result in significant cumulative impacts associated with visual quality/landform alteration, biological resources, traffic/circulation, hydrology /water quality, air quality, paleontological resources, public services (public schools, solid waste disposal), water conservation and mineral resources. The project proposed to incorporate mitigation measures to reduce all identified significant direct

impacts to below a level of significance except for direct land use (Industrial Element inconsistency), visual quality/landform alteration and transportation impacts. No mitigation measures were identified to reduce direct land use impacts, while visual quality/landform alteration and transportation impacts would be partially mitigable. A statement of overriding considerations and an MMRP were adopted under the subject resolution.

This Addendum considers the environmental issues analyzed in the previously certified EIR as well as project-specific environmental analysis pursuant to CEQA. The analysis in this document evaluates the adequacy of the Rancho Encantada EIR relative to the project, and documents that proposed modifications and/or refinements would not cause new or more severe significant impacts than those identified in the previously certified environmental documents.

3 Findings

As discussed above, the City of Poway previously prepared and certified the SPPC Development Plan Final EIR (SCH No. 84053008) per Resolution No. P-85-45 on July 30, 1985. The City then prepared and certified an SEIR to the SPPC Development Plan and City Initiated General Plan Amendment/Zone Change 88-02A per Resolution No.88-074 on July 26, 1988. Finally, the City prepared another SEIR (SCH No. 89010025) to the SPPC Development Plan for the CalMat-Poway Project per Resolution No. 91-11053 on July 1991. The 1988 SEIR analyzed amendments and zoning changes to the SPPC Development Plan as described above. The 1990 SEIR analyzed the development of the CalMat Poway Project, which included a CUP 89-05 and Reclamation Plan (89-05). With respect to project components located in the City of San Diego, the Rancho Encantada Precise Plan Final EIR (LDR No. 99-1094/SCH No. 2000011053) was approved per Resolution No. 295401 on August 7, 2001, and analyzed implementation of the entire Precise Plan and the Sycamore Estates sub-project. A Categorical Exclusion Decision Memorandum (NEPA MI20220070) dated January 23, 2023 (CATEX Decision Memorandum), was approved subject to those certain NEPA CATEX 32 Decision Memorandum Project Conditions (Enclosure 3 to CATEX Decision Memorandum) for the components of the proposed project located within the Miramar Marine Corps Base. Based on all available information in the record, the analysis in this Addendum, and pursuant to Section 15162 and 15164 of the State CEQA Guidelines, the City has determined that:

- There are no substantial changes proposed in the project which will require major revisions of these previous environmental documents due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects;
- Substantial changes have not occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the previous environmental documents due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects; or
- There is no new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous environmental document was certified as complete or was adopted, that shows any of the following:
    A. The project will have one or more significant effects not discussed in the previous environmental documents;
    B. Significant effects previously examined will be substantially more severe than shown in the previous environmental documents;

C. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible, and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or

D. Mitigation measures or alternatives which are considerably different from those analyzed in the previous environmental documents would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.

Based upon a review of the current project, none of the situations described in Sections 15162 and 15164 of the State CEQA Guidelines apply. No changes in circumstances have occurred, and no new information of substantial importance has manifested, which would result in new significant or substantially increased adverse impacts as a result of the project. Therefore, this Addendum has been prepared in accordance with Section 15164 of the CEQA State Guidelines. Public review of this Addendum is not required per CEQA.

3.1 National Environmental Policy Act (NEPA) Categorical Exclusion for Miramar Marine Corps Base Crossings

The project components located within the Miramar Marine Corps Base, including the right of entry to perform work on the base and the issuance of an easement for the Nighthawk gen-tie line have been analyzed in compliance with the National Environmental Policy Act (NEPA) and determined to qualify under Categorical Exclusion (CATEX) 32 CFR 775.6(g) (CATEX Number 32) pursuant to that certain CATEGORICAL EXCLUSION DECISION MEMORANDUM, FOR NIGHTHAWK POWER LINE EASEMENT, (NEPA MrelI20220070) dated January 23, 2023 (CATEX Decision Memorandum), subject to those certain NEPA CATEX 32 Decision Memorandum Project Conditions (Enclosure 3 to CATEX Decision Memorandum). The CATEX Decision Memorandum is incorporated by reference herein as further described below.

The CEQA Guidelines provide clear authority for referencing a NEPA document in a CEQA document. CEQA Guidelines Section 15006 mandates that public agencies should reduce delay and paperwork by, among other things, "[u]sing incorporation by reference." Specifically, "[a]n EIR or Negative Declaration may incorporate by reference all or portions of another document which is a matter of public record or is generally available to the public" (Guidelines Section 15150[a]). In such cases, "the incorporated language shall be considered to be set forth in full as part of the text of the EIR or Negative Declaration" (Guidelines Section 15150[a]). Incorporation by reference is subject to the following requirements (Guidelines Section 15150):

1. The incorporated document must be made available to the public for inspection at a public place or public building—at minimum, in an office of the lead agency;
2. The CEQA document must state where the incorporated documents will be available for inspection;
3. The incorporated part of the referenced document must be briefly summarized where possible or briefly described if the data or information cannot be summarized; and
4. The relationship between the incorporated part of the referenced document and the EIR must be described.

The CATEX Decision Memorandum, is available for inspection at the Planning Department of the City of Poway located at 13325 Civic Center Drive, Poway, California, 92064. A summary of each referenced part of the CATEX

Decision Memorandum is described in the applicable impact analysis section below in the sections called "Improvements in the Miramar Marine Corps Base" because it is the development of the gen-tie line that causes the need for crossing approvals within the Base. In addition, Project Conditions of the CATEX Decision Memorandum applicable to the project are summarized in the EIR Addendum Mitigation Monitoring and Reporting Plan (MMRP).

3.2 Proposed Development of the SDG&E Crossing Easements

The analysis considers environmental impacts at two existing SDG&E utility easements within the City of Poway, and existing SDG&E electric easements in the City of San Diego, Collectively these easements are referred to as the SDG&E Crossing Easements that would be crossed by the proposed project gen-tie line. These easements were recorded with the San Diego County Recorder as follows:

1. SDG&E Crossing Easement #1: SDG&E Right of Way No. 97520
2. SDG&E Crossing Easement #2: SDG&E Right of Way No. 98007
3. SDG&E Crossing Easement #3: SDG&E Right of Way No 97521
4. SDG&E Crossing Easement #4: SDG&E Right of Way No. 81272
5. SDG&E Crossing Easement #5: SDG&E Right of Way No. 81434
6. SDG&E Crossing Easement #6: SDG&E Right of Way No. 160271

SDG&E Crossing Easements #1 contains 0.02 acres and 999 square feet, and is a distribution easement supporting an overhead 12 kV power line. SDG&E Crossing Easement #2 contains 0.03 acres and 1,108 square feet, and supports an overhead 12 kV powerline. SDG&E Crossing Easement #3 contains 0.02 acres and 827 square feet and supports an overhead transmission linear right-of-way that is part of an existing larger SDG&E 230 kV overhead electric transmission corridor. SDG&E Crossing Easement #4 contains 0.02 acres and is a distribution easement supporting underground utilities. SDG&E Crossing Easement #5 contains ingress and egress rights to existing access roads, 0.02 acres, and supports underground utilities. SDG&E Crossing Easement #6 contains 0.01 acres and supports underground utilities. The locations of the SDG&E Crossing Easements are shown on Figure 3. There are no support structures (pole or tower) within the SDG&E crossing easements, only overhead and underground wires.

Project improvements within SDG&E Crossing Easements #1–6 will require review and submittal of an Advice Letter submitted by SDG&E to the California Public Utilities Commission (CPUC). Upon development of the proposed project as described in the Addendum Checklist below, and subject to SDG&E's and CPUC approval process described above, the following improvements are proposed to the SDG&E Crossing Easements:

- An underground electric conduit and conductor crossing of Crossing Easement #1
- An underground electric conduit and conductor crossing of Crossing Easement #2
- An underground electric conduit and conductor crossing of Crossing Easement #3
- An underground electric conduit and conductor crossing of Crossing Easement #4
- An underground electric conduit and conductor crossing of Crossing Easement #5
- An underground electric conduit and conductor crossing of Crossing Easement #6

An analysis of the environmental impacts associated with the gen-tie development within the SDG&E Crossing Easements are described in the applicable impact analysis section below in the sections called "Improvements in the SDG&E Crossing Easement" because it is the development of the gen-tie line through the City of San Diego and Marine Corps Miramar Base that cause the need for the approvals.

3.3 City of Poway Crossing Approvals

The analysis considers environmental impacts associated with concurrence with the BCE where the proposed gen-tie line crosses Beeler Creek as shown on Figure 2. The approximate coordinates for the location of the proposed gen-tie intersecting Beeler Creek are 32.927415 N and 117.039284. It also considers the environmental impacts associated with authorization to cross beneath a recreation trail easement held by the City of Poway in the form of a encroachment agreement with the City of Poway; (iii) authorization to cross a flowage easement held by the City of Poway in the form of a encroachment agreement with the City of Poway; and authorization to cross beneath Beeler Creek from CDFW in the form of a Streambed Alteration Agreement (SAA) or concurrence that no SAA is required. The project will be required to obtain approvals from the City of Poway for the BCE crossing with concurrence from CDFW prior to conducting work on the gen-tie facility at the Beeler Creek crossing. Even though the project will not impact the floodway or floodplain, the Applicant will also be required to obtain a floodplain development permit from the City of Poway for gen-tie facilities constructed within the FEMA regulated floodplain or floodway.

The Applicant is in the process of coordinating with the City of Poway and CDFW to construct a transmission line under the BCE of Beeler Creek. Beeler Creek itself, a recreation trail and flowage easement all approximately within the same area as the BCE area of Beeler Creek. The proposed route utilizes below surface boring equipment that would not disturb any aboveground resources. The trenchless construction method protects sensitive above-ground resources; this method has three different components: a launch pit on one end of the site outside the BCE and a receiving pit on the other end outside of the BCE, and a boring machine resulting in the surface area between the launching and receiving pits not being disturbed. The BCE of Beeler Creek is currently being restored and is in the second year of a 5-year restoration plan effort being coordinated with CDFW.

Any environmental effects of the proposed BCE crossing, Beeler Creek crossing, recreational trail crossing, and flowage easement crossing are covered throughout this Addendum under the heading "Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway" because it is the development of the gen-tie infrastructure that causes the need for the crossings.

3.4 City of San Diego Crossing Approvals

The analysis considers environmental impacts associated with the gen-tie line's authorization to cross beneath the Beeler Canyon Road ROW, Stonebridge Parkway ROW and associated public service easements held by the City of San Diego in the form of an Encroachment Authorization Maintenance and Removal Agreement, Neighborhood Development Permit for construction in the right-of-way, easement and/or other type of approval from the City of San Diego; authorization of the crossing and partial release of an open space easement mapped south of Beeler Canyon and north of Stonebridge Drive on the Sycamore Estates Tentative Map; authorization to develop within the City of San Diego MSCP in the form of a Site Development Permit or other form of development permit; and authorization to encroach into a Conservation Easement (CE) associated with the Stonebridge residential project held by the City of San Diego in the form of a CE amendment with concurrence from CDFW and

the United States Fish and Wildlife Service (USFWS)or other form of consent from the City of San Diego (collectively "City of San Diego Crossing Approvals".)

Any environmental effects of the City of San Diego Crossing Approvals are covered throughout this Addendum under the heading "Impacts of the Nighthawk Gen-Tie Line Within the City of San Diego" because it is the development of the gen-tie infrastructure that causes the need for the crossings through the City of San Diego's jurisdiction.

4 Addendum Checklist

1. Project title:

Nighthawk Energy Storage Project

Lead agency name and address:

City of Poway
13325 Civic Center Drive
Poway, California 92064

Contact person and phone number:

Stan Donn
13325 Civic Center Drive
Poway, California 92064

858.668.4604

4. Main Project location:

North of Beeler Canyon Road and South of Kirkham Way, Poway, California

Project sponsor's name and address:

Nighthawk Energy Storage, LLC
8800 N. Gainey Center Drive, Suite 100
Scottsdale, Arizona 85258

General plan designation:

Planned Community (South Poway)

7. Zoning:

Planned Community (PC)-7

8. **Description of project. (Describe the whole action involved, including but not limited to later phases of the project, and any secondary, support, or off-site features necessary for its implementation. Attach additional sheets if necessary):**

   Battery Energy Storage System and Gen-Tie Lines to enhance reliability of the public utility electric grid system.

9. **Surrounding land uses and setting (Briefly describe the project's surroundings):**

   Undeveloped lands, mineral resource extraction and commercial uses. The SDG&E Sycamore Canyon Substation is located approximately 1.1 miles to the south.

10. **Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement):**

    City of San Diego – Site Development Permit and Neighborhood Development Permit
    Miramar Marine Corps – Easement

    CPUC- Advice Letter Approval

11. **Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?**

    A Cultural Resources Inventory Report has been prepared for the City Poway and is available for review. The report has been updated to reflect responses from the AB 52 consultation process and concludes that an Inadvertent Discovery Plan and Archaeological Sensitivity Program Training f will likely be required.

Impact Analysis

The following includes the project-specific environmental review pursuant to CEQA. The analysis in this document evaluates the adequacy of the EIRs, including the 1985 EIR and its two SEIRs (City-Initiated General Plan Amendment/Zone Change 88-02A [certified in 1988] and Calmat-Poway Conditional Use Permit/Reclamation Plan 89-05 [certified in 1990]) relative to the project. The following also evaluates the adequacy of the Rancho Encantada EIR relative to the project for the gen-tie line components located in the City of San Diego and incorporates by reference the analysis of project components within Miramar Marine Corps Base set forth in the CATEX Decision Memorandum.

Instructions to Environmental Planner and Independent Reviewers Using the Addendum Checklist

1. **Issues Areas that are Consistent with Previous Environmental Document.** Check this box when (a) it is clear that the project will be consistent with the previous environmental document but none of the conditions in CEQA Section 15162 have occurred.
2. **Project Includes New or More Severe Significant and Unmitigated Impact?** Check this box when substantial changes are proposed in the project which will require major revisions of the previous EIR or negative declaration due to the involvement of either (a) new significant environmental effects or (b) a substantial increase in the severity of previously identified significant effects.

3. **Substantial Change in Project; Substantial Change in Circumstances; or New Information Which Could Not Have Been Known with the Exercise of Reasonable Diligence at Time of Prior CEQA Certification?** Check this box when (a) substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR or negative declaration due to the involvement of new significant, environmental effects or a substantial increase in the severity of previously identified significant effects; or (b) new information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the negative declaration was adopted, shows any of the following:
   i. The project will have one or more significant effects not discussed in the previous EIR or negative declaration;
   ii. Significant effects previously examined will be substantially more severe than shown in the previous EIR;
   iii. Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
   iv. Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative.
4. **SEIR Required?** Check this box when, based on substantial evidence in the light of the whole record, one or more of Checkboxes 2 and 3 above is checked. If some changes or additions are necessary but none of the conditions described in Checkboxes 2 and 3 calling for preparation of a subsequent or supplemental EIR have occurred, an addendum shall be prepared.

A summary of Nighthawk Energy Storage Project impacts in relation to the previous environmental documents is provided in the following table:

Impact Assessment Summary: Nighthawk Energy Storage Project

	Issues Areas that are Consistent with Previous Environmental Document	Project Includes New or More Severe Significant and Unmitigated Impact?	Substantial Change in Project; Substantial Change in Circumstances; or New Information Which Could Not Have Been known with the Exercise of Reasonable Diligence at Time of Prior CEQA Certification?	SEIR Required?
Aesthetics				
a) Have a substantial adverse effect on a scenic vista?	☒	☐	☐	☐
b) Substantially damage scenic resources including, but not limited to, trees, rock outcroppings, and historic	☒	☐	☐	☐

Impact Assessment Summary: Nighthawk Energy Storage Project

	Issues Areas that are Consistent with Previous Environmental Document	Project Includes New or More Severe Significant and Unmitigated Impact?	Substantial Change in Project; Substantial Change in Circumstances; or New Information Which Could Not Have Been known with the Exercise of Reasonable Diligence at Time of Prior CEQA Certification?	SEIR Required?
buildings within a state scenic highway?				
c) In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?	☒	☐	☐	☐
d) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	☒	☐	☐	☐
Agricultural Resources and Farmland				
a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	☒	☐	☐	☐
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	☒	☐	☐	☐
c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code	☒	☐	☐	☐

Impact Assessment Summary: Nighthawk Energy Storage Project

	Issues Areas that are Consistent with Previous Environmental Document	Project Includes New or More Severe Significant and Unmitigated Impact?	Substantial Change in Project; Substantial Change in Circumstances; or New Information Which Could Not Have Been known with the Exercise of Reasonable Diligence at Time of Prior CEQA Certification?	SEIR Required?
section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?				
d) Result in the loss of forest land or conversion of forest land to non-forest use?	☒	☐	☐	☐
e) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?	☒	☐	☐	☐
Air Quality				
a) Conflict with or obstruct implementation of the applicable air quality plan?	☒	☐	☐	☐
b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?	☒	☐	☐	☐
c) Expose sensitive receptors to substantial pollutant concentrations?	☒	☐	☐	☐
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	☒	☐	☐	☐

Impact Assessment Summary: Nighthawk Energy Storage Project

	Issues Areas that are Consistent with Previous Environmental Document	Project Includes New or More Severe Significant and Unmitigated Impact?	Substantial Change in Project; Substantial Change in Circumstances; or New Information Which Could Not Have Been known with the Exercise of Reasonable Diligence at Time of Prior CEQA Certification?	SEIR Required?
Biological Resources				
a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☒	☐	☐	☐
b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	☒	☐	☐	☐
c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?	☒	☐	☐	☐
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	☒	☐	☐	☐

Impact Assessment Summary: Nighthawk Energy Storage Project

	Issues Areas that are Consistent with Previous Environmental Document	Project Includes New or More Severe Significant and Unmitigated Impact?	Substantial Change in Project; Substantial Change in Circumstances; or New Information Which Could Not Have Been known with the Exercise of Reasonable Diligence at Time of Prior CEQA Certification?	SEIR Required?
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	☒	☐	☐	☐
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	☒	☐	☐	☐
Cultural Resources				
a) Cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?	☒	☐	☐	☐
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?	☒	☐	☐	☐
c) Disturb any human remains, including those interred outside of dedicated cemeteries?	☒	☐	☐	☐
Energy				
a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	☒	☐	☐	☐
b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?	☒	☐	☐	☐

Impact Assessment Summary: Nighthawk Energy Storage Project

	Issues Areas that are Consistent with Previous Environmental Document	Project Includes New or More Severe Significant and Unmitigated Impact?	Substantial Change in Project; Substantial Change in Circumstances; or New Information Which Could Not Have Been known with the Exercise of Reasonable Diligence at Time of Prior CEQA Certification?	SEIR Required?
Geology and Soils				
a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:	☒	☐	☐	☐
i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.	☒	☐	☐	☐
ii) Strong seismic ground shaking?	☒	☐	☐	☐
iii) Seismic-related ground failure, including liquefaction?	☒	☐	☐	☐
iv) Landslides?	☒	☐	☐	☐
b) Result in substantial soil erosion or the loss of topsoil?	☒	☐	☐	☐
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	☒	☐	☐	☐

Impact Assessment Summary: Nighthawk Energy Storage Project

	Issues Areas that are Consistent with Previous Environmental Document	Project Includes New or More Severe Significant and Unmitigated Impact?	Substantial Change in Project; Substantial Change in Circumstances; or New Information Which Could Not Have Been known with the Exercise of Reasonable Diligence at Time of Prior CEQA Certification?	SEIR Required?
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?	☒	☐	☐	☐
e) Have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?	☒	☐	☐	☐
f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?	☒	☐	☐	☐
Greenhouse Gas Emissions				
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	☒	☐	☐	☐
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	☒	☐	☐	☐
Hazards and Hazardous Materials				
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	☒	☐	☐	☐
b) Create a significant hazard to the public or the environment through reasonably	☒	☐	☐	☐

Impact Assessment Summary: Nighthawk Energy Storage Project

	Issues Areas that are Consistent with Previous Environmental Document	Project Includes New or More Severe Significant and Unmitigated Impact?	Substantial Change in Project; Substantial Change in Circumstances; or New Information Which Could Not Have Been known with the Exercise of Reasonable Diligence at Time of Prior CEQA Certification?	SEIR Required?
foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	☒	☐	☐	☐
d) Be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	☒	☐	☐	☐
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?	☒	☐	☐	☐
f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?	☒	☐	☐	☐
g) Expose people or structures, either directly or indirectly, to a significant risk of loss,	☒	☐	☐	☐

Impact Assessment Summary: Nighthawk Energy Storage Project

	Issues Areas that are Consistent with Previous Environmental Document	Project Includes New or More Severe Significant and Unmitigated Impact?	Substantial Change in Project; Substantial Change in Circumstances; or New Information Which Could Not Have Been known with the Exercise of Reasonable Diligence at Time of Prior CEQA Certification?	SEIR Required?
injury or death involving wildland fires?				
Hydrology and Water Quality				
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	☒	☐	☐	☐
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	☒	☐	☐	☐
c) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:	☒	☐	☐	☐
i) result in substantial erosion or siltation on or off site;	☒	☐	☐	☐
ii) substantially increase the rate or amount of surface runoff in a manner which would result in flooding on or off site;	☒	☐	☐	☐
iii) create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional	☒	☐	☐	☐

Impact Assessment Summary: Nighthawk Energy Storage Project

	Issues Areas that are Consistent with Previous Environmental Document	Project Includes New or More Severe Significant and Unmitigated Impact?	Substantial Change in Project; Substantial Change in Circumstances; or New Information Which Could Not Have Been known with the Exercise of Reasonable Diligence at Time of Prior CEQA Certification?	SEIR Required?
sources of polluted runoff; or				
iv) impede or redirect flood flows?	☒	☐	☐	☐
d) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?	☒	☐	☐	☐
e) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	☒	☐	☐	☐
Land Use and Planning				
a) Physically divide an established community?	☒	☐	☐	☐
b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?	☒	☐	☐	☐
Mineral Resources				
a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	☒	☐	☐	☐
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan, or other land use plan?	☒	☐	☐	☐

Impact Assessment Summary: Nighthawk Energy Storage Project

	Issues Areas that are Consistent with Previous Environmental Document	Project Includes New or More Severe Significant and Unmitigated Impact?	Substantial Change in Project; Substantial Change in Circumstances; or New Information Which Could Not Have Been known with the Exercise of Reasonable Diligence at Time of Prior CEQA Certification?	SEIR Required?
Noise and Vibration				
a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	☒	☐	☐	☐
b) Generation of excessive groundborne vibration or groundborne noise levels?	☒	☐	☐	☐
c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	☒	☐	☐	☐
Population and Housing				
a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	☒	☐	☐	☐
b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	☒	☐	☐	☐

Impact Assessment Summary: Nighthawk Energy Storage Project

	Issues Areas that are Consistent with Previous Environmental Document	Project Includes New or More Severe Significant and Unmitigated Impact?	Substantial Change in Project; Substantial Change in Circumstances; or New Information Which Could Not Have Been known with the Exercise of Reasonable Diligence at Time of Prior CEQA Certification?	SEIR Required?
Public Services				
i) Fire protection?	☒	☐	☐	☐
ii) Police protection?	☒	☐	☐	☐
iii) Schools?	☒	☐	☐	☐
iv) Parks?	☒	☐	☐	☐
v) Other public facilities?	☒	☐	☐	☐
Recreation				
a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	☒	☐	☐	☐
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	☒	☐	☐	☐
Transportation				
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	☒	☐	☐	☐
b) Conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?	☒	☐	☐	☐
c) Substantially increase hazards due to a geometric design feature (e.g., sharp	☒	☐	☐	☐

Impact Assessment Summary: Nighthawk Energy Storage Project

	Issues Areas that are Consistent with Previous Environmental Document	Project Includes New or More Severe Significant and Unmitigated Impact?	Substantial Change in Project; Substantial Change in Circumstances; or New Information Which Could Not Have Been known with the Exercise of Reasonable Diligence at Time of Prior CEQA Certification?	SEIR Required?
curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?				
d) Result in inadequate emergency access?	☒	☐	☐	☐
Tribal Cultural Resources				
a) Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1(k), or	☒	☐	☐	☐
b) A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision I of Public Resources Code Section 5024.1. In applying the criteria set forth in subdivision I of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe?	☒	☐	☐	☐
Utilities and Service Systems				
a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage, electric power, natural gas, or telecommunications	☒	☐	☐	☐

Impact Assessment Summary: Nighthawk Energy Storage Project

	Issues Areas that are Consistent with Previous Environmental Document	Project Includes New or More Severe Significant and Unmitigated Impact?	Substantial Change in Project; Substantial Change in Circumstances; or New Information Which Could Not Have Been known with the Exercise of Reasonable Diligence at Time of Prior CEQA Certification?	SEIR Required?
facilities, the construction or relocation of which could cause significant environmental effects?				
b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?	☒	☐	☐	☐
c) Result in a determination by the wastewater treatment provider, which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	☒	☐	☐	☐
d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?	☒	☐	☐	☐
e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?	☒	☐	☐	☐
Wildfire				
a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	☒	☐	☐	☐
b) Due to slope, prevailing winds, and other factors,	☒	☐	☐	☐

Impact Assessment Summary: Nighthawk Energy Storage Project

	Issues Areas that are Consistent with Previous Environmental Document	Project Includes New or More Severe Significant and Unmitigated Impact?	Substantial Change in Project; Substantial Change in Circumstances; or New Information Which Could Not Have Been known with the Exercise of Reasonable Diligence at Time of Prior CEQA Certification?	SEIR Required?
exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				
c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?	☒	☐	☐	☐
d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?	☒	☐	☐	☐
Mandatory Findings of Significance				
a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the	☒	☐	☐	☐

Impact Assessment Summary: Nighthawk Energy Storage Project

	Issues Areas that are Consistent with Previous Environmental Document	Project Includes New or More Severe Significant and Unmitigated Impact?	Substantial Change in Project; Substantial Change in Circumstances; or New Information Which Could Not Have Been known with the Exercise of Reasonable Diligence at Time of Prior CEQA Certification?	SEIR Required?
major periods of California history or prehistory?				
b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?	☒	☐	☐	☐
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	☒	☐	☐	☐

The following includes the environmental issues analyzed in detail in these EIRs, as well as the project specific analysis pursuant to CEQA. The analysis in this document evaluates the adequacy of the previously certified EIRs relative to the project. The following analysis documents that the proposed modification and/or refinements to development of the project site would not cause new significant or substantially more severe impacts than those identified in the EIRs, and that therefore no subsequent EIR is required.

4.1 Aesthetics

a) Would the project have a substantial adverse effect on a scenic vista?

Previous Documentation

1985 EIR

The 1985 EIR included analysis of observation points in Section 4.13, Aesthetics. According to the 1985 EIR, implementation of industrial/business park, commercial and residential uses of the SPPC would result in significant short-term and long-term impacts associated with aesthetics. Short-term impacts would include grading and construction activities which would cease upon the completion of project construction. Long-term impacts would include substantial landform modification in the form of grading for development and the loss of associated existing vegetation; introduction of ornamental vegetation in developed areas; and the introduction of industrial/business park, commercial and residential uses and roadways in rural areas. The 1985 EIR found that Landform alteration associated with major collector and/or arterial road access points would be visible elements of the SPPC and the project would also be visible from vantage points along Pomerado Road, at greater distances from hills to the east, points on Scenic Highway 67, and from residences at higher elevations in the northern portion of Poway. Several mitigation measures were included in the 1985 EIR to minimize the visual impacts of the proposed project including road improvement plans and retention of north- and south-facing slopes in their natural state. With the implementation of these measures, aesthetics impacts were determined to be mitigated to an insignificant level.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

The 1990 SEIR found that the view of the mining site will be partially screened by the intervening landform and/or native vegetation. Viewers looking east toward the project would continue to see the upper elevations of the CalMat-Poway site as would the viewers looking west toward the project, but the sides of the remaining hills and the natural vegetation would obstruct much of the view of the extraction site. Views from the industrial Park would be prominent until the proposed industrial lots were constructed. The SEIR found that the effect of an unnatural uniform cut in the rolling terrain surround it will create an artificial boxed canyon that is difficult to revegetate. The steep slope would appear artificial in context with the surrounding terrain and would be considered a significant visual impact to public viewers in the area. Thus, to mitigate visual quality impacts, the SEIR required a revised reclamation plan which was sensitive to the existing characteristics and included a phased or concurrent revegetation and reclamation process to mitigate impacts to below a level of significance. Still the impact was considered significant and unavoidable requiring overriding considerations. Modification of the CUP to revise the location of the industrial building pad locations was determined to have no new or more severe impacts than disclosed in the 1990 SEIR.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

Scenic vistas generally refer to views that are accessible from public vantage points, such as public roadways and parks. The main project site is not located within or near a designated scenic vista. The project would adhere to the City's Zoning Ordinance, which requires all project site plans to come under review to prevent unlawful nonconforming uses and structures. The BESS facility would be located adjacent to existing commercial and industrial uses and has incorporated landscaping improvements to adhere to City standards including Development Standards pursuant to the SPPC Development Plan applicable within the light industrial (LI) land use designation.

The BESS facility and gen-tie line/substation work would implement Aesthetics (Internal Design) Mitigation Measures 1-5 outlined in the 1985 EIR, which requires the project to be subject to strict, harmonious design controls specified in the Specific Plan development standards as well as guidelines for landscaping throughout the project, undergrounding of utilities and low-reflective materials and screening of mechanical equipment. Aesthetics (Internal Design) Mitigation Measure 3 also requires design controls on all exterior lighting per the Specific Plan development standards to protect night sky requirements.

With the implementation of these Aesthetics (Internal Design) Mitigation Measures including through application of the Specific Plan development standards, the BESS facility and gen-tie line/substation components in the City of Poway would have no new or more severe significant and unmitigated impacts related to scenic vistas than those analyzed in the 1985 EIR and its 1988 and 1990 SEIRs.

Rancho Encantada EIR

The Rancho Encantada EIR analyzed public viewing areas in Section 4.2 of the SEIR. The proposed development areas in the Sycamore Canyon sub-project, as viewed from nearby public viewing areas, were shown on Figures 4.2-10 through 4.6-13 in the Rancho Encantada EIR. As shown by these illustrations, development areas would occur in the western portions of the sub-project site. Intervening topography would block views of the proposed development from existing trails in the Sycamore Canyon County Open Space Preserve. However, trails on the project site were proposed to connect with existing trails on the Sycamore Canyon County Open Space Preserve. When on-site trails became available for public use, the EIR found views of proposed residential development would be possible from public viewing areas in the MHPA; however, the Rancho Encantada EIR did not identify any significant impacts to scenic vistas and no mitigation was identified.

Impacts of the Nighthawk Gen-Tie Line Within the City of San Diego

Improvements within the City of San Diego would include an underground gen-tie line primarily located in street or utility rights-of-way. The project would implement restoration of temporary work areas along the gen-tie line route and would construct the gen-tie portion of the project in accordance with the City of San Diego Land Development Code Biology Guidelines and the Final MSCP Subarea Plan and Environmentally Sensitive Lands Regulations.

Because the gen-tie line would be located underground within existing right-of-way and complete restoration of temporary work areas would occur, the project would have no new or more severe significant impacts related to scenic vistas than those analyzed in the Rancho Encantada EIR.

Improvements in the SDG&E Crossing Easements

The proposed gen-tie line would cross all SDG&E Crossing Easements as shown on Figure 3, but there would be no impacts to these crossings, as none of the gen-tie line activities contemplated on the SDG&E easements (installation of an underground electric conduit and conductor) would cause an adverse effect on a scenic vista once constructed.

Improvements in the Miramar Marine Corps Base

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line within existing base roads; thus, the project components would not cause an adverse effect on scenic vistas once constructed. The project would also reduce any potential impacts to scenic vistas by complying with all environmental conditions and requirements required for the base. The CATEX Decision Memorandum did not identify impacts to scenic vistas.

Conclusion

The project would implement design controls, utility undergrounding policies, and restoration of temporary work areas along the gen-tie line route and would construct the gen-tie as required by Aesthetics (Internal Design) Mitigation Measures from the 1985 EIR. The project would have no new or more severe project-specific significant effects related to scenic vistas beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

b) Would the project substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

Previous Documentation

1985 EIR

The 1985 EIR found that Pomerado Road was a city Scenic Roadway and a County Scenic Highway, Beeler Canyon Road was a County Scenic Highway and Highway 67 was a County Scenic Highway. No State Scenic Highways were identified in the 1985 SEIR. The 1985 EIR found that the most highly visible areas of the SPPC project area identified in the viewshed analysis would be the major access points. Cut slopes needed to provide access roads would be a significant change from the undulating slopes that existed at the time. Highway 52 was not mentioned in the 1985 EIR. The 1985 EIR found that the proposed south access road would extend up the steep south-facing slopes of the project area, and would, therefore, have high visibility to Beeler Canyon and from a segment of the South Poway Arterial Scenic Highway. However, the existing aggregate mining operation adjacent to the proposed road was found to be a significantly greater impact to the visual quality in the southern portion of the project. This feature was found to be immitigable until the mining operation ceased.

The EIR also found the proposed development area was substantially screened from views from the central commercial corridor of the city of Poway and from Beeler Canyon, but the EIR found that alteration from

natural terrain to the altered form would be evident from these vantage points. The 1985 EIR found that Landform alteration associated with major collector and/or arterial road access points would be visible elements of the SPPC and the project would also be visible from vantage points along Pomerado Road, and, at greater distances, points on County Scenic Highway 67. Several mitigation measures were included in the 1985 EIR to minimize the visual impacts of the proposed project including road improvement plans and retention of north- and south-facing slopes in their natural state. With the implementation of these measures, aesthetics impacts were determined to be mitigated to an insignificant level.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

The 1990 SEIR did not identify any impacts to a state scenic highway. The 1990 EIR states the views looking east toward the project when traveling on Creek and Beeler Canyon roads would be limited by the existing road alignment and the dense trees found in the canyon floor of Beeler Creek. Unobstructed views of the project would not be seen until the traveler was within 0.5 miles of the site. No mitigation was required. Modification of the CUP to revise the location of the industrial building pad locations was determined to have no new or more severe impacts than disclosed in the 1990 SEIR.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The closest officially designated State Scenic Highway is the segment of State Route (SR) 52, located approximately 4.5 miles south of the project site (Caltrans 2022). Distance and intervening topography would obstruct potential views of the project site from this segment of SR-52. Additionally, the project would complete restoration of temporary disturbed areas relating to the gen-tie line.

The Nighthawk BESS facility and gen-tie line/substation components in the City of Poway would incorporate Aesthetics (Internal Design) Mitigation Measures requiring the project to be subject to strict, harmonious design controls specified in the Specific Plan development standards that would include landscaping of native plant species to reduce visual impacts, underground utilities, low-reflective materials and screening of mechanical equipment when possible. Aesthetics (Internal Design) Mitigation Measure 3 would also ensure that all exterior lighting would be subject to design controls specified in development standards. With the implementation of these Aesthetics (Internal Design) Mitigation Measures, the project would have no new significant or more severe environmental effects related to scenic resources than those analyzed in the 1985 EIR and its SEIRs.

Rancho Encantada EIR

This impact was not identified in the Rancho Encantada EIR. No mitigation was required.

Impacts of the Nighthawk Gen-Tie Line Within the City of San Diego

The closest officially designated State Scenic Highway is the segment of SR-52, located approximately 4.5 miles south of the project site and distance and intervening topography would obstruct potential views of the gen-tie line component within the City of San Diego from this segment of SR-52. In addition, the

gen-tie line component within the City of San Diego would be located underground and would not be visible upon completion of construction. The project would also implement restoration of temporary work areas along the gen-tie line route prepared in accordance with the City of San Diego Land Development Code, Land Development Manual Biology Guidelines, the Final MSCP Subarea Plan and Environmentally Sensitive Lands regulations.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with scenic resources or a substantial increase in the severity of impacts from those described in the EIR.

Improvements in the SDG&E Crossing Easements

The proposed gen-tie line would cross all SDG&E Crossing Easements as shown on Figure 3, there would be no impacts to these crossings, as none of the gen-tie line activities contemplated on the SDG&E parcels (installation of an underground electric conduit and conductor) would cause an adverse effect on scenic resources and no scenic highways are present in the easement's vicinity.

Improvements in the Miramar Marine Corps Base

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line within existing base roads; thus, the project components would not cause an adverse effect on scenic resources or highways once constructed. The project would also reduce any potential impacts to scenic resources by complying with all environmental conditions and requirements required for the base. The CATEX Decision Memorandum did not identify impacts to scenic resources.

Conclusion

The closest officially designated State Scenic Highway is the segment of SR-52, located approximately 4.5 miles south of the project site and distance and intervening topography would obstruct potential views of the project from this segment of SR-52. In addition, the project would implement Aesthetics (Internal Design) Mitigation Measures 1 and 3 from the 1985 EIR, which would include a landscaping plan to visually screen the project and design controls would be placed on all exterior lighting. The project would also implement all applicable utility undergrounding policies and restoration of temporary work areas along the gen-tie line route. With implementation of these measures, the project would have no project-specific significant effects related to scenic resources beyond those analyzed as significant effects in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus a subsequent EIR is not required.

c) In non-urbanized areas, would the project substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage point). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

Previous Documentation

1985 EIR

As discussed in Sections 4.1(a) and 4.1(b), the 1985 EIR concluded that landform modification as a result of grading and construction activities would result in long-term impacts to visual character. Several mitigation measures were included in the 1985 EIR to minimize the visual impacts of the proposed project including road improvement plans and retention of north- and south-facing slopes in their natural state. With the implementation of these measures, aesthetics impacts were determined to be mitigated to an insignificant level.

1988 SEIR

The 1988 SEIR found that construction of the roadway would result in unavoidable adverse visual impacts and would require mitigation measures in the form of grading for the roadway to incorporate blending of manufactured slopes with the existing contours and round of the edge of the slope, landscaping with native vegetation and native revegetation. Even with the incorporation of these measures, the 1988 SEIR found that impacts to visual character caused from the grading of the roadway would only be partially mitigated.

1990 SEIR

As discussed in Section 4.1(a), the 1990 SEIR found that the effect of an unnatural uniform cut in the rolling terrain surround it would create an artificial boxed canyon that was difficult to revegetate. The steep slope would appear artificial in context with the surrounding terrain and would be considered a significant visual impact to public viewers in the area. Thus, to mitigate visual quality impacts, the SEIR required a revised reclamation plan which was sensitive to the existing characteristics and included a phased or concurrent revegetation and reclamation process to mitigate impacts to below a level of significance. Still the impact was considered significant and unavoidable requiring overriding considerations. Modification of the CUP to revise the location of the industrial building pad locations was determined to have no new or more severe impacts not disclosed in the 1990 SEIR.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The Nighthawk BESS project would implement Aesthetics (Internal Design) Mitigation Measures 1 and 3 to minimize visual impacts through design controls specified in the Specific Plan development standards. With the implementation of these mitigation measures, the project would have no significant environmental effects related to consistency with regulations governing scenic quality beyond those analyzed as significant effects in the 1985 EIR and its SEIRs.

Rancho Encantada EIR

The 2001 Rancho Encantada EIR evaluated visual quality in Section 4.2, Landform & Visual Quality. The EIR found view opportunities on-site were primarily available from the tops of the on-site ridges. Views from the site's higher elevations were available in nearly all directions, especially toward the east where there was undeveloped open space and to the west where there were local residential communities. The EIR found that development of the Sycamore Canyon sub-project would be visible from Kirkham Way, Beeler Canyon Road, Scripps Poway Parkway and in the distance from Pomerado Road. Mass grading would occur to create flat and gently sloping development pads, and the development areas of the sub-project would be viewed from Pomerado Road, public roadways north of the site, and proposed on-site trails in the MHPA These areas would view the area as a large subdivision of residential units having a similar appearance to other large subdivisions. Thus, the EIR found that implementation of the Sycamore Estates sub-project would result in a change in neighborhood character and cause significant direct and cumulative impacts to the visual environment pursuant to Criterion c Mitigation was required in the form of City review of all final maps and grading plans to verify implementation of contour grading of manufactured slopes as shown in the EIR. In addition, City field inspectors were required to inspect the grading to ensure conformance with approved grading plans prior to the issuance of certificates of occupancy.

Impacts of the Nighthawk Gen-Tie Line Within the City of San Diego

Future development within the Sycamore Estates subarea would be required to comply with the relevant land use and development design guidelines and policies of the Rancho Encantada Precise Plan. The project improvements proposed within the Sycamore Estates subarea would include an underground gen-tie line located in existing right-of-way. The project would implement restoration of temporary work areas along the gen-tie line route. In addition, any grading required would be in conformance with grading plans as approved by the City. The project has been reviewed in accordance with the Rancho Encantada Precise Plan and has been found to be consistent with all applicable design requirements since the proposed gen-tie line would be underground within parcels designated for open space. No new or more severe visual quality impacts would result from the implementation of the proposed project and there is no evidence that implementation of the project would require a major change to the Sycamore Estates sub-project analyzed in the Rancho Encantada EIR. The project would not result in any new significant landform alteration of visual quality impacts beyond those analyzed and described in the Rancho Encantada EIR.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with visual quality or a substantial increase in the severity of impacts from those described in the EIR.

Improvements in the SDG&E Crossing Easement

The SDG&E Crossing Easements are located within three jurisdictions: the City of Poway, the City of San Diego and MCAS Miramar. The populations of the Cities of Poway and San Diego as of April 2020 are approximately 48,841 persons and 1,386,932 persons, respectively (USCB 2020). Thus, the project site would be located in an urbanized area as defined by CEQA Guidelines Section 15387.

The proposed gen-tie line would cross all SDG&E Crossing Easements as shown on Figure 3, but there would be no impacts to these crossings, as none of the gen-tie activities contemplated on the SDG&E parcels (installation of an underground electric conduit and conductor) would cause an adverse effect on the visual character once constructed and would comply with and would not conflict with applicable regulations governing scenic quality.

Improvements in the Miramar Marine Corps Base

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line within existing base roads; thus, the project components would not cause an adverse effect on visual character once constructed. The project would also reduce any potential impacts to visual character by complying with all environmental conditions and requirements required for the base. The CATEX Decision Memorandum did not identify impacts to visual quality.

Conclusion

The project would implement utility undergrounding policies, Aesthetics (Internal Design) Mitigation Measures of the 1985 EIR, design requirements under the Rancho Encantada Precise Plan and restoration of temporary work areas along the gen-tie line route. With the implementation of the aforementioned requirements and mitigation measures, the project would have no new or more severe significant effects related to visual quality beyond those analyzed in the 1985 EIR and SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. There also is no change in circumstance or substantial new information that would cause impacts beyond what was analyzed in the prior EIRs. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus a subsequent EIR is not required.

d) Would the project create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?

Previous Documentation

1985 EIR

The 1985 EIR states that the cumulative impact to the night sky as a result of existing and future development would be considered significant. As such, the 1985 EIR required mitigation to reduce impacts to an insignificant level. Aesthetics (Internal Design) Mitigation Measures 1-5 require use of low-reflective materials and low pressure sodium lamps and land shields when appropriate and that all light be directed downward. In addition, all materials and exterior lighting were subject to strict, harmonious design controls specified in the SPPC Specific Plan development standards.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project would introduce new light sources for safety and security purposes for the BESS facility. The lighting would be shielded and directed downward to avoid light trespass onto adjacent properties and habitat. No lighting or other sources of glare would be associated with the project's gen-tie improvements.

The Nighthawk BESS facility and gen-tie line components in the City of Poway would incorporate Land Use Mitigation Measure 1 from the 1985 EIR, which requires compliance with all City policies regarding shielding and direction of lighting and reflectivity of building materials to minimize reflection and glare. This mitigation measures would ensure compliance with the City's policies regarding exterior lighting. With the implementation of these mitigation measures, the project would have no significant environmental effects related to new sources of substantial light or glare or more severe impacts beyond what was analyzed as significant effects in the 1985 EIR and its SEIRs.

Rancho Encantada EIR

No impacts related to lighting, glare or shading were identified in the 2001 Rancho Encantada EIR. The EIR discussed how lighting of Rancho Encantada roadways would be provided in conformance with the City's Street Design Manual and in adherence to the Rancho Encantada Precise Plan Design Guidelines and Development Standards. These design guidelines and standards required that the amount and intensity of lighting should be limited to that necessary for safety, security, and to compliment architectural character, and required that lighting of all areas adjacent to MHPA open space be shielded and directed away from the MHPA. Adherence to these guidelines and development standards would eliminate the potential for impacts associated with lighting. No mitigation was required.

Impacts of the Nighthawk Gen-Tie Line Within the City of San Diego

The gen-tie line components that would be located within the City of San Diego would be located underground within street or utility rights-of-way and would not create new light or glare. In addition, the City of San Diego Municipal Code (SDMC) requires applicants to follow the City of San Diego's MHPA Adjacency Guidelines for development in open space MSCP areas. The MHPA Adjacency Guidelines requires shielding light downward to avoid impacts on species occupying the open space lands. Therefore, any lighting used during nighttime construction would be shielded, pointed down and directed away from adjacent habitat in accordance with generally applicable development policies.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with lighting and glare or a substantial increase in the severity of impacts from those described in the EIR.

Improvements in the SDG&E Crossing Easements

The proposed gen-tie line would cross all SDG&E Crossing Easements as shown on Figure 3, but there would be no impacts to these crossings, as none of the gen-tie activities contemplated on the SDG&E parcels (installation of an underground electric conduit and conductor) would include new lighting or sources of glare that would adversely affect day or nighttime views.

Improvements in the Miramar Marine Corps Base

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line within existing base roads; thus, the project components would not include new lighted or sources of glare that would adversely affect day or nighttime views on the base. The project would also reduce any potential impacts to visual character by complying with all environmental conditions and requirements required for the base. The CATEX Decision Memorandum did not identify impacts to nighttime views.

Conclusion

The project would incorporate the aforementioned Aesthetics (Internal Design) Mitigation Measure in the 1985 EIR requiring compliance with the City's policies regarding exterior lighting as well as the City of San Diego MHPA Adjacency Guidelines regarding shielding and direction of lighting and reflectivity of building materials to minimize reflection and glare. With the implementation of the aforementioned requirements and mitigation measures, the project would have no new or more severe project-specific significant effects related to light and glare beyond what was analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. There also is no change in circumstance or substantial new information that would cause impacts beyond what was analyzed in the prior EIRs. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus a subsequent EIR is not required.

4.2 Agriculture and Forestry Resources

a) Would the project convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

According to the California Department of Conservation (DOC) California Important Farmland Finder, the project site would be located on land designated Urban and Built-Land and Grazing Land (DOC 2022). The project site is zoned PC-7, and the 1985 EIR and does not allow agricultural uses on the project site. Additionally, the project site is surrounded by existing industrial, commercial, and open space uses.

Rancho Encantada EIR

The Rancho Encantada EIR found that the project site was not currently being used for agricultural use, nor had it been farmed in the past. The steeply sloping natural topography of the site also was not conducive for planting or agricultural field crops, and implementation of the Rancho Encantada project would not impart or convert existing agricultural land to non-agricultural use. In addition, the EIR found that the vast majority of soils on the project site were not highly suitable for agriculture and because prime agricultural soils were not located on the project site, impacts to agricultural resources would not be significant. No mitigation was required.

Impacts of the Nighthawk Gen-Tie Line Within the City of San Diego

Project Improvements within the City of San Diego would include an underground gen-tie line primarily located in existing street or utility rights-of-way. Although the location of the gen-tie within the City of San Diego is zoned AR-1-1 by the California Department of Conservation (DOC), which is applied to lands that are agricultural in use or that are undeveloped and not appropriate for more intense zoning, the Rancho Encantada Precise Plan designates the site as Open Space and not for agricultural use. Moreover, since the gen-tie portion of the project would be located on land designated Urban and Built-Land and Grazing Land by the DOC, the site is not suitable for agricultural use. No impacts would occur and no mitigation would be required.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with farmland or a substantial increase in the severity of impacts from those described in the EIR.

Improvements in the SDG&E Crossing Easements

The proposed gen-tie line would cross all SDG&E Crossing Easements as shown on Figure 3, but there would be no impacts to these crossings, as none of the land within the SDG&E parcels is zoned as Prime Farmland, Unique Farmland, or Farmland or Statewide Importance.

Improvements in the Miramar Marine Corps Base

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line within existing base roads; thus, there would be no impacts as none of the land on the base is zoned as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance. The CATEX Decision Memorandum did not identify impacts to Farmland.

Conclusion

The main project site is located on land designated Urban and Built-Land and Grazing Land and would not result in the conversion of Prime Farmland, Unique Farmland, or Farmland to non-agricultural use (DOC 2022). The gen-tie line is located on land designated Urban and Built-Land and Grazing Land by the DOC that is not suitable for agricultural use. The project would have no new or more severe project-specific significant effects related to conversion of farmland above what was analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

b) Would the project conflict with existing zoning for agricultural use, or a Williamson Act contract?

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

As discussed above, the project site zoning does not allow for agricultural uses. Additionally, the project site would not be located adjacent to existing agricultural use. The project would also not be subject to or eligible for, and would not conflict with, a Williamson Act contract.

Rancho Encantada EIR

The Rancho Encantada EIR found that the project site was not under a Williamson Act contract, nor was any property under contract the abuts the project site boundaries. No impacts would occur and no mitigation was required.

Impacts of the Gen-Tie Line Component in the City of Poway

Improvements within the City of San Diego would include an underground gen-tie line primarily located in street or utility rights-of-way. Since the gen-tie line would be located on land that is not zoned for agricultural use and does not feature a Williamson Act contract, no impacts would occur and no mitigation would be required.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with a Williamson Act contract or a substantial increase in the severity of impacts from those described in the EIR.

Improvements in the SDG&E Crossing Easements

The proposed gen-tie line would cross all SDG&E Crossing Easements as shown on Figure 3, but there would be no impacts to these crossings, as none of the land within the SDG&E parcels is zoned for agricultural use or features a Williamson Act contract.

Improvements in the Miramar Marine Corps Base

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line within existing base roads; thus, there would be no impacts as none of the land on the base is zoned for agricultural use or features a Williamson Act contract. No impact was identified in the CATEX Decision Memorandum.

Conclusion

The project would have no new or more severe project-specific significant effects related to existing zoning for agricultural use or Williamson Act contracts beyond what was analyzed as significant effects in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus a subsequent EIR is not required.

c) Would the project conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project site consists of developed land and does not feature forest land or timberland. The project site zoning also does not allow for forest or timberland uses.

Rancho Encantada EIR

This impact was not identified within the Rancho Encantada EIR. No mitigation was required.

Impacts of the Gen-Tie Line Component in the City of Poway

Improvements within the City of San Diego would include an underground gen-tie line primarily located in street or utility rights-of-way. Since the gen-tie line would be located on land that does not feature forest or timberland uses, no impacts would occur and no mitigation would be required.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with timberland or a substantial increase in the severity of impacts from those described in the EIR.

Improvements in the SDG&E Crossing Easements

The proposed gen-tie line would cross all SDG&E Crossing Easements as shown on Figure 3, but there would be no impacts to these crossings, as none of the land within the SDG&E parcels is zoned as forest land or for timberland production.

Improvements in the Miramar Marine Corps Base

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line within existing base roads; thus, there would be no impacts as none of the land on the base is zoned as forest land or for timberland production. No impact was identified in the CATEX Decision Memorandum.

Conclusion

The project would have no new or more severe project-specific significant effects related to existing zoning or rezoning of forest land beyond what was analyzed as significant effects in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

d) Would the project result in the loss of forest land or conversion of forest land to non-forest use?

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

As discussed above, the project site consists of developed land and does not feature forest land. Additionally, the BESS facility would be located adjacent to existing industrial and commercial uses. The project would not result in the loss or conversion of forest land to non-forest use.

Rancho Encantada EIR

This impact was not identified within the Rancho Encantada EIR. No mitigation was required.

Impacts of the Gen-Tie Line Component in the City of Poway

Improvements within the City of San Diego would include an underground gen-tie line located in street or utility rights-of-way. Since the project site would be located on land that does not feature forest land, no impacts would occur and no mitigation would be required.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with forest land or a substantial increase in the severity of impacts from those described in the EIR.

Improvements in the SDG&E Crossing Easements

The proposed gen-tie line would cross all SDG&E Crossing Easements as shown on Figure 3, but there would be no impacts to these crossings, as none of the land within the SDG&E parcels is forest land.

Improvements in the Miramar Marine Corps Base

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line within existing base roads; thus, there would be no impacts as none of the land on the base is forest land. No impact was identified in the CATEX Decision Memorandum.

Conclusion

The project would have no new or more severe project-specific significant effects related to loss of forest land or conversion of forest land to non-forest land beyond what was analyzed as significant effects in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

e) Would the project involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use or conversion of forest land to non-forest use?

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

As discussed above, the project site consists of developed land and does not contain Farmland or forest land. As such, project implementation would not result in the conversion of Farmland to non-agricultural use of the conversion of forest land to non-forest use.

Rancho Encantada EIR

This impact was not identified within the Rancho Encantada EIR. No mitigation was required.

Impacts of the Gen-Tie Line Component in the City of San Diego

Improvements within the City of San Diego would include an underground gen-tie line primarily located in street or utility rights-of-way. Since the project site would be located on land that does not feature Farmland or forest land, no impacts would occur and no mitigation would be required.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with conversion of farmland or forest land or a substantial increase in the severity of impacts from those described in the EIR.

Improvements in the SDG&E Crossing Easements

The proposed gen-tie line would cross all SDG&E Crossing Easements as shown on Figure 3, but there would be no impacts to these crossings, as none of the land within the SDG&E parcels is zoned for farmland or forest land.

Improvements in the Miramar Marine Corps Base

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line within existing base roads; thus, there would be no impacts as none of the land on the base is zoned for farmland or forest land. No impact was identified in the CATEX Decision Memorandum.

Conclusion

The project would have no new or more severe project-specific significant effects related to conversion of farmland to non-agricultural use or conversion of forest land to non-forest use beyond what was analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

4.3 Air Quality

An Air Quality and Greenhouse Gas Emissions Analysis Technical Memorandum dated February 16, 2023, has been prepared by Dudek and is included herein as Appendix A.

a) Would the project conflict with or obstruct implementation of the applicable air quality plan?

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

As stated in Appendix A in the Background section, the San Diego Air Pollution Control District (SDAPCD) and the San Diego Association of Governments (SANDAG) are the agencies responsible for developing and implementing the clean air plans for attainment and maintenance of the National Ambient Air Quality

Standards (NAAQS) and the California Ambient Air Quality Standards (CAAQS) in the San Diego Air Basin (SDAB); specifically, the State Implementation Plan (SIP) and the Regional Air Quality Strategy (RAQS). If a project proposes development that is greater than that anticipated in the local plan and SANDAG's growth projections, the project might conflict with the SIP and RAQS and may contribute to a potentially significant cumulative impact on air quality.

The project components located within the City of Poway are consistent with the development density established by the site's Planned Community General Plan designation and PC-7 zoning designation and uses allowed by the SPPC Development Plan adopted in 1985 upon certification of a Final EIR, dated July 30, 1985. The plan designated the area of the project site is light industrial (LI) and at the time, permitted "public utility electric transmission and distribution substations" are a permitted use within the land use designation (Vol. 2 [1985], Ch. 3, Section I(E)(8)(a)). On a routine daily basis, the project would be operated remotely by the applicant or an affiliated company and would not result in an increase in employee population. Therefore, the Project would result in significantly less traffic, and therefore significantly less operational emissions and less air quality impacts, than might otherwise be expected development with other uses permitted in the LI zone. The project does not include residential development that would generate a residential population. As such, the project does not generate residential or employment growth that may not have been included in SANDAG's Regional Growth Forecast and thus, the RAQS that rely on SANDAG growth projections. As such, the project will not conflict with or obstruct implementation of the SDAPCD RAQs, which is the applicable air quality plan.

Rancho Encantada EIR

The Rancho Encantada EIR found that the proposed Rancho Encantada development project related to the State Implementation Plan (SIP) and the RAQS through the land use and growth assumptions that are incorporated into the air quality planning document and that the project was consistent with the City of San Diego General Plan as part of an adopted community plan. As such, the project would not conflict with or obstruct implementation of the SDAPCD RAQs, which is the applicable air quality plan of the time. No impacts were identified and no mitigation was required.

Impacts of the Gen-Tie Line Component in the City of San Diego

Improvements within the City of San Diego relating to the gen-tie line would not cause significant off-site or cumulative air quality impacts not analyzed in the Rancho Encantada EIR because they are a necessary component of the permitted public utility grid reliability-enhancing (BESS) facility within the scope of the development analyzed in the Rancho Encantada EIR. The gen-tie line component is permitted use in the Rancho Encantada precise plan, and this plan was anticipated in the local plan and SANDAG's growth projections. Thus, the project would not conflict with or obstruct implementation of the applicable air quality plan.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with an applicable air quality plan or a substantial increase in the severity of impacts from those described in the Rancho Encantada EIR.

Improvements within the SDG&E Crossing Easements

The proposed gen-tie line would cross all SDG&E Crossing Easements as shown on Figure 3. The project does not propose any new permanent facilities, and no new equipment or stationary sources that produce emissions would be constructed on the SDG&E parcels. Therefore, the project components in the SDG&E parcels and would not conflict with or obstruct any federal, state or local air quality attainment plans.

Improvements within the Miramar Marine Corps

Improvements within the Miramar Marine Corps Base would not conflict with or obstruct implementation of the applicable air quality plan. In addition, the project would further reduce any potential impacts to below significance with compliance with all environmental conditions and requirements for the base including dust control measures, as set forth in the CATEX Decision Memorandum, consistent with applicable SDAPCD requirements.

Conclusion

The project would comply with the applicable rules and regulations of the SDAPCD that would apply to construction and operation of the project. The project would have no new or more severe project-specific significant effects related to conflicts or obstruction of the implementation of the SDAPCD RAQs, which is the applicable air quality plan applicable to the project or its site, than what was analyzed in the 1985 EIR or its SEIRs, the Rancho Encantada EIR or the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

b) Would the project result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

Previous Documentation

1985 EIR

The 1985 EIR found that while development of individual projects would minimally contribute to the air quality degradation in the SDAB; however, in conjunction with surrounding developments and the usage of automobiles as the primary means of transportation, the air pollutants contributed by individual projects to the air basin could have significant impacts and mitigation would be required. The project would implement Air Resources Mitigation Measure 1 identified in the 1985 EIR, which would require the rules and regulations of the SDAPCD would be complied with, and Air Resources Mitigation Measure 2, which requires construction and grading to be scheduled to reduce fugitive dust.

1988 SEIR

The 1988 SEIR found that long-term air quality impacts would occur from mobile and stationary emission sources. This impact was considered significant and unavoidable and cumulatively increased.

1990 SEIR

The 1990 SEIR found the air basin to be in non-attainment for ozone, carbon monoxide, nitrous oxide and particulate matter, and the project would contribute incrementally to the continued cumulative air quality impacts particularly associated with these contaminants. The 1990 SEIR found that the 24-hour PM_{10} impact of the expanded Cat-Mat operation would be approximately 1.5 micrograms per cubic meter ($\mu g/m^3$) in the area. This indicated that the project fence line PM_{10} impact in the area already exceeded the state's PM_{10} standard on some occasion and thus the existing violation of the standard would be made worse by the proposed plant expansion. However, the SEIR found that an impact of 1.5 $\mu g/m^3$ would be a marginal increase in terms of impact significance because the accuracy and reproducibility of the PM_{10} measurement method had an inherent uncertainty of 2 to 3 $\mu g/m^3$. The predicted plant particulate air quality impact based on the SDAPCD emissions data was thus found not to be a significant air quality impact because it would not even be detectable with normal measurement methodology.

The 1990 SEIR found the trucks leaving the facility would drive throughout a wide area to deliver finished product and trucks would generate engine combustion emissions and add to local dust levels from product dust lofting and from roadside vehicle turbulence; therefore, the NO_x fraction from the project constituted a substantial amount of pollutant emissions and the magnitude of the project-related air pollutant emissions was considered significant. Measures designed to minimize the potential for air emissions (primarily nuisance dust) impacts were included in the CUP, including the following:

A. Authority to construct and permits to operate must be obtained from the San Diego APCD that satisfy the air district that all available measures have been taken to minimize the project air quality impact.
B. Annual monitoring of emissions will be done by the APCD to ensure that the plant operates as designed.
C. Paving and daily wet sweeping would be required on the access road.
D. Conveying, screening, and crushing operations would be required adequate water at transfer points for dust control.
E. Frequent watering of the haul routes would be required to limit dust emissions from the equipment moving on unpaved in-plant surfaces.
F. An extensive planting program along the access road from the site would include both a fast-growing shrub component such as oleander as well as a dense row of trees to act as a windbreak, confining dust and sand particles to within the site during Santa Ana wind conditions from east/northeast.
G. A baghouse would be required for the asphalt plant to control particulate emissions as well as blue smoke control of hydrocarbon vapors from the asphalt heater/drier and storage silos.
H. Implementation of effective controls on process emissions using best available technology to prevent the formation of any significant air quality effects from normal plant operations.
I. Implementation of an aggressive housekeeping program to control fugitive dust emissions.
J. Re-routing haul traffic through industrial areas and along the proposed new private access road, away from existing residential developments.

The 1990 SEIR concluded that while some unavoidable, adverse impacts are associated with the operation of mining facilities, no significant impacts would be expected with respect to the basin air quality if the above mentioned mitigation measures were fully and actively implemented.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

As noted in Appendix A, air pollution is largely a cumulative impact. The nonattainment status of regional pollutants is a result of past and present development, and SDAPCD develops and implements plans for future attainment of ambient air quality standards. Based on these considerations, project-level thresholds of significance for criteria pollutants are relevant in the determination of whether a project's individual emissions would have a cumulatively significant impact on air quality.

Construction and Decommissioning

Proposed construction activities would result in the temporary addition of pollutants to the local airshed caused by on-site sources (i.e., off-road construction equipment, soil disturbance, and VOC off-gassing) and off-site sources (i.e., on-road vendor trucks, haul trucks, and worker vehicle trips). Construction emissions can vary substantially from day to day, depending on the level of activity; the specific type of operation; and, for particulate matter, the prevailing weather conditions. Therefore, such emission levels can only be approximately estimated.

Criteria air pollutant emissions associated with the project's construction activities were quantified using CalEEMod in Appendix A. Default values provided by the program were used where detailed project information was not available. A detailed depiction of the construction schedule—including information regarding phasing, equipment used during each phase, haul trucks, vendor trucks, and worker vehicles—is included in Section 3.3.1 of Appendix A.

Development of the project would generate air pollutant emissions from entrained dust, off-road equipment, vehicle emissions, and asphalt pavement application. Fugitive dust would be limited through compliance with SDAPCD Rule 55, which requires the restriction of visible emissions of fugitive dust beyond the property line.

Table 2 shows the estimated maximum unmitigated daily construction emissions associated with construction and decommissioning of the project. Complete details of the emissions calculations are provided in Appendix A, Attachment A, Supporting Emission Calculations. "Summer" emissions noted in Appendix A are representative of the conditions that may occur during the O_3 season (May 1 to October 31), and "winter" emissions are representative of the conditions that may occur during the balance of the year (November 1 to April 30).

Table 2. Estimated Maximum Daily Construction Criteria Air Pollutant Emissions

Construction Year	VOC	NO_x	CO	So_x	PM_{10}	$PM_{2.5}$
	Pounds per Day					
Summer						
2024	10.2	90.5	94.9	0.16	16.8	8.98
2025	0	0	0	0	0	0
2055	0	0	0	0	0	0
Winter						
2024	6.44	62.0	65.4	0.16	16.8	8.98
2025	0.59	4.74	6.96	0.01	0.31	0.22
2055	1.88	12.9	18.3	0.07	1.06	0.49
Maximum	**10.2**	**90.5**	**94.9**	**0.16**	**16.8**	**8.98**
Threshold	*75*	*250*	*550*	*250*	*100*	*55*
Threshold exceeded?	**No**	**No**	**No**	**No**	**No**	**No**
Threshold exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Notes: VOC = volatile organic compound; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides: PM_{10} = coarse particulate matter; $PM_{2.5}$ = fine particulate matter

As shown in Table 2, daily construction emissions for the Nighthawk BESS project would not exceed the SDAPCD's significance thresholds. Therefore, the project would have a less-than-significant impact related to emissions of criteria air pollutant emissions during construction.

Operation

Operation of the project would generate minimal VOC, NO_x, CO, SO_x, PM_{10}, and $PM_{2.5}$ emissions from mobile sources (vehicle trips), area sources (landscape maintenance equipment), and offroad equipment (no air quality-relevant energy sources identified), much lower than might be expected by development of more traditional LI uses that would be permitted by right on the Project site. Criteria air pollutant emissions associated with long-term operations were quantified using CalEEMod as explained in Section 3.3.2 of Appendix A.

Table 3 presents the unmitigated maximum daily emissions associated with the operation of the project in 2024 following completion of construction. Complete details of the emissions calculations are provided in Attachment A of Appendix A.

Table 3. Estimated Maximum Daily Operational Criteria Air Pollutant Emissions

Source	VOC	NO_x	CO	SO_x	PM_{10}	$PM_{2.5}$
	Pounds per Day					
Summer						
Mobile	0.50	0.41	4.12	0.01	0.32	0.06
Area	1.59	0.02	2.32	<0.01	<0.01	<0.01
Energy	0.00	0.00	0.00	0.00	0.00	0.00
Offroad Equipment	0.39	4.00	3.15	0.01	0.16	0.15
Total	**2.48**	**4.43**	**9.59**	**0.02**	**0.48**	**0.21**
Winter						
Mobile	0.49	0.45	3.83	0.01	0.32	0.06
Area	1.21	0	0	0	0	0
Energy	0.00	0.00	0.00	0.00	0.00	0.00
Offroad Equipment	0.39	4.00	3.15	0.01	0.16	0.15
Total	**2.09**	**4.45**	**6.99**	**0.02**	**0.48**	**0.21**
Threshold	*75*	*250*	*550*	*250*	*100*	*55*
Threshold exceeded?	**No**	**No**	**No**	**No**	**No**	**No**

Notes: VOC = volatile organic compound; NO_x = oxides of nitrogen; CO = carbon monoxide; SO_x = sulfur oxides; PM_{10} = coarse particulate matter; $PM_{2.5}$ = fine particulate matter; <0.01 = reported value is less than 0.01; – = no emission estimates reported. See Attachment A of Appendix A for complete results.

As shown in Table 3, daily operational emissions for the project would not exceed the SDAPCD's significance thresholds for any criteria air pollutant. Therefore, the project would result in a less than significant impact related to emissions of criteria air pollutant emissions during operation.

Rancho Encantada EIR

The Rancho Encantada EIR evaluated Air Quality in Section 4.8, Air Quality. The EIR found that the air basin was in non-attainment for PM_{10}, and in the absence of any dust control, simultaneous disturbance of the 133 acres in the precise plan would generate daily total PM_{10} emissions of approximately 7,300 pounds. This was considered a significant short-term cumulative impact. The EIR found that implementation of vigorous dust control measures would reduce PM_{10} associated with grading by 50% to 75% or in the range of 1,800 to 3,600 pounds per day, including Mitigation Measure 7-1 and 7-2 from the Sycamore Estates sub-project. Mitigation Measure 7-1 required submittal of an accelerated construction dust abatement management program and Mitigation Measure 7-2 required low NO_x tune-ups of all diesel-powered construction equipment prior to the commencement of construction and periodically over project construction.

Impacts of the Gen-Tie Line Component in the City of San Diego

The project components in the City of San Diego would include an underground gen-tie within street or utility rights-of-way. These gen-tie line components would generate temporary air pollutant emissions during construction associated with fugitive dust from soil and exhaust emissions from heavy construction vehicles. The site preparation for the proposed gen-tie line would involve the greatest concentration of heavy equipment use and the highest potential for fugitive dust emissions. Any ground disturbance would be required to comply with the SDAPCD Rules 52 and 54 that identify measures to reduce fugitive dust and

is required to be implemented at all construction sites located within the San Diego Air Basin. Once operational, the gen-tie line would be underground and would and would not include any new permanent facilities or new equipment or stationary sources that produce emissions. The gen-tie line would be a necessary component of the permitted public utility grid reliability-enhancing (BESS) facility within the scope of the development analyzed in the Rancho Encantada EIR. Significant cumulative air quality impacts could potentially occur during construction. Therefore, the project would implement Mitigation Measure 7-1 as identified in the Rancho Encantada EIR requiring submittal of an accelerated construction dust abatement management programs that would consist of soil stabilizers (if needed), truck wash stations, use of tarpaulins or covers on haul trucks and site watering that would be subject to monitoring by the City. The project would also implement Mitigation Measure 7-2 as identified in the Rancho Encantada EIR which would require low NO_x tune ups of all diesel powered construction prior to the commencement of construction and periodically over project construction. With implementation of these mitigation measures, there would be no new or more severe significant effects related to the cumulative net increase of criteria pollutants during construction of the proposed project.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with a net increase of criteria pollutants or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

The proposed gen-tie line would cross all SDG&E Crossing Easements as shown on Figure 3. The project does not propose any new permanent facilities, and no new equipment or stationary sources that produce emissions would be constructed on the SDG&E parcels. Therefore, the project components in the SDG&E parcels and would not result in a cumulatively considerable net increase of any criteria pollutant.

Improvements within the Miramar Marine Corps

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line within existing base roads. These improvements on the base would not result in cumulatively considerable net increase of any criteria pollutant. In addition, the project would further reduce potential impacts from criteria pollutant by complying with all environmental conditions and requirements for the base as outlined in Section 4.1(a), including compliance with all applicable requirements of the SDAPCD.

Conclusion

As discussed above, the project would implement the Air Resources Mitigation Measures 1 and 2 from the 1985 EIR, Mitigation Measures 7-1 and 7-2 from the Rancho Encantada EIR and all applicable requirements of the SDAPCD as required by the CATEX Decision Memorandum, and would not exceed the SDAPCD thresholds of significance during construction, operation or decommissioning for any criteria pollutant, resulting in a less than significant impact. With the implementation of these mitigation measures, and compliance with applicable regulatory requirements of the SDAPCD, the City of Poway and the City of San Diego, the project would have no new or more severe significant effects related to the cumulative net increase of criteria pollutants beyond those analyzed as significant effects in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information

of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

c) Would the project expose sensitive receptors to substantial pollutant concentrations?

Previous Documentation

1985 EIR

The 1985 EIR found development of the SPPC Development Plan would result in both short-term and long-term impacts upon air quality. Short-term fugitive dust and exhaust emissions would occur during construction and grading for the plan's implementation, and long-term stationary and mobile source emissions would occur both on site and off site during the plan operation. The EIR found that these impacts would be less than significant with the implementation of Air Resources Mitigation Measures 1 through 8, which include a variety of measures to reduce emissions.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

The 1990 SEIR found that due to the increase in the size of the mining operations over a 5-year period, and the fact that the overall number of average daily trips (ADTs) were projected to increase from just over 300 up to nearly 900 trips per day, air quality impacts from these sources would be expected to increase. The 1990 SEIR found that ambient dust impact from the in-plant dust component and the predicted plant particulate air quality impact based on SDAPCD emissions data would not be considered significant air quality impacts. However, trucks leaving the facility would drive throughout a wide area to deliver finished product would generate engine combustion emissions and add to local dust levels from product dust lofting and roadside vehicle turbulence. The NO_x fraction from these activities was found to constitute a substantial amount of pollutant emissions. Thus, a number of measures were required.

The 1990 SEIR found that the discretionary actions of obtaining a use permit and air pollution control district approvals (authority to construct and a permit to operate) allows the issuing agencies to place a number of conditions in the permit to minimize the potential for any observable air impacts (primarily nuisance dust). These conditions would be designed to minimize air emissions impacts from the entire expanded Cat-Mat operation. As discussed in Section 4.3(b), a number of measures designed to minimize the potential for air emissions (primarily nuisance dust) impacts was included in the CUP, including measures A–J. The 1990 SEIR concluded that some unavoidable, adverse impacts are associated with the operation of the expanded mining facility, however, impacts to sensitive receptors would be minimized if these measures were fully and actively implemented.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

As noted in Appendix A, air quality varies as a direct function of the amount of pollutants emitted into the atmosphere, the size and topography of the air basin, and the prevailing meteorological conditions. Air

quality problems arise when the rate of pollutant emissions exceeds the rate of dispersion. Some land uses are considered more sensitive to changes in air quality than others, depending on the population groups and the activities involved. People most likely to be affected by air pollution, as identified by Air Resources Board, include children, older adults, and people with cardiovascular and chronic respiratory diseases. According to the SDAPCD, sensitive receptors are those who are especially susceptible to adverse health effects from exposure to toxic air contaminants, such as children, the elderly, and the ill. Sensitive receptors include residences, schools (grades Kindergarten through 12), libraries, day care centers, nursing homes, retirement homes, health clinics, and hospitals within 2 kilometers of the facility (SDAPCD 2022). The closest sensitive receptors to the project site are single-family residences located approximately 2,700 feet south of the BESS site and approximately 375 feet west and east of the gen-tie line.

Carbon Monoxide Hotspots

Mobile source impacts occur on two scales. Regionally, project-related travel would add to regional trip generation and increase the vehicle miles traveled within the local airshed and the SDAB. Locally, traffic generated by the project would be added to the local roadway system near the project site. If such traffic occurs during periods of poor atmospheric ventilation, is composed of a large number of vehicles cold-started and operating at pollution-inefficient speeds, and is operating on roadways already crowded with non-proposed project traffic, there is a potential for the formation of microscale CO hotspots in the area immediately around points of congested traffic. Because of continued improvement in vehicular emissions at a rate faster than the rate of vehicle growth and/or congestion, the potential for CO hotspots in the SDAB is steadily decreasing.

During construction, the project would result in CO emissions from construction worker vehicles, haul trucks, and off-road equipment. Title 40, Section 93.123(c)(5) of the California Code of Regulations, Procedures for Determining Localized CO, PM10, and PM2.5 Concentrations (hot-spot analysis), states that "CO, PM_{10}, and $PM_{2.5}$ hot-spot analyses are not required to consider construction-related activities, which cause temporary increases in emissions. Temporary increases are defined as those which occur only during the construction phase and last 5 years or less at any individual site" (California Code of Regulations, Title 40, Section 93.123). Since construction activities would be temporary, a project-level construction hotspot analysis would not be required.

The City of Poway does not have guidance regarding CO hotspots (City of Poway 1991); as such, the County's CO hotspot screening guidance was followed to determine whether the project would require a site-specific hotspot analysis. Since the last update of the County's guidance (2007), the County has evaluated the potential for the growth anticipated under the General Plan Update to result in CO "hot spots" throughout the County (County of San Diego 2009). To do this, the County reviewed the CO "hot spot" analysis conducted by the SCAQMD for their request to the United States Environmental Protection Agency for redesignation as a CO attainment area (SCAQMD 2003).

At the time that the 1993 SCAQMD Handbook was published, the South Coast Air Basin (SCAB) was designated nonattainment under the CAAQS and NAAQS for CO. In 2007, the SCAQMD was designated in attainment for CO under both the CAAQS and NAAQS as a result of the steady decline in CO concentrations in the SCAB due to turnover of older vehicles, introduction of cleaner fuels, and implementation of control technology on industrial facilities. The SCAQMD conducted CO modeling for the 2003 AQMP (SCAQMD 2003) for the four worst-case intersections in the SCAB: (1) Wilshire Boulevard and Veteran Avenue,

(2) Sunset Boulevard and Highland Avenue, (3) La Cienega Boulevard and Century Boulevard, and (4) Long Beach Boulevard and Imperial Highway. At the time the 2003 AQMP was prepared, the intersection of Wilshire Boulevard and Veteran Avenue was the most congested intersection in Los Angeles County, with an average daily traffic volume of about 100,000 vehicles per day. Using CO emission factors for 2002, the peak modeled CO 1 hour concentration was estimated to be 4.6 ppm at the intersection of Wilshire Boulevard and Veteran Avenue, while the CAAQS is 20 ppm.

The 2003 AQMP also projected 8-hour CO concentrations at these four intersections for 1997 and from 2002 through 2005. From years 2002 through 2005, the maximum 8-hour CO concentration was 3.8 ppm at the Sunset Boulevard and Highland Avenue intersection in 2002; the maximum 8-hour CO concentration was 3.4 ppm at the Wilshire Boulevard and Veteran Avenue in 2002, while the CAAQS is 9.0 ppm.

Accordingly, CO concentrations at congested intersections would not exceed the 1-hour or 8-hour CO CAAQS unless projected daily traffic would be at least over 100,000 vehicles per day. Because the project would generate no increase in routine daily employees, it would not increase daily traffic volumes at any study intersection to more than 100,000 vehicles per day, a CO hotspot is not anticipated to occur, and associated impacts would be less than significant. As such, potential project-generated impacts associated with CO hotspots would be less than significant.

Health Effects of Criteria Air Pollutants

Construction and operation of the project would not result in emissions that exceed the SDAPCD's emission thresholds for any criteria air pollutants. The SDAPCD thresholds are based on the SDAB complying with the NAAQS and CAAQS which are protective of public health; therefore, no adverse effects to human health would result from the project. The following provides a general discussion of criteria air pollutants and their health effects.

Regarding VOCs, some VOCs would be associated with motor vehicles and construction equipment, while others are associated with asphalt off-gassing, the emissions of which would not result in exceedances of SDAPCD thresholds. Generally, the VOCs in architectural coatings and asphalt are of relatively low toxicity.

In addition, VOCs and NO_x are precursors to O_3, for which the SDAB is designated as nonattainment with respect to the NAAQS and CAAQS (the SDAB is designated by Environmental Protection Agency as an attainment area for the 1-hour O_3 NAAQS standard). The health effects associated with O_3 are generally associated with reduced lung function. The contribution of VOCs and NO_x to regional ambient O_3 concentrations is the result of complex photochemistry. The increases in O_3 concentrations in the SDAB due to O_3 precursor emissions tend to be found downwind from the source location to allow time for the photochemical reactions to occur. However, the potential for exacerbating excessive O_3 concentrations would also depend on the time of year that the VOC emissions would occur because exceedances of the O_3 NAAQS and CAAQS tend to occur between April and October when solar radiation is highest. The holistic effect of a single project's emissions of O_3 precursors is speculative due to the lack of quantitative methods to assess this impact. Nonetheless, the VOC and NO_x emissions associated with project construction could minimally contribute to regional O_3 concentrations and the associated health impacts. Due to the minimal contribution during construction and operation, health impacts would be considered less than significant.

Regarding NO_2, which is a constituent of NO_x, construction and operation of the project would not contribute to exceedances of the NAAQS and CAAQS for NO_2 since NO_x emissions would be less than the applicable SDAPCD threshold. NO_2 health impacts are associated with respiratory irritation, which may be experienced by nearby receptors during the periods of heaviest use of off-road construction equipment. However, these operations would be relatively short term, and the off-road construction equipment would be operating on various portions of the site and would not be concentrated in one portion of the site at any one time.

Health effects associated with PM_{10} or $PM_{2.5}$ depending on short- or long-term exposure include premature mortality, increased hospital admissions for heart or lung causes, acute and chronic bronchitis, asthma attacks, emergency room visits, respiratory symptoms, restricted activity days, and reduced lung function growth in children. Construction of the project would not exceed thresholds for PM_{10} or $PM_{2.5}$ and would not contribute to exceedances of the NAAQS and CAAQS for particulate matter.

Based on the preceding considerations, health impacts from project-related criteria air pollutant emissions would be considered less than significant.

Toxic Air Contaminants

In addition to impacts from criteria pollutants, project impacts may include emissions of pollutants identified by the state and federal government as toxic air contaminants (TACs) or hazardous air pollutants. State law has established the framework for California's TAC identification and control program, which is generally more stringent than the federal program and aimed at TACs that are a problem in California. The state has formally identified more than 200 substances as TACs, including the federal hazardous air pollutants, and has adopted appropriate control measures for sources of these TACs. The following measures are required by state law to reduce diesel particulate matter (DPM) emissions:

- Fleet owners of mobile construction equipment are subject to the CARB [California Air Resources Board] Regulation for In-use Off-road Diesel Vehicles (13 CCR 2449), the purpose of which is to reduce DPM and criteria pollutant emissions from in-use (existing) off-road diesel-fueled vehicles.
- All commercial diesel vehicles are subject to Title 13, Section 2485 of the California Code of Regulations, limiting engine idling time. Idling of heavy-duty diesel construction equipment and trucks during loading and unloading shall be limited to 5 minutes; electric auxiliary power units should be used whenever possible.

Health effects from carcinogenic air toxics are usually described in terms of cancer risk. The SDAPCD recommends an incremental cancer risk threshold of 10 in 1 million (SDAPCD 2022). "Incremental cancer risk" is the net increased likelihood that a person continuously exposed to concentrations of TACs resulting from a project over a 9-, 30-, and 70-year exposure period will contract cancer based on the use of standard Office of Environmental Health Hazard Assessment risk-assessment methodology.

The greatest potential for TAC emissions during construction would be DPM emissions from heavy equipment operations and heavy-duty trucks during construction of the project and the associated potential health impacts to sensitive receptors. DPM has established cancer risk factors and relative exposure values for long-term chronic health hazard impacts; however, no short-term, acute relative exposure level has been established for DPM. Total project construction would last approximately 12 months, after which project-related TAC emissions would cease. A 12-month construction schedule represents a short duration of

exposure (3% of a 30-year exposure period) while cancer and chronic risk from DPM are typically associated with long-term exposure. Thus, the project would not result in a long-term source of TAC emissions. In addition, the project would not require the extensive operation of heavy-duty diesel construction equipment, which is subject to a CARB Airborne Toxics Control Measure for in-use diesel construction equipment to reduce DPM emissions and would not involve extensive use of diesel trucks, which are also subject to a CARB Airborne Toxics Control Measure. Furthermore, as shown in Table 3, maximum daily particulate matter (i.e., PM_{10} or $PM_{2.5}$) emissions generated by construction equipment operation and haul-truck trips during construction (exhaust particulate matter, or DPM), combined with fugitive dust generated by equipment operation and vehicle travel, is minimal.

Of importance, the closest sensitive receptors to the project's BESS component, where the majority of project construction would occur, are single-family residences located approximately 2,700 feet south, which is a substantial distance between the sources and receptors whereas potential generation of TAC emissions are anticipated to be largely dispersed. Sensitive receptors (also single-family residences) are located approximately 375 feet west and east of the gen-tie line; however, gen-tie construction occurs in a linear fashion wherein construction activity and associated emissions are not concentrated in one location for a prolonged period of time. As such, the potential for the project to result in a long-term exposure of receptors to TACs is limited. Therefore, the exposure of project-related TAC emission impacts to sensitive receptors would be less than significant.

No residual TAC emissions and corresponding health risk are anticipated after construction, and no long-term sources of TAC emissions are anticipated during operation of the project. CARB has published the Air Quality and Land Use Handbook: A Community Health Perspective (CARB 2005), which identifies certain types of facilities or sources that may emit substantial quantities of TACs and therefore could conflict with sensitive land uses, such as "schools and schoolyards, parks and playgrounds, daycare centers, nursing homes, hospitals, and residential communities." The Air Quality and Land Use Handbook is a guide for siting of new sensitive land uses, and CARB recommends that sensitive receptors not be located downwind or in proximity to such sources to avoid potential health hazards. Of note, the project is not considered an air quality sensitive receptor. The enumerated facilities or sources include the following: high-traffic freeways and roads, distribution centers, rail yards, ports, refineries, chrome plating facilities, dry cleaners, and large gas dispensing facilities. The project would not include any of the above-listed land uses associated with generation of TAC emissions. In addition, while the project is not considered a sensitive receptor, none of the above-listed land uses are located within the vicinity of the project. Potential impacts associated with exposure of sensitive receptors to TACs would be less than significant.

The project would incorporate Air Resources Mitigation Measure 1, which requires the project to fully comply with all rules and regulations of the SDAPCD. Accordingly, during construction, the project would incorporate BMPs and fugitive dust control measures in accordance with SDAPCD Rule 55 to further reduce any potential impacts. In addition, the project would implement Air Resources Mitigation Measure 2 requires construction and grading to be scheduled to reduce construction-generated dust particulates and implement other applicable fugitive dust control tactics which will further reduce any potential for exposure of sensitive receptors to substantial pollutant concentrations.

Rancho Encantada EIR

The Rancho Encantada EIR evaluated whether the addition of the Rancho Encantada-related traffic in the area would change microscale air quality distributions and found that localized CO levels would not exceed 14 ppm at any of the studied intersections. The EIR also studied short-term dust impacts caused during construction and found potentially significant direct and cumulative impacts. To mitigate these impacts, the Sycamore Canyon sub-project was required to implement Mitigation Measure 7-1, which required an accelerated dust abatement program during construction to achieve a minimum of 60% dust abatement. The EIR also found that the only potential mitigation available for cumulative long-term air quality impacts would be the successful county-wide implementation of the SDAQCB RAQs; therefore, no mitigation was available at the project level to reduce this impact to below a level of significance.

Impacts of the Gen-Tie Line Component in the City of San Diego

The project components in the City of San Diego would include an underground gen-tie within street or utility rights-of-way and would not include any new permanent facilities or new equipment or stationary sources that produce emissions. By complying with the policies of the SDAPCD and implementing the Air Quality Mitigation Measure 7-1 from the Rancho Encantada EIR, these improvements would have no new or more significant project-specific significant effects related to exposure of sensitive receptors to substantial pollutant concentrations.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with exposure of sensitive receptors or a substantial increase in the severity of impacts from those described in the Rancho Encantada EIR.

Improvements within the SDG&E Crossing Easements

The proposed gen-tie line would cross all SDG&E Crossing Easements as shown on Figure 3. The project components in the SDG&E parcels would include an underground gen-tie within streets or infrastructure rights-of-way and would not include any new permanent facilities or new equipment or stationary sources that produce emissions. Thus, no residual TAC emissions or corresponding health risk are anticipated after construction and no long-term sources of TAC emissions are anticipated during operation of the project components. Therefore, there is no opportunity to expose sensitive receptors to substantial pollutant concentrations on or near the SDG&E parcels.

Improvements within the Miramar Marine Corps

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line within existing base roads. These improvements would not include any permanent facilities or new equipment or stationary equipment that would produce emissions. No residual TAC emission or corresponding health risk are anticipated after construction and no long-term sources of TAC emissions are anticipated during operation of the project components on the base. In addition, the project would further reduce potential impacts to sensitive receptors by complying with all environmental conditions and requirements for the base as outlined in Section 4.1(a), including compliance with all applicable requirements of the SDAPCD.

Conclusion

The project would result in a less than significant impact regarding the potential to expose sensitive receptors to substantial pollutant concentrations (both criteria air pollutants and TACs). With the incorporation of the aforementioned mitigation measures and policies of the SDAPCD, City of Poway and City of San Diego applicable to the project, the project would have no new or more severe project-specific significant effects related to sensitive receptors beyond what was evaluated in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

d) Would the project result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

Previous Documentation

1985 EIR

This impact was not identified by the 1985 EIR. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

The 1990 SEIR found the proposed plant would be designed with state-of-the-art in emissions controls and designed to comply with the SCAQMD's standards which would meet or exceed all the requirements of the SDAPCD for control of extraneous vapor emissions from the batching process. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

As noted in Appendix A, the occurrence and severity of potential odor impacts depends on numerous factors. The nature, frequency, and intensity of the source; the wind speeds and direction; and the sensitivity of receiving location each contribute to the intensity of the impact. Although offensive odors seldom cause physical harm, they can be annoying and cause distress among the public and generate citizen complaints.

Odors would be potentially generated from vehicles and equipment exhaust emissions during construction of the project. Potential odors produced during construction would be attributable to concentrations of unburned hydrocarbons from tailpipes of construction equipment and asphalt pavement application. Such odors would disperse rapidly from the project site and generally occur at magnitudes that would not affect substantial numbers of people. In addition, the closest sensitive receptors are at a substantial distance from the majority of anticipated construction activity (i.e., approximately 2,700 feet from the BESS construction). Therefore, impacts associated with odors during construction would be less than significant.

Examples of land uses and industrial operations that are commonly associated with odor complaints include agricultural uses, wastewater treatment plants, food processing facilities, chemical plants, composting, refineries, landfills, dairies, and fiberglass molding facilities. The project would include the development of a BESS facility and ancillary infrastructure and would not create any new sources of odor during operation. Therefore, project operations would result in an odor impact that is less than significant.

Rancho Encantada EIR

This impact was not identified in the Rancho Encantada EIR. No mitigation was required.

Impacts of the Gen-Tie Line Component in the City of San Diego

Improvements within the City of San Diego would include an underground gen-tie line primarily located in street or utility rights-of-way. The project would not include land uses that are typically associated with objectionable odors. The project would involve the use of diesel-powered construction equipment. Diesel exhaust may be noticeable temporarily at adjacent properties; however, construction activities would be temporary, and since the project would not result in any operational emissions or emissions leading to odors, there would be no impact and no mitigation would be required.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with odor emissions or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

The proposed gen-tie line would cross all SDG&E Crossing Easements as shown on Figure 3. The project components in the SDG&E parcels would include an underground gen-tie within street or infrastructure rights-of-way and would not include any new permanent facilities or new equipment or stationary sources that would produce odors. Thus, there would be no impacts associated with specific odors associated with the activities on the SDG&E Parcels.

Improvements within the Miramar Marine Corps

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line within existing base roads. These improvements would not include any permanent facilities or new equipment or stationary equipment that would produce odors. In addition, the project would further reduce potential odor impacts by complying with all environmental conditions and requirements for the base as outlined in Section 4.1(a).

Conclusion

The project would have no new or more severe project-specific significant effects related to other emissions (such as those leading to odors) not analyzed as significant effects in the 1985 EIR or its SEIRs, the Rancho Encantada EIR or the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new

significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

4.4 Biological Resources

a) Would the project have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

Previous Documentation

1985 EIR

The 1985 EIR found three sensitive plant species grow in the plan area: San Diego sagewort (Artemisia palmeri), coast barrel cactus (*Ferocactus viridescens*) and mesa clubmoss (*Selaginella cinerascens*). The EIR also found the sensitive wildlife species that may be present in the plan area include the following: the San Diego coast horned lizard (*Phrynosoma blainvillii*). orange throated whiptail (*Aspidoscelis hyperythera beldingi*), northern harrier (*Circus hudsonius*), black-tailed gnatcatcher (*Polioptila species*), cactus wren (*Campylorhynchus brunneicapillus*), loggerhead shrike (*Lanius ludovicianus*), black-shouldered kite (*Elanus* species), red-shouldered hawk (*Buteo lineatus*), golden eagle (*Aquila chrysaetos*), turkey vulture (*Cathartes aura*), American kestrel (*Falco sparverisu),* and owls. The South Poway Planned Community Development Plan EIR anticipated development of approximately 15 acres of land on the property as light industrial. The EIR concluded plan implementation would remove about 50% by area of the total vegetation covering the site and direct loss of vegetation and wildlife habitat would occur. This impact was found to be less than significant with mitigation measures including Biological Resources Mitigation Measure 4 and Mitigation Measure 10 requiring landscaping standards and pre-construction activity surveys for sensitive species and habitats.

1988 SEIR

The 1988 SEIR found the 1985 EIR documented the existing flora and fauna within the South Poway Planned Community and found approximately 50% of the vegetation would be removed and the associated wildlife would be removed or displaced. Some sensitive habitats and a number of sensitive botanic species would be removed. Wildlife potential would increase at the open space/development boundary.

The 1988 SEIR found the proposed project would not create any significant biological habitat or open space impacts not previously identified in the prior South Poway Planned Community EIR. The net pad increases would almost entirely be within the previously defined limits of grading.

1990 SEIR

The 1990 SEIR found that aggregate extraction and processing on the Cal-Mat Extraction Facility site could have a number of adverse impacts to important biological resources including the expected loss of all of the site's breeding California gnatcatchers (*Polioptila californica californica*) (a minimum of four pairs), all of the sensitive Diegan coastal sage scrub, Southern California grassland, and the combined loss of all of the site's other sensitive species. These losses were considered regionally significant adverse impacts of

the project both individually and in a cumulative sense. The loss of the on-site populations of the San Diego sagewort, ashy spike-moss, San Diego barrel cactus, rufous-crowned sparrow (*Aimophila ruficeps*) and Bewick's wren (*Thryomanes bewickii*) per se were considered less than significant incremental impacts of the project.

The SEIR required a number of mitigation measures to reduce the level of impacts to important biological resources including the following:

1. A spring survey to be conducted in April through June to assess the status and distribution of the following sensitive species which were potentially present on site: San Diego thorn-mint (*Acanthomintha ilicifolia*), Orcutt's brodiaea (*Brodiaea orcuttii*), San Diego goldenstar (*Bloomeria clevelandii*), California adder's-tongue fem (*Ophioglossum californicum*), and variegated dudleya (*Dudleya variegata*). These are significant species, and the presence of any of these in substantial numbers would constitute a regionally important biological resource of this site, requiring additional mitigation.
2. Designation of an open space easement over riparian habitat in the CUP to avoid impacts to on-site Riparian Scrub habitat. If inadvertent impacts occur, there would be mitigation either on-site or through the development of a relatively simple wetland mitigation plan that would fully mitigate any wetland losses that would result from the implementation of this project.
3. Approval of a Diegan Coastal Sage Scrub Habitat Restoration Plan would be required to partially mitigate impacts to on-site Diegan coastal sage scrub vegetation. Long term biological monitoring for ten years was required to ensure success of the restoration plan.
4. A habitat restoration and/or enhancement plan was required to partially compensate for the loss of the site's Southern California Grassland. This would require the identification of target areas, suitable for the establishment or restoration of a diverse native grassland.
5. An off-site compensation plan would be required to partially mitigate impacts to the significant population of California Gnatcatchers present on the site. This would include the preparation and implementation of a focused California Gnatcatcher Resource Study and funds for hiring a part-time biologist/planner for a minimum of one-year to implement the plan.

The City previously amended the project to reconfigure, but not expand, the 15 acres of light industrial development pads in the northwest corner of the property pursuant to CUP 22-0005 approved in April 2023 subject to conditions of approval. The City found that the 1990 SEIR analyzed the potential impacts of the CalMat-Poway project and the CUP Amendment did not create any new impacts, or warrant the need for additional mitigation measures. No further environmental analysis was required because the CUP Amendment Project's impacts were already analyzed and were fully covered by the 1990 SEIR. There were no significant changes proposed that would require subsequent or supplemental environmental review pursuant to Public Resources Code section 21166 and CEQA Guidelines Sections 15162 and 15163. The CUP Amendment's conditions of approval repeated the conditions from a 2009 Biological Opinion from the USFWS deemed to be compatible with the City's HCP and applicable to the property which required the permittee to "Maintain 3.8 acres of viable Southern Coastal Grassland and 43.1 acres of Diegan Coastal Sage Scrub on site at all times during the life of the permit. Prior to commencement of grading for the industrial pads, the applicant shall demonstrate compliance with this requirement on a habitat vegetation map prepared by a qualified biologist." (CUP Amendment Condition K.4).

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The following technical study has been prepared for the project by Dudek in May 2024:

- Nighthawk Energy Storage Project, Poway, California – Biological Technical Report (Poway Biological Technical Report)

The Poway Biological Technical Report provided the biological evaluation of the main Nighthawk Energy Storage Project site (10-acre site and gen-tie line) within the City of Poway. The biological study area in the Poway Biological Technical Report considered the approximately 10-acre BESS site, associated gen-tie line, and a 500-foot buffer surrounding both the project site and the gen-tie line in the city of Poway. The Poway Biological Technical Report is attached to this Addendum as Appendix B and is incorporated into the discussion below.

Existing Conditions

The project site is north of Beeler Canyon Road and south of Kirkham Way in the City of Poway. The elevations in the biological study area range from approximately 602 feet above mean sea level at the lowest point within Beeler Creek and the paved roads of the quarry, to approximately 927 feet above mean sea level at the highest section of the slope within City of Poway property near Kirkham Way.

Currently, the 10-acre BESS site consists of disturbed land and coastal sage scrub. A large portion of the gen-tie line consists of paved roads. A small portion of the gen-tie line consists of Beeler Creek, which would be avoided via boring method of installation.

Approximately 50% of the project site is outside of the Poway HCP/NCCP mitigation area within the City of Poway. Because the other 50% of the project site is within the Poway HCP/NCCP mitigation area (South Poway Planned Community Section) in a land use zone designated for a planned community (PC), the project site is not considered critical HCP conservation land when compared to rural residential or open space designations. The planned community (PC) designation allows a greater intensity of development than the rural residential (RR) designation, but the value of these areas as a biological resource and open space linkage is important to overall function of the mitigation area (City of Poway 1996). Due to historical development of the biological study area and fencing around the quarry site, overall function of the open space linkage is limited.

A review of aerial photography (Historic Aerials 2023) and Google Earth images (Google Earth 2023) suggests that most of the biological study area has experienced heavy levels of disturbance through historical grading, mineral resource extraction, commercial use, and mining over a span of approximately 59 years. Impacts to the biological study area started as early as 1964 when scraping was present on aerials; heavy grading for a quarry started in 1978 (Historic Aerials 2023). Aerial photography shows the heaviest levels of disturbance in 1996, 2001, 2002, 2003, and 2004, when most of the vegetation had been cleared and scraped and created impacts to the topsoil of the biological study area and project site (Google Earth 2023; Historic Aerials 2023). In 2002, the site was most disturbed with large quarry impacts and complete degradation of the project site to mineral soils. Appendix B, Historical Photo Documentation, of the Poway Biological Technical Report (Appendix B to this Addendum) provides a photo document

providing image examples from this timeframe (1996–2004) (Google Earth 2023). The property is fenced along all the boundaries, limiting access for wildlife movement.

Soils

According to the Natural Resources Conservation Service Soil Survey, two soil types were mapped in the biological study area, as shown in Table 4: Redding cobbly loam and Visalia gravelly sandy loam (USDA 2023a). These two soil types are not considered hydric (USDA 2023b).

Table 4. Soils within the Biological Study Area

Soil Category	Soil Description	Hydric Rating
Redding	Redding cobbly loam, dissected 15%–30% slopes (RfF)	No
Visalia	Visalia gravelly sandy loam, 2%–5% slopes (VbB)	No

Vegetation Mapping

The vegetation communities and land cover types recorded in the Poway biological study area (project site and 500-foot buffer) are described in detail in Appendix B, Historical Photo Documentation, of Appendix B and their acreages are presented in Tables 5 and 6.

Table 5. Vegetation Communities and Land Covers in the Project Site

Vegetation/Land Cover Type	Acreage Project Site
Diegan Coastal Sage Scrub	5.68
Diegan Coastal Sage Scrub: Inland Form	1.51
Diegan Coastal Sage Scrub: Baccharis dominated	0.28
Disturbed Habitat	0.62
Non-Native Grassland	0.17
Non-Native Grassland: Broadleaf-Dominated	0.27
Urban/Developed	0.24
Urban/Developed-Ornamental	0.44
Total*	**9.21**

Note:
* Acreages may not sum due to rounding.

Table 6. Vegetation Communities and Land Covers in the 500-Foot Buffer

Vegetation/Land Cover Type	Acreage in 500-Foot Buffer
Coast Live Oak Woodland	0.89
Diegan Coastal Sage Scrub	39.71
Diegan Coastal Sage Scrub: Baccharis-Dominated	8.30
Diegan Coastal Sage Scrub: Inland Form	8.79
Disturbed Habitat	7.99
Disturbed Wetland	0.35
Eucalyptus Woodland	0.45
Non-Native Grassland: Broadleaf-Dominated	0.31
Non-Vegetated Channel or Floodway	3.01
Southern Mixed Chaparral	1.10
Southern Riparian Woodland	3.31
Urban/Developed	26.49
Urban/Developed-Ornamental	0.06
Total*	**100.76**

Note:
* Acreages may not sum due to rounding.

Flora And Fauna

A total of 85 plants were observed during the spring and late-season 2022 survey, consisting of 50 native and 35 non-native species. A cumulative list of plant species observed by Dudek biologists during all surveys is presented in Appendix C, Plant Species List, of Appendix B.

A total of 74 wildlife species were observed during the 2021 and 2022 surveys, consisting of 43 birds, 16 butterflies, 10 mammals, 2 amphibians, and 3 reptiles. All wildlife species observed or detected during the surveys were recorded and are presented in Appendix D, Wildlife Species List, of Appendix B.

The biological study area in Poway supports habitat primarily for upland species within coastal sage scrub habitat. These upland habitats also provide foraging and nesting habitat for migratory and resident bird species and other wildlife species.

Special-Status Plants

Two California Native Plant Society California Rare Plant Rank (CRPR) 4 special-status plants were observed during the focused plant surveys: small-flower microseris (*Microseris douglasii* ssp. *platycarpha*) and Ashy spike moss (*Selaginella cinerascens*). CRPR 4 plant taxa are of limited distribution or infrequent throughout a broader area in California, and their susceptibility to threat appears low at this time, from a statewide perspective (Appendix B). Special-status plants evaluated but that have low potential to occur or are not expected to occur are described in Appendix E, Special-Status Plant Species with Potential to Occur within the Biological Study Area, of Appendix B. A total of 27 small-flower microseris individuals were observed on the hillside facing east within the coastal sage scrub. Ashy spike moss covers an area in the biological study areas; therefore, individuals could not be counted.

Special-Status Wildlife

Sensitive wildlife species are those listed as federal/state endangered or threatened, those proposed for listing, those fully protected by the California Department of Fish and Wildlife (CDFW), those on the California Watch List, California Species of Special Concern, and/or MSCP Covered Species. An evaluation was conducted of known records in the Poway quadrangle and the surrounding quadrangles, including Del Mar, Rancho Santa Fe, San Vicente Reservoir, La Jolla, El Cajon, La Mesa, San Pasqual, and Escondido. In addition, Dudek biologists' knowledge of biological resources and regional distribution of each species, as well as elevation, habitat, and soils present within the project area, were used to evaluate and determine the potential for various special-status species to occur.

Protocol-level wildlife surveys were conducted for Quino checkerspot butterfly, coastal California gnatcatcher and Crotch bumblebee. Other sensitive wildlife species known to occur in the surrounding region, and those that have a potential to occur within the project site, are described in Appendix F of Appendix B. Coastal California gnatcatcher and Southern California rufous-crowned sparrow (*Aimophila ruficeps canescens*) were observed within the buffer. One pair of Coastal California gnatcatchers was observed in 2022 during protocol surveys. Sensitive wildlife species determined to have high potential to occur included Cooper's hawk (*Accipiter cooperii*).

Jurisdictional Resources

Jurisdictional resources related to Beeler Creek are discussed in Appendix A, Biological Constraints Report for the Proposed Nighthawk Underground Gen-Tie Transmission Route on Beeler Creek, of Appendix B. As discussed in this appendix, Beeler Creek would be avoided by utilizing a boring installation method of the underground gen-tie line. No potentially jurisdictional features were mapped within the project site. One concrete-lined stormwater control feature (V-ditch) was observed along the northeastern boundary and is not considered jurisdictional. These features likely include sheet flow runoff from the road and hillside.

Wildlife Corridors/Habitat Linkages

Wildlife corridors are linear features that connect large patches of natural open space and provide avenues for the immigration and emigration of animals. Wildlife corridors contribute to population viability by (1) ensuring the continual exchange of genes between populations, which helps maintain genetic diversity; (2) providing access to adjacent habitat areas, representing additional territory for foraging and mating; (3) allowing for a greater carrying capacity; and (4) providing routes for colonization of habitat lands following local population extinctions or habitat recovery from ecological catastrophes (e.g., fires).

Habitat linkages are patches of native habitat that function to join two larger patches of habitat. They serve as connections between habitat patches and help reduce the adverse effects of habitat fragmentation. Although individual animals may not move through a habitat linkage, the linkage does represent a potential route for gene flow and long-term dispersal. Habitat linkages may serve as both habitat and avenues of gene flow for small animals, such as reptiles and amphibians. Habitat linkages may be represented by continuous patches of habitat or by nearby habitat "islands" that function as steppingstones for dispersal.

The buffer likely provides some refuge and cover for wildlife species and their movements. The project site gen-tie line is narrow and paved. Walls and/or fencing is in place within the Poway portion of the property

restricting wildlife movement. The gen-tie does not provide cover for wildlife since it is a paved road. The BESS area has been previously disturbed and has sections surrounded by development. The BESS area is also enclosed with perimeter walls and with some paved edges. Smaller wildlife may have some potential to move between the habitat along the project site and move within buffers. Due to the fencing and walls within the City of Poway portion of the site, wildlife movement is limited.

Biological Impact Analysis - City of Poway

This section addresses direct, indirect, and cumulative impacts to biological resources that would result from implementation of the proposed project.

Direct impacts are defined as those that result in the direct removal of a biological resource through clearing, grubbing, and/or grading. These impacts are further classified as temporary or permanent: temporary impacts primarily result from staging or work areas outside of the permanent footprint that will be restored to its pre-project conditions, and permanent impacts refer to the buildings, roads, and other permanent structures. Temporary impacts would result from temporary stockpiles of soil, but would remain within the CUP area that is subject to mining operations and is within the scope of the covered activity under the HCP/NCCP. Permanent impacts would occur in all areas of the biological study area (i.e., project site).

Indirect impacts primarily result from adverse “edge effects” as either short-term indirect impacts related to construction activities or long-term indirect impacts associated with the proximity of a development to natural areas. Cumulative impacts refer to incremental individual environmental effects over long-term implementation of a project when considered together with other impacts from other projects in an area. These impacts taken individually may be minor, but can become collectively significant as they occur over a period of time.

Direct Impacts

On-site impacts consist of permanent impacts from the proposed project. The permanent impacts consist of the grading and development of the proposed project.

Vegetation Communities

The proposed project would result in permanent direct impacts, including impacts from clearing of the project pad (Industrial Pad Site 2) pursuant to previously approved Administrative Clearing Permit 23-0005, impacts relating to future Fuel Modification Zone and temporary impacts associated with stockpiling materials prior to restoration in accordance with CUP 19-0009. These impacts and mitigation ratios are summarized in Table 7.

Table 7. Permanent Direct Impacts to Vegetation Communities and Land Covers

Habitat Type	Pad Site 2 ACP 23-0005 Impacts associated with covered activities included in ACP 23-0005	Pad Site 2 Fuel Modification Zone Not included as part of ACP 23-0005. Impacts be evaluated as part of Nighthawk Project Design Review Permit	Stockpile No Mitigation Required Habitat loss associated with the stockpile was not considered an impact as all impacts to vegetation would be temporary, as the City will require restoration to occur in accordance with CUP 19-009	Mitigation Ratio Based on section 7.4.3 of the Poway Subarea Habitat Conservation Plan/Natural Community Conservation Plan (April 1996)	Pad Site 2 ACP 23-0005 Total mitigation for covered activities included in ACP 23-005. Does not include Stockpile or Fuel Modification Zone.
Baccharis Scrub	0.00	0.00	0.00	3:1	0.00
Coastal Sage Scrub (Revegetated)	5.40	0.55	0.00	2:1	10.8
Coastal Sage Scrub/Non-Native Grass	0.00	4.64	0.00	2:1	0.00
Developed	0.39	0.39	0.00	n/a	0.00
Disturbed	0.00	0.00	0.00	n/a	0.00
Disturbed Coastal Sage Scrub	3.01	0.88	2.38	2:1	6.02
Disturbed Non-Native Grass	0.00	0.00	0.00	n/a	0.00
Freshwater Marsh	0.00	0.00	0.00	2:1	0.00
Graded	0.00	0.00	0.00	n/a	0.00
Mulefat Scrub	0.00	0.00	0.00	2:1	0.00
Non-Native Grass	0.00	0.00	0.00	2:1	0.00
Ornamental	0.00	0.00	0.00	2:1	0.00
Pond	0.00	0.00	0.00	3:1	0.00
Ruderal	0.42	0.72	0.00	2:1	0.84
Southern Willow Scrub	0.00	0.00	0.00	n/a	0.00
Chaparral	0.00	0.00	0.00	n/a	0.00
Total Acreage	**9.22**	**7.18**	**2.38**	—	**17.66**

Notes: ACP = Administrative Clearing Permit; CUP = Conditional Use Permit.

The project site is partially within the City of Poway HCP/NCCP. Therefore, impacts to disturbed Diegan coastal sage scrub and non-native grassland would require mitigation through a combination of compliance with the CUP Amendment Condition K.4 described above within the CUP area and payment of habitat in lieu mitigation fees for any impacts identified in Table 7 to the extent not covered by CUP Amendment Condition K.4. The applicant has prepaid habitat mitigation fees of approximately $312,000 for the project impacts to date.

When not covered by CUP Amendment Condition K.4, Diegan coastal sage scrub requires a mitigation ratio of 2:1 and non-native grassland has a mitigation ratio of 2:1. Permanent impacts to these vegetation communities would be a potentially significant impact. The permanent loss of these vegetation communities would be mitigated to less than significant through the conservation of native habitats. Mitigation Measure (MM) BIO-1 (Habitat Mitigation), provided below in the Best Management Practices and Mitigation Measures section, describes mitigation. Permanent impacts to ornamental areas, urban developed areas and disturbed areas would be less than significant and no mitigation is required.

Special-Status Plant Species

Special-status plants were observed during focused survey and include two California Native Plant Society CRPR 4 special-status plants: small-flower microseris (*Microseris douglasii* ssp. *platycarpha*) and Ashy spike moss (*Selaginella cinerascens*). CRPR 4 plant taxa are of limited distribution or infrequent throughout a broader area in California, and their susceptibility to threat appears low at this time, from a statewide perspective (CNPS 2023). Due to the local abundance throughout the broader Poway area, list 4 species would be considered less than significant within the Poway preserve.

Special-Status Wildlife Species

Special-status wildlife species within the area and with high or moderate potential to occur on site are listed Appendix D of Appendix B and include coastal California gnatcatcher, Cooper's hawk, and Southern California rufous-crowned sparrow. These species would primarily occur in the Diegan coastal sage scrub but could occasionally use the non-native grassland on site. Impacts to the non-native grassland could result in loss of foraging and/or breeding and nesting habitat for these species and would be a potentially significant impact. The permanent loss of habitat would be mitigated to less than significant through the conservation of native habitats, as described in MM-BIO-1 (Habitat Mitigation), provided in the Best Management Practices and Mitigation Measures section below.

The California Fish and Game Code protects bird nests, and the MBTA prohibits the intentional take of any migratory bird or any part, nest, or eggs of any such bird. If clearing, grubbing, or other activities that result in the removal of vegetation occur during the nesting bird season, any impacts to active nests or the young of nesting bird species would be potentially significant. This impact would be mitigated to less than significant through nesting bird surveys and establishment of appropriate buffers, as described in MM-BIO-2 (Nesting Bird Surveys), provided in the Best Management Practices and Mitigation Measures section below.

Jurisdictional Resources

No potentially jurisdictional features were mapped within the biological study area. Therefore, no direct impacts to jurisdictional resources would occur as a result of the project.

Indirect Impacts

Vegetation Communities and/or Special-Status Plants

Short-Term Indirect Impacts

Potential short-term or temporary indirect impacts to any special-status vegetation communities and special-status plants adjacent to the biological study area (if they occur) would primarily result from construction activities and include impacts related to or resulting from the generation of fugitive dust; changes in hydrology resulting from construction, including sedimentation and erosion; and the introduction of chemical pollutants (including herbicides). These impacts are described in detail in the following paragraphs and would be reduced to less than significant through implementation of standard BMPs provided in the Best Management Practices and Mitigation Measures section below.

Generation of Fugitive Dust

Excessive dust can decrease the vigor and productivity of vegetation through effects on light, penetration, photosynthesis, respiration, transpiration, increased penetration of phytotoxic gaseous pollutants, and increased incidence of pests and diseases.

Changes in Hydrology

Construction could result in hydrologic impacts adjacent to and downstream of the limits of grading.

Chemical Pollutants

Erosion, sedimentation, and chemical pollution (releases of fuel, oil, lubricants, paints, release agents, and other construction materials) may affect special-status vegetation communities and/or special-status plants. The use of chemical pollutants can decrease the number of plant pollinators, increase the existence of non-native plants, and cause damage to and destruction of native plants.

Long-Term Indirect Impacts

Long-term (operation-related) or permanent indirect impacts could result from the proposed project to special-status vegetation communities and/or special-status plants adjacent to the site (if they occur) after construction. Permanent indirect impacts that could affect special-status vegetation communities include chemical pollutants, altered hydrology, non-native invasive species, and increased human activity. Each of these potential indirect impacts is discussed in the following paragraphs and would be reduced to less than significant with implementation of standard BMPs provided in the Best Management Practices and Mitigation Measures section below.

Chemical Pollutants

The effects of chemical pollutants on vegetation communities and special-status plant species are described above. During activities, herbicides may be used to prevent vegetation from reoccurring around structures. However, weed control treatments would include only legally permitted chemical, manual, and

mechanical methods. Additionally, the herbicides used during landscaping activities would be contained within the project site.

Altered Hydrology

Water would be used for landscaping purposes that may alter the on-site hydrologic regime. These hydrologic alterations may affect special-status vegetation communities and special-status plant communities. Altered hydrology can allow for the establishment of non-native plants and invasion by Argentine ants (*Linepithema humile*), which can compete with native ant species that could be seed dispersers or plant pollinators. However, the water, and associated runoff, used during landscaping activities would be contained within the project site, and long-term indirect impacts associated with altered hydrology are not expected because the storm drain design proposed for the project would mitigate flood and water quality impacts such that no adjacent properties would be negatively impacted from runoff generated by the development (Kimley-Horn and Associates 2021).

Non-Native, Invasive Plant and Animal Species

Invasive plant species that thrive in edge habitats are a well-documented problem in Southern California and throughout the United States. Bossard et al. (2000) list several adverse effects of non-native species in natural open areas, including exotic plant competition for light, water, and nutrients, and the formation of thatches that block sunlight from reaching smaller native plants. Exotic plant species may alter habitats and displace native species over time, leading to extirpation of native plant species and unique vegetation communities. The introduction of non-native, invasive animal species could negatively affect native species that may be pollinators or seed dispersal agents for plants within vegetation communities and special-status plant populations. However, the project site has historical patterns of disturbance. The majority of the site is already disturbed by non-native species and human activity historically.

Increased Human Activity

Increased human activity could result in trampling of vegetation and soil compaction and could affect the viability of surrounding buffer plant communities. Trampling can alter the ecosystem, creating gaps in vegetation, and allow exotic, non-native plant species to become established, leading to soil erosion. Trampling may also affect the rate of rainfall interception and evapotranspiration, soil moisture, water penetration pathways, surface flows, and erosion. An increased human population would increase the risk for damage to buffer vegetation communities and/or special-status plants if they occur adjacent to the site.

Special-Status Wildlife Species

Short-Term Indirect Impacts

Short-term, construction-related, or temporary indirect impacts to special-status wildlife species that occur within the biological study area (e.g., coastal California gnatcatcher, Cooper's hawk. and Southern California rufous-crowned sparrow) would primarily result from construction activities. Potential temporary indirect impacts could occur as a result of generation of fugitive dust, noise, chemical pollutants, and increased human activity. These impacts are described in detail in the following paragraphs and would be reduced to

less than significant with implementation of standard BMPs provided in the Best Management Practices and Mitigation Measures section below.

Generation of Fugitive Dust

Dust and applications for fugitive dust control can impact vegetation surrounding the limits of grading, resulting in changes in the community structure and function. These changes could result in impacts to suitable habitat for special-status wildlife species.

Noise

Construction-related noise could occur from equipment used during vegetation clearing and construction of the residences and associated infrastructure. Noise impacts can have a variety of indirect impacts on wildlife species, including increased stress, weakened immune systems, altered foraging behavior, displacement due to startle, degraded communication with conspecifics (e.g., masking), damaged hearing from extremely loud noises, and increased vulnerability to predators (Lovich and Ennen 2011; Brattstrom and Bondello 1983, cited in Lovich and Ennen 2011).

Chemical Pollutants

Accidental spills of hazardous chemicals could contaminate nearby surface waters and groundwater, and indirectly impact wildlife species through poisoning or altering suitable habitat.

Increased Human Activity

Increased human activity associated with construction activities can deter wildlife from using habitat areas near the buffer of the project site.

Long-Term Indirect Impacts

Potential long-term or permanent indirect impacts to special-status wildlife species that could occur within the biological study area include increased non-native, invasive plant and animal species and increased human activity. These impacts are described in detail in the following paragraphs and would be reduced to less than significant with implementation of standard BMPs provided in the Best Management Practices and Mitigation Measures section below.

Special Status Wildlife Species

Dudek conducted three evenly spaced protocol level surveys for Crotch bumble bee (*Bombus crotchii*) spaced throughout the sampling season (early spring to late summer, as determined by host plant phenology) (see Appendix C of this Addendum, 2024 Focused Crotch Bumble Bee Survey Report). Visual surveys were conducted from May 6, 2024, to June 3, 2024. The surveys were conducted by qualified biologists with expertise in surveying for Crotch bumble bees. Surveys occurred at least 2 hours after sunrise and 3 hours before sunset and were not conducted during wet conditions (e.g., foggy, raining, or drizzling) or windy conditions (i.e., sustained winds greater than 8 mph). The surveys were conducted during optimal conditions when there was sunny to partly sunny skies that were greater than 60° Fahrenheit.

Suitable floral resource habitat was identified and mapped within the project area. For each survey pass, each patch of suitable habitat was visually surveyed for 1 person-hour per three acres of the highest quality habitat. No crotch bumble bee activity was detected during the visual 2024 surveys. A total of two bumble bee species were observed during the focused surveys (the yellow-faced bumble bee and the yellow bumble bee) and a total of seven bumble bees were observed, recorded, and documented with photographic evidence in the 2024 surveys (see Appendix C).

Crotch's bumble bee was not observed onsite. However, there is flowering habitat and nectar resources found on a portion of the project site (within the biological resources study area). This area was determined to be potentially suitable habitat for Crotch bumble bee; therefore, the entire site was surveyed within the City of Poway and the City of San Diego, and no crotch bumble bees were observed on site in the City of Poway, As such, no significant impacts to this species would occur.

Non-Native, Invasive Plant and Animal Species

Invasive plant species that thrive in edge habitats are a well-documented problem in Southern California and throughout the United States. Development could also fragment native plant populations, which may increase the likelihood of invasion by exotic plants due to the increased interface between natural habitats and developed areas. Bossard et al. (2000) list several adverse effects of non-native species in natural open areas, including the fact that exotic plants compete for light, water, and nutrients, and can create a thatch that blocks sunlight from reaching smaller native plants. Exotic plant species may alter habitats and displace native species over time, leading to extirpation of native plant species and subsequently suitable habitat for special-status wildlife species. However, the project site is in an area already disturbed by non-native species and human disturbance.

Increased Human Activity

Increased human activity could result in trampling of vegetation and soil compaction, which could affect the viability and function of suitable habitat for wildlife species within the buffer. In addition, increased human activity can deter wildlife from using habitat areas near the project site buffer. However, the project site is in an area with historical disturbance.

Jurisdictional Resources

Short-Term Indirect Impacts

Potential short-term or temporary indirect impacts to jurisdictional resources adjacent to the biological study area would primarily result from construction activities and include impacts related to or resulting from the generation of fugitive dust; changes in hydrology resulting from construction, including sedimentation and erosion; and the introduction of chemical pollutants, including herbicides. Potential short-term indirect impacts that could affect jurisdictional aquatic resources adjacent to the biological study area are described in detail in the following paragraphs and would be reduced to less than significant with implementation of standard BMPs in the Best Management Practices and Mitigation Measures section below.

Generation of Fugitive Dust

As stated above, excessive dust can decrease the vigor and productivity of vegetation through effects on light, penetration, photosynthesis, respiration, and transpiration, as well as increased penetration of phytotoxic gaseous pollutants and increased incidence of pests and diseases.

Changes in Hydrology

Construction could result in hydrologic and water-quality-related impacts adjacent to and downstream of the construction area. The effects of changes in hydrology would be similar to those described in the Vegetation Communities and/or Special-Status Plants section above.

Chemical Pollutants

Erosion and chemical pollution (releases of fuel, oil, lubricants, paints, release agents, and other construction materials) may affect jurisdictional resources. The use of chemical pollutants can decrease the number of plant pollinators, increase the existence of non-native plants, and cause damage to and destruction of native plants.

Long-Term Indirect Impacts

Long-term (operation-related) or permanent indirect impacts could result from the proximity of the proposed project to jurisdictional aquatic resources after construction. Permanent indirect impacts that could affect jurisdictional aquatic resources include chemical pollutants, altered hydrology, non-native invasive species, and increased human activity. Each of these potential indirect impacts is discussed in detail in the following paragraphs and would be reduced to less than significant with implementation of standard best management practices provided in the Best Management Practices and Mitigation Measures section below.

Chemical Pollutants

The effects of chemical pollutants on jurisdictional resources are described above.

Altered Hydrology

Water used for landscaping purposes may alter the adjacent hydrologic regime. These hydrologic alterations may affect nearby jurisdictional resources. However, the water, and associated runoff, used during landscaping activities would be contained within the project site, and long-term indirect impacts associated with altered hydrology are not expected because the storm drain proposed for the project is designed to mitigate flood and water quality impacts such that no adjacent properties would be negatively impacted from runoff generated by the development (Kimley-Horn and Associates 2021).

Non-Native, Invasive Plant and Animal Species

The effects of non-native, invasive plant and animal species would be similar to those described in the Vegetation Communities and/or Special-Status Plants section above. The introduction of non-native, invasive animal species could negatively affect native species that may be pollinators of or seed dispersal

agents for plants within nearby jurisdictional resources. However, the project site is in an area already disturbed by non-native species and human disturbance.

Increased Human Activity

The effects of increased human activity would be similar to those described in the Vegetation Communities and/or Special-Status Plants section above. An increased human population increases the risk for damage to jurisdictional resources occurring adjacent to the site.

Wildlife Corridors/Habitat Linkages

Short-Term Indirect Impacts

Short-term indirect impacts to habitat connectivity and wildlife corridors could result from increased human activity. These impacts are described in detail in the following paragraphs and would be reduced to less than significant with implementation of standard BMPs provided in the Best Management Practices and Mitigation Measures section below.

Increased Human Activity

Project construction would occur during the daytime and would not affect wildlife species, such as mammals, which are most active in evenings and nighttime. Wildlife species such as birds, rabbits, and lizards are active in the daytime, but use a variety of habitats and could continue using other areas adjacent to the biological study area for wildlife movement.

Long-Term Indirect Impacts

Long-term indirect impacts include increased human activity and lighting. These impacts are described in detail below and would be reduced to less than significant with implementation of standard best management practices provided in the Best Management Practices below.

Increased Human Activity

Increased human activity can deter wildlife from using habitat areas near the proposed project. However, the project site is in an area already disturbed by non-native species and human disturbance.

Cumulative Impacts

The cumulative biological study area is the area covered by the Poway Habitat Conservation Plan. Direct impacts to special-status plant species and special-status wildlife could occur due to project implementation but would be mitigated per the Poway HCP and CUP Condition K.4, and therefore would not contribute to any cumulative sensitive species impacts. The project would implement standard BMPs, which would avoid contributions toward a cumulative indirect impact to special-status wildlife species and sensitive habitats. As with all other projects, the proposed project would be required to comply with the California Fish and Game Code and MBTA to avoid impacts to nesting birds. Therefore, the project is not anticipated to result in significant cumulative impacts to regional biological resources.

Best Management Practices and Mitigation Measures

Best Management Practices

BMP-1 Flagging/Markings at Work Area Limits. To prevent inadvertent disturbance to areas outside the limits of grading, the contractor shall install markings that are clearly visible along the limits of grading.

BMP-2 Invasive Species Prohibition. The final landscape plans shall be reviewed by the City to confirm that there are no invasive plant species as included on the most recent version of the California Invasive Plant Council's inventory for the project region.

Mitigation Measures

MM-BIO-1 Habitat Mitigation. Consistent with CUP Amendment Condition K.4, prior to commencement of grading for the industrial pad, the applicant shall demonstrate that 3.8 acres of viable Southern Coastal Grassland and 43.1 acres of Diegan Coastal Sage Scrub are maintained on the CUP site on a habitat vegetation map prepared by a qualified biologist.

The biological impacts are not new or more severe and have been applied for previously required environmental impact reports (EIRs) of the area, according to research conducted via CEQA expert analysis of previous 1985 EIR. The 1985 EIR anticipated development of approximately 15 acres of land on the property as light industrial, but the project would develop only approximately 10 acres of the available 15 acres; thus, the biological impacts are less than those anticipated in the 1985 EIR and its SEIRs. No new sensitive species, jurisdictional waters or vegetation communities were identified as compared to the prior EIR and SEIRs. In April 2023, the City also previously determined that modification of the CUP to revise the location of the industrial building pad locations would have no new or more severe impacts than disclosed in the 1990 SEIR pursuant to CEQA Guidelines 15162 and 15163. The project would incorporate Biological Resources Mitigation Measure 4 and Mitigation Measure 10 as identified in the 1985 EIR and MM-BIO-1 above to reduce potential impacts to special status species. These 1985 EIR mitigation measures require landscaping standards and pre-construction activity surveys for sensitive species and habitats. MM-BIO-1 is consistent with the 2009 USFWS Biological Opinion that on-site mitigation of grasslands and coastal sage scrub was consistent with the City's HCP, which utilized the pre-HCP CUP Reclamation Plan as mitigation for development of the CUP area.

Additionally, the project would implement mitigation measures from the 1990 SEIR including long-term biological monitoring and maintenance of specified resources on site and comply with the conditions of approval of CUP 22-0005 approved in April 2023 requiring submittal of a habitat vegetation map prepared by a qualified biologist prior to commencement of grading for the industrial pads, which has been incorporated into MM-BIO-1. Accordingly, the project permits will require the project to document compliance with MM-BIO-1. With compliance with the MM-BIO-1, Mitigation Measures 4 and 10 from the 1995 EIR, and applicable mitigation measures from the 1990 SEIR, impacts would be less than significant.

MM-BIO-2 Nesting Bird Surveys. Construction-related ground-disturbing activities (e.g., clearing/grubbing, grading, and other intensive activities) that occur during the breeding season (typically February 1 through August 31) shall require a survey for nesting bird species to be conducted on or within 300 feet of the construction area for non-listed nesting migratory birds, and within 500 feet of the construction area for federally or state-listed birds and raptors. This survey is necessary to ensure avoidance of impacts to nesting raptors and/or birds protected by the federal Migratory Bird Treaty Act and California Fish and Game Code, Sections 3503 and 3513.

The pre-construction survey must be conducted within 3 calendar days prior to the start of construction. The results of the survey must be submitted to the City of Poway (City) prior to initiating any construction activities. If nesting birds are detected, the following buffers shall be established: (1) no work within 300 feet of a non-listed nesting migratory bird nest, and (2) no work within 500 feet of a listed bird or raptor nest. However, the City may reduce these buffer widths depending on site-specific conditions (e.g., the width and type of screening vegetation between the nest and proposed activity) or the existing ambient level of activity (e.g., existing level of human activity within the buffer distance). If construction must take place within the recommended buffer widths, the project applicant shall contact the City to determine the appropriate buffer. Once the nest is no longer occupied for the season, construction may proceed in the setback areas.

If construction activities, particularly clearing/grubbing, grading, and other intensive activities, stop for more than 3 days, an additional nesting bird survey shall be conducted within the proposed impact area.

Rancho Encantada EIR

The Rancho Encantada EIR analyzed impacts to Biological Resources from the project in Section 4.3 of the EIR. The EIR found that implementation of the Sycamore Estates subproject had the potential to impact sensitive plants and animals directly or through the loss of habitat within the precise plan area. Plant species impacted included Mulefat Scrub, Oak Woodland, Native Grassland Diegan Coastal Sage Scrub (both disturbed and Chaparral Ecotone), Chaparral (undifferentiated), Southern Mixed Chaparral, Chamise Chaparral, and Non-native Grassland. The section of the gen-tie within the City of San Diego jurisdiction is within a conservation easement, open space easement, and mitigation area for the Sycamore Estates Development Project and is south of Beeler Canyon Road. The southern portion of the gen-tie line south of Stonebridge Parkway is located within the MHPA boundary. A conservation easement grant was recorded May 9, 2003, as instrument number 2003-0547336 and corrected on March 5, 2004, as instrument number 2004-0180743 and finally mapped as number 14895 filed on October 21, 2004, and number 14931 filed on December 17, 2004, runs south of Stonebridge parkway. The conservation easement was part of the biological mitigation for the Sycamore Estates development near the project site and was added to the MHPA.

Wildlife species impacted by the Sycamore Estates subproject included California gnatcatcher, California horned lark, grasshopper sparrow, southern California rufous-crowned sparrow, and coastal western whiptail. Impacts to these species were not considered significant due to their low sensitive status and/or because they were covered species in the MSCP. Cumulative impacts to raptor forging habitat was found

to occur due to the loss of Diegan coastal sage scrub and grassland habitats and direct impacts to raptors were found to occur if occupied nests were found in areas proposed for construction. Mitigation for these impacts was required. In addition, impacts were found to occur to an individual coastal California gnatcatcher outside of the MHPA on Sycamore Estates. Impacts to the coastal California gnatcatcher were considered potentially significant and mitigation was required.

To mitigate impacts to sensitive species, the Sycamore Estates MMRP included Mitigation Measures 2-1, 2-2, 2-3, 2-5, 2-6, 2-8, 2-9, 2-10, 2-11, 2-12, 2-13, 2-14, 2-15, and 2-16 including on-site preservation of vegetation communities, installation of construction and silt fences, raptor nest surveys, irrigation restrictions, lighting design plans, fencing plans, and landscaping plans With implementation of these mitigation measures impacts were reduced to below significance.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The following studies has been prepared for the project by Dudek in June 2024:

- Nighthawk Energy Storage Project, San Diego, California – Biological Resources Technical Report (San Diego Biological Resources Technical Report)

The San Diego Biological Resources Technical Report analyzed the gen-tie line component of the proposed project within the city of San Diego. The San Diego Biological Resources Technical Report is attached to this Addendum as Appendix D and is incorporated into the discussion below and was completed in compliance with the City of San Diego Land Development Code Biology Guidelines, the Final MSCP Subarea Plan and Environmentally Sensitive Lands regulations.

Direct Impacts

Vegetation Communities and Land Cover Types

According to Appendix D, the implementation of the project would result in permanent direct impact to native vegetation communities on the project site. Construction of the proposed project would implement open cut trenching between Stonebridge Parkway and the SDG&E substation, with subsequent habitat restoration to return the area to preconstruction conditions. Implementation of the proposed project would result in direct permanent impacts totaling 0.94 acres to disturbed and developed areas, and direct permanent impacts to sensitive vegetation totaling 0.96 acres to vegetation communities considered sensitive under the City of San Diego, including 0.57 acres of coastal sage scrub inside the MHPA, 0.02 acre of coastal sage scrub outside the MHPA, 0.33 acres of coastal sage scrub–Baccharis-dominated vegetation outside the MHPA, and 0.04 acre of southern mixed chaparral outside the MHPA (see Table 7 and Figure 4, Impacts to Biological Resources in Appendix D). Vegetation communities considered sensitive under the City of San Diego are those listed as Tier I through Tier III (rare to common uplands, respectively) and wetlands (City of San Diego 2018a).

During decommissioning, the gen-tie line components that would be capped and left in place in perpetuity would be jacketed in a steel conductor and encased in concrete; therefore, there would be no decomposition of materials and no impacts to vegetation communities or land cover types would

result. Additionally, the gen-tie components that would be removed from existing vaults would be pulled from existing points of entry and would require no new ground disturbance.

Per City of San Diego guidelines, total impacts to sensitive upland vegetation communities greater than 0.1 acres and impacts to wetlands greater than 0.01 acres are considered biologically significant. There are permanent impacts to sensitive vegetation communities, including 0.57 acres of coastal sage scrub inside the MHPA, 0.02 acre of coastal sage scrub outside the MHPA, 0.33 acres of coastal sage scub Baccharis docminated vegetation outside the MHPA, and 0.04 acre of southern mixed chaparral outside the MHPA, meeting the threshold of significance per City of San Diego Guidelines. Mitigation would be required (see mitigation for direct and indirect impacts section below).

Special-Status Plants

Focused rare plant surveys were conducted in 2022 to determine the presence/absence of special-status species determined to have potential to occur on site. After surveys were conducted four sensitive species were observed within the Biological Resources Study Area. Species potential, presence, and absence are discussed in detail in Appendix C of Appendix D. Of those, two species were found to be within the impact footprint: San Diego goldenstar (78 individuals) , and small-flower microseris (17 individuals).

Small-flower microseris is a CRPR 4.2 and is not a Covered Species under the MSCP. Plants with a CRPR 4 plant taxa are of limited distribution or infrequent throughout a broader area in California, so that their vulnerability or susceptibility to threat appears low at this time, from a statewide perspective. However, these taxa warrant regular monitoring for evidence of decline and subsequent transfer to a more sensitive rank. Impacts to CRPR 4 plants do not generally meet the meet CEQA standards and thresholds for impact considerations. Therefore, Appendix D found impacts to small-flower microseris would not be considered significant.

San Diego goldenstar is a CRPR 1B.1 and a Covered Species under the MSCP. In accordance with the MSCP, the project shall minimize impacts to San Diego goldenstar by flagging and avoiding the individuals where possible and translocating San Diego goldenstar according to the 5-year restoration plan where San Diego goldenstar is impacted. Appendix D found that direct impacts to this species would be considered significant and mitigation would be required (see mitigation measures for direct and indirect impacts section below).

Jurisdictional Resources

Appendix D included a jurisdictional delineation conducted on site for the proposed project. The jurisdictional delineation mapped ephemeral channels, wetlands and non-wetland waters that are regulated by the U.S. Army Corps of Engineers, CDFW, RWQCB, and the City of San Diego. Specifically, a non-wetland water and mapped wetland occur along a portion of the proposed gen-tie line route south of Stoneridge Parkway (Figure 5, Impacts to Biological Resources in Appendix D). While these jurisdictional water resources or City of San Diego wetlands occur within the impact area, avoidance of jurisdictional areas on site will be achieved via jack and bore beneath the ephemeral channels and wetlands. Therefore, Appendix D found that no direct impacts will occur to jurisdictional resources or City of San Diego wetlands as a result of implementing the proposed project.

Special-Status Wildlife

A portion of the proposed project site is located within and adjacent to the MHPA. As such, the proposed project is required to conform to the City's MHPA Adjacency Guidelines (Section 1.4.3 of the City MSCP Subarea Plan) and to provide compatible land use or planning policy/design guidelines conformance (Sections 1.4.1 and 1.4.2 of the City MSCP Subarea Plan) (City of San Diego 1997).

Coastal California gnatcatcher was observed during focused surveys within the vegetation mapping study area buffer (500 foot). Appendix D found there are permanent direct impacts to occupied Diegan coastal sage scrub that would occur within the gen-tie line. Impacts to potential habitat are not expected to significantly impact habitat of Southern California rufous-crowned sparrow or Cooper's hawk because the impacts are small.

Appendix D also found that direct take would not occur because the bird breeding season would be avoided. If the bird breeding season cannot be avoided, a biological/noise monitor will be present to minimize impacts. Because Southern California rufous-crowned sparrow and Cooper's hawk are covered under the MSCP, Appendix D anticipated that these species are adequately conserved regionally through the conservation of similar appropriate habitats within the MHPA. Appendix D found that no direct impacts to active nests or the young of nesting coastal California gnatcatcher, Southern California rufous-crowned sparrow, or Cooper's hawk would occur from construction of the proposed project. Finally, the proposed project would implement standard nesting bird avoidance measures in compliance with the Migratory Bird Treaty Act.

Appendix D found that there are large mature riparian woodland trees on a portion of the project site (within the biological resources study area (50 feet) where the wetland occurs and within the Vegetation mapping study area (500-foot buffer) that provide suitable nesting habitat for raptor species such as the Cooper's hawk. The City's Biology Guidelines provide necessary widths for active nest buffers and breeding season dates for Covered Species, including raptors (City of San Diego 2018a). Any development inside the MHPA must provide avoidance of 300 feet from any nesting site of Cooper's hawk (City of San Diego 2018). Thus, Appendix D found direct impacts to nesting raptors would be potentially significant and mitigation would be required.

Indirect Impacts

The project would incorporate methods to control runoff, including site design, source control, and treatment control BMPs. The project would be required to meet National Pollutant Discharge Elimination System (NPDES) regulations and incorporate BMPs during construction as defined by the City of San Diego's Storm Water Standards Manual as part of the project development. Prior to proposed construction mobilization, the project contractor would prepare a Stormwater Pollution Prevention Plan (SWPPP), in accordance with the state's General Construction Stormwater Permit – 99-08-DWQ and implement the plan during construction. In addition, the proposed project would provide buffers surrounding all City wetlands where directional drilling will occur. All areas of impacts (trenching and vault construction) would follow restoration requirements set forth in the San Diego Landscape Regulations and restoration requirements set forth in the City of San Diego Biological Resources Guidelines. Therefore, Appendix D found the proposed project would not have any long-term indirect impacts on sensitive uplands, jurisdictional resources or special-status plant or wildlife species.

Vegetation Communities and Land Covers

Indirect impacts to vegetation communities, such as Diegan coastal sage scrub, primarily result from adverse edge effects. During vegetation removal and grading activities, short-term edge effects could include dust, soil erosion, and runoff from dust control that could disrupt plant vitality in non-impacted areas. However, all grading activities would be subject to the proposed project's BMPs and typical restrictions and requirements that address dust control, erosion, and runoff consistent with standard City SWPPP requirements of the City Storm Water Standards Manual (City of San Diego 2018b). This includes proper storm drain design and water quality BMPs to prevent erosion and pollution of water runoff. In addition, the project would be required to adhere to all standard construction protection measures described within the mitigation, which includes having a qualified biologist present to supervise flagging of sensitive resources prior to construction, provide environmental training and during construction to ensure no unauthorized impacts occur. Therefore, Appendix D found short-term indirect impacts to vegetation communities would not be anticipated as a result of the project. Overall, Appendix D found that long-term indirect impacts to sensitive vegetation communities will be less than significant.

Jurisdictional Resources

Indirect impacts during construction typically consist of short-term edge effects related to dust, soil erosion, and runoff from dust control. During construction, BMPs consistent with standard City SWPPP requirements of the City Storm Water Standards Manual (City of San Diego 2018b) would be implemented. Therefore, Appendix D found that no indirect impacts to jurisdictional resources are expected in the short or long term.

Special-Status Plant Species

Indirect impacts to special-status plants result primarily from adverse edge effects as previously described. During construction activities, edge effects may include dust, which could disrupt plant vitality in the short-term or construction-related soil erosion and water runoff. Standard construction BMPs and construction-related minimization measures to control dust, erosion, and runoff consistent with standard City SWPPP requirements of the City Storm Water Standards Manual (City of San Diego 2018b) will minimize these effects. A qualified biological monitor will be onsite during all days of construction in order to prevent any edge effects to sensitive plant species. The qualified biological monitor will flag special status plant species boundaries for avoidance providing a buffer area to limit any dust, erosion, runoff, or other edge effects. Thus, Appendix D found short-term and long-term indirect impacts to special-status plants are not anticipated as a result of the project.

Special-Status Wildlife Species

Appendix D found that wildlife may be indirectly affected in the short-term by construction-related noise, which can disrupt normal activities and subject wildlife to higher predation risks. Adverse edge effects can cause degradation of habitat quality through the invasion of pest species. Breeding birds can be significantly affected by short-term construction-related noise, which can result in the disruption of foraging, nesting, and reproductive activities.

Most of the indirect impacts to vegetation communities and sensitive plants previously described can also affect special-status wildlife. Wildlife may also be indirectly affected in the short term and long term by

construction-related noise, which can disrupt normal activities, cause lasting stress, and subject wildlife to higher predation risks. The following sensitive wildlife species were observed on site: Southern California rufous-crowned sparrow and coastal California gnatcatcher (*Polioptila californica californica*). Cooper's hawk has high potential to occur within the vegetation mapping study area buffer (500 feet) outside the permanent impact area. Indirect impacts from construction-related noise may occur to breeding wildlife if construction occurs during the breeding season (i.e., February 1 through September 15). Special-status species whose breeding/nesting could be significantly impacted by noise include Cooper's hawk, Southern California rufous-crowned sparrow and coastal California gnatcatchers.

The proposed project implementation has the potential to indirectly impact coastal California gnatcatcher, Southern California rufous-crowned sparrow, and Cooper's hawk if they are nesting near the project impacts. Based on the provisions of the MSCP Implementing Agreement between the Wildlife Agencies and the City of San Diego, Appendix D found that no additional protection is required to offset potential indirect impacts to the coastal California gnatcatchers located within the vegetation mapping study area buffer (500-foot). Because Southern California rufous-crowned sparrow and Cooper's hawk are covered under the MSCP, Appendix D found that it is anticipated that these species are adequately conserved regionally through the conservation of similar appropriate habitats within the MHPA. Thus, according to Appendix D, no indirect impacts to active nests or the young of nesting coastal California gnatcatcher, Southern California rufous-crowned sparrow, or Cooper's hawk will occur from construction of the proposed project.

Dudek conducted three evenly spaced protocol level surveys for Crotch bumble bee (*Bombus crotchii*) spaced throughout the sampling season (early spring to late summer, as determined by host plant phenology) (see Appendix C of this Addendum, 2024 Focused Crotch Bumble Bee Survey Report). Visual surveys were conducted from May 6, 2024, to June 3, 2024. The surveys were conducted by qualified biologists with expertise in surveying for Crotch bumble bees. Surveys occurred at least 2 hours after sunrise and 3 hours before sunset and were not conducted during wet conditions (e.g., foggy, raining, or drizzling) or windy conditions (i.e., sustained winds greater than 8 mph). The surveys were conducted during optimal conditions when there was sunny to partly sunny skies that were greater than 60° Fahrenheit.

Suitable floral resource habitat was identified and mapped within the project area. For each survey pass, each patch of suitable habitat was visually surveyed for 1 person-hour per three acres of the highest quality habitat. No crotch bumble bee activity was detected during the visual 2024 surveys. A total of two bumble bee species were observed during the focused surveys (the yellow-faced bumble bee and the yellow bumble bee) and a total of seven bumble bees were observed, recorded, and documented with photographic evidence in the 2024 surveys (see Appendix C).

Crotch's bumble bee was not observed onsite. However, there is flowering habitat and nectar resources found on a portion of the project site (within the biological resources study area). This area was determined to be potentially suitable habitat for Crotch bumble bee; therefore, the entire site was surveyed within the City of Poway and the City of San Diego. The City of San Diego requires a specific condition of approval as an avoidance measure to protect and minimize potential impacts to foraging Crotch's bumble bees during construction due to the presence of nectar resources.

Cumulative Impacts

The MSCP is a long-term regional conservation plan established to protect sensitive species and habitats in San Diego County. The MSCP is divided into subarea plans that are implemented separately from one another. The project area is located within the MSCP biological core linkage area and both adjacent to and within the MSCP.

The MSCP planning effort is designed to address cumulative impacts through development of a regional plan that addresses impacts to Covered Species and habitats in a manner that assures their conservation despite impacts of cumulative projects over the long term. The ultimate goal of this plan is the establishment of biological reserve areas in conformance with the State of California Natural Communities Conservation Planning Act.

Cumulative impacts to sensitive vegetation communities or special-status species from implementation of the project are not expected since all activities of the project will be consistent with MSCP requirements. Therefore, Appendix D found that cumulative impacts to biological resources would be less than significant.

Mitigation, Minimization, and Avoidance Measures for Direct Impacts

Table 8 summarizes the project impacts to vegetation communities and the required mitigation per the City of San Diego's Biology Guidelines (City of San Diego 2018a). Mitigation numbers are provided in Table 8. Impacts to non-native grassland and scrub oak chaparral will be avoided with horizontal directional drilling to avoid wetlands and waters. Total impacts to less than 0.01 acres of City of San Diego wetlands (southern riparian woodland) are considered less than significant per City guidelines. The City does not distinguish between permanent and temporary impacts for mitigation purposes. For all other impacts to sensitive uplands, mitigation is proposed at ratios provided in Table 3 in Section III of the Biology Guidelines.

Table 8. Mitigation Requirements for Permanent Impacts to Vegetation Communities

Vegetation Community	Subarea Plan Tier	Study Area (acres)	Permanent Impacts (acres)	Mitigation Provided outside the MHPA[a]	Mitigation Ratio within Previously Mitigated Area[b]	Mitigation Ratio Provided within the MHPA[a]	Mitigation Ratio Provided within Previously Mitigated Area[b]	Restoration Mitigation (acres)[c]
Diegan Coastal Sage Scrub: Baccharis-dominated	Tier II	2.35 acres	0.33 acre outside MHPA	1.5:1	N/A	1:1	N/A	0.50 acre outside MHPA *or* **0.33 inside MHPA**
Diegan Coastal Sage Scrub	Tier II	20.22	0.02 outside the MHPA	1.5:1	N/A	1:1	N/A	0.03 outside MHPA *or* **0.02 inside MHPA**

Table 8. Mitigation Requirements for Permanent Impacts to Vegetation Communities

Vegetation Community	Subarea Plan Tier	Study Area (acres)	Permanent Impacts (acres)	Mitigation Provided outside the MHPA[a]	Mitigation Ratio within Previously Mitigated Area[b]	Mitigation Ratio Provided within the MHPA[a]	Mitigation Ratio Provided within Previously Mitigated Area[b]	Restoration Mitigation (acres)[c]
Diegan Coastal Sage Scrub	Tier II	20.22 acres	0.57 acre inside MHPA	2:1	4:1	1:1	2:1	2.28 outside MHPA *or* **1.14 inside MHPA**
Southern Mixed Chaparral	Tier IIIA	10.11	0.04 outside MHPA	1.5:1	N/A	1:1	N/A	0.06 outside MHPA *or* **0.04 inside MHPA**

Notes:

[a] Mitigation ratios are from Table 3 of the City Biology Guidelines.

[b] The mitigation ratio is doubled for impacts to the Sycamore Estates mitigation site that is mapped MHPA and placed in a recorded conservation easement.

[c] Based on preferred mitigation, impacts outside and inside the MHPA will be provided within the MHPA at a 1:1 and 2:1 ratio as shown in bold, respectively. Should mitigation be provided outside the MHPA the higher ratio would be required. See Appendix E of this Addendum, 5-year Biological Restoration Plan for the Nighthawk Energy Storage Project (City of San Diego).

In accordance with the Biology Guidelines (City of San Diego 2018a), the following mitigation measures and standard conditions will reduce significant effects to vegetation communities and sensitive species identified in this report to a less-than-significant level:

SD-BIO-1 Habitat Restoration Comply with City of San Diego Biological Guidelines and Mitigation for Permanent Impacts. Details provided in the restoration plan. The owner/permittee shall mitigate upland impacts in accordance with the City of San Diego Biology Guidelines. The proposed project will result in permanent impacts (including on site) to 0.96 acres of coastal sage scrub and southern mixed chaparral communities in the City of San Diego jurisdiction. The project applicant shall provide for restoration of these vegetation communities based on Table 8 of the Biological Technical Report: Diegan coastal sage scrub (outside the MHPA 0.02 acre, inside the MHPA 0.57 acre), Diegan coastal sage scrub-Baccharis dominated (outside the MHPA 0.33 acre), and southern mixed chaparral (outside the MHPA 0.04 acre) .

Habitat restoration and erosion control treatments shall be installed within disturbance areas and native habitat, in accordance with the City of San Diego Biological Guidelines and the City of San Diego Landscape Guidelines (City of San Diego 2023). Erosion control features shall include silt fence and straw fiber rolls, where appropriate.

SD-BIO-2 Avoidance and Mitigation of Special-Status Plants**.** A biological monitor will be provided during construction to avoid any impacts. There are 78 San Diego goldenstar plants within the impact area. Populations of San Diego goldenstar will be flagged and avoided where

possible. San Diego goldenstar shall be translocated in accordance with the 5-year Restoration Plan.

SD-BIO-3 Nesting Bird Survey and Raptor Nesting Survey**.** To avoid any direct impacts to nesting birds such as Coastal California gnatcatcher, southern California rufous crowned sparrow, least bell's vireo and Cooper's hawk construction activities shall occur outside the breeding season (February 1 to September 15). If construction activity is scheduled during the general bird breeding season, a Qualified Biologist shall conduct a preconstruction survey to determine the presence or absence of nesting birds within the proposed work areas and buffer. The preconstruction survey shall be conducted within 72 hours (3 calendar days) prior to the start of construction activities. The applicant shall submit the results of the preconstruction survey to City of San Diego for review and approval prior to initiating any construction activities. If nesting birds are detected, a letter report or mitigation plan in conformance with the applicable local, state, and federal law (e.g., appropriate follow-up surveys, monitoring schedules, construction and noise barriers/buffers) shall be prepared and include proposed measures to be implemented to ensure that take of birds or eggs or disturbance of breeding activities is avoided. As required by the City of San Diego area-specific management directive for Cooper's hawk, the project construction activities shall maintain a 300 foot avoidance area of any active nests detected during the nesting bird survey. Buffer distances of 300 feet from any active coastal California gnatcatcher nest and 500 feet from any active least Bell's vireo nest are recommended as appropriate buffer distances for these species. If construction activities, particularly clearing/grubbing, grading, and other activities, stop for more than 3 days, an additional nesting bird and raptor survey shall be conducted within the proposed impact area. The report or mitigation plan shall be submitted to the applicable City for review and approval and implemented to the satisfaction of the City of San Diego. The City of San Diego Resident Engineer and/or the Qualified Biologist shall verify and approve that all measures identified in the report or mitigation plan are in place prior to and/or during construction. If nesting birds are not detected during the preconstruction survey, no further mitigation is required. Implementation of preconstruction surveys for nesting birds, and any required follow-up protection measures, will reduce the potential impact levels to below significant.

Prior to the issuance of a grading permit, a qualified biologist shall determine the presence or absence of occupied raptor nests on the sub-project site and vicinity, with written results submitted to the City of San Diego Land Development Review Department. Grading and construction which creates adverse effects to active raptor nests, including noise levels above 60 dB(A), shall be restricted to 300 feet from any Cooper's hawk (Accipiter cooperi) nesting site; 900 feet from any northern harrier (Circus cyaneus) nesting site; and 4,000 feet from any golden eagle (Aquila chrysaetos) nesting site. This restriction shall be noted on all grading and construction plans. If active raptor nests are located within the distances listed above, weekly biological monitoring of the nests shall be conducted by the project biologist during the breeding season (February 1 through August 15) with written results submitted to the City of San Diego Land Development Review Department. No grading or construction activities shall be permitted within those restricted areas until the young have fledged. Implementation of

preconstruction raptor surveys for nesting birds, and any required follow-up protection measures, will reduce the potential impact levels to below significant.

Mitigation, Minimization, and Avoidance Measures for Indirect Impacts

The project shall be required to adhere to all standard construction protection measures listed in the mitigation and monitoring plan and Site Development Permit, which includes having a qualified biologist present to supervise flagging of sensitive resources prior to construction, provide environmental training and during construction to ensure no unauthorized impacts occur. Therefore, the proposed project will avoid indirect impacts to sensitive upland vegetation communities, jurisdictional resources, and special-status plant species with implementation of the following measures.

SD-BIO-4 Indirect Impact Avoidance**.** Prior to issuance of land development permits by the City of San Diego, including clearing, grubbing, grading, and/or construction permits that impact biological resources, the following measures shall be included on grading and construction plans, or in grading and construction permits:

1. Qualified Biologist – The owner/permittee shall provide a letter to the City of San Diego's Mitigation Monitoring Coordination (MMC) Section stating that a project biologist ("Qualified Biologist") as defined in the 2018 City of San Diego Municipal Code, Land Development Code—Biology Guidelines has been retained to implement the project's biological monitoring program. The letter shall include the names and contact information of all persons involved in the biological monitoring of the project.
2. Pre-Construction Meeting – The Qualified Biologist shall attend the preconstruction meeting, discuss the project's biological monitoring program, and arrange to perform any follow-up mitigation measures and reporting, including site-specific monitoring, restoration and additional fauna/flora surveys/salvage.
3. Documentation -- The Qualified Biologist shall submit all required documentation to MMC verifying that any special mitigation reports, including but not limited to maps, plans, surveys, survey timelines, or buffers, are completed or scheduled per the California Environmental Quality Act (CEQA); the National Environmental Policy Act; the federal Endangered Species Act and the California Endangered Species Act; and/or other local, state, or federal requirements.
4. Biological Construction Mitigation/Monitoring Exhibit – The Qualified Biologist shall present a Biological Construction Mitigation/Monitoring Exhibit (BCME), which includes the biological documents above. In addition, the BCME shall include restoration plans, plant salvage/relocation requirements (e.g., burrowing owl exclusions), avian or other wildlife surveys/survey schedules (including general avian nesting surveys and U.S. Fish and Wildlife [USFWS] protocol surveys), timing of surveys, wetland buffers, avian construction avoidance areas/noise buffers/barriers, other impact avoidance areas, and any subsequent requirements determined by the Qualified Biologist and the City of San Diego (Assistant Deputy Director/MMC). The BCME shall include a site plan, a written and graphic depiction of the project's biological mitigation/monitoring program, and a schedule. The BCME shall be approved by MMC and referenced in the construction documents.

5. Construction Fencing – Prior to construction activities, the Qualified Biologist shall supervise the placement of orange construction fencing or equivalent along the limits of disturbance adjacent to sensitive biological habitats and verify compliance with any other project conditions as shown on the BCME. This phase shall include flagging plant specimens and delineating buffers to protect sensitive biological resources (e.g., habitats/flora and fauna, including nesting birds) during construction. Appropriate steps/care should be taken to minimize attraction of nest predators to the site.
6. On-Site Education -- Prior to commencement of construction activities, the Qualified Biologist shall meet with the owner/permittee or designee and the construction crew and conduct an on-site educational session regarding the need to avoid impacts outside the approved construction area and to protect sensitive flora and fauna (e.g., explain the avian and wetland buffers and the flag system for removal of invasive species or retention of sensitive plants, and clarify acceptable access routes/methods and staging areas).
7. Biological Monitoring -- During construction, a Qualified Biologist shall be present to assist in the avoidance of impacts to native vegetation, jurisdictional resources, special-status plants and wildlife, and nesting birds.
8. Covered Trenches – General biological monitoring shall include verifying that the contractor has covered all steep-walled trenches or excavations overnight or after shift. If trenches or excavations cannot be covered, the monitor shall verify that the contractor has installed exclusionary fencing (e.g., silt fence) around the trenches or excavation areas or installed ramps to prevent entrapment of wildlife (e.g., reptiles and mammals). If animals are encountered within any trenches or excavated areas, they shall be removed by the Qualified Biological Monitor, if possible, or provided with a means of escape (e.g., a ramp or sloped surface) and allowed to disperse. In addition, the Qualified Biological Monitor shall provide training to construction personnel to increase awareness of the possible presence of wildlife beneath vehicles and equipment and to use best judgment to avoid killing or injuring wildlife. The Qualified Biological Monitor shall be available to assist with moving wildlife, if necessary.
9. Nighttime Construction -- To reduce impacts to nocturnal species in those areas where they have a potential to occur, nighttime construction activity within undeveloped areas containing sensitive biological resources shall be minimized whenever feasible and shielded lights shall be utilized when necessary. Construction nighttime lighting will be subject to City of San Diego's Outdoor Lighting Regulations per San Diego Land Development Code (LDC) Section 142.0740.
10. BMPs/Erosion/Runoff – The City of San Diego shall incorporate methods to control runoff, including a stormwater pollution prevention plan to meet National Pollutant Discharge Elimination System regulations or a batch discharge permit from the City of San Diego. Implementation of stormwater regulations are expected to substantially control adverse edge effects (e.g., erosion, sedimentation, habitat conversion) during and following construction both adjacent and downstream from the study area. Typical construction BMPs specifically related to reducing impacts from dust, erosion, and runoff generated by construction activities shall be implemented. During construction, material stockpiles shall be placed such that they cause minimal interference with on-

site drainage patterns. This will protect sensitive vegetation from being inundated with sediment-laden runoff. Dewatering shall be conducted in accordance with standard regulations of the Regional Water Quality Control Board (RWQCB). A National Pollutant Discharge Elimination System permit issued by RWQCB to discharge water from dewatering activities shall be required prior to start of dewatering. This will minimize erosion, siltation, and pollution within sensitive communities. Design of drainage facilities shall incorporate long-term control of pollutants and stormwater flow to minimize pollution and hydrologic changes.

11. Toxics/Project Staging Areas/Equipment Storage – Projects that use chemicals or generate by-products such as pesticides, herbicides, and animal waste, and other substances that are potentially toxic or impactive to native habitats/flora/fauna (including water) shall incorporate measures to reduce impacts caused by the application and/or drainage of such materials into the MHPA. No trash, oil, parking, or other construction/development-related material/activities shall be allowed outside any approved construction limits. Where applicable, this requirement shall be incorporated into leases on publicly owned property when applications for renewal occur. A note shall be provided in/on the Construction Drawings that states: "All construction-related activity that may have potential for leakage or intrusion shall be monitored by the Qualified Biologist/applicant's representative or Resident Engineer to ensure there is no impact to the MHPA."

SD-BIO-5 Land Use Adjacency Guidelines. As a condition of the permit, land use adjacency guidelines will be followed. Land use adjacency guidelines apply to the Northern and Southern Section of Gen-Tie Line within the Biological Core Area, Biological Linkage Area and areas adjacent to the MHPA.

The proposed project is consistent with the MSCP because the proposed project will place three permanent structures within developed land cover types only, and the proposed project will not negatively impact the goals and objectives of the City of San Diego Subarea Plan or MSCP. Thus, the proposed project is consistent with MSCP/MHPA, and MSCP/MHPA adjacency guidelines.

- **Developed and paved areas should not drain directly into the Biological Core Area, Biological Linkage Area or MHPA.** No drainage is expected for this project. If drainage is expected, developed and paved areas within the project will not drain directly into the CBLA or MHPA; rather, those areas will drain directly to the biofiltration basins if needed, which prevent the release of toxins, chemicals, petroleum products, and exotic plant materials before draining into the CBLA or MHPA.
- **Toxic chemicals will not be used during project implementation.** No toxic chemicals are proposed to be used for project components, including the development. Gasoline pans will be placed under all construction equipment when not in use.
- **All lighting should be faced away from the Biological Core Area, Biological Linkage Area and MHPA.** Nighttime work is not expected for this project. Daytime work is expected. If nighttime work is expected, any nighttime lighting, including but not limited to

security lighting, will be shielded and directed away from the CBLA and MHPA per the City's Outdoor Lighting Ordinance so there is no spill of light into the CBLA or MHPA.

- **Uses in or adjacent to the Biological Core Area, Biological Linkage Area and MHPA will be designed to minimize noise impacts.** Work is to be avoided during the bird breeding season. If the bird breeding season cannot be avoided, a biologist will conduct nesting surveys prior to any construction work during the bird breeding season to determine any potential nest locations. A biological noise monitor will monitor with a piccolo monitor during the bird breeding season to ensure that noise does not exceed an average of 60 db(A). Gen-tie line construction should not exceed an average 60 db(A) over each 1-hour period. The project will include standard nesting bird conditions in accordance with the MBTA.
- **New development adjacent to the Biological Core Area, Biological Linkage Area and MHPA will be required to provide barriers boundaries to direct public access to appropriate locations and reduce domestic animal predation.** No public access is expected given that the project area is gated within all sections of the paved area. In addition, the southern section is also gated. The only areas for public access include Stonebridge parkway (paved road), which consists of paved walking trails.
- **No invasive non-native plant species shall be introduced into areas adjacent to the Biological Core Area, Biological Linkage Area or MHPA.** No landscaping is expected within the northern portion of the project site. If landscaping becomes required in this portion, no non-native or invasive species will be included in landscaping on the project site. The southern area would not propose invasive plant species as part of the revegetation plan.
- **New residential development located adjacent to and topographically above the Biological Core Area, Biological Linkage Area or MHPA (e.g., along canyon edges) must be set back from slope edges to incorporate Zone 1 brush management areas on the development pad and outside of the Biological Core Area, Biological Linkage Area or MHPA.** Brush management is not proposed. Area specific management directives consist of "measures to reduce edge effects and minimize disturbance, fire protection measures to reduce the potential for habitat degradation due to unplanned fire, and management measures to maintain or improve habitat quality including vegetation structure".
- **Manufactured slopes associated with site development shall be included within the development footprint for projects within or adjacent to the Biological Core Area, Biological Linkage Area or MHPA.** The project grading would be entirely within an existing development and does not include any proposed manufactured slopes.

SD-BIO-6 Avoidance Measure for Crotch's Bumble Bee. Should this species no longer be sensitive as defined in the City Biology Guidelines at the time of the preconstruction meeting, then no avoidance measures shall be required. As a condition of approval, the following measures shall be implemented:

1. To avoid impacts on Crotch's bumble bee, removal of habitat in the proposed area of disturbance must occur outside of the Colony Active Period between April 1 through August 31. If the removal of habitat in the proposed area of disturbance must occur

during the Colony Active Period, a Qualified Biologist shall conduct a pre-activity (defined as any habitat disturbance) survey no more than three days prior to the initiation of construction activities to determine the presence or absence of Crotch's bumble bee within the proposed area of disturbance.

2. A Qualified Biologist must demonstrate the following qualifications: at least 40 hours of experience surveying for bee or other co-occurring aerial invertebrate species (such as Quino checkerspot butterfly) and have completed a Crotch's bumble bee detection/identification training by an expert Crotch's bumble bee entomologist; or the biologist must have at least 20 hours of experience directly observing Crotch's bumble bee.
3. The pre-activity survey shall consist of photographic surveys following California Department of Fish and Wildlife (CDFW) guidance (i.e., Survey Considerations for California Endangered Species Act [CESA] Candidate Bumble Bee Species, dated June 6, 2023). The surveys shall consist of passive methods unless a Memorandum of Understanding is obtained.

   If additional activities (e.g., capture or handling) are deemed necessary to identify bumble bees of an unknown species that may be Crotch's bumble bee, then the Qualified Biologist shall obtain the required authorization via a Memorandum of Understanding or Scientific Collecting Permit pursuant to CDFW Survey Considerations for CESA Candidate Bumble Bee Species (CDFW 2023). Survey methods that involve lethal take of species are not acceptable.
4. If pre-activity surveys identify Crotch's bumble bee individuals on-site, the Qualified Biologist shall notify and consult with CDFW to establish, monitor, and maintain no-work buffers around the associated floral resources. The size and configuration of the no-work buffer shall be based on the best professional judgment of the Qualified Biologist in consultation with CDFW. Construction activities shall not occur within the no-work buffers until the bees appear no longer active (i.e., associated floral resources appear desiccated and no bees are seen flying for three consecutive days indicating dispersal from the area). Take of any endangered, threatened, candidate species that results from the project is prohibited, except as authorized by State law (Fish and Game Code section 86, 2062, 2067, 2068, 2080, 2085; California Code Regulations, Title 14, section 786.9) under CESA.
5. Survey data shall be submitted by the Qualified Biologist to the California Natural Diversity Database (CNDDB) in accordance with the Memorandum of Understanding with CDFW, or Scientific Collecting Permit requirements, as applicable.

Improvements within the SDG&E Crossing Easements

The proposed gen-tie line would cross all SDG&E Crossing Easements as shown on Figure 3. The project components in the SDG&E parcels would include an underground gen-tie within streets or utility rights-of-way, and would require trenching activities, placement of conduit, and surface restoration within existing utility easements that cross the SDG&E parcels. Trenching would be required for placement of underground electrical and communication lines. Focused rare plant surveys were conducted in 2023 for the Poway Biological Technical Report (Appendix B) to determine the presence or absence of special status species determined to have a potential to occur on site. The surveys found two California Native Plant Society CRPR

4 special-status plants: small-flower microseris and Ashy spike moss were found in in the biological resources study area; however, CRPR 4 plant taxa are of limited distribution or infrequent throughout a broader area in California, and their susceptibility to threat appears low at this time, from a statewide perspective (CNPS 2023). Due to the local abundance throughout the broader Poway area, list 4 species are be considered less than significant within the Poway preserve.

Focused rare plant surveys were also conducted in April and August 2022 for the San Diego Biological Resources Technical Report (Appendix D) to determine the presence/absence of special-status species determined to have potential to occur on site. The surveys found two sensitive species , San Diego goldenstar, and small-flower microseris were observed within the impact areas of the biological resources study area. Outside of the project site within the 50-foot survey buffer, four sensitive species were observed: Nuttall's scrub oak, San Diego marsh elder, southwestern spiny rush, and ashy spike moss.

Temporary construction impacts would occur within the easement crossings, and the project would occur in areas with the potential to support, or are known to support, state and/or federally listed species. The project would incorporate avoidance and mitigation measures as outlined above and by implementing the protocols of SDG&E's Subregional Natural Community Conservation Plan (NCCP). The NCCP is a Section 10A permit for incidental take and a Section 2081 Permit with an implementation agreement with CDFW and USFWS for the management and conservation of multiple species and their associated habitats as established according to the federal and state endangered species acts and the state's Natural Community Conservation Planning Act.

Through the implementation of field protocols, avoidance of resources, mitigation, habitat enhancement and reclamation measures per the NCCP, project impacts to biological resources within the SDG&E parcels would be less than significant.

Improvements within the Miramar Marine Corps

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line within existing base roads. These project components would include an underground gen-tie within existing base roads, and would require trenching activities, placement of conduit, and surface restoration within existing base roads In addition, the project would further reduce potential impacts to sensitive species by complying with all environmental conditions and requirements including all natural resource management conditions such as post-construction seeding/hydro-seeding, prevention of puddles and ruts and Migratory Bird Act measures as described in the MCAS Miramar CATEX Decision Memorandum.

Conclusion

The project will be required to comply with mitigation measures under the 1985 EIR and its SEIRs and the Rancho Encantada SEIR, natural resource management conditions pursuant to the CATEX Decision Memorandum, protocols under the NCCP within the SDG&E Crossing Easements, the requirements of the Poway HCP and the requirements of the city of San Diego Land Development Code Biology Guidelines, the Final MSCP Subarea Plan, Environmentally Sensitive Lands regulations, and the mitigation measures described herein. With compliance with these mitigation measures and requirements as outlined in Appendix F, City of San Diego Mitigation, Monitoring and Reporting Program, the project would have no significant environmental effects on species identified as a candidate, sensitive or special status species

beyond those analyzed in the 1985 EIR and its SEIRs, and the Rancho Encantada EIR. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs and the applicant concurs with the mitigation measures herein. No new sensitive plant or wildlife species, jurisdictional waters, or vegetation communities were observed during biological surveys conducted in 2021 or 2022. Thus, a subsequent EIR is not required.

b) ***Would the project have a substantial adverse effect on any riparian habitat or other sensitive*** **natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?**

Previous Documentation

1985 EIR

The 1985 EIR concluded isolated riparian brush areas associated with small ponds within Subarea 2 would be eliminated with development of the plan. However, the project would avoid any riparian habitat located on the BESS site and would be located outside the vicinity of the ponds within Subarea 2.

1988 SEIR

The 1988 SEIR found the 1985 EIR documented the existing flora and fauna within the South Poway Planned Community and found approximately 50% of the vegetation would be removed and the associated wildlife would be removed or displaced. Some sensitive habitats and a number of sensitive botanic species would be removed. Wildlife potential would increase at the open space/development boundary.

The 1988 SEIR found within the Parkway Partners development, three brush areas associated with small ponds near the major backbone ridge system would be eliminated. Loss of these features was considered unavoidable adverse impact identified in the 1985 EIR. Similarly, loss of coast barrel cactus (*Ferrocactus viridescens*) and mesa clubmoss (*Selaginella cinerascens*) would occur at isolated localities within the previously defined limits of grading.

No additional mitigation measure was identified beyond those previously recommended in the 1988 EIR.

1990 SEIR

The 1990 SEIR found Impacts to the on-site Riparian Scrub would be avoided by all grading operation. An open space easement was designated in the CUP over riparian habitat. If inadvertent impacts occurred to wetlands, the SEIR required mitigation on-site through the development of a wetland mitigation plan that had a two-to-one habitat replacement ratio and a 5-year monitoring program.

The City previously determined that amendment of the project pursuant to CUP 22-0005 approved in April 2023 subject to conditions of approval including compliance with the Zoning Ordinance and all other applicable City ordinances in effect at the time of Building Permit issuance did not require further analysis and all impacts were analyzed by the 1990 SEIR.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project site features riparian habitat within the southern portion of the site. Impacts to riparian habitat as a result of project implementation would be considered significant unless avoided. However, the project avoids these areas during project construction and operation while also providing a wetland buffer. As such, impacts would be less than significant.

Rancho Encantada EIR

The Rancho Encantada EIR found five wetland/riparian habitats on site consisting of riparian scrub, southern willow scrub, mule fat scrub, wet meadow (freshwater seep), and natural flood channel. The EIR identified potential impacts to wetland/riparian communities and required Mitigation Measures 2-4, 2-5, 2-6, 2-7, 2-9, and 2-10 in the form of planting riparian creation areas as specified in the approved wetland mitigation program.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

With respect to the gen-tie line component within the City of San Diego, the project will comply with all City requirements applicable to project activities including construction, demolition, and operation of the project. These include compliance with the Environmentally Sensitive Lands regulations adopted by the City of San Diego. As the project would avoid riparian habitat and sensitive natural communities, Appendix D found that the project would not have significant impacts to these resources.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with riparian habitat or other sensitive resources or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

The proposed gen-tie line would cross all SDG&E Crossing Easements as shown on Figure 3. The project components in the SDG&E parcels would include an underground gen-tie within streets or utility rights-of-way. Project activities will occur in areas with the potential to support or are known to support riparian or other sensitive habitat. The project would incorporate mitigation, avoidance and minimization measures by implementing the protocols of SDG&E's Subregional NCCP. The NCCP is a Section 10A permit for incidental take and a Section 2081 Permit with an implementation agreement with CDFW and USFWS for the management and conservation of multiple species and their associated habitats as established according to the federal and state endangered species acts and the state's Natural Community Conservation Planning Act. Through the implementation of field protocols, avoidance of resources, mitigation, habitat enhancement and reclamation measures per the NCCP, project impacts to biological resources will be less than significant.

Improvements within the Miramar Marine Corps

Improvements within the Miramar Marine Corps Base would include an underground gen-tie within existing base roads, and would require trenching activities, placement of conduit, and surface restoration within existing base roads. The project would further reduce potential impacts to riparian or other sensitive habitat by complying with all environmental conditions and requirements including all natural resource management conditions such as post-construction seeding/hydro-seeding, prevention of puddles and ruts and Migratory Bird Act measures and MSCP and NCCP requirements applicable within utility right-of-way on Miramar Marine Corps Base as documented in the CATEX Decision Memorandum.

Conclusion

The project would avoid riparian habitat and sensitive natural communities and therefore would have no project-specific significant effects related to riparian habitat beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

c) Would the project have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

The 1988 SEIR found within the Parkway Partners development, three brush areas associated with small ponds near the major backbone ridge system would be eliminated. Loss of these features was considered unavoidable adverse impact identified in the 1985 EIR. Similarly, loss of coast barrel cactus (*Ferrocactus viridescens*) and mesa clubmoss (*Selaginella cinerascens*) would occur at isolated localities within the previously defined limits of grading. No additional mitigation measures were identified beyond those previously recommended in the EIR.

1990 SEIR

The 1990 SEIR found Impacts to the on-site Riparian Scrub would be avoided by all grading operation. An open space easement was designated in the CUP over riparian habitat. If inadvertent impacts occurred to wetlands, the SEIR required mitigation on-site through the development of a wetland mitigation plan that had a two-to-one habitat replacement ratio and a 5-year monitoring program.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The Poway Biological Technical Report (Appendix B) included the following analysis of jurisdictional resources:

Direct Impacts

As discussed in Section 4.4(a), no potentially jurisdictional features were mapped within the biological study area. Therefore, no direct impacts to jurisdictional resources would occur as a result of the project.

Indirect Impacts

Short-Term Indirect Impacts

Potential short-term or temporary indirect impacts to jurisdictional resources adjacent to the biological study area would primarily result from construction activities and include impacts related to or resulting from the generation of fugitive dust; changes in hydrology resulting from construction, including sedimentation and erosion; and the introduction of chemical pollutants. Potential short-term indirect impacts that could affect jurisdictional aquatic resources adjacent to the biological study area are described in detail in the following paragraphs and would be mitigated to less than significant through implementation of BMP-1 (Flagging/Marking of Work Area Limits) as outlined in Appendix B.

Generation of Fugitive Dust

As stated above, excessive dust can decrease the vigor and productivity of vegetation through effects on light, penetration, photosynthesis, respiration, and transpiration, as well as increased penetration of phytotoxic gaseous pollutants and increased incidence of pests and diseases.

Changes in Hydrology

Construction could result in hydrologic and water-quality-related impacts adjacent to and downstream of the construction area. The effects of changes in hydrology would be similar to those described in the Vegetation Communities and/or Special-Status Plants section above.

Chemical Pollutants

Erosion and chemical pollution (releases of fuel, oil, lubricants, paints, release agents, and other construction materials) may affect jurisdictional resources. The use of chemical pollutants can decrease the number of plant pollinators, increase the existence of non-native plants, and cause damage to and destruction of native plants.

Long-Term Indirect Impacts

Long-term (operation-related) or permanent indirect impacts could result from the proximity of the proposed project to jurisdictional aquatic resources after construction. Permanent indirect impacts that could affect jurisdictional aquatic resources include chemical pollutants, altered hydrology, non-native invasive species, and increased human activity. Each of these potential indirect impacts is discussed in detail in the following paragraphs and would be mitigated to less than significant through implementation of Standard Best

Management Practices such as BMP-1 (Flagging/Marking at Work Areas) and BMP-2 (invasive Species Prohibition) as outlined in Appendix B.

Chemical Pollutants

The effects of chemical pollutants on jurisdictional resources are described above.

Altered Hydrology

Water used for landscaping purposes may alter the adjacent hydrologic regime. These hydrologic alterations may affect nearby jurisdictional resources. However, the water, and associated runoff, used during landscaping activities would be contained within the project site, and long-term indirect impacts associated with altered hydrology are not expected because the storm drain proposed for the project is designed to mitigate flood and water quality impacts such that no adjacent properties would be negatively impacted from runoff generated by the development (Kimley-Horn and Associates 2021).

Non-Native, Invasive Plant and Animal Species

The effects of non-native, invasive plant and animal species would be similar to those described in Vegetation Communities and/or Special-Status Plants section above. The introduction of non-native, invasive animal species could negatively affect native species that may be pollinators of or seed dispersal agents for plants within nearby jurisdictional resources. However, the project site is in an area already disturbed by non-native species and human disturbance.

Increased Human Activity

The effects of increased human activity would be similar to those described in the Vegetation Communities and/or Special-Status Plants section above. An increased human population increases the risk for damage to jurisdictional resources occurring adjacent to the site.

Rancho Encantada EIR

The Rancho Encantada EIR found significant direct and indirect impacts to sensitive wetland habitat in the Sycamore Estates sub-project area and required Mitigation Measures 2-4, 2-5, 2-6, 2-7, 2-9, and 2-10 in the form of on-site wetland habitat restoration, restoration of the ground surface to original conditions, an approved wetland mitigation program, and construction and silt fences around wetland/riparian areas. Revegetation was also required adjacent to existing wetland habitat within the Sycamore Estates project boundaries, and the habitat restoration plan included a monitoring and maintenance program to ensure the success of the wetland mitigation. With implementation of these mitigation measures, impacts were found to be less than significant.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

According to the San Diego Biological Resources Technical Report (Appendix D) completed for the gen-tie portion of the project, the jurisdictional delineation conducted on site mapped ephemeral channels, wetlands and non-wetland waters. Specifically, a non-wetland water and mapped wetland occur along a portion of the proposed gen-tie line route south of Stoneridge Parkway. Impacts to wetlands as a result of project implementation would be considered significant. However, while these jurisdictional water resources or City of San Diego wetlands occur within the impact area, avoidance of jurisdictional areas on site would be achieved via boring beneath the ephemeral channels and wetlands. Therefore, no direct impacts will occur to jurisdictional resources or City of San Diego wetlands as a result of implementing and operating the proposed project.

Gen-tie line components located within the City of San Diego would be located within streets or utility-way located outside of wetland areas. The results of the jurisdictional aquatic resource delineation concluded that there are no locations within the impact area of the gen-tie line that meet the definition of waters of the United States and/or state, including wetlands. Thus, impacts to wetlands during construction, operation and demolition would be avoided. Avoidance is consistent with the Environmentally Sensitive Lands regulations adopted by the City of San Diego.

In addition, indirect impacts to wetlands during construction would typically consist of short-term edge effects related to dust, soil erosion, and runoff from dust control. During construction, BMPs consistent with the standard City SWPPP requirements of the City Storm Water Standards Manual would be implemented. Therefore, Appendix D found no indirect impacts to jurisdictional resources are expected in the short or long term.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with wetlands or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

The proposed gen-tie line would cross all SDG&E Crossing Easements as shown on Figure 3. The project components in the SDG&E parcels would include an underground gen-tie within streets or utility rights-of-way. Project activities would not occur in areas with the potential to support, or are known to support, federally protected wetlands. The project will incorporate avoidance and minimization measures by implementing the protocols of SDG&E's Subregional Natural Community Conservation Plan (NCCP). The NCCP is a Section 10A permit for incidental take and a Section 2081 Permit with an implementation agreement with CDFW and USFWS for the management and conservation of multiple species and their associated habitats as established according to the federal and state endangered species acts and the state's Natural Community Conservation Planning Act. Through the implementation of field protocols, avoidance of resources, mitigation, habitat enhancement and reclamation impacts would be less than significant.

Improvements within the Miramar Marine Corps

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line within existing base roads. These project components would include an underground gen-tie within existing base roads, and would require trenching activities, placement of conduit, and surface restoration within existing base roads. Project activities would not occur in areas with the potential to support, or are known to support, federally protected wetlands. The project would further reduce potential impacts to wetlands by complying with all environmental conditions and requirements including all natural resource management conditions such as post-construction seeding/hydro-seeding, prevention of puddles and ruts and Migratory Bird Act measures as described in the CATEX Decision Memorandum. Avoidance of wetlands is consistent with MSCP requirements and NCCP requirements applicable within right-of-way on Miramar Marine Corps Base.

d) Would the project interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

Previous Documentation

1985 EIR

While the 1985 EIR found the plan area could be considered part of a regional wildlife corridor which extends from Penasquitos Lagoon eastward across the property to natural areas east of the site, this impact was not identified as significant. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

Existing Conditions

Wildlife Corridors/Habitat Linkages

Wildlife corridors are linear features that connect large patches of natural open space and provide avenues for the immigration and emigration of animals. Wildlife corridors contribute to population viability by (1) ensuring the continual exchange of genes between populations, which helps maintain genetic diversity; (2) providing access to adjacent habitat areas, representing additional territory for foraging and mating; (3) allowing for a greater carrying capacity; and (4) providing routes for colonization of habitat lands following local population extinctions or habitat recovery from ecological catastrophes (e.g., fires).

Habitat linkages are patches of native habitat that function to join two larger patches of habitat. They serve as connections between habitat patches and help reduce the adverse effects of habitat fragmentation.

Although individual animals may not move through a habitat linkage, the linkage does represent a potential route for gene flow and long-term dispersal. Habitat linkages may serve as both habitat and avenues of gene flow for small animals, such as reptiles and amphibians. Habitat linkages may be represented by continuous patches of habitat or by nearby habitat "islands" that function as steppingstones for dispersal.

The buffer likely provides some refuge and cover for wildlife species and their movements. The project site gen-tie line is narrow and paved/gravel in most locations. Walls and/or fencing is in place within the Poway portion of the property restricting wildlife movement. The BESS area has been previously disturbed and has sections surrounded by development. The BESS area is also enclosed with perimeter walls and with some paved edges. Smaller wildlife may have some potential to move between the habitat along the project site and move within buffers. Due to the fencing and walls within the City of Poway portion of the site, wildlife movement is limited.

Direct Impacts

Wildlife Corridors/Habitat Linkages

The 500-foot buffer likely provides refuge and cover for wildlife species and their movements. However, the buffer will not be impacted. The project site gen-tie line is narrow, paved/gravel in most sections, , and, therefore, does not provide any cover. The BESS area has been previously disturbed and has sections surrounded by development. The BESS area is also fenced by a concrete perimeter wall. Wildlife could move between the habitat along the project site and move within buffers and use the cover of buffers. However, due to the fencing and previous development within the project area, wildlife movement is limited. Therefore, no impacts to wildlife corridors or habitat linkages would occur as a result of the proposed project.

Indirect Impacts

Wildlife Corridors/Habitat Linkages

Short-Term Indirect Impacts

Short-term indirect impacts to habitat connectivity and wildlife corridors could result from increased human activity. These impacts are described in detail in the following paragraphs and would be mitigated to less than significant through implementation of BMP-1 Flagging/Markings at Work Area Limits) and BMP-2 (Invasive Species Prohibition) as provided in the Best Management Practices and Mitigation Measures section in Appendix B.

Rancho Encantada EIR

The Rancho Encantada EIR found two regional wildlife corridors mapped in the City of Poway's MSCP on or adjacent to the Rancho Encantada Project site. One of the mapped wildlife corridors was in Sycamore Canyon running north-south along the eastern MHPA boundary. Potential impacts to the Sycamore Canyon Regional wildlife corridor were identified due to the approximately 3-mile-long, 683-acre development footprint extending eastward from Pomerado Road in the Rancho Encantada Precise Plan. The EIR found that development of the project would force wildlife to travel around Rancho Encantada development footprint. However, the overall project design would maintain the integrity of the preserve design mapped

in the Final MSCP, City of Poway MSCP and the City of San Diego MSCP plans, thereby assuring continued wildlife movement in the region and avoiding significant impacts. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The section within the City of San Diego jurisdiction is within a conservation easement, open space easement, and mitigation area for the Sycamore Estates Development Project and is south of Beeler Canyon Road. The conservation easement on the project site runs south of Stonebridge Parkway, and was part of the biological mitigation for the Sycamore Estates development near the project site and was added to the MHPA. The MHPA was designed to include key biological core area and biological linkage areas within the City (City of San Diego 1997). The proposed project consists of a section that is determined to be a biological core area and biological linkage area. A biological core areas and biological linkage areas occur as shown on Figure 2 of Appendix D.

Project components within the City of San Diego would include the gen-tie line route that would be located underground within an existing paved road and utility corridor. Appendix D found that a portion of the project area is within a paved road, and after crossing Stonebridge Parkway, the project gen-tie would be trenched uphill through a restoration area. Appendix D found the vegetation mapping study area buffer (500-foot) would likely provide refuge and cover for wildlife species and that wildlife could move between the habitat along the site and within buffers. Since regional wildlife movement can still occur along the buffers and wildlife can utilize the buffers as cover, Appendix D found impacts to wildlife movement would be less than significant.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with wildlife movement corridors or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

The proposed gen-tie line would cross all SDG&E Crossing Easements as shown on Figure 3. The project components in the SDG&E parcels would include an underground gen-tie line within streets or utility rights-of-way. The existing electric transmission facilities are compatible with sensitive wildlife movement corridors so it is unlikely there will be negative impacts on native fish species' movements or the movement of other wildlife. None of the project lies within areas considered nursery sites. Regional wildlife movement within the SDG&E Parcel will not be impacted. There will be no impact to wildlife movement or to existing wildlife nurseries.

Improvements within the Miramar Marine Corps

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line within existing base roads. These project components would include an underground gen-tie within existing base roads, and would require trenching activities, placement of conduit, and surface restoration within existing base roads. The existing road facilities are compatible with sensitive wildlife movement corridors so it is unlikely there will be negative impacts on native fish species' movements or the movement of other wildlife. None of the project lies within areas considered nursery sites. Regional wildlife movement within the base

would not be impacted. The project would further reduce potential impacts to wildlife movement by complying with all environmental conditions and requirements including all natural resource management conditions as described in the CATEX Decision Memorandum.

Conclusion

The primary project site in the City of Poway will be enclosed within a perimeter wall and will not have any impacts relating to substantial interference with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors not disclosed in the 1985 EIR and its SEIRs. The previously certified 1985 EIR and SEIRs assumed the Project site would be fully developed. The gen-tie line would be located underground within street or utility rights-of-way on a paved road and surface restoration would be provided to ensure no impacts to wildlife movement. As such, the project would have no project-specific significant effects related to wildlife movement beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

e) Would the project conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project site consists of a paved road and undeveloped land. The project impact footprint consists of one section within the Poway HCP mitigation area and another section within the city of Poway (outside mitigation area). Pursuant to the Zoning Ordinance Section 17.20.040, all development projects within the Planned Community- PC zone that have the potential to adversely impact sensitive plant species, wildlife species and associated natural habitats shall either demonstrate that any removal of habitat associated with the proposed development has been authorized by the Wildlife agencies or shall comply with the adopted Poway HCP, implementing agreement and the requirements thereof, including the compensation mitigation strategy, mitigation ratios, and special development requirements. Accordingly, the project permits will require the project to document compliance with the Poway HCP including mitigation requirements. With compliance with the Poway HCP guidelines, impacts would be less than significant.

Rancho Encantada EIR

This impact was not identified within the Rancho Encantada EIR. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The City is a participant in the San Diego MSCP Plan, a comprehensive, regional, long-term HCP designed to provide permit issuance authority for take of Covered Species to the local regulatory agencies. The MSCP serves as an approved HCP pursuant to an approved Natural Communities Conservation Plan in accordance with the state Natural Communities Conservation Planning Act. The MSCP Plan establishes a preserve system designed to conserve large blocks of interconnected habitat having high biological value that are delineated into MHPAs. A detailed discussion of the MSCP, the MHPA and the City of San Diego MSCP Subarea Plan is provided in Appendix D. Appendix D also included an analysis of the project's consistency with the MHPA Land Use Adjacency Guidelines as follows:

Project Consistency with MHPA Land Use Adjacency Guidelines

Northern and Southern Section of Gen-Tie Line within Biological Core Area and Biological Linkage Area and MHPA Adjacency to Biological Core Area and Biological linkage Area

The proposed project is consistent with the MSCP because the proposed project would place three permanent structures within developed land cover types only, and the proposed project would not negatively impact the goals and objectives of the City of San Diego Subarea Plan or MSCP. Thus, the proposed project would be consistent with MSCP/MHPA, and MSCP/MHPA Adjacency Guidelines as follows:

- **Developed and paved areas should not drain directly into the Biological Core Area, Biological Linkage Area or MHPA**. No drainage is expected for the proposed gen-tie project. If drainage is expected, developed and paved areas within the project will not drain directly into the core biological linkage area or MHPA; rather, those areas will drain directly to the biofiltration basins if needed, which prevent the release of toxins, chemicals, petroleum products, and exotic plant materials before draining into the core biological linkage area or MHPA.
- **Toxic chemicals would not be used during project implementation.** No toxic chemicals are proposed to be used for project components, including the development. Gasoline pans would be placed under all construction equipment when not in use.
- **All lighting would be faced away from the Biological Core Area, Biological Linkage Area and MHPA.** Nighttime work is not expected for the proposed project. Daytime work is expected. If nighttime work is expected, any nighttime lighting, including but not limited to security lighting, would be shielded and directed away from the core biological linkage area and MHPA per the City's Outdoor Lighting Ordinance so there is no spill of light into the core biological linkage area or MHPA.
- **Uses in or adjacent to the Biological Core Area, Biological Linkage Area and MHPA would be designed to minimize noise impacts.** Work would be avoided during the bird breeding season. If the bird breeding season could not be avoided, a biologist will conduct nesting surveys prior to any construction work during the bird breeding season to determine any potential nest locations. A biological noise monitor will monitor with a piccolo monitor during the bird breeding season to ensure that noise does not exceed an average of 60 db(A). Gen-tie line construction should not

exceed an average 60 db(A) over each 1-hour period. The project will include standard nesting bird conditions in accordance with the Migratory Bird Treaty Act.

- **New development adjacent to the Biological Core Area, Biological Linkage Area and MHPA will be required to provide barriers boundaries to direct public access to appropriate locations and reduce domestic animal predation.** No public access is expected given that the project area is gated within all sections of the paved area. In addition, the southern section is also gated. The only areas for public access include Stonebridge parkway (paved road), which consists of paved walking trails.
- **No invasive non-native plant species shall be introduced into areas adjacent to the Biological Core Area, Biological Linkage Area or MHPA**. No landscaping is expected related to the gen-tie construction. If landscaping becomes required in this portion, no non-native or invasive species will be included in landscaping on the project site. The southern area would not propose invasive plant species as part of the restoration plan.
- **New residential development located adjacent to and topographically above the Biological Core Area, Biological Linkage Area or MHPA (e.g., along canyon edges) must be set back from slope edges to incorporate Zone 1 brush management areas on the development pad and outside of the Biological Core Area, Biological Linkage Area or MHPA.** Brush management is not proposed related to the gen-tie construction. Area specific management directives consist of "measures to reduce edge effects and minimize disturbance, fire protection measures to reduce the potential for habitat degradation due to unplanned fire, and management measures to maintain or improve habitat quality including vegetation structure".
- **Manufactured slopes associated with site development shall be included within the development footprint for projects within or adjacent to the Biological Core Area, Biological Linkage Area or MHPA.** No manufactured slopes are proposed to be developed as part of the project's gen-tie line.

Southern Section of Gen-Tie Line South of Stonebridge Parkway within the MHPA

The Southern section south of Stonebridge Parkway is within the MHPA. The proposed project would be consistent with the MSCP because permanent direct impacts associated with the proposed southern section of the gen-tie line project will not negatively impact the goals and objectives of the City MSCP through on-site restoration, minimization, and avoidance measures. Thus, the proposed project would be consistent with the MSCP within the southern section of the project site.

The proposed project would apply the following measures consistent with the MSCP guidelines:

- **Wetland and waters avoidance:** Wetland and water would be avoided through horizontal directional drilling (including both wetlands and non-wetland waters).
- **Mitigation of permanent direct impacts:** Mitigation of permanent direct impacts to previously restored coastal sage scrub habitat with restoration after permanent impacts.
- **Avoidance of Impacts to San Diego Goldenstar:** (1) avoiding the San Diego goldenstar population within coastal sage scrub as feasible, (2) minimizing impacts to San Diego goldenstar where possible within the gen-tie line route, and (3) translocation of goldenstar where other options are not feasible

Area Specific Management Directives

Area specific management directives (ASMD) were developed for certain MSCP covered species as a condition of coverage under the MSCP. Appendix D reviewed the conditions for coverage outlined in the City's MSCP Subarea Plan in conjunction with the species which have a potential to occur within the project area, and found that all ASMDs for those species will be adhered to. Table 9 describes how the project would comply with the ASMD for species with a potential to occur within the project site.

Table 9. Area Specific Management Directives Compliance

MSCP Covered Species	Area Specific Management Directives (ASMD)	Project Compliance
Cooper's Hawk	ASMD must include 300-foot impact avoidance areas around the active nests, and minimization of disturbance in oak woodlands and oak riparian forests.	The proposed project would not result in impacts to oak woodlands or oak riparian forest. To avoid any indirect impacts Cooper's hawk, construction within 300-feet of active nests shall occur outside of the breeding season for these species (February 1 to September 15).
Southern California rufous-crowned sparrow	ASMD must include maintenance of dynamic processes, such as fire, to perpetuate some open phases of coastal sage scrub with herbaceous components.	The proposed project will restore all temporarily impacted vegetation to pre-project conditions and will only result in a short-term loss of suitable habitat for this species.
Coastal California Gnatcatcher	ASMD must include measures to reduce edge effects and minimize disturbance during the nesting period, fire protection measures to reduce the potential for habitat degradation due to unplanned fire, and management measures to maintain or improve habitat quality including vegetation structure. No cleaning of occupied habitat within the cities' MHPAs and within the County's Biological Resource Core Areas may occur between March 1 through August 15.	Although the project could result in indirect impacts to Coastal California Gnatcatcher located inside the MHPA, the project would avoid the breeding bird season and keep noise levels below 60 db. The project would be restored following construction and edge effects are not anticipated. The project would not result in a change to the local fire regime. Therefore, no impacts would occur.
San Diego Goldenstar	ASMD must include measures to avoid, reduce and minimize impacts to San Diego goldenstar where possible outside the MHPA. For areas outside the MHPA being impacted a 5-year restoration and monitoring plan for San Diego Goldenstar will be provided.	The proposed project would avoid the San Diego goldenstar population within coastal sage scrub as feasible, minimizing impacts to San Diego goldenstar where possible within the gen-tie line route, and translocate San Diego goldenstar in accordance with the 5-year restoration and monitoring plan. A total of 242 San Diego goldenstar individuals were observed on the southern hillside. A total of 78 individuals were within the work area.

Summary

Project components within the City of San Diego would comply with the requirements of the Land Development Code Biology Guidelines, the Final MSCP Subarea Plan and Environmentally Sensitive Lands regulations. Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with conflicts with any local policies or ordinances protecting biological resources or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

The proposed gen-tie line would cross all SDG&E Crossing Easements as shown on Figure 3. The project components in the SDG&E parcels would include an underground gen-tie within street or utility rights-of-way. Because SDG&E operates under its own NCCP that was established according to the federal and state endangered species acts and the state's NCCP Act, there will be no conflict with any state or local policies or ordinances protecting biological resources included as a part of applicable city, or community, or general plan, or with the provisions of an adopted HCP, MSCP, or other approved local, regional, or state HCP, such as the San Diego County MSCP and City of San Diego MSCP Subarea Plan.

Improvements within the Miramar Marine Corps

Project components within the Miramar Marine Corps Base would comply with the requirements of the MSCP and the NCCP as applicable.

Conclusion

The project will be required to comply with requirements of all applicable local policies or ordinances protecting biological resources. As such, the project would have no significant environmental effects related to compliance with local policies or ordinances protecting biological resources beyond those analyzed in the 1985 EIR and its SEIRs, which assumed the Project site would be disturbed and developed. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

f) ***Would the project conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?***

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

As discussed above, approximately 50% of the project site is located within the Poway HCP/NCCP mitigation area within the city of Poway. Because the other 50% of the project site is within the Poway HCP/NCCP mitigation area (South Poway Planned Community Section) in a land use zone designated for a planned community (PC), the project site is not considered critical HCP conservation land when compared to RR designations. The PC designation allows a greater intensity of development than the RR designation, but the value of these areas as a biological resource and open space linkage is important to overall function of the mitigation area (City of Poway 1996). Due to the historical development of the biological study area and fencing around the quarry site, overall function of the open space linkage is limited.

The biological impacts are not new or more severe and have been applied for previously required environmental impact reports (EIRs) of the area, according to research conducted via CEQA expert analysis of previous 1985 EIR. The 1985 EIR anticipated development of approximately 15 acres of land on the property as light industrial, but the project would develop only approximately 10 acres of the available 15 acres; thus, the biological impacts are less than those anticipated in the 1985 EIR and its SEIRs. No new sensitive species, jurisdictional waters or vegetation communities were identified as compared to the prior EIR and SEIRs. In April 2023, the City also previously determined that modification of the CUP to revise the location of the industrial building pad locations would have no new or more severe impacts than disclosed in the 1990 SEIR pursuant to CEQA Guidelines 15162 and 15163. The project would incorporate Biological Resources Mitigation Measure 4 and Mitigation Measure 10 as identified in the 1985 EIR and MM-BIO-1 above to reduce potential impacts to special status species. These 1985 EIR mitigation measures require landscaping standards and pre-construction activity surveys for sensitive species and habitats. MM-BIO-1 is consistent with the 2009 USFWS Biological Opinion that on-site mitigation of grasslands and coastal sage scrub was consistent with the City's HCP, which utilized the pre-HCP CUP Reclamation Plan as mitigation for development of the CUP area. With regards to the gen-tie lines, the HCP notes that such utility-like uses are conditionally compatible with the HCP with an emphasis on protecting biological resources.

Accordingly, the project would implement mitigation measures from the 1990 SEIR including long-term biological monitoring and maintenance of specified resources on site and comply with the conditions of approval of CUP 22-0005 approved in April 2023 requiring submittal of a habitat vegetation map prepared by a qualified biologist prior to commencement of grading for the industrial pads, which has been incorporated into MM-BIO-1. Therefore, the project permits will require the project to document compliance with MM-BIO-1. With compliance with the MM-BIO-1, Mitigation Measures 4 and 10 from the 1998 EIR, and applicable mitigation measures from the 1990 SEIR, the project would be compatible with the HCP.

The project site is within the jurisdiction of Poway and does not include any wetlands or riparian areas on site or adjacent to the site. With implementation of the mitigation measures provided in the Mitigation and Avoidance, the project would be in compliance with the City of Poway HCP.

Rancho Encantada EIR

The Rancho Encantada EIR found that the Sycamore Estates sub-project site encompassed 1,106 acres within the MHPA. The project proposed a boundary adjustment of the MHPA and proposed an area be added to the MHPA as part of the Sycamore Estate sub-project. This boundary adjustment increased the size of the MHPA by approximately 364.2 acres and was considered a project benefit by providing increased MHPA area and greater habitat value. The EIR found that development of the Sycamore Estates subproject would cause potential direct and indirect significant impacts to the MHPA as adjusted and Mitigation Measures 2-11, 2-12, 2-13, 2-14, and 2-16 were required. The mitigation was consistent with the MHPA Adjacency Guidelines was required areas adjacent to the MHPA to have a light design plan that minimized exterior lighting to the MHPA, implementation of a fencing plan in all areas adjacent to the MHPA, development of educational materials regarding the sensitivity of the MHPA to be part of the Sycamore Estates CC&Rs, and a landscape plan for newly graded slopes adjacent to the MHPA to be revegetated with native, non-invasive plant species. In addition, while the Rancho Encantada EIR found that there was limited potential for gnatcatchers to occur within the MHPA on-site, mitigation was required for indirect noise impacts to gnatcatchers during their breeding season in MHPA areas with substantial coastal sage scrub (Planning Area 11 of the Sycamore Estates sub-project). Inclusion of these mitigation measures was found to bring the project into conformance with the lighting, noise, barriers, invasives, drainage and toxics guidelines in the MHPA.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

As discussed in Section 4.4(e), the northern portion of the proposed project is in the MSCP core biological linkage area and the MHPA Adjacency Guidelines would apply to this portion of the project. The project would be consistent with the MSCP because it would place three permanent structures within developed land cover types only, and the proposed project would not negatively impact the goals and objectives of the City of San Diego Subarea Plan or MSCP. The portion of the proposed project in the MSCP would be consistent with MHPA Adjacency Guidelines as demonstrated in Section 4.4(e), and would adhere to the ASMDs for MSCP covered species.

The southern portion of the proposed gen-tie line south of Stonebridge Parkway is within the MHPA boundary and the MHPA Land Use Adjacency Guidelines would apply to this portion of the project. The southern portion. would be consistent with the MSCP because permanent direct impacts associated with this section would not negatively impact the goals and objectives of the City MSCP through on-site restoration, minimization, and avoidance measures.

Thus, to ensure the proposed project would be consistent with the MSCP and NCCP within both the northern and southern section of the project site, conditions of approval that address MHPA Land Use Adjacency Guidelines and nesting surveys for MSCP covered species (i.e., California gnatcatcher, Cooper's hawk) would be required as part of the Site Development Permit.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with an adopted MSCP or NCCP or other sensitive resources or a substantial increase in the severity of impacts from those described in the EIR. Through the implementation of field

protocols, avoidance of resources, mitigation, habitat enhancement and reclamation measures per the MSCP, impacts to biological resources in San Diego would be less than significant.

Improvements within the SDG&E Crossing Easements

The proposed gen-tie line would cross all SDG&E Crossing Easements as shown on Figure 3. The project components in the SDG&E parcels would include an underground gen-tie within street or utility rights-of-way. These components would be consistent with the MSCP and the SDG&E NCCP (i.e. where they overlap, they are deemed consistent with each other). Through the implementation of field protocols, avoidance of resources, mitigation, habitat enhancement and reclamation measures per the MSCP, impacts to biological resources in the Crossings Easements #1 and #2 would be less than significant. SDG&E operates under its own NCCP established according to the federal and state endangered species acts and the state's NCCP Act. In addition, SDG&E's NCCP requires consistency with other applicable plans. Because both the MSCP and the SDG&E NCCP are consistent with one another, there would be no conflict with any state or local policies or ordinances protecting biological resources included as a part of applicable city, community, or general plans, or with the provisions of an adopted HCP, MSCP, or other approved local, regional, or state HCPs, such as the San Diego County MSCP and City of San Diego MSCP Subarea Plan.

Improvements within the Miramar Marine Corps

Project components within the Miramar Marine Corps Base would comply with the requirements of the MSCP and the NCCP. The project would also implement Natural Community Conservation Plan (NCCP) requirements applicable to street or utility rights-of-way within Miramar Marine Corps Base.

Conclusion

The project will comply with the applicable requirements of the Poway HCP, San Diego MSCP Subarea Plan, the MHPA adjacency guidelines and the NCCP. As such, the project would have no project-specific significant effects related to approved local, regional, or state conservation plans beyond those analyzed in the 1985 EIR and its SEIRs (which assumed the entire Project site would be developed), the Rancho Encantada EIR or the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. No new sensitive species were observed during 2021 and 2022 surveys. Thus, a subsequent EIR is not required.

4.5 Cultural Resources

The following study has been prepared for the project in relation to cultural resources and incorporated into the below discussion:

- Nighthawk Energy Storage – Cultural Resources Inventory Report (CRR) for the Project Components in the City of Poway, which was prepared by Dudek and is included as Appendix G.
- Nighthawk Energy Storage – cultural Resources Inventory Report (CRR) for the Project Components in the City of San Diego, which was prepared by Dudek and is included as Appendix H.

a) Would the project cause a substantial adverse change in the significance of a historical resource pursuant to §15064.5?

Previous Documentation

1985 EIR

This impact was not identified in the 1985 EIR. No mitigation was required.

1988 SEIR

The impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

According to the CRR prepared for the project components in the City of Poway (Appendix G) South Coastal Information Center (SCIC) records identified 51 cultural resources within the one-mile search radius buffer. Of these 51 cultural resources, only one previously recorded cultural resource is located within the project site. This cultural resource is P-37-035861, which is a single prehistoric lithic flake isolate, which is ineligible for listing in the National Register for Historic Places (NRHP), California Register of Historical Resources (CRHR) or local register. Thus, there would be no impact to historic resources. The project would have no new or more severe project-specific significant effects related to historic resources beyond those analyzed in the 1985 EIR and its SEIRs.

Rancho Encantada EIR

The Rancho Encantada EIR evaluated Cultural Resources and found eight resources on the Sycamore Estates sub-project site, seven of which were found to be not significant and one of which was potentially significant but that could not be studied due to inaccessibility. None of the buildings or structures on site were found to be included on the National Register of Historic Places, State Landmark Register or City of San Diego Historical Board list. Additionally, the EIR found that neither the project site nor the individual building was determined eligible for inclusion on the National Register. No mitigation for historic resources was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

According to the CRR for the City of San Diego (Appendix H), project components within the City of San Diego would include an underground gen-tie line primarily located within existing roadway that would not impact any historic resources. As such, no impacts to historical resources would occur.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new

significant impacts associated with historic resources or other sensitive resources or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

The proposed gen-tie line would cross all SDG&E Crossing Easements as shown on Figure 3. The project components in the SDG&E parcels would include an underground gen-tie line within street or utility rights-of-way. There would be no impacts to SDG&E Crossing Easement #1, #2, or #3 as there will be no adverse effects on historic resources.

Improvements within the Miramar Marine Corps

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line primarily located within existing roadway. No impacts to historical resources would occur.

Conclusion

The project site consists of developed land and there are no historic resources located within the project site that are eligible for the National Register for Historic Places (NRHP) and California Register of Historical Resources (CRHR). Further, the 1985 EIR and SEIRs assumed the Project site would be fully disturbed and developed. The gen-tie is located primarily in existing roadways and will not impact historic resources and tribal monitoring will be required as an APM during ground disturbance in sensitive areas. Thus, there would be no impact to historic resources not analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

b) Would the project cause a substantial adverse change in the significance of an archaeological resource pursuant to §15064.5?

Previous Documentation

1985 EIR

The cultural resources records search and field survey was performed in 1984 by Scientific Resource Surveys, Inc. for the South Poway Planned Community area. The survey identified six archaeological sites in or near areas proposed for development or roadways that could be impacted by grading and construction. According to the 1985 EIR, impacts during construction activities would result in significant impacts without mitigation. To reduce potential impacts, the 1985 EIR required Cultural Resources Mitigation Measures 8 and 9, which would require the preparation of specific measures for the treatment of unknown cultural resources, additional literature review/surveys, and the treatment of unknown cultural resources identified during construction and surveys for potential indirect archaeological impacts. The 1985 EIR concluded that this impact would be less than significant with these mitigation measures incorporated.

1988 SEIR

The 1988 SEIR found that proposed pad increases were largely within the previous limits of grading and no new issues of concern were expected. Mitigation measures were called out for two archaeological sites.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required. The City previously determined that amendment of the project pursuant to CUP 22-0005 approved in April 2023 did not require further analysis and all impacts were analyzed by the 1990 SEIR.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

Historic aerial photographs indicate that the project site has been heavily disturbed by previous mining and commercial development since 1953 (Appendix G). however, the CRR for the proposed project components in the City of Poway (Appendix G) conducted the surveys required by Cultural Resources Mitigation Measure 9 and found that while there were a total of 51 resources previously recorded within 1 mile of the project area, only one previously recorded cultural resource was identified within the project area, P-37-035861. P-37-035861 is a single prehistoric lithic isolate that was not considered significant under CEQA and was not eligible for listing in the NRHP, CRHR, or a local register. As such, the potential for unknown archaeological resources to existing on the site is low; however, the project applicant will implement an Inadvertent Discovery Plan and Archaeological Sensitivity Program Training for all on-site workers during construction to ensure that no unknown archaeological resources are disturbed. With the implementation of this program, the project would not result in any new significant impacts associated with archaeological resources or a substantial increase in the severity of impacts from those described in the 1985 EIR and its SEIRs.

Rancho Encantada EIR

The Rancho Encantada EIR evaluated Cultural Resources and found eight cultural resources on the Sycamore Estates sub-project site, seven of which were found to be not significant. The EIR found significant direct impacts to archaeological site CA-SDI-14027H and Mitigation Measures 8-1 and 8-2 were required in the form of having a qualified archaeologist and/or archaeological monitor to implement a monitoring program during grading of native soils in and around the site and attending preconstruction meetings. The archaeologist was to be present on site full-time during grading of native soils in and around the site, and the archaeologist was to divert, direct or temporarily halt ground disturbance activities in the area of any discovery to allow evaluation of potential significant cultural resources. All cultural materials collected would be cleaned, catalogued and permanently curated with an appropriate institution. With the implementation of these mitigation measures, impacts were found to be less than significant.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

To reduce any potential impacts relating to construction and/or operation of the underground gen-tie transmission line in the City of San Diego, the project would also comply with Mitigation Measure 8-1 of the Rancho Encantada EIR, which requires compliance with the archaeological monitoring plan mitigation previously adopted by the City of San Diego during grading activities. The project would also comply with Mitigation Measure 8-2 of the Rancho Encantada EIR, which requires a qualified archaeologist to attend

any preconstruction meetings to make comments and/or suggestions concerning the archaeological monitoring program with the construction manager. As outlined in Appendix F, City of San Diego Mitigation, Monitoring and Reporting Program, project-specific mitigation consistent with the Rancho Encantada EIR mitigation framework would be required, With the implementation of these mitigation measure, impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with archaeological resources or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

The proposed gen-tie line would cross all SDG&E Crossing Easements as shown on Figure 3. To reduce any potential impacts relating to construction and/or operation of the underground gen-tie transmission line in the City of San Diego, the project improvements in this area would also comply with the archaeological monitoring plan during construction activities. With the implementation of this mitigation measure, impacts in the SDG&E parcels would be less than significant.

Improvements within the Miramar Marine Corps

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line primarily located within existing roadway. No impacts to archaeological resources would occur.

Conclusion

As discussed in the CRR, the potential for the project to disturb archaeological resources is low. However, the project may result in significant impacts in the event unknown archaeological resources are unearthed during construction. With the implementation of the applicable mitigation measures regarding archaeological monitoring and the treatment of any cultural deposits discovered, the project would have no new or more severe project-specific significant effects related to archaeological resources beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. The 1985 EIR and SEIRs assumed the Project site would be fully disturbed and developed. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

c) Would the project disturb any human remains, including those interred outside of formal cemeteries?

Previous Documentation

1985 EIR

The 1985 EIR concluded no impact would occur. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project work areas are not located within a known cemetery or other areas where human remains have a higher potential to be discovered. In the unlikely event that the project uncovers unanticipated human remains, the project would be subject to compliance with California Health and Safety Code Section 7050.5 (prohibiting interference with human remains) and Public Resources Sections 5097.98 and 5097.9 (governing Native American human remains). By complying with this section of the Health and Safety Code, the project would not result in any new significant impacts associated with human remains or a substantial increase in the severity of impacts from those described in the 1985 EIR and its SEIRs.

Rancho Encantada EIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

Improvements within the City of San Diego would include an underground gen-tie line located primarily in street or utility rights-of-way. No known cemeteries or other areas where human remains have a high potential to exist are within the project work areas. In addition, the project would comply with Health and Safety Code Section 7050.5 and Public Resources Sections 5097.98 and 5097.99 to further reduce potentially significant impacts in the event unknown human remains are discovered during construction.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with the discovery of human remains or other sensitive resources or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

There would be no impacts to any of the SDG&E Crossing Easements as shown in Figure 3, as the SDG&E Parcel activities will not result in the disturbance of human remains.

Improvements within the Miramar Marine Corps

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line primarily located within existing roadway. No impacts to human remains would occur.

Conclusion

No known cemeteries or other areas where human remains have a high potential to exist are present within the project work areas. The project would comply with Health and Safety Code Section 7050.5 and Public Resources Code Sections 5097.98 and 5097.99 to further reduce potentially significant impacts in the event unknown human remains are discovered during construction. With the implementation of development standards and policies applicable to the project, the project would have no new or more severe project-specific significant effects related to the discovery of human remains beyond those analyzed in the 1985 EIR and its SEIRs, which assumed the entire Project site would be disturbed and developed. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

4.6 Energy

a) Would the project result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

Previous Documentation

1985 EIR

The 1985 EIR found that the plan implementation would place significant additional demands for electricity upon utilities. The EIR required Public Services and Utilities (Public Utilities) Mitigation Measures 1, 3 and 4, which required compliance with Title 24, the use of energy-efficient structures in building and landscaping design and compliance with SDG&E recommendations for applying energy conservation techniques.

1988 SEIR

The 1988 SEIR found demand for energy supplies would increase with the additional acreage pads. Even with the implementation of mitigation measures, this impact was considered significant and unavoidable.

1990 SEIR

The 1990 SEIR found the lack of adequate infrastructure to service the energy demands of the proposed Cal-Mat expansion project would be a significant but mitigable impact. The SEIR found that provision of right-of-way easements and a gas line with the capacity to transport 12 million BTU/hr of fuel would mitigate these impacts to a level below significance should the use of propane or alternative fuel source not be used. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

Construction and Decommissioning

It is anticipated that most off-road construction equipment, such as those used during grading, would be gas or diesel powered. In addition, all operation of construction equipment would cease upon completion

of project construction and briefly resume 30 years later for decommissioning. Furthermore, the construction contractors are required to minimize nonessential idling of construction equipment during construction and decommissioning, in accordance with Section 2449 of 13 CCR Article 4.8, Chapter 9.

The energy needs for project construction and decommissioning would be temporary and are not anticipated to require additional capacity or increase peak or base period demands for electricity or other forms of energy. Construction equipment use and associated energy consumptions would be typical of that associated with the construction and decommissioning projects of this size. Thus, the project's energy consumption during the grading, construction and decommissioning phase would not be considered wasteful, inefficient, or unnecessary.

Operation

The project includes the construction of a BESS facility and gen-tie line. The project would implement Public Services and Utilities (Public Utilities) Mitigation Measures 1, 3 and 4 as identified in the EIR. The project will comply with the California Energy Code, Part 6, Title 24 of the California Code of Regulations, and local Energy Codes (Poway Municipal Code Title 15, Chapter 15.18). The project would be operated remotely with no permanent on-site operations and maintenance personnel, and no occupied buildings or habitable structures. The project would not increase demand for electricity or natural gas at the project site during operations. The project would not contain any permanent components that would increase demand for existing sources of energy except for maintenance visits. The project development of a BESS facility would provide a secure and reliable electricity supply, improve community infrastructure, and support sustainable electricity generation. Energy stored in the project would then be discharged into the grid when the energy is needed, providing important electrical reliability services to the local area. By building the project, a clean, reliable resource would be gained to help integrate renewable energy sources, reduce dependence on gas-fired generation, and reduce GHG emissions and criteria air pollutant emissions. Without the project, renewable energy produced during the day from solar energy generation could be wasted if such energy cannot be stored in a BESS facility. Therefore, no significant impact to energy resources would result from the implementation of the project.

Rancho Encantada EIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

Improvements within the City of San Diego would include an underground gen-tie line located primarily in street or utility rights-of-way. The project will comply with Title 24, the California Energy Code, and the gen-tie portion requires negligible energy during operation. During construction, the construction contractors for the gen-tie line would also be required to minimize nonessential idling of construction equipment during construction, in accordance with Section 2449 of 13 CCR Article 4.8, Chapter 9. Thus, this project component's energy consumption during the construction phase would not be considered wasteful, inefficient, or unnecessary.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new

significant impacts associated with energy resources or other sensitive resources or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

Improvements within SDG&E Crossings Easements identified in Figure 3 would include an underground gen-tie line located primarily in street or utility rights-of-way. The project will comply with Title 24, the California Energy Code, and the gen-tie portion requires negligible energy during operation. During construction, the construction contractors for the gen-tie line would also be required to minimize nonessential idling of construction equipment during construction, in accordance with Section 2449 of 13 CCR Article 4.8, Chapter 9. Thus, this project component's energy consumption during the construction phase would not be considered wasteful, inefficient, or unnecessary.

Improvements within the Miramar Marine Corps

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line located primarily in street or utility rights-of-way. The project will comply with Title 24, the California Energy Code, and the gen-tie portion requires negligible energy during operation. During construction, the construction contractors for the gen-tie line would also be required to minimize nonessential idling of construction equipment during construction, in accordance with Section 2449 of 13 CCR Article 4.8, Chapter 9. Thus, this project component's energy consumption during the construction phase would not be considered wasteful, inefficient, or unnecessary.

Conclusion

Implementation of the project would not result in an increase in demand for energy resources. With the implementation of the aforementioned mitigation measures in the 1985 EIR impacts would be less than significant. The project would comply with Public Services and Utilities (Public Utilities) Mitigation Measures 1, 3 and 4, from the 1985 EIR requiring compliance with Title 24, the use of energy-efficient structures in building and landscaping design and compliance with SDG&E recommendations for applying energy conservation techniques. Also, upon completion of construction, the project would provide a secure and reliable electricity supply. The project would have no new or more severe significant environmental effects related to energy not analyzed as significant effects in the 1985 EIR and its SEIRs, the Rancho Encantada EIR or the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

b) Would the project conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

The 1990 SEIR found the proposed Cal-Mat Mine expansion would require the use of on-site fuel, waste-oil, and liquid asphaltic storage tanks. Exact gas and electric consumption figures were not determined; however, it was assumed that total consumption rates would be similar to those currently existing at the facility, as the design and size of the proposed project would be similar. Increases in natural gas usage would be attributable to the expanded dry aggregate processing plan and asphaltic concreate plant. And would be a result of the need to maintain asphaltic oil at a temperature of 325 degrees Fahrenheit to remain in a fluid condition. Thus, the proposed expansion project would have required the addition of a natural gas line with a capacity of approximately 120 million BTU/hr at a minimum pressure of 10 psi. There was no natural gas main in the vicinity of the site to adequately service the needs of the proposed expansion, so the service main was proposed to be extended through either Pomerado Road or Community Road. Right-of-way easements were also needed for extension of the gas line. The lack of adequate infrastructure to service the energy demands of the proposed expansion was considered to be a significant but mitigable impact. Provision of right-of-way easements and a gas line with the capacity to transport 12 million BTU/hr of fuel was required to mitigate these impacts to a level below significance should the use of propane or alternative fuel sources not be used.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

Renewables Portfolio Standard (RPS)

The state's electricity grid is transitioning to renewable energy under the RPS. Renewable sources of electricity include wind, small hydropower, solar, geothermal, biomass, and biogas. The RPS goals have been updated since adoption with 50% by 2026, 60% by 2030, and 100% by 2045. The statewide RPS requirements do not directly apply to individual development projects, but to utilities and energy providers. The project would comply with Public Services and Utilities (Public Utilities) Mitigation Measures 1, 3 and 4, from the 1985 EIR requiring compliance with Title 24, the use of energy-efficient structures in building and landscaping design and compliance with SDG&E recommendations for applying energy conservation techniques. Project development would comply with Title 24 Building Efficiency Standards, Part 6, the CALGreen Building Standards Code and Poway Green Building Standards Code, Poway Municipal Code Chapter 15.22.

Climate Action Plan

The City of Poway has not adopted a Climate Action Plan (CAP). The City of San Diego adopted their 2022 CAP Update on August 2, 2022. The City of San Diego's CAP provides a comprehensive plan to use energy more efficiently, establishes a net-zero goal by 2035 and includes goals to reduce GHG emissions and actions to make San Diego a more sustainable city (City of San Diego 2022a).

The project, which comprises the building of a BESS facility and gen-tie line, would be part of a sustainable solution to enable renewable energy generating sources to be better used and more efficiently integrated

into the grid. Battery storage is predominantly used to store energy produced from renewable energy generation sources during low demand times for release during higher demand times, for example, to store solar energy during the daytime and to release it during the evening when the demand for energy goes up but the ability to generate solar energy goes down because the sun has set. Battery storage is not needed to store energy from conventional fuel sources such as natural gas because natural gas is a combustible fuel that can produce energy on demand without requiring another form of storage. Therefore, battery storage is used to facilitate integration of renewable energy sources into the electrical grid.

As discussed above, renewable energy is a focus of the RPS and the CAP; thus, the project would align with the State's and City of San Diego's energy goals. Therefore, no conflicts with renewable energy or energy efficiency plans would occur and there would be no significant energy-related impacts from the project.

Rancho Encantada EIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

Improvements within the City of San Diego would include an underground gen-tie line located primarily in street or utility rights-of-way. The project is subject to the CAP and all applicable CAP Consistency regulations (SDMC, Chapter 14, Article 3, Division 14), and aligns with CAP strategies relating to renewable energy. The project would also align with the State's and City of San Diego's energy goals and RPS and would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with a state or local plan for renewable energy or energy efficiency or other sensitive resources or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

Improvements within all SDG&E Crossings Easements identified in Figure 3 would include an underground gen-tie line located primarily in street or utility rights-of-way. The improvements on the SDG&E parcels would be part of a sustainable solution to enable renewable energy generating sources to be better used and more efficiently integrated into the grid. Thus, these improvements would align with the State's and City of San Diego's energy goals. Therefore, no conflicts with renewable energy or energy efficiency plans would occur and there would be no significant energy-related impacts from the improvements. In addition, Crossing Easement #3 would subject to the City of San Diego CAP and all applicable CAP Consistency regulations (SDMC, Chapter 14, Article 3, Division 14), and aligns with CAP strategies relating to renewable energy.

Improvements within the Miramar Marine Corps

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line located in existing base roads. The project would align with the State's and City of San Diego's energy goals and RPS and would not conflict with or obstruct a state or local plan for renewable energy or energy efficiency.

Conclusion

As discussed above, the project would enhance the ability to rely on renewable energy to meet electric demand. The project would have no new or more severe significant environmental effects related to conflicts or obstruction of a state or local plan for renewable energy or energy efficiency not analyzed as significant effects in the 1985 EIR and its SEIRs, the Rancho Encantada EIR or the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

4.7 Geology and Soils

a) Would the project directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i) Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

And

ii) Strong seismic ground shaking.

Previous Documentation

1985 EIR

The 1985 EIR included analysis of geology and soils in Section 4.2, Geology, Soils, and Mineral Resources. A preliminary reconnaissance for the SPPC area was performed by Geocon Inc. in November 1982 in order to identify geologic and soil conditions, and potential geologic hazards. The principal findings of this study was summarized in the 1985 EIR. The 1985 EIR analyzed this impact as a significant impact. To reduce potential impacts associated with seismic activity, the project would be required to incorporate Geology, Soils and Mineral Resources Mitigation Measure 4 as identified in the 1985 EIR, which requires all structures to be designed in accordance with the City of Poway's building code to ensure that earthquake standards are met. With the implementation of this mitigation, impacts from rupture of faults or seismic ground shaking would be less than significant.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

Seismic activity is to be expected in Southern California. Numerous earthquake faults, as well as many designated Alquist-Priolo Fault Zones, are known to occur within the City. Some of these faults are expected to be seismically active and have the potential to rupture, which would result in ground shaking, depending on the underlying soil/geologic conditions at the time of rupture. Unlike damage from ground shaking, which can occur at great distances from the fault, impacts from fault rupture are limited to the immediate area of the fault zone where the fault breaks along the surface. Many earthquake faults, as well as many designated Alquist-Priolo Fault Zones, are known to occur within the City. In order to lessen the potential for property loss, injury or death that could result from rupture of faults during earthquake events, the State of California has provided strict regulations that the City must follow to ensure impacts from fault rupture are reduced to less than significant levels. Development would be required to comply with the building design standards of the California Building Code (CBC) Chapter 33 and local Building Code (Poway Municipal Code Title 15) for construction of new buildings and/or structures related to seismicity and specific engineering design and construction measures would be implemented to anticipate and avoid potential impacts from seismic activity. To reduce potential impacts associated with seismic activity, the project would be required to incorporate Geology, Soils and Mineral Resources Mitigation Measure 4 as identified in the 1985 EIR, which requires all structures to be designed in accordance with the City of Poway's building code to ensure that earthquake standards are met. With the implementation of this mitigation, impacts from rupture of faults or seismic ground shaking would be less than significant.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

According to the Earthquake Zones of Required Investigation map provided by the California Department of Conservation (DOC), the project site is not within an Alquist-Priolo fault zone (DOC 2022). Consistent with other development in the City, the design of structures on the project site should account for seismic loads in accordance with the CBC.

Rancho Encantada EIR

The Rancho Encantada EIR analyzed geology and soils in Section 4.4 of the EIR. The EIR found that the project site was not within an Alquist-Priolo fault zone, and no faults are mapped or transecting the site. Therefore, surface rupture hazards due to faulting were considered very low. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

Project components within the City of San Diego would include the construction of an underground gen-tie line within primarily located in existing right-of-way. The project site is not located within a currently designated Alquist-Priolo Earthquake Zone. However, the project site can be considered to lie within a seismically active region, as can all of Southern California. The effect of seismic shaking can be diminished to below a level of significance by adhering to the California Building code (CBC) and current design practices. The gen-tie line components would also be required to comply with CBC and local Building Code requirements (SDMC Chapter 14, Article 5, Division 1) relating to seismic activity applicable to the project. The project would also be subject to generally applicable requirements mandating the design and construction of facilities conform to CPUC General Order 95 and SDG&E internal structural design

requirements to minimize potential damage from seismic shaking. As such, impacts from rupture of faults or seismic shaking would be less than significant.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant geologic hazards due to ground shaking from those described in the Rancho Encantada EIR.

Improvements within the SDG&E Crossing Easements

Improvements within all SDG&E Crossings Easements identified in Figure 3 would include an underground gen-tie line located primarily in street or utility rights-of-way. According to the Earthquake Zones of Required Investigation map provided by the California DOC, the SDG&E parcels are not within an Alquist-Priolo fault zone (DOC 2022). Consistent with other development in the City, the design of structures on the SDG&E parcels should account for seismic loads in accordance with the CBC. In addition, the improvements on the SDG&E parcels would be unmanned and would not expose people or structures to potential substantial adverse effects.

Improvements within the Miramar Marine Corps

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line located in existing base roads. The base is not within an Alquist-Priolo fault zone, and design of the structures on the base should account for seismic loads in accordance with the CBC. In addition, the improvements on the base would be unmanned and would not expose people or structures to potential substantial adverse effects.

Conclusion

To reduce potential impacts associated with seismic activity, the project would be required to incorporate Geology, Soils and Mineral Resources Mitigation Measure 4 as identified in the 1985 EIR, which requires all structures to be designed in accordance with the City of Poway's building code to ensure that earthquake standards are met. By complying with applicable provisions of the CBC and local Building Code standards and with incorporation of the aforementioned mitigation measures in the 1985 EIR, the project would have no new or more severe project-specific significant effects related to fault rupture or seismic shaking beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR or the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

iii) Seismic-related ground failure, including liquefaction?

Liquefaction occurs when a buildup of pore water pressure in the affected soil layer to a point where a total loss of shear strength may occur during a seismic event, causing the soil to behave as a liquid.

Previous Documentation

1985 EIR

A preliminary reconnaissance for the SPPC Development Plan was performed by Geocon, Inc. in November 1982 in order to identify geologic and soil conditions, and potential geologic hazards. The principal findings of this study was summarized in the 1985 EIR. According to the 1985 EIR, the project site would not be located within an area potentially susceptible to liquefaction and impacts would be less than significant. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

The project site is not located within a liquefaction zone, as mapped by the California DOC (DOC 2022).

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project site is not located within a liquefaction zone, as mapped by the California DOC (DOC 2022).

Rancho Encantada EIR

The Rancho Encantada EIR found that the very dense nature of the sedimentary units on-site precluded liquefaction from occurring in the units. The alluvium in the lower lying canyons and tributary drainages may be susceptible to liquefaction; however, removal and compaction of the materials as recommended in the project's geotechnical report and placement of canyon subdrains to prevent the buildup of groundwater within the canyons would mitigate the liquefaction potential of the alluvial deposits. Based on this information, the liquefaction potential of the site was considered to be very low. However, to ensure the geotechnical report recommendations were followed during construction of the Sycamore Estates sub-project, Mitigation Measures 3-1 and 3-2 were required in the form of monitoring by a geotechnical consultant to observe earthwork procedures and testing of fills for substantial conformance with the recommendations of the project's Geologic Investigation Report and retention of a mitigation monitor to monitor the grading, construction and installation of runoff control devices and erosion control measures. With this mitigation, impacts were found to be less than significant.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

Project components within the City of San Diego are not located within a liquefaction zone, as mapped by the California DOC (DOC 2022) and due to the dense nature of the soils at the site, the risk of liquefaction hazard at the site is low. If the gen-tie line component within the City of San Diego is determined to be located within a liquefaction hazard zone, Information Bulletin 515 Geotechnical Study Requirements would be applied consistent with the mitigation measure in the Rancho Encantada EIR. Geocon reviewed the project plans and performed a geologic reconnaissance along the proposed gen-tie alignment on May

30, 2023 (see Appendix I). Geocon found that the majority of the proposed northern alignment of the gen-tie line within the City of San Diego would be contained within Green Valley Court which is an easement road situated on a hillside on the northeastern flank of a drainage. The roadway is underlain by very dense Stadium Conglomerate, or compacted fill generated from grading of the easement. Through this section, the proposed line would not traverse any natural drainages or be underlain by materials conducive to liquefaction. Geocon also found that a minor portion of the alignment (less than 100 feet of 3,800 feet) south of Stonebridge Parkway would cross an ephemeral drainage that appears to be a first or second order tributary to Beeler Creek. The geologic reconnaissance found that no surface water was present in this drainage, and the alluvium was limited in extent. In addition, the alluvial soils appeared to be well graded, sandy cobble conglomerate derived from the Stadium Conglomerate. The proposed alignment south of this area would by supported by the Stadium Conglomerate; therefore, Geocon found that the conditions necessary for seismically induced liquefaction beneath the proposed electric line would not exist and the potential for liquefaction to occur in the event of a large earthquake would be less than significant.

The project would also be subject to generally applicable requirements mandating the design and construction of facilities conform to CPUC General Order 95 and SDG&E internal structural design requirements to minimize potential damage from liquefaction. No new mitigation measures are required.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts from liquefaction or a substantial increase in the severity of impacts from those described in the Rancho Encantada EIR.

Improvements within the SDG&E Crossing Easements

Improvements within all SDG&E Crossings Easements identified on Figure 3 would include an underground gen-tie line located primarily in street or utility rights-of-way. Project components within the Crossing Easements are not located within a liquefaction zone, as mapped by the California DOC. If the gen-tie line component within the Crossing Easements is determined to be located within a liquefaction hazard zone, Information Bulletin 515 Geotechnical Study Requirements would be applied consistent with the mitigation measure in the Rancho Encantada EIR. The project would also be subject to generally applicable requirements mandating the design and construction of facilities conform to CPUC General Order 95 and SDG&E internal structural design requirements to minimize potential damage from liquefaction.

Improvements within the Miramar Marine Corps

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line located in existing base roads. Improvements on the base are not located within a liquefaction zone, as mapped by the California DOC. The project would also be subject to generally applicable requirements mandating the design and construction of facilities to minimize potential damage from liquefaction.

Conclusion

The project site is not located within a liquefaction zone. As such, impacts associated with liquefaction would not occur and mitigation is not required. The project would have no new or more severe significant environmental effects related to seismic ground failure beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR or the CATEX Decision Memorandum. In addition, there is no new

information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

iv) Landslides?

Landslides typically occur on moderate to steep slopes that are affected by such physical factors as slope height, slope steepness, shear strength, and orientation of weak layers in the underlying geologic units contribute to landslide susceptibility.

Previous Documentation

1985 EIR

The 1985 EIR included analysis of geology and soils in Section 4.2, Geology, Soils, and Mineral Resources. A preliminary reconnaissance for the South Poway Community Development Plan was performed by Geocon, Inc. in November 1982 in order to identify geologic and soil conditions, and potential geologic hazards. The principal findings of this study was summarized in the 1985 EIR. The 1986 EIR concluded that where development is planned in landslide-prone areas, remedial grading measure would be necessary.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project site is not located within a landslide zone, as mapped by the California Department of Conservation (DOC) (DOC 2022). Since the project site is not located within a landside zone as identified by the DOC, impacts would be less than significant, and no remedial grading measures would be required.

Rancho Encantada EIR

The Rancho Encantada EIR found that the Sycamore Estates sub-project site was in a Hazard area with moderate landslide potential and in a slide prone area; however, there were no landslides encountered at the site or mapped in an area that could impact development of the property. Although the risk of landslide was low, the geotechnical report had recommendations for remedial grading. To ensure the recommendations in the geotechnical report were followed during construction of the Sycamore Estates sub-project, Mitigation Measure 3-1 was required in the form of monitoring by a geotechnical consultant to observe earthwork procedures and testing of fills for substantial conformance with the recommendations of the project's Geologic Investigation Reports. With this mitigation, impacts were found to be less than significant.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

Project components within the City of San Diego include an underground gen-tie line in street or utility rights-of-way. These components are not located within a landslide zone, as mapped by the California DOC (DOC 2022); as such, impacts associated with landslides would not occur and mitigation is not required.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant geologic impacts related to landslides or a substantial increase in the severity of those described in the Rancho Encantada EIR.

Improvements within the SDG&E Crossing Easements

Improvements within all SDG&E Crossing Easements identified on Figure 3 are not located within a landslide zone, as mapped by the California DOC. If the improvements are determined to be located within a landslide hazard zone, Information Bulletin 515 Geotechnical Study Requirements would be applied consistent with the mitigation measure in the Rancho Encantada EIR. The project would also be subject to generally applicable requirements mandating the design and construction of facilities conform to CPUC General Order 95 and SDG&E internal structural design requirements to minimize potential damage from landslides.

Improvements within the Miramar Marine Corps

Improvements on the base would not be located within a landslide zone, as mapped by the California DOC. The project would also be subject to generally applicable requirements mandating the design and construction of facilities to minimize potential damage from landslides.

Conclusion

As discussed, the project site is not located within a landslide zone. The project would have no new or more severe project-specific significant environmental effects related to landslides beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR or the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

b) Would the project result in substantial soil erosion or the loss of topsoil?

Previous Documentation

1985 EIR

The 1985 EIR included analysis of geology and soils in Section 4.2, Geology, Soils, and Mineral Resources. This 1985 EIR found that the removal of vegetation cover from highly erosive soils would subject soils within the plan area to increased erosion. This was identified as a potentially significant impact within the 1985 EIR and mitigation in the form of a short-term and long-term soil and erosion control measures. Geology, Soils and Mineral Resources Mitigation Measures 7 and 8 required control of erosion potential during

grading and construction by incorporating scheduling and temporary erosion control measures into final grading plans, In addition, the project was required to incorporate Hydrology and Water Quality Mitigation Measure 7 as identified in the EIR, which required the preparation of a stormwater management plan, which would effectively minimize the potential for soil erosion and loss of topsoil during the project's operation. Still this impact was identified as significant and unavoidable in the 1985 EIR.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

Project-related ground disturbance would comply with Mitigation Measures 7 and 8 as identified in the 1985 EIR and existing regulatory requirements and standards related to geology and soils, both of which would serve to limit the potential for erosion and loss of topsoil. Project components within the City of Poway would be subject to existing regulatory requirements and standards related to geology and soils, including preparation and implementation of a Storm Water Prevention Plan (SWPPP) to minimize the potential for soil erosion and the loss of topsoil from the area that would be temporarily disturbed during construction. As such, the construction contractor would be required to incorporate BMPs consistent with the City Stormwater Management and Discharge Control ordinance at Poway Municipal Code Chapter 13.09, and BMP Manual pursuant to PMC 13.09.040I, and guidelines provided in the California Stormwater Quality Association's Construction BMP Handbook (CASQA 2019), as well as a soil erosion and sedimentation control plan to reduce potential impacts related to construction of the project. In addition, the project would incorporate Hydrology and Water Quality Mitigation Measure 7 as identified in the EIR, which would ensure a stormwater management plan would be required, Finally, the removal of vegetation could subject highly erosive soils to surface erosion by wind and water during short-term grading and construction. As previously discussed in Section 4.4, Biological Resources, the project would incorporate temporary and permanent erosion control measures which to help further reduce potential impacts.

Rancho Encantada EIR

The Rancho Encantada EIR found that development of the Sycamore Estates sub-project site would include grading activities that would remove the vegetative cover, thereby exposing soils to runoff and erosion. The project would have a significant effect if it would grade more than 1 acre into slopes over 25% grade and would have the potential to cause substantial erosion. The EIR found that the proposed project design for the Sycamore Estates sub-projects incorporated stormwater drainage, subsurface drainage and landscaping elements, all of which would serve to reduce the potential for project-related erosion and sediment transport; however, due to the presence of steep topography and topsoils with high erosion potential on site, as well as the proximity of larger drainage courses, the Sycamore Estates sub-project could potentially result in significant short-term erosion and sedimentation impacts. As such, Mitigation Measure 3-2 was required in the form of a mitigation monitor to monitor the grading, construction, and installation of runoff control devices and erosion control revegetation. With this mitigation measure, impacts from erosion and sedimentation were found to be less than significant.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project would have some potential for soil erosion impacts during construction; therefore, the project components within the City of San Diego would implement Mitigation Measure 3-2, which require the retention of a mitigation monitor to monitor the grading, construction, and installation of runoff control devices and erosion control restoration. This mitigation will require the project has complied with the required notes on the grading plan, landscape plan and SWPPP addressing erosion/urban runoff controls related to erosion control. The mitigation would also ensure that grading would be conducted during the dry season (typically March 15 to November 15), unless specific measures for wet season grading are approved for the project. The project would also be subject to existing regulatory requirements and standards related to geology and soils. These components are subject to City of San Diego Storm Water Standards adopted pursuant to Order No. R9-2013-0001, NPDES No. CAS0109266, National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for Discharges from the Municipal Separate Storm Sewer Systems (MS4s) Draining the Watersheds within the San Diego Region. This would require preparation and implementation of a stormwater pollution prevention plan (SWPPP) to minimize the potential for soil erosion and the loss of topsoil from the area that would be temporarily disturbed during construction. The project would also be subject to compliance with post-construction stabilization of the project that would prevent erosion in the long term. Post-construction stabilization of the project temporary work areas would return the project site to its pre-construction conditions and prevent erosion in the long term.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant geologic impacts related to erosion and sedimentation or a substantial increase in the severity of those described in the Rancho Encantada EIR.

Improvements within the SDG&E Crossing Easements

Improvements within all SDG&E Crossing Easements identified on Figure 3 would be subject to existing regulatory requirements and standards related to geology and soils. These components are subject to NPDES Permit and Waste Discharge Requirements and would require preparation and implementation of a SWPPP to minimize the potential for soil erosion and the loss of topsoil from the area that would be temporarily disturbed during construction. The improvements within the crossings would also be subject to compliance with post-construction stabilization of the project that would prevent erosion in the long term. Post-construction stabilization of the project temporary work areas would return the project site to its pre-construction conditions and prevent erosion in the long term.

Improvements within the Miramar Marine Corps

Improvements on the base would reduce impacts from erosion and soils by complying with all environmental conditions and requirements including all water quality and stormwater conditions such as the preparation and implementation of a Construction stormwater pollution prevention BMPs that would prevent erosion during construction as described in the CATEX Decision Memorandum.

Conclusion

With incorporation of the aforementioned mitigation measures and requirements applicable to the project during construction and post construction activities, the project would have no new or more severe project-specific significant effects related to soil erosion or loss of topsoil beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR or the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

c) Would the project be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

Previous Documentation

1985 EIR

The 1985 EIR included analysis of geology and soils in Section 4.2, Geology, Soils, and Mineral Resources. A preliminary reconnaissance for the SPPC Development Plan was performed by Geocon, Inc. in November 1982 in order to identify geologic and soil conditions, and potential geologic hazards. This impact was analyzed as a significant impact in the 1985 EIR.

1988 SEIR

This impact was not identified within the Rancho Encantada EIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

As previously discussed, the project site is not located within a landslide zone, liquefaction zone, or active fault zone (DOC 2022). The project would continue through full project design, which would include engineering design standards that incorporate pertinent geotechnical information and project components that provide the stabilization of soils. Furthermore, due to the project site's distance to an active fault zone, the project is unlikely to result in impacts associated with seismic hazards. In addition, the project would incorporate Geology, Soils and Mineral Resources Mitigation Measures 1, 3 and 4 of the 1985 EIR which would reduce potential impacts associated with seismic activity to less than significant.

Rancho Encantada EIR

As discussed above, The Rancho Encantada EIR found that the Sycamore Estates sub-project would have a low risk of liquefaction, landslides lateral spreading, subsidence or collapse, however, to ensure the recommendations in the geotechnical report were followed during construction, Mitigation Measure 3-1 was required in the form of monitoring by a geotechnical consultant to observe earthwork procedures and

testing of fills for substantial conformance with the recommendations of the project's Geologic Investigation Reports. With this mitigation, impacts were found to be less than significant.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

Project components within the City of San Diego would not be located within a landslide zone, liquefaction zone, or active fault zone (DOC 2022). Project components within the City of San Diego would be located primarily within street or utility rights-of-way and would pose a low probability that project implementation would result in the destruction of a unique geologic resource. In addition, the gen-tie line would be consistent with engineering design standards incorporating pertinent geotechnical information and project components that provide the stabilization of soils. If the gen-tie line component within the City of San Diego is determined to be located within a liquefaction hazard zone, Moreover, project components within the City of San Diego would be required to comply with CBC and local Building Code requirements applicable to the project. The project would also be subject to generally applicable requirements mandating the design and construction of facilities conform to CPUC General Order 95 and SDG&E internal structural design requirements to minimize potential damage from seismic shaking.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant geologic hazards or a substantial increase in the severity of those described in the Rancho Encantada EIR.

Improvements within the SDG&E Crossing Easements

Improvements within all SDG&E Crossing Easements identified on Figure 3 would not be located within a landslide zone, liquefaction zone, or active fault zone (DOC 2022). The gen-tie line would be consistent with engineering design standards incorporating pertinent geotechnical information and project components that provide the stabilization of soils. If the gen-tie line component within the City of San Diego is determined to be located within a liquefaction hazard zone, Information Bulletin 515 Geotechnical Study Requirements would be applied to ensure compliance with uniformly applicable development standards relating to geological hazards. Moreover, project components would be required to comply with CBC and local Building Code requirements applicable to the project. The project would also be subject to generally applicable requirements mandating the design and construction of facilities to conform to CPUC General Order 95 and SDG&E internal structural design requirements to minimize potential damage from seismic shaking.

Improvements within the Miramar Marine Corps

Improvements on the Miramar Marine Corps Base would not be located within a landslide zone, liquefaction zone, or active fault zone (DOC 2022). The gen-tie line would be consistent with engineering design standards incorporating pertinent geotechnical information and project components that provide the stabilization of soils. Project components would be required to comply with CBC and local Building Code requirements applicable to the project. The project would also be subject to generally applicable requirements mandating the design and construction of facilities conform to CPUC General Order 95 and SDG&E internal structural design requirements to minimize potential damage from seismic shaking.

Conclusion

By complying with local and CBC standards the project would have no new or more severe significant environmental effects related to soils and geology beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

d) Would the project be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

Expansive soils are clay-based and tend to increase in volume due to water absorption and decrease in water volume due to drying.

Previous Documentation

1985 EIR

The 1985 EIR included analysis of geology and soils in Section 4.2, Geology, Soils, and Mineral Resources. According to the 1985 EIR, moderately to highly expansive topsoils would be encountered over much of the plan's ground surface and within the Friar's Formation and landslide materials. This impact would be less than significant with the implementation of Geology, Soils and Mineral Resources Mitigation Measure 3 as identified in the 1985 EIR, which requires soil investigations and subsequent engineering to address, as needed, potential corrective measures for expansive/compressible soils.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

A review of the U.S. Department of Agriculture (USDA) Soil Map indicates that soils found within the project site consist of cobbly loam and gravelly sandy loam (USDA 2022). As such, no expansive soils have been identified as a potential concern for project implementation. If such conditions are encountered, the project would employ Geology, Soils and Mineral Resources Mitigation Measure 3 as identified in the 1985 EIR, which requires soil investigations and subsequent engineering to address, as needed, potential corrective measures for expansive/compressible soils and standard engineering protocols to limit the potential effects on project-related infrastructure.

Rancho Encantada EIR

This impact was not identified within the Rancho Encantada SEIR. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

With respect to the project components within the City of San Diego, no expansive soils have been identified as a potential concern for project implementation. If such conditions are encountered, the project would employ standard engineering protocols to limit the potential effects on project-related infrastructure.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant geologic impacts related to expansive soils or a substantial increase in the severity of those described in the Rancho Encantada EIR.

Improvements within the SDG&E Crossing Easements

No expansive soils have been identified as a potential concern for implementation of improvements within the SDG&E Crossing Easements identified on Figure 3. If such conditions are encountered, the project would employ standard engineering protocols to limit the potential effects on project-related infrastructure. Thus, improvements within the SDG&E Crossing Easements would not be impacted as there is no risk of soil types with expansive properties that could impact structural stability and cause safety issues in the future.

Improvements within the Miramar Marine Corps

No expansive soils have been identified as a potential concern for implementation of improvements within Miramar Marine Corps Base. If such conditions are encountered, the project would employ standard engineering protocols to limit the potential effects on project-related infrastructure. Thus, improvements on the Miramar Marine Corps Base would not be impacted as there is no risk of soil types with expansive properties that could impact structural stability and cause safety issues in the future.

Conclusion

The project would implement the aforementioned mitigation measure from the 1985 EIR and would employ standard engineering protocols to limit the potential effects on project-related infrastructure. As such, the project would have no new or more severe project-specific significant effects related to expansive soils beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

e) Would the project have soils incapable of adequately supporting the use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project would not involve the use of septic tanks or alternative wastewater disposal systems. Therefore, no impact would occur.

Rancho Encantada EIR

This impact was not identified within the Rancho Encantada EIR. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project would not involve the use of septic tanks or alternative wastewater disposal systems. Therefore, no impact would occur.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts related to soils support of septic tanks or a substantial increase in the severity of those described in the Rancho Encantada EIR.

Improvements within the SDG&E Crossing Easements

There would no impacts to all SDG&E Crossing Easements identified on Figure 3, as the SDG&E parcels do not contain septic tanks.

Improvements within the Miramar Marine Corps

There would no impacts to Miramar Marine Corps Base, as the existing base roads do not contain septic tanks.

Conclusion

The project would not involve the use of septic tanks. The project would have no new or more severe significant environmental effects related to septic tanks beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

f) Would the project directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

Previous Documentation

1985 EIR

The 1985 EIR concluded no paleontological resources were likely to be encountered in the plan area and no significant impact was foreseen. The SPPC Development Plan states that the geologic formations present within the plan area are generally not conducive to fossil formation and thus, it is unlikely for paleontological resources to be encountered (City of Poway 1985). No mitigation was required.

1988 SEIR

This impact was not identified within the 1989 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The main BESS project site consists of 10 acres of developed land, which has low potential to yield paleontological resources (County of San Diego 2011). As such, it is unlikely that project implementation would result in the destruction of a unique paleontological resource or unique geologic resource.

Rancho Encantada EIR

The Rancho Encantada EIR evaluated paleontological resources in Section 4.4 of the EIR. The EIR found that grading performed during the Sycamore Estates sub-project construction would impact soils with high paleontological resource sensitivity ratings, resulting in potentially significant direct and cumulative impacts. Because paleontological resources were considered non-renewable resources, any loss of those resources when considered in combination with losses from other development in the region, was considered a cumulatively significant and unmitigable impact. To mitigate any potential impacts to significant paleontological resources that could be destroyed during project grading, the Sycamore Estates sub-project was required to implement Mitigation Measures 9-1, 9-2, 9-3, 9-4, 9-5 and 9-6 in the form of retaining a qualified paleontologist to implement a paleontological monitor program during project grading. Any fossils discovered during grading were to be the responsibility of the paleontologist to a point of curation, and any discovered fossil sites were to be recorded by the paleontologist at the San Diego Natural History Museum. The paleontological monitor was required attend preconstruction meetings, halt construction activities in any area of discovery to allow recovery of fossil remains, be responsible for preparation of fossils to the point of curation, and to prepare a monitoring results report. With the implementation of this mitigation, impacts to paleontological resources were found to be less than significant. Because no mitigation was available to avoid cumulative impacts other than not developing the site, cumulative impacts were found to remain significant and unmitigable.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

Project components within the City of San Diego are located primarily within street or utility rights-of-way and pose a low probability that project implementation would result in the destruction of a unique paleontological resource or unique geologic resource. However, significant impacts would occur in the event unknown paleontological resources are unearthed during construction. Therefore, the project would implement Mitigation Measures 9-1 through 9-6 as identified in the Rancho Encantada EIR. This would ensure that a qualified paleontological monitor would be retained to implement the paleontological monitoring program (Mitigation Measure 9-1), the monitor would attend any preconstruction meeting to make comments and/or suggestions concerning paleontological monitoring (Mitigation Measure 9-2), and the monitor would be on site full-time during the initial cutting of previously disturbed areas (Mitigation Measure 9-3). These measures would also ensure that all construction activities in the area of any discovery shall be diverted, directed or temporarily halted when requested by the paleontological monitor to allow recovery of fossil remains (Mitigation Measure 9-4), the paleontologist would be responsible for the preparation of any discovered fossils to the point of curation (Mitigation Measure 9-5), and a monitoring result report summarizing the results, analysis and conclusions of the paleontological monitoring program would be submitted and approved by the paleontological monitor (Mitigation Measure 9-6). The project would also comply with the City of San Diego General Grading Guidelines for Paleontological Resources as set forth in Appendix P of the Land Development Manual when required pursuant to SDMC 142.0151, requiring a letter of verification of monitoring, monitoring, notification, recovery and reporting. With implementation of these mitigation measures and requirements, impacts will be mitigated to below significance.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts related to paleontological resources or increase in the severity of those described in the Rancho Encantada EIR.

Improvements within the SDG&E Crossing Easements

SDG&E Crossing Easements located in the City of Poway and the city has not identified known paleontological resources. Improvements in SDG&E Crossing Easements within the City of San Diego would be located within street or utility rights-of-way and poses a low probability that project implementation would result in the destruction of a unique paleontological resource or unique geologic resource. In addition, for SDG&E Easements located on MCAS Miramar, no known paleontological resources have been identified. However, significant impacts would occur in the event unknown paleontological resources are unearthed during construction. Therefore, the project improvements in the SDG&E parcels would comply with applicable requirements relating to paleontological monitoring during construction activities. With compliance with these requirements impacts would be less than significant.

Improvements within the Miramar Marine Corps

No identified known paleontological resources have been identified on the Miramar Marine Corps Base and improvements on the base would be located within existing base roads and poses a low probability that project implementation would result in the destruction of a unique paleontological resource or unique geologic resource.

Conclusion

Impacts to unknown paleontological resources could result in significant impacts. With the implementation of the aforementioned mitigation measures and requirements applicable to the project, the project would have no new or more severe project-specific significant effects related to paleontological or geological resources beyond those analyzed in the 1985 EIR and its SEIRs (which assumed the entire Project site would be disturbed and developed), the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

4.8 Greenhouse Gas Emissions

a) Would the project generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

An Air Quality and Greenhouse Gas Emissions Analysis Technical Memorandum dated February 16, 2023, has been prepared by Dudek and is included herein as Appendix A.

As noted in Appendix A, GHGs are gases that absorb infrared radiation in the atmosphere. The greenhouse effect is a natural process that contributes to regulating the Earth's temperature. Global climate change concerns are focused on whether human activities are leading to an enhancement of the greenhouse effect. As defined in California Health and Safety Code Section 38505(g), for purposes of administering many of the state's primary GHG emissions reduction programs, GHGs include carbon dioxide (CO_2) methane (CH_4), nitrous oxide (N_2O), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs), sulfur hexafluoride (SF_6), and nitrogen trifluoride (NF_3) (see also 14 CCR 15364.5). If the atmospheric concentrations of GHGs rise, the average temperature of the lower atmosphere will gradually increase. Globally, climate change has the potential to impact numerous environmental resources through uncertain impacts related to future air temperatures and precipitation patterns. Although climate change is driven by global atmospheric conditions, climate change impacts are felt locally. Climate change is already affecting California: average temperatures have increased, leading to more extreme hot days and fewer cold nights;

shifts in the water cycle have been observed, with less winter precipitation falling as snow, and both snowmelt and rainwater running off earlier in the year; sea levels have risen; and wildland fires are becoming more frequent and intense due to dry seasons that start earlier and end later (CAT 2010).

The effect each GHG has on climate change is measured as a combination of the mass of its emissions and the potential of a gas or aerosol to trap heat in the atmosphere, known as its global warming potential (GWP), which varies among GHGs. Total GHG emissions are expressed as a function of how much warming would be caused by the same mass of CO_2. Thus, GHG emissions are typically measured in terms of pounds or tons of CO_2 equivalent (CO_2e). The CO_2e for a gas is derived by multiplying the mass of the gas by the associated GWP, such that metric tons (MT) of CO_2e = (MT of a GHG) × (GWP of the GHG). CalEEMod assumes that the GWP for CH_4 is 25, which means that emissions of 1 MT of CH_4 are equivalent to emissions of 25 MT of CO_2, and the GWP for N_2O is 298, based on the Intergovernmental Panel on Climate Change's Fourth Assessment Report (IPCC 2007).

Construction and Decommissioning

Construction and decommissioning of the project would result in GHG emissions, which are primarily associated with use of off-road construction equipment, on-road vendor and haul trucks, and worker vehicles. As stated above, construction emissions are amortized over a 30-year project lifetime; therefore, the total construction and decommissioning GHG emissions were calculated, amortized over 30 years.

CalEEMod was used to estimate GHG emissions during construction and decommissioning as explained in Section 4.3.1 of Appendix A. Construction of the project is anticipated to last up to 12 months and decommissioning 1 month. On-site sources of GHG emissions include off-road equipment and off-site sources include on-road vehicles (vendor and haul trucks and worker vehicles). Table 10 presents construction and decommissioning GHG emissions for the project from on-site and off-site emission sources.

Table 10. Estimated Annual Construction and Decommissioning GHG Emissions

Year	CO_2	CH_4	N_2O	R	CO_2e
	Metric Tons per Year				
2024	1,328	0.06	0.04	0.29	1,340
2025	22.1	<0.01	<0.01	<0.01	22.2
2055	74.0	<0.01	<0.01	<0.01	74.9
Total	**1,424**	**0.06**	**0.04**	**0.29**	**1,437**
				Amortized Emissions (30 years)	**47.9**

Notes: GHG = greenhouse gas; CO_2 = carbon dioxide; CH_4 = methane; N_2O = nitrous oxide; CO_2e = carbon dioxide equivalent, R=refrigerant; <0.01 = reported value is less than 0.01.
Year 2050 used to represent 2054 in CalEEMod.
See Attachment A of Appendix A for complete results.

As shown in Table 10, the estimated total GHG emissions during construction and decommissioning of the project would be approximately 1,437 MT CO_2e. Estimated project-generated construction and decommissioning emissions amortized over 30 years would be approximately 48 MT CO_2e per year. As with project-generated construction air quality pollutant emissions, GHG emissions generated during construction of the project would be short-term in nature, lasting only for the duration of the construction period, and would not represent a long-term source of GHG emissions.

Operation

As noted in Appendix A, CalEEMod was used to estimate potential project generated operational GHG emissions from mobile sources, area sources, energy sources (electricity only, no natural gas), water and wastewater, waste, refrigerants, and off-road equipment, as explained in Section 4.3.1 in Appendix A. Table 11 presents the estimated operational GHG emissions from the project for operational year 2024, which is assumed to be the first year of operation.

Table 11. Summary of Estimated Annual GHG Emissions

Emissions Source	CO_2	CH_4	N_2O	R	CO_2e
	Metric Tons per Year				
Mobile	22.2	<0.01	<0.01	0.04	22.5
Area	0.78	<0.01	<0.01	0	0.78
Energy	429	0.03	<0.01	0	431
Water	3.51	<0.01	<0.01	0	3.52
Waste	0.00	0.00	0.00	0	0.00
Refrigerants	0	0	0	2.30	2.30
Offroad Equipment	1.80	<0.01	<0.01	0	1.80
SF_6 Leakage	0	0	0	0	130.09
Total	**457**	**0.03**	**<0.01**	**2.34**	**592**
				Amortized Construction Emissions (30 years)	*47.9*
				Project Operations + Amortized Construction Total	***640***
				Screening Threshold Applied	*756*
				Exceeds Screening Threshold?	**No**

Notes: GHG = greenhouse gas; MT = metric tons; CO_2 = carbon dioxide; CH_4 = methane; N_2O = nitrous oxide; CO_2e = carbon dioxide equivalent, R= refrigerants, <0.01 = reported value is less than 0.01; – = no emission estimates reported.
See Attachment A of Appendix A for complete results.

As shown in Table 11, the estimated total GHG emissions during operation of the project would be approximately 510 MT CO_2e per year, including amortized construction and decommissioning emissions, which is below the applied South Coast Air Quality Management District Screening Threshold (SLT) of 756 MT CO_2e per year. Thus, GHG emissions from construction and operation of the project would be less than significant.

Rancho Encantada EIR

This impact was not identified within the Rancho Encantada EIR. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project's gen-tie line is located partially within the City of San Diego. As such, this component is subject to the City of San Diego's adopted 2022 CAP (City of San Diego 2022a). The 2022 CAP Update identified six strategies to achieve the goals and targets set forth: Decarbonization of the Built Environment, Access to Clean and Renewable Energy, Mobility and Land Use, Circular Economy and Clean Communities, Resilient Infrastructure and Health Ecosystems and Emerging Climate Actions. The City of San Diego's CAP update included the Climate Action Plan Consistency Regulations that establish measures that could be

implemented on a project-by-project basis to demonstrate consistency with the 2022 CAP pursuant to CEQA Guidelines Section 15183.5(b)(1)(D); however, for public infrastructure projects such as the project, the City of San Diego provides alternative guidance for how to demonstrate compliance with the CAP as the CAP Consistency Regulations do not apply. Instead, pursuant to the City of San Diego's Guidance for Assessing CAP Consistency for Public Infrastructure projects (City of San Diego 2022b), the environmental analysis should include a discussion of the overall consistency with each of the six strategies of the CAP, as provided below.

The project would support and be consistent with Strategy 1, Decarbonization of the Built Environment, and Strategy 2, Access to Clean and Renewable Energy, as it would provide reliable energy storage that would facilitate renewable energy storage. The project would not conflict with Strategy 3, Mobility and Land Use, because the project overall would be remotely operated with no routine daily trips to and from the site via vehicles or alternative modes such as pedestrian or bicycle travel. Notably, the portion of the project within the City of San Diego is a gen-tie line, which has no routine operational requirements. The project would be consistent with Strategy 4, Circular Economy and Clean Communities, because the project would comply with applicable construction and demolition diversion requirements, including the City of San Diego's Construction and Demolition Debris Diversion Ordinance, and because project operations would not increase solid waste production, and thus, would not impede the achievement of this goal. The project would not conflict with Strategy 5, Resilient Infrastructure and Healthy Ecosystems, as the project would not remove street trees and would plant landscape trees. The project would also not conflict with Strategy 6, Emerging Climate Action, because the project supports emerging battery storage technology to ultimately facilitate California's transition to a clean energy future. As such, the project would not conflict with the CAP and as the project would provide reliable energy storage, it would support the City of San Diego's goal to reduce GHG emissions. Thus, the project is anticipated to comply with the six strategies of the CAP. In addition, the project would be consistent with City of San Diego General Plan Land Use Policy A.7, Mobility Element Policy B.9, and Conservation Element Policies J.2 and J.3 (City of San Diego 2008) as it would provide a public facility that would be remotely operated with no routine daily trips to and from the site via vehicles or alternative modes such as transit or pedestrian or bicycle travel. While operational, the project would have no routine operations that would interfere with any community street tree master plans or citywide urban forest master plans. As such, the project would be consistent with the updated CAP and applicable policies of the General Plan and would have no significant GHG impacts.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts related to greenhouse gas emissions or a substantial increase in the severity of those described in the Rancho Encantada EIR.

Improvements within the SDG&E Crossing Easements

The improvements within the SDG&E Crossing Easements would not contribute a substantial amount of GHG emissions; construction emissions are short-term and operational GHG emissions are anticipated to be minimal. Accordingly, the project results in less than significant impacts regarding the potential to generate GHG emissions that may have a significant impact on the environment. No significant impact would occur.

Improvements within the Miramar Marine Corps

The improvements within the Miramar Marine Corps Base would not contribute a substantial amount of GHG emissions; construction emissions are short-term and operational GHG emissions are anticipated to be minimal. Accordingly, the improvements would result in less than significant impacts regarding the potential to generate GHG emissions that may have a significant impact on the environment. No significant impact would occur.

Conclusion

As discussed above, the project would not contribute a substantial amount of GHG emissions; construction emissions are short-term and operational GHG emissions are anticipated to be minimal. Accordingly, the project results in less than significant impacts regarding the potential to generate GHG emissions that may have a significant impact on the environment. Moreover, the project would be consistent with applicable strategies of the City of San Diego 2022 CAP Update and the applicable City of San Diego General Plan policies. The project would have no new or more severe significant environmental effects related to greenhouse gas emissions beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

b) Would the project generate conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project, which would include the building of a BESS facility and gen-tie line, would be part of a sustainable solution to enable renewable energy generating sources to be better used and more efficiently integrated into the grid. As such, the project would align with the goals of the region and the State to reduce GHG emissions, as further evaluated below.

CARB Scoping Plan

The California State Legislature passed the Global Warming Solutions Act of 2006 (Assembly Bill [AB] 32) to provide initial direction to limit California's GHG emissions to 1990 levels by 2020 and initiate the state's long-range climate objectives. Since the passage of AB 32, the State has adopted GHG emissions reduction targets for future years beyond the initial 2020 horizon year. For the project, the relevant GHG emissions reduction targets include those established by Senate Bill 32 (SB 32) and AB 1279, which require GHG emissions be reduced to 40% below 1990 levels by 2030, and 85% below 1990 levels by 2045, respectively. In addition to its target for reduction of anthropogenic GHG emissions, AB 1279 establishes a policy of the state to achieve net zero GHG emissions by no later than 2045 and achieve and maintain net negative GHG emissions thereafter.

As defined by AB 32, CARB is required to develop the Scoping Plan, which provides the framework for actions to achieve the State's GHG emission targets. The Scoping Plan is required to be updated every 5 years and requires CARB and other state agencies to adopt regulations and initiatives that will reduce GHG emissions statewide. The first Scoping Plan was adopted in 2008, and was updated in 2014, 2017, and most recently in 2022. While the Scoping Plan is not directly applicable to specific projects, nor is it intended to be used for project-level evaluations,[1] it is the official framework for the measures and regulations that will be implemented to reduce California's GHG emissions in alignment with the adopted targets. Therefore, a project would be found to not conflict with the statutes if it would meet the Scoping Plan policies and would not impede attainment of the goals therein.

The 2017 Climate Change Scoping Plan Update (Second Update) included measures to promote renewable energy and energy efficiency (including the mandates of SB 350), increase stringency of the Low Carbon Fuel Standard (LCFS), measures identified in the Mobile Source and Freight Strategies, measures identified in the proposed Short-Lived Climate Pollutant Plan, and increase stringency of SB 375 targets (CARB 2017). The 2022 Scoping Plan for Achieving Carbon Neutrality (Third Update) builds upon and accelerates programs currently in place, including moving to zero-emission transportation; phasing out use of fossil gas use for heating homes and buildings; reducing chemical and refrigerants with high GWP; providing communities with sustainable options for walking, biking, and public transit; and displacement of fossil-fuel fired electrical generation through use of renewable energy alternatives (e.g., solar arrays and wind turbines) (CARB 2022). Many of the measures and programs included in the Scoping Plan would result in the reduction of project-related GHG emissions with no action required at the project-level.

The 2045 carbon neutrality goal required CARB to expand proposed actions in the Third Update to include those that capture and store carbon in addition to those that reduce only anthropogenic sources of GHG emissions. However, the Third Update emphasizes that reliance on carbon sequestration in the state's natural and working lands will not be sufficient to address residual GHG emissions, and achieving carbon neutrality will require research, development, and deployment of additional methods to capture atmospheric GHG emissions (e.g., mechanical direct air capture). Given that the specific path to neutrality will require development of technologies and programs that are not currently known or available, the project's role in supporting the statewide goal would be speculative and cannot be wholly identified at this

[1] The Final Statement of Reasons for the amendments to the CEQA Guidelines reiterates the statement in the Initial Statement of Reasons that "[t]he Scoping Plan may not be appropriate for use in determining the significance of individual projects because it is conceptual at this stage and relies on the future development of regulations to implement the strategies identified in the Scoping Plan" (CNRA 2009).

time. Nonetheless, given that the project is also not anticipated to result in substantial increase in operational GHG emission sources, including operational vehicle miles traveled, and would facilitate the state's transition to clean, renewable energy sources, the project would not conflict with the Scoping Plan.

Overall, the project would comply will all regulations adopted in furtherance of the Scoping Plan to the extent applicable and required by law. The project would not conflict with CARB's 2017 or 2022 Scoping Plan updates and with the state's ability to achieve the 2030 and 2045 GHG reduction and carbon neutrality goals and would support decarbonization of the energy sector.

SANDAG's San Diego Forward: The 2021 Regional Plan

The passage of SB 375 requires metropolitan planning organizations (MPOs) to prepare a Sustainable Communities Strategy (SCS) in their Regional Transportation Plan (RTP). SANDAG serves as the MPO for the San Diego region and is responsible for developing and adopting a SCS that integrates transportation, land use, and housing to meet GHG reduction targets set by CARB. The RTP/SCS is updated every 4 years in collaboration the 18 cities and unincorporated County of San Diego, in addition to regional, state, and federal partners. The most recent, San Diego Forward: The 2021 Regional Plan was adopted in 2021 and provides guidance on meeting or exceed GHG targets through implementation of five key transportation strategies, including complete corridors, high-speed transit services, mobility hubs, flexible fleets, and a digital platform to tie the transportation system together. Through these strategies, the 2021 Regional Plan is projected to reduce per capita GHG emissions from cars and light-duty trucks to 20% below 2005 levels by 2035, exceeding the regions state-mandated target of 19% (SANDAG 2021). The primary objective of the RTP/SCS is to provide guidance for future regional growth (i.e., the location of new residential and non-residential land uses) and transportation patterns throughout the region, as stipulated under SB 375. The project overall would be remotely operated with no routine daily trips to and from the site. As such, the project would not conflict with the goals and policies of the SANDAG RTP/SCS.

As such, the project would not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing GHG emissions.

Rancho Encantada EIR

This impact was not identified within the Rancho Encantada EIR. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

Per the City of San Diego's CAP Consistency Requirements, to ensure consistency with the City's CAP, all development within the City of San Diego shall comply with the CAP Consistency Regulations in SDMC Chapter 14, Article 3, Division 14. Applicability is further defined under Section 143.1403(a)(2) as "Non-residential *development* that adds more than 1,000 square feet and results in 5,000 square feet or more of total *gross floor area,* excluding unoccupied spaces such as mechanical equipment and storage areas." The portion of the project located with the City of San Diego is the gen-tie line, which does not meet any of the applicable development descriptions. Further, while the project's storage containers (located within the City of Poway and not the City of San Diego) are over 1,000 square feet, all of the containers would be excluded as they consist of equipment and storage. As such, the City's CAP Consistency Regulations do not directly apply to the project.

Instead, pursuant to the City of San Diego's Guidance for Assessing CAP Consistency for Public Infrastructure projects (City of San Diego 2022b), the environmental analysis should include a discussion of the overall consistency with each of the six strategies of the CAP, as provided in Section 4.8(a). To recap, the project would support and be consistent with Strategy 1, Decarbonization of the Built Environment, and Strategy 2, Access to Clean and Renewable Energy, as it would provide reliable energy storage that would facilitate renewable energy storage. The project would not conflict with Strategy 3, Mobility and Land Use, because the project overall would be remotely operated with no routine daily trips to and from the site via vehicles or alternative modes such as pedestrian or bicycle travel. Notably, the portion of the project within the City of San Diego is a gen-tie line, which has no routine operational requirements. The project would be consistent with Strategy 4, Circular Economy and Clean Communities, because the project would comply with applicable construction and demolition diversion requirements, including the City of San Diego's Construction and Demolition Debris Diversion Ordinance, and because project operations would not increase solid waste production, and thus, would not impede the achievement of this goal. The project would not conflict with Strategy 5, Resilient Infrastructure and Healthy Ecosystems, as the project would not remove street trees and would plant landscape trees. The project would also not conflict with Strategy 6, Emerging Climate Action, because the project supports emerging battery storage technology to ultimately facilitate California's transition to a clean energy future. Additionally, the project would be consistent with City of San Diego General Plan Land Use Policy A.7, Mobility Element Policy B.9, and Conservation Element Policies J.2 and J.3 as the project would be remotely operated with no routine daily trips to and from the site via vehicles or alternative modes such as transit or pedestrian or bicycle travel. While operational, the project would have no routine operations that would interfere with any community street tree master plans or citywide urban forest master plans As such, the project would not conflict with the CAP or General Plan policies and as the project would provide reliable energy storage, it would support the City of San Diego's goals to reduce GHG emissions.

As project components located with the City of San Diego are anticipated as part of the CAP and required to comply with applicable standards of the CAP. With compliance with CAP standards the project would have no significant impacts relating to conflicts with an applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts related to a plan, policy of ordinance related to greenhouse gas emissions or a substantial increase in the severity of those described in the Rancho Encantada EIR.

Improvements within the SDG&E Crossing Easements

The improvements within the SDG&E Crossing Easements would not conflict with an applicable plan, policy, or regulation for the purpose of reducing GHG emissions. Implementation of the gen-tie line would provide reliable energy storage and aligns with local goals of reducing GHG emissions by 2035. Project improvements on the SDG&E Crossing Easements would have no significant environmental effects relating to conflicts with an applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions.

Improvements within the Miramar Marine Corps

The improvements within the Miramar Marine Corps Base would not conflict with an applicable plan, policy, or regulation for the purpose of reducing GHG emissions. Implementation of the gen-tie line would provide reliable energy storage and aligns with local goals of reducing GHG emissions by 2035. Project improvements on the base would have no significant environmental effects relating to conflicts with an applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions.

Conclusion

The project would not conflict with an applicable plan, policy, or regulation for the purpose of reducing GHG emissions. Implementation of the BESS facility and gen-tie line would provide reliable energy storage and aligns with the City of San Diego's goal of reducing GHG emissions by 2035. The project would have no new or more severe significant environmental effects related to conflicts with an applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

4.9 Hazards and Hazardous Materials

a) Would the project create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

The 1988 SEIR found that industrial uses on-site could involve the handling, use or storage of hazardous or toxic materials, and if not properly managed, could expose people, property or the natural environmental to health and safety hazards. To mitigate for the potential impacts associated with handling of hazardous materials, the SEIR required mitigation measures in the form of inventory management and improved operations, modifications on equipment, production process changes, recycling and reuses. The implementation strategy for these mitigation measures included the disclosure to the City of any existing or proposed use or project involving toxic materials prior to the issuance or renewal of a business license, building permit or certificate of occupancy and the preparation and implementation of a hazardous waste minimization plan when applying for hazardous waste permits. With the implementation of these mitigation measures, impacts were considered less than significant.

1990 SEIR

The 1990 SEIR stated the Cal-Mat Poway operation was of a full-range aggregate extraction and processing facility, and its integral batch plants included the utilization of many commonly used substances such as fuels and lubricants, and the asphalt oil used in the production of asphaltic concrete. These substances were classified as hazardous by State law, and the California Administrative Code contained strict regulations which were complied with as related to storage, transportation and use. The EIR also stated that the CalMat-Poway project had a Business Plan which detailed emergency procedures to be used in case of an accident, and the Business Plan was provided to the Hazardous Materials Management Division of the County of San Diego Health Department with a copy kept on site. The plan detailed locations of hazardous materials, underground fuel tanks, buildings and plant site facilities. The 1990 EIR found that a new plan would be developed as part of the proposed expanded operation. In addition, regulations under the California Administrative Code pertaining to underground liquid storage tanks would be followed for new underground fuel tanks that would be located within the project site. The latest, up-to-date equipment, including double-walled tanks and piping, leak alarms, and overfill and spill protection was to be required for safeguarding the environment from leaking underground tanks. Finally, all regulations associated with underground storage tanks and hazardous materials were to be implemented and enforced by the County Health Department Hazardous Materials Management Division, and all operating permits required by such regulations were to be obtained prior to installation of any underground storage tanks containing hazardous materials. With implementation of the project features and compliance with State and County regulations, impacts were found to be less than significant and no mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

A Fire Hazard Mitigation and Prevention Plan (FHMPP) dated January 20, 2023, has been prepared by Dudek and is included herein as Appendix J.

Project-related transportation, use, and disposal of hazardous materials would be limited to common substances used to maintain and operate construction equipment (such as fuel and lubricants). Storage, handling, and transport of potentially hazardous materials would occur in compliance with applicable local, state, and federal regulations implemented to minimize risk of hazardous materials release. A Hazardous Materials Business Plan (HMBP) in accordance with federal and State law (Federal Regulations Title 40, Section 355.61; California Health and Safety Code Division 20, Chapter 6.95 and California Code of Regulations, Title 19, Division 2, Chapter 4) would be provided to the city of Poway. The HMBP would include a complete list of all materials used on site and information regarding how the materials would be transported and in what form they would be used. This information would be recorded to maintain safety and prevent possible environmental contamination or worker exposure. During project construction, SDS for all applicable materials present at the site would be made readily available to on-site personnel. In addition, the implementation of a SWPPP and standard construction BMPs would prevent the use of these materials from causing a significant hazard to the public or environment. Furthermore, during construction and decommissioning of the project would properly store materials, chemicals, and waste to prevent spills.

Limited amounts of hazardous materials would be stored or used on the site during operations, including diesel fuel, NFPA, and motor oil for vehicles; mineral oil to be sealed within the transformers; and lead-acid-based batteries for emergency backup. A Spill Prevention Control and Countermeasures plan (SPCC) would be developed for site operations, consistent with federal and state law (Health & Safety Code Section

25504 and California Code of Regulations Title 22 Section 66262.34), the Poway [MSCP] Subarea Habitat Conservation Plan/ Natural Community Conservation Plan and the MHPA Adjacency Guidelines in the City of San Diego MSCP Subarea Plan. Appropriate spill containment and cleanup kits would be maintained during operation of the project.

Rancho Encantada EIR

The Rancho Encantada EIR found there is no significant site contamination on the Sycamore Estates sub-project site and no contamination beyond that which was reported in the federal and local lists was discovered during field reconnaissance at the time. In addition, review of the regulatory agency information and area reconnaissance did not indicate off-site hazardous material sources of environmental concern to the project site. The EIR also found that all hazardous materials would be terminated and removed from the site along with conversion of five existing operational uses. The EIR concluded that removal of the existing uses would be conducted in accordance with County Health Department guidelines. The construction of project components would involve transport, use, and disposal of hazardous materials such as fuel, solvents, chemicals, and oils associated with operating construction equipment. Such transportation use and disposal would be compliant with all applicable regulations and requirements and new residential and institutional uses would not involve the routine transport, use or disposal of hazardous materials. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

Implementation of the gen-tie line component of the project would not create a significant hazard to the public or the environment through the routine transport, use or disposal of hazardous materials. Construction of the project would involve transport, use, and disposal of hazardous materials such as fuel, solvents, chemicals, and oils associated with operating construction equipment. Such transportation use and disposal would be compliant with all applicable regulations and requirements. Although small amounts of fuels, solvents, chemicals and oils would be transported, used, and disposed of during the construction phase, these materials are typically used in construction project and would not represent the transport, use, and disposal of hazardous materials. Project components located with the City of San Diego would also be subject to applicable local, state, and federal regulations including preparation of an SWPPP which would include construction BMPs relating to the transport, use, or disposal of hazardous materials during construction. In addition, an HMBP would be prepared in accordance with federal and State law (Federal Regulations Title 40, Section 355.61; California Health and Safety Code Division 20, Chapter 6.95 and California Code of Regulations, Title 19, Division 2, Chapter 4) and provided to the City. The HMBP would include a complete list of all materials used on site and information regarding how the materials would be transported and in what form they would be used. This information would be recorded to maintain safety and prevent possible environmental contamination or worker exposure. During project construction, SDS for all applicable materials present at the site would be made readily available to on-site personnel. A Spill Prevention Control and Countermeasures plan (SPCC) would be developed for site operations, consistent with federal and state law (Health & Safety Code Section 25504 and California Code of Regulations Title 22 Section 66262.34), the Poway [MSCP] Subarea Habitat Conservation Plan/ Natural Community Conservation Plan and the MHPA Adjacency Guidelines in the City of San Diego MSCP Subarea Plan. Appropriate spill containment and cleanup kits would be maintained during operation of the project. With implementation of previously adopted uniformly applicable development standards and policies applicable to the project, the project would not have a significant impact relating to the routine transport, use, or disposal of hazardous materials. During project decommissioning, the gen-tie line components that would be capped and

left in place in perpetuity would be jacketed in a steel conductor and encased in concrete; therefore, there would be no decomposition of materials and no impacts from hazardous materials would result.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with the transport, use or disposal of hazardous materials or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

As discussed above, project-related transportation, use, and disposal of hazardous materials would be limited to common substances used to maintain and operate construction equipment (such as fuel and lubricants). Storage, handling, and transport of potentially hazardous materials would occur in compliance with applicable local, state, and federal regulations implemented to minimize risk of hazardous materials release. A HMBP in accordance with federal and state law (Federal Regulations Title 40, Section 355.61; California Health and Safety Code Division 20, Chapter 6.95 and California Code of Regulations, Title 19, Division 2, Chapter 4) would also be provided to SDG&E and would provide a complete list of all materials used on site and information regarding how the materials would be transported and in what form they would be used. This information would be recorded to maintain safety and prevent possible environmental contamination or worker exposure. During project construction, SDS for all applicable materials present at the site would also be made readily available to on-site personnel, and a SWPPP would be implemented with standard construction BMPs preventing the use of these materials from causing a significant hazard to the public or environment. Furthermore, during construction and decommissioning of the project would properly store materials, chemicals, and waste to prevent spills.

The SDG&E easement areas do not present a significant hazard to the public or the environment. There would be no Impacts to any of the Crossing Easements identified on Figure 3 as the contractor would dispose of all regulated hazardous wastes in a solid waste stream, collected in contractor provided receptables and not in station dumpsters or roll-offs. In addition, all hazardous regulated wastes would be identified, managed, transported and disposed of in accordance with Title 22 CCR and California Health and Safety Code. Therefore, impacts associated with the use, transport, and disposal of hazardous materials would be less than significant.

Improvements within the Miramar Marine Corps

The improvements within the Miramar Marine Corps Base would require some transportation, use, and disposal of hazardous materials. The project will comply with all environmental conditions and requirements for the base as described in the CATEX Decision Memorandum. This ensures that all uniform hazardous waste manifests used to transport regulated waste from the base would be reviewed by the Miramar Installation's Waste Management Division (EMD). In addition, the project would provide a hazardous material Authorized Use List (AUL), which would ensure that all AUL hazardous materials are properly managed and stored while on-site so not to present health and safety risks or environmental liabilities and that all excess hazardous materials will be removed from the site once the work is completed Further, hazardous material and waste inventories would be maintained throughout the life of the project and would be submitted to the EMD for the base's Emergency Planning, Community Right-to-Know and Toxic Release Inventory (EPCRA/TRI) reporting purposes. Finally, all oil-filled transformers and other electrical equipment would be tested for PCB

contamination with test results evaluated by the EMD, and all equipment and dispensing operations would be secondarily contained and any spills of hazardous materials contained and cleaned up immediately. With compliance with these environmental conditions and requirements, all hazardous waste would be transported, used and disposed of in accordance with Miramar Marine Corps Base standards, Title 22 CCR and the California Health and Safety Code Division regulations.

Conclusion

The transport, use, and disposal of hazardous material during construction would be conducted in compliance with applicable local, state, and federal regulations. With compliance with uniform development standards and policies applicable to the project and the aforementioned mitigation measures, the project would have no new or more severe project specific significant environmental effects relating to the routine transport, use, or disposal of hazardous materials beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

b) Would the project create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

As discussed in Section 4.9(a), the 1988 SEIR found that industrial uses on-site could involve the handling, use or storage of hazardous or toxic materials, and if not properly managed, could expose people, property or the natural environmental to health and safety hazards. To mitigate for the potential impacts associated with handling of hazardous materials, the SEIR required mitigation measures in the form of inventory management and improved operations, modifications on equipment, production process changes, recycling, and reuses. The implementation strategy for these mitigation measures included the disclosure to the City of any existing or proposed use or project involving toxic materials prior to the issuance or renewal of a business license, building permit or certificate of occupancy and the preparation and implementation of a hazardous waste minimization plan when applying for hazardous waste permits. With the implementation of these mitigation measures, impacts from accidental release of hazardous materials were considered less than significant.

1990 SEIR

As discussed in Section 4.9(a), the 1990 SEIR stated the Cal-Mat Poway operation was of a full-range aggregate extraction and processing facility, and its integral batch plants included the utilization of many commonly used substances such as fuels and lubricants, and the asphalt oil used in the production of asphaltic concrete. These substances were classified as hazardous by state law, and the California Administrative Code contained strict regulations which were complied with as related to their storage and

use. The 1990 EIR found that a new Business Plan would be developed as part of the proposed expanded operation that would detail emergency procedures to be used in case of an accident. This Business Plan was to be provided to the Hazardous Materials Management Division of the County of San Diego Health Department with a copy kept on site and was to detail locations of hazardous materials, underground fuel tanks, buildings and plant site facilities. In addition, regulations under the California Administrative Code pertaining to underground liquid storage tanks would be followed for new underground fuel tanks that would be located within the project site. The latest, up-to-date equipment, including double-walled tanks and piping, leak alarms, and overfill and spill protection was to be required for safeguarding the environment from leaking underground tanks. Finally, all regulations associated with underground storage tanks and hazardous materials were to be implemented and enforced by the County Health Department Hazardous Materials Management Division, and all operating permits required by such regulations were to be obtained prior to installation of any underground storage tanks containing hazardous materials. With implementation of the project features and compliance with State and County regulations, impacts associated with the accidental spill of hazardous materials were found to be less than significant and no new mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

Implementation of a SWPPP and standard construction BMPs would minimize potential for accidental release of hazardous materials associated with the project into the environment. Project BMPs would include spill prevention and control practices to reduce the potential impact of accidental spills during construction. Additionally, during construction, the project would comply with applicable local, state, and federal regulations implemented for the minimization of hazardous materials risk. A HMBP in accordance with federal and State law (Federal Regulations Title 40, Section 355.61; California Health and Safety Code Division 20, Chapter 6.95 and California Code of Regulations, Title 19, Division 2, Chapter 4) would be provided to the City. The HMBP would include a complete list of all materials used on site and information regarding how the materials would be transported and in what form they would be used. This information would be recorded to maintain safety and prevent possible environmental contamination or worker exposure. During project construction, SDS for all applicable materials present at the site would be made readily available to on-site personnel. Additionally, an SPCC would be developed for site operations, consistent with federal and state law (Health & Safety Code Section 25504 and California Code of Regulations Title 22 Section 66262.34), the Poway MSCP Subarea Habitat Conservation Plan/Natural Community Conservation Plan and the MHPA Adjacency Guidelines in the City of San Diego MSCP Subarea Plan. Appropriate spill containment and cleanup kits would be maintained during operation of the project. Therefore, impacts related to the accidental release of hazardous materials would be less than significant.

Rancho Encantada EIR

The Rancho Encantada EIR found that the Sycamore Estate sub-project construction may have potentially significant impacts of the accidental release of hazardous materials. Mitigation Measure 11-1 through 11-6 Impacts of the Gen-Tie Line Components Located in the City of San Diego

Implementation of the project is not expected to create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment. Many of the mitigation measures required in the Rancho Encantada EIR are not applicable to the gen-tie line component; however, Mitigation Measure 11-3, 11-4 and 11-6 would still be

required. Mitigation 11-3 would be implemented in the form of soil samples in the stormwater run-off areas near the gen-tie line component. A workplan would be prepared as required by the San Diego County Department of Environmental Health, Hazardous Materials Management Division (HMMD), the soil sampled and the results evaluated to determine further action. The soil samples would be analyzed for the most likely constituents of concern based on uses and activity at those locations using ASTM and EPA protocols and sampling methodologies. If contamination is discovered above regulatory levels, the applicant would take remedial action as appropriate. Mitigation Measure 11-4 would also be required in the form of a Phase II environmental site assessment (ESA) prior to the issuance of grading permits on the project site. Project components located with the City of San Diego would also be subject to applicable local, state, and federal regulations including preparation of an SWPPP which would include construction BMPs to minimize the release of hazardous materials. Finally, Mitigation Measure 11-6 would also be implemented if any soil contamination was suspected during construction by odor or visual means, construction would temporarily cease at the location and the San Diego County HMMD would be contacted. A HMBP in accordance with federal and state law (Federal Regulations Title 40, Section 355.61; California Health and Safety Code Division 20, Chapter 6.95 and California Code of Regulations, Title 19, Division 2, Chapter 4) would also be provided to the City. The HMBP would include a complete list of all materials used on site and information regarding how the materials would be transported and in what form they would be used. This information would be recorded to maintain safety and prevent possible environmental contamination or worker exposure. During project construction, SDS for all applicable materials present at the site would be made readily available to on-site personnel. A SPCC would also be developed for site operations, consistent with federal and state law (Health & Safety Code Section 25504 and California Code of Regulations Title 22 Section 66262.34), In addition, appropriate spill containment and cleanup kits would be maintained during operation of the project. With implementation of previously adopted uniformly applicable development standards and policies applicable to the project, the project would not have a significant impact relating to the accidental release of hazardous materials. During project decommissioning, the gen-tie line components that would be capped and left in place in perpetuity would be jacketed in a steel conductor and encased in concrete; therefore, there would be no decomposition of materials and no impacts from release of hazardous materials would result.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with hazardous materials or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

Project components located with the SDG&E parcels would also be subject to applicable local, state, and federal regulations including preparation of an SWPPP which would include construction BMPs to minimize the release of hazardous materials. A HMBP in accordance with federal and State law (Federal Regulations Title 40, Section 355.61; California Health and Safety Code Division 20, Chapter 6.95 and California Code of Regulations, Title 19, Division 2, Chapter 4) would also be provided to SDG&E. The HMBP would include a complete list of all materials used on site and information regarding how the materials would be transported and in what form they would be used. This information would be recorded to maintain safety and prevent possible environmental contamination or worker exposure. During project construction, SDS for all applicable materials present at the site would be made readily available to on-site personnel. A SPCC would also be developed for site operations, consistent with federal and state law (Health & Safety Code

Section 25504 and California Code of Regulations Title 22 Section 66262.34), In addition, appropriate spill containment and cleanup kits would be maintained during operation of the project. With implementation of previously adopted uniformly applicable development standards and policies applicable to the project, the improvements within the SDG&E Crossing Easements would not have a significant impact relating to release of hazardous materials.

Improvements within the Miramar Marine Corps

The improvements within the Miramar Marine Corps Base would require some transportation, use, and disposal of hazardous materials. Impacts regarding the release of hazardous materials would be reduced by complying with all environmental conditions and requirements of the base including regulated waste management conditions, authorized use list conditions, hazardous waste inventories, and treatment of oil-filled transformers and pesticides. In addition, all spill prevention control and countermeasures would be implemented to contain and clean up hazardous material spills immediately by means of a spill kit. These conditions and requirements would ensure all impacts regarding the potential for spills and accidents would be minimized.

Conclusion

Based on the foregoing, the project would have no new or more severe project-specific significant effects related to accidental release of hazardous materials beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

c) Would the project emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The nearest school within distance of the project site is Valley Elementary School (13000 Bowron Road) and is located approximately 1.5 miles north of the location of the BESS facility. Therefore, the project is not located within 0.25 miles of a school and no impact would occur.

Rancho Encantada EIR

This impact was not identified within the Rancho Encantada SEIR. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The nearest school within distance of the project site is Saint Gregory the Great Catholic School (15315 Stonebridge Parkway) and is located approximately 1.05 miles east of the gen-tie line. Therefore, the project is not located within 0.25 miles of a school and no impact would occur.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with hazardous materials in proximity to a school or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

There are no impacts to any SDG&E Crossing Easements identified on Figure 3, as the SDG&E Parcels are not located within one-quarter mile of a school.

Improvements within the Miramar Marine Corps

There are no impacts to the Miramar Marine Corps Base as the improvements are not located within one-quarter mile of a school.

Conclusion

The project site is not located within 0.25 miles of an existing school. Thus, the project would have no new or more severe project-specific significant effects related to hazardous materials within proximity to a school beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

d) Would the project be located on a site that is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?

Previous Documentation

1985 EIR

The 1985 EIR does not include an analysis of this impact. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

According to the Department of Toxic Substances Commission's (DTSC) EnviroStor database and the State Water Resources Control Board's (SWRCB) GeoTracker database, there are no active clean-up sites located within or near the project site (DTSC 2022; SWRCB 2022). Therefore, no impact would occur.

Rancho Encantada EIR

This impact was not identified within the Rancho Encantada SEIR. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

Project components located in the City of San Diego are not located in or near active clean-up sites identified by the DTSC's EnviroStor database or the SWRCB's GeoTracker database (DTSC 2022; SWRCB 2022). Therefore, no impact would occur. Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with hazardous material sites or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

There are no impacts to any of the SDG&E Crossing Easements identified in Figure 3 as the SDG&E Parcels are not located on sites which are included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5.

Improvements within the Miramar Marine Corps

There are no impacts to Miramar Marine Corps Base, as the base is not located on sites which are included on a list of hazardous material sites compiled pursuant to Government Code Section 65962.5. In addition, the improvements within the Miramar Marine Corps Base would reduce any potential impacts regarding

the release of hazardous materials by complying with all environmental conditions and requirements of the base including all hazardous materials , and all installation restoration and munitions response conditions such as non-contaminated soil requirements and the East Miramar Range Complex conditions.

Conclusion

The project is not located within or adjacent to active clean-up sites, as identified by the DTSC's EnviroStor database and the SWRCB's GeoTracker database. As such, the project would have no new or more severe project-specific significant effects related to hazardous material sites beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

Previous Documentation

1985 EIR

The 1985 EIR does not include an analysis on hazards and hazardous materials. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

There are no public airports located within 2 miles of the project site. The closest airport with an airport land use compatibility plan is Gillespie Field, located approximately 7 miles south of the project site. The project is not located within the compatibility plan for the airport (ALUC 2011). Therefore, no impacts associated with public airport hazards would occur.

Rancho Encantada EIR

This impact was not identified within the Rancho Encantada SEIR. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

Project components located in the City of San Diego are also not located within the compatibility plan for the airport (ALUC 2011). Based on the foregoing analysis and information, there is no evidence that

implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with airport land use compatibility or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

There are no impacts to any of the SDG&E Crossing Easements identified on Figure 3 as the SDG&E Parcels are not located within an airport land use plan or in the vicinity of a private airport.

Improvements within the Miramar Marine Corps

There are no impacts to Miramar Marine Corps Base as the base is not located within an airport land use plan or in the vicinity of a private airport.

Conclusion

There are no public airports within 2 miles of the project site, and the site is not located within an existing airport land use compatibility plan. As such, the project would have no new or more severe project-specific significant effects related to airport safety and hazards beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

f) Would the project impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

Previous Documentation

1985 EIR

The 1985 EIR does not include an analysis of this impact. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project would implement the emergency notification and evacuation procedures outlined in the project specific FHMPP (Appendix J), which augments the facility's Emergency Action Plan by focusing on the project's fire safety and protection measures. The FHMPP also provides a training guide as well as a quick reference for all site staff for recognizing fire hazards, reporting them, and managing them during an emergency during the construction, operation/maintenance, and decommissioning of the project.

During construction, the project would require the temporary partial closures of the following roads in Poway: Paine Street and Beeler Canyon Road to install the gen-tie line route. As discussed in the FHMPP, the project would provide primary site access and evacuation route off Kirkham Way. The evacuation route would lead to three primary roadways (Stowe Drive, Scripps Poway Parkway, and Spring Canyon Road) before eventually leading to Interstate 15 of SR-56. The gen-tie line would be located underground, and upon completion of construction, emergency access would resume similar to existing conditions. Therefore, with the implementation of the BMPs outlined in the FHMPP, implementation of the project would not impair an adopted emergency response plan or emergency evacuation plan and impacts would be less than significant.

Rancho Encantada EIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

As discussed above, the project components located in the City of San Diego and Miramar Marine Corps Base would require the temporary partial closures of the following roads in the city of San Diego: Green Valley Court, and Stonebridge Parkway to allow installation of the gen-tie line route. As discussed in the FHMPP prepared for the project (Appendix J), the project would provide primary site access and evacuation route off Kirkham Way. The evacuation route would lead to three primary roadways (Stowe Drive, Scripps Poway Parkway, and Spring Canyon Road) before eventually leading to Interstate 15 of SR-56 (Appendix J). The gen-tie line would be located underground, and upon completion of construction, emergency access would resume similar to existing conditions. Therefore, implementation of the project would not impair an adopted emergency response plan or emergency evacuation plan and impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with emergency response or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

There are no impacts to any of the SDG&E Crossing Easements identified on Figure 3 as the nature of the improvements on the SDG&E parcels do not result in any impacts to emergency response or evacuation plans.

Improvements within the Miramar Marine Corps

There are no impacts to Miramar Marine Corps Base, as the nature of the improvements on the base does not result in any impacts to emergency response or evacuation plans.

Conclusion

The road closures required for project construction would be temporary, site access and evacuation would be provided for the project in accordance with the FHMPP and the roadways would resume similar to existing conditions upon completion of construction. As such, the project would have no project-specific significant effects related to emergency response or evacuation routes beyond those analyzed in the 1985

EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

g) Would the project expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

Previous Documentation

1985 EIR

The 1985 EIR identified a potential impact relating to increased hazards from brush fire. Public Services and Utilities (Fire Protection) Mitigation Measure 7 required the project to adhere to City Uniform Fire Codes and Building Codes.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

According to the CalFire Fire Hazard Severity Zone (FHSZ) Viewer, the project is located within a very high fire hazard severity zone, and is located within a Local Responsibility Area (LRA) (CAL FIRE 2022). As such, wildfire ignition represents a potentially significant impact to the environment and surrounding development. The project would be operated remotely with no permanent on-site operations and no occupied buildings or habitable structures. As described further in Section 4.20, Wildfire, of this Addendum the FHMPP prepared for the project (Appendix J) best practices for fire safety would be implemented that would augment the Emergency Action Plan and focus on fire safety and prevention. The FHMPP addresses the potential ignition sources and risks for fire from the project and clearly defines protocols and procedures for reducing wildland fire risk and maintaining a fire safe project site by analyzing and modeling fire behavior, fire risk, and off-site fire hazard potential. The FHMPP then provides fire prevention measures, construction emergency notification procedures, potential evacuation routes, fire safety standards emergency access/egress and vegetation management and defensible space.

In addition, the batteries proposed for the project would be subject to compliance with Mitigation Measure 7 and existing federal, state, and local regulations for health and safety, the battery storage would contain a safety system that would include a fire detection and suppression control system that would be triggered automatically when the system senses imminent fire danger, and the fire suppression system inside each enclosure would shut down the unit if any hazard indicators are detected. The project would use a BESS that is NFPA 855 Code compliant and UL certified and that includes built-in failsafe and cooling systems designed to prevent thermal runaway and the spread of fire, in the unlikely scenario that an accidental fire occurs. In addition, the project would comply with all applicable requirements of the City of Poway Fire Code

(Poway Municipal Code Title 15, Chapter 15.24) and the California Fire Code. A fire protection system would be installed to automatically shut down any affected battery storage components and prevent the spread of fire to the other battery storage modules. In the event of an emergency, Nighthawk Energy Storage, LLC would be immediately alerted through the remote monitoring system, which includes temperature sensors and infrared cameras within the equipment that is monitored 24 hours a day, 7 days a week. Upon learning of an emergency situation, Nighthawk Storage Energy, LLC would immediately notify the proper authorities. Additionally, the project site has been designed with the input of fire protection planners along with Poway Fire Department customized requirements for providing code-exceeding fuel modification zone buffers around the entire site and a 12-foot tall, decorative, pre-cast concrete wall enclosing the system. The wall height exceeds the battery container heights by approximately 3 feet and provides a significant barrier should an unforeseen incident occur on site. These walls have been universally used by fire agencies throughout California as the primary fire risk mitigation due to their capabilities of containing heat and flames in the unlikely event that a battery compartment should result in ignition. When combined with the 200+ foot-wide fuel modification zones and roadside fuel modification zones, the fire risk has been mitigated to an exceedingly low level.

The project would be subject to compliance with existing federal, state, and local regulations for health and safety and would adhere to the 2019 California Fire Code.

Rancho Encantada EIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project components located in the City of San Diego would require the best practices for fire safety as stated in the FHMPP prepared for the project (Appendix J). As discussed above, the construction and decommissioning of the gen-tie lines would cause potential ignition sources for wildland fire; however, the project would implement the best practices outlined in the project specific FHMPP that train on site workers to identify potential fire hazards, report them, and manage them during these phases. Once operational, the gen-tie line would be underground and would not create additional fire risk over existing conditions The gen-tie lines would also be subject to compliance with existing federal, state, and local regulations for health and safety and would adhere to uniformly adopted policies and standards in the form of the 2019 California Fire Code.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with wildland fire or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

There are no impacts to any of the SDG&E Crossing Easements identified on Figure 3 as the improvements on the SDG&E parcels would not expose people or structures to a significant risk of loss, injury or death involving fires.

Improvements within the Miramar Marine Corps

There are no impacts to Miramar Marine Corps Base, as the improvements on the base would not expose people or structures to a significant risk of loss, injury or death involving fires.

Conclusion

As described above and in Section 4.20, with the implementation of mitigation measures as identified in the 1985 EIR, the best practices identified in the FHMPP and the 2019 California Fire Code and existing federal, state, and local regulations that prescribe a safety system that detects fires and activates a suppression control system inside each battery storage enclosure, impacts in the event of a wildfire are reduced to below a level of significance. Accordingly, the project would have no new or more severe project-specific significant effects related to wildland fires beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

4.10 Hydrology and Water Quality

a) Would the project violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

Previous Documentation

1985 EIR

The 1985 EIR included analysis of hydrology and water quality in Section 4.3, Hydrology and Water Quality. The 1985 EIR found that plan implementation would produce both short-term and long-term impacts as well as direct and indirect impacts to water quality. Short-term impacts to water quality would occur during construction and grading while long-term impacts would be associated with the change of landforms and urban runoff. The EIR concluded the long-term impacts during operation would be reduced to less than significant with the implementation of Hydrology and Water Quality Mitigation Measure 7, which would require the preparation of a stormwater management plan. Pursuant to applicable requirements of State and local law, the project SWPPP would include construction BMPs to ensure water quality standards are met and that runoff from the construction work areas would not cause degradation of water quality in receiving water bodies.

1988 SEIR

The 1988 SEIR found impacts to water quality near the project site are not anticipated to include significantly increased runoff volumes as a result of proposed increases in buildable industrial and commercial area. The SEIR found the proposed increases in buildable square footage would occur largely, but not completely, within the previously defined limits to grading. Drainage facilities located and sized in the SPPC Development Plan assumed a dense, urban development of the industrial and commercial areas within the community. While it is true that the proposed increases in net pad area and building area may

incrementally reduce the amount of land which may otherwise be devoted to permeable slopes, this reduction was found to be not directly significant , and mitigation measures included in the prior 1985 EIR were found to be adequate for the project as revised. No new mitigation measures were required.

1990 SEIR

The1990 SEIR found the proposed CalMat-Poway plant expansion would utilize 381 acre-feet of water per year for production of ready-mixed concrete, dust control purposes, processing operation pollution control purposes, irrigation and domestic uses. The water used in washing the aggregate material during normal processing activities would be stored on-site in settling ponds and recycled for additional uses in processing and no process water would flow from the property. Make-up water would be added to this closed system to replace that which goes out with the product. On-site water quality was to be regulated by the California Regional Water Quality Control Board (RWQCB) under the plant's Waste Discharge Permit No. 74-87 and a Runoff and Sedimentation Control Plan was designed so that drainage from the plant site would flow into a sump which would capture rainfall runoff and be re-used for dust control. Thus, the 1990 SEIR found that the Cal-Mat Poway expansion would have potentially significant impacts to water quality and mitigation was required in the form of a formal monitoring and reporting program to the RWQCB as conditions to issuance of a Waste Discharge permit. Implementation of a water quality monitoring, as well as technical reports concerning the quality of any waste discharge would assure RWQCB requirements were met. With implementation of this mitigation, impacts to water quality to below significance.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project site is located within the Los Peñasquitos Watershed Management Area (WMA). The Los Peñasquitos Water Quality Improvement Plan (WQIP) outlines the WMA's water quality objectives, and includes measures to reduce discharge pollutants, and protect and improve the WMA's water bodies (Los Peñasquitos WQIP 2022). The City of Poway has adopted the Stormwater Management and Discharge Control Ordinance at Poway Municipal Code Chapter 13.09, and BMP Manual pursuant to PMC 13.09.040©.

Construction and demolition of the project would involve ground-disturbing activities for grading that could result in sediment discharge in stormwater runoff. Additionally, construction and demolition would involve the use of oil, lubricants, and other chemicals that could be discharged from leaks or accidental spills. These potential sediment and chemical discharges during construction and demolition would have the potential to impact water quality in receiving water bodies. However, the project would be required to prepare and implement a SWPPP consistent with Mitigation Measure 7 from the 1985 EIR, which would include water quality BMPs to ensure that water quality standards are met, and that runoff from the construction and demolition work areas do not cause degradation of water quality in receiving water bodies. Specifically, BMPs would require run-off from the project site to be diverted away from sensitive areas. In addition, a SPCC would be developed for site operations, consistent with federal and state law (Health & Safety Code Section 25504 and California Code of Regulations Title 22 Section 66262.34), the Poway MSCP Subarea Habitat Conservation Plan/ Natural Community Conservation Plan and the MHPA Adjacency Guidelines in the City of San Diego MSCP Subarea Plan.

Rancho Encantada EIR

The Rancho Encantada EIR evaluated hydrology and water quality in Section 4.5 of the EIR. The EIR found development of a portion of the project site with residential uses, a school/park site, two institutional sites, roadways, and associated infrastructure and landscaping would result in an increase in the amounts of urban pollutants over existing conditions. Short-term water quality impacts to the drainage basin were expected during the grading and construction phases of the project when cleared and graded areas would be exposed to rain and surface runoff. Improperly controlled runoff would result in erosion and transport of the sediment to the basin. The long-term water quality impact potential would be related to contaminated urban runoff caused by the introduction of urban uses and impervious surface areas to the site. The EIR found that from the time construction began on the site, through the lifetime of the development, runoff flowing across the site could pick up contaminants from landscaping, such as pesticides and fertilizers, and areas used by motor vehicles, such as parking lots, driveways, and streets. Pollutants from such areas could include oils, fuel residues, heavy metals (associated with gasoline), fertilizers, and pesticides. The runoff from future streets, rooftops and parking areas would carry quantities of harmful materials such as oil, rubber, metals (including lead), pathogens, trash and other solid wastes, and these pollutants would adversely affect the water quality in Beeler Canyon Creek and would increase the amount and concentration of urban pollutants entering the drainage basin. However, stormwater quality considerations were found to be incorporated into the project concept and design as BMPs that would result in improved stormwater quality. The SWPPP for the project was found to also have permanent post-construction BMPs to control the rate, volume and quality of runoff leaving the site and reduce the amount of pollutants and sediments discharged from the site. Finally, non-structural BMPs and housekeeping BMPs were found to prevent and reduce the generation of pollutants at their source. Thus, with the implementation of the SWPPP, impacts were found to be less than significant.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The City of San Diego has adopted a Stormwater Standards Manual, which outlines minimum stormwater management controls and requirements. The purpose of the manual is to describe the necessary actions required to meet the City's stormwater requirements (City of San Diego 2022c). The project components located in the City of San Diego would require the preparation and implementation of a SWPPP during construction, which would include water quality BMPs to ensure that water quality standards are met and that runoff from the construction work areas would not cause degradation of water quality in receiving water bodies. Project components would primarily be located in street or utility rights-of-way and utility corridors, and BMPs would ensure that run-off from the project site would be diverted away from sensitive areas. Once operational, the gen-tie line would be underground and would not create any additional runoff over existing conditions. During project decommissioning, the gen-tie line components that would be capped and left in place in perpetuity would be jacketed in a steel conductor and encased in concrete; therefore, there would be no decomposition of materials and no impacts to water quality would result. Additionally, the gen-tie components that would be removed from existing vaults would be pulled from existing points of entry and would require no new ground disturbance; therefore no impacts to water quality would occur.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new

significant impacts associated with water quality and drainage or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Easement Crossings

There are no impacts from the gen-tie line components in any of the SDG&E Crossing Easements identified in Figure 3 as no new sources of point discharge water pollution would result from the SDG&E parcels. Therefore, no RWQCB wastewater treatment requirements would be exceeded. In addition a Construction SWPPP with BMPs would be implemented during project activities to minimize pollutant runoff to the storm water conveyance system.

Improvements within the Miramar Marine Corps

Improvements on the Miramar Marine Corps Base would reduce impacts to water quality by complying with all water quality and environmental conditions and requirements of the base such as the preparation and implementation of construction stormwater pollution prevention BMPs that would ensure that water quality standards are met and that runoff from the construction work areas would not cause degradation of water quality in receiving water bodies. Project components would be located in existing base roads, and BMPs would ensure that run-off from the project site would be diverted away from sensitive areas. Once operational, the gen-tie line would be underground and would not create any additional runoff over existing conditions.

Conclusion

The project would prepare a SWPPP which would include BMPs in accordance with uniform policies and standards to ensure water quality standards are met during construction. Additionally, the project would incorporate the aforementioned Hydrology and Water Quality Mitigation Measure 7 which would reduce potential impacts to water quality during project operation through the preparation and implementation of stormwater management plan. Thus, the project would have no new or more severe project-specific significant effects related to water quality beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

b) Would the project substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

Previous Documentation

1985 EIR

The 1985 EIR concluded groundwater is not anticipated to be significantly impacted by the plan implementation and that this impact would be less than significant. No mitigation was required.

1988 SEIR

The 1988 SEIR concluded that significant new groundwater recharge or groundwater quality impacts was not anticipated as a result of the proposed project. No new mitigation measure were required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project site is not located within a designated groundwater basin; as such, there are no adopted groundwater plans related to the project site. The project would also not entail the use of groundwater and, thus, would not deplete groundwater within the project vicinity. While the BESS facility would introduce new impervious surfaces within the project site; however, the amount of impervious area is not anticipated to result in substantial effects on groundwater infiltration. The large majority of the project site would remain pervious and allow for groundwater recharge. No new mitigation would be required.

Rancho Encantada EIR

The Rancho Encantada EIR found that no groundwater or seepage conditions were encountered during the on-site investigations conducted by Geocon. However, the EIR found that a seasonal groundwater table has the potential to develop within the alluvial soils, and it was likely that during the rainy season, shallow perched groundwater conditions may exist along the bottom of larger natural drainages at the site, such as in Sycamore Canyon. Where infilling of canyons or ravines was planned, the installation of subdrains to relieve the potential for hydrostatic pressure buildup was required, but the EIR did not identify any potential impacts to groundwater, and no mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The gen-tie project components located in the City of San Diego would not require groundwater to support construction or operations as all water would be supplied by the City of Poway. Thus, these components would not deplete groundwater within the project vicinity. These components would also be primarily within street or utility rights-of-way and would not introduce new impervious surfaces that would result in substantial effects on groundwater infiltration.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with groundwater or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

There are no impacts to any of the SDG&E Crossing Easements identified on Figure 3 as the gen-tie line components on the SDG&E parcels would not result in changes to groundwater supplies because surface permeability would remain unchanged and allow for groundwater infiltration.

Improvements within the Miramar Marine Corps

There are no impacts to the Miramar Marine Corps Base, as gen-tie line components on the base would not result in changes to groundwater supplies because surface permeability would remain unchanged and allow for groundwater infiltration.

Conclusion

Although the project would result in an increase in impervious surfaces on-site, a majority of the project site would remain pervious to groundwater infiltration. The 1985 EIR concluded groundwater is not anticipated to be significantly impacted by the plan implementation and that this impact would be less than significant. The project would not require the use of groundwater and would not deplete groundwater within the project vicinity. The project would have no new or more severe project-specific significant effects related to groundwater beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIR. Thus, a subsequent EIR is not required.

c) Would the project substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river or through the addition of impervious surfaces, in a manner which would:

i) Result in substantial erosion or siltation on- or off-site?

Previous Documentation

1985 EIR

The 1985 EIR concluded that erosion and siltation impacts during construction and decommissioning activities may be potentially significant; however, these impacts would be less than significant with the implementation of Hydrology and Water Quality Mitigation Measure 5 of the 1985 EIR, which would require erosion and siltation measures during grading and construction activities to reduce water quality degradation. Additionally, the project would reduce potential impacts to water quality during project operation by implementing Hydrology and Water Quality Mitigation Measure 6, which would require long term erosion and sediment controls, and the aforementioned Hydrology and Water Quality Mitigation Measure 7 which would require the preparation and implementation of stormwater management plan in accordance with uniform policies and standards.

1988 SEIR

The 1988 SEIR found impacts to drainage and flooding near the project site would not significantly increase runoff volumes as a result of proposed increases in buildable industrial and commercial area. The SEIR found the proposed increases in buildable square footage would occur largely, but not completely, within the previously defined limits to grading. Drainage facilities located and sized in the SPPC Development Plan assumed a dense, urban development of the industrial and commercial areas within the community. While it is true that the proposed increases in net pad area and building area may incrementally reduce the amount of land which may otherwise be devoted to permeable slopes, this reduction was found to not

directly or cumulatively significant, and mitigation measured included in the prior 1985 EIR were found to be adequate for the project's erosion and sedimentation. No new mitigation measures were required.

1990 SEIR

As discussed in Section 4.10(a), the 1990 SEIR required a formal Runoff and Sedimentation Control Plan be developed to assure that excessive erosion or sedimentation would not occur which could adversely affect Beeler Creek. With implementation of this plan, impacts were found to be less than significant.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The proposed project would result in changes to drainage patterns of the project site, as was expected in the 1985 EIR and SEIRs, which assumed the Project site would be developed. The project would incorporate Hydrology and Water Quality Mitigation Measure 5 of the 1985 EIR, which would require erosion and siltation measures during grading and construction activities to reduce water quality degradation. Additionally, the project would reduce potential impacts to water quality during project operation by implementing Hydrology and Water Quality Mitigation Measure 6, which would require long term erosion and sediment controls, and the aforementioned Hydrology and Water Quality Mitigation Measure 7 which would require the preparation and implementation of stormwater management plan in accordance with uniform policies and standards.

The construction contractor would be required to incorporate BMPs consistent with the City Stormwater Management and Discharge Control ordinance at Poway Municipal Code Chapter 13.09, and BMP Manual pursuant to PMC 13.09.040(C), and guidelines provided in the California Stormwater Quality Association's Construction BMP Handbook (CASQA 2019), as well as a soil erosion and sedimentation control plan to reduce potential impacts related to construction of the project. A SWPPP would be prepared for the project, which would include BMPs to control erosion and sediment during construction activities. With adherence to the SWPPP requirements, construction-related impacts related to soil erosion and siltation would remain below a level of significance.

The gen-tie facilities would be constructed within an underground bore beneath Beeler Creek, approximately 125 feet upstream of the newly constructed spillway. The spillway was designed to moderate flow through Beeler Creek, and the location of the underground bore just upstream of the spillway along with being located approximately 10 feet below Beeler Creek will result in no potential impacts for scouring or redirecting flood flows. Even though the project will not impact the floodway or floodplain, the Applicant will be required to obtain a floodplain development permit from the City of Poway for gen-tie facilities constructed within the FEMA regulated floodplain or floodway.

Rancho Encantada EIR

The Rancho Encantada EIR evaluated hydrology and water quality in Section 4.5 of the EIR. The EIR found development of a portion of the project site with residential uses, a school/park site, two institutional sites, roadways, and associated infrastructure and landscaping would result in an increase in the amounts of erosion and siltation over existing conditions. Improperly controlled runoff would result in erosion and transport of the sediment to the basin. However, erosion and siltation considerations were found to be incorporated into the project concept and design as BMPs that would prevent these impacts. The SWPPP

for the project was also found to have permanent post-construction BMPs to control the rate, volume and quality of runoff leaving the site and reduce the amount of sediments discharged from the site. Finally, non-structural BMPs and housekeeping BMPs would prevent and reduce the generation of sediments at their source. To ensure the SWPPP would be implemented property to lessen impacts, Hydrology Mitigation Measures 4-1 through 4-6 was required. With implementation of these mitigation measures, impacts were found to be less than significant.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project components located in the City of San Diego would be primarily located in street or utility rights-of-way and would not result in changes to drainage patterns of the project site. A SWPPP would be prepared for these project components in accordance with the Rancho Encantada EIR and uniformly applicable policies and standards under federal, State and local law, which would include BMPs to control erosion and sediment during construction and decommissioning activities. With adherence to the SWPPP requirements and implementation of Mitigation Measures 4-1, 4-2, 4-4 and 4-5 from the Rancho Encantada EIR, construction-related and decommissioning-related impacts related to soil erosion and siltation would remain below a level of significance. Construction-related mitigation measures would ensure the project would be assigned the National Pollutant Discharge Elimination System (NPDES General Permit) on the construction plans (Mitigation Measure 4-1), a SWPPP would be prepared containing construction-related BMPs (Mitigation Measure 4-2), notes for grading plans (Mitigation Measure 4.4), and evidence to the SWRCB stating the project complies with the terms of conditions of the General Permit (Mitigation Measure 4.5), Once operational, the gen-tie line would be underground and would not cause any impacts related to soil erosion or siltation. With implementation of these mitigation measures, -construction impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with erosion and siltation in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

There are no impacts to any of the SDG&E Crossing Easements identified in Figure 3 as the gen-tie line components on the SDG&E parcels would not result in a change to existing drainage patterns or the alteration of the course of a stream or river and no erosion or siltation would occur within the easements.

Improvements within the Miramar Marine Corps

There are no impacts to the Miramar Marine Corps Base, as the improvements on the base would not result in a change to existing drainage patterns or the alteration of the course of a stream or river and no erosion or siltation would occur within the base.

Conclusion

Construction and demolition of the BESS facility would result in changes to existing drainage patterns. However, incorporation of BMPs included in the SWPPP and the aforementioned mitigation measures would reduce potential impacts to erosion and sedimentation during project construction and

decommissioning activities. The project would have no new or more severe project-specific significant effects related to erosion and siltation beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

ii) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or offsite?

Previous Documentation

1985 EIR

The 1985 EIR found that the SPPC plan implementation would include significant increased stormwater runoff volumes and peak flows would change in time and intensity as development covered soils with new impervious surfaces. At the cumulative level, the 1985 EIR found that runoff and long-term urban runoff pollutant discharges would occur in downstream areas. The EIR found that with the implementation of Hydrology and Water Quality Mitigation Measures 1 and 2 as identified in the 1985 EIR, which requires design of drainage and flood controls, impacts from the plan would be less than significant. This impact remained significant and unavoidable at the cumulative level in the 1985 EIR.

1988 SEIR

The 1988 SEIR found impacts to drainage and flooding near the project site were not anticipated to include significantly increased runoff volumes as a result of proposed increases in buildable industrial and commercial area. The SEIR found the proposed increases in buildable square footage would occur largely, but not completely, within the previously defined limits to grading. Drainage facilities located and sized in the SPPC Development Plan assumed a dense, urban development of the industrial and commercial areas within the community. The EIR found that while it is true that the proposed increases in net pad area and building area may incrementally reduce the amount of land which may otherwise be devoted to permeable slopes, this reduction would not be directly or cumulatively significant. Thus, the EIR found that the mitigation measures included in the prior 1985 EIR were adequate for the project as revised. No new mitigation measures were required.

1990 SEIR

As discussed in Section 4.10(a), the 1990 SEIR required a formal Runoff and Sedimentation Control Plan be developed to assure that excessive runoff or flooding would not occur which could adversely affect Beeler Creek. With implementation of this plan, impacts were found to be less than significant.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

Although the proposed project would result in changes to existing drainage patterns and an increase in impervious surfaces on-site, the project would incorporate Hydrology and Water Quality Mitigation Measure 2 of the 1985 EIR, which would require on-site drainage and flooding design features such as bioretention basins to capture and manage the timed release of excess stormwater runoff. As such, changes to the

existing drainage patterns on-site would not substantially increase the rate or amount of surface runoff resulting in flooding. The project design would be consistent with the requirements of the Standard Urban Stormwater Mitigation Plan (SUSMP) Ordinance (Poway Municipal Code Chapter 16.100) and Stormwater Management and Discharge Control Ordinance (Poway Municipal Code Chapter 13.09), Low Impact Development (LID) design features (Section 16.102.020, Chapter 13.09) and site design BMP implementation (Sections 16.102.030 and 16.102.050).

Rancho Encantada EIR

The Rancho Encantada EIR found that the Sycamore Estates sub-project would cause potential significant impacts from runoff and erosion. Mitigation was required in the form of a mitigation monitor that would be responsible for monitoring the grading, construction, and installation of runoff control devices and erosion control restoration.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project components located in the City of San Diego would be primarily located in previously disturbed street or utility rights-of-way and would not increase the rate or amount of surface runoff resulting in flooding since these areas area already contain impervious road surfaces with detention basins to control the volume and rate of runoff. Additionally, the project would include restoration of vegetated surfaces after completion of construction. Development of the gen-tie line does not increase the volume or rate of flow. As such, impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with groundwater or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

There are no impacts to any of the SDG&E Crossing Easements identified in Figure 3 as the activities on the SDG&E parcels would not result in a change to existing drainage patterns or the alteration of the course of a stream or river and would not result in new surface runoff. In addition, a Construction SWPPP with BMPs would be implemented during project activities to minimize pollutant runoff to the storm water conveyance system.

Improvements within the Miramar Marine Corps

Improvements on the Miramar Marine Corps Base would reduce impacts to surface runoff and flooding by complying with all environmental conditions and requirements including all water quality and stormwater conditions such as the preparation and implementation of a Construction stormwater pollution prevention BMPs that would ensure excessive runoff to the storm water conveyance system would be minimized.

Conclusion

With incorporation of the aforementioned mitigation measure and requirements, the increase in impervious surfaces within the project site would not increase the rate or amount of surface runoff resulting in flooding.

Impacts would be less than significant. The project would have no new or more severe project-specific significant effects related to surface runoff beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

iii) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?

Previous Documentation

1985 EIR

The 1985 EIR found that the plan implementation would include significant increased stormwater runoff volumes and peak flows would change in time and intensity as development covers soils with new impervious surfaces. The EIR found that with the implementation of Hydrology and Water Quality Mitigation Measures 1 and 2 as identified in the EIR, impacts would be less than significant. The project would incorporate Hydrology and Water Quality Mitigation Measure 2 of the EIR, which would require on-site drainage and flooding design features such as bioretention basins to capture and manage the timed release of excess stormwater runoff. Additionally, application of Hydrology and Water Quality Mitigation Measure 5 and 6 of the SPPC Development Plan EIR, would ensure the project would not contribute substantial additional sources of polluted runoff during construction, and a SWPPP would be prepared for these project components in accordance with Hydrology and Water Quality Mitigation Measure 7, requiring Stormwater management plans to be developed to reduce water quality degradation.

1988 SEIR

The 1988 SEIR found that urban runoff that may contain heavy metals, oils and grease, debris, and nutrients and herbicides from landscaped areas, would not be significantly affected by the proposed project. To the extent that some small reduction in slope area would occur with a resulting increase in net pad area, minor changes in the composition of runoff may occur. These changes were not considered significant. No new mitigation measures were required. The SEIR did find that the cumulative increase in runoff and long-term urban runoff pollutant discharges would occur to downstream areas and this impact would be significant and unavoidable.

1990 SEIR

As discussed in Section 4.10(a), the 1990 SEIR required a formal Runoff and Sedimentation Control Plan be developed to assure that excessive runoff would not occur which could adversely affect the planned stormwater facilities. In addition, the 1990 SEIR required mitigation in the form of a formal monitoring and reporting program to the RWQCB that would ensure the quality of any waste discharge would meet RWQCB requirements. With implementation of this plan and mitigation measure, impacts were found to be less than significant. Modification of the CUP to revise the location of the industrial building pad locations was determined to have no new or more severe impacts not disclosed in the 1990 SEIR.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The proposed project would increase the amount of impervious surfaces on the project site and inevitably alter the existing on-site drainage pattern. The project would implement Hydrology and Water Quality Mitigation Measure 2 from the 1985 EIR, which would include drainage design features to capture excess runoff. The project design is consistent with the requirements of the SUSMP Ordinance (Poway Municipal Code Chapter 16.100), LID (Section 16.102.020) and site design BMP implementation (Sections 16.102.030 and 16.102.050). Runoff generated by the project site would be collected by bioretention basins which would eventually discharge into the existing storm drain system with no increase in the rate of runoff. The project would not exceed the capacity of drainage systems or provide substantial additional sources of polluted runoff. Additionally, a SWPPP would be prepared for these project components in accordance with Hydrology and Water Quality Mitigation Measures 5 and 6 of the 1985 EIR, which would ensure the project would not contribute substantial additional sources of polluted runoff during construction and Hydrology and Water Quality Mitigation Measure 7, requiring stormwater management plans to be developed to reduce water quality degradation, which would further ensure there would be no additional sources of polluted runoff during operation. Thus, impacts would be less than significant.

Rancho Encantada EIR

The Rancho Encantada Precise Plan Project included a conceptual drainage plan with on-site storm drains proposed to be installed in various local street right-of-way to handle the anticipated runoff from development areas. Storm drain inlets and outlets were to be extended into open space, subject to MHPA requirements, to collect or deposit runoff in natural drainage courses. Storm drain runoff was to be collected in standard inlet facilities and conveyed by pipes principally located in streets and generally paralleling the sewer system. Detention basins, desilting basins, and associated drainage facilities such as pipelines were permitted uses in all areas designated as residential or open space and BMPs related to drainage were included.

The Rancho Encantada EIR found that the Sycamore Estates sub-project would cause potential significant impacts from stormwater runoff. Mitigation Measure 4-2 was required in the form of the preparation of a SWPPP prepared in compliance with the NPDES General Permit requirements and the requirements of the Land Development Review (LDR) Divisions of the City of San Diego. The SWPPP was to contain construction-related (temporary) BMPs including hydroseeding/hydromulching of all distributed natural and manufactured slopes, BMPs specifically designed to address construction-related impacts to sensitive plant species in southerly trending drainages and other BMPs. The Rancho Encantada EIR also required permanent post-construction BMPs to control the rate, volume and quality of runoff leaving the site and reduce the amount of pollutants and sediments discharged from the site. Structural BMPs and The project components located in the City of San Diego would be primarily located housekeeping BMPS were also required to prevent and reduce the generation of pollutants at their source. Non-structural BMPs included in the SWPPP were to include annual certification of the SWPPP by the SWRCB, CC&R language, educational materials, catch basin stenciling, other methods and other permanent BMPs as needed, and the filing of a Notice of Termination with the SWRCB as required under the terms and conditions of the General Permit (which required submittal of the Post-Construction Storm Water Management Plan that has permanent post-construction BMPs). With the implementation of this mitigation measure, impacts were found to be less than significant.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project components located in the City of San Diego would be primarily located in street or utility rights-of-way where the electrical cables and telecommunications would be undergrounded. A SWPPP would be prepared and implemented during construction consistent with the Mitigation Measure 4-2 in the Rancho Encantada EIR. After construction, the project would restore these project areas to pre-construction conditions. Thus, these components would not exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff rate or amount of surface runoff resulting in flooding. Impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with exceeding the capacity of existing or planned stormwater drainage or providing substantial additional sources of polluted runoff or in the severity of impacts from those described in the Rancho Encantada EIR.

Improvements within the SDG&E Crossing Easements

There are no impacts to any of the SDG&E Crossing Easements identified on Figure 3, as the activities on the SDG&E parcels would not result in a change to existing drainage patterns or the alteration of the course of a stream or river. In addition, a Construction SWPPP with BMPs would be implemented during project construction activities to minimize pollutant runoff to the storm water conveyance system.

Improvements within the Miramar Marine Corps

Improvements on the Miramar Marine Corps Base would reduce impacts to water quality by complying with all environmental conditions and requirements of the base including all water quality and stormwater conditions such as the preparation and implementation of a Construction stormwater pollution prevention BMPs that would ensure surface runoff to the storm water conveyance system would be minimized, as described in the CATEX Decision Memorandum.

Conclusion

The project would implement Hydrology and Water Quality Mitigation Measures 2, 5, 6 and 7 from the 1985 EIR and Mitigation Measures 4-1, 4-2, 4-4 and 4-5 from the Rancho Encantada EIR and requirements as described in the CATEX Decision Memorandum. The project design is consistent with the requirements of the SUSMP Ordinance (Poway Municipal Code Chapter 16.100) and Stormwater Management and Discharge Control Ordinance (Poway Municipal Code Chapter 13.09), LID design features (Section 16.102.020, Chapter 13.09) and site design BMP implementation (Sections 16.102.030 and 16.102.050). The basins would discharge into the existing storm drain system. Runoff generated from the project site would not exceed the capacity of existing storm drain systems. Additionally, a SWPPP and stormwater management plan will be prepared to ensure the project would not contribute substantial additional sources of polluted runoff during construction and reduce water quality degradation, which would further ensure there would be no additional sources of polluted runoff during operation. With incorporation of these mitigation measures and requirements, the project would have no new or more severe project-specific significant effects related to stormwater drainage systems beyond those analyzed in the 1985 EIR

and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

iv) Impede or redirect flood flows?

Previous Documentation

1985 EIR

The 1985 EIR found that the plan implementation would include significant increased stormwater runoff volumes and peak flows would change in time and intensity as development covers soils with new impervious surfaces. The EIR found that with the implementation of Hydrology and Water Quality Mitigation Measures 1 and 2 as identified in the EIR, impacts caused by flood flows would be less than significant.

1988 SEIR

As discussed in Section 4.10(a), the 1988 SEIR found impacts to drainage and flooding near the project site are not anticipated to include significantly increased runoff volumes as a result of proposed increases in buildable industrial and commercial area. The SEIR found the proposed increases in buildable square footage would occur largely, but not completely, within the previously defined limits to grading. Drainage facilities located and sized in the SPPC Development Plan assumed a dense, urban development of the industrial and commercial areas within the community. Thus, the 1988 SEIR found that while it is true that the proposed increases in net pad area and building area may incrementally reduce the amount of land which may otherwise be devoted to permeable slopes, this reduction would not be directly or cumulatively significant and the mitigation measures included in the prior 1985 EIR were adequate for the project as revised. No new mitigation measures were required.

1990 SEIR

As discussed in in Section 4.10(a), the 1990 SEIR required a formal Runoff and Sedimentation Control Plan be developed to assure that excessive runoff would not occur which could adversely affect the planned stormwater facilities and contribute to flood flows. With implementation of this plan, impacts were found to be less than significant. Modification of the CUP to revise the location of the industrial building pad locations was determined to have no new or more severe impacts than disclosed in the 1990 SEIR.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project site is not located within an existing flood hazard zone as mapped by Federal Emergency Management Agency (FEMA 2022) with the exception of the gen-tie crossing at Beeler Creek. In addition, as discussed above, the project would increase the amount of impervious surfaces on the project site and inevitably alter the existing on-site drainage pattern. However, the project would incorporate Hydrology and Water Quality Mitigation Measure 2 of the 1985 EIR, which would require on-site drainage and flooding design features to capture and manage the timed release of excess stormwater runoff. The project design is consistent with the requirements of the SUSMP Ordinance (Poway Municipal Code Chapter 16.100), LID (Section 16.102.020) and site design BMP implementation (Sections 16.102.030 and 16.102.050).

Runoff generated by the project site would be collected by bioretention basins which would eventually discharge into the existing storm drain system with no increase in rate of flow. As such, the project would not impede or redirect flood flows and impacts would be less than significant.

The gen-tie facilities would be constructed within an underground bore beneath Beeler Creek, approximately 125 feet upstream of the newly constructed spillway. The spillway was designed to moderate flow through Beeler Creek, and the location of the underground bore just upstream of the spillway along with being located approximately 10 feet below Beeler Creek will result in no potential impacts for scouring or redirecting flood flows. Even though the project will not impact the floodway or floodplain, the Applicant will be required to obtain a floodplain development permit from the City of Poway for gen-tie facilities constructed within the FEMA regulated floodplain or floodway.

Rancho Encantada EIR

The Rancho Encantada EIR found that all developed site run-off from the Sycamore Estates sub-project would be conveyed into Beeler Creek Canyon Creek where it combines with off-site runoff from the northeast. Mitigation Measure 4-2 was required in the form of the preparation of a SWPPP prepared in compliance with the NPDES General Permit requirements and the requirements of the Land Development Review (LDR) Divisions of the City of San Diego. The SWPPP was to contain construction-related (temporary) BMPs including hydroseeding/hydromulching of all distributed natural and manufactured slopes. The SWPPP was required to contain permanent post-construction BMPs to control the rate, volume and quality of runoff leaving the site including structural BMPs like swales, filter strips, infiltration basins, percolation trenches, and detention controls. Other permanent BMPs were also required under the terms and conditions of the General Permit, which required submittal of the Post-Construction Storm Water Management Plan that has permanent post-construction BMPs. With the implementation of these mitigation measures, impacts would be less than significant.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project components located in the City of San Diego would be primarily located in street or utility rights-of-way where the electrical cables and telecommunications would be undergrounded and a SWPPP as required by Mitigation Measure 4-2 of the Rancho Encantada EIR would also be prepared and implemented during construction. After construction, the project would restore these project areas to pre-construction conditions. Thus, these components would not impede or redirect flood flows. Impacts would be less than significant.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with impeding flood flows in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Easement Crossing

There are no impacts to any of the SDG&E Crossing Easements identified on Figure 3, as the improvements within the SDG&E parcels would not be located within a 100-year flood hazard area or within any existing flood hazard zone as mapped by FEMA.

Improvements within the Miramar Marine Corps

There are no impacts to Miramar Marine Corps Base, as improvements within the base are not located within a 100-year flood hazard area or within any existing flood hazard zone as mapped by FEMA.

Conclusion

The project would incorporate Hydrology and Water Quality Mitigation Measure 2 from the 1985 EIR by including on-site flooding design features such as bioretention basins to capture excess runoff that would discharge into the existing storm drain system. The project design is consistent with the requirements of the SUSMP Ordinance (Poway Municipal Code Chapter 16.100) and stormwater Management and Discharge Control Ordinance (Poway Municipal Code Chapter 13.09), LID design features (Section 16.102.020, Chapter 13.09) and site design BMP implementation (Sections 16.102.030 and 16.102.050). Runoff generated from the project site would not exceed the capacity of existing storm drain systems. The gen-tie component would be undergrounded and a SWPPP as required by Mitigation Measure 4-2 of the Rancho Encantada EIR would also be prepared and implemented during construction. Additionally, compliance with the SWPPP prepared for the project would ensure the project would not impede or redirect flood flows. The project would have no new or more severe project-specific significant effects related to flood flows beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

d) In flood hazard, tsunami, or seiche zones, would the project risk release of pollutants due to project inundation?

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project site is not located within an existing flood hazard zone as mapped by FEMA (FEMA 2022). Additionally, the project is located approximately 12.7 miles west of the Pacific Ocean and is not located near any other large bodies of water that could produce a tsunami or seiche. Thus, the project would not be located within a designated flood hazard zone, tsunami zone, or seiche zone. Beeler creek is a floodway

that the project gen-tie will cross, but this floodway will not be impacted at all since the gen-tie will be installed via an underground jack and bore installation method. As such, no impact would occur.

The gen-tie facilities would be constructed within an underground bore beneath Beeler Creek, approximately 125 feet upstream of the newly constructed spillway. The spillway was designed to moderate flow through Beeler Creek, and the location of the underground bore just upstream of the spillway along with being located approximately 10 feet below Beeler Creek will result in no potential impacts for scouring or redirecting flood flows. Even though the project will not impact the floodway or floodplain, the Applicant will be required to obtain a floodplain development permit from the City of Poway for gen-tie facilities constructed within the FEMA regulated floodplain or floodway.

Rancho Encantada EIR

This impact was not identified within the Rancho Encantada SEIR. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

As discussed above, the risk associated with inundation hazard due to tsunamis or seiches is low as the project site is located inland from the Pacific Ocean and is not in proximity to any other large bodies of water. The gen-tie project components located in the City of San Diego are also not located within an existing flood hazard zone as mapped by FEMA (FEMA 2022). Thus, these components would not be located within a designated flood hazard zone, tsunami zone, or seiche zone. As such, no impact would occur.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new or more severe significant impacts associated with flood hazard, tsunami or seiche zones or in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

There are no impacts to any of the SDG&E Crossing Easements identified on Figure 3, as the improvements within the SDG&E parcels would not located within a 100-year flood hazard area or any flood hazard area as mapped by FEMA, near an ocean or any large body of water and are not within a fault zone.

Improvements within the Miramar Marine Corps

There are no impacts to Miramar Marine Corps Base, as improvements within the base are not located within a 100-year flood hazard area or any flood hazard area as mapped by FEMA, near an ocean or any large body of water and is not within a fault zone.

Conclusion

The project site is not located within a designated flood hazard, tsunami, or seiche zone (FEMA 2022). As such, no impact would occur. The project would have no new or more severe project-specific significant effects related to flood hazards, tsunamis and seiches beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project

would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

e) Would the project conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

Impacts Analyzed in the South Poway Planned Community Development Plan EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project is located in the Los Peñasquitos WMA, which is governed by the Water Quality Implementation Plan (WQIP). The project site is not located within a designated groundwater basin; as such, there are no adopted groundwater plans related to the project site. The project would comply with regulations requiring preparation of a SWPPP, which would not obstruct existing water quality control plans.

Rancho Encantada EIR

This impact was not identified within the Rancho Encantada EIR. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project components located in the City of San Diego would be located in the Los Peñasquitos WMA, which is governed by the WQIP. These components would not be located within a designated groundwater basin; as such, there are no adopted groundwater plans related to these project components. These project components would also comply with regulations requiring preparation of a Water Pollution Control Plan, which would not obstruct existing water quality control plans. As such, no impact would occur.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new or more severe significant impacts associated with conflicts with water quality control plans or sustainable groundwater management plans or severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

There are no impacts to any of the SDG&E Crossing Easements as identified on Figure 3, as improvements within the SDG&E parcels would not conflict with a water quality control plan or a sustainable groundwater management plan.

Improvements within the Miramar Marine Corps

There are no impacts to Miramar Marine Corps Base, as improvements within the base would not conflict with a water quality control plan or a sustainable groundwater management plan.

Conclusion

The project would comply with the requirements of the Los Peñasquitos WQIP and would not be subject to any adopted groundwater plans. As such, no impact would occur. The project would have no new or more severe project-specific significant effects related to conflicts with a water quality control plan or sustainable groundwater management plan beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

4.11 Land Use and Planning

a) Would the project physically divide an established community?

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The primary BESS project components would be located on an approximately 10-acre site in the northwestern-most corner of the 82-acre parcel adjacent to Kirkham Way. The gen-tie line would be located underground, within existing rights of way. Upon completion of construction, the gen-tie corridor would be restored to existing conditions. As such, the project would not physically divide an established community and no impact would occur.

Rancho Encantada EIR

This impact was not identified within the Rancho Encantada EIR. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

As discussed above, the gen-tie project components located in the City of San Diego would include the gen-tie line that would be located underground within street or utility rights-of-way. Upon completion of construction, the corridor would be restored to existing conditions. As such, the project would not physically divide an established community and no impact would occur.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with physically dividing a community in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

There are no impacts to any of the SDG&E Crossing Easements as identified on Figure 3, as there would be no new facilities or increase in existing capacity so there would be no division of an established community.

Improvements within the Miramar Marine Corps Base

There are no impacts to Miramar Marine Corps Base, as there would be no new facilities or increase in existing capacity so there would be no division of an established community.

Conclusion

The gen-tie line would be located underground and would not result in the division of an established community. No impact would occur. The project would have no new or more severe project-specific significant effects related to physically dividing a community beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

b) Would the project cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

Previous Documentation

1985 EIR

This impact was identified within the 1985 EIR. The EIR found that implementation of the plan would involve redevelopment of residential, commercial and industrial land uses with associated roadways, and retention of open space areas. The EIR contemplated commercial/industrial development within the central portion of the plan area. Impacts were found to be less than significant with Land Use Mitigation Measures 1 and 2.

1988 SEIR

The 1988 SEIR found that the proposed increase in net pad area would result in a more dense development within the originally defined industrial and commercial development area. The originally defined industrial limits of grading would be largely, but not completely retained and no significant new open space impacts were expected to occur. The 1988 SEIR found that adequate mitigation measures to preserve and buffer open space and rural residential use at the industrial/commercial development edge were included in the original 1985 EIR and the SPPC Development Standards. The relevant mitigation measures included ensuring all architectural, landscape and other design features of on-site land uses satisfy all relevant development standards and regulations in the SPPC Development Plan and the City of Poway, and ensuring all site development standards and design/landscape guidelines for the project shall be developed to minimize impacts to surrounding land uses including air, traffic and noise impacts.

The 1988 SEIR found that the cumulative effect of the proposed pad increases, the addition of retail warehouse uses, or changes in industrial land use designations (combined IF and LI) would be insignificant on areawide development. Buffer areas of open space, rural residential and residential land uses would be maintained between surrounding land uses and commercial/industrial development within the central portion of the property. The SEIR found that the proposed project provides additional employment opportunities for residents of Poway and North County region. This could decrease the likelihood of Poway residents commuting out of the area.

1990 SEIR

The 1990 SEIR found that the proposed expansion of the Calmat facility would be consistent with the goals of the SPPC area goals in that it provided employment. Additionally, the use of the site to mine aggregate was found to keep with the development potential of the area, since the area was designated as an MRZ-2 for aggregate by the State of California Department of Conservation, Division of Mines and Geology. Aggregate is considered to be a very important mineral resource to continued growth and maintenance in construction and regional economics. The SEIR also found that when the aggregate mining was completed, the site would revert to Open Space and Light Industrial as stipulated in the SPPC Plan. Thus, the project was found to substantially conform with the General Plan and the South Poway Planned Community regulations and no significant land use impacts were identified. Regarding adjacent land use impacts, the SEIR found that significant impacts would be mitigated to a level of below significance with the rerouting of heavy truck traffic on a private access roadway built to public standards with access to Kirkham Road ad with the barring of heavy truck traffic on Beeler Canyon Road. Modification of the CUP to revise the location of the industrial building pad locations was determined to have no new or more severe impacts than disclosed in the 1990 SEIR.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project includes a Specific Plan amendment to redesignate the 10-acre project site as Light Industrial (LI). The project components located within the City of Poway are consistent with the development density established by the site's Planned Community General Plan designation and PC-7 zoning designation as allowed by the SPPC Development Plan analyzed in the 1985 EIR, which designated the project site as LI. With the adoption of plan amendments analyzed in the 1990 SEIR, the plan now designates the area of the project site as Mineral Resource Extraction (MRE) as this area falls within an MRZ-2 areas as mapped

by the California Department of Conservation, Division of Mines and Geology and may be underlain with aggregate. The southern portion of the larger 82-acre property on which the project site is located is currently being utilized for mining activities; however, the primary project site is not currently being mined or anticipated to be mined over the 30 year lifespan of the project. The 1990 SEIR anticipated that the site would revert to Open Space and Light Industrial as stipulated in the SPPC Plan. In addition, because the project's BESS facilities would be decommissioned at the end of the project's life (30 years), the project would not permanently preclude the eventual mining of the aggregate. All BESS facilities would be removed after 30 years pursuant to a demolition permit and the site would be returned to a similar condition as currently exist on-site. The mineral resources at the project site would be available and may still be extracted when the project is removed at the conclusion of the project's lifespan. In addition, a permitted public utility electric transmission and distribution substation is a permitted use within the MRE land use designation. Thus the project would be in substantial conformance with the General Plan and the SPPC regulations and, with adoption of the Specific Plan amendment redesignating the primary project site to LI, would not cause a significant impact due to a conflict with any land use plan, policy or regulation adopted for the purpose of mitigating an environmental effect.

Rancho Encantada EIR

The Rancho Encantada EIR found that implementation of the Rancho Encantada Precise Plan would not adversely affect the City of San Diego's Progress Guide and General Plan with amendments to these documents. The Rancho Encantada Precise Plan would also be adopted as part of the project and would implement, be a part of, and be consistent with the city's General Plan and would be consistent with City of San Diego zoning requirements. The EIR also found that the project conformed with the intent and purpose of the RPC by minimizing encroachment into sensitive hillsides and biologically sensitive areas. The Sycamore Estates sub-project would not be consistent with the Industrial Element of the City of San Diego's Progress Guide and General Plan," which calls for the protection of manufacturing lands from encroachment by non-manufacturing uses, due to the sub-project's proposed rezone from IL-3-1 (Light Industrial, formerly M-1A) and IH-2-1 (Heavy Industrial, formerly M-IB) to AR-1-1. This loss of industrial land was considered a significant and unmitigable land use impact because no mitigation measures were available. In addition, significant land use impacts associated with the project's inconsistency with the MHPA Land Use Adjacency Guidelines, which generally required that project avoid or mitigate potential indirect impacts to biological resources, were found to be fully avoided with the implementation of the drainage, lighting, noise, barriers, landscaping, and brush management mitigation included in the Biological Resources section (Section 4.3) of the Rancho Encantada EIR.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project components located in the City of San Diego would include the gen-tie line that would be located underground within street or utility rights-of-way. The portion of the gen-tie within the City of San Diego is located within Open Space lands pursuant to the Rancho Encantada Precise Plan. Consistent with the Public Facilities and Services Element of the Community Plan, the gen-tie is designed to avoid and minimize intrusion into the MHPA by utilizing street or utility rights-of-way. Upon completion of construction, the corridor would be restored to existing conditions. During decommissioning the underground lines will be cut and left in place in perpetuity or pulled from existing points of entry with no new ground disturbance. As such, the project would not cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with land use consistency in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

There are no impacts to any of the SDG&E Crossing Easements identified on Figure 3, as there will be no conflict with the City or County General Plan or Zoning Ordinances.

Improvements within the Miramar Marine Corps Base

There are no impacts to Miramar Marine Corps Base, as there will be no conflict with the MCAS Miramar Corps land use policies and regulations.

Conclusion

With adoption of the Specific Plan amendment and compliance with the MHPA requirements, the project would have no new or more severe project specific significant effects related to conflicts with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

4.12 Mineral Resources

a) Would the project result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

Previous Documentation

1985 EIR

The 1985 EIR included analysis of mineral resources in Section 4.2, Geology, Soils, and Mineral Resources. An analysis of aggregate resources at the site was prepared by PRC Engineering Inc. in August 1984. The principal findings of this study were summarized in the 1985 EIR. The 1985 EIR found that a great majority of the South Poway planning area is underlain by large amounts of conglomerate composed of aggregate materials. The EIR also found that the majority of the planning area (including the project site) is designated Mineral Resource Zone-2 (MRZ-2) by the state of California Department of Conservation, Division of Mines and Geology. MRZ-2 is defined as an area where adequate information indicates that significant mineral deposits are present or where it is judged that there is high likelihood for their presence. The 1985 EIR found that project development without beneficial use of the underlying MRZ-2 resources would result in a potentially significant impact; therefore, Geology, Soils and Mineral Resources Mitigation Measure 9 was incorporated to lessen impacts by requiring a reclamation plan in compliance with the Poway surface mining ordinance.

1988 SEIR

The 1988 SEIR found that total aggregate resources are estimated at 317 million tons within the SPPC. Development of the project without beneficial use of the underlying MRZ-2 aggregate represented a potentially significant loss of a regional resource. Two alternatives for aggregate recovery were considered. The first alternative involved the mining and subsequent transport of material to Padre Transit for final processing. Products would then be used for on-site use or sold and transported to regional developments. The second alternative would involve the development of an on-site portable rock crusher that could be relocated during the various development stages. The processed material would be used for various on-site uses. The 1988 SEIR, evaluated these alternatives and proposed mitigation measures. Relevant mitigation measures were required in the form of encouraging use of aggregate on-site for construction materials, roadbeds, and others, as needed in the project, and the establishment of architectural guidelines and treatments that encouraged the use of aggregate materials in their construction and design.

1990 SEIR

The 1990 SEIR found that the proposed expansion of the Cal-mat Poway mining facility would be consistent with the goals of the SPPC area goals in that it provided employment. Additionally, the use of the site to mine aggregate was found to keep with the development potential of the area, since the area was designated as a Mineral Resource Zone-2 (MRZ-2) for aggregate by the State of California Department of Conservation, Division of Mines and Geology. Aggregate was considered to be a very important mineral resource to continued growth and maintenance in construction and regional economics, and when the aggregate mining was completed, the EIR states the site would revert to Open Space and Light Industrial as stipulated in the 1985 SPPC Plan. Thus, the project was found to substantially conform with the General Plan and the SPPC regulations and no significant land use impacts were identified. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

While the southern portion of the larger 82-acre property on which the project site is located is currently being utilized for mineral resource extraction, the primary project components would be located on a 10-acre site in the northwestern-most corner of the 82-acre parcel adjacent to Kirkham Way. This area falls within MRZ-2 and may be underlain with aggregate; however, it is not currently being mined nor is it anticipated to be mined during the 30-year effective lifespan of the project. Moreover, because the project's BESS facilities would be decommissioned at the end of its life (30 years), the project does not permanently preclude the eventual mining of the aggregate. All BESS facilities would be removed after 30 years pursuant to a demolition permit and the site would be returned to a similar condition as currently exists on-site. The mineral resources at the project site would be available and may still be extracted when the project is removed at the conclusion of its life span. As such, project implementation would not result in the loss of a known mineral resource that would be of value to the region and the residents of the state.

As applied to the project, beneficial use of underlying aggregate resource would be accomplished by covering the grounding grid with aggregate surfacing for safe operation. Thus, the project would not cause a potentially significant direct or significant contribution to a cumulative loss of regional mineral resources.

Rancho Encantada EIR

The Rancho Encantada EIR found that because the Sycamore Estates sub-project site was mapped by the California Department of Mines and Geology as "an area where adequate information indicated that significant mineral deposits are present, or where there is a high likelihood for their presence, the Sycamore Estates sub-project's elimination of the existing industrial (IL-3-1 and IH-2-1 zone designations) and development of the site with residential uses, would incrementally reduce the potential to utilize aggregate resources in the San Diego region, resulting in a significant cumulative impact. No mitigation measures were identified to reduce this impact.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project components located in the City of San Diego would include the gen-tie line that would be located underground within street or utility rights-of-way. Upon completion of construction, the corridor would be restored to existing conditions. As such, compared to the existing conditions, these project components would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with mineral resources in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

The project components located in the SDG&E Crossing Easements identified on Figure 3 would include a gen-tie line that would be located underground within street or utility rights-of-way. Upon completion of construction, the corridor would be restored to existing conditions. As such, compared to the existing conditions, these project components would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

Improvements within the Miramar Marine Corps Base

The project components located in Miramar Marine Corps Base would include a gen-tie line that would be located underground within existing base roads. Upon completion of construction, the corridor would be restored to existing conditions. As such, compared to the existing conditions, these project components would not result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state.

Conclusion

The project site is underlain with aggregate; however, because current mining activities are focused on the southern portion of the larger property containing the project site and because the project's BESS facilities would be decommissioned at the end of its life (30 years), the project does not impede any planned or permanently preclude future aggregate mining at the site. All BESS facilities would be removed after the 30 years and the site would be returned to a similar condition as currently exists on-site. The mineral resources at the project site would be available and can be extracted when the project is removed at the

conclusion of its life span. As such, project implementation would not result in the loss of a known mineral resource that would be of value to the region and the residents of the state.

In addition, the grounding grid would be covered with aggregate surfacing for safe operation. Thus, the project would incorporate aggregate resources on-site and the project would be consistent with the 1985 EIR. The project would have no new or more severe project-specific significant effects related to loss of a known mineral resource beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

b) Would the project result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

Previous Documentation

1985 EIR

The 1985 EIR included analysis of mineral resources in Section 4.2, Geology, Soils, and Mineral Resources. This impact was identified within the 1985 EIR as it contemplated commercial/industrial development within the central portion of the plan area and found that plan implementation without beneficial use of the underlying MRZ-2 resources would result in a potentially significant impact; therefore, Geology, Soils and Mineral Resources Mitigation Measure 9 was incorporated to lessen impacts by requiring a reclamation plan in compliance with the Poway surface mining ordinance.

1988 SEIR

The 1988 SEIR found that total aggregate resources are estimated at 317 million tons within the SPPC. Development of the project without beneficial use of the underlying MRZ-2 aggregate represented a potentially significant loss of a regional resource. Two alternatives for aggregate recovery were considered. The first alternative would involve the mining and subsequent transport of material to Padre Transit for final processing. Products would then be used for on-site use or sold and transported to regional developments. These second alternative would involve the development of an on-site portable rock crusher that could be relocated during the various development stages. The processed material would be used for various on-site uses. The 1988 SEIR, evaluated these alternatives and proposed mitigation measures. Relevant mitigation measures were required in the form of encouraging use of aggregate on-site for construction materials, roadbeds, and others, as needed in the project, and the establishment of architectural guidelines and treatments that encourage the use of aggregate materials in their construction and design.

1990 SEIR

The 1990 SEIR found that the proposed expansion of the Calmat facility would be consistent with the goals of the SPPC area goals in that it provided employment. Additionally, the use of the site to mine aggregate was found to keep with the development potential of the area, since the area was designated as an MRZ-2 for aggregate by the State of California. Aggregate was considered to be a very important mineral resource to continued growth and maintenance in construction and regional economics. The SEIR also stated that

when the aggregate mining was completed, the site could revert to Open Space and Light Industrial as stipulated in the 1985 SPPC Plan. Thus, the project was found to substantially conform with the General Plan and the South Poway Planned Community regulations and no significant land use impacts were identified. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

As discussed above, while the southern portion of the larger 82-acre property on which the project site is located is currently being utilized for mineral resource extraction, the primary project components would be located on an approximately 10-acre site in the northwestern-most corner of the 82-acre parcel adjacent to Kirkham Way. This area falls within MRZ-2 and may be underlain with aggregate; however, because the project's BESS facilities would be decommissioned at the end of its life (30 years), the project would not permanently preclude the eventual mining of the aggregate. All BESS facilities would be removed after the 30 years pursuant to a demolition permit and the site would be returned to a similar condition as currently exists on-site. The mineral resources at the project site would be available and can still be extracted when the project is removed at the conclusion of its life span. As such, project implementation would not result in the loss of availability of a mineral resource recovery site.

In addition, as applied to the project, beneficial use of underlying aggregate resource would be accomplished by covering the grounding grid with aggregate surfacing for safe operation. Thus, the project would not cause a potentially significant direct or significant contribution to a cumulative loss of regional mineral resources, and would be consistent with the uses included in the SPPC plan.

Rancho Encantada EIR

The Rancho Encantada EIR found that because the Sycamore Estates sub-project site was mapped by the California Department of Conservation - Mines and Geology as "an area where adequate information indicated that significant mineral deposits are present, or where there is a high likelihood for their presence, the Sycamore Estates sub-project's elimination of the existing industrial (IL-3-1 and IH-2-1 zone designations) and development of the site with residential uses, would incrementally reduce the potential to utilize aggregate resources in the San Diego region, resulting in a significant cumulative impact. No mitigation measures were identified to reduce this impact.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project components located in the City of San Diego would include the gen-tie line that would be located underground within street or utility rights-of-way. Upon completion of construction, the corridor would be restored to existing conditions. As such, as compared to the existing condition, these project components would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with mineral resources in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

The gen-tie project components located in any of the SDG&E Crossings identified on Figure 3 would include the gen-tie line that would be located underground within street or utility rights-of-way. Upon completion of construction, the corridor would be restored to existing conditions. As such, these project components would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

Improvements within the Miramar Marine Corps Base

The project components located on Miramar Marine Corps Base would include the gen-tie line that would be located underground within existing base roads. Upon completion of construction, the corridor would be restored to existing conditions. As such, these project components would not result in the loss of availability of a locally important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan.

Conclusion

The project site is underlain with aggregate; however, because current mining activities are focused on the southern portion of the larger property containing the project site and because the project's BESS facilities would be decommissioned at the end of its life (30 years), the project does not impede any planned or permanently preclude future aggregate mining at the site. All BESS facilities would be removed after the 30 years and the site would be returned to a similar condition as currently exists on-site. The mineral resources at the project site would be available and can be extracted when the project is removed at the conclusion of its life span. As such, project implementation would not result in the loss of a known mineral resource that would be of value to the region and the residents of the state.

In addition, the grounding grid would be covered with aggregate surfacing for safe operation. Thus, the project would incorporate aggregate resources on-site and the project would be consistent with the 1985 EIR. The project would have no new or more severe project-specific significant effects related to loss of availability of a locally important mineral resource recovery site beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

4.13 Noise

a) Would the project result in generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

Previous Documentation

1985 EIR

The 1985 EIR found that anticipated noise impacts associated with the development of the SPPC included both short-term construction noise and long-term increases in ambient noise levels. Significant construction and grading noise would be largely contained within the central core of the project area, isolated from off-site receptors by topography and distances. In addition, such activities would be carried out only during daytime hours. Long-term increases in ambient noise levels were expected primarily due to increased vehicular traffic. The 1985 EIR found the potential for significant cumulative acoustic impacts exists in conjunction with areawide traffic on roadway links approaching or operating at capacity. The 1985 EIR required mitigation to reduce potential noise impacts associated with construction, the project would incorporate Acoustic Environment Mitigation Measures 1, 2, and 7 as identified in the EIR, which would require the project to comply with the City of Poway's noise ordinance, limit the hours of operation of noise-generating construction activities Monday through Saturday, and the submit a noise report that demonstrates it would satisfy local noise standards. With the implementation of these mitigation measures, the project's impacts on ambient noise would be less than significant.

1988 SEIR

Appendix D of the 1988 SEIR contained specific acoustic data for the proposed project. The 1988 SEIR found that additional traffic generated by the project as revised in 1988 would increase noise levels insignificantly in and around the project area compared with the planned SPPC uses analyzed in the 1985 EIR. Short-term sources of noise were primarily related to grading and construction activities which occur near sensitive receptors. The 1988 SEIR found additional construction and grading noise would be largely contained within the central core, largely isolated from off-site receptors by topography and distances. However, this impact was considered significant and unavoidable.

The 1988 EIR noted that long-term stationary noise sources related to industrial processes and machinery would not be considered significant based upon the proposed restriction to light industrial uses on site. However, the SEIR found that the heavy trucks and equipment that was utilized in the Cal-Mat mining operation would continue and the potential for expanded mining operations associated with the project development represented a significant potential noise impact along Beeler Canyon Road, Creek Road, and Pomerado Road and required mitigation. Thus, the 1988 SEIR required mitigation in the form of constructing an access road to the north and making Beeler Canyon a cul-de-sac, compliance with the City noise ordinances, conducting a noise analysis prior to the issuance of building permits, and the utilization of buffers, barriers and attenuations as needed.

1990 SEIR

The 1990 SEIR identified potentially significant noise impacts for on-site truck traffic noise sources at the Cal-Mat Mining expansion site. The EIR also found that in-plant crushers, screen, and truck traffic on the access road would have a potentially adversely effect on the noise environment along the western project boundary. Mitigation for these potentially significant impacts was required in the form of evaluating the processing plant layout in terms of maximizing the use of storage and surge piles to shield noisy equipment, sheltering a crusher in such a way as to create a pit in where noise would be funneled upward, installation of a barrier wall along the west side of the access road, and turning off back-up alarms on loaders, dozers, water trucks and other mobile equipment during twilight hours. The 1990 SEIR found that if the mitigation measures in the SEIR as well as any measures identified in a detailed acoustical report evaluating the size of the acoustical barrier (i.e., berm and wall) were implemented as conditions of approval in the CUP, then potential noise impacts would be mitigated to a level below significance.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The following study has been prepared by Dudek for the project in relation to noise impacts and is incorporated into the below discussion and attached as Appendix K:

- Nighthawk Energy Storage – Operational and Construction Noise Analysis

Noise impacts from construction activities associated with the project would be a function of the noise generated by construction equipment, equipment location, sensitivity of nearby land uses, and the timing and duration of the construction activities. The nearest sensitive receptors to the project site would be single-family homes on the west side of the project site, where the nearest residential structure is approximately 511 feet to the west.

Poway Municipal Code Section 8.08.100 prohibits operation of construction equipment before 7:00 am and after 5:00 pm Mondays through Saturdays or any time on a Sunday or holiday except as otherwise specifically permitted.

The project would consist of the development and operation of a BESS facility and gen-tie lines. The project would also create operational noise from the on-site equipment. According to the Operational Noise Analysis prepared for the project (Appendix K), operational noise levels are expected to be compatible with the surrounding area. The project is outside of any designated residential areas or other land uses considered noise sensitive. The project would also generate less noise than traditional LI development assumed by the 1985 EIR and SEIRs, given it would not generate mobile source noise during operation. Thus, impacts would be less than significant.

Rancho Encantada EIR

The Rancho Encantada EIR found that there would be significant noise impacts generated by construction of the Sycamore Estates sub-project. The sub-project would be required to implement Mitigation Measure 6-1 for those homes that would be built within 80 feet of the centerline of the proposed Rancho Encantada Parkway. In addition, the sub-project would be required to implement Mitigation Measure 6-2, which required the construction of a noise attenuation barrier along Rancho Encantada Parkway.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project components located in the City of San Diego would include the gen-tie line that would be located underground within street or utility rights-of-way. The use of heavy equipment during construction of these components may result in significant noise impacts to sensitive receptors. However, the nearest sensitive receptor to the gen-tie line would be approximately 511 feet to the west. In addition, to reduce potential noise impacts associated with construction, the project would comply with the City of San Diego's noise ordinance and limit noise-generating construction hours to 7:00 a.m. to 5:00 p.m. Monday through Saturday. Thus, project construction activities would not result in significant noise impacts.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with increases in ambient noise in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

The project components located in the SDG&E Crossing Easements identified on Figure 3 would include the gen-tie line that would be located underground within street or utility rights-of-way. The use of heavy equipment during construction of these components may result in significant noise impacts to sensitive receptors. However, the nearest sensitive receptor to the Gen-Tie is approximately 450 feet. In addition, to reduce potential noise impacts associated with construction, the project would comply with City noise ordinances and limit noise-generating construction hours to 7:00 a.m. to 5:00 p.m. Monday through Saturday. Thus, project construction activities within the SDG&E parcels would not result in significant noise impacts.

Improvement within the Miramar Marine Corps Base

The project components located on the Miramar Marine Corps Base would include the gen-tie line that would be located underground within existing base roads. The use of heavy equipment during construction of these components may result in significant noise impacts to sensitive receptors as noted in the CATEX Decision Memorandum. However, there are no sensitive receptors in the vicinity of the gen-tie line on the base. In addition, to reduce potential noise impacts associated with construction, the project would comply with City noise ordinances and limit noise-generating construction hours to 7:00 a.m. to 5:00 p.m. Monday through Saturday. Thus, the project construction activities on the base would not result in significant noise impacts.

Conclusion

With incorporation of the aforementioned mitigation measures from the previous EIRs, the project would have no new or more severe project-specific significant effects related to noise generation beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

b) Would the project result in generation of excessive groundborne vibration or groundborne noise levels?

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

This mitigation was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

Project construction would result in temporary groundborne vibration. However, as previously discussed, the nearest sensitive receptor is a residence located approximately 511 feet to the west. Thus, vibration during construction would result in less than significant impacts. Operation of the project would not include the operation of any known vibration sources. Therefore, groundborne vibration or groundborne noise impacts during construction and operation of the project would be less than significant.

Rancho Encantada EIR

This impact was not identified within the Rancho Encantada EIR. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project components located in the City of San Diego would include the gen-tie line that would be located underground within street or utility rights-of-way. The use of heavy equipment during construction of these components may result in temporary groundborne vibration. However, the closest sensitive receptor to the gen-tie line would be approximately 100 feet to the west. Thus, vibration during construction would result in less than significant impacts and operation of these components would not cause any known vibration impacts. During decommissioning, the gen-tie line components that would be removed from existing vaults would be pulled from existing points of entry utilizing equipment that may result in temporary groundbourne vibration. However, the closest sensitive receptor to the gen-tie line would be approximately 100 feet to the west. As such, vibration during decommissioning would be less than significant.

Improvements within the SDG&E Crossing Easements

The gen-tie project components located in the SDG&E Crossing Easements identified on Figure 3 would include the gen-tie line that would be located underground within street or utility rights-of-way. The use of heavy equipment during construction of these components may result in temporary groundborne vibration. However, the closest sensitive receptor to the gen-tie line in Easement #1 would be approximately 100 feet

to the west, the closest sensitive receptor to the gen-tie line in Easement #2 would be approximately 100 feet to the west and the closest to Easement #3 would be approximately 150 to the east. Thus, vibration during construction on the SDG&E parcels would result in less than significant impacts and operation of these components would not cause any known vibration impacts.

Improvements within the Miramar Marine Corps Base

The project components located on the Miramar Marine Corps Base would include the gen-tie line that would be located underground within existing base roads. The use of heavy equipment during construction of these components may result in temporary ground borne vibration. However, there are no sensitive receptors in the vicinity of the gen-tie line. Thus, vibration during construction on the base would result in less than significant impacts and operation of these components would not cause any known vibration impacts.

Conclusion

The project would include the development of the BESS facility and gen-tie line. Operation would not include any known vibration sources. Ground borne vibration impacts during construction would be temporary and would not result in significant impacts due to the location of any sensitive receptors more than 100 feet from the site. The project would have no new or more severe project-specific significant effects related to groundborne vibration beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

Previous Documentation

1985 EIR

This impact was not identified within the 1985 Plan EIR. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

As discussed in Section 4.9(e), the closest airport with an airport land use compatibility plan is Gillespie Field, located approximately 7 miles south of the project site. The project is not located within the land use

compatibility plan for the airport (ALUC 2011). Additionally, the project would be operated remotely and does not include habitable structures which would expose people to excessive noise levels. Therefore, no impacts associated with public airport hazards would occur.

Rancho Encantada EIR

This impact was not identified within the Rancho Encantada EIR. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

Project components located in the City of San Diego are also not located within the compatibility plan for the Gillespie Field (ALUC 2011). Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with airport noise or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

Gen-tie project components located in the SDG&E Crossing Easements located on Figure 3 would not be located within the land use compatibility plan for the Gillespie Field as the airport is located approximately 10 miles to the south of Easements #1 and #2, 9 miles to the south of Easements #3,#4, and #5, and 8 miles to the south of Easement #6 and #7. In addition, the project would be operated remotely and does not include habitable structures that would expose people to excessive noise levels.

Improvements within the Miramar Marine Corps Base

Project components located on the Miramar Marine Corps Base would not be located within the land use compatibility plan for the Gillespie Field as the airport is located approximately 8 miles to the south. In addition, the project would be operated remotely and does not include habitable structures that would expose people to excessive noise levels.

Conclusion

There are no public airports within 2 miles of the project site, and the site is not located within an existing airport land use compatibility plan. The project would be operated remotely and does not include habitable structures. Thus, the project would not expose people to excessive noise levels and no noise-related impacts would occur. The project would have no new or more severe project-specific significant effects related to airport noise beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

4.14 Population and Housing

a) Would the project induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

Previous Documentation

1985 EIR

The 1985 EIR proposed 289 dwelling units on 887 acres (0.3 du/acres). Based on a projected factor of 3.0 persons/du, it was found the development under the approved SPPC Development Plan would increase the city of Poway's population by 867 persons at buildout. The greater impact of the project would be on increased area employment opportunities. Based on an estimated site coverage ratio of 50%, the 644 industrial acres would generate approximately 18,700 employees and the approximately 36 acres of commercial/office use would generate 1,742 employees. Therefore, the 1985 EIR found that, at buildout, the SPPC Development Plan would provide jobs for about 20,442 people.

1988 SEIR

There was no proposed increase in the number of dwelling units under the 1988 SPPC plan as revised. The 1988 SEIR found that increased employment opportunities would be made available with the proposed net pad acreage increases. Based on a site coverage ratio or 50%, the proposed 730 net industrial acres would generate approximately 21,200 employees and the 38 net acres of commercial use would generate approximately 1,839 employees. Therefore, at buildout, the proposed project would generate 23,039 jobs, an 11% increase over the previous project. The SEIR found that employment opportunities should be encouraged in balance to housing. Poway had an abundance of housing but few employment opportunities. No new mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No new mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The proposed BESS facility would be operated remotely with no permanent on-site operations and maintenance personnel, and no occupied buildings or habitable structures. It is anticipated that the limited number of construction workers needed to develop the project would come from the local labor pool. No residential uses are proposed as part of the project, and no permanent employees would be required during operations. Therefore, no impacts associated with population growth would occur.

Rancho Encantada EIR

The Rancho Encantada EIR proposed 557 single family lots and one affordable housing site. Based on a projected factor of 3.0 persons/du, the development was found to increase the city of San Diego's

population by 1,617 residents at buildout. The Rancho Encantada EIR did not identify this impact as significant. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

Project components located in the City of San Diego would include the gen-tie line that that would be undergrounded in street or utility rights-of-way. The project would also be operated remotely with no permanent on-site operations and maintenance personnel, and no occupied buildings or habitable structures. The limited number of construction workers needed to develop these project components would also come from the local labor pool. Therefore, no impacts associated with population growth would occur.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with unplanned population growth or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Easement Crossings

Gen-tie project components located in SDG&E Easement Crossings #1, #2 and #3 would include a gen-tie line that that would be undergrounded in street or utility rights-of-way. These components would be operated remotely with no permanent on-site operations and limited maintenance personnel. The limited number of construction workers needed to construct the gen-tie line would also come from the local labor pool. Therefore, no impacts associated with population growth would occur.

Improvements within the Miramar Marine Corps Base

Project components located on the Miramar Marine Corps Base would include the gen-tie line that that would be undergrounded in existing base roads. These components would be operated remotely with no permanent on-site operations and limited maintenance personnel. The limited number of construction workers needed to construct the gen-tie line would also come from the local labor pool. Therefore, no impacts associated with population growth would occur.

Conclusion

The project does not involve any construction of habitable structures and construction workers are anticipated to come from the local labor pool. In addition, the project would be operated remotely except for a limited number of personnel during maintenance. As such, the project would have no new or more severe project-specific significant effects related to population growth beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

b) Would the project displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

Previous Documentation

1985 EIR

As discussed in Section 4.14(a), the 1985 EIR proposed 289 dwelling units on 887 acres (0.3 du/acres). Based on a projected factor of 3.0 persons/du, it was found the development under the approved SPPC Development Plan would increase the city of Poway's population by 867 persons at buildout. The greater impact of the project would be on increased area employment opportunities. Based on an estimated site coverage ratio of 50%, the 644 industrial acres would generate approximately 18,700 employees and the approximately 36 acres of commercial/office use would generate 1,742 employees. Therefore, the 1985 EIR found that, at buildout, the SPPC Development Plan would provide an abundance of housing.

1988 SEIR

As discussed in Section 4.14(a), the 1988 SEIR found that there was no proposed increase in the number of dwelling units. Increased employment opportunities would be made available with the proposed net pad acreage increases. Based on a site coverage ratio or 50%, the proposed 730 net industrial acres would generate approximately 21,200 employees and the 38 net acres of commercial use would generate approximately 1,839 employees. Therefore, at buildout, the proposed project would generate 23,039 jobs, an 11% increase over the previous project. The SEIR found that employment opportunities should be encouraged in balance to housing. Poway had an abundance of housing but few employment opportunities. No new mitigation was required.

1990 SEIR

The 1990 SEIR found that there was no proposed increase in the number of dwelling units. Increased employment opportunities would be made available with the proposed Cal-Mat Mine expansion. No new mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project site consists of developed land. No residential uses occur on the project site, and as such, the project would not remove people or housing from the site. Therefore, no impact associated with the displacement of existing people or housing would occur.

Rancho Encantada EIR

The Rancho Encantada EIR proposed 557 single family lots and one affordable housing site. Based on a projected factor of 3.0 persons/du, the development was found to increase the city of San Diego's population by approximately 1,617 residents at buildout and would provide an abundance of housing. The Rancho Encantada EIR did not identify this impact as significant. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

Project components located in the City of San Diego would include the gen-tie line that that would be undergrounded in street or utility rights-of-way. No residential uses would be impacted by these project components, and as such, these components would not remove people or housing from the site. Therefore, no impact associated with the displacement of existing people or housing would occur.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with displacing people or housing or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Easement Crossings

Project components located in the SDG&E Easement Crossings identified on Figure 3, would include the gen-tie line that would be undergrounded in street or utility rights-of-way. No residential uses would be impacted by these project components, and as such, these components would not remove people or housing from the site or induce population growth. Therefore, no impacts associated with the inducement of population growth or the displacement of existing people or housing would occur.

Improvements within the Miramar Marine Corps Base

Project components located on the Miramar Marine Corps Base would include the gen-tie line that would be undergrounded in existing base roads. No residential uses would be impacted by these project components, and as such, these components would not remove people or housing from the site or induce population growth. Therefore, no impacts associated with the inducement of population growth or displacement of existing people or housing would occur.

Conclusion

The project site consists of undeveloped land and an existing paved road. The project site does not feature habitable structures. As such, project implementation would not result in the displacement of existing people of housing. The project would have no new or more severe project-specific significant effects related to replacement housing beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

4.15 Public Services

a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times, or other performance objectives for any of the public services:

Previous Documentation

1985 EIR

Fire protection

The 1985 EIR found that buildout of the SPPC would result in the need for an additional fire station to serve the project area. The cumulative impacts of local development would ultimately require additional police service to serve the community adequately. The 1985 EIR found that development in the plan area would have the potential to increase demand for fire protection personnel, equipment and facilities and buildout could result in the need for an additional fire station to serve the project area. The EIR required Public Services and Utilities (Fire Protection) Mitigation Measures 1-7 to ensure impacts were less than significant.

Police protection

The 1985 EIR found that buildout of the SPPC would place additional demand on police services. The cumulative impacts of local development would ultimately require additional police service to serve the community adequately. The 1985 EIR found that development in the plan area would have the potential to increase requirements for vehicles, equipment, and staff from the County in order to provide an adequate level of police protection. With the implementation of Public Services and Utilities (Police Protection) Mitigation Measures 1-6 as identified in the EIR, impacts to police services would be less than significant. The cumulative impacts of local development may ultimately require additional police service to serve the community adequately.

Schools

The 1985 EIR found that implementation of the SPPC plan would increase demand for educational staff and perhaps require new facilities. The residential uses in the plan were anticipated to generate 150 students overall. The addition of new residents to the SPPC would require Public Services and Utilities (Schools) Mitigation Measure 1, which would ensure developers fees were required to alleviate increasing needs for educational facilities.

Parks

The 1985 EIR found that the addition of new residents to the SPPC would require Public Services and Utilities (Parks and Recreation) Mitigation Measure 1, which would ensure approximately 8.6 acres of the plan area would be conserved as open space for natural areas and trails with associated recreational uses or designated specifically for parklands to the plan area.

Other public facilities

The 1985 EIR found that the SPCC plan implementation would not impact other public facilities such as libraries.

1988 SEIR

Fire Protection

The 1988 SEIR reiterated that the 1985 EIR found buildout of the SPPC could result in the need for an additional fire station. The SEIR found that development of the project as proposed in 1988 would place additional demand on fire-service compared to the previous buildout estimates. The primary long-term impact was that of increased fire response calls and service demands, and additional personnel, equipment, and facilities would likely be required to meet the anticipated increased service demands. The 1988 SEIR required the new mitigation measures to mitigate this potential impact in the form of supporting the City's recommendation to build a new fire station within the planned community and provide new fire apparatus, developing a wildland fuel mitigation program within the open space areas of the project, and implementing the hazardous materials disclosure and minimization plan measures for industrial uses.

Even with the implementation of mitigation measures, this impact was considered significant and unavoidable.

Police Protection

The 1988 SEIR found that additional acreage proposed would result in an increase in calls for police services due to increased traffic on developed roadways as well as residential, commercial and industrial development. Cumulative impacts of local development would increase requirements for vehicles, equipment and staff in order to provide an adequate level of protection. The 1988 EIR found that ultimately, increased demands would require the formation of a City of Poway Police Department in order that the community be adequately served. Additional mitigation measures were not required. This impact was considered significant and unavoidable.

Schools

The 1988 SEIR found that the net acreage increase employment opportunities within Poway may result in additional people looking for residences within the Poway Unified School District. The SEIR required mitigation in the form of fees on developers of commercial and industrial property at a rate of 0.25 per square foot. Even with the implementation of this mitigation measure, this impact was considered significant and unavoidable.

Libraries

The 1988 SEIR found that while the adopted PC Development Plan would generate about 867 new residents; however, no significant direct impacts were anticipated from the project itself. At the cumulative level, the 1988 SEIR found that effects associated with developments in the Poway area could require additional library facilities in the future as there was a need for additional space according to the American Library Association standards. The 1988 SEIR found library service would be provided to the proposed project area without significant problems if anticipated population projections were taken into consideration in the new library building plan.

1990 SEIR

The 1990 SEIR found that the Cal-Mat Poway mine expansion would not significantly increase the demand for municipal services including schools, emergency services (police, fire, medical), parks and recreation facilities. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

Fire Protection

The Nighthawk BESS Facility and Gen-tie Line would implement Fire Protection Mitigation Measures 3, 5, 6 and 7 as outlined in the 1985 EIR, including adherence to City Uniform Fire Codes and Building Codes and code-exceeding, customized measures including doubling the width of fuel modification zones and providing a 12-foot tall, pre-case concrete wall around the entire site. The project would also implement Fire Protection Mitigation Measures 2 and 3 as identified in the 1988 EIR, including developing a wildland fuel mitigation program within the project area and implementing the hazardous materials disclosure and minimization plan measures for industrial uses.

The City has also adopted the 2019 California Fire Code that lists the minimum required fire-flow and flow duration for buildings of different floor areas and construction types. The project would be constructed in accordance with these regulations, which include current best practices for fire safety that adhere to the applicable requirements set forth by the 2019 California Fire Code.

The closest fire station to the project site is Poway Fire Department Station 1, located approximately 1.45 miles north of the project site. Based on the proximity of the project site to an existing facility and the project's location within an area currently served by the Poway Fire Department, it is anticipated that the project would be served without adversely affecting personnel-to-resident ratios, response times, or other performance objectives.

Police Protection

The project site is located approximately 1.7 miles south of the San Diego County Sheriff's Department. Based on the project site being located within the service area of the Sheriff's Department and the proximity of the project site to the Sheriff's Department, It is anticipated that the project would be served without adversely affecting personnel-to-resident ratios, response times, or other performance objectives. In addition, the project would implement Public Services and Utilities (Police Protection) Mitigation Measures 3-5 of the 1985 EIR, which would make sure all security lighting would be used on all parking lots, pathways and trails throughout the project site and all landscaping, parking lots and walkways would maximize pedestrian and auto safety.

Schools

The project would not directly or indirectly induce population growth in the City. The number of employees hired to construct the project would be minimal and would likely already reside within the broader project area. Additionally, the project would be operated remotely with no permanent on-site operations and maintenance personnel, and no occupied buildings or habitable structures resulting in increased population or demand on schools. As such, it is not anticipated that people would relocate to the City as a

result of the project, and thus, an increase in school-age children requiring public education is not expected to occur.

Parks

As the project is an unmanned facility, the project would not result in direct population growth, and as such, would not increase demands on park and recreational facilities.

Other public facilities

The project would not directly or indirectly increase demand of public facilities. The number of employees hired to construct the project would be minimal and would likely already reside within the broader project area. Additionally, the project would be operated remotely with no permanent on-site operations and maintenance personnel, and no occupied buildings or habitable structures resulting in increased population or demand of public facilities. As such, it is not anticipated that people would relocate to the City as a result of the project.

Rancho Encantada EIR

Fire Protection

The Rancho Encantada EIR found that the Rancho Encantada Project would have significant impacts on fire protection services. To mitigate the project's impacts, the Sycamore Estates sub-project was required to provide a fire response analysis prior to the issuance of building permits for each phase to identify any necessary mitigation measures, such as providing sprinklers in each home that would be located outside of the 6-minute response time from an existing fire station.

Schools

The Rancho Encantada EIR found that the Rancho Encantada Project would have significant impacts on public schools. To mitigate the project's impacts to public schools, the Sycamore Estates sub-project was required to contribute Senate Bill 50 fees prior to the issuance of building permits.

Parks

The Rancho Encantada EIR found that the Rancho Encantada Project would have significant impacts on public parks. To mitigate the project's impacts, the Sycamore Estates sub-project was required to convey to the City of San Diego an approximately 4.0 net-acre public park site if the site was next to the proposed school site, or an 8.05 net-acre site if the public park site was not adjacent to the school site. Land for the construction of a public park was to occur prior to the issuance of the 500th residential occupancy permit. With implementation of this mitigation, impacts were found to be less than significant.

Other public facilities

The Rancho Encantada EIR found would not significantly increase the demand for most municipal services including libraries. The EIR did find that a significant impact on solid waste disposal would occur if the

landfill servicing the project site did not have sufficient permitted capacity to accommodate the project's solid waste disposal needs. Mitigation Measures 10-4 through 10-6 were required for this potential impact.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

Project components located in the City of San Diego would include the gen-tie line that that would be undergrounded in street or utility rights-of-way.

Fire Protection

The gen-tie project components would be constructed in compliance with the 2019 California Fire Code as adopted by the City's Code of Ordinances and in accordance with the Fire Code regulations. The closest fire station to these project components would also be the Poway Fire Department Station 1, located approximately 2.55 miles north of these project components. Based on the proximity of these project components to an existing facility and the location of these components within an area currently served by the Poway Fire Department, it is anticipated that the project would be served without adversely affecting personnel-to-resident ratios, response times, or other performance objectives.

Police protection

The gen-tie project components are located approximately 2.6 miles south of the San Diego County Sheriff's Department. Based on the project site being located within the service area of the Sheriff's Department and the proximity of these components to the Sheriff's Department, It is anticipated that these project components could be served without adversely affecting personnel-to-resident ratios, response times, or other performance objectives.

Schools

The gen-tie project components would not directly or indirectly induce population growth in the City of San Diego. The number of employees hired to construct the gen-tie project components would be minimal and would likely already reside within the broader project area. Additionally, these project components would be maintained by local personnel that that would not relocate to the City of San Diego as a result of the project and would not result in increased population or demand on schools. As such, an increase in school-age children requiring public education is not expected to occur.

Parks

Construction of the gen-tie project components would not result in population growth, and as such, would not increase demands on park and recreational facilities.

Other public facilities

The gen-tie project components would not directly or indirectly increase demand of public facilities. The number of employees hired to construct and maintain these project components would be minimal and would likely already reside within the broader project area. Additionally, these project components would be maintained by maintenance personnel that would not relocate to the city of San Diego and would not increase population or demand of public facilities.

The gen-tie project components would have potential impacts to the solid waste disposal services during construction if the landfill servicing the project site did not have sufficient permitted capacity to accommodate the project's solid waste disposal needs. The project would dispose of solid waste at the Sycamore Landfill (37-AA-0023) located approximately 5 miles south of the project site in the City of San Diego. The Sycamore Landfill has a remaining permitted capacity of 113,972,637 tons of solid waste and a maximum permitted capacity of 147,908,000 tons of solid waste (CalRecycle 2024); therefore, there is sufficient permitted capacity for solid waste, and no impacts are anticipated to solid waste disposal. However, to ensure no impacts would occur, the project would implement Mitigation Measures 10-4 and 10-6 of the Rancho Encantada EIR. Mitigation Measure 10.4, Destination of Materials, would require the Applicant and the Applicant's construction contractors to contact and use businesses that accept post-consumer materials for manufacture. Mitigation Measure 10-6, Education, would require the Applicant to provide a plan to educate and inform its construction contractors of the waste management plan's goals of waste reduction and procedures for implementing them. Performance levels for contractors would be monitored and achieved. Implementation of these mitigation measures would ensure that all potential impacts to solid waste facilities would be less than significant.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with public services or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

Implementation of the gen-tie project components in the SDG&E Crossing Easements identified on Figure 3 would include the construction of a gen-tie line in street or utility rights-of-way. Upon completion of construction, the project components would be operated remotely and would only have minimal maintenance. As such, the project would result in negligible increases in emergency service calls and the need for other public facilities.

Improvements within the Miramar Marine Corps

Implementation of the project components on the Miramar Marine Corps Base would include the construction of a gen-tie line in existing base roads. Upon completion of construction, the project components would be operated remotely and would have minimal maintenance. As such, the project would result in negligible increases in emergency service calls and the need for other public facilities.

Conclusion

Implementation of the project would include the construction of the BESS facility and gen-tie line. Upon completion of construction, the project would be operated remotely and would not include habitable structures. As such, the project would result in a minimal increase in emergency service calls and the need for other public facilities. With implementation of the above-referenced mitigation measures from the 1985 EIR, the project would have no new or more severe project-specific significant effects related to public facilities beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known

and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

4.16 Recreation

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

Previous Documentation

1985 EIR

The SPPC Development Plan EIR found that the plan implementation would lead to population growth and increased use of existing neighborhood and regional parks. The EIR required Public Services and Utilities (Parks and Recreation) Mitigation Measure 1, which would ensure approximately 8.6 acres of the plan area would be conserved as open space for natural areas and trails with associated recreational uses or designated specifically for parklands to the plan area. With the implementation of mitigation, impacts to parks and recreational facilities were found to be less than significant.

1988 SEIR

The 1988 SEIR found that the revised plan would not significantly increase the use or demand for existing neighborhood and regional parks or other recreational facilities. No new mitigation was required.

1990 SEIR

The 1990 SEIR found that the Cal-Mat Poway mine expansion would not significantly increase the use or demand for existing neighborhood and regional parks or other recreational facilities. No new mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project proposes a new BESS facility and gen-tie line, and thus would not introduce a residential development. As such, the project would not increase the use of existing parks and recreational facilities such that substantial physical deterioration of recreational facilities would occur or be accelerated. Additionally, due to the anticipated limited number of construction personnel, short-term impacts to local recreational facilities would not occur. Further, upon operation, the project would be operated remotely with no permanent on-site operations and maintenance personnel, and would not interfere with the conservation of open space required in the area. Therefore, impacts would not occur.

Rancho Encantada EIR

The Rancho Encantada EIR found that the Rancho Encantada Project would have significant impacts on public parks. To mitigate the project's impacts, the Sycamore Estates sub-project was required to convey to the City of San Diego an approximately 4.0 net-acre public park site if the site was next to the proposed school site, or an 8.05 net-acre site if the public park site was not adjacent to the school site. Land for the

construction of a public park was to occur prior to the issuance of the 500th residential occupancy permit. With implementation of this mitigation, impacts were found to be less than significant.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The gen-tie project components located in the City of San Diego are located primarily within street or utility rights-of-way. Construction and operation of these components would not result in population growth, and as such, would not increase demands on existing regional parks or other recreational facilities.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with the deterioration of recreational facilities or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

The project components located in the SDG&E Crossing Easements identified on Figure 3 are located within street or utility rights-of-way. Construction and operation of the gen-tie line project components would not result in population growth, and as such, would not increase demands on parks or other recreational facilities.

Improvements within the Miramar Marine Corps

The project components located in the Miramar Marine Corps Base are located within existing base roads. Construction and operation of the gen-tie project components would not result in population growth, and as such, would not increase demands on existing regional parks or other recreational facilities.

Conclusion

The construction and operation of the project would not result in an increase in the local population. Thus, project implementation would not result in an increase in use of existing neighborhood or regional parks or other recreational facilities. Therefore, no impact to recreational facilities would occur. The project would have no new or more severe project-specific significant effects related to deterioration of parks or other recreational facilities beyond what was analyzed in the 1985 EIR and its SEIRs. Also, the project would not have impacts that would be more severe than those discussed in the prior EIRs due to substantial new information, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

Previous Documentation

1985 EIR

As discussed above, the 1985 EIR found that the SPPC development plan implementation would require Public Services and Utilities (Parks and Recreation) Mitigation Measure 1, which would ensure approximately 8.6 acres of the plan area would be conserved as open space for natural areas and trails with associated recreational uses or designated specifically for parklands to the plan area. With the implementation of mitigation, impacts were found to be less than significant.

1988 SEIR

The 1988 SEIR found that the revised plan would not include recreational facilities beyond what was proposed in the 1985 EIR or require the construction or expansion of existing neighborhood and regional parks or other recreational facilities. No mitigation was required.

1990 SEIR

The 1990 SEIR found that the Cal-Mat Poway mine expansion would not include recreational facilities or require the construction or expansion of recreational facilities. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

As discussed above, the project includes the construction and operation of an unmanned BESS facility and gen-tie line. The project would be operated remotely with the exception of a limited number of personnel during maintenance activities. As such, the project would not include recreational facilities or result in an increase in population requiring the construction or expansion of recreational facilities; no impact would occur.

Rancho Encantada EIR

The Rancho Encantada EIR found that the Rancho Encantada Project would have significant impacts on public parks. To mitigate the project's impacts, the Sycamore Estates sub-project was required to convey to the City of San Diego an approximately 4.0 net-acre public park site if the site was next to the proposed school site, or an 8.05 net-acre site if the public park site was not adjacent to the school site. Land for the construction of a public park was to occur prior to the issuance of the 500th residential occupancy permit. With implementation of this mitigation, impacts were found to be less than significant.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project components located in the City of San Diego are located primarily within street or utility rights-of-way. Construction and operation of these project components would not result in an increase in population requiring the construction or expansion of recreational facilities; no impact would occur.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with recreational facilities or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

The project components located in the SDG&E Crossing Easements identified on Figure 3 are located within street or utility rights-of-way. Construction and operation of the off-site project components would not result in an increase in population requiring the construction or expansion of recreational facilities; no impact would occur.

Improvements within the Miramar Marine Corps Base

The project components located in the Miramar Marine Corps Base are located within existing base roads. Construction and operation of the gen-tie project components would not result in population growth, and as such, would not increase demands on existing regional parks or other recreational facilities.

Conclusion

The construction and operation of the project would not result in an increase in the local population. Thus, project implementation would not require the construction or expansion of recreational facilities. Therefore, no impact related to construction or expansion of recreational facilities would occur. The project would have no new or more severe project-specific significant effects related to construction of or expansion of recreational facilities beyond what was analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

4.17 Transportation

a) Would the project conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

Previous Documentation

1985 EIR

The 1985 EIR discussed the traffic and circulation impacts resulting from the development of the SPPC Development Plan. It found that buildout of the plan could be expected to generate demand for alternative transportation mode facilities and services. Bus turnouts, “park-and-ride” facilities and shelters at transfer points, provision of bike lanes, and other public transit accommodations and park and ride facilities would be required in the plan area. According to the 1985 EIR, buildout of the planned community would lead to approximately 73,000 total ADT. This estimated ADT was calculated by using an average of 50 trips per acre of industrial and related uses. The 1985 EIR indicated that horizon year traffic volumes on Poway Road

was forecasted to exceed design capacities as a major arterial with or without the SPPC. Thus, reclassification of Poway Road as a primary arterial between I-15 and Garden Road was warranted. Impacts of widening Poway Road would lead to inadequate right-of-way for a primary arterial, loss of existing bike lanes, sidewalks, and parkway amenities, probable taking and business displacements to widen to primary standards, possible loss of landscaped medians and probable conflicts with utilities. These impacts would require the implementation of Traffic and Circulation Mitigation Measures 1-13 as identified in the EIR.

1988 SEIR

The 1988 EIR discussed the traffic and circulation impacts resulting from the development of the revised SPPC Development Plan. The 1988 EIR found that increased traffic from the proposed project would have its greatest impact on South Poway Parkway; however, the increased volumes would not exceed the future daily capacity of that roadway. Cumulative conditions indicated that reclassification of Poway Road as a primary arterial between I-15 freeway and Community road was still warranted and the land use impacts of widening the road identified in the 1985 EIR would still exist. Based on the projected daily volumes, the EIR recommended future road improvements and required a Mitigation Measures 1-10, which included an extensive Transportation Systems Management Plan should be implemented to reduce traffic impacts on the project. A proposed Travel Demand Management Plan for South Poway was contained in the EIR including alternative transportation mode facilities and services. With implementation of this plan, the project would not conflict with any policies, plans, or programs regarding public transit, roadway, bicycle, golf cart network, or pedestrian facilities or the performance or safety of those facilities. Impacts would be less than significant.

1990 SEIR

The 1990 SEIR found that no mitigation measures were necessary for the regional, incremental increase in traffic from the Cal-Mat expansion. The project was expected to generate approximately 886 daily trips by heavy trucks for a worst case scenario. 576 daily trips by heavy trucks were expected along Beeler Canyon Road to the Cal-Mat-Poway facility's entrance/exit. This would result in a significant impact to the rural Beeler Canyon Road and would contribute to the degradation of existing circulation systems. To mitigate impacts the SEIR required construction of an internal private road built to public standards with access to Kirkham Road and closure of Beeler Canyon Road to heavy truck traffic. With the completion of an internal road to handle heavy truck traffic, impacts relating to traffic were considered to be at a level below significance. The SEIR found that the increase in traffic generated by the project was not significant on a project-level; however, it would contribute incrementally to an already congested condition.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

Under existing conditions, the project site is undeveloped, disturbed land. The gen-tie line would be located within the existing paved road located on-site. Upon completion of construction, the road would resume similar to existing conditions. Additionally, because the project would operate remotely with no permanent on-site operations and maintenance personnel, and no occupied buildings or habitable structures, operational vehicle trips generated because of the project would be negligible, and therefore, much less than assumed would result from the development of the project site in the 1985 EIR and SEIRs. The project would not conflict with any policies, plans, or programs regarding public transit, roadway, bicycle, golf cart network, or pedestrian facilities or the performance or safety of those facilities. Impacts would be less than

significant. The project would implement Traffic and Circulation Mitigation Measures 11 and 13, which would ensure the project would support and encourage the use of alternative modes of transportation and ride-sharing and would lighten peak hour traffic volumes.

Rancho Encantada EIR

The Sycamore Estates Precise Plan evaluated in the Rancho Encantada EIR included a Transportation Element outlining the improvements to the circulation system required for the buildout of the Sycamore Estates sub-project. The EIR identified Mitigation Measures 5.1 through 5-11 to mitigate for transportation and circulation impacts from the sub-project. Mitigation Measure-TR-5-1 required the construction of Pomerado Road from Spring Canyon Road to north of Legacy Road as a modified four-lane major street with appropriate transitions. Mitigation Measure TR-5-2 required the construction of a traffic signal at the intersection of Rancho Encantada Parkway and Pomerado Road. Mitigation Measure-TR-5-3 required the construction of a northbound right-turn lane and a southbound left-turn lane at the intersection of Rancho Encantada Parkway and Pomerado Road. Mitigation Measure-TR-5-4 required the construction of a traffic signal at the intersection of Pomerado Road and Stonemill Drive. Mitigation Measure-TR-5-5 required the construction of an additional northbound left-turn lane and an additional westbound left-turn lane at the intersection of Scripps Poway Parkway and Pomerado Road. Mitigation Measure-TR-5-6 required the construction of an additional lane for the northbound off-ramp at 1-15 and Pomerado Road. Mitigation Measure TR-5-7 required construction of an additional lane along Pomerado Road between the U.S. Navy/Marine driveway and the USIU secondary driveway to improve the eastbound merging for the 1-15 northbound off-ramp. Mitigation Measure TR-5-8 assumed that if the construction of a High Occupancy Vehicle Lane (HOV) at 1-15 and Pomerado Road westbound to southbound on-ramp, the owner/permittee would contribute an equivalent cost (estimated as $500,000.00) of the proposed on-ramp widening to the improvement program proposed by Caltrans, specifically the southbound auxiliary lane on 1-15 from Mira Mesa Boulevard to Miramar Way. Mitigation Measure TR-5-9 required the construction of a traffic signal at the intersection of Spring Canyon Road with Spruce Run Drive, Semillon Boulevard, and Scripps Creek Drive. Mitigation Measure TR-5-10 required the construction of median improvements at the intersection of Spring Canyon Road with Semillon Boulevard, Sunset Ridge Drive, Scripps Creek Drive, Spruce Run Drive, Blue Cypress, and other locations along Spring Canyon Road needed to reduce cut-thru traffic on local collector streets in the Scripps Miramar Ranch community, satisfactory to the City Engineer. Finally, Mitigation Measure TR-5-11, required the construction of a traffic signal interconnect system on Spring Canyon Road between Scripps Ranch Boulevard and Pomerado Road. Since the certification of the Rancho Encantada EIR, all of these mitigation measures have been implemented, except Mitigation Measure 5-4.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

As discussed above, Mitigation Measures 5-1 through 5-11 have all been implemented except Mitigation Measure TR-5-4. Mitigation Measure TR-5-4 is not applicable to the proposed gen-tie line. The gen-tie project components located in the City of San Diego are located primarily within the existing paved roads: Beeler Canyon Road and Stonebridge Parkway. Once the gen-tie line is constructed, the road would resume back to existing conditions. Additionally, because these project components would only require periodic visits from maintenance personnel, operational vehicle trips generated because of these project components would be negligible. In addition, the off-site project components would not conflict with any policies, plans, or programs regarding public transit, roadway, bicycle, golf cart network, or pedestrian facilities or the performance or safety of those facilities. Impacts would not occur. During decommissioning,

the underground project elements would be cut below grade and left in place or pulled from existing points of entry with no new ground disturbance. As such, no new impacts would occur

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with the circulation policies and plans or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

There are no impacts to the SDG&E Crossing Easements identified on Figure 3, as during the peak phase of construction that would occur with overlap of Phase 5 Battery Installation and Phase 7 Gen-Tie Duct Bank and Vault Installation and Phase 9 Gen-tie Trenching, the maximum daily traffic would be 158 daily trips or 278 PCE trips. (92 worker trips, 6 vendor trucks and 27 haul trucks). This is considered a negligible increase in traffic due to temporary construction activities.

Improvements within the Miramar Marine Corps

There are no impacts to Miramar Marine Corps Base, as during the peak phase of construction that would occur with overlap of Phase 5 Battery Installation and Phase 7 Gen-Tie Duct Bank and Vault Installation and Phase 9 Gen-tie Trenching, the maximum daily traffic would be 158 daily trips or 278 PCE trips. (92 worker trips, 6 vendor trucks and 27 haul trucks). This is considered a negligible increase in traffic due to temporary construction activities.

Conclusion

The increase in operational vehicle trips related to the project would be negligible, since these project components would only require periodic visits from maintenance personnel and is not anticipated to result in a significant increase in traffic that would cause any conflicts with local plans or policies addressing the circulation system. With the implementation of the aforementioned mitigation from the 1985 EIR, impacts would be less than significant. The project would have no new or more severe project-specific significant effects related to a program, plan, ordinance, or policy regarding the circulation system beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

b) Would the project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project proposes construction and operation of a BESS facility and gen-tie line. Although construction of the project would require transport of materials to/from the project site by heavy equipment, the overall project construction period (approximately 12 months) is considered temporary, and all routine construction-related trips as well as construction worker commutes would cease once construction is complete. As such, project construction would not generate significant vehicle miles traveled. The project would be operated remotely with no permanent on-site operations and a limited number of maintenance personnel, and no occupied buildings or habitable structures. According to OPR's Technical Advisory on Evaluation Transportation Impacts in CEQA (December 2018), a project that falls below an efficiency-based threshold that is aligned with long-term environmental goals and relevant plans would have no cumulative impact distinct from the project impact. Accordingly, a finding of a less-than-significant project impact would imply a less than significant cumulative impact, and vice versa. As such, because vehicle trips generated by the operation of the project would be negligible, the project would not conflict with CEQA Guidelines Section 15064.3(b). Thus, impacts would be less than significant.

Rancho Encantada EIR

This impact was not identified within the Rancho Encantada EIR. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

Although construction of the project including the gen-tie line component would require transport of materials to/from the project site by heavy equipment, the construction period relating to the gen-tie line (approximately 3 months) is considered temporary, and all routine construction-related trips as well as construction worker commutes would cease once construction is complete; therefore, the gen-tie line construction would not generate significant vehicle miles traveled. Construction would require trenching in the existing roadways and would also require transport of machines to/from the sites by heavy equipment; however, transport of heavy-duty trucks and equipment is not considered "vehicle" trips for purposes of Section 15064.3(b). Once operational, the project gen-tie line would be underground with remote operational control and periodic inspections and maintenance performed as necessary and would generate negligible vehicle miles traveled (VMT). Accordingly, the project would not conflict with CEQA Guidelines Section 15064.3(b). Additionally, the project would not exceed the screening thresholds under the City of San Diego's Transportation Study Manual (City of San Diego 2022) for VMT. The proposed project is presumed to have less than significant VMT impact as a small project, defined as generating less than 300 daily unadjusted trips. Thus, project VMT impacts would be presumed to be less than significant.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new

significant impacts associated with the vehicle miles traveled impacts or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

There are no impacts to the SDG&E Crossing Easements located on Figure 3 as there would be negligible vehicle trips due to minor construction activities.

Improvements within the Miramar Marine Corps Base

There are no impacts to Miramar Marine Corps Base, as there would be negligible vehicle trips due to minor construction activities.

Conclusion

Because vehicle trips generated by the project would be negligible, the project would not conflict with CEQA Guidelines Section 15064.3(b) and VMT impacts would be presumed to be less than significant. The project would have no new or more severe project-specific significant effects related to Section 15064.3 beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

c) Would the project substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

Access to the BESS project site would be provided via the existing Kirkham Way and Beeler Canyon Road. No new roads would be required to provide access to the project site. Construction of these project components would include trenching during implementation of the gen-tie-line, which would require the temporary partial closures of the following roads in the city of Poway: Paine Street and Beeler Canyon Road to install the gen-tie line route. Additionally, the project would comply with existing laws, rules and

regulations including the Poway Vehicles and Traffic Code (Poway Municipal Code Title 10, Chapter 12). Therefore, impacts associated with hazardous design features would be less than significant.

Rancho Encantada EIR

The Rancho Encantada EIR analyzed if the traffic generated by the construction and operation of the Sycamore Estates sub-project on the existing and planned community and regional circulation networks. A full analysis of the Buildout Year 2020 conditions both with and without the proposed sub-project is disclosed in the project's Traffic Report and mitigation measures 5.1 through 5.11 are identified to improve potential impacts to the circulation network. Since the certification of the Rancho Encantada EIR, most of these mitigation measures have been implemented and are not applicable to the gen-tie line project.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project components located in the City of San Diego are located primarily within street or utility rights-of-way during construction. Construction of these project components would include trenching during implementation of the gen-tie-line, which would require the temporary partial closures of the following roads in the City of San Diego: Beeler Canyon Road and Stonebridge Parkway to install the gen-tie line route. Temporary closure of these roadways to allow for trenching would not substantially increase hazards and would be subject to uniform development policies including Traffic Control requirements pursuant to SDMC Section 129.0702. In addition, the roadways would resume similar to existing conditions once the gen-tie line construction is complete. No new roads would be required to provide access to these project components. Additionally, these project components would also comply with existing laws, rules, and regulations. Thus, impacts associated with hazardous design features would be less than significant.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with the geometric design hazards or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

There are no impacts to the SDG&E Crossing Easements identified on Figure 3 as there would be no hazards associated with the SDG&E Parcels once the improvements are constructed.

Improvements within the Miramar Marine Corps Base

There are no impacts to Miramar Marine Corps Base, as there would be no hazards associated with the base roads once the improvements are constructed.

Conclusion

The trenching required for the installation of the gen-tie line would require the temporary partial closures of the following roads: Paine Street, Beeler Canyon Road, and Stonebridge Parkway to install the gen-tie line route, which would require a right-of-way permit and traffic control permits from the respective jurisdiction prior to any work in the public right-of-way. Temporary closure of these roadways would not substantially increase hazards. These roadways would resume back to existing conditions upon completion of

construction. During decommissioning, the underground project elements would be cut below grade and left in place or pulled from existing points of entry with no new ground disturbance. As such, the project would have no new or more severe project-specific significant effects related to design hazards beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

d) Would the project result in inadequate emergency access?

Previous Documentation

1985 EIR

The 1985 EIR concluded that Poway Road, Pomerado Road and Sycamore Canyon Road would provide good emergency access at the SPPC's buildout because there would be two ways of reaching any point within the plan area. This impact was considered less than significant. No mitigation was required.

1988 SEIR

This impact was not identified in the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 EIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

Access to the project site would be provided via the existing Kirkham Way and Beeler Canyon Road. As discussed in Section 4.9, Hazards and Hazardous Materials, the project would require the temporary partial closures of the following roads in the city of Poway: Paine Street and Beeler Canyon Road to install the gen-tie line route. Temporary closure of these roadways would not inhibit emergency access to the surrounding properties. These roadways would resume similar to existing conditions upon completion of construction. No new roads would be required to provide access to the project site. The project site would be accessible to emergency responders during construction and operation of the project. As discussed in the FHMPP prepared for the project (Appendix J), the project would provide primary site access and evacuation route off Kirkham Way. The evacuation route would lead to three primary roadways (Stowe Drive, Scripps Poway Parkway, and Spring Canyon Road) before eventually leading to Interstate 15 of SR-56 (Appendix J). Impacts would be less than significant.

Rancho Encantada EIR

This impact was not identified within the Rancho Encantada EIR. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project components located in the City of San Diego are located primarily within street or utility rights-of-way during construction. These project components would require the temporary partial closures of the following roads in the city of San Diego: Green Valley Court and Stonebridge Parkway to install the gen-tie line route. As discussed in the FHMPP prepared for the project (Appendix J), the project would provide primary site access and evacuation route off Kirkham Way. Temporary closure of these roadways would not inhibit emergency access to the surrounding properties and would be subject to uniform development policies including Traffic Control requirements pursuant to SDMC Section 129.0702. These roadways would resume similar to existing conditions upon completion of construction. During decommissioning, project elements within the roads would be cut below grade and left in place or pulled out from the existing points of entry via existing vaults, so emergency access would not be impacted.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with emergency services or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Easement Crossings

Temporary closure of these roadways would not inhibit emergency access to the surrounding properties and would be subject to uniform development policies including Traffic Control requirements pursuant to SDMC Section 129.0702. These roadways would resume similar to existing conditions upon completion of construction. In addition, the project would implement the emergency notification and evacuation procedures outlined in the project specific FHMPP (Appendix J) during the construction and decommissioning of the gen-tie lines. Once operational, the gen-tie lines would be underground and would not impair emergency and evacuation access.

Improvements within the Miramar Marine Corps Base

There are no impacts to the Miramar Marine Corps Base, as site access to the base roads would remain unchanged; therefore, existing emergency access would not be affected.

Conclusion

With implementation of the emergency notification and evacuation procedures outlined in the project specific FHMPP (Appendix J), the temporary roadway closures required during construction would not inhibit emergency access to the surrounding properties and would be subject to uniform development policies including Traffic Control requirements and therefore, would not substantially impair emergency and evacuation access. These roadways would resume back to existing conditions upon completion of construction. During decommissioning, project elements within the roads would be cut below grade and left in place or pulled out from the ends of the existing points of entry at vaults, so emergency access would not be impacted. In addition, the project would include an evacuation route from the project site in the event of an emergency. Impacts would be less than significant and the project would have no new or more severe project-specific significant effects related to emergency access beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new

information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

4.18 Tribal Cultural Resources

a) Would the project cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

Previous Documentation

1985 EIR

The 1985 EIR concluded this impact would be less than significant with mitigation. Mitigation included Cultural Resources Mitigation Measure 8 and 9, which required the preparation of specific measures for the treatment of unknown cultural resources identified during construction and surveys for potential indirect archaeological impacts.

1988 SEIR

The 1988 SEIR found that proposed pad increases were largely within the previous limits of grading and no new issues of concern were expected. Mitigation measures were called out for two archaeological sites that might be impacted by the expanded development pads. One of the archaeological resources (sand of juncus) was found to be a potential tribal cultural resource. Thus, implementation of the mitigation measure was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required. Modification of the CUP to revise the location of the industrial building pad locations was determined to have no new or more severe impacts than disclosed in the 1990 SEIR.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

Dudek requested a search of the Native American Heritage Commission (NAHC) Sacred Lands File for the project area on August 22, 2022 (Appendix G). Tribal outreach letters were sent by the City of Poway to the listed tribal representatives on March 6, 2023, with the intent of requesting information, opinions, or concerns relating to the Nighthawk Project, reference maps, and a summary of the NAHC Sacred Lands File results. To date, four responses have been received: Daniel Tsosie of the Campo Band of Indians responded via email on March 21, 2023, to inform us that he has replaced Jon Mesa as the Cultural Resource Manager and he received the letter; Art Bunce, Tribal Attorney for the Barona Band of Mission Indians, responded via email on March 27, 2023, asking who the Tribe contact at the County of Sacramento is; Ray Teran, Resource Management Director for the Viejas Band of Kumeyaay Indians Tribal Government responded to inform that the project site has cultural significance or ties to Viejas and that cultural resources have been

located within or adjacent to the APE for the project; and Angelina Gutierrez, Deputy Tribal Historic Preservation Office Monitor Supervisor for the San Pasqual Band of Diegueno Indians, responded on May 1, 2023, via letter stating that the project is within the boundaries of the territory that the tribe considered its Traditional Use Area and requested that they engage in formal consultation under AB 52 so that San Pasqual can have a voice in the development of the measures that will be taken to protect these sites, The Viejas Band requested that a Kumeyaay Cultural Monitor be on site for ground disturbing activities and that they be informed of any new developments such as inadvertent discovery of cultural artifacts, cremation sites, or human remains. The San Pasqual Band of Diegueno Indians requested that they be provided any cultural review reports so that they can contribute most effectively to the consultation process. On February 29, 2024, City of Poway staff, the applicant's archaeologist, and the applicant met with the Tribal Historic Preservation Office for the San Pasqual Trib. Based on the feedback received from the San Pasqual Tribe, it was agreed between the City and Applicant that tribal monitoring would be performed during grading activities in sensitive areas including Beeler Creek as specified in APM-TCR-1. Due to the heavily disturbed nature of the project site, and minimal presence of archaeological resources within the project site, no further management recommendations are necessary beyond APM-TCR-1 and standard measures to address unanticipated discoveries of cultural resources and human remains. As described in Section 4.5, Appendix G determined that the potential for unrecorded archaeological resources to exist within the project site is considered low; however, the project Proponent will implement an Inadvertent Discovery Plan and Archaeological Sensitivity Training Program to avoid impacted any undiscovered archaeological resources. No archaeological monitoring is recommended; however, the City will perform consultation with Native American tribes at their discretion which may result in the need for tribal monitoring.

Rancho Encantada EIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project components located in the City of San Diego would primarily be located within street or utility rights-of-way. The CRR prepared for the project components in the City of San Diego (Appendix H) determined that the potential for unrecorded archaeological resources to exist within this area is considered low, and the CRR did not identify any tribal cultural resources on-site. On October 25, 2022, Dudek requested that the Native American Heritage Commission (NAHC) search its Sacred Lands file for the Nighthawk Project Area of Potential Effect (APE). The NAHC results received on October 25, 2022. The CRR did not identify any tribal cultural resources on-site within the APE; however, the NAHC stated that the absence of specific information in the Sacred Lands File did not indicate the absence of Tribal Cultural Resources and that other sources of cultural resources should also be contacted for information regarding known and recorded sites. The NAHC provided a contact list of Native American tribes who may also have knowledge of cultural resources in the project area with the recommendation that these tribes be contacted for further information.

With implementation of this monitoring and compliance as discussed in APM-TCR-1 and uniformly applicable development policies and standards and state law, impacts would also be less than significant.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new

significant impacts associated with tribal cultural resources or a substantial increase in the severity of impacts from those described in the EIR.

Improvements in the SDG&E Easement Crossings

The gen-tie project components located in the SDG&E Easement Crossings identified on Figure 3 would be located within street or utility rights-of-way. The CRRs prepared for the project determined that the potential for unrecorded archaeological resources to exist within this area is considered low, and the CRR did not identify any tribal cultural resources on-site. However, the reports were updated following AB 52 consultation and the San Diego report concluded that an Inadvertent Discovery Plan and Archaeological Sensitivity Training Program or a Kumeyaay Native American monitor will be required. With monitoring and compliance with uniformly applicable development policies and standards and state law, impacts would also be less than significant.

Improvements in the Miramar Marine Corps Base

The gen-tie project components within the Miramar Marine Corps Base would include an underground gen-tie line primarily located within existing base roads. No impacts to tribal cultural resources would occur.

Conclusion

Although the potential for archaeological or Tribal Cultural Resources to occur within the project site is low, the project would incorporate the aforementioned mitigation measures and the use of Kumeyaay Native American monitoring during construction to reduce potential impacts to less than significant. The project would have no new or more severe project-specific significant effects related to tribal cultural resources beyond what was analyzed in the 1985 EIR and its SEIRs, (which assumed the entire project site would be disturbed and developed), the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Also, the project would not have impacts that would be more severe than those discussed in the prior EIRs due to substantial new information. Thus, a subsequent EIR is not required.

b) ***A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? In applying the criteria set forth in subdivision (c) of Public Resource Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.***

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

The 1988 SEIR found that proposed pad increases were largely within the previous limits of grading and no new issues of concern were expected. Mitigation measures were called out for two archaeological sites that might be impacted by the expanded development pads. One of the archaeological resources (sand of

juncus) was found to be a potential tribal cultural resource. Thus, implementation of the mitigation measure was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

As discussed above the CRR prepared for the project determined that the potential for unrecorded archaeological resources to exist within the project site is considered low. The CRR did not identify any tribal cultural resources on-site. However, the report acknowledges it will be updated following AB 52 consultation and concludes that archaeological monitoring along with a Native American monitor will likely be required. With adherence to state law, impacts would be less than significant. Modification of the CUP to revise the location of the industrial building pad locations was determined to have no new or more severe impacts than disclosed in the 1990 SEIR.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

As discussed above the CRR prepared for the project determined that the potential for unrecorded archaeological resources to exist within the project site is considered low. The CRR did not identify any tribal cultural resources on-site. However, the report was updated following AB 52 consultation and concluded that archaeological monitoring along with a Kumeyaay Native American monitor will be required. With implementation of this monitoring and compliance with uniformly applicable development policies and standards and state law, impacts would also be less than significant.

Rancho Encantada EIR

This impact was not identified in the Rancho Encantada EIR. No mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project components located in the City of San Diego would primarily be located within street or utility rights-of-way. The CRR prepared for the project determined that the potential for unrecorded archaeological resources to exist within this area is considered low, and the CRR did not identify any tribal cultural resources on-site. However, as described in Section 4.18(a), the AB 52 consultation conducted by the City of Poway staff and the visit with the San Pasqual Tribal Historic Preservation Office with the applicant's archaeologist determined that archaeological monitoring along with a Native American monitor would be required per APM-TCR-1. With this monitoring, impacts would also be less than significant.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with tribal cultural resources or a substantial increase in the severity of impacts from those described in the EIR.

Improvements in the SDG&E Crossings

The project components located in the SDG&E Crossing Easements identified on Figure 3 would primarily be located within street or utility rights-of-way. The CRRs prepared for the project determined that the potential

for unrecorded archaeological resources to exist within this area is considered low, and the CRRs did not identify any tribal cultural resources on-site. However, as described in Section 4.18(a), the AB 52 consultation determined that archaeological monitoring along with a Native American monitor would be required for the project components in San Diego. With monitoring, impacts would also be less than significant.

Improvements in the Miramar Marine Corps Base

Improvements within the Miramar Marine Corps Base would include an underground gen-tie line primarily located within existing roadway. No impacts to tribal cultural resources would occur.

Conclusion

No tribal cultural resources were identified within the project site and the potential for unrecorded archaeological resources to occur on-site is low. Following AB 52 consultation it was determined that archaeological monitoring along with a Native American monitor will be required. With implementation of Cultural Resources Mitigation Measures 8 and 9 as outlined in the 1985 EIR, the use of a Native American monitor during construction activities, the project would have no new or more severe project-specific significant effects related to tribal cultural resources beyond what was analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

4.19 Utilities and Service Systems

a) Would the project require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

Previous Documentation

1985 EIR

Water Facilities

The 1985 EIR found that implementation of the SPPC plan would require regional water and wastewater that was anticipated to become increasingly low in supply. This included the water and wastewater treatment demanded by on-site development of industrial land uses. Public Services and Utilities (Water) Mitigation Measures 1-7 were required to lessen impacts to less than significant.

Electric Power Facilities

The 1985 EIR found that buildout of the SPPC plan would require a new electrical substation and gen-tie lines for electricity. Public Services and Utilities (Public Utilities) Mitigation Measures 1-5 as outlined in the 1985 EIR were required to lessen impacts to less than significant.

Natural Gas

The 1985 EIR found that buildout of the plan would require new transmission lines for natural gas. Public Services and Utilities (Public Utilities) Mitigation Measures 1-5 as outlined in the EIR were required to lessen impacts to less than significant.

Telecommunication Facilities

The South Poway Planned Community Plan EIR found that some easements may be required for locating small housings of telephone equipment in the SPPC plan area. Phasing of development was anticipated to allow the telecommunications companies to assemble and install the necessary equipment. No mitigation was required in the EIR.

1988 SEIR

Water

The 1988 SEIR found that implementation of the proposed project would contribute to regional water demand. In addition, water service would be required in an area not served but planned for in the original SPPC. On site development would demand water for several purposes. Flow to development would include water utilized in residential, commercial, and industrial land uses as well as sizable flows used in landscape irrigation. Large quantities of water were also needed for fire-fighting purposes. Flows were estimated for the original SPPC and the proposed 1988 project, and the SEIR found that the project would incrementally place additional demand on the Poway water facilities. Within the property boundaries, pump stations, storage reservoirs, and distribution systems were found to be needed, with all facilities generally consistent with the concepts developed for the area in the Water Master Plan of the city of Poway. At the cumulative level, the project would incrementally add to the demand for treated water from Poway Water Treatment Facility and the demand for transmission facilities. Additional or improvement of infrastructure in the area would also have the potential to cumulatively induce growth in the area. The 1988 SEIR found that all facilities would be planned and designed for future expansion and no additional mitigation measures were required beyond what was required in the 1985 EIR. This impact was considered significant and unavoidable.

Wastewater

The 1998 SEIR found that wastewater treatment plants were designed to treat average daily flows and fluctuation in flow result in fluctuations in effluent quality. The hydraulic capacity of wastewater transmission lines, however, was designed to accommodate peak flows and extreme fluctuations that could result in backup or overflow. While the 1988 project would increase sewer demand and existing facilities would need to be expanded or upsized, the EIR found the increased usage would be accommodated in future expansion of facilities with no significant impact. The SEIR found all facilities would be planned and designed for future expansion and no new mitigation measures were required beyond what was required in the 1985 EIR. This impact was considered significant and unavoidable.

Natural Gas & Telecommunications

These impacts were not identified in the 1988 SEIR. No mitigation was required.

1990 SEIR

Water

The 1990 SEIR found the consumption of water used for aggregate production was not considered to pose a significant impact as long as water conservation measures were utilized during operation of the plant. The SEIR required the following water conservation measures to lessen water consumption impacts to a level below significance:

- The aggregate plant would be required to utilize reclaimed water (once available) to minimize potable water use.
- Environmentally-safe surfactants are mixed with water used to spray roads to control dust to maximize effectiveness and reduce water consumption.
- Aggregate plant process water would be clarified by means of settling ponds and recycled for continued use.
- Rainfall runoff from the plant site would be directed into a sedimentation pond so that it can be used for dust control purposes.
- Mixer truck cleanout water would be directed into a sump for re-use by the plant.
- The floor of the pit would be graded to direct water to an erosion sump/containment basin at the lower end of the pit.

Wastewater

This impact was not identified in the 1990 SEIR. No mitigation was required.

Natural Gas

The 1990 SEIR found the lack of adequate infrastructure to service the energy demands of the proposed Cal-Mat expansion project would be a significant but mitigable impact. The SEIR found that provision of right-of-way easements and a gas line with the capacity to transport 12 million BTU/hr of fuel would mitigate these impacts to a level below significance should the use of propane or alternative fuel source not be used. No mitigation was required.

Telecommunications

This impact was not identified in the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

Water

Since no habitable structures would be constructed as part of the project, operational water required for the project would be minimal, and only required for ongoing maintenance. The amount of water required for both the grading/construction phase and the operations phase would be utilized for dust control measures and would not require any expansion of existing water facilities. In addition, the project would implement Public Services and Utilities (Water) Mitigation Measure 6 as identified in the 1985 EIR to further

lessen impacts. This mitigation would require the policies of the Poway Water Conservation Element and the State Water Resources Board to be implemented. In addition, the project would tie into the City's potable water system for firewater to supply hydrants for the facility to prevent the possibility of a fire inside or outside the facility. This tie-in would utilize existing water facilities, and would include the construction of a water loop and hydrant system to the project site that would be dedicated to the City as a public facility.

Wastewater

Since no habitable structures would be constructed as part of the project, no wastewater facilities would be required. Similarly, the project would be an unmanned facility and would not require any new wastewater facilities be developed for the project. No mitigation would be required.

Electric Power Facilities

The project would be charged from the electric grid via the project's interconnection to Sycamore Canyon Substation. Energy stored in the project would then be discharged into the grid when the energy is needed, providing important electrical reliability services to the local area. This extension would not result in additional adverse physical effects beyond those already identified in other sections of this environmental analysis.

Natural Gas

Because the project site would be unmanned and no residences are proposed as part of the project, no new or expanded natural gas facilities would be required.

Telecommunication Facilities

The project includes installation of telecommunication facilities to meet the communication requirements for interconnecting and communicating with the SDG&E/CAISO facilities and to support remote project operations monitoring. To provide for communication with SDG&E facilities, a fiber-optic cable would be used to connect the project substation with the SDG&E point of interconnection. Utility interconnection regulations require the installation of a second, separate, redundant fiber-optic cable. The redundant fiber-optic cable would also be installed between the project substation and point of interconnection. Fiber will be installed along the gen-tie route and will not result in any additional project impacts.

The project would use local exchange carrier services for telecommunication to support remote monitoring requirements. The project would connect to telecommunication fiber-optic lines owned and managed by local telecommunication providers. Therefore the project will have no significant impacts relating to telecommunications facilities.

Rancho Encantada EIR

Water

The Rancho Encantada EIR found water would be supplied to the Rancho Encantada Precise Plan area by the City of San Diego. The on-site water system was proposed to consist of a network of pipelines, connecting pumping stations and an on-site water storage reservoir. Two pumping stations were proposed on the Sycamore Estates sub-project site and would boost flow to different water service pressure zones

located within the Precise Plan area. The water storage reservoir would be located on the Sycamore Estates sub-project site. Domestic water pipelines located within the Precise Plan area would consist of 12-inch, 10-inch and 8-inch-diameter lines. Most water lines were to be located in Rancho Encantada Parkway and in other local residential roadways. Some water line would be required through areas designated as MHPA open space and an easement would be required over water lines located in open space.

The Rancho Encantada EIR found that the Sycamore Estates sub-project would have impacts to water resources. Mitigation Measures 12-1 was required for water conservation in the form of low water use plant species in the landscape construction drawing, use of drought-tolerant, low water or no water (native) species on all artificial slopes. Mitigation Measure 12-3 was also required that appropriate plant groupings would be verified by the City of San Diego Landscape Division to ensure plants with similar water usage requirements would be grouped together. Mitigation was also required that the City verify that all common irrigation areas would be operated by a computerized irrigation system equipped with flow sensing capabilities, thus automatically shutting down the irrigation system in the event of a mainline break or broken head.

Wastewater

The Rancho Encantada EIR found that the Sycamore Estates sub-project would have impacts to wastewater resources. Within the Precise Plan area, most sewer lines would be located in local residential streets; however, sewer lines connecting development areas also would be required in areas designated as MHPA open space. Where sewer lines cross MHPA open space, access to sewer manholes would require a 20-foot easement and a 15-foot-wide all weather maintenance road. Construction and maintenance of these roads would be designed in accordance with the Section 1.4.2, General Planning and Policies and Design Guidelines, of the MSCP Subarea Plan. Two options existed for the conveyance of on-site generated sewage, a lift station option, and a gravity sewer option. A gravity sewer line in Beeler Canyon Road would be installed from just north of Sycamore Estates' proposed Planning Area 11 to the westerly end of Beeler Canyon Road. Thus, the Rancho Encantada Project was designed to accommodate impacts to wastewater resources.

Electric, Natural Gas, and Telecommunications

These Rancho Encantada EIR found that development of the Sycamore Estates sub-project would require the expansion of electric, natural gas and telecommunications facilities.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The gen-tie project components located in the City of San Diego would require minimal amounts of water during construction and ongoing maintenance of the gen-tie lines. It is anticipated that there is sufficient water for these activities, and no water or wastewater facilities would be required for these project components. However, to ensure no impacts to water resources would occur, the project would implement Mitigation Measures 12-1, which would require the incorporation of low water use plant species on any landscape construction drawings and drought tolerant, low water or no water (native) species would be used on all artificial slopes. The project would also implement Mitigation Measure 12-3, which would allow plant groupings to be verified by the City of San Diego Landscape Division as shown on all landscape construction drawings. Plants with similar water usage requirements would also be grouped together. These project components would also not require the expansion of electric or natural gas facilities.

The project includes installation of telecommunication facilities to meet the communication requirements for interconnecting and communicating with the SDG&E/CAISO facilities and to support remote project operations monitoring. To provide for communication with SDG&E facilities, a fiber-optic cable would be used to connect the project substation with the SDG&E point of interconnection. Utility interconnection regulations require the installation of a second, separate, redundant fiber-optic cable. The redundant fiber-optic cable would also be installed between the project substation and point of interconnection. Fiber will be installed along the gen-tie route and will not result in any additional project impacts.

The project would use local exchange carrier services for telecommunication to support remote monitoring requirements. The project would connect to telecommunication fiber-optic lines owned and managed by local telecommunication providers. Therefore the project will have no significant impacts relating to telecommunications facilities.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with utilities or service systems or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

The gen-tie project components located in the SDG&E Crossing Easements identified on Figure 3 would also require minimal amounts of water during construction and ongoing maintenance of the gen-tie lines. It is anticipated that there is sufficient water for these activities, and no water or wastewater facilities would be required for these project components. These project components would also not require the expansion of electric, natural gas or telecommunications facilities.

Improvements within the Miramar Marine Corps Base

The gen-tie project components located in the Miramar Marine Corps Base would also require minimal amounts of water during construction and ongoing maintenance of the gen-tie lines. It is anticipated that there is sufficient water for these activities, and no water or wastewater facilities would be required for these project components. These project components would also not require the expansion of electric, natural gas or telecommunications facilities.

Conclusion

The project would not require the expansion of water, wastewater or natural gas facilities. Telecommunications facilities as required for the project will be installed along the gen-tie route and would connect to telecommunication fiber-optic lines owned and managed by local telecommunication providers. Therefore the project will have no significant impacts relating to telecommunications facilities. The electrical tie in at the Sycamore Canyon substation would provide important electrical reliability services to the local area. As such, the project would have no new or more severe project-specific significant effects related to the construction or expansion of utilities or service systems beyond what was analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been

known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

b) Would the project have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

Previous Documentation

1985 EIR

The 1985 EIR summarized the regional and City of Poway water supply services and distribution system. The 1985 EIR found that implementation of the plan would contribute to use of regional water that was anticipated to become increasingly low in supply. This included the water demanded by on-site development of industrial land uses. Public Services and Utilities (Water) Mitigation Measures 1-7 was required to lessen impacts to water resources to less than significant.

1988 SEIR

The 1988 SEIR found that implementation of the proposed project would contribute to regional water demand. In addition, water service would be required in an area not served but planned for in the original SPPC. On site development would demand water for several purposes. Flow to development would include water utilized in residential, commercial, and industrial land uses as well as sizable flows utilized in landscape irrigation. Large quantities of water would also be available upon demand for fire-fighting purposes. Flows were estimated for the original SPPC and the proposed 1988 project, and the SEIR found that the project would incrementally place additional demand on the Poway water facilities. Within the property boundaries, pump stations, storage reservoirs, and distribution systems were required to be generally consistent with the concepts developed for the area in the Water Master Plan for the city of Poway. Construction of these facilities would have short-term impacts on air, water, and noise quality. Even with the implementation of mitigation measures, this impact was considered significant and unavoidable.

1990 SEIR

The 1990 SEIR found the consumption of water used for aggregate production was not considered to pose a significant impact as long as water conservation measures were utilized during operation of the plant. The SEIR required the following water conservation measures to lessen water consumption impacts to a level below significance:

- The aggregate plant would be required to utilize reclaimed water (once available) to minimize potable water use.
- Environmentally-safe surfactants are mixed with water used to spray roads to control dust to maximize effectiveness and reduce water consumption.
- Aggregate plant process water would be clarified by means of settling ponds and recycled for continued use.
- Rainfall runoff from the plant site would be directed into a sedimentation pond so that it can be used for dust control purposes.

- Mixer truck cleanout water would be directed into a sump for re-use by the plant.
- The floor of the pit would be graded to direct water to an erosion sump/containment basin at the lower end of the pit.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

It is anticipated that there would be sufficient water supplies during both construction and operation of the proposed project, as the project would only require a minor amount of water for dust control during construction and there would be a minimal amount of water utilized at the unmanned facility during operation for dust control and to man the facility's proposed fire hydrants to prevent the possibility of a fire inside or outside the facility. The project would implement Utilities Mitigation Measure 6 as identified in the 1985 EIR and applicable water conservation measures from the 1990 SEIR to lessen impacts even further. This mitigation would require the policies of the Poway Water Conservation Element and the State Water Resources Board to be implemented.

Rancho Encantada EIR

The Rancho Encantada EIR found that the Sycamore Estates sub-project would have impacts to water resources. Mitigation Measure 12-1 was required for water conservation in the form of low water use plant species in the landscape construction drawing, use of drought-tolerant, low water or no water (native) species on all artificial slopes. Mitigation measure 12-3 was also required that appropriate plant groupings would be verified by the City of San Diego Landscape Division to ensure plants with similar water usage requirements would be grouped together. Mitigation was also required that the City verify that all common irrigation areas would be operated by a computerized irrigation system equipped with flow sensing capabilities, thus automatically shutting down the irrigation system in the event of a mainline break or broken head. With these mitigation measures, impacts to water resources were found to be less than significant.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The gen-tie project components located in the City of San Diego would require minimal amounts of water during construction. It is anticipated that these project components would have a sufficient water supply for construction activities required for the gen-tie lines. Restoration of the work areas would also follow the water mitigation measures of the Rancho Encantada EIR to further ensure impacts to water quantity would be less than significant.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with water services or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

The gen-tie project components located in the SDG&E Crossing Easements identified on Figure 3 would require minimal amounts of water during construction. With mitigation from the 1985 EIR and Rancho Encantada EIR, it is anticipated that these project components would have a sufficient water supply for the construction activities required for the gen-tie lines.

Improvements within the Miramar Marine Corps Base

The gen-tie project components located in the Miramar Marine Corps Base would also require minimal amounts of water during construction. It is anticipated that these project components would have a sufficient water supply for construction activities required for the gen-tie lines.

Conclusion

During construction, the project would require water for dust control measures. Water required during construction would be minimal, so it is anticipated that there would be sufficient water supplies available for construction activities. In addition, the project would implement the aforementioned mitigation measure as identified in the 1985 EIR. The project would have no new or more severe project-specific significant effects related to water supplies beyond what was analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

c) Would the project result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

Previous Documentation

1985 EIR

The 1985 EIR summarized the treatment and collection facilities serving the City of Poway. The 1985 EIR found that plan implementation would increase the long-term demand on wastewater treatment facilities and that incremental flows in the collection system in the city of Poway would create a need for better or larger wastewater facilities. Public Services and Utilities (Wastewater) Mitigation Measures 1-7 as outlined in the EIR were required to lessen impacts to less than significant.

1988 SEIR

The 1988 SEIR found that while the 1988 proposed project would increase sewer demand and existing facilities would need to be expanded or upsized, the increased usage would be accommodated in future expansion of facilities with no significant impact, as expansion of facilities was planned for the SPPC. The SEIR found all facilities would be planned and designed for future expansion and no new mitigation measures were required.

At the cumulative level, the 1988 SEIR found the project would incrementally add to the demand for treated water from Poway Water Treatment Facility and the demand for transmission facilities. Addition or improvement of infrastructure in the area would cumulatively induce growth in the area. The SEIR found that all facilities would be planned and designed for future expansion and even with the implementation of mitigation measures, this impact was considered significant and unavoidable.

1990 SEIR

The 1990 SEIR found that expanded plant site operation would continue to use a septic system for its sewer discharge associated with its office operation. This was not considered to have an impact on the provision of sewer service.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project would be an unmanned facility and would not require wastewater services at the site either during construction or operation. Therefore, the project would not impact any wastewater treatment provider and no new mitigation would be required.

Rancho Encantada EIR

The Rancho Encantada EIR found that the Sycamore Estates sub-project would have impacts to wastewater resources. Sewer service would be provided by the Metropolitan Sewer System (METRO) which is owned by the City of San Diego. Within the Precise Plan area, most sewer lines would be located in local residential streets; however, sewer lines connecting development areas also may be required in areas designated as MHPA open space. Where sewer lines cross MHPA open space, access to sewer manholes would require a 20-foot easement and a 15-foot-wide all weather maintenance road. Two options existed for the conveyance of on-site generated sewage, a lift station option, and a gravity sewer option. A gravity sewer line in Beeler Canyon Road was proposed to be installed from just north of Sycamore Estates' proposed Planning Area 11 to the western end of Beeler Canyon Road. The Rancho Encantada Project was designed to accommodate impacts to wastewater resources.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The gen-tie project components located in the City of San Diego would not require wastewater services during construction or operation. Thus, no impact to any wastewater treatment providers would occur.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with water services or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

The gen-tie project components located in the SDG&E Crossing Easements identified on Figure 3 would not require wastewater services during construction or operation. Thus, no impact to any wastewater treatment providers would occur.

Improvements within the Miramar Marine Corps Base

The project components located in the Miramar Marine Corps Base would not require wastewater services during construction or operation. Thus, no impact to any wastewater treatment providers would occur.

Conclusion

As discussed, the project would not require wastewater services at the site either during construction or operation. Therefore, the project would not impact any wastewater treatment provider. The project would have no project-specific significant effects related to wastewater supplies and no new or more severe impacts would occur beyond what was analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

d) Would the project generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

Previous Documentation

1985 EIR

The 1985 EIR concluded that plan implementation would generate significant volumes of solid waste which would require disposal in local landfills. Maximum impact would not occur until the plan was completely built out. As such, the 1985 EIR found this impact would require Public Services and Utilities (Solid Waste) Mitigation Measure 1, which would require the project to encourage recycling and the separation of recyclables.

1988 SEIR

The 1988 SEIR found the proposed project would generate additional volumes of solid waste and no problems were foreseen with servicing the SPPC with the proposed project. The 1988 SEIR also found some industrial land uses would generate hazardous waste in quantities and qualities commensurate with the type of industry. At the cumulative level, the SEIR found that residential development in the area could be expected to generate solid waste at an approximate rate of 1 ton per person each year. These wastes as well as commercial and industry-generated wastes must be collected and removed to area landfills. Additional wastes not accounted for in growth projections used in design of the landfills can shorten the life expectancies of these facilities with current operation methods. The SEIR require mitigation in the form of providing container enclosures that are large enough for container servicing, ensuring access to enclosure locations, and ensuring access-ways are clear of obstructions and capable of bearing the weight of a fully loaded trucks.

Even with the implementation of mitigation measures, this impact was considered significant and unavoidable.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

Since no habitable structures would be constructed as part of the project, it is expected that the operation of the project would generate minimal solid waste. The Sycamore Landfill has a maximum permitted throughput of 5,000 tons per day. Additionally, the landfill has a max permitted capacity of 147,908,000 cubic yards and a remaining capacity of 113,972,637 cubic yards. It is anticipated that the landfill would close in 2042 (CalRecycle 2024). Additionally, with adherence to the appliable waste management plans and regulations set by the state and local jurisdiction, impacts would be less than significant. The project would also incorporate Public Services and Utilities (Solid Waste) Mitigation Measure 1 from the 1985 EIR to further lessen impacts associated with solid waste.

Rancho Encantada EIR

The Rancho Encantada EIR found that the proposed project's residential and institutional uses would generate approximately 4,346 cubic yards of solid waste per year, which would be regarded as a significant cumulative impact on the region's landfill capacity when considered in combination with other existing and proposed development. The waste reduction measures identified in the EIR would partially reduce the project's cumulative impact, but not to below a level of significance. No mitigation measures are available to eliminate the cumulatively significant impact. To partially mitigate cumulative impacts to landfill capacity, the Sycamore Estates sub-project was required to implement Mitigation Measures 10-4 and 10-4, which would include a waste reduction program during construction. This would require the owner/permittee contact and use businesses that accept post-consumer materials for manufacture and identify the method of transporting materials to either a landfill or reprocessing centers. The owner permittee would also have to identify products to be used in the construction activities that may be made of post-consumer content and a good-faith effort would be made to identify and use readily available products made with post-consumer materials (recycled produce would be comprised of at least 50% recycled materials. Finally the owner/permittee of the Sycamore Estates sub-project was required to implement Mitigation 10-6, which would provide a plan to educate and inform contractors of the waste management plant's goals of waste reduction and procedures for implementing them and would make sure contractors achieve the performance levels specified.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project components located in the City of San Diego would also incorporate Public Services and Utilities (Solid Waste) Mitigation Measure 1 and the Mitigation Measures 10-4 through 10-6 in the Rancho Encantada EIR to reduce potential impacts associated with solid waste. This mitigation would require these project components to encourage recycling and the separation of recyclables and to implement a waste reduction program. Thus, impacts would be less than significant with mitigation.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with solid waste or an increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

There would be no Impacts to the Crossing Easements on Figure 3 as the Sycamore Landfill is anticipated to serve the project. With the adherence to regulations set by the state and local jurisdiction, impacts would be less than significant.

Improvements within the Miramar Marine Corps Base

There would be no Impacts to the Miramar Marine Corps Base as the contractor would have a construction waste management plan which includes waste audits and source reduction and recycling goals. The contractor would strive to achieve waste diversion goals of a minimum of 50% of solid waste generated through recycling efforts. In addition construction and demolition debris would be cleared and recycled per the Marine Corp's Solid Waste Management Plan as described in the CATEX Decision Memorandum to meet DoD landfill diversion goals of 605 and all regulated hazardous wastes would be disposed of in a solid waste stream, collected in contractor provided receptables and not in Station dumpsters or roll-offs. In addition, all hazardous resulted wastes would be identified, managed, transported and disposed of in accordance with Title 22 CCR and California Health and Safety Code.

Conclusion

The Sycamore Landfill is anticipated to adequately serve the project. With the adherence to the appliable waste management plans, regulations set by the state and local jurisdiction, and the aforementioned mitigation measure, impacts would be less than significant. The project would have no new or more severe project-specific significant effects related to solid waste regulations beyond what was analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

e) Would the project comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

Previous Documentation

1985 EIR

As discussed in Section 4.19(d), the 1985 EIR concluded that plan implementation would generate significant volumes of solid waste which would require disposal in local landfills. Maximum impact would not occur until the plan was completely built out. As such, the 1985 EIR found this impact would require Public Services and Utilities (Solid Waste) Mitigation Measure 1, which would require the project to encourage recycling and the separation of recyclables.

1988 SEIR

As discussed in Section 4.19(d), the 1988 SEIR found the proposed project would generate additional volumes of solid waste and no problems were foreseen with servicing the SPPC with the proposed project. The 1988 SEIR also found some industrial land uses would generate hazardous waste in quantities and

qualities commensurate with the type of industry. At the cumulative level, the SEIR found that residential development in the area could be expected to generate solid waste at an approximate rate of 1 ton per person each year. These wastes as well as commercial and industry-generated wastes must be collected and removed to area landfills. Additional wastes not accounted for in growth projections used in design of the landfills can shorten the life expectancies of these facilities with current operation methods. The SEIR required mitigation, but even with the implementation of mitigation measures, this impact was considered significant and unavoidable.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The proposed project includes the construction and operation of an unmanned BESS facility and gen-tie line. The project would be operated remotely with the exception of a limited number of personnel during maintenance activities. As such, the project is not anticipated to produce large amounts of solid waste once constructed. The project would deposit all solid waste generated during construction or operation at a permitted solid waste facility. Additionally, the project would adhere to the requirements of AB 939, the Integrated Waste Management Act (Public Resource Code Section 40000 et seq). With compliance with state and local regulations, the project would have less than significant impacts related to solid waste management and reduction statutes and regulations. No new mitigation is required.

Rancho Encantada EIR

The Rancho Encantada EIR found that the Rancho Encantada Precise Plan's residential and institutional uses would generate approximately 4,346 cubic yards of solid waste per year, which would be regarded as a significant cumulative impact on the region's landfill capacity when considered in combination with other existing and proposed development. The waste reduction mitigation measures identified in the EIR would partially reduce the project's cumulative impact, but not to below a level of significance. No mitigation measures were found to be available to eliminate the cumulatively significant impact. To partially mitigate cumulative impacts to landfill capacity, the Sycamore Estates sub-project was required to implement a waste reduction program during construction (Mitigation Measures 10-4 and 10-5). This would require the owner/permittee contact and use businesses that accept post-consumer materials for manufacture and identify the method of transporting materials to either a landfill or reprocessing centers. The owner permittee would also have to identify products to be used in the construction activities that may be made of post-consumer content and a good-faith effort would be made to identify and use readily available products made with post-consumer materials (recycled produce would be comprised of at least 50% recycled materials. Finally, by implementing Mitigation Measure 10-6, the owner/permittee of the Sycamore Estates sub-project was required to provide a plan to educate and inform contractors of the waste management plant's goals of waste reduction and procedures for implementing them in order to make sure contractors achieved the performance levels specified. With the implementation of these mitigation measure, the EIR found that impacts would be less than significant.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project components located in the City of San Diego would deposit all solid waste at the Sycamore Landfill (a permitted facility), and would adhere to the requirements of AB 939. In addition, the project would implement the waste reduction Mitigation Measures 10-4 and 10-5 identified in the Rancho Encantada EIR. With the implementation of these mitigation measures, impacts would be less than significant, and no new mitigation would be required.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with ordinances regarding solid waste or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

The gen-tie project components located in the SDG&E Crossing Easements identified on Figure 3 would deposit all solid waste at Sycamore Landfill (a permitted solid waste facility), would adhere to the requirements of AB 939, impacts would be less than significant with this mitigation.

Improvements within the Miramar Marine Corps Base

There would be no Impacts to Miramar Marine Corps Base as the contractor would have a construction waste management plan which includes waste audits and source reduction and recycling goals consistent with base requirements. The contractor would strive to achieve waste diversion goals of a minimum of 50% of solid waste generated through recycling efforts. In addition construction and demolition debris would be cleared and recycled per the Marine Corp's Solid Waste Management Plan as described in the CATEX Decision Memorandum to meet DoD landfill diversion goals of 605 and all regulated hazardous wastes would be disposed of in a solid waste stream, collected in contractor provided receptables and not in Station dumpsters or roll-offs. In addition, all hazardous regulated wastes would be identified, managed, transported and disposed of in accordance with Title 22 CCR and California Health and Safety Code.

Conclusion

The Sycamore Landfill is anticipated to adequately serve the project and the project would adhere to the requirements of AB 939 and would implement the waste reduction mitigation measures identified in the Rancho Encantada EIR. The project would have no new or more severe project-specific significant effects related to solid waste regulations beyond what was analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

4.20 Wildfire

A Fire Hazard Mitigation and Prevention Plan (FHMPP) dated January 20, 2023, has been prepared by Dudek and is attached as Appendix J.

a) Would the project substantially impair an adopted emergency response plan or emergency evacuation plan?

Previous Documentation

1985 EIR

The 1985 EIR concluded that with several roadways providing access from the plan area to Poway Road, Pomerado Road and Sycamore Canyon, good emergency access was anticipated at buildout because there would be two ways of reaching any point within the plan area. This impact was considered less than significant and no mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Previous Documentation

1985 EIR

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project would implement the emergency notification and evacuation procedures outlined in the project specific FHMPP (Appendix J) in the event of a fire, which augments the facility's Emergency Action Plan by focusing on the project's fire safety and protection measures. The FHMPP also provides a training guide as well as a quick reference for all site staff for recognizing fire hazards, reporting them, and managing them during an emergency during the construction, operation/maintenance, and decommissioning of the project.

During construction, the project would require the temporary partial closures of Paine Street to install the gen-tie line route. Traffic controls of these roadways would not inhibit emergency access to the surrounding areas. These roadways would resume similar to existing conditions upon completion of construction.

As discussed in the FHMPP, the project would provide primary site access and evacuation route off Kirkham Way. The evacuation route would lead to three primary roadways (Stowe Drive, Scripps Poway Parkway, and Spring Canyon Road) before eventually leading to Interstate 15 of SR-56 (Appendix J).

Rancho Encantada EIR

This impact was not identified within the Rancho Encantada EIR. No mitigation was required.

Impacts of the Gen-tie Line in the City of San Diego

The project components located in the City of San Diego are located primarily within street or utility rights-of-way. As discussed above, these project components would require the temporary partial closures of the following roads in the city of San Diego: Green Valley Court and Stonebridge Parkway to install the gen-tie

line route. Traffic control of these roadways would not inhibit emergency access to the surrounding properties and would be subject to uniform development policies including Traffic Control requirements pursuant to SDMC Section 129.0702. These roadways would resume similar to existing conditions upon completion of construction. In addition, the project would implement the emergency notification and evacuation procedures outlined in the project specific FHMPP (Appendix J) during the construction and decommissioning of the gen-tie lines, which would augment the facility's Emergency Action Plan. Once operational, the gen-tie lines would be underground and would not impair emergency and evacuation access. During decommissioning, project elements within the roads would be cut below grade and left in place for perpetuity or pulled out from the existing point of entry via existing vaults, so emergency access would not be impacted.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with an emergency response plan or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

Temporary closure of any roadways within the SDG&E Crossing Easements identified on Figure 3 would not inhibit emergency access to the surrounding properties and would be subject to uniform development policies including Traffic Control requirements pursuant to SDMC Section 129.0702. These roadways would resume similar to existing conditions upon completion of construction. In addition, the improvements in these easements would implement the emergency notification and evacuation procedures outlined in the project specific FHMPP (Appendix J) during the construction and decommissioning of the gen-tie lines, which would augment the project's Emergency Action Plan. Once operational, the gen-tie lines would be underground and would not impair emergency and evacuation access.

Improvements within the Miramar Marine Corps Base

There are no impacts to the Miramar Marine Corps Base, as site access to the parcels would remain unchanged; therefore, existing emergency access would not be affected. There would be no impacts to the Miramar Marine Corps Base as improvements within the base would not impair an adopted emergency response plan or emergency evacuation plan.

Conclusion

The project would implement the emergency notification and evacuation procedures outlined in the project specific FHMPP (Appendix J) in the event of a fire, which augments the facility's Emergency Action Plan by focusing on the project's fire safety and protection measures. In addition, the temporary roadway closures required during construction would not substantially impair emergency and evacuation access. These roadways would resume similar to existing conditions upon completion of construction. Additionally, the project would include an evacuation route from the project site in the event of an emergency. Impacts would be less than significant. The project would have no new or more severe project-specific significant effects related to emergency response plan or evacuation plan beyond what was analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows

the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

b) Due to slope, prevailing winds, and other factors, would the project exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

Previous Documentation

1985 EIR

The 1985 EIR identifies a potential impact relating to increased hazards from brush fire. Public Services and Utilities (Fire Protection) Mitigation Measure 7 requires the project to adhere to City Uniform Fire Codes and Building Codes. With the implementation of this mitigation measure the project would be mitigated to less than significant.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project would be subject to compliance with existing federal, state, and local regulations for health and safety and would adhere to uniformly adopted policies and standards in the form of the 2019 California Fire Code. Also, due to the project site's location within a VFHSZ, wildfire ignition represents a potentially significant impact to the environment and surrounding development. The wildfire hazard in the area includes the unmaintained natural vegetation areas adjacent to the site. The project conducted a fire hazard assessment and recognized the potential hazard. Based on the hazard, specific measures were prescribed to address each identified hazard through tested and proven methods. Among the code-exceeding measures are fuel modification zones that are more than twice the required 100 feet widths (260-feet). These buffers set the project site back from the nearest unmaintained, natural vegetation a significant distance that would, on its own, minimize the potential for an on-site ignition moving off-site. However, in addition to the wide buffers, a 12-foot-tall pre-cast concrete firewall will enclose the site, presenting a vertical barrier that is approximately 3 feet taller than the battery containers. These walls provide a heat, flame and ember deflecting/trapping barrier that are used throughout California for BESS project fire mitigation. The potential for a fire ignition from the battery technology that will be used at this site is very low, in fact, tests that attempted to stress the batteries into an ignition were unsuccessful and the batteries would not result in flames. The battery technology for the project has improved on previous technologies where fires have occurred at other BESS sites. The project would use Lithium Iron Phosphate technology, which is much more stable than that of older battery systems. Additionally, the codes and standards required by the NFPA and CFC, all of which have safety at the forefront, would help ensure the newer battery technology is much safer than previous facilities. The battery storage would contain a safety system that would include a fire detection and suppression control system that would be triggered automatically when the system senses imminent fire danger. The fire suppression system inside each

enclosure would shut down the unit if any hazard indicators are detected, The FHMPP prepared for the project (Appendix J) includes current best practices for fire safety and prevention that will be implemented during the construction, operation/maintenance and decommissioning phases of the project. The FHMPP clearly defines protocols and procedures for reducing wildland fire risk and maintaining a fire safe project site by analyzing and modeling fire behavior, fire risk, and off-site fire hazard potential. The FHMPP then provides fire prevention measures, construction emergency notification procedures, potential evacuation routes, fire safety standards emergency access/egress and vegetation management and defensible space. The project will be subject to these measures during all phases of the project, which will help prevent the uncontrolled spread of wildfire. Prior to operations, the project proponent would meet with the appropriate local fire departments to provide a tour of the site, including review of access points and major and project components; review the site's emergency response plan; and educate and train first responders with regard to any specific safety concerns related to the use of battery storage components and the safety systems in place. The project would adhere to applicable requirements set forth by the 2023 California Fire Code. Furthermore, municipal water supply would be extended to the project for fire protection and may be utilized to help fight any potential fires in the project vicinity originated outside of the property Thus, no new or more severe impacts to wildfire would occur beyond what was already analyzed in the 1985 EIR or its SEIRs.

Rancho Encantada EIR

The 2001 Rancho Encantada EIR stated that a Brush Management Program would be required by Section 6 of the City of San Diego Landscape Technical Manual and Appendix HA of the Uniform Fire Code to reduce the risk of wildfire while minimizing visual, biological, and erosion impacts to natural areas. Figure 3-16, Sycamore Estates PRD Brush Management Program, of the 2001 Rancho Encantada EIR depicted the proposed brush management program for the Sycamore Estates subproject. Brush management was required along all development boundaries where structures would be located adjacent to natural open space. In these areas, a combination of two brush management zones were required. Zone 1 would consist of hardscape or permanently irrigated vegetation and would be accommodated on the development pads and outside of the MHPA. Zone 2 would consist of the selective thinning and pruning of the native plants. Vegetation clearing was to be conducted consistent with City standards to avoid/minimize impacts to sensitive species to the maximum extent possible. Regardless of ownership, brush management in Zone 2 would be the responsibility of a property owners association or another private party. Thus, no impacts were identified and no mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project components located in the City of San Diego are located primarily within street or utility rights-of-way and it is not anticipated that the project would exacerbate fire risk, since electrical cables and telecommunications would be undergrounded, and pavement of the project site would serve as a fuel break. In addition, the components in this area would comply with the 2019 California Fire Code and design standards of the CBC and the FHMPP prepared for the project, which would further reduce potential impacts.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with uncontrolled spread of wildfire or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

The gen-tie project components located within the SDG&E Crossing Easements identified on Figure 3 would be located within street or utility rights-of-way and it is not anticipated that the improvements would exacerbate fire risk, since electrical cables and telecommunications would be undergrounded, and pavement of the SDG&E parcels would serve as a fuel break. In addition, the components in this area would comply with the 2019 California Fire Code and design standards of the CBC and the FHMPP prepared for the project, which would further reduce potential impacts.

Improvements within the Miramar Marine Corps

The gen-tie project components located within the Miramar Marine Corps Base would be located primarily within street or utility rights-of-way and pose a low probability that project implementation would exacerbate fire risk. It is not anticipated that the project would expose people or structures to risk, since electrical cables and telecommunications would be undergrounded. In addition, the components in this area would comply with the 2019 California Fire Code and design standards of the CBC.

Conclusion

As discussed above, the project would include safety features to reduce potential impacts associated with fires in accordance with Public Services and Utilities (Fire Protection) Mitigation Measure 7 and the best practices of the FHMPP. Additionally, the adherence to the 2023 California Fire Code and the implementation of fire safety best practices would ensure that impacts would be less than significant. The project would have no new or more severe project-specific significant effects related to wildfire beyond what was analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

c) Would the project require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?

Previous Documentation

1985 EIR

This impact was not identified within the South Poway Planned Community Development Plan EIR. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

The project would include current best practices for fire safety. The project would be operated remotely with no permanent on-site operations and maintenance personnel, and no occupied buildings or habitable structures. The project site would be fully enclosed and would not be open to the public. An alarm signal would be set off if potentially hazardous temperatures or other conditions such as short circuits, over voltage or under voltage, are detected. The FHMPP prepared for the project (Appendix J) includes current best practices for fire safety and prevention that will be implemented during the construction, operation/maintenance, and decommissioning phases of the project. The FHMPP clearly defines protocols and procedures for reducing wildland fire risk and maintaining a fire safe project site by analyzing and modeling fire behavior, fire risk, and off-site fire hazard potential. The FHMPP then provides fire prevention measures, construction emergency notification procedures, potential evacuation routes, fire safety standards emergency access/egress and vegetation management and defensible space. The project will be subject to these measures during all phases of the project, which will help prevent the uncontrolled spread of wildfire. The BESS facility would be subject to compliance with existing federal, state, and local regulations for health and safety, the battery storage would contain a safety system that would include a fire detection and suppression control system that would be triggered automatically when the system senses imminent fire danger, and the fire suppression system inside each enclosure would shut down the unit if any hazard indicators are detected. The project would use a BESS that is NFPA 855 Code compliant and UL certified and that includes built-in failsafe and cooling systems designed to prevent thermal runaway and the spread of fire, in the unlikely scenario that an accidental fire occurs. In addition, measures will included such as fuel modification zones, perimeter wall and placement of hydrants onsite that would provide further measures to mitigate a fire incident. In addition, the project would comply with all applicable requirements of the City of Poway Fire Code (Poway Municipal Code Title 15, Chapter 15.24) and the California Fire Code. Accordingly, it is not anticipated that the project would exacerbate fire risk, since electrical cables and telecommunications would be undergrounded, and pavement of the project site would serve as a fuel break together with designated Fuel Management Zones consistent with applicable fire regulations. Therefore, impacts would be less than significant.

Rancho Encantada EIR

The 2001 Rancho Encantada EIR stated that a Brush Management Program would be required by Section 6 of the City of San Diego Landscape Technical Manual and Appendix HA of the Uniform Fire Code to reduce the risk of wildfire while minimizing visual, biological, and erosion impacts to natural areas. Figure 3-16, Sycamore Estates PRD Brush Management Program, of the 2001 Rancho Encantada EIR depicted the proposed brush management program for the Sycamore Estates subproject. Brush management was required along all development boundaries where structures would be located adjacent to natural open space. In these areas, a combination of two brush management zones were required. Zone 1 would consist of hardscape or permanently irrigated vegetation and would be accommodated on the development pads and outside of the MHPA. Zone 2 would consist of the selective thinning and pruning of the native plants. Vegetation clearing was to be conducted consistent with City standards to avoid/minimize impacts to sensitive species to the maximum extent possible. Regardless of ownership, brush management in Zone 2 would be the responsibility of a property owners association or another private party. Thus, with the implementation of the Brush Management Program, no impacts were identified and no mitigation was required.

Impacts of the Gen-Tie Line Components Located in the City of San Diego

The project would be subject to the best practices identified in the FHMPP during construction of the gen-tie lines. The fire prevention measures, construction emergency notification procedures, potential evacuation routes, fire safety standards emergency access/egress and vegetation management and defensible space measures would reduce wildfire risk and maintain a fire safe site around the gen-tie lines. The project would be subject to these measures during all phases of the project, which would lessen fire risk. Once operational, the gen-tie line components located in the City of San Diego would be located primarily within street or utility rights-of-way and it is not anticipated that the project would exacerbate fire risk, since electrical cables and telecommunications would be undergrounded, and pavement of the project site would serve as a fuel break. In addition, the components in this area would comply with the 2023 California Fire Code and design standards of the CBC.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with infrastructure that may exacerbate wildfire risk or a substantial increase in the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

The gen-tie project components located in the SDG&E Crossing Easements identified on Figure 3 would be subject to the best practices identified in the FHMPP during construction of the gen-tie lines. The fire prevention measures, construction emergency notification procedures, potential evacuation routes, fire safety standards emergency access/egress and vegetation management and defensible space measures would reduce wildfire risk and maintain a fire safe site around the gen-tie lines. The improvements would be subject to these measures during construction and operation, which will lessen fire risk. Once operational, the gen-tie line components located in the SDG&E parcels would be located within street or utility rights-of-way and it is not anticipated that the project would exacerbate fire risk, since electrical cables and telecommunications would be undergrounded,. In addition, the components in this area would comply with the 2019 California Fire Code and design standards of the CBC.

Improvements within the Miramar Marine Corps Base

The gen-tie project components located in the Miramar Marine Corps Base would be located primarily within existing base roads and pose a low probability that project implementation would exacerbate fire risk. It is not anticipated that the project would expose people or structures to risk, since electrical cables and telecommunications would be undergrounded. In addition, the components in this area would comply with the 2019 California Fire Code and design standards of the CBC.

Conclusion

The project would include measures such as an alarm signal and best practices for fire safety in accordance with the project specific FHMPP (Appendix J) and uniformly applicable development standards relating to fire safety. Thus, implementation of the project would not exacerbate fire risk and impacts would be less than significant. The project would have no new or more severe project-specific significant effects related to fire risk beyond what was analyzed as significant effects in the 1985 EIR and its SEIRs, the Rancho

Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

d) Would the project expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

Previous Documentation

1985 EIR

This impact was not identified within the 1985 EIR. No mitigation was required.

1988 SEIR

This impact was not identified within the 1988 SEIR. No mitigation was required.

1990 SEIR

This impact was not identified within the 1990 SEIR. No mitigation was required.

Impacts of the Nighthawk BESS Facility and Gen-Tie Line/Substation in the City of Poway

Under existing conditions, the project site is undeveloped, disturbed land. Upon completion of construction, the project would increase the amount of impervious surfaces on the project site and alter the existing on-site drainage pattern. However, the project site is not located within a special flood or landslide area. Although located in a Very High Fire Zone, the project would comply with the 2019 California Fire Code and design standards of the CBC and comply with the FHMMP. Additionally, the project would include the construction of the BESS facility and would not include habitable structures. Thus, the project would not expose people or structures to a significant risk, including downslopes or downstream flooding or landslides, as a result of runoff, post-fire instability, or drainage changes.

Rancho Encantada EIR

This impact was not identified within the Rancho Encantada EIR. No mitigation was required.

Impact of the Gen-Tie Line Component in the City of San Diego

The gen-tie project components located in the City of San Diego are located primarily within street or utility rights-of-way and pose a low probability that project implementation would result in runoff, post-fire slope instability, or drainage changes that would expose people or structures to significant risks like flooding. It is not anticipated that the project would expose people or structures to risk, since electrical cables and telecommunications would be undergrounded. In addition, the components in this area would comply with the 2019 California Fire Code and design standards of the CBC.

Based on the foregoing analysis and information, there is no evidence that implementation of the project would require a major change to the Rancho Encantada EIR. The project would not result in any new significant impacts associated with hazards associated with wildfires or increase the severity of impacts from those described in the EIR.

Improvements within the SDG&E Crossing Easements

The project components located in the SDG&E Crossing Easements identified on Figure 3 would be located primarily within street or utility rights-of-way and pose a low probability that project implementation would result in runoff, post-fire slope instability, or drainage changes that would expose people or structures to significant risks like flooding. It is not anticipated that the gen-tie line components on either crossing easement would expose people or structures to risk, since electrical cables and telecommunications would be undergrounded. In addition, the components in this area would comply with the 2019 California Fire Code and design standards of the CBC.

Improvements within the Miramar Marine Corps Base

The project components located in Miramar Marine Corps Base would be located primarily within existing base roads and pose a low probability that project implementation would result in runoff, post-fire slope instability, or drainage changes that would expose people or structures to significant risks like flooding. It is not anticipated that the project would expose people or structures to risk, since electrical cables and telecommunications would be undergrounded. In addition, the components in this area would comply with the 2019 California Fire Code and design standards of the CBC.

Conclusion

As discussed above, the project would comply with the requirements of the 2019 California Fire Code and design standards of the CBC. Impacts would be less than significant. The project would have no new or more severe project-specific significant effects related to post-fire instability beyond what was analyzed as significant effects in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. In addition, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

4.21 Mandatory Findings of Significance

a) ***Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?***

As discussed in Section 4.4, Biological Resources, the project would not result in significant impacts to biological resources. The project would implement Biological Resources Mitigation Measures 4 and 5 of the 1985 EIR; BMPs 1 and 2, and Mitigation Measures BIO-1 and BIO-2 of the Poway Biological Resources Technical Report (Appendix B), and would implement the recommendations in compliance with the City of

Poway HCP. In addition, the project would implement measures SD-BIO-1, SD-BIO-2, SD-BIO-3, SD-BIO-4, SD-BIO-5, and SD-BIO-6 of the San Diego Biological Resources Technical Report (Appendix D) and would implement the recommendations in compliance with the City of San Diego Land Development Code Biology Guidelines, the Final MSCP Subarea Plan and Environmental Sensitive Lands regulations.

To reduce potential impacts to cultural resources, the project would incorporate Cultural Resources Mitigation Measures 8 and 9 of the 1985 EIR. The project would also comply with uniformly applicable development policies and standards previously adopted by the City of San Diego requiring archaeological and paleontological monitoring during construction activities, and state law relating to preservation of Native American remains and artifacts.

Overall, with the incorporation of the applicable mitigation measures, impacts would be less than significant. With the implementation of mitigation measures as identified in this memorandum, the project would have no project-specific significant effects related to degradation of the environment beyond those analyzed in the 1985 EIR and its SEIR, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

b) Does the project have impacts that are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.)

Given the nature of the project, potential cumulative impacts could occur during the temporary construction work if other cumulative projects occur in the same timeframe. The project is located within undeveloped, vacant land within the City of Poway and street or utility rights-of-way in the City of San Diego and Miramar Marine Corps Base. Due to the project's location, the potential for construction to overlap with construction of other projects would be reduced. Currently, there is no substantial evidence that the project's incremental effects in connection with the effects of other closely related past projects, other current projects and probable future projects. Additionally, the project, as with potential cumulative projects, would incorporate mitigation measures to reduce impacts, as applicable. Upon completion of construction, the project would have no potential to contribute to a cumulative impact. Impacts would be less than significant with incorporation of mitigation measures and the project would have no project-specific significant effects related to cumulative effects beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?

The potential for adverse direct or indirect impacts to human beings was considered throughout Chapter 4 of this memorandum, including air quality (Section 4.3), hazards and hazardous materials (Section 4.9), and noise (Section 4.13). Based on this evaluation, there is no substantial evidence that construction or operation of the project with the mitigation measures incorporated would result in a substantial adverse

effect on human beings. Impacts would be less than significant with incorporation of mitigation measures. With the implementation of mitigation measures as identified in this memorandum, the project would have no project-specific significant effects related to adverse effects on human beings beyond those analyzed in the 1985 EIR and its SEIRs, the Rancho Encantada EIR and the CATEX Decision Memorandum. Also, there is no new information of substantial importance, which was not known and could not have been known that shows the project would have new significant impacts or impacts that would be more severe than those discussed in the prior EIRs. Thus, a subsequent EIR is not required.

5 References and Preparers

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5.2 List of Preparers

Dudek

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Archaeologist	Jessica Colston

SOURCE: Power Engineering 2022; Arevon 2023; SANGIS 2023, 2024

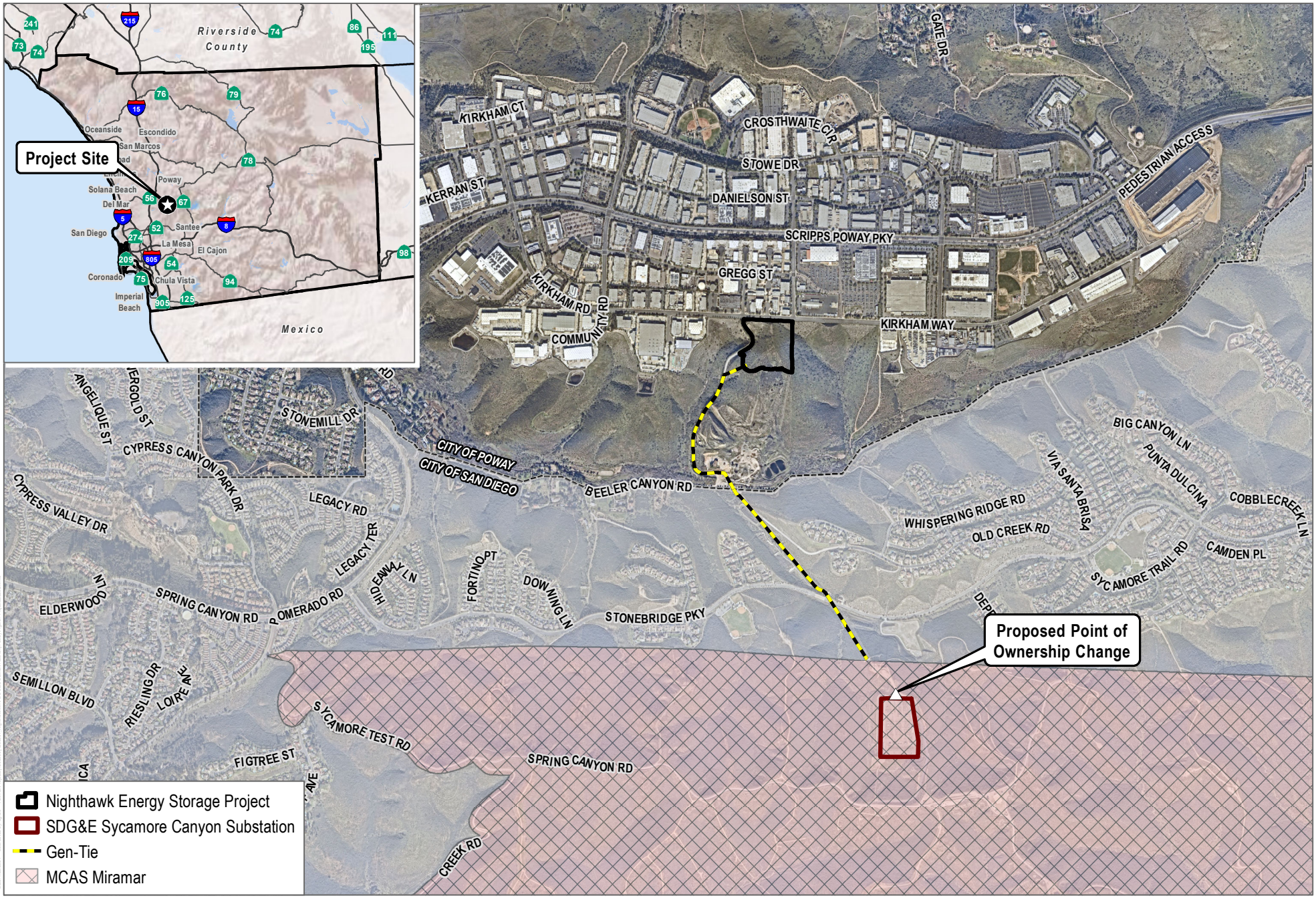
DUDEK

0 250 500 Feet

FIGURE 1

Project Location

Nighthawk Energy Storage Project



SOURCE: Power Engineering 2022; Arevon 2023; SANGIS 2020, 2024

DUDEK

0 1,000 2,000 Feet

FIGURE 2

Gen-tie Line Route

Nighthawk Energy Storage Project

SOURCE: SANGIS 2023, 2024

DUDEK

0 250 500 Feet

FIGURE 3

Location of SDG&E Crossing Easements

Nighthawk Addendum