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Lawsuit seeks to block accelerated utility  
undergrounding in San Diego



Photo by Charlie Neuman/San Diego Union-Tribune/©2016 San Diego Union-Tribune, LLC (Charlie Neuman/San Diego Union-Tribune)

A Kensington resident has sued to block San Diego's plan to speed up efforts to bury utility lines across the city, after years of delays and controversy.

The lawsuit claims San Diego fails to properly analyze the potential impact on neighborhood ambiance, heritage trees and historical buildings when the city approves utility undergrounding projects.

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The suit, filed by Maggie McCann, also contends the city's approval process doesn't properly inform residents about the scope of the work, failing to say that it goes beyond burying the lines to include installing cement pads and large above-ground utility boxes.

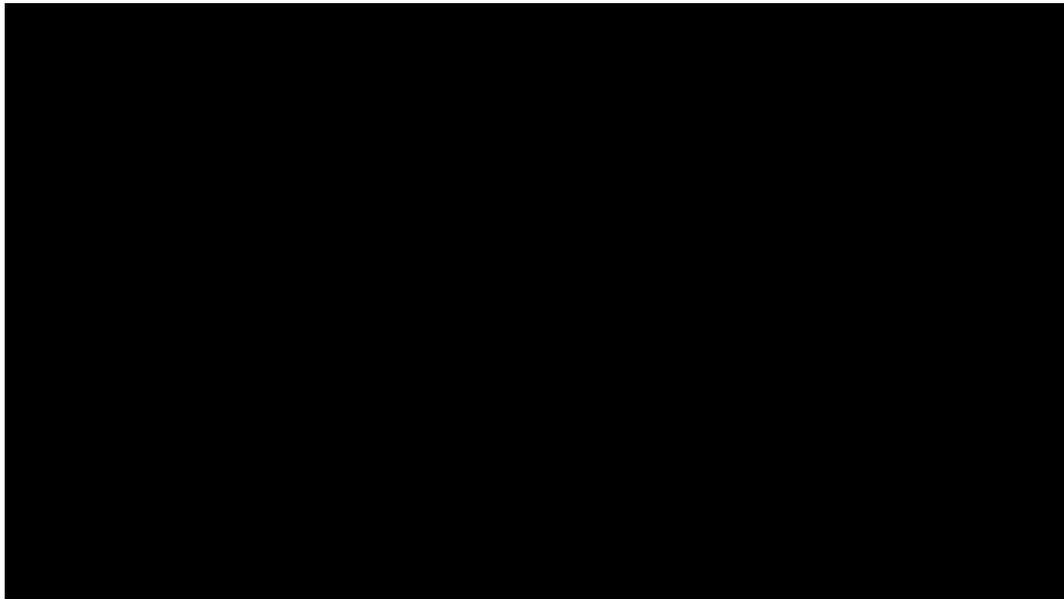
The litigation, which seeks an injunction, comes shortly after the City Council approved \$250 million in undergrounding projects this winter for 17 neighborhoods, including Kensington.

The city announced last year a plan to accelerate undergrounding by shrinking the size of each project to boost efficiency and by creating more accurate schedules so neighborhoods know when to expect such work.

City officials say they hope to double the number of projects they tackle each year, to more effectively spend the 3.5 percent surcharges they've been collecting from

ratepayers since 2003 to cover the work.

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San Diego's utility undergrounding account has accumulated more than \$150 million in reserves, as rising utility bills and population growth have increased the amount raised each year from \$30 million to \$60 million.

The city has buried 428 miles of power lines since the project began in 1970, but 1,250 miles remain to be buried.

Neighborhoods generally embrace undergrounding projects because they boost aesthetics, increase property values, reduce fire risk and ease the maintenance of utility wires.

Some neighborhoods, however, have rebelled against undergrounding because of construction hassles, the city's struggle to stick to schedules and the utility boxes. The main complaints are that the utility boxes often get placed in the middle of sidewalks, where they reduce walkability and sometimes become magnets for graffiti.

McCann's lawsuit, filed in early March, says she does not oppose undergrounding, but the city needs to improve the process so neighborhoods are better informed about the scope of the work. The suit says better information would give residents a

chance to provide worthwhile feedback before projects begin, which could help reduce negative impacts on neighborhoods.

For each project, the city declares itself exempt from the requirement to analyze potential impacts under the California Environmental Quality Act.

McCann's suit says that's illegal, because the exemption declarations indicate the projects only include burying utility lines, making no mention of the trenching work, installation of utility boxes and other work related to cable and internet lines.

That additional work may impact neighborhood aesthetics, character, trees and historical houses, the lawsuit says.

During a City Council hearing in January on some undergrounding projects, residents said they want to know which trees will be removed and where utility boxes would be located.

City officials say their new approach boosts public participation. The plan is to gather input from the community during the design stage of each project, which begins after the council approves the money and the boundaries.

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The revamped approach also calls for projects to more closely follow San Diego Gas & Electric's circuitry to avoid the fate of Sherman Heights, where undergrounding was completed years ago but utility poles remain in place to serve other parts of the electric grid.

The city also has begun using community or neighborhood names for each project, replacing the practice of using numbers and letters to identify projects.

The lawsuit has been assigned to Superior Court Judge Timothy Taylor. An Aug. 9 case management conference was scheduled.

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David Garrick



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David Garrick has covered San Diego City Hall since early 2014 for The San Diego Union-Tribune. Before that, he covered North County for 16 years for the Union-Tribune, North County Times and Pomerado Newspapers. Garrick graduated from Coronado High School and UC Berkeley and received a master's in journalism from New York University. He spent his early newspaper career in New York City.

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