Comment Set PG

J. Wesley Skow
Direct Dial: (415) 395-8059

505 Montgomery Street, Suite 1900
San Francisco, California 94111-2562
Tel: (415) 391-0600 Fax: (415) 395-8095
www.lw.com

LATHAM & WATKINS LLP

File No. 023907-0037

September 5, 2003

Billie C. Blanchard, CPUC
c/o Aspen Environmental Group
235 Montgomery Street, Suite 935
San Francisco, CA 94104

Re: Comments of Pacific Gas and Electric Company on Draft Environmental Impact Report for Jefferson-Martin 230 kV Transmission Project (A-02-09-043)

Dear Ms. Blanchard:

On behalf of Pacific Gas and Electric Company ("PG&E"), we submit these comments on the Draft Environmental Impact Report ("DEIR") prepared by the California Public Utilities Commission ("Commission" or "CPUC") for the Jefferson-Martin 230 kV Transmission Project ("Jefferson-Martin Project" or "Project").

I. PG&E SUPPORTS UNDERGROUND ROUTE OPTION 1B AS THE ENVIRONMENTALLY SUPERIOR ROUTE IN THE SOUTHERN SEGMENT

PG-1

In selecting PG&E Underground Route Option 1B ("Route Option 1B") as the environmentally superior alternative for the southern segment of the project, the Commission successfully addressed the vast majority of community concerns raised about the proposed overhead route in this area. The CPUC's desire to be responsive to public input is understandable. While PG&E believes that its proposed route in the southern segment ("Route Option 1A") is the better overall routing option and raises fewer environmental impacts,[1] PG&E can support the Commission's selection of Route Option 1B as the preferred route in this segment.

It is important, however, for the Commission to recognize the significant additional financial burden that Route Option 1B will place on California ratepayers. As set forth in PG&E's written comments, dated March 7, 2003, submitted during the CEQA scoping process, Route Option 1B would result in over $35 million in additional costs when compared with PG&E's proposed Route Option 1A. The projected cost of Route Option 1A is $180,705,734, while the cost of Route Option 1B is estimated to be $216,136,327. This increase in costs

1 As described in the Proponent's Environmental Assessment ("PEA") prepared by PG&E, Route Option 1A, by simply proposing replacement of existing transmission towers in largely the same locations, raises fewer environmental impacts than a new utility corridor even when located in existing roads.

Comment Set PG, cont.

represents a significant additional burden on ratepayers in order to address community preferences. PG-1

A. Route Option 1B Is the Only Alternative to the Proposed Project in the Southern Segment That Meets the Project Objectives PG-2

Route Option 1B is the only alternative route for the southern segment that serves the purpose and need of the Project by fulfilling its basic objectives. The other alternative route in the southern segment – the Partial Underground Alternative ("PUA") – fails to meet these objectives, and therefore is not a true project alternative. Only alternatives that "could feasibly attain most of the basic objectives of the project" should be considered in an EIR. *See* CEQA Guidelines §15126.6. These project objectives are defined by the applicant and set forth below. Because only Route Option 1B, and not the PUA, would allow completion of the Project during the required timeline, it is the only legally supportable project alternative in the southern segment.

In the Proponent's Environmental Assessment submitted as part of its application for a certificate of public convenience and necessity ("CPCN"), PG&E outlined the purpose and need of the Jefferson-Martin Project including its basic project objectives. These project objectives are to:

- ensure that the electric system includes adequate capacity to safely and reliably serve the San Francisco and the north of San Mateo County area;
- comply with safety and reliability criteria of the California Independent System Operator ("ISO")and the North American Electric Reliability Council;
- create a more diverse and therefore reliable transmission system in the north of San Mateo County area; and
- implement the ISO Board of Governors' April 2002 Resolution approving the Jefferson-Martin Project for addition to the ISO-controlled grid.

(PEA at 2-5; *see also* DEIR at A-3.) The PEA makes clear that the timing of the Jefferson-Martin Project is a critical component of its purpose and need. It states that completion of the Project by September 2005 is necessary "in order to meet the basic Project objectives listed above, thereby ensuring an adequate level of electric supply and transmission system reliability in the north of San Mateo County area." (PEA at 2-5.) Under the majority of future planning scenarios analyzed in the PEA, including all scenarios involving the most likely generation forecast, the Jefferson-Martin Project must be completed by September 2005 or Summer 2006 in order to meet applicable planning criteria. As the ISO Board of Governors concluded, the Project should be constructed in time to meet demand and avoid outages under all reasonably likely scenarios.[2] In order to comply with this finding, the Project must be completed by September 2005. PG-3

[2] At the Pre-Hearing Conference on the Jefferson-Martin Project, Jean Sole, representing the ISO, confirmed the importance of the Project and its timing. She stated that it is "of

Comment Set PG, cont.

In the PEA, PG&E determined that Route Option 1B was feasible and would meet the purpose and need of the Project. (PEA at 3-10.) PG&E has studied the technical feasibility of this route option and has concluded it is possible to complete construction of this route by September 2005. As discussed specifically below, the Partial Underground Alternative raises significant land use and biological impacts which would likely extend the construction schedule and Project timeline beyond Summer 2006, resulting in violations of applicable planning criteria, putting the reliability of the transmission system for northern San Mateo and San Francisco Counties at risk and ensuring that the basic objectives of the Jefferson-Martin Project would not be met. (*See infra* at p. 5-6.) Because it is the only project alternative in the southern segment that meets the Project's purpose and need, Route Option 1B offers the only substitute to Route Option 1A that complies with CEQA.

PG-3

B. Selection of Route Option 1B as the Environmentally Preferred Alternative for the Southern Segment Was Reasonable and Is Supported by Substantial Evidence

PG-4

While PG&E believes that its proposed route, Route Option 1A, would also be environmentally sound, the Commission's conclusion that Route Option 1B is the environmentally superior route alternative for the Proposed Project's southern segment is reasonable and supported by the administrative record. In fact, the DEIR determined that Route Option 1B would only raise two Class I impacts, both associated with a permanent overhead crossing of San Mateo Creek. The DEIR found that the overhead crossing created Class I visual impacts and Class I recreation/operation-related impacts that would "create a permanent degradation of the recreational experience at Crystal Springs Dam and along the Cañada Road Bikeway." (DEIR at D.9-23.) Despite these impacts, the DEIR concluded that any configuration of Route Option 1B offered the preferred route for visual impacts when compared with the PUA or the Proposed Project. (DEIR at ES-54.) The DEIR selected Route Option 1B as the environmentally preferred route along the southern segment. (DEIR at ES-53.)

Route Option 1B provides a reasonable and environmentally sound approach for constructing the Jefferson-Martin Project in the southern segment, which PG&E supports. As discussed below, PG&E believes this approach can be improved upon through the use of two options, identified in the DEIR, for crossing San Mateo Creek, which would eliminate any visual or cultural impacts without producing additional environmental impacts. Moreover, PG&E suggests below additional mitigation measures for the permanent overhead crossing proposed by the CPUC staff in order to minimize the visual impacts identified in the DEIR as to this crossing of San Mateo Creek.

Even in the absence of these alternate crossing options, PG&E agrees with the conclusion in the DEIR that the Project can be constructed through the use of the permanent overhead crossing of San Mateo Creek.

---

tremendous importance" that the project be constructed by 2005. *See* Pre-Hearing Conference Transcript, Jefferson-Martin Project at 14 (Jan. 10, 2003).

Comment Set PG, cont.

C. The "Top of the Dam" and the "Face of the Dam" Options Offer Better Approaches for Crossing San Mateo Creek Than Other Options While Mitigating the Impacts Identified in the DEIR; These Options Should Be Incorporated Into Route Option 1B

PG-5

PG&E believes that two additional options for crossing San Mateo Creek identified in the DEIR – the "top of the dam" option and the "face of the dam" option – offer sound technical solutions for avoiding the impacts identified for the permanent overhead crossing. These two options should be designated as viable approaches for implementing Route Option 1B.

As part of the scoping process for the DEIR, PG&E proposed five options for accomplishing this crossing, including attaching the cable to the face of the dam, submerging the cable onto the lakebed, cutting a trenched duct bank into the top of the dam, and two options for temporarily crossing the Creek with overhead transmission lines. The DEIR Alternative Screening Report determined that the top of the dam, the face of the dam, the underwater cable, and the new permanent overhead crossings were all technically feasible. (DEIR at Ap. 1-34.) It identified potential environmental impacts with the overhead crossing (visual and recreational), the top of the dam (biological and cultural), face of the dam (biological and cultural) and the underwater cable (biological and water quality) options.

After further field review, PG&E has concluded that the top of the dam and the face of the dam options are safer, easier, present fewer environmental risks, and are less expensive approaches for crossing San Mateo Creek than the other alternatives to the overhead crossing. As described more fully in the attached technical memoranda, these two options can be performed without significant impacts to biological and recreational resources, while maintaining the historic appearance and character of the dam.

Any biological impacts to the California red-legged frog ("CRLF") could be avoided under both options by implementing a number of impact avoidance and mitigation measures recommended by CRLF expert Dr. Sam McGinnis, the key element of which focuses on undertaking construction activities during December and January when frog populations vacate the top of the dam in favor of upland habitat. (*See* Attachment B.) Since the CRLF is a federally-listed species, consultation with the Fish and Wildlife Service could be required under the Endangered Species Act, and any associated measures would be adopted to mitigate the potential impact on the frog to less than significant levels, resulting in at most a Class II impact.

Other potential issues similarly are less than significant and resolvable. Based on current information from San Mateo County, these two alternatives are not expected to conflict with the future reconstruction of the bridge. In addition, the visual and historic character of the dam would not be compromised by these approaches. Under the face of the dam option the cable would remain below the minimum seasonal water level thus avoiding visual and cultural impacts. (*See* Attachment C.) In the case of the top of the dam option, culturally sensitive construction methods would be performed and the top of the dam would be refinished and otherwise restored to pre-construction conditions. While additional coordination with SFPUC

Comment Set PG, cont.

will be necessary, during two months of consultations on these options the SFPUC has not identified any way in which these options conflict with its planned spillway modifications or dam operations. Finally, PG&E has discussed this option with the California Division of Dam Safety which stated by a letter, dated August 27, 2003, that the top-of-the-dam option would be satisfactory. (*See* Attachment E.)

PG-5

While initially recommended by PG&E and recognized in the DEIR as technically feasible, the underwater crossing option raises additional technical and environmental issues not associated with the other two options. First, PG&E believes that entering and exiting the reservoir through a directional bore may be technically infeasible. These concerns are based on the extreme entry angle that would be necessary for the bore as a result of the depth needed to enter the reservoir and the proximity of the access road to the shoreline. Moreover, the use of a directional bore or trenching would likely result in substantial water quality and related environmental impacts. These potential environmental impacts and technical feasibility issues are developed in greater detail in a technical memorandum attached to these comments as Attachment T.

PG-6

D. New Mitigation Measures for the Proposed Overhead Crossing of San Mateo Creek Would Further Reduce Any Visual Impacts

PG-7

PG&E suggests these additional mitigation measures for the permanent overhead crossing proposed by the CPUC staff that would minimize the visual impacts identified in the DEIR as to this crossing of San Mateo Creek.

As a threshold matter, the CPUC's proposed overhead crossing of Crystal Springs Dam cannot be constructed as indicated in the DEIR. (DEIR at Figure Ap. 1-2b.) Because of the topography and span distance, an additional tower would be required west of I-280 north of San Mateo Creek, between Tower 7/39 and the proposed transition structure on Crystal Springs Road. This additional tower would add to the visual impact of the CPUC's proposed overhead crossing.

PG&E proposes the following changes to the CPUC staff's overhead crossing of San Mateo Creek that would mitigate most of the visual impacts of this crossing option. Starting from the south end along Skyline Boulevard west of I-280, approximately 500 feet north of Bunker Hill Drive, bore under I-280 to Hillsdale Junction Switching Station, then follow the CPUC overhead crossing (identical to Route 1A in this location) to Tower 6/38 north of Crystal Springs Road. From this tower, the 230 kV line would connect to a transition structure next to Crystal Springs Road on the east side of I-280. The line would then continue underground up Crystal Springs Road to rejoin Route Option 1B. Because of the steep hillside and lack of access to Tower 6/38, that tower cannot itself be replaced with a transition structure. Instead, a transition structure could be installed closer to Crystal Springs Road, allowing the line to then continue underground to rejoin Route Option 1B. This new transition structure would be removed from the main views from I-280 and trails. Visual impacts due to this new structure would not be significant given the hillside and vegetative backdrops.

Comment Set PG, cont.

III. THE PARTIAL UNDERGROUND ALTERNATIVE SHOULD BE REJECTED AS INFEASIBLE

The DEIR correctly determined that Route Option 1B is an environmentally superior alternative to the Partial Underground Alternative ("PUA") in the southern segment. Nonetheless, the analysis of the PUA in the DEIR was improper and inadequate for three primary reasons. First and foremost, full analysis of the PUA is inconsistent with CEQA and federal constitutional law because it improperly authorizes the relocation of the existing 60 kV line and it would not fulfill the basic project objectives. Second, the DEIR fails to adequately analyze the full spectrum of environmental impacts raised by the PUA. Finally, the DEIR wrongly intimates that the impacts resulting from the PUA are substantially similar to those raised by Route Option 1B, which is in fact far superior to the PUA in virtually every resource category. For these reasons the PUA should be rejected as a project alternative.

A. The Decision to Analyze the Partial Underground Alternative in the DEIR Is Inconsistent with the Requirements of CEQA and with the Decision to Eliminate the "Route Option 1B with Undergrounding the 60 kV Line" Alternative From Further Consideration

PG-8

As a threshold matter, the DEIR should never have fully evaluated the PUA. Analyzing the PUA in the DEIR is inconsistent with the requirements of CEQA and with the DEIR's proper determination to eliminate the "Route Option 1B with Undergrounding the 60 kV Line" Alternative from further consideration. To be considered in the DEIR, the relocation of the existing 60 kV lines underground must either (a) constitute a proper alternative to the proposed Jefferson-Martin Project or (b) qualify as lawful mitigation for significant environmental impacts from the Jefferson-Martin Project. Whether described as a "mitigation measure" or a "project alternative," CEQA does not permit the relocation of the existing 60 kV line.

1. The PUA Does Not Constitute a Proper Alternative to the Proposed Project

PG-9

The PUA does not constitute a proper alternative to the Proposed Project because it fails to further the project objectives in two fundamental ways. First, the relocation of the 60 kV line, which is at the heart of the PUA, in no way advances the objectives of the Project which centers on the introduction of a new 230 kV line between the Jefferson and Martin substations. (DEIR at ES-2.) As discussed above, the basic objectives of the Jefferson-Martin Project include: meeting electrical demand for the San Francisco and northern San Mateo County area; complying with planning criteria established by the ISO and the North American Electric Reliability Council; creating a more diverse, and therefore more reliable, transmission system in the project area; and implementing the ISO resolution approving the Jefferson-Martin Project for addition to the ISO-controlled grid. (PEA at 2-5.) The relocation of the existing 60 kV lines on the southern segment of the Project in no way serves these objectives.

Second, the significant impacts raised by the PUA will likely create substantial regulatory delays that would extend the construction schedule beyond the time necessary to meet basic

PG-10

Comment Set PG, cont.

project objectives. Indeed, it is quite possible that PG&E would be unable to secure necessary permits to impact sensitive biological resources, thus rendering the PUA infeasible. As we will discuss further below, many of these significant environmental impacts have not been adequately addressed or considered in the DEIR. The most significant regulatory delays associated with the PUA concern potential impacts to the easement held by the National Park Service ("NPS") over SFPUC watershed lands. Because the PUA would result in a new overhead transmission corridor in the watershed, the NPS will likely argue that its easement rights are implicated and that their concurrence is required before construction may begin. The NPS set forth these arguments in a letter dated March 21, 2003 submitted to the CPUC as part of the CEQA scoping process. (*See* Attachment U.) The letter indicated that any projects involving the erection of structures, vegetation cutting or topographic changes would require NPS concurrence. Regardless of the merits of these arguments, the Park Service's position could create either regulatory delays or delays associated with resolving any dispute over NPS authority.

PG-10

PG-11

The NPS has also taken the position that their concurrence with the construction of new overhead structures (as would be required by the PUA or the 280 Corridor Concerned Citizens Group proposal) would trigger compliance with the National Environmental Policy Act, 42 U.S.C. § 4321 *et seq.* ("NEPA") and by extension the Endangered Species Act, 16 U.S.C. § 1531 *et seq.* ("ESA"). Delays associated with complying with these statutes could be significant. As with CEQA, NEPA requires a complete analysis of the direct, indirect and cumulative impacts of a proposed agency action, which would likely encompass the entire PUA route in the watershed. While Section 7 consultation under the ESA may be required in any case under Route Option 1B for the crossing of San Mateo Creek, the scope of the PUA and the extent of significant impacts to biological resources along its entire route would likely complicate, delay and could even jeopardize the completion of any consultation. If a full environmental impact statement were required under NEPA, in addition to ESA consultation, several additional years could be needed to meet all regulatory requirements. These delays would certainly extend the Project construction schedule beyond September 2005 and likely Summer 2006, ensuring that the basic project objectives would not be met.

2. <u>The Relocation of the Existing 60 kV Lines Is Not a Proper Mitigation Measure</u>

PG-12

In addition to failing as a legitimate project alternative, relocating the 60 kV lines is not a proper mitigation measure. The DEIR does not attempt to, nor could it demonstrate the required nexus between any potential impacts of the proposed new 230 kV line and the requirement to relocate the existing 60 kV lines.

Mitigation measures may only be imposed to "minimize significant adverse impacts" and they must be consistent with all constitutional requirements. 14 Cal. Code Regs. § 15126.4(a). The Takings Clause of the Fifth Amendment requires that any mitigation measure demonstrate a connection to, and be roughly proportional to, impacts from the project. *Id.* § 15126.4(a)(4); *Dolan v. City of Tigard*, 512 U.S. 374, 388-91 (1994); *Nollan v. California Coastal Comm'n*, 483 U.S. 825, 834-37 (1987). There is no evidence in the DEIR that connects the undergrounding of the 60 kV lines with impacts from the PUA. As the DEIR found with respect

Comment Set PG, cont.

PG-12

to the "Route Option 1B with Undergrounding the 60 kV Line" Alternative, "[s]ince the impacts of the Proposed Project stem solely from construction of a new 230 kV line, and not from the existing 60 kV line, the relocation of the existing 60 kV line to a wholly new alignment cannot reasonably be required by the CPUC." This reasoning applies equally to the proposal to underground portions of the existing 60 kV line as part of the PUA.

In analyzing the PUA, the DEIR provides no evidence to establish the required nexus between the actions set forth in PUA (undergrounding the existing 60 kV lines) and the impacts from the proposed project (construction of a new Jefferson-Martin 230 kV line). In order to satisfy the nexus and rough proportionality requirements, an agency must make an "individualized determination that the required [measure] is related both in nature and extent to the impact of the proposed development." *See Dolan*, 512 U.S. at 391. The burden rests with the agency to demonstrate this individualized determination. *Id.* 391 n.8. The DEIR has not met this burden.

The Proposed Project calls for replacing existing transmission towers with new towers in the same locations which would carry the new 230 kV and the existing 60 kV lines. The PUA would require undergrounding the existing 60 kV lines or relocating those lines along a new transmission corridor using new transmission towers. In essence then, the PUA provides for the undergrounding and relocation of the existing 60 kV line in one area to offset visual impacts from slightly higher transmission towers along another section of the route. This approach cannot satisfy the nexus requirement because undergrounding the 60 kV line has no connection to the location of the impact from the higher towers nor would it in any sense "mitigate" that impact. *See Nollan*, 483 U.S. at 838 ("it is quite impossible to understand how a requirement that people already on the public beaches be able to walk across the Nollans' property reduced any obstacles to viewing the beach created by the new house.")

The DEIR also fails to demonstrate the required "rough proportionality" between the impact and the required mitigation. The DEIR does not assess with any particularity the environmental impacts of the Proposed Project and demonstrate that the weight of these impacts is equivalent to the substantial requirements and extreme expense of the PUA. Any minor visual impacts created by the increased height of the transmission towers under the proposed project cannot be considered "roughly proportional" to the creation of a new overhead transmission corridor, the construction of four new transition stations and the additional financial and environmental costs associated with the proposed underground construction along the PUA. Without such a showing of proportionality, the PUA is inconsistent with CEQA and the U.S. Constitution and should be eliminated from further consideration in the EIR.

B. The DEIR Fails to Adequately Describe the Environmental Impacts of the Partial Underground Alternative

The DEIR fails to fully describe the environmental impacts of the PUA. First, the DEIR omits several important environmental impacts from the PUA. Second, it underestimates certain environmental impacts and overestimates certain environmental benefits of this alternative route.

Comment Set PG, cont.

Finally, the DEIR inconsistently categorizes several types of environmental impacts, for instance classifying certain impacts as Class I in one context and Class II in another.

1. **The DEIR Omits Several Important Environmental Impacts from the Partial Underground Alternative**

PG-13

The DEIR fails to include and analyze environmental impacts associated with the PUA. In its summary of significant impacts, the DEIR states that the PUA would "eliminate the Proposed Project's significant impacts" and create only two new significant impacts, both related to visual resources. (DEIR at ES-52.) This conclusion ignores several significant impacts, primarily to biological resources, but also to land use policy, recreational and visual resources, created by the PUA. In essence, the DEIR smoothes over the significant environmental impacts associated with constructing a new overhead transmission corridor in SFPUC watershed lands and endangered species habitat, as well as the impacts associated with underground construction in serpentine grasslands along the PUA route. Given the magnitude of these impacts, CEQA mandates a more complete picture of their effects.

The PUA contemplates a route that alternates between overhead and underground design throughout the southern segment of the project. Much of this overhead route would pass through an area that currently does not support a utility corridor, including sections of SFPUC watershed lands that are completely undeveloped. In assessing the impacts of the PUA, the DEIR does not take this significant issue into account.

PG-14

The DEIR does not present any detailed analysis of biological resources along the new overhead routes that are part of the PUA. Without such information, there is no basis for concluding, as the DEIR does, that biological impacts would be less than significant. These areas include documented endangered and special-status plant and endangered Bay checkerspot butterfly populations in the vicinity of the new towers along Cañada Road south of Edgewood Road, which are not discussed in the DEIR. The PUA crosses the area bounded by Edgewood Road, Cañada Road and Highway 280 – a well-known serpentine habitat commonly known as "The Triangle" that supports high quality serpentine habitat, several endangered plants including the only known population of the endangered white-rayed pentachaeta (*Pentachaeta bellidiflora*), and is designated critical habitat for the bay checkerspot butterfly. PG&E eliminated this area from consideration early in the planning process because of serious concerns over biological impacts. In the absence of detailed information on these plant and animal communities, the DEIR cannot and does not provide meaningful analysis of impacts from the PUA to these unique and biologically important resources. (*See* Biological Resources, General Comment 1.2 at p. 4-6.)[3]

---

[3] Enclosed with this cover letter as Attachment A are 13 sets of technical comments corresponding to the chapters of the DEIR. Throughout this letter, we provide references to specific pages within each set of comments where additional information on these points is set forth.

Comment Set PG, cont.

Along some of its route, the overhead portions of the PUA will cross currently undeveloped parts of the SFPUC watershed. The DEIR also does not discuss the impacts on biological resources from creating a new utility corridor within these undeveloped watershed lands. Moreover, from a regulatory standpoint, this action would be inconsistent with the SFPUC's Peninsula Watershed Management Plan. In discussing the consistency of the PUA with existing regulatory policy, the DEIR fails to identify these policy conflicts, (DEIR at D.2-35), including inconsistencies with SFPUC's Peninsula Watershed Master Plan policies WQ-9, WQ-11, WQ12, and WA6, which limit new utility lines to existing corridors and seek to restrict activities that would increase the need for access road construction. (Land Use, Specific Comment 2.2 at p.7, 2.10 at p. 10.) Finally, the DEIR's analyses of recreational and visual impacts of the PUA similarly fails to acknowledge that the route will result in new impacts on previously unaffected areas, such as Cañada Road south of the Pulgas Water Temple. Given the extent of these potential significant adverse impacts and the high environmental values associated with many of the impacted lands, these effects should be considered Class I impacts. (*See* Recreational Resources, Specific Comment 2.2 at p. 3.)

PG-15

PG-16

In addition to impacts from the new overhead portion of the PUA, the DEIR omits discussion of certain impacts associated with the transition stations/towers called for in the PUA. While the DEIR discusses briefly the visual impacts of two proposed transition stations along the PUA, it fails to identify and analyze the biological impacts associated with the four transition stations included in that route. For example, running the underground line from tower 6/35 to the planned transition structure at tower 6/37 would require extensive tree removal for a distance of approximately 750 feet. Additional tree removal would be needed to construct a transition structure or station capable of supporting the planned 2500-foot span across San Mateo Creek. This potentially significant loss of tree cover and nesting habitat in the vicinity of San Mateo Creek is not discussed. (*See* Biological Resources, General Comment 1.1 at p.1-4.)

PG-17

2. <u>The DEIR Underestimates Significant Environmental Impacts Associated With The PUA While Overestimating Certain Benefits</u>

PG-18

The DEIR underestimated important biological impacts from the PUA while at the same time overestimating certain environmental benefits from the PUA's planned relocation or removal of existing 60 kV overhead lines. These deficiencies include underestimating the biological impacts of underground construction in serpentine grasslands and overestimating the ability to mitigate those impacts.

Overall, the DEIR has severely underestimated the impacts to serpentine grassland resulting from construction of the PUA. The DEIR predicates its analysis of the PUA on the assumption that the existing 60kV access road and right-of-way is permanently disturbed and therefore devoid of any significant resources. This assumption is flawed in two respects. First, the PUA's underground duct bank will not always be in the existing road, since it must maintain a certain distance from nearby gas lines and it cannot follow the access roads where these deviate to go around small outcrops or swales or otherwise deviate from a reasonably straight line. Second, the access road in many places consists of a two-track road that when not mowed fades in with the existing adjacent vegetation resulting in potential wetlands and serpentine grassland existing within the road bed. In fact, the access roads support a greater proportion of the

Comment Set PG, cont.

endangered Bay checkerspot butterfly's food plants than the surrounding grasslands in many instances, and a population of the rare Marin dwarf flax was found next to the access road, and would be impacted by this alternative. (*See* Attachment V (photo); Biological Resources, General Comment 1.1 at p.1-4.) **PG-18**

The DEIR attempts to support its finding that impacts to serpentine grasslands will not be significant based on the assumption that those impacts can be mitigated, chiefly through revegetation. This assumption is highly questionable. Insufficient locally-collected native seed exists to properly revegetate the anticipated PUA disturbance area, which would result in approximately 220,000 square feet of disturbance (40-foot construction area x 5500 ft). To cultivate the additional amount of native seed required to revegetate such a large area would require at least one additional year, and possibly two, using the seed planned for revegetation in 2004. If the Project is allowed to proceed before sufficient seed is available, revegetation would likely be less successful and cause secondary, potentially significant, impacts to native habitats through introduction of non-local seed or inappropriate species. These impacts would be further exacerbated if rare plants are discovered in surveys of the new underground right-of-way. (*See* Biological Resources, General Comment 1.1 at p. 1-4.)

The DEIR also underestimates impacts to tree cover. It states that the PUA and the Proposed Project would conflict with tree ordinances, "though a somewhat reduced number of trees would be affected [under the PUA]." (DEIR at D.2-39.) The DEIR provides no basis for this conclusion. In fact, by relocating the overhead portions for the Edgewood Road segment and the west of I-280 segment into new corridors, this alternative will likely have a greater impact on a greater number of trees than the Proposed Project, since Route Option 1A is located in an existing utility corridor. A portion of a eucalyptus row along Cañada Road would need to be removed to accommodate the second tower of the reroute, and Towers 5 and 6 of the reroute are located in oak and madrone woodlands, necessitating removal of trees not only for tower installation but for conductor clearances in these hilly areas. Rerouting west of I-280 also opens a new corridor that crosses several wooded swales and drainages, increasing tree removal over the level expected for the Proposed Project. (*See* Land Use, Specific Comment 2.5 at p. 8-9.) **PG-19**

The DEIR also overstates the biological benefits of the PUA for Edgewood Park. The elimination of existing towers at Edgewood Park provides little biological benefit, as the tower footings themselves occupy little space and the habitat between the footings is occupied by serpentine grasslands and is currently used by sensitive species. So removing towers may have an aesthetic benefit, but does not have a net biological benefit, when considering the greater impacts of trenching in serpentine soils and constructing new towers in the serpentine habitat of "The Triangle" area. (*See* Land Use, Specific Comment 2.6 at p. 9.) Indeed, removal of existing towers will require construction activity in this sensitive habitat area, which would likely have similar or greater impacts to those deemed significant by the DEIR in regard to the Proposed Project. **PG-20**

The DEIR recognizes that the PUA will result in greater impacts to water quality due to underground construction along unpaved areas and overhead construction in areas where there are currently no transmission lines. The new utility corridor in the watershed would also result in greater potential for water quality impacts due to its proximity to Flume Creek and San **PG-21**

Comment Set PG, cont.

Andreas Lake. (DEIR at D.7-24) While recognizing these potential impacts, the DEIR fails to quantify them to any degree or assess their significance as a factor in the overall environmental impact of the PUA. (*See* Hydrology & Water Quality, Specific Comment 1.6 at p. 3.)

PG-21

The DEIR's analysis of the PUA's impacts on visual resources is superficial, and does not provide a basis for the conclusion that the this alternative "...has the potential to reduce significant impacts of the Proposed Project." (DEIR at Ap.1-55.) The lack of sufficient simulation and proper analysis of this alternative's visual effects is most troublesome in the DEIR's assessment of the visual implications of the visual consequences of the PUA segment between Jefferson Substation and Tower 2/12. The DEIR provides no basis for its assertion that the PUA segment between Jefferson Substation and Tower 2/12 would be visually preferable to the Proposed Project for that segment of the line. (DEIR at D.3-162.) The introduction of a transmission facility into the SFPUC watershed lands along Cañada Road, where there is no transmission corridor at present, will substantially degrade the existing character and quality of an attractive and highly valued landscape, introducing large transmission structures in close proximity to the road and its large numbers of recreational users, and requiring substantial and highly visible vegetation removal. (*See* Visual Simulations of PUA, Attachments K-S.)

PG-22

3. The DEIR Inconsistently Classifies Certain Impacts Thus Skewing Any Relative Balancing of Project Alternatives

In order to accurately compare the relative environmental impacts of various project alternatives, the DEIR must consistently categorize similar impacts. The DEIR failed to achieve this consistency, drawing into question its final conclusion as to the similarity of environmental impacts between the PUA and Route Option 1B.

The DEIR inconsistently classifies impacts to serpentine soils as Class I for overhead construction in the Proposed Project but as Class II for underground construction or the removal of towers in Edgewood Park and elsewhere associated with the PUA . When discussing the potential impacts of the Proposed Project on serpentine grasslands, the DEIR states that "overall temporary and permanent impacts to [serpentine grassland] plant communities are considered to be significant (Class I) even with implementation of recommended mitigation." (DEIR at D.4-34.) With respect to the PUA, however, the DEIR states that:

PG-23

> [t]renching in serpentine soils may result in significant unmitigatable impacts to sensitive serpentine habitat and special status plant and animal species that may occur in these areas. Therefore implementation of Mitigation Measure B-1j is recommended to minimize impacts in this sensitive habitat area. Implementation of this measure would reduce impacts to serpentine plant assemblages to less than significant (Class II).

(DEIR at D.4-58.) By treating impacts to serpentine grasslands as mitigatable Class II impacts in the PUA context, but as Class I impacts as to the proposed project, the DEIR improperly minimizes the biological impacts of the PUA and treats similar impacts inconsistently; this is especially inappropriate given that the extent of disturbance to serpentine grasslands is far greater for the PUA. (*See* Biological Resources, General Comment 1.1 at p.1-4.).

Comment Set PG, cont.

The DEIR similarly treats operation-related visual impacts associated with overhead transmission towers inconsistently between the proposed project and the PUA. Analysis of the PUA's recreational and visual impacts does not acknowledge that the route and associated power operations will impact previously unaffected areas such as the Triangle and Cañada Road, a heavily used recreational bike route. By failing to identify these impacts and to assign them Class I status, the DEIR does not categorize these impacts in the same manner as it did operation-related impacts for the Proposed Project in the Edgewood Park area. The DEIR determined that similar effects associated with the Proposed Project constituted Class I impacts. (DEIR at D.9-24) (*See* Recreational Resources, Specific Comment 1.3 at p. 2.)

PG-24

C. The DEIR Inaccurately Characterizes the Environmental Impacts of the PUA as Equivalent to the Environmental Impacts of Route Option 1B

While the DEIR correctly determined that PG&E's Route Option 1B would be environmentally preferable to the PUA, the DEIR somehow characterizes the environmental impacts of the PUA as substantially similar to the environmental impacts of Route Option 1B. The data compiled in the DEIR do not support this conclusion and in fact mandate the opposite determination. Route Option 1B, as it will involve an underground route along existing paved roads, raises many fewer environmental impacts than the PUA, which involves underground construction in and adjacent to serpentine grasslands and an overhead transmission line along a new utility corridor partially in undeveloped SFPUC watershed lands.

PG-25

The DEIR states that the PUA would "cause impacts similar to those identified for the Proposed Project, although it would not create any new impacts or warrant additional mitigation measures beyond those already identified for the Proposed Project."[4] (DEIR at D.2-39) This conclusion is simply unsupportable. As a threshold matter, this determination was based on an incomplete analysis and recognition of the environmental impacts of the PUA. As discussed above and in the attached technical comments, the DEIR failed to fully address the biological, visual, and water quality impacts of the PUA.

The PUA requires installation of several miles of new overhead transmission lines in a previously undisturbed corridor (along Cañada Road and West of I-280). This new transmission corridor constitutes a different and more significant impact than replacing towers in an already existing corridor. Moreover, the PUA would require four transition stations, which the DEIR recognizes would create significant Class I visual impacts along the southern segment of the Project. Finally, given the greater level of disturbance to biological resources from trenching through sensitive serpentine habitats, (DEIR at D.2-39), it is also inaccurate to conclude that the impacts from the underground component of the PUA would be similar to impacts from Route Option 1B which would be located entirely within existing roads. (*See* Land Use, Specific Comment 2.1 at p. 6, General Comment 1.6 at p. 4.)

PG-26

---

4 In its summary of the environmentally preferable alternative, the DEIR indicates, incredibly, that the only differences between the PUA and Route Option 1B are certain visual impacts associated with the PUA's multiple transition structures. (DEIR at ES-53.)

Comment Set PG, cont.

The visual impacts of the PUA, as recognized to a great degree in the DEIR, would be much greater than under Route Option 1B. In fact, the DEIR concludes that Route Option 1B, as mitigated, would have no significant visual impacts. By contrast, the DEIR clearly finds that the overhead portion of the PUA, as well as its transition stations, would create Class I visual impacts that could not be mitigated. (DEIR at D.3-161) The PUA would also add two new towers on the west side of I-280 near tower 8/50 as part of a new crossing of I-280. These new towers would result in visual impacts that "would be significant and could not be mitigated to less than significant levels (Class I)." (*Id.*) In comparing the visual effects of the PUA to the visual effects of the Proposed Project, however, the DEIR does not pay sufficient attention to the fact that the PUA will require development of an entirely new transmission corridor in an area where one does not now exist, compared to the proposed project, which represents an incremental visual change to a landscape in which a transmission corridor and its associated clearing are long-established elements of the landscape composition.

PG-27

The purported environmental benefits of the PUA do not outweigh or significantly minimize these environmental impacts. The DEIR states that the elimination of towers from Edgewood Park and the Pulgas Ridge Preserve would result in an overall benefit in terms of "County policies regarding biological resources." (DEIR at D.2-39) More significantly, however, the PUA would create impacts to biological resources from the extensive trenching through serpentine habitats which would not be fully mitigatable, (DEIR at D.4-58), constituting a Class I impact. These impacts result in a greater negative effect on these sensitive habitats than the temporary surface disturbance under the Proposed Project or the complete lack of disturbance under Route Option 1B. Removing towers from the Edgewood Park area may have an aesthetic benefit, but it would not have a net biological benefit, when weighed against the greater impacts of trenching in sensitive habitats and the impacts associated with construction of the new towers along Cañada Road in the serpentine habitats of the Triangle area. (*See* Land Use, Specific Comment 2.6 at p. 9.)

PG-28

In order to provide an accurate assessment of the impacts associated with the PUA and comply with the requirements of CEQA, the final environmental impact report should fully describe the effects of the PUA and address the omissions and inadequacies identified in these comments. Moreover, it should clearly state that Route Option 1B is environmentally far superior to the PUA in most if not all categories of environmental impact.

PG-29

IV. SNEATH LANE TRANSITION STATION ALTERNATIVE SHOULD BE REJECTED AS INFEASIBLE

The DEIR analyzes two alternative locations for the overhead-to-underground transition station included in the Proposed Project: a parcel west of Skyline Boulevard near San Bruno Avenue and a site adjacent to the existing Sneath Lane Substation. These alternatives were considered "in response to concerns from the residents and city of San Bruno regarding the proposed transition station . . . and the likelihood that a significant visual impact would result from installation of a transition station at that location." (DEIR at C-19.) The DEIR concluded that the Sneath Lane alternative was environmentally superior.

Comment Set PG, cont.

This conclusion is wrong and unsupported by the DEIR. First, a potential rupture of the San Andreas fault would create far greater impacts to the underground line leading from the Sneath Lane site than to the overhead lines into the Proposed Transition Station. Second, the proposed transition station does not raise significant visual and land use impacts. Finally, the DEIR failed to fully analyze the potential impacts of each transition station alternative, because it only assessed the impacts associated with the transition stations themselves and not the other changes in the project route and associated impacts, resulting from the new transition station.

A. The DEIR Improperly Concluded That The Proposed Transition Station Would Be Subject to Greater Impacts from a Rupture of the San Andreas Fault

PG-30

The DEIR incorrectly concluded that the location of the proposed transition station would create a Class I impact due to its proximity to the San Andreas Fault. In support of this conclusion, the DEIR stated that the "proposed transition station site is located immediately adjacent to two active traces of the San Andreas Fault." (DEIR at D.6-26.) The DEIR further found that "because of the possible large offsets of up to 20 feet . . . that could occur along these active traces, structures and equipment . . . would unavoidably be subject to impacts." (*Id.*) These statements significantly overestimate the magnitude of the potential surface displacement at the proposed transition station site and inaccurately reflect the location of the fault.

PG&E commissioned Geomatrix Consultants, Inc. to conduct a site-specific fault rupture study of the proposed transition station site. This report was finalized on August 25, 2003. (*See* Attachment D.). Based on the study's results, the proposed transition station would not cross main, active traces of the San Andreas Fault or potentially active secondary faults. Moreover, while the proposed station is adjacent to potentially active secondary faults, the estimated maximum oblique net slip from fault activity in this area is less than or equal to one foot. (Geology, Soils and Paleontology, Specific Comment 14 at p. 5-6.) The main trace of the San Andreas Fault is located west of the proposed transition station and so would be crossed by the overhead portion of the proposed route rather than by the underground duct bank. Such overhead lines have a greater capacity to survive a seismic event and allow for easier repair should damage occur. Any underground lines emerging from the proposed station similarly would not cross main active traces of the fault. (*Id.* Comment 14 at p. 5-6.)

Unlike the proposed transition station, the Sneath Lane Alternative would require an underground crossing of main active traces of the San Andreas Fault. The main trace of the San Andreas Fault is located east of the Sneath Lane site and so the underground duct bank that would emerge from the Sneath Lane station would have to cross this active trace. Such a crossing would create a Class I unmitigatable impact. In PG&E's view it is not possible to construct an underground trench in the existing right of way that would withstand a rupture of a main trace of the San Andreas fault. In other words, it is not possible to engineer a solution to mitigate the seismic risk of crossing the San Andreas Fault. The only option in such a situation would be to assume that a rupture would significantly damage the duct bank and so design it in such a way as to make repair as feasible as possible. (*See* Attachment Y.) Even under such a scenario a substantial outage of at least a week and potentially much longer is likely, because of the difficulties associated with repair of an underground line in general and the additional

Comment Set PG, cont.

complications associated with a major seismic event. As a result, potentially substantial damage and service disruption at the Sneath Lane Station from a seismic event should be considered a Class I impact that renders the Sneath Lane alternative infeasible.

PG-30

B. The DEIR Incorrectly Concluded That the Proposed Transition Station Would Have Significant Visual and Land Use Impacts

The DEIR concluded that the proposed transition station "would have significant (Class I) visual impacts and conflict with planned future development at the site." (DEIR at ES-52.) This conclusion greatly exaggerates any impacts and completely ignores the true baseline condition of this site.

The DEIR's analysis of the visual impacts of the proposed transmission station is based on a seriously flawed simulation of the appearance of the proposed station. DEIR Figure D.3-19B does not provide an accurate portrayal of the facility's appearance. This simulation departs from the design data PG&E submitted as a part of the PEA and subsequent responses to CPUC deficiency requests, and incorrectly portrays the transition station's location on the site and the scale and appearance of its features. It also omits the landscaping that PG&E had specified would be an integral part of the facility's design. Enclosed with these comments as Attachments K-O, we have included accurate simulations of the proposed transition station. A comparison of these two simulations demonstrates that the DEIR simulation exaggerates the height of the proposed dead-end structure by more than 30%. The DEIR simulation also appears to exaggerate the height of the masonry wall while failing to portray PG&E's proposed setbacks and landscaping that would mitigate the potential impacts. The net effect of these inaccuracies is a simulation that overemphasizes the proposed transition station's size and visibility as seen from San Bruno Avenue at Glenview Drive.

PG-31

The City of San Bruno has taken the position that the site of the proposed transition station constitutes a "gateway" to San Bruno. In reality, this location has been defined by an abandoned gas station and an empty parking lot for close to twenty years. A low-profile transition station complete with extensive landscaping will only improve the existing baseline condition, which is the analytical framework CEQA requires.

The DEIR's conclusion that the proposed transition station would be inconsistent with the City of San Bruno's planned designation of this area as "open space" and would be incompatible with existing and future land uses on neighboring parcels, (DEIR at D.2-33), is similarly unsupportable. The DEIR provides no justification for why a low-profile, landscaped transition station would be incompatible with the City's intent to redevelop this area. The proposed project landscaping will help to integrate the transition station site with its overall visual setting including establishing an aesthetic appearance that is compatible with the nearby existing commercial uses and that is consistent with this area's role as a gateway to San Bruno. The impact of the proposed San Bruno Avenue transition station should be considered Class II (mitigable) impacts, not Class I.

PG-32

Comment Set PG, cont.

The parcel is large enough to accommodate the 103 planned parking spaces for the proposed trailhead parking lot as well as the proposed transition station. Moreover, the transition station is not definitively incompatible with a future open space designation as the City's General Plan is silent as to whether either a parking lot or a transition facility would be consistent with such a designation. (*See* Land Use, General Comments 1.4 at p. 3.) In fact, transition stations and other utility infrastructure generally are not considered incompatible with residential and commercial land uses and are often incorporated into these areas to provide power for such uses.

PG-32

C. The DEIR Failed To Fully Analyze The Potential Impacts Of Each Transition Station Alternative

The DEIR's selection of the Sneath Lane site is also called into question by its failure to fully analyze the potential impacts of each transition station alternative. The existing analysis only assessed the impacts associated with the transition stations themselves, not the changes in project route associated with a new transition station location. For instance, if the Sneath Lane station were incorporated into the Project, 230 kV transmission towers would be run along Skyline Boulevard leading into the transition station. These larger towers were considered Class I impacts as to the Proposed Project and so would have to be similarly considered unmitigatable impacts in this alternative. In the overhead line segment just to the south of the San Bruno Avenue transition station site where conditions and project effects are similar to those that would exist in the corridor between San Bruno Avenue and Sneath Lane, the DEIR found that the visual impacts of the taller towers would constitute Class II impacts, and the DEIR prescribes mitigation measures entailing use of tubular steel towers, and elimination of towers (DEIR at D.3-143).

PG-33

The DEIR failed to consider the impacts to biological resources from the Sneath Lane Station. The proposed Sneath Lane transition station would be located on land adjacent to the existing Sneath Lane Substation. The DEIR failed to assess likely endangered species impacts in this area. (PG&E is providing confidential information regarding these resource issues concurrently herewith under the protections of Public Utilities Code § 583).

PG-34

V. MODIFIED UNDERGROUND EXISTING 230 KV COLLOCATION ALTERNATIVE SHOULD BE REJECTED AS INFEASIBLE

The DEIR did not adequately evaluate the environmental impacts of the Modified Underground Existing 230 kV Collocation Alternative ("Collocation Alternative"). First, it failed to assess the complete environmental setting associated with the Collocation Alternative. In addition, the DEIR used very simple, quantitative approaches when analyzing impacts related to traffic, land use and hazardous materials and when comparing those impacts with PG&E's proposed alternative in the northern segment. In doing so, the DEIR failed to qualitatively assess significant impacts associated with trenching through hazardous waste sites, ensuring sufficient access to commercial properties in the City of South San Francisco and the City of Brisbane, and engineering constraints and delays from the presence of existing utility lines in franchise areas on Bayshore Boulevard. As a result of failing to fully assess these impacts, the DEIR wrongly

PG-35

Comment Set PG, cont.

concluded that the Collocation Alternative would have fewer impacts than PG&E's proposed northern route.

PG-35

A. The DEIR Did Not Fully Assess the Environmental Impacts of the Collocation Alternative

The description of the Collocation Alternative and its Environmental Setting in the DEIR provides insufficient detail and omits important aspects of this route that contribute to its environmental impacts and compromise its feasibility. The DEIR inaccurately describes this area as exclusively industrial, when it also consists of mixed commercial uses, including office buildings, several hotels, and the Cove, a proposed class A commercial development at the northwest corner of Gateway and Oyster Point Boulevard, and a few important remnants of native habitats, particularly along creek channels. The DEIR's description fails to discuss the importance of Produce Avenue in providing access to the Produce Terminal. The description also does not assess the ongoing construction on Oyster Point Boulevard. Finally, the DEIR identifies, but the text fails to discuss, three severely contaminated sites through which the Collocation Alternative would pass directly – Sierra Point Landfill, Gateway Site, and Shearwater Site. (Transportation and Traffic, General Comment 1.1 at p. 1; Public Health & Safety, Specific Comment 2.1 at p. 4.)

PG-36

Many of these omitted aspects of the Collocation Alternative's environmental setting bear directly on environmental impacts of this alternative. There are five categories of important environmental impacts that receive insufficient attention in the DEIR:

- transportation and traffic impacts;
- land use conflicts associated with required emergency access to commercial properties;
- biological impacts associated with the Collocation Alternative and the proposed route;
- public safety impacts associated with proposed crossings of hazardous waste sites; and
- public utility impacts along the Collocation Alternative route.

These five sets of impacts suffer from insufficient factual development as well as improper methodologies for determining the significance of any impact.

1. <u>Traffic Impacts Along the Collocation Alternative Route</u>

PG-37

The DEIR's incomplete assessment of the significance of traffic impacts stems from its flawed methodology for evaluating these impacts and comparing them to those of the Proposed Alternative. The DEIR concludes that the Collocation Alternative is preferable to the Proposed Route on the issue of traffic and transportation impacts "because of shorter overall construction in roads." (DEIR at ES-56.) This assessment is based on a simple quantitative approach that assumes that the amount of impact is based solely on the duration of construction work. Because the Collocation Alternative involves a shorter route, the DEIR concludes it has fewer impacts than the Proposed Route. This is misleading and inaccurate.

A meaningful analysis of transportation impacts requires an assessment of the type of roadway and number of lanes, traffic volumes, access restrictions, and other external factors that

Comment Set PG, cont.

are not dependant on the amount of construction work. In comparing the two northern alternatives, the traffic volumes are generally higher on the Collocation Alternative roadways, and there are several areas where roadway width may be insufficient to maintain adequate traffic flows during construction, including Produce Veteran's Boulevard (the Marriott Hotel access road), and the Van Waters and Rogers access road. Permitting and access issues will also be more significant for the Collocation Alternative, especially around the El Camino/I-380 interchange, the Airport Boulevard/Produce Avenue/US 101 interchange, and in the area between Oyster Point and Sierra Point Boulevards. While the number of vehicle-miles (as distinguished from linear miles) are slightly higher for the Proposed Project route (88,000 vs. 75,000), this difference is minor and does not offset the other more significant impacts associated with the Collocation Alternative. (*See* Transportation & Traffic, General Comment 1.2 at p. 3.)

PG-37

Road closures will be especially difficult in the tunnel under US 101 on South Airport Boulevard. Traffic volumes in this area are high throughout the day, and the proximity of the ramp terminal and other signalized intersections will present significant challenges for ensuring that queues do not back up through these intersections. The cross-section of the tunnel, which has four lanes and no shoulders, will make any trenching activity very difficult as well as disruptive to existing traffic patterns. (Transportation & Traffic, General Comment 1.1 at p. 3.)

2. Land Use Impacts To Area Businesses

PG-38

Impacts to land uses along this route could be significant, but are erroneously characterized in the DEIR as less severe than the Proposed Project. These impacts involve disruption to three major hotels (Marriott Courtyard, Marriott Residence Inn, and the Homewood Suites SFO Airport) as well as other businesses along the proposed route, including Van Waters & Rogers, a chemical supplies distributor, and the associated Cal-Rite trucking facility, both located at the Van Waters & Rogers complex. The narrow width of the access roads along Veteran's Boulevard and Van Water and Rogers Road serving the above-mentioned businesses raise substantial concerns about whether sufficient emergency access can be maintained for these properties during construction. If sufficient emergency access cannot be guaranteed at these locations the fire departments of San Bruno and South San Francisco will require that these properties be vacated during these periods. In such cases, compensation to the businesses for closures could be required thereby further increasing costs to ratepayers. Moreover, the cities may also require PG&E to provide security for the structures while vacant.

Access to and use of business property in this area will also be affected by other engineering requirements. For example, in order to facilitate the crossing of the lagoon and Joint Powers Board right-of-way, a bore pit would have to be constructed on the southern part of the Van Waters & Rogers complex. Given the location of the water line, this pit would have to be located very close to the Cal-Rite building making it impossible for most trucks to use the loading areas. Therefore, for a period of about six weeks, Cal-Rite's shipping business will be significantly impacted, since the bore pits are too large to plate and must be left open. (*See* Transportation & Traffic, Specific Comment 1.1 at p. 2.)

The extent of many of these disturbances to businesses along the Collocation Alternative raise the impacts to the level of Class I and could make the Collocation Route infeasible if

Comment Set PG, cont.

construction is not allowed without adequate emergency access. In any event, the costs associated with the measures would be extremely significant, adding substantial cost to the project. (*See* Transportation & Traffic, General Comment 1.1 at p 2; Public Services & Utilities, Specific Comment 2.1 at p. 2.) Moreover, maintaining access to all of these properties at all times, as required by mitigation measures in the DEIR, does not appear feasible. For example, Mitigation Measure L-7a requires PG&E to provide continuous access to properties by bridging the trench through use of steel plates. The use of a temporary steel plate crossing would result in substantial disruption to construction activities due to the time necessary to frequently place and replace the steel plates. As a result, in many cases this requirement may so extend the construction schedule as to make construction along this route infeasible. If this mitigation measure is infeasible, these land use impacts should be characterized as Class I even in the absence of emergency access limitations. (Land Use, General Comment 1.1 at p. 1.)

PG-38

3. Biological, Geological and Water Quality Impacts Associated with the Two Northern Alternatives

With respect to biological impacts on the northern segment, the DEIR states that the Collocation Alternative would have "no recognized biological resource impacts" except for the crossing of a tributary to Colma Creek, which will be bored. (DEIR at D.4-61.) In comparing it to the Proposed Project route, the DEIR states that the Collocation Alternative will "avoid passing through San Bruno Mountain." (DEIR at D.4-62.) These statements appear to hint at two conclusions: first, that the crossing of streams and creeks will not result in any environmental impacts and second that the crossing of San Bruno Mountain will. Both of these apparent conclusions are inaccurate.

PG-39

First, the ten stream crossings anticipated for the Collocation Alternative raise environmental impacts associated with high groundwater near San Francisco Bay, the potential for "frac-outs" in the soft Bay mud, and general water quality impacts from construction in close proximity to the Bay. In addition, the crossing of Cupid Row Canal would bring the Collocation Alternative route close to an area known to support CRLF habitat. (*See* Hydrology and Water Quality, Specific Comment 1.7 at p. 3; Biological Resources, Specific Comment 2.8 at p. 21.) Finally, the soil conditions along the Collocation Alternative are generally very poor. The potential to encounter liquefiable materials, subsurface construction debris and other difficult soil conditions is vastly higher along this alternative. (*See* Geology, Soils and Paleontology, Specific Comment 1.71 at p. 26.)

PG-40

PG-41

Second, PG&E's proposed northern route passes over San Bruno Mountain by way of Guadalupe Canyon Parkway, an existing disturbed road right-of-way, which could only result in minor indirect impacts to resources. The Collocation Alternative is subject to similar indirect impacts, as described in this section, to creeks, wetlands and San Francisco Bay. (*See* Biological Resources, Specific Comment 2.8 at p. 21.)

PG-42

A proposed mitigation measure for the Collocation Alternative also raises possible biological impacts which were not addressed in the DEIR. Mitigation Measure L-4d requires that PG&E locate the 230 kV line for the Collocation Alternative "as far east as possible" within PG&E's existing 115 kV right of way along 7th Avenue north of San Bruno Avenue. The DEIR

PG-43

Comment Set PG, cont.

did not assess the potential environmental impacts associated with this mitigation measure. It may not be possible or advisable to revise the alignment in this location due to space constraints, setbacks, or sensitive species habitat. It is possible that environmental impacts to sensitive species or their habitat present along Cupid Row Canal could result from implementation of this mitigation measure. (*See* Land Use, General Comment 1.2 at p. 2.)

PG-43

Four threatened or endangered species could be affected by construction of this alternative, as detailed in the Biological Resources Comments, in the vicinity of San Bruno Channel, an extension of Cupid's Row Canal just north of San Bruno Avenue, and near San Bruno Point at the crossings of Colma Creek and Navigable Slough: the California red-legged frog, San Francisco garter snake, California clapper rail and black rail. Protocol surveys for the clapper and black rails would likely be required. (*See* Biological Resources, Clarifications at 23-24.)

PG-44

4. Environmental Impacts Associated With the Collocation Alternative's Crossing of Three Hazardous Sites

On the issue of impacts associated with hazardous materials, the DEIR uses an approach similar to its assessment of relative impacts to traffic and transportation. The sole criteria used by the DEIR to evaluate the risk of encountering hazardous substances during project construction appears to be the number of sites listed on the Environmental Data Resources Area/Corridor environmental database study (EDR Study). Although site density is one factor in determining risk, several other factors can be equally, or more, important. As noted in the PEA, the risk posed to the Project is also contingent on type of contamination, type of release and media affected, and intervening action. (PEA at 11-4.) The distance from the site to the Project will also have an impact on the risk, particularly for sites where soil is the contaminated media. Moreover, sites for which remedial action has been completed are likely to pose less risk than non-remediated sites.

Sites with hazardous waste, such as are found along the Collocation Alternative ROW, pose a greater environmental impact than sites contaminated with motor oil or typical leaking underground storage tanks (LUST) sites. Sites through which the project alignment passes directly will likely pose a greater risk than sites 0.25-miles away, particularly for contaminated soils. The DEIR recognizes that there are 33 sites along the Collocation Alternative, as compared to the 27 sites along the proposed route. The comparison fails to note, however, that soil along the BART ROW (20 of the 27 sites) has been remediated and the listed sites are therefore less likely to impact the alignment. The DEIR further notes that "while the contaminated sites along both the alignments are predominantly gasoline or motor oil fuel leaking from underground tanks, there are several severely contaminated sites along the [collocation] alternative route that have been contaminated with various constituents, including petroleum products and heavy metals." (DEIR at D.8-28.) The DEIR, however, does not discuss or analyze these specific sites. (*See* Public Health & Safety, General Comment 1, Specific Comment 2.1 at p. 4-5.)

The "severely contaminated sites" include the Sierra Point Landfill, the Gateway Site, and the Shearwater Site. Due to liability and safety concerns, the site owners may object to

Comment Set PG, cont.

construction of the utility trench in these areas and refuse to grant PG&E access to them. (*See* Public Health & Safety, Specific Comment 2.2 at p. 5-6.). Crossing these sites with an underground duct bank, if authorized at all, would require extensive regulatory compliance. The lengthy permitting process associated with such authorization could cause significant delays and would likely result in a failure to meet the project construction schedule. Any utility trench located within the Sierra Point Landfill may need to be lined with a cover to comply with Title 27 of California Code of Regulations. For the other sites, the trench may need to be lined; lining requirements would be at the discretion of the lead agency. Construction of the cover would lead to additional agency oversight and approval by San Mateo County and the California Regional Water Quality Control Board, and could cause delays to the Project. Significant additional costs also would likely be incurred in order to take required precautions for worker and environmental safety and to treat and dispose of spoils associated with this construction. If such approvals are unlikely to be granted or would extend time for compliance beyond the required project schedule, these impacts should be considered Class I.

PG-44

5. Impacts to Other Public Utilities from the Collocation Alternative

PG-45

The DEIR compares utility disruption between the Collocation Alternative and the Proposed Project based simply on the linear length of the routes. Equating utility disruptions to the length of the proposed route does not take into account the potential for specific constrained areas, such as the Gateway to Bayshore Boulevard segment of the Collocation Alternative. In that area, the route parallels the existing JPB right-of-way and the JPB Master Plan calls for adding in two additional tracks. Constructing the 230 kV line down a heavily congested corridor will cause many construction delays. Since utilities are not well-defined underground, unexpected space constraints will likely be discovered during construction. In such instances, the relevant state and local governments may require the reconstruction of the existing utility and entire roadway section as part of the mitigation. In most cases these space constraints could be overcome through relocating existing utility lines within the franchise in order to allow inclusion of the new duct bank. These steps, if necessary, would substantially increase the cost of the Collocation Alternative, greatly extend its construction schedule, and increase traffic and other impacts. (*See* Public Services & Utilities, General Comment 1.1 at p. 1.) Given the lack of congestion in the franchise areas along Guadalupe Canyon Parkway, PG&E's proposed route would not raise these impacts.

At the beginning of the Collocation Alternative at San Bruno and Seventh Avenues, the route appears to conflict with the concrete San Bruno Canal and the adjacent stormwater pumphouse. This could necessitate using Seventh Avenue, if a bore under these facilities or trenching across the pump station pipes is infeasible.

6. Impacts Associated with Geology and Soil Conditions

PG-46

A number of relevant geological impacts are not addressed in the DEIR, including soft or loose soils (G-1), slope instability (G-2), and compressible soils (G-9). In general, these impacts are greater for the Collocation Alternative. Other impacts, including strong seismic ground shaking (G-5) and liquefaction and seismic ground failure (G-6) are not adequately addressed. Serious flaws in the comparison of to the proposed route include the following:

Comment Set PG, cont.

- Failure to consider buried utilities, artificial fill materials, bay mud and marsh deposits, stream channel deposits, landfill waste, and high groundwater levels at they relate to "difficult excavation" conditions along the two routes;

- Failure to consider increased exposure to geological/soils hazards as a result of underground crossings of stream channels, busy roadways, and railroads; and

- Failure to compare liquefaction and seismic ground failure potential for the two routes.

PG-46

The DEIR states that the Collocation Alternative is preferred because of "soil conditions." However, no further basis or explanation for this conclusion is given. In terms of project design, construction, and operation, anticipated soil conditions along the Collocation Alternative alignment are significantly worse than those along the proposed alignment.

B. The DEIR Wrongly Concludes That the Collocation Alternative Would Have Fewer Environmentally Significant Impacts Than the Proposed Route

PG-47

As laid out above, the DEIR failed to identify and adequately assess many important environmental impacts associated with the Collocation Alternative, some of which rise to the level of Class I impacts. As importantly, the simplistic quantitative methodology employed in the DEIR in comparing the relative weight of the environmental impacts of the two northern alternatives was seriously flawed and resulted in a misleading comparison of the relative impacts of the two routes. Based on a more complete review and analysis of these impacts, the Final EIR should identify PG&E's proposed route as the environmentally superior route for the northern segment.

VII. ADDITIONAL COMMENTS

A. Electric and Magnetic Fields (EMF) Analysis

PG-48

Section D.8.7 of the DEIR does an admirable job of summarizing the current scientific and legal landscape surrounding electric and magnetic fields (EMF). While PG&E agrees with the DEIR's conclusion that EMF should not be considered an environmental impact in the context of CEQA, we understand the Commission's decision to include this information in the DEIR given the extent of public comment and concern on EMF issues. We offer the following brief comments on this section.

As the DEIR correctly points out, the Commission's current policy on EMF and the requirements for new transmission facilities were set forth in CPUC Decision No. 93-11-013 (Nov. 2, 1993)("1993 EMF Decision") and are incorporated into General Order 131-D. These guidelines require utilities to employ "no cost" and "low cost" EMF reduction measures with a benchmark of four percent of total project cost for expenditures on low cost mitigation. Under General Order 131-D, Section X(A), utilities that apply for a CPCN are required to include in their Application a description of "the measures taken or proposed by the utility to reduce the potential exposure to electric and magnetic fields generated by the proposed facilities." PG&E

Comment Set PG, cont.

PG-48

complied with these requirements for the Jefferson-Martin Project, submitting design guidelines and a preliminary EMF management plan for the Project. (*See* Application of PG&E for CPCN Authorizing Construction of the Jefferson-Martin Project, Ex. E, F.)

The CPUC's 1993 EMF Decision recognized that, despite public concern regarding EMF, there was insufficient scientific evidence that exposure to EMF had health impacts. . The Commission found that setting a numeric limit for EMF levels was inappropriate because "there is no conclusive scientific evidence indicating (1) that a health hazard actually exists from EMF exposure and (2) that a clear cause and effect relationship between utility property or operations and public health is established." 52 CPUC 2d at 11. Rather than set such a limit, the Commission directed that "low-cost options shall be implemented to the extent approved through the project certification process; no-cost mitigation measures should be undertaken until further notice." *Id.*

The 1993 EMF Decision also authorized a research program on EMF to be conducted by the California Department of Health Services ("DHS") with public and stakeholder participation. DHS published its final report in June 2002. This CEQA process does not offer the best forum for discussing in detail the limitations of the DHS Report. However, for informational purposes, a copy of the joint comments on this report submitted by PG&E and other California utilities is attached hereto. (*See* Attachment W.) In general, PG&E agrees with the report's own admission that its findings were not consistent with "the majority of the members of scientific committees convened to evaluate the scientific literature by the National Institutes of Environmental Health Sciences Working Group (NIEHS) in 1998, the International Agency for Research on Cancer (IARC) in 2001, and the British National Radiological Protection Board (NRPB) in 2001." DHS Report at 3.

Moreover, the Scientific Advisory Panel authorized to review the DHS Report found that "different evaluators with the same or different professional backgrounds may use the DHS guidelines and arrive at different numerical confidence estimates, perhaps substantially different." (*See* Attachment X (Letter from Warren Winkelstein, Jr. to Diana Bonta, dated May 31, 2002, at 1) ("SAP Letter")). The Scientific Advisory Panel went on to find that "[b]ased on a sample of only three evaluators sharing a similar professional background, the conclusions drawn by these evaluators might not generalize to those from other professions or to the general public." *Id.* at 2.

Overall, PG&E agrees with the conclusion of the DEIR that "there remains a lack of consensus in the scientific community in regard to public health impacts due to EMF at the levels expected from electric power facilities." (DEIR at D.8-40.) Therefore, the reasoning underlying the 1993 EMF Decision remains unchanged and its mandates continue to reflect sound public policy. The proactive implementation of mitigation measures even in the face of scientific uncertainty, as directed by the 1993 Decision, is consistent with concepts of "prudent avoidance" and the "precautionary principle." Moreover, these steps demonstrate an appropriate response to public concern over EMF while meeting or exceeding existing regulatory requirements in other jurisdictions. (DEIR at D.8-39.)

Comment Set PG, cont.

As described in the DEIR, only the states of New York and Florida have set numerical limits for EMF levels related to electric power facilities. In New York the limit is 200 milliGauss (mG) at the edge of the right-of-way, while Florida sets a lower limit of 150 mG at the edge of the right-of-way. (DEIR at D.8-39.) The health ministers of the European Union recommended an exposure limit of 833-1000 mG as determined by the International Commission on Non Ionizing Radiation Protection (ICNIRP) in 1998.[5]

PG-48

To provide perspective on the magnetic field levels associated with transmission lines, the DEIR points out that residents of a modern society accept routine exposure to magnetic fields as part living in a society powered by electricity. Thus, the DEIR points out that research on magnetic fields in homes and buildings in Western states found that the average magnetic fields in a room with appliances present ranged from 9 to 20 mG. (DEIR at D.8-35). In Table D.8-14, the DEIR provides examples of magnetic fields from common electrical appliances. For example, at a distance of twelve inches, the magnetic fields of an electric range from 3 to 30 mG a vacuum cleaner range from 20 to 200 mG, an electric shaver range from 1 to 100 mG, an electric oven range from 2 to 25 mG, and a color television (9 to 20 mG). (DEIR at D.8-36.) In addition, studies show that computer monitors have magnetic fields from 2 to 6 mG at one foot and fluorescent lights have magnetic fields from 6 to 30 mG at one foot.[6]

At the public meetings held by the Commission on the DEIR, as well as in other forums, members of the public have expressed concerns about increased EMF exposure, in particular along the segment of the proposed project along Trousdale Avenue. PG&E contracted with Enertech Consultants of Santa Clara, Inc. to model the expected magnetic field levels in 2006 from the Jefferson Martin Project assuming it is constructed along Trousdale Avenue. Based upon careful measurements and modeling, Enertech produced five reports under the load scenarios discussed below, including one report focused on the school located on Trousdale Avenue. These reports are enclosed with these comments as Attachments F-J. The report analyzes EMF levels for four different projected loading conditions for the year 2006:

PG-49

- "Low," with load at 326 amps, at which load is expected to be less 5% of the year;
- "Medium," with load at 459 amps, at which load is expected to be less 50% of the year;
- "High," with load at 599 amps, at which load is expected to be less 95% of the year; and
- "Peak" with load at 665 amps and represents the highest expected loading of the year.

---

5 *See* International Commission on Non-Ionizing Radiation Protection, Guidelines For Limiting Exposure To Time-Varying Electric, Magnetic, And Electromagnetic Fields (Up To 300 Ghz) at 511 (1998), found at http://www.icnirp.de/pubEMF.htm.

6 The National Institute of Environmental Health Sciences (NIEHS), Electric and Magnetic Fields Research and Public Information Dissemination (EMFRAPID) Booklet, available at http://www.niehs.nih.gov/emfrapid/booklet/home.htm.

Comment Set PG, cont.

The calculated magnetic field level at the edge of the school building closest to Trousdale Avenue is about 0.5 mG or less, even under the Peak loading conditions and would be less than 0.5 mG 95% of the year. Calculated magnetic field levels along the sidewalk area in front of the school range from about 1 mG to 4 mG, depending upon the loading condition, with the lower field levels present 95% of the year. PG&E notes that the peak loading is expected during the summer, when school is not in session.

PG-49

Enertech also modeled expected 2006 magnetic field levels along all of the impacted sections of Trousdale Avenue. Generally, the levels at homes along Trousdale Avenue are less than 5 mG even at peak loading conditions and well less than that most of the time, although a few homes have higher levels. The levels on sidewalks vary, but generally are below 10 mG a majority of the time. (*See* Attachments F-J). PG&E notes that people spend only limited amounts of time on sidewalks so that their exposure to even these low magnetic fields on the sidewalks is limited.

When compared to the average exposure to magnetic fields from household electrical appliances, as described in the DEIR, the levels described above come into some perspective. Even at peak load, which occurs outside of the normal school year, magnetic field levels in and around the Trousdale school would be a small fraction of magnetic field background exposure from common home appliances. Similarly, the levels in homes and along sidewalks on Trousdale Avenue are less than expected in a normal room with electrical appliances. Moreover, these EMF levels are miniscule compared to the limits of 100-200 mG set in New York and Florida, as well as the 800-1000 mG limits recommended in the European Union.

Electricity produces magnetic fields. As long as California residents want electricity in their homes, at work and in public improvements, they are going to be exposed to some level of magnetic fields. In fact, California residents have been exposed to magnetic fields for many decades without evidence of adverse health effects. Although EMF has been the focus of considerable research, there are no studies demonstrating that magnetic fields have adverse health effects. The Commission has required PG&E and other public utilities to reduce EMF exposures through no cost and low cost mitigation measures, despite the absence of scientific evidence of health effects, as a precautionary measure. An underground line in Trousdale Avenue would create magnetic fields less than many common household appliances.

B. Electric Supply Issues

PG-50

In Section A.2.2., the DEIR discusses existing and potential future electric generation capacity within the San Francisco. It discusses in some specificity the possible future construction and operation of the Potrero Power Plant Unit 7 Project by Mirant Corporation. The EIR should note that Mirant filed for Chapter 11 bankruptcy protection on July 14, 2003.

Comment Set PG, cont.

HAM&WATKINS LLP

We appreciate the opportunity to provide these comments on the Jefferson-Martin 230 kV Transmission Project DEIR. Please do not hesitate to call me if you have nay questions regarding these comments or if you require additional information.

Very truly yours,

J. Wesley Skow
of LATHAM & WATKINS LLP

Enclosure

cc: David Kraska, Pacific Gas & Electric
Alain Billot, Pacific Gas & Electric
Robert Masuoka, Pacific Gas & Electric
Richard W. Raushenbush, Latham & Watkins

Comment Set PG, cont.

Attachment A: Technical Comments

1. Transportation
2. Geology
3. Biological Resources
4. Public Services and Utilities
5. Land Use
6. Public Health and Safety
7. Hydrology
8. Cultural Resources
9. Recreational Resources
10. Air Quality
11. Visual Resources
12. Noise and Vibration
13. Socioeconomics

Attachment B: Top of Dam Crossing Option Technical Memo

66849-1A: Downstream Elevation View – Dam/Spillway Crossing with Duct Bank
66849-1B: Detail 1
66849-1C: Detail 2
66849-1D: Section A
66849-1E: Section B
66849-1F: Section C
McGinnis memo

Attachment C: Face of Dam Crossing Option Technical Memo

Crystal Springs Bridge
Lakeside Elevation page 1 of 2
Lakeside Elevation page 2 of 2

Attachment D: Geomatrix (Assessment of Fault Hazard Ruptures)

Plate 1

Attachment E: Division of Dams Letter

EMF Reports

Attachment F: High Load
Attachment G: Low Load
Attachment H: Medium Load
Attachment I: Peak Load
Attachment J: School Report

SF\431736.1

Comment Set PG, cont.

Transition Simulations
Attachment K: A-1
Attachment L: A-2A
Attachment M: A-2B
Attachment N: A-3
Attachment O: A-4
Attachment P: A-5
Attachment Q: A-6
Attachment R: A-7
Attachment S: A-8

Attachment T: Underwater Crossing Option Tech Memo

Attachment U: National Park Service Letter

Attachment V: Figure 3 – Plant Communities Within Roadbed

Attachment W: PG&E Comments on DHS Report

Attachment X: Scientific Advisory Panel Letter

Attachment Y: San Andreas Fault Crossing

SF\431736.1

Responses to Comment Set PG – PG&E Cover Letter

PG-1 In this comment, PG&E states that it can support the CPUC's identification of the Route Option 1B Alternative as the environmentally superior alternative. The information presented about the additional cost of this alternative over the Proposed Project, though not considered in the CEQA process, will be considered in the CPUC's general proceeding.

PG-2 The CPUC disagrees with the comment that Route Option 1B is the only alternative in the Southern Segment that meets project objectives. The Partial Underground Alternative also meets project objectives, as documented in Appendix 1, Section 4.2.3. The project objectives listed in this comment were used in Appendix 1 (Alternatives Screening Report) to evaluate whether each alternative addressed would meet CEQA's requirement, which is that an alternative must meet "most of the basic objectives of the project." As documented in Appendix 1, the EIR finds that both the Route Option 1B and the Partial Underground Alternative meet that test.

PG-3 The project objective regarding the required date of project completion was one that was specifically evaluated for each potential alternative in Appendix 1. Based on impacts and mitigation presented in the EIR, the CPUC finds no reason that the Partial Underground Alternative could not be completed on a similar schedule as the Proposed Project or the Route Option 1B (which has considerably more underground construction). The Partial Underground Alternative eliminates some issues that would be very challenging and have significant potential to cause delay for the Proposed Project: the conversion of lands purchased with Land and Water Conservation Fund money (at Edgewood Park and Pulgas Ridge Preserve) and the potentially significant biological impacts in these same two parks.

Consideration of the project need is not evaluated under CEQA. However, project need will be considered separately in the CPUC's general proceeding..

PG-4 This comment affirms the Draft EIR's conclusion that Route Option 1B was the environmentally superior alternative. Regarding options for crossing Crystal Springs Dam, please see Response to Comment PG-5.

PG-5 The comment accurately points out that Appendix 1, Section 4.2.1 (PG&E Underground Route Option 1B) identifies several feasible options for crossing Crystal Springs Dam. Draft EIR Section E.2.1 (last sentence), in the comparison of alternatives, identifies the underwater cable around the dam as the preferred option for use with Option 1B.

In this comment, PG&E presents information supporting the "top of the dam" and "face of the dam" options. Both of these options are considered in the Draft EIR, because they were presented as options in the alternative description (Section 4.2.1, Appendix 1).

Also, please see Responses to Comments PG-149 and PG-150.

PG-6 PG&E states that the underwater crossing of the dam may be technically infeasible due to the angles required for the directional bore and that water quality impacts may result. The CPUC believes that the underwater cable is feasible (although the southern bore does present technical challenges), and that there are measures available to protect water quality. Please see Responses to Comments PG-149 and PG-150.

PG-7 The comment suggests that a modified overhead crossing of Crystal Springs Dam (see Figure Ap.1-2c and additional description in Appendix A, Section 4.2.1) would further reduce visual impacts in comparison to the overhead crossing suggested in Figure Ap.1-2b. This option would include a bore under I-280 from Skyline Boulevard to the Hillsdale Junction Substation, with an overhead crossing involving Towers 6/35, 6/36, 6/37, and 6/38. From Tower 6/38, the 230 kV line would connect to a transition structure adjacent to Crystal Springs Road, and then transition to underground along Crystal Springs Road to Skyline Boulevard, where it would re-join the original Route Option 1B. It is agreed that the crossing as described in the comment and shown in new Figure Ap.1-2c (added to Appendix 1, Section 4.2.2) would reduce the Class I significant visual impact to a level that would be adverse but not significant (Class III).

PG-8 PG&E objects to the inclusion and analysis in the DEIR of the Partial Underground Alternative. PG&E makes several points to support its comment:

- First, that the Partial Underground Alternative is inconsistent with the elimination from further consideration of the Route Option 1B With Undergrounding the 60 kV Line Alternative;
- Second, that the Partial Underground Alternative will not meet the objectives of the Proposed Project;
- Third, that the Partial Underground Alternative would, itself, cause adverse impacts and entail regulatory delays because of additional compliance requirements; and
- Fourth, that the Proposed Underground Alternative violates CEQA and constitutional standards.

A new Section 2.3.2.1 has been added to Appendix 1, Alternatives Screening Report, to clarify the legal basis on which alternatives have been included in or eliminated from the EIR. The Partial Underground Alternative is discussed in Section 4.2.3 of Appendix 1 to the DEIR. The PG&E Route Option 1B With Undergrounding the 60 kV Line Alternative is discussed in Section 4.2.2 of Appendix 1 to the DEIR. Also, please see Responses to 280CCC Comments 40-5, 40-16, and 40-28.

The above-referenced sections explain in detail why the Partial Underground Alternative was selected for analysis in the DEIR, including the manner in which it would meet the objectives of the Proposed Project, its feasibility, and its compliance with CEQA and constitutional standards of nexus and rough proportionality. Likewise, Section 4.2.2 explains the reasons why PG&E's Route Option 1B With Undergrounding the 60 kV Line Alternative was rejected for both CEQA and constitutional reasons. These Sections of Appendix 1 to the DEIR address PG&E's points related to objectives of the Proposed Project and CEQA and constitutional compliance.

PG-9 PG&E states that the relocation of the 60 kV line does not advance the objectives of the Proposed Project. The Partial Underground Alternative itself meets all project objectives, as stated in Appendix A, Section 4.2.3. The fact that the 60 kV line itself does not meet project objectives is irrelevant, as it is for the Proposed Project, which also requires rebuilding of the 60 kV line. PG&E also states that the impacts from the Partial Underground Alternative would cause substantial regulatory delays. See Response to Comment PG-8, which explains that the impacts of the Proposed Project that result from the collocation of the 60 and 230 kV lines are reduced by relocating the overhead lines (together) to a route that has less impacts.

PG-10 Please see responses to comments PG-8, PG-13 through PG-17 and PG-144 to PG-201 regarding biological resources impacts.

PG-11 In this comment, PG&E states a concern that the NPS may argue that its easement rights are implicated due to the two overhead route segments of the Partial Underground Alternative that would be in new corridors. It is noted that the NPS has similar concerns about its easement rights associated with the impacts of PG&E's Proposed Project. See also Response to Comment N-14, regarding the Partial Underground Alternative's reduction of significant impacts of the Proposed Project.

The Partial Underground Alternative would eliminate the following significant (Class I) impacts as shown in EIR Table E-1a:

- Impacts V-2 (Key Viewpoint 1, Edgewood County Park), V-3 (Key Viewpoint 2, Interstate 280 Southbound), V-9 (Key Viewpoint 8, Lexington Avenue), V-12 (Key Viewpoint 11, Black Mountain Road), V-13 (Carolands Substation to transition station), and Impact R-3 (Operation-Related Effects on Recreation Facilities).

The issue of regulatory delay is addressed in Response to Comments N-5, N-7 - N-9 and N-12 - N-19 from the National Park Service. In summary, the Grant of Scenic and Restriction Easements is not found to be implicated by either the Proposed Project or the Partial Underground Alternative, and the Land and Water Conservation Fund Act is implicated by the Proposed Project only. Please refer to the responses to the National Park Service comments (Comment Set N) for a fuller explanation of the basis of these conclusions.

Finally, if NEPA compliance is required, as asserted by the National Park Service, that compliance is a legal obligation of PG&E, which PG&E must meet with respect to the Proposed Project and all alternatives.

PG-12 Relocation of the existing 60 kV lines may properly be considered as a component of an alternative or as mitigation for Proposed Project impacts, because, as described in new Section 2.3.2.1 (Appendix 1) under Alternative Option B, such relocation results from impacts created by the installation of new 60/230 kV towers required for the Proposed Project.

The EIR presents four mitigation measures that would relocate the 60 kV and 230 kV lines (together, on one set of towers) in order to reduce identified significant visual impacts of the Proposed Project. EIR Section D.3 identifies 14 potentially significant visual impacts. Of those 14 potentially significant impacts, four are reduced to less than significant levels with recommended mitigation reroutes (Mitigation Measures V-8a, V-16a [as modified in this Final EIR], V-17a, and V-18a). The nexus between the significant impact of the Proposed Project and the mitigation measures is clear: the mitigation substantially reduces the visibility of the new towers, reducing the significant impact to an impact that is less than significant. Also, please see Responses to Comments PG-8, 40-5, 40-16, and 40-28.

PG-13 The issues raised in this comment regarding underestimation of impacts to the Partial Underground Alternative are addressed in individual responses for each issue area (see responses to PG&E's Attachment A, Responses to Comments PG-51 through PG-313).

PG-14 The Final EIR presents additional supporting information regarding biological resources in the new overhead segments of the Partial Underground Alternative. Please see Responses to Comments PG-144 to PG-147.

PG-15 Please see Response to Comment PG-216 for a detailed response to this comment about consistency with the Watershed Management Plan. Regarding biological resources, see Responses to Comments PG-144 to PG-147.

PG-16 The southern overhead portion of the Partial Underground Alternative that would diverge from the Proposed Project route would run approximately 2.3 miles from Jefferson Substation to the proposed tower at MP 1.9. The overhead transmission lines would run parallel to Cañada Road between 100 and 250 feet east of the road from the substation to approximately 500 feet north of Edgewood Road. At this point, the transmission corridor diverges away from Cañada Road out to approximately 1,000 feet east of the road where it rejoins the proposed route.

The comment states that the DEIR's visual analysis for the Partial Underground Alternative "…fails to acknowledge that the route will result in new impacts on previously unaffected areas, such as Cañada Road south of the Pulgas Water Temple." This statement is incorrect. The first paragraph of the visual impact analysis of the Partial Underground Alternative (p. D.3-161) states the following:

"*The southern overhead portion of this alternative (Jefferson Substation to Tower 2/13) would introduce large vertical structures with substantial industrial character into the predominantly natural landscape along Cañada Road between I-280 and Edgewood Road. The resulting visual impact (Impact V-23) would be significant* and it could not be mitigated (Class I)."

The Partial Underground Alternative would cross south and west of the area bounded by Edgewood Road, Cañada Road, and Interstate 280, with two towers installed along the southern and western edge of "The Triangle". Mitigation has been added to this route segment to require use of tubular steel towers for the two towers in "The Triangle" and to collocate the existing distribution lines onto the new towers, and the result is illustrated in a new visual simulation, Figure D.3-20c. This new measure is in Section D.4.4.2, Biological Resources, and is identified as Mitigation Measure B-1m, Construction Restriction in The Triangle. While this mitigation ensures that a significant biological impact will be less than significant (Class II), it does not eliminate the significant visual impact (Class I), which remains significant. However, the visual impact in The Triangle is considered to be less severe than the impact of the Proposed Project in Edgewood Park and the Pulgas Ridge Preserve.

The recreational impact analysis of the Partial Underground Alternative (Section D.9.4.2) states that the impacts of the southern overhead portion of the route would be similar to those of the Proposed Project. The analysis classifies this impact as a potentially significant impact (Class II), but one that can be mitigated to a less than significant level through the implementation of the same mitigation measures as described for the Proposed Project. The recreation analysis also acknowledges that there is a significant impact resulting from operation of the southern overhead portion of the Partial Underground Alternative. These impacts, however, are mitigated to a less than significant level.

Although Cañada Road is heavily frequented by recreational cyclists, it should be noted that the portion of the road most used by recreationists is between Edgewood Road and Highway 92, where San Mateo County Parks closes the road to vehicular traffic on Sundays. Cañada Road to the south of Edgewood Road may be used by vehicles to access Edgewood County Park, but gets significantly less use by recreationists than the four-mile stretch between Edgewood Road and Highway 92. Of this four-mile stretch, little more than one mile would be affected by the new overhead portion, and as the transmission lines diverge from the Cañada Road, views of the new towers and lines recede from the view of recreationists. Only approximately 500 feet of new towers and lines north of Edgewood Road would introduce significant structures into the view of the recreationists.

While the visual impact analysis classifies impacts related to the southern overhead portion as significant (Class I) impacts, which cannot be mitigated, the visual analysis includes not only recreationists, but viewers on I-280 and drivers on Cañada Road. The recreation analysis, however, analyzes only the impacts to recreationists. Impacts to recreationists in this area *would* be significant. The impacts occur to a smaller viewing population in a limited area and as such, have feasible mitigation that can reduce the impacts to less than significant levels. By removing Tower 2/13 from the horizon, as required by Mitigation Measure V-5a and painting the towers appropriate colors, as required by Mitigation Measure V-6a, impacts can be reduced to levels that would still be adverse, but would be less than significant. Thus the impact classification of this overhead portion remains significant (Class II), but mitigable to a less than significant level.

PG-17 See Response to Comment PG-147.

PG-18 See Responses to Comments PG-144 to PG-146.

PG-19 The comment states that the DEIR underestimates the impact to tree cover under the Partial Underground Alternative because a portion of the eucalyptus row along Cañada Road would need to be removed for the southern segment and the route west of I-280 would require more tree removal over the level expected for the Proposed Project. As with the Proposed Project, no detailed design has been completed for this alternative so the extent of tree removal is not defined. The selection of the overhead route for this segment was based partially on existing trees that allow screening or backdropping of the views of the new line adjacent to the I-280, and it is clear that most trees in the area would remain. The comment is speculative because there has been no information developed that quantifies the extent of tree removal under the Partial Underground Alternative. Furthermore, the impact to tree cover, from a visual perspective, has been incorporated into the finding of a significant (Class I) visual impact for this area. Section D.2.2, Land Use, discusses consistency with local policies, including tree ordinances. The potential impacts and appropriate mitigation measures for trees protected by these ordinances are discussed in Section D.2.3 (Impact L-2).

PG-20 There would, in fact, be a benefit to habitat in Edgewood Park if the existing towers were removed, because no future maintenance would be required in the sensitive habitat of that park. Periodic maintenance requires travel within the park. The impacts of removal of the existing towers within Edgewood Park would be minimized with implementation of Mitigation Measure B-1c, which requires consideration of leaving tower footings after removal of lattice structures in sensitive habitat areas. Also, implementation of the Partial

Underground Alternative or the Route Option 1B Alternative would result in no new towers being installed in the preserve and sensitive habitat area. Installation of new towers results in temporary disturbance of the entire area within the tower base, and the installation of footings results in permanent loss of habitat at the footing locations.

Trenching in the Triangle area would not be required as the line would be overhead. Implementation of Mitigation Measure B-1m, Construction Restriction in The Triangle, would insure that significant impacts would not occur in this area.

PG-21 The comment states that the DEIR does not quantify water impacts in the new corridor or assess the significance of those impacts. The first paragraph under "Comparison to the Proposed Project Segment" in Section D.7.4.2 has been reworded to include reference to the 3.4 additional miles of trenching that would occur with the implementation of the Partial Underground Alternative compared to the Proposed Project. The paragraph was reworded to quantify impacts associated with the Partial Underground Alternative and to support the conclusion that trenching under the alternative would have a greater risk for construction spills to affect water quality due to the greater intensity of construction activity then the Proposed Project and the fact that a new corridor would be used for portions of the overhead alignment under the Partial Underground Alternative.

PG-22 The comment states that the DEIR's analysis of the Partial Underground Alternative's visual impacts on the watershed lands and Cañada Road is superficial and unsupported in its claim that the impact of the Partial Underground Alternative is preferable to the impact of the Proposed Project in this area. Please see the DEIR for a complete description of the basis for the conclusion that the Partial Underground Alternative would indeed cause a Class I significant visual impact (–Section D.3.4.2). The DEIR's conclusion that the elimination of the significant visual impacts on I-280, Edgewood County Park, and the Pulgas Ridge Open Space due to the removal of the seven proposed (and existing) tower locations on the east side of I-280 more than offsets the significant visual impact of three towers on a substantially smaller viewing population is reasonable and logical. Additional discussion of this issue is provided in Responses to Comments PG-285, PG-286, and PG-289.

PG-23 As described in Response to Comment PG-144, the impact determination for the potentially significant impact to serpentine grassland for the length of the Proposed Project has been changed to Class II (less than significant with implementation of mitigation). Text has been added or modified in the Biological Resources section as described in Responses to Comments PG-144 through PG-199.

PG-24 The comment states that the DEIR's visual analysis of the Proposed Project and the Partial Underground Alternative is inconsistent by failing to identify impacts and assigning them significant (Class I) status. The DEIR visual analysis thoroughly discusses the visual impacts of the Proposed Project and Partial Underground Alternative and indeed identifies several significant (Class I) visual impacts resulting from the Partial Underground Alternative (Section D.3.4.2). Please see Responses to Comments PG-280 (methodology and consistency) and PG-22, PG-285, PG-286, and PG-289 (impacts of the Partial Underground Alternative and its comparison to the Proposed Project).

The methodology used for the Jefferson-Martin DEIR visual analysis is consistent, comprehensive, and transparent. The visibility of existing utility structures from each of the Key

Viewpoints was taken into consideration during the EIR analysis of the Proposed Project and alternatives, including those that would be in the Triangle area under the Partial Underground Alternative.

With respect to recreation impacts, the DEIR did not categorize impacts to Cañada Road in the same manner as it did operation related impacts for the Proposed Project in the Edgewood Park area because impacts to Cañada Road would affect a different population of recreationists in a different setting. Although impacts of the overhead portion would be similar to those described for the Proposed Project (as described on page D.9-26, paragraph 2), this does not mean that the impacts would be the same as the Proposed Project. Please see Response to Comment PG-16 for a detailed discussion of impacts to recreationists on Cañada Road. The impact conclusions in Section D.9.4.2 (Partial Underground Alternative) remain unchanged.

PG-25 PG&E states that the DEIR characterizes impacts of the Proposed Project the same as the Partial Underground Alternative. This is incorrect. Table E-2 in Section E.2.1 summarizes impacts in each issue area for each alternative (and the Proposed Project), illustrating the many differences in impacts among the three routes. The discussion under Section E.2.1 presents general comparisons of the two alternatives with the Proposed Project but does not state that that the two alternatives are "substantially similar."

PG-26 The referenced discussion on Page D.2-39 of the DEIR refers to land use impacts, and is not a summary discussion for all potential impacts, such as impacts to biological resources (Section D.4.4.2), visual resources (Section D.3.4.2), or water quality (Section D.7.4.2); such impacts have been addressed in the topical sections devoted to those resources. Please also see Responses to Comments PG-207, PG-215, PG-216, and PG-220.

PG-27 The comment states that *"…the DEIR does not pay sufficient attention to the fact that the Partial Underground Alternative will require development of an entirely new transmission corridor in an areas where one does not now exist, compared to the proposed project, which represents an incremental visual change to a landscape in which a transmission corridor and its associated clearing are long-established elements of the landscape composition."* The DEIR thoroughly discusses the visual impacts of the Partial Underground Alternative and where they occur, the associated visual impacts are identified. Section D.4.2.2 identifies a significant, Class I impact for the portion of this alternative in The Triangle. Please see Responses to Comments PG-285, PG-286, and PG-289 for detailed discussions of the Partial Underground Alternative and its comparison to the Proposed Project.

PG-28 Please see Responses to Comments PG-207, PG-215, and PG-220.

PG-29 As described in responses to comments throughout this comment set, additional explanation has been added to both environmental setting and impact discussion of the EIR for the Partial Underground Alternative. Draft EIR Section E, Comparison of Alternatives, in Table E-2 summarizes and compares the impacts of the Partial Underground Alternative and the Route Option 1B Alternative, finding that the Route Option 1B would create fewer impacts.

PG-30 Please see Response to Comment PG-96. After review of the new site-specific fault report provided by PG&E with its comment letter, the impact determination for the proposed transition station at San Bruno Avenue and Glenview Drive has been changed from Class I to Class II (mitigable to less than significant levels).

The EIR acknowledges that the use of a transition station at Sneath lane would require crossing of the San Andreas fault, and for that reason, the fault crossing at this transition station location is identified as a significant (Class I) impact (see Section D.6.5.2). However, the fault crossing is considered to be viable, and design measures can reduce the likelihood of damage to the transmission line.

PG-31 The comment states that the DEIR's analysis of the visual impacts of the proposed transition station is based on a seriously flawed simulation of the appearance of the proposed station. Please see Response to Comment PG-282 for a detailed discussion of the DEIR's San Bruno Avenue Transition Station (Visual Resources Figure D.3-19B).

PG-32 Please see Responses to Comments PG-205 and PG-214.

PG-33 As discussed in Section D.4.5.2, use of the Sneath Lane Alternative Transition Station was analyzed based on use of the site itself and its connection with three possible routes (Proposed Project, Sneath Lane, and Westborough Boulevard). Similar analysis is provided for the West of Skyline Transition Station Alternative in Section D.4.5.1. The comment generally argues that the visual analysis of the Sneath Lane Transition Station Alternative is incomplete though the argument is somewhat confusing. One portion of the comment states that the larger 230 kV transmission towers were considered significant for the Proposed Project and should be so for the route that would parallel Skyline Boulevard north of San Bruno Avenue to the Sneath Lane Substation. However, another portion of the comment acknowledges that the DEIR visual analysis found that the visual impacts of the taller towers along Skyline Boulevard south of San Bruno Avenue ("…where conditions and project effects are similar to those that would exist in the corridor between San Bruno Avenue and Sneath Lane") would constitute Class II visual impacts. As a point of clarification, it is true that the 230 kV transmission towers would constitute significant but mitigable Class II visual impacts along Skyline Boulevard between San Bruno Avenue and the Sneath Lane Transition Station site. The same type of mitigation measures that would apply south of San Bruno Avenue would also apply north of San Bruno Avenue including, use of tubular structures, painting of structures as appropriate, and elimination of structures where possible.

PG-34 PG&E states that the DEIR did not adequately consider the biological impacts at the Sneath Lane Transition Station. See Section D.3.5.2 for a discussion of biological resources at the Sneath Lane Transition Station Alternative site. PG&E's Sneath Lane Substation has more than adequate space within the graded and graveled area south of the fenced substation facilities to accommodate a transition station or tower, without affecting undisturbed habitat. Due to the disturbed character of this area and the existing gravel, no endangered species impacts are anticipated at this site. The confidential information provided by PG&E identify a sighting of a wildlife species south of the substation in an area that would be affected by the Sneath Lane Transition Station Alternative in a similar manner as the Proposed Project (tower replacement and stringing of new conductors). Mitigation Measure B-8a (as modified in this Final EIR) would ensure that impacts to special status species are less than significant.

PG-35 Although the Draft EIR evaluated the Modified Underground Existing 230 kV Collocation Alternative consistent with CEQA requirements, information regarding this alternative has been added to most issue areas in Section D in order to clarify the environmental setting

and impact determinations. Based on comments on the Draft EIR and additional analysis presented in this Final EIR, the Final EIR finds that both the Proposed Projects' underground segment and the Modified Underground Existing 230 kV Collocation Alternative are environmentally superior to other northern segment alternatives. All impacts along both routes are less than significant with recommended mitigation, and the overall level of impacts are comparable, although different issue areas are affected.

Analysis of impacts is in some cases qualitative and in some cases quantitative, depending on the issue area (see Response to Comments on Attachment A to PG&E comments for individual responses). In all cases, impact analysis for the Modified Underground Alternative uses the same approach as that for the Proposed Project, and PG&E has provided almost no comments on the Proposed Project analysis.

PG-36 The environmental setting of the Modified Underground Alternative has been expanded or clarified in the five issue areas identified in this comment. Please see Responses to Comments on Attachment A to PG&E's comments in which these specific issues are addressed in detail.

There are substantial differences in the environmental settings of the Proposed Project and the Modified Underground Alternative. No Class I unmitigable impacts are identified for either the Proposed Project's underground segment or the Modified Underground Existing 230 kV Collocation Alternative. Impacts of the two routes are comparable, though they occur in different issue areas as follows:

- The Proposed Project would create construction disturbance (noise, air emissions, access disruptions) adjacent to a large number of sensitive land uses (Herman Tot Lot, San Bruno BART Station, South San Francisco High School, Los Cerritos Elementary School, Boys and Girls Club, Head Start, South San Francisco BART Station, Kaiser Permanente Medical Center, El Camino High School, Susan B. Anthony High School, John F. Kennedy Elementary School, and a number of cemeteries). In addition, construction would occur adjacent to about 120 residences.
- The Modified Underground Existing Alternative would have greater impacts in areas of contaminated soils, greater potential for affecting water quality in and near the Bay, and greater potential for encountering cultural resources.

PG-37 Please refer to Responses to Comments PG-51 to PG-57.

PG-38 Please see Response to Comment PG-206.

PG-39 The EIR's biological resources analysis clearly states impact conclusions. Regarding the Proposed Project's crossing of San Bruno Mountain (Section D.4.3.4), impacts are stated to be less than significant (Class II) with implementation of identified mitigation measures. Regarding the Modified Underground Alternative's crossing of Colma Creek and its tributary, the impact is also found to be less than significant (Class II) with implementation of recommended Mitigation Measure B-1l to protect water quality during boring.

The comment focuses only on the comparison of the Modified Underground Alternative with the Proposed Project, and not on the information on which the comparison was based. In order to develop a conclusion regarding the environmentally superior alternative, the EIR presents a comparison of these impacts, which are categorized in the same manner (Class II, mitigable to less than significant levels).

PG-40 Not all of the 10 water crossings along the Modified Underground Alternative would require boring; as with the Proposed Project (where the underground segment would cross 12 waterways), many could be crossed with standard trenching within a roadway over a culvert or other drainageway. While "frac-outs" can and do occur during some boring operations, they do not always occur. Effective implementation of Mitigation Measure B-1l would ensure that impacts to the waterway being bored and to the San Francisco Bay would be less than significant. Please see also Response to Comment PG-170, in which Mitigation Measure B-1l was modified in response to PG&E comments, and Response to Comment PG-256 regarding water quality effects of this alternative.

PG-41 Please see Response to Comment PG-133.

PG-42 Please see Responses to Comments PG-39 and PG-170.

PG-43 The 7th Avenue segment of the Modified Underground 230 kV Alternative would be located within the existing 115 kV transmission line corridor from San Bruno Avenue on the north to a transition area just east of Walnut Avenue and 7th Avenue. The habitat in this area consists of a gravel road immediately behind and east of the homes along 7th Avenue, a vacant gravel lot, scattered ruderal vegetation, an engineered tidal channel, and scattered shrubs and non-native trees to the east adjacent to Highway 101. It is assumed that the underground transmission line would be placed within the existing gravel road west of the channel.

The channel originates from the Bay to the northeast (as indicated by the USGS quadrangle map, San Francisco South) and runs southwest and then south between 7th Avenue and Highway 101, running under San Bruno Avenue. This brackish channel is at least 10 feet deep and over 20 feet wide with previously engineered steep dirt banks and a muddy bottom. This channel did not appear to support any emergent or wetland vegetation except for some ruderal vegetation along the tops of the banks. Potential impacts resulting from underground transmission line construction in this area include impacts to breeding birds and small animal mortality; however, these impacts would be considered less than significant. Implementation of mitigation measures for Impacts B-1 through B-8, particularly Mitigation Measure B-5a requiring wildlife protection measures during construction, would reduce any resulting significant impacts to a less-than-significant level. Potential indirect impacts to the channel during adjacent underground transmission line construction would be reduced to a less-than-significant impact following implementation of Mitigation Measure B-3.

Although the California clapper rail and black rail have been observed within a few miles of the site in wetlands near San Bruno Point and along Colma Creek, no nesting or foraging habitat exists within or adjacent to the channel at this site. In addition, since the channel is tidally influenced and, therefore, contains brackish water, California red-legged frogs are unlikely to occur in the channel. Implementation of Mitigation Measure B-8a, specifically for the San Francisco garter snake and California red-legged frog, will ensure that potential impacts to these species to less than significant levels; however, as this site is primarily located in a developed and urban area, potential impacts to these species are considered unlikely. Since this alternative does not require direct disturbance of California clapper rail and black rail habitat (tidal salt marsh), impacts to this species, especially where there is development and noise, are considered less than significant.

PG-44 The Modified Existing 230kV Underground ROW Alternative passes through or near three contaminated sites: of the Homart Site (along Gateway Boulevard between East Grand Avenue and Oyster Point Boulevard), the Chiltern Site (the vacant parcel on the north side of Oyster Point Boulevard), and the Sierra Point Landfill. PG&E correctly notes that constructing a new underground transmission line through or near these sites would likely require agency review and oversight, additional precautions related to worker protection, and disposal of contaminated soil. Where the new ductbank penetrates an existing landfill cover (i.e., Sierra Point landfill) or soil cap placed over the consolidated contaminated soils at the Chiltern or Homart Site brownfields, these caps and possibly liner materials would have to be reconstructed. There are several areas where soil removal and remediation have resulted in the removal of deed restrictions by the Department of Toxic Substances Control (DTSC) and the remaining capped contaminated areas are restricted to commercial and industrial uses. Use of Route Option E along Veterans Boulevard would avoid the mapped contaminated areas of the Chiltern Site..

Substantial additional information has been added to the EIR in Section D.8.5.6, describing the sites themselves and also the recommended mitigation measures for construction through these areas. Implementation of Mitigation Measure HAZ-2a (Conduct Phase II Investigation) includes review of current status of listed contaminated sites. This review would provide the opportunity to identify potential alignments within the existing streets or proposed developments with the lowest potential to encounter contaminated soil. In addition, this review should include discussions with the regulatory agencies regarding conceptual plans to replace soil caps and landfill cover where these materials would be breached by trenching. The EIR text has been modified to include a review of agency requirements related to crossing the closed landfill and brownfields. Regarding the concern that agency review of this alternative could lead to project delays, the CPUC believes that appropriate pre-construction planning and coordination by PG&E would allow this alternative to be implemented without delay.

Note also that in Table E-7, the Proposed Project is stated as being preferred over the Modified Underground Existing Alternative for the hazardous materials issue area. In addition, as explained in Response to Comment PG-36, the Final EIR concludes that, considering all issue areas and the fact that no unmitigable significant impacts are identified for any underground route, both the Proposed Project's underground segment and the Modified Underground Existing Alternative are environmentally superior to the other northern segment alternatives.

PG-45 Although the EIR describes impacts resulting from utility disruptions as being roughly proportional to the length of their proposed route, the EIR analysis also accounts for other factors such as use and congestion of the ROW surface and below-surface congestion of existing utility lines. The EIR Team researched utility congestion concerns as part of the alternatives screening process to determine existing utilities and available space within the roadways. In addition, the Proposed Project and alternative routes were examined for Underground Service Alert utility markings. While it is acknowledged that portions of the proposed ROW for the Modified Underground Existing 230kV Collocation Alternative would be installed in heavily congested corridors, other portions of the alternative have little congestion. By the same token, while portions of the Proposed Project's underground route segment have little congestion, other parts are congested with underground utilities and are subject to heavy street traffic (e.g., Bayshore Boulevard). As these routes pose

similar challenges to project installation, the EIR's use of linear distance as a proxy for potential utility disruptions resulting from the project is a reasonable measure for comparing the routes relative to each other.

As such, whether a bore is used to install the transmission ducts under the San Bruno Canal and stormwater pumphouse or whether Seventh Avenue is used for the transmission corridor, per Mitigation Measure U-1b (Protection of Underground Utilities), PG&E must submit the plans for these routes for review and approval by the City of San Bruno and the appropriate applicable utility agencies.

PG-46 Please see Responses to Comments PG-58 through PG-143 for responses to specific geology comments, including the issues listed in this comment.

PG-47 Substantial additional review has been conducted for the Modified Underground Existing Alternative as a result of the voluminous comments submitted by PG&E and others. No new Class I (significant, unmitigable) impacts have been identified, but the conclusion regarding comparison of alternatives has been modified based on Draft EIR comments and additional analysis presented in this Final EIR. Please see Response to Comment PG-36 regarding the identification of both the Modified Underground Existing Alternative and the Proposed Project's underground segment as environmentally superior alternatives in the northern segment of the project area.

PG-48 This comment summarizes PG&E's position on EMF and notes PG&E's agreement with the EIR conclusions in this area. No response is required.

PG-49 The EMF data provided by PG&E was reviewed by the CPUC and it appears to be accurate. However, for consistency, additional detail on magnetic fields for the Route Option 1B Alternative and the Partial Underground Alternative are presented in the EIR (Section D.8.7.4). The information used for these calculations was based on the data previously provided by PG&E, and which is illustrated in Figure D.8-2.

PG-50 A statement acknowledging Mirant Corporation's bankruptcy filing has been added to Section A.2.2.3 and Section C.6 (No Project Alternative). In addition, note of Mirant's November 5, 2003 request that the CEC proceeding be suspended has also been added.