

E. RESPONSES TO COMMENTS ON THE DRAFT EIR AND SUPPLEMENTAL DRAFT EIR

This section presents responses to comments received on the Draft EIR (Section E.1) and on the Supplemental Draft EIR (Section E.2). Table E-1 lists all comments received on these two documents and shows the comment set identification number for both sets of letters.

Table E-1 Commenters and Comment Set Numbers

Commenter	Draft EIR Comment Set	Supplemental Draft EIR Comment Set
DRAFT EIR COMMENTS FROM PUBLIC AGENCIES		
Alameda County Water District	1	--
California Department of Transportation (Caltrans)	2	--
California Independent System Operator (ISO)	3	--
California Regional Water Quality Control Board	4	--
California State Lands Commission	5	--
City of Fremont	6	G
City of San Jose	7	E
City of Santa Clara/Silicon Valley Power (Law Offices of Barry F. McCarthy)	8	--
County of Santa Clara, Environmental Resources Agency, Parks and Recreation Department	9	--
County of Santa Clara, Roads and Airports Department	10	A
Santa Clara Valley Transportation Authority	11	C
Santa Clara Valley Water District	12	H
U.S. Department of the Interior, National Park Service, Pacific West Region	13	--
U.S. Fish & Wildlife Service, Sacramento Fish and Wildlife Office, Endangered Species Division	14	B
U.S. Fish & Wildlife Service, Sacramento Fish and Wildlife Office, Wetlands Branch	15	
U.S. Fish & Wildlife Service, SF Bay National Wildlife Refuge	16	
DRAFT EIR COMMENTS FROM PRIVATE PARTIES		
Catellus Development Corporation	17	--
Citizens Committee to Complete the Refuge	18	--
James Mathre	19	--
US DataPort (by Jeffer, Mangels, Butler & Marmaro LLP)	20	P
Mattson Technology	21	--
Mission West Properties	22	--
Ohlone Audubon Society, Inc.	23	R
PanTronix Corporation	24	I
Peery/Arrillaga	25	--
ProLogis	26	--
Richard Geary	27	--
San Francisco Bay Bird Observatory	28	O
William Garbett, T.H.E. P.U.B.L.I.C	29	--
Willis & Company	30	--
DRAFT EIR COMMENTS FROM PG&E (THE APPLICANT)		
Pacific Gas & Electric Company (by Morrison & Foerster LLP)	31	X
DRAFT EIR PUBLIC HEARING TRANSCRIPTS		
Public Participation Hearing: July 11, 2000	P-1 to P-16	--
Public Participation Hearing: July 12, 2000	P-17 to P-18	--

E.1 RESPONSE TO COMMENTS ON THE DRAFT EIR

Appendix 2 presents copies of all comment letters submitted on the Draft EIR, as well as transcripts from the Public Participation Hearings held on July 11 and 12, 2000. Each comment on the Draft EIR presented in Appendix 2 has a corresponding response in Section E.1. The comments and responses are presented in the order shown in Table E-1. To find the response to a particular comment or comment set, note its comment set number from Table E-1 (the comment set number is also shown on the top of each comment letter). Agency comment letters are presented first, followed by letters from the general public and PG&E Co. (the Applicant), and finishing with transcripts from the Public Participation Hearings. Each comment made at the Public Participation Hearings is numbered and responses are presented in the same order.

Section E.1.1 includes responses to written comments from agencies; Section E.1.2 presents responses to written public comments; E.1.3 presents responses to PG&E Co.'s written comments; and Section E.1.4 presents responses to oral comments made at the July 11 and 12, 2000 Public Participation Hearings.

E.1.1 RESPONSES TO WRITTEN COMMENTS ON THE DRAFT EIR FROM AGENCIES

Comment Set 1: Alameda County Water District

1-1 The following paragraph is offered to acknowledge the authority of the Alameda County Water District (ACWD) with regard to groundwater issues in Alameda County:

ACWD is the permitting agency for drilling or auguring into the subsurface within Alameda County. Permits from ACWD are required for any installation or borings or wells, or other drilling, and the work must be performed according to ACWD requirements. ACWD also has oversight regarding the extraction of groundwater, and may provide the oversight (in coordination with the Regional Water Quality Control Board, RWQCB) of groundwater and soil clean-up projects at sites where a threat to groundwater quality has been determined.

As shown in Section C (Mitigation Monitoring), ACWD shall be considered as a responsible agency in Final EIR Table C-2 regarding the Mitigation Monitoring Program for Mitigation Measures H-5, H-6, and H-11. Additionally, PG&E shall consult with the ACWD for Mitigation Measures H-5 and H-6 as modified below (modifications shown with underlines):

H-5 Prior to construction of the Newark Substation modification, PG&E Co. will perform soil and/or groundwater testing in the former equipment storage area and in the immediate construction location to a depth that represents construction activity. If soil and/or groundwater contamination is found, PG&E shall coordinate with the Alameda County Water District (ACWD) and send work plans to the ACWD, the RWQCB and City of Fremont Fire Department and remediate the area as needed to meet requirements of the governing agencies. A report shall be provided to the CPUC prior to the start of substation construction documenting completed tests and results.

(Supercedes APM 7.16a.)

- H-6** Prior to construction, PG&E Co. shall provide construction documents, illustrating the exact location of project components, to the Alameda County Water District (ACWD) and the Santa Clara Valley Water District (SCVWD) and adjust tower locations, if feasible, to minimize impacts on water district facilities.

In addition, PG&E Co. shall research the potential for known or suspected soil or groundwater contamination along the approved transmission line route and on the selected 230kV substation site. In areas of known or suspected contamination where construction activities shall occur, PG&E Co. shall drill pilot borings to test the soil and/or groundwater for contaminants. Prior to the start of construction, a report shall be submitted to the CPUC, the RWQCB, and either the ACWD or the SCVWD (depending on jurisdiction) documenting the locations of contaminated areas and the findings of these tests. PG&E Co. shall notify and coordinate with ACWD or the SCVWD prior to any drilling or boring and send relevant work plans to those agencies for review.

In the event that PG&E Co. requires completion of any borings, driving piles through landfills, groundwater extraction, excavation dewatering, or remediation of contaminated groundwater as part of construction, PG&E Co. shall obtain necessary permits and follow the guidelines of the RWQCB and the ACWD or SCVWD. Such protective procedures must be approved before the start of construction by RWQCB and the CPUC, and by either the ACWD or SCVWD, for transmission towers or underground transmission lines to be built in areas where shallow contamination is found.

Protective measures may involve installing a conductor casing outside of the piles to seal off the shallow contaminated zone. If drilled piers are needed in areas with shallow contamination, soil cuttings and dewatering fluids will be tested and disposed of appropriately. Workers might be required to wear personal protective gear and receive special health and safety training. Public access to the construction area may be temporarily restricted during excavation or drilling activities. Specific protective measures shall be defined in a letter to the CPUC prior to the start of construction and after completion of testing. The applicant will complete this work in compliance with applicable federal, state, and local regulations. (Supercedes APM 7.18a.)

- 1-2 Mitigation Measure H-13 has been added in response to this comment:

- H-13** Prior to the start of construction, PG&E Co. shall provide construction diagrams to the Alameda County and Santa Clara Valley Water Districts and request determination of the location of existing water wells. Based on the information received, PG&E Co. shall not preclude access to an existing water well (whether active or abandoned) during

construction or demolition work. Abandoned wells may be required to be destroyed per District requirements. In addition, operational wells within or near the construction area must be protected during construction in accordance with District requirements. Documentation of compliance with this requirement shall be provided to the CPUC before the start of construction.

- 1-3 As shown in response to comment 1-1, Mitigation Measure H-6 has been modified to include the provisions in this comment.
- 1-4 Mitigation Measure H-5 (modified as shown in response to comment 1-1) addresses the potential for contamination to be encountered at the Newark Substation.
- 1-5 See response to comment 1-2; new Mitigation Measure H-13 includes the recommended provisions.
- 1-6 See response to comment 1-1; Mitigation Measure H-6 has been modified to incorporate these requirements.
- 1-7 As defined in the revision to Mitigation Measure H-6 above, prior to any groundwater extraction in Alameda County, PG&E must notify ACWD (where appropriate) so that they shall determine if the proposed extraction is subject to requirements and charges under the ACWD Replenishment Assessment Program.
- 1-8 See response to comment 1-2; Mitigation Measure H-6 requires that PG&E Co. submit construction plans to the ACWD prior to construction.
- 1-9 Mitigation Measure H-4 is amended as follows (changes underlined):
- H-4** The Applicant shall develop Best Management Practices (BMPs) as part of the requirements for a National Pollutant Discharge Elimination System (NPDES) permit by the State Water Resources Control Board. BMPs shall be approved by the CPUC, Regional Water Quality Control Board, and affected public agencies prior to permit issuance. They will be modified as necessary during construction to minimize the possibility of contaminated discharge into surface waters. Any spill occurring during construction activities shall be contained and immediately cleaned up. PG&E shall notify the RWQCB, City of Fremont Fire Department (when appropriate), and/or Office of Emergency Services in the event of a spill of fuel or other hazardous materials. PG&E should also notify ACWD in a timely manner of any such spills.
- 1-10 See response to comments 1-1 and 1-2.
- 1-11 See response to comments 1-1 and 1-2.

1-12 The District's agreement with the practices presented in Mitigation Measure H-6 is acknowledged.

Comment Set 2: California Department of Transportation (Caltrans)

2-1 No towers would be located within the Caltrans Right of Way along the I-880-A Alternative. The towers would be located north and south of the I-880 inspection and weigh station, and there would be a minimum of 35 feet of vertical clearance from the weigh station to the transmission line conductors at this location.

2-2 The location of the I-880-B Alternative was modified based on information provided by Caltrans and other parties. The Supplemental Draft EIR evaluated a "Modified I-880-B Alternative" which correctly illustrates the location of the transmission line that would avoid interference with the interchange improvements at I-880 and Mission Boulevard/Warren Avenue.

2-3 As explained in response to comment 2-2, the Modified I-880-B Alternative would avoid conflict with the Caltrans work at the Mission Boulevard/Warren Avenue interchange.

2-4 Caltrans' plans to widen the I-880 between North First Street and Montague Expressway would not be affected by the proposed project or alternatives, since the environmentally superior alternatives are all north of Highway 237.

2-5 Based on the location of Modified I-880-B Alternative, no construction activity would take place within the State right of way so no permit would be required.

Comment Set 3: California Independent System Operator

3-1 In accordance with CEQA Guidelines, the Draft EIR/Supplemental Draft EIR's determination of the Environmentally Superior Alternative does not consider cost. However, the CPUC's General Proceeding will evaluate the cost differential among the alternatives and cost impacts on ratepayers. The Decision on the project will address both cost and environmental factors.

3-2 The statement is correct that the environmentally superior alternative (the I-880-A Alternative) would connect to the existing Newark-Metcalf 230 kV transmission lines, whereas PG&E Co.'s proposed project would connect directly to the Newark Substation.

3-3 PG&E Co.'s analysis of the "Overhead-Underground Alternative" was included in its Proponent's Environmental Assessment. However, as stated in Draft EIR Section B.5.4.1.2, this alternative was eliminated from EIR consideration due to the greater overall environmental impact of that route. Because the "Overhead-Underground Alternative" was not evaluated in the EIR, this alternative could not be selected by the CPUC.

3-4 Please see the response to comment 3-1.

- 3-5 The CPUC understands that no further CA ISO approval of the project would be required if the CPUC approves an alternative evaluated in the Draft EIR or Supplemental Draft EIR.

Comment Set 4: California Regional Water Quality Control Board

- 4-1 The Regional Board requests the development of a Storm Water Pollution Prevention Plan (SWPPP) that includes specific measures to reduce runoff and employs Best Management Practices (BMPs) to control sediment and erosion. Mitigation Measure H-2 specifically requires preparation of a SWPPP. Other erosion control measures are specified in Mitigation Measures H-3 and H-8 (see Section C of this Final EIR) as well as in Mitigation Measures H-4, H-5, and H-6 (as modified in response to comments 1-1 and 1-2).
- 4-2 See response to comment 4-1.
- 4-3 See response to comment 4-1.
- 4-4 Draft EIR Section C.3, Biological Resources, evaluated impacts to various habitat types, including riparian habitat. Mitigation Measure B-1 (see Final EIR Section C) would require assessment of jurisdictional wetlands, avoidance of identified habitat, and restoration of lost habitat. The measure specifically requires that a Restoration Plan be submitted to the Regional Water Quality Control Board for review and approval.
- 4-5 See response to comment 4-4.
- 4-6 See response to comment 4-4. In addition, as explained in Draft EIR Section A.3, PG&E will be required to obtain a Section 404 Permit from the U.S. Army Corps of Engineers for construction within the waters of the U.S., and must comply with conditions associated with that permit.

Comment Set 5: California State Lands Commission

- 5-1 Table A.3-1 (page A-11) of the Draft EIR acknowledges the California State Lands Commission's requirement that PG&E would need a new or modified lease to cross State waters.

Comment Set 6: City of Fremont (see also Supplemental Draft EIR Comment Set G)

- 6-1 Each of the City's comments is addressed in detail in the following responses.
- 6-2 The commenter is correct that Interstate 880 is identified in the *Fremont General Plan* as a County Scenic Route, though it should be noted that Policy NR 14.1.1 lists ten routes within the City that are designated scenic routes, and I-880 is absent from this list. In addition, the Scenic Route designation in the General Plan was made several years ago, before extensive development occurred west of the I-880 freeway. Nevertheless, Table C.7-1 of the Draft EIR identifies *Fremont General Plan* policies NR 14.1.1 and NR 14.1.2 (and supporting implementation measures) as applicable to the proposed project and evaluates the consistency of

the project with the policies. As noted therein, the project as proposed would be consistent with these policies.

As stated in the Draft EIR (Section C.12.3.2), the I-880-A Alternative is not expected to result in significant visual impacts to views of the proposed Pacific Commons Preserve from Interstate 880. Draft EIR Figure C.12-12B illustrates what the transmission line would typically look like parallel to I-880 as viewed from a short distance away from the freeway. While this simulation is actually of the I-880-B Alternative, the I-880-A Alternative would appear very similar. The view portrayed in Figure C.12-12B shows a larger field of view than would be seen by motorists on I-880 since the vehicles would be substantially closer to the structures and views from within vehicles would be considerably more confined. The proposed project would be more noticeable from the north and south because the viewer would be seeing several towers at once (in-line views) than it would be to a viewer looking west, since in that case only one tower would be seen at a time.

In the I-880-A Alternative, there are only two tower structures proposed within the Preserve, one at the very north end and one in the center. Given the immediate proximity of the structures to the freeway and viewing motorists, it would be the lower portions of these two structures that would be most visible to passing motorists since the upper portions of the structures and conductors would be substantially above the horizontal, westward views from passing vehicles. A simulation of a westward view toward the Preserve area from a passing vehicle on I-880 was not prepared since the view would effectively capture, at most, the lower portion of a single vertical pole due to the relative short distance of the Preserve fronting on I-880, the spacing of the two structures in the Preserve, the close proximity of the vehicles to the structures, and the relatively confined side views available. Therefore, the visual impact to westward views would be considered adverse but not significant. A third structure is located at the northeast corner of the Northport Loop Business Park adjacent to the Pacific Commons Preserve area, but would not obstruct views of the Preserve from either southbound or northbound directions.

As acknowledged above, the proposed project would be more visible in north and south in-line view directions. While the visual impact would be adverse, it is not considered significant for three reasons: (1) north and south bound views tend to be dominated by the freeway infrastructure and the immediately adjacent development consisting of business and industrial parks and other commercial development; (2) views also tend to be drawn toward the hills to the east, away from the proposed transmission line; and (3) for purposes of this analysis, commuters and motorists on freeways are generally considered to be less sensitive to visual impacts than recreationists in open space with panoramic vista viewing opportunities.

The City's concern about the transmission lines being visible to freeway drivers is acknowledged and demonstrated in the photosimulation in Draft EIR Figure C.12-12. The combined I-880-A and Modified I-880-B Alternatives would be aligned along the immediate edge of the freeway (as shown in this photosimulation) for about 2 miles (in three separate

segments) of the three-mile portion north of the Fremont Airport property: in the northernmost portion between Auto Mall Parkway and Northport Loop, along Landing Parkway north of Warren, and along Lakeview Boulevard. Nearly one mile of the freeway-adjacent line has been eliminated by the Modified I-880-B Alternative (see Supplemental Draft EIR Section B.2.4). Other portions of the I-880-B route (as defined in Final EIR Section B.2 and Supplemental Draft EIR Section B.2.4) would be located about a block west of the freeway, so the lower portions of those towers would not be visible from the freeway.

In reference to the potential visual impact of the I-880-A Alternative on the Pacific Commons employment center, this alternative was not found to significantly affect the proposed development for two reasons: (1) the I-880-A Alternative is located over 1,000 feet to the east of the employment center and not within the core of the development; and (2) since access to the development will be by either Auto Mall Parkway or Christy Street (via Auto Mall Parkway), people accessing the development will not be adversely visually impacted as the I-880-A Alternative terminates south of Auto Mall Parkway and motorists will not have to drive beneath or adjacent to the transmission line.

Regarding the characterization of the visual impact between Cushing Parkway and Bayside Business Park, the commenter refers to the visual impact as being “high” instead of “moderate to high” as indicated in the Draft EIR (page C.12-20). The “moderate to high” classification referred to by the commenter actually refers to the impact severity rating. In the present methodology, impact significance is arrived at by comparing probable impact severity with landscape impact susceptibility. This approach essentially compares the project characteristics with the inherent qualities and capabilities of the existing landscape and the characteristics of the viewing public. In the location referenced by the commenter, the impact severity is considered moderate to high instead of high due to the presence of existing transmission lines with similar visual characteristics to that of the proposed project. The presence of the existing facilities effectively lowers the resulting visual contrast and project dominance. If this location had been without existing similar facilities, the visual impact severity rating would have been high instead of moderate to high. In either case, the impact is still considered a “significant” visual impact (as indicated on page C.12-20) once the impact severity rating is compared to the visual impact susceptibility classification.

In conclusion, in response to the concerns raised by the City of Fremont and others, the Supplemental Draft EIR evaluated the Northern Underground Alternative. While this alternative would eliminate the visual impact of this route (except at the transition structures), it was not found to be environmentally superior to the I-880-A Alternative due to the geologic hazards associated with this area.

- 6-3 Visual contrast of the I-880-B Alternative was rated moderate due to the presence of numerous built structures including linear, vertical structures of similar form and line such as light standards and signage (though the proposed transmission tower structures would be more massive as depicted in Draft EIR Figure C.12-11). In the absence of this existing development,

the visual contrast would have been rated high. While this alternative would be highly visible while accessing the business park, it will be minimally visible to occupants inside the buildings due to the small number of structures, the wide spacing between towers, and the height of the conductors.

It should also be noted that since the simulation presented as Draft EIR Figure C.12-11B was completed, the actual number and location of proposed towers along Cushing Parkway has been refined based on information provided by PG&E Co. This alternative would now include one tower at the western corner of the Northport Business Park (north side of Cushing Parkway) and only one tower within the business park along the south side of Cushing Parkway, rather than two as shown in the simulation.

The Draft EIR (Section C.13.3.3.2) acknowledges that trees would have to be removed along this alternative route. It is PG&E Co.'s practice to replace removed trees below new transmission lines with appropriate vegetation that would not threaten the safety of the high-voltage lines. Because the removed trees are ornamental and not sensitive species, and because the trees are replaced, the removal of trees is not considered to be a significant impact.

- 6-4 It is agreed that this portion of I-880 does afford motorists open views to the east toward the East Bay hills. However, as discussed in response to comment 6-2 above, the proposed project would not obstruct views to the east toward the hills. With regard to impairment of open views of the Bay to the west, please see the discussion in response to comment 6-2 above (paragraph 2) regarding impacts to motorists' views to the west. Also, it should be pointed out that along the I-880-B Alternative route, most views to the west from I-880 are already obstructed by existing development along this stretch of I-880 as is evidenced in the aerial photograph presented as Draft EIR Figure B.6-3. Furthermore, the routing of the Modified I-880-B Alternative (evaluated in the Supplemental Draft EIR and illustrated in Supplemental Draft EIR Figure B-4) will further reduce the visibility of the proposed structures from the I-880 Freeway.

Visual impacts to hotel guests are not considered to be significant since such guests are transient and not permanent residents. Compared to the original I-880-B Alternative route, which would have been very close to the east side of these hotels at the complexes just south and east of Auto Mall Parkway, the Modified I-880-B Alternative would have somewhat reduced impacts to hotel guests.

- 6-5 Most views from the referenced business parks are directed internal to the business parks. The buildings located on the eastern perimeter of Bayside Business Park would be the most impacted of the Bayside Business Park buildings. However, as discussed in response to comment 6-2 above, there would be minimal views of the proposed project from these buildings given the spacing of the structures, the height of the conductors, and the screening provided by other buildings and the remaining trees. Buildings on the east side of I-880 would have more extensive views of the project as is illustrated in Draft EIR Figure C.12-12 given the greater distance from the project and wider viewshed. However, as shown in Figure C.12-12, much of

the proposed project would be screened from view by existing business park landscaping and trees on the east side of the freeway. This is particularly true for the lower floors of these businesses and business parks. See also the discussion above in response to comment 6-2 regarding viewer sensitivity associated with urban commuters and business and industrial park occupants.

- 6-6 The impacts of the Underground Through Business Park Alternative are fully assessed in the Draft EIR. Based on the City's request, additional underground alternatives (Northern Underground Alternative and Southern Underground Alternative) are evaluated in the Supplemental Draft EIR. The impacts of each of these alternatives are detailed for each environmental discipline in Section C of the Draft EIR and Supplemental Draft EIR, respectively. The analysis included in the Supplemental Draft EIR considers a completely underground alternative through the City of Fremont. The Supplemental Draft EIR (Section D) presents the conclusions of this analysis. The conclusion presented in this Final EIR is that the environmentally superior alternative would include a substantial portion of the Northern Underground Alternative in combination with the Underground Through Business Park Alternative.

It is not accurate to state that there is little difference between the aboveground alternatives. There are significant differences between these alternatives (proposed route, Westerly/Westerly Upgrade Alternatives, I-880-A and I-880-B), especially with respect to biological impacts, recreation and land use, and visual impacts. The comparison of these impacts is summarized in Tables D.3-3 and D.3-4 of the Draft EIR, and addressed for each environmental discipline in Draft EIR Section C.

The installation of aboveground transmission lines through the business parks of Fremont would be with areas zoned as "Restricted Industrial" with a "Commercial-Industrial Overlay." Transmission lines are considered to be industrial land uses, therefore, the best location for these lines is in land zoned for such uses.

The City is correct that cost does not govern selection of alternatives to be examined in an EIR. Alternatives are selected, as required by CEQA, based on their potential for elimination of potential significant effects of the proposed project and their ability to meet project objectives. Draft EIR Section B.5.2.2 states that the effects relevant to the City are visual impacts in scenic and recreation areas, potential impacts to biological resources, construction impacts and operational disturbance to adjacent property owners.

- 6-7 As identified in Table D.3-3 (Draft EIR page D-11), there would be potentially significant (Class II) impacts to hydrology and water quality resulting from the Underground Through Business Park Alternative, but these are not the most significant impacts associated with this alternative. This alternative would have significant impacts in the visual and biological resources issue areas in the half-mile approach to the business park through the salt ponds. In the visual and biological resources issue areas, the potential impacts in the salt pond area were

considered to be significant and unavoidable (Class I). The Northern Underground Alternative (evaluated in the Supplemental Draft EIR) would eliminate the impacts to the salt ponds, but this alternative would have significant and unavoidable geologic impacts due to the presence of potentially liquefiable sediments in the northern part of this area. Note that the environmentally superior alternative in the Northern and Central Areas (as described in Final EIR Section B.3.1) is a combination of the I-880-A, Northern Underground, and Underground Through Business Park Alternatives.

The hydrologic impact of the Underground Through Business Park Alternative is considered to be mitigable to less than significant levels (Class II impact). However, the City misstates the Draft EIR's comparison from page C.6-30: the text states that the Underground Through Business Park Alternative could have less groundwater impacts than PG&E's proposed route at the edge of the business park, not the environmentally superior ("preferred") route. Note that the conclusion of this paragraph states that "... the overall impacts associated with the underground route would be greater than the tower construction activities because of the required length of continuous trenching" associated with the Underground Through Business Park Alternative. While underground alternatives have greater hydrologic impacts than overhead transmission lines, a large portion of the underground alternative has been determined to be environmentally superior through the City of Fremont.

- 6-8 Draft EIR Section C.2.3.1 is clear in its conclusion that the underground alternative would have significantly greater air emissions than any overhead alternative due to the continuous trenching and use of much more diesel equipment during construction as compared with construction of an overhead line. This comparison is also clear in Draft EIR Table D-3.3, which shows that the underground alternative is the worst of the central area alternatives for the air quality issue area. With implementation of recommended mitigation, impacts of both alternatives would be reduced to less than significant levels.
- 6-9 The Draft EIR considered a reasonable range of alternatives, as required by CEQA, and several additional alternatives were considered in the Supplemental Draft EIR. As defined in CEQA, alternatives must be feasible and must meet most project objectives. The alternatives suggested by this comment do not meet these criteria: (1) horizontal drilling may not be feasible in highly unconsolidated soils, and (2) the suggested undergrounding of existing lines concurrent with installation of the Underground Through Business Park Alternative is not within the objectives of this proceeding (the existing 115 kV lines are not part of the project being evaluated by the CPUC)." In addition, due to the separation of the 230 kV circuits (required to allow dissipation of heat) that would be installed in separate trenches on the west and east sides of the existing 115 kV ROW, it is not likely that there would be room for all three 115 kV circuits to be undergrounded in the same ROW as the 230 kV line. For undergrounding existing transmission lines, CPUC staff recommends the City pursue the issue according to the guidelines enumerated in PG&E Tariff Rule 20 -- "Replacement of Overhead with Underground Electric Facilities."

- 6-10 The referenced statements regarding the biological impacts of the underground alternative are accurate. However, as stated in Draft EIR Table D.3-3 (page D-11), the Underground Through Business Park Alternative still passes high bird use areas aboveground in the vicinity of the salt ponds. These high bird use areas are avoided by the Modified I-880-B Alternative and would also be avoided by use of the Northern Underground Alternative considered in the Supplemental Draft EIR. Balancing of project cost versus environmental considerations will occur in the CPUC's Decision on this project, but is not within the scope of the EIR (per CEQA Guidelines).
- 6-11 The Underground Through Business Park Alternative would have an aboveground section in its approach to the Business Park. This segment would pass through salt ponds covered by the jurisdiction of the Bay Conservation and Development Commission's San Francisco Bay Plan. Therefore, the policy inconsistency is similar for the Underground Through Business Park and I-880-A and I-880-B Alternatives.
- 6-12 The commenter is correct that the Underground Through Business Park Alternative should have been shown in the Draft EIR as being environmentally superior to the I-880-B Alternative in the biological resources area. This correction is partly the reason that the Supplemental Draft EIR indicates that the Underground Through Business Park Alternative and the I-880-B Alternative have a similar level of overall impact.
- 6-13 The differences between the proposed project, the I-880-A Alternative, and I-880-B Alternatives are clearly described in the following Draft EIR sections listed below (detailed responses in these areas are presented in responses to comments 6-14 to 6-25):
- Draft EIR Biological Resources Section C.3.2.4.2 itemizes the impacts of the proposed project, especially the portion through the Pacific Commons Preserve, the salt ponds, and the western edge of the Bayside Business Park. Bird collision is described on pages C.3-62 through C.3-64. As described in Sections C.3.3.2, the I-880-A Alternative would avoid sensitive species areas of the Pacific Commons property and reduce bird collisions by following the margin of the Pacific Commons property. Section C.3.3.3 describes the combination of the I-880-A and I-880-B Alternatives, and lists five species that would not be affected by these routes, as well as the reduction in collision risk.
 - Draft EIR Section C.7.2.4.2, Land Use and Public Recreation, details the impacts of the proposed project on future recreational trail use (impacts range from significant but mitigable to significant and unavoidable). These recreational impacts would not occur with the I-880-A and I-880-B alternatives.
 - Draft EIR Section C.12.2.6 describes the visual resources impacts of the proposed route, including identification of a significant and unavoidable visual impact between Mileposts (MP) 2.2 and 2.7. No significant and unavoidable visual impacts are identified for either the I-880-A or I-880-B Alternatives.
- 6-14 The air quality impacts of the proposed project or alternatives are generally proportional to the amount of construction disturbance required. The underground alternatives would have greatest air quality impacts due to extensive trenching and use of diesel equipment.

The types of impacts to biological resources are similar among the alternatives. However, the

degree of impact is very different, as explained in Draft EIR Sections C.3.2 and C.3.3.

The City's statements regarding the similarity of hydrology impacts among alternatives are correct.

The traffic impacts described in this comment (in the area of Caltrans' expansion of the West Warren Avenue interchange) would be avoided by the alignment of the Modified I-880-B Alternative.

The I-880-B Alternative is the only alternative in the central project area (south of Cushing Parkway) that would not result in significant unavoidable impacts to recreational trail users. Impacts to prime farmland would occur only as a result of substation construction.

- 6-15 The comment is correct that the I-880-A Alternative would also pass through the Pacific Commons Preserve (one or two transmission towers would be located at the eastern edge of the Preserve). Draft EIR Section B.6.1.1 clearly explains the location of the I-880-A Alternative as being along the eastern edge, but within, the Pacific Commons Preserve. This route was developed, in consultation with the U.S. Fish and Wildlife Service's San Francisco Bay National Wildlife Refuge, specifically to minimize impacts to the Preserve.

The comment is also correct that hydrologic impacts of the I-880-B Alternative are not significantly different from those of the proposed project. However, the recreation, visual resources, and biological resources impacts are more severe for the proposed project than for the I-880-B Alternative.

- 6-16 See the Supplemental Draft EIR Section C.9 for an expanded discussion of bird collision impacts and a revised Mitigation Measure (B-9).

- 6-17 It is unclear what bias the commenter is referring to with respect to the impact discussion on page C.7-40. A large concentration of people work in the Bayside Business Park and installing a 230-kV overhead transmission line along the western border of this area would unquestionably alter the existing visual conditions. However, as noted in the comment and acknowledged in the impact discussion in the Draft EIR, the number of persons whose views would be altered would be limited and people in the business park are generally there to conduct business, not gaze at the scenery. Nonetheless, in addition to the loading dock facilities and windowless façades cited in the comment, there are also offices with windows facing the wetland pond. Some businesses have also provided recreational facilities (e.g., small basketball courts) and picnic tables on this side of the business park for their employees to enjoy at lunchtime and during breaks. Some of these people would undoubtedly notice the presence of the tall steel support towers and transmission lines on the edge of the wetland, and would find them displeasing. For this reason, identification of an impact was clearly warranted, but because of the factors cited in the comment and in the text, the impact was classified as adverse, but not significant.

With respect to a comparison of the proposed project to the I-880-A and I-880-B alternatives, the discussion of each alternative states that the same operational impacts identified for the proposed project would apply to the alternatives, unless otherwise noted in the Draft EIR discussion. One difference in impact includes the visual impact on nearby receptors. While this impact would be qualitatively different from the project for each of the I-880 alternatives, the impact would still be adverse, but not significant for either alternative. The land uses on the east side of the freeway along the I-880A alternative are predominantly light and heavy industrial, including the New United Motor Co. factory. The majority of these buildings have essentially windowless façades facing the freeway. While it's true that travelers on I-880 constitute a greater number of people than the business park workers, the experience of driving on a freeway through a densely industrialized area is not comparable to having a static view of a wetland from one's lunchtime picnic table altered through the addition of transmission line support tower. The same basic argument applies to the I-880-B or Modified I-880-B Alternatives. Again, while the impact would be qualitatively different from the project impact, it would not be a significant impact. The overhead line would be located predominantly along the freeway, flanked by existing and planned development on both sides. The transmission line would not intrude into the views of wetlands and open space, as would be the case with the proposed project.

- 6-18 In the interest of brevity, the Draft EIR's discussion of the I-880-A and I-880-B Alternatives summarily stated that the operational impacts would be the same as those noted for the proposed project, except as otherwise noted. These similarities included visual impacts on office workers, and the presence of office workers in the Northport Loop and elsewhere along the alternative alignments was noted in the setting discussions of the alternatives. Please note that CEQA does not require the same level of detail in discussion of alternatives as the discussion of the proposed project (*CEQA Guidelines*, Section 15126.6(d)), and this has been reaffirmed by case law (*Residents Ad Hoc Stadium Committee v. Board of Trustees* (3d Distr. 1979) 89 Cal. App.3d 274, 286 [152 Cal. Rptr. 585]). For additional discussion on the relative visual impacts of the I-880 alternatives in comparison with the proposed project, please see response to comment 6-17.
- 6-19 While it is not true that the Wildlife Refuge is immediately adjacent to Interstate 880, the commenter makes a valid point with respect to Open Space Policy OS 2.1.2. Inconsistency with this policy was not identified for the I-880A Alternative in the Draft EIR because the alternative alignment is located a considerable distance from the existing Wildlife Refuge boundaries. In the northerly portion of the alignment, the Refuge is nearly 1 mile from I-880. However, the Pacific Commons Preserve that will be created by Catellus Corporation as part of its development off of Auto Mall Parkway would be immediately adjacent to I-880. These ponds will be managed by the Refuge and, assuming they meet certain success criteria, will be turned over to the Refuge in 10 years. At that point, the northern portion of the I-880-A alternative would be adjacent to the Refuge. Furthermore, the Refuge extends to the western edge of Bayside Business Park, and the I-880A alternative is identical to the proposed project at

this location. Therefore, the commenter is correct that the alternative would be inconsistent with Fremont General Plan Open Space Policy OS 2.1.2, and the statement to the contrary on page C.7-53 of the Draft EIR should be deleted.

While acknowledging the point about the General Plan policy, the CPUC does not agree with the commenter's assertion that the I-880-A Alternative would be more visually detrimental than the proposed project, or with the characterization of the existing view as "pristine." If the transmission line were located adjacent to the freeway, it would be sufficiently high that it would essentially be out of the viewshed from freeway drivers looking to the southwest, aside from pole locations. Under the proposed project, an entire segment of transmission line, including four or five support towers, would be clearly visible in the middle of the open space. The CPUC asserts that this would be a greater degradation of the open space view, and that the transmission line would be more compatible with the freeway and the Northport Loop development than with the existing and future Wildlife Refuge areas.

- 6-20 As noted in response to comment 6-18, the analysis of the I-880-B Alternative identifies an adverse impact on the business uses along Cushing Parkway resulting from the visual intrusion of the transmission lines and support towers. Cushing Parkway has business impacts similar to those of the proposed project. The businesses cited in the comment were identified in the setting discussion of the alternative. While it's true that a portion of Cushing Parkway is landscaped, a transmission line surrounded on both sides by existing and future development creates less of a visual impact than that same line at the edge of an open space area. The EIR analysis considers an open space area crossed by recreational trails to be more visually sensitive to such an addition than a more developed area. Nonetheless, the I-880-B Alternative would represent a visual intrusion into the existing landscape, particularly along Cushing Parkway, and the workers and visitors who frequent the area could find the addition of the power lines and support towers to be a degradation of their views. Due to the context in which it would be located, however, it remains the position of the CPUC that this impact would be adverse, but not significant, as determined in the Draft EIR.
- 6-21 The City disputes the Draft EIR's conclusion regarding the environmentally superior alternative. This difference of opinion results from the City's placing a higher value on industrially zoned business development than on open space. The Draft EIR's conclusions are based on commonly accepted environmental principles that call for use of commercial and industrial land for utility purposes. In addition, the Draft EIR acknowledges that the rapid pace of development along the Bay margin increases the value of the remaining open space in the San Francisco Bay area. Please note that the Supplemental Draft EIR concludes that the Underground Through Business Park Alternative and the Modified I-880-B Alternative are comparable in their level of impact, modifying the Draft EIR's conclusion that the I-880-B Alternative was environmentally superior.
- 6-22 There is no evidence that the construction of a transmission line would reduce the competitiveness of the City of Fremont in attracting and retaining workers or reduce the value

of this land. In fact, a recent announcement (made during the comment period for the Supplemental Draft EIR) that Cisco Systems has signed a long-term lease for the Pacific Commons property indicates that the prospect of the proposed transmission line did not dissuade this major company from locating in Fremont.

- 6-23 The Draft EIR complies with CEQA's requirement that a reasonable range of alternatives be evaluated. As described in the response to comment 6-6, the range of alternatives was based on a determination of the significant impacts of the proposed project. CEQA does not require that every conceivable alternative be evaluated. However, the Supplemental Draft EIR was prepared in order to present analysis of several additional alternatives suggested in comments provided by the City and others.
- 6-24 EIR preparers were aware that half of the transmission line would be located within the City of Fremont and therefore were careful to keep the City informed of the CEQA process and to obtain the City's input on alternatives. Efforts to cooperate with the City included the following actions:

- The Notice of Preparation for the EIR was sent to the City (12/17/99), including announcement of two Scoping Meetings (one held at the Fremont Public Library). The City submitted a scoping letter (see below).
- EIR preparers discussed planned development projects with City planning staff (Janet Harbin and Len Banda) in order to gather information on cumulative project scenario in the City (December 1999 - January 2000).
- After development of EIR alternatives (February – March 2000), a newsletter was mailed to all agencies and Scoping Meeting attendees (including the City of Fremont) describing the alternatives selected for EIR analysis and presenting a map of these alternatives.
- The EIR project manager called the City's Planning Director (Dan Marks) in March of 2000 to be sure that he had received the Newsletter and to ask whether he would like to meet with the CPUC to discuss alternatives. He indicated that he would wait for the Draft EIR to be published and that no meeting was necessary.
- Immediately upon release of the Draft EIR, a Notice of Release (including a map of alternatives and identifying the "Draft EIR Preferred Route") was mailed to approximately 10,000 residents, tenants, and businesses along the proposed and all alternative routes.

The City's scoping letter (January 22, 2000) conveyed three main comments, all of which were considered in the Draft EIR and Supplemental Draft EIR analyses:

- The EIR should consider potential adverse effects of the proposed route on planned trails adjacent to the Refuge and west of the business park.
- The EIR should consider potential adverse effects of the proposed route on a planned city park (near the Newark Substation); this was considered in Draft EIR Section C.7 (Land Use and Recreation).
- The City's letter stated that alternatives to the proposed route (including the Westerly Route, the Modified Interstate 880 Route, and a Combined Overhead/Underground Alternative) appear to have less impact than the proposed route, and should be evaluated in the EIR.

Section B.5.4 of the Draft EIR lists specific alternatives that were considered but rejected from EIR consideration. The existing 115 kV transmission corridor through the Bayside Business

Park is not specifically listed in that section, but it was evaluated for possible use. This corridor pre-dates the business park, so buildings are built up to the edges of PG&E's right-of-way. It does not have adequate remaining space for the 230 kV transmission line to be installed aboveground and at the appropriate distance from the existing towers. The CPUC's safety requirements (defined in General Order 95) define the space requirements for transmission lines (both laterally and height of the conductors), and the two existing 115 kV lines utilize all existing space in that right-of-way.

- 6-25 The requirement in Mitigation Measure PS-2 that PG&E "respond to" interference complaints has been revised to clarify that PG&E Co. is responsible for correcting interference problems that are caused by the transmission line. The revised measure has been incorporated into Section C of this Final EIR (Mitigation Monitoring, Compliance and Reporting Program) and reads as follows:

PS-2 After energizing the transmission line, PG&E Co. shall respond to all complaints of line interference with electronic equipment (including radios, televisions, computer monitors, and testing equipment) within 10 days. PG&E Co. shall respond by correcting the problems identified, either by providing advice or recommending equipment that eliminates the interference problem. PG&E Co. shall document all complaints by submitting the following information to the CPUC: name/address of contact, nature of problem, date complaint received, date of PG&E Co. response, and description of the corrective action. These records shall be provided to the CPUC on a monthly basis and to the public upon request. All unresolved disputes shall be referred within 30 days by PG&E Co. to the CPUC Energy Division for resolution. These complaints will be handled according to the procedures defined in General Order 131-D, Section XIV(A).

- 6-26 The Draft EIR evaluated cumulative impacts, as required by CEQA Guidelines Section 15130, in a sub-section within each environmental discipline in Section C. This analysis was based on the cumulative projects scenario defined in Draft EIR Section B.8. This section defined the future projects that could, in combination with the proposed project, affect the environment. The CEQA Guidelines state that a cumulative impact consists of an impact that is created as a result of the combination of the project evaluated in the EIR together with other new projects causing related impacts. Existing conditions (such as transmission lines in the immediate project area) are considered as part of the baseline environmental setting.

- 6-27 The Modified I-880-B Alternative was analyzed in the Supplemental Draft EIR in order to account for the new information provided by Caltrans about the West Warren Avenue interchange, as well as in response to comments on the Draft EIR. With respect to the modifications of the I-880-B Alternative necessitated by the upcoming Caltrans interchange at Mission Boulevard and the I-880, these modifications were addressed in Supplemental Draft EIR Section B.2.4.

6-28 The City's concerns, summarized in this comment, have been addressed in the responses above.

Comment Set 7: City of San Jose (see also Supplemental Draft EIR Comment Set E)

7-1 The Supplemental Draft EIR evaluated the US DataPort substation site alternative, as requested by the City of San Jose. See Supplemental Draft EIR Sections B.2.1 and C.2.

7-2 The City's submittal to the CPUC has been appended to the City's Draft EIR comments; see responses to comments 7-5 through 7-16.

7-3 Draft EIR Section D explains the greater impacts of the Westerly Route Alternative over the proposed project. While this alternative would eliminate impacts to the Water Pollution Control Plant (WPCP), it would impose new impacts (primarily related to biological resources, recreation and land use concerns, hydrologic issues, and visual impacts) into and adjacent to the San Francisco Bay National Wildlife Refuge. Mitigation Measure S-1 requires that PG&E Co. coordinate with WPCP officials to determine the location for each tower that is least disturbing to WPCP operations. The Supplemental Draft EIR evaluated the Southern Underground Alternative in response to the City's request that undergrounding be considered.

7-4 As a matter of practice, PG&E negotiates with landowners to determine the appropriate species of replacement trees to be planted. The size and height of the trees is determined to some extent by the CPUC's rules regarding transmission line safety and line clearance (CPUC General Order 95). However, due to the sensitivity of the WPCP trees and their purpose as both an odor and visual barrier, Mitigation Measure S-1 has been modified and incorporated into Final EIR Section C (Mitigation Monitoring, Compliance and Reporting Program).

S-1 PG&E Co. shall meet with WPCP management to define the exact location and height of each tower to minimize safety and other impacts to WPCP operations. In addition, PG&E Co. shall present to the WPCP and the CPUC a proposal for replacing all trees required to be removed for the project. The tree replacement decisions shall consider characteristics such as their odor and potential to act as visual barriers. PG&E Co. shall not proceed with tree replacement until the CPUC has approved the replacement plan.

7-5 See Supplemental Draft EIR Section C.9.2, which addresses bird collision impacts in more detail. Also, responses to comments 31-5 through 31-7 address bird collision impacts. The project would not directly affect Coyote Creek or its levees, as the transmission line towers for the proposed project and all alternatives would be outside the levees. Final EIR Section B.2.2 considers four different potential overhead crossings of Coyote Creek as a means of reducing the bird collision impacts of the proposed route through the WPCP.

7-6 The Supplemental Draft EIR evaluated the Northern Underground Alternative and the Southern Underground Alternative to allow the CPUC to consider underground routes along the whole length of the transmission line route.

- 7-7 Mitigation Measure V-2 (modified in response to comments on the Supplemental Draft EIR; see response to comment X-48) requires PG&E Co. to develop a landscaping plan for its substation and to submit that plan for review and approval to the City of San Jose's Department of Planning, Building, and Code Enforcement.
- 7-8 The EIR's determination of the Environmentally Superior Alternative does not consider cost. However, the CPUC's General Proceeding will evaluate the cost differential among the alternatives and the Decision on the project will balance cost and environmental factors.
- 7-9 The Supplemental Draft EIR evaluated the US DataPort substation site alternative, as requested by the City of San Jose and others. See Supplemental Draft EIR Sections B.2.1 and C.2.
- 7-10 See response to comment 7-3.
- 7-11 See response to comment 7-4.
- 7-12 The plans for the Bay Trail Extension in the project area were reviewed during preparation of the Draft EIR. They are described in Draft EIR Section C.7.1.2.2 and illustrated on Figure C.7-3. Draft EIR pages C.7-34 and -35 describes the Bay Trail in detail. Impacts on Recreational Trail Users are documented on Draft EIR pages C.7-38; two mitigation measures, L-4 and L-5 area are proposed to minimize construction impacts that are determined to be adverse but less than significant. Draft EIR pages C.7-41 to -42 determine that impacts on future recreational trail use would range from significant (Class I) to potentially significant (Class II) depending on location. Mitigation Measure L-7 is recommended to minimize long-term impacts on trail users.
- 7-13 Impacts of the proposed substation on Bay Trail users are addressed on Draft EIR page C.7-47, and Mitigation Measure L-9 is recommended to minimize impacts. Supplemental Draft EIR Section C.2.6 addresses potential impacts of the US DataPort Substation Site on Bay Trail users.
- 7-14 See response to comment 7-7.
- 7-15 The comment is correct with respect to the ability of underground lines to eliminate aesthetic, bird strike, and noise impacts associated with overhead lines. However, as noted in Draft EIR Section C.9.3, undergrounding of transmission lines does not eliminate the EMF emissions. Field strengths for underground lines are generally greater than overhead lines when the receptor is very near the line (i.e., standing over it), but the field strength declines quickly with increasing distance from the right-of-way.
- 7-16 See response to comment 7-8.

Comment Set 8: City of Santa Clara/Silicon Valley Power (Law Offices of Barry F. McCarthy)

- 8-1 The general load and electricity demand situation for the San Jose area is summarized in the Draft EIR and is based on data provided by PG&E Co. in its Application (Section A.2, Need for the Proposed Project). The accuracy of these forecasts and the need for the project are issues that have been addressed in the CPUC's General Proceeding.
- 8-2 Draft EIR Section B.6.2.1 acknowledges that the construction of a 115kV substation by the City of Santa Clara/Silicon Valley Power has been approved by the City Council. This fact was considered in the Draft EIR's comparison of alternatives. The primary reasons that the Northern Receiving Station (NRS) Substation Alternative was found not to be environmentally superior are documented in Table D.3-5 (Draft EIR page D-13): the transmission line route is substantially longer than the other routes considered, and the substation site has adjacent residences on its south side.
- 8-3 Draft EIR Table B.8-1 (page B-72, item 17) lists the 115kV electrical substation as part of the cumulative impact scenario. Therefore, this project was considered in evaluation of cumulative impacts. Even though the City plans to construct the substation in the future, no new transmission lines (115 kV or 230 kV) are approved as part of the City's plan. For the NRS site to be considered as an alternative to the proposed (Los Esteros) site, the potential impacts of the new lines connecting to PG&E Co.'s Newark Substation have to be evaluated as part of the Northeast San Jose Transmission Reinforcement Project. The fact that the 115 kV substation may be constructed in the future does not eliminate the impacts of the 230 kV transmission line that would result from this project.
- 8-4 The environmental baseline considered for this alternative and for the proposed project was the time of issuance of the Notice of Preparation for the Draft EIR (December 1999). The impacts of the City's 115 kV substation were evaluated in the EIR for that project. In this EIR, a different project (a 230 kV substation and associated transmission lines) was evaluated. Aside from the evaluation of cumulative impacts (see response to comment 8-3), there is no reason to consider the impacts of the 115 kV substation on the alternative in question.
- 8-5 As required by CEQA, the scope of this EIR (and its alternatives analysis) was determined based on the project proposed by PG&E Co. and the objectives of that project. The Draft EIR acknowledges the City's planned and approved 115 kV substation in both its description of the NRS Alternative and in the cumulative projects scenario. The proposed project, the NRS Substation Alternative, and the environmentally superior alternative all respond to the need for the project, regardless of the latest electricity load forecasts.

Comment Set 9: County of Santa Clara, Environmental Resources Agency, Parks and Recreation Department

- 9-1 The policies enclosed with the comment are part of the Countywide Issues and Policies section of the *Santa Clara County General Plan*, which was reviewed in its entirety during preparation

of the Draft EIR. It should be noted that the applicability of Santa Clara County policies is limited because the proposed Los Esteros substation site is the only portion of the project that would be within the County's jurisdiction. No policies from the Parks and Recreation Chapter (the designation used in the General Plan) were listed in Table C.7-1 because none were determined to apply directly to the project. Many of the policies guide County actions pertaining to implementation of the Countywide Trails Master Plan, and there may be actions the County wishes to take in response to the proposed project with respect to discussions, agreements, etc. with PG&E Co. However, no policies directly applicable to the project were identified in the Parks and Recreation Chapter, and the proposed project would not conflict with any policies in that or any other chapter of the General Plan. Please note that hundreds, if not thousands, of planning policies for multiple jurisdictions, including two counties, four cities, the San Francisco Bay Conservation and Development Commission, and other governmental entities, were reviewed and evaluated during preparation of the Draft EIR. Only policies directly applicable to the project were included in Table C.7-1.

The Coyote Creek Trail is shown on the Santa Clara County Countywide Trails Master Plan Update Map as following the alignment of Coyote Creek, which is approximately 1,500 feet east of the proposed Los Esteros substation site. (The alignment of this trail is shown in more detail on Figure 12, Trails and Pathways, of the *Alviso Specific Plan*.) The map also shows the united alignments of the San Francisco Bay Trail and the Bay Recreation Retracement Route, designated R4 and R1-B, respectively, as passing closer to the site, approximately adjacent to the southern boundary of the San Jose/Santa Clara Water Pollution Control Plant sludge ponds that are north of the site. It is presumed that the Coyote Creek Trail would coincide with the Bay Trail along the creek and that the R4/R1-B trails would coincide with a Bay Trail segment, shown on Figure C.7-3 of the Draft EIR, and a bicycle trail alignment designated in the *Alviso Specific Plan*. The Draft EIR identified a potentially significant impact (Class II) associated with the Los Esteros substation for future impacts on hikers, joggers, and bicyclists along the trail segment that would extend from Zanker Road to Coyote Creek (see page C.7-47). Mitigation Measure L-9 is recommended to minimize the impacts of the access road on the adjacent recreational trail. The County-designated trails that coincide with this trail would also be adversely affected. This does not constitute a new impact nor increase the severity of the previously identified impact, but it is acknowledged that the affected trail is a County-designated trail, as well as a regional and San Jose-designated trail.

The Draft EIR does not identify a significant unavoidable (Class I) impact on the Coyote Creek Trail for the following reasons:

- The trail alignment is substantially distant (apx. 1,500 feet) from the proposed substation site.
- The substation would be located in proximity to a wastewater treatment plant; therefore, the existing viewshed from the trail is already disturbed.
- If the eastern side of the creek were used for the trail alignment, the substation would not be visible from the trail, due to obscuring riparian vegetation.
- The substation would be surrounded by landscaping, which would serve as a visual buffer.

See also the response to comment 7-12 regarding the trail system in the project area.

- 9-2 No transmission towers would be installed within the trail itself, since the trail is on top of the levee and the towers would be west of the levee. Mitigation Measures L-4 and L-5 would reduce construction impacts on trail users, and Mitigation Measure V-1 requires reduction of structure heights as much as practical where the transmission line parallels Coyote Creek. Mitigation Measure V-1 has been modified as follows to incorporate input from the SC County Department of Recreation:

V-1 If the proposed route between Mileposts 5.6 and 6.7 is approved, PG&E Co. shall minimize the height of transmission towers in this area in order to reduce visual impacts from the east side of Coyote Creek. The determination regarding tower height shall incorporate input from the Santa Clara County Department of Recreation (regarding recreation impacts) and the Water Pollution Control Plant (regarding potential operational impacts to the WPCP). PG&E Co. shall provide documentation of this coordination to the CPUC prior to the start of construction.

- 9-3 Mitigation Measure V-1 has been modified to require coordination with the Department of Recreation.
- 9-4 Mitigation Measure V-2 specifically requires that PG&E's landscaping plan for the substation be submitted to the City of San Jose's Department of Planning, Building, and Code Enforcement.

Comment Set 10: County of Santa Clara, Roads and Airports Department (see also Supplemental Draft EIR Comment Set A)

- 10-1 The Draft EIR considered two alternatives to the proposed Trimble-Montague 115 kV route: the Barber Lane Alternative and the Underground Trimble-Montague Alternative. However, the proposed route was found to be environmentally superior to the alternatives. The 115kV line would be installed in the landscaped area south of the roadway. If this area is removed by the future expansion of Montague Expressway, PG&E will be required to relocate the towers further south.
- 10-2 The 115kV line would be installed in the landscaped area south of the Montague Expressway roadway. If this landscaped area is removed by the future expansion of Montague Expressway, PG&E will be required to relocate the towers further south, outside of the widened roadway.

Comment Set 11: Santa Clara Valley Transportation Authority (see also Supplemental Draft EIR Comment Set C)

- 11-1 The VTA's opposition to the Zanker Road Substation Alternative is noted.

- 11-2 The CPUC strongly urges PG&E Co. to coordinate with the VTA before and during project construction.

Comment Set 12: Santa Clara Valley Water District (see also Supplemental Draft EIR Comment Set H)

- 12-1 The earlier letters referenced in this comment were included in PG&E Co.'s application to the CPUC and the issues addressed in those letters were considered during preparation of the EIR. Those issues were: (1) SCVWD's Coyote Creek flood control improvements and related mitigation areas, including the Coyote Creek Riparian Station (addressed with development of the McCarthy Boulevard Alternative and the Southern Underground Alternative), and (2) the need for sufficient clearance for maintenance vehicles adjacent to salt ponds and the Coyote Creek crossing at Montague Expressway (these transmission lines will be more than 35 feet overhead and will not obstruct maintenance vehicle passage).
- 12-2 The Supplemental Draft EIR evaluated the McCarthy Boulevard Alternative Segment in order to reduce impacts to the habitat mitigation area described in this comment. The Supplemental Draft EIR also presented a new mitigation measure (B-8) to provide additional protection to the salt marsh harvest mouse. PG&E Co.'s Applicant Proposed Measures would also reduce impacts in this area: measure 10.13a will reduce impacts to the salt marsh harvest mouse, and Applicant Proposed Measures 10.19a through 10.25a would reduce impacts to birds. The Supplemental Draft EIR also evaluated the Southern Underground Alternative to consider its potential to reduce impacts to these habitat areas.
- 12-3 The District's preference for the Westerly Route Alternative is noted; however this alternative was not considered to be environmentally superior due to its direct impact to the National Wildlife Refuge and other open space habitat areas. The Supplemental Draft EIR's evaluation of the McCarthy Boulevard Alternative and Southern Underground Alternative were developed in response to the District's concerns about impacts on mitigation areas along Coyote Creek.
- 12-4 See the response to comment 12-2 regarding new alternatives evaluated in the Supplemental Draft EIR. With respect to the Coyote Creek crossing at Bellew Drive, this crossing would only occur if the Barber Lane Alternative were approved by the CPUC. The Draft EIR found that the proposed route (along Montague Expressway and Trimble Road) was environmentally superior to the Barber Lane Alternative.

This comment also requests information regarding potential impacts to the District/Corps flood control facilities. More specifically, comment 12-4 asks if PG&E structures will be within floodways and flood control levees. No towers would be constructed on flood control levees or dikes, or at locations that would impact levee and dike maintenance. The impact of the proposed project on flood control structures was addressed in the Draft EIR (please see page C.6-20).

- 12-5 The Supplemental Draft EIR evaluated underground transmission line routes in the areas suggested in this comment.
- 12-6 No transmission towers would be placed on the flood control levees. However, to ensure coordination with the Water District, Mitigation Measure V-1 has been modified as follows:
- V-1** Reduce structure heights as much as practical between MP 5.6 and 6.7. Prior to determining appropriate structure heights, PG&E Co. shall meet with Santa Clara Valley Water District to determine potential operational conflicts and the City of San Jose's Bay Trail design group to discuss tower location adjustments that could reduce trail visibility impacts. Documentation of this coordination, and PG&E Co.'s ultimate proposed structure heights and placement, shall be provided by PG&E Co. to the CPUC at least 30 days before the start of transmission line construction.
- 12-7 Table ES-3 has not been repeated in the Supplemental Draft EIR or Final EIR because cost is not a factor evaluated in the CEQA process in the comparison of alternatives (project costs are considered in the CPUC's General Proceeding). Table ES-3 identifies only the mitigation cost for one aspect of mitigation: that which PG&E proposed and committed to in conjunction with the Westerly Route Alternative. The only applicant-proposed mitigation shown in the table was the removal of 6.1 miles of an existing 115kV power line, which was suggested by PG&E Co. to offset impacts of the Westerly Route Alternative to the National Wildlife Refuge. The table does not show the costs for any CPUC-imposed mitigation or for the other Applicant Proposed Measures that PG&E Co. proposed in its Proponent's Environmental Assessment.
- 12-8 The commenter is correct that bird collision impacts would be generally greater for a new transmission line route than for one located adjacent and parallel to existing lines. However, the Westerly Route Alternative was not considered to be environmentally superior to the proposed route with respect to bird strikes because (a) the new towers and conductors would be considerably higher than the existing lines, so the collision zone would be greater, and (b) the Westerly Route Alternative would pass through the San Francisco Bay National Wildlife Refuge in areas with very high bird use.
- 12-9 Supplemental Draft EIR Section C.9.2 addresses bird strikes in more detail and presents a modified Mitigation Measure B-9.
- 12-10 The McCarthy Boulevard Alternative Segment and the Southern Underground Alternative were evaluated in the Supplemental Draft EIR in response to the concerns raised in this comment. The Final EIR also evaluates four different crossover points for overhead transmission lines to cross Coyote Creek (please see Final EIR Section B.2.2).
- 12-11 Supplemental Draft EIR Section C.9.1 expanded the discussion of potential impacts on the salt marsh harvest mouse. Mitigation Measure B-8 was recommended in the Supplemental Draft EIR to further reduce impacts on the salt marsh harvest mouse. This measure is modified in the response to comment X-27; the final measure is included in Final EIR Section C.

- 12-12 Draft EIR text in Section C.3.1.1.4, Special Habitat Management Areas on page C.3-13 is corrected to read as follows:

Three ~~Two~~ areas have been designated for special habitat management in the vicinity of the Proposed Project. These areas include Don Edwards San Francisco Bay National Wildlife Refuge, ~~and~~ the Pacific Commons Preserve, and the Santa Clara Valley Water District's waterbird mitigation area. A fourth ~~third~~ area within the Bayside Business Park parcel as part of a business park development mitigation measure, is proposed for future restoration as a tidal marsh preserve.

The National Wildlife Refuge includes large areas of open water, tidal salt marsh, mudflats, and salt ponds along the margins of south San Francisco Bay. Most refuge lands are posted, and public access is limited to various trails, especially along levees. The Refuge provides protection for migrating and breeding waterfowl, shorebirds, and songbirds including the state and federal-listed California clapper rail and several other sensitive species, such as the salt marsh harvest mouse, western snowy plover, saltmarsh common yellowthroat, and Alameda song sparrow.

The Pacific Commons Preserve in Fremont is in the site of an ongoing wetland restoration and creation project that will become part of the Refuge when the restoration is complete; in the interim it will be subject to a conservation easement under the supervision of the U.S. Fish and Wildlife Service. As one of the largest remaining undeveloped areas in south San Francisco Bay, the Pacific Commons Preserve supports several special status wildlife and plant species, including California tiger salamander, the vernal pool tadpole shrimp (a federal endangered species), burrowing owl, and Contra Costa goldfields (a federal endangered plant).

West of the San Jose Water Pollution Control Plant is the Santa Clara Valley Water District's flood control basin which is also a mitigation site. It is a revegetated riparian corridor that combines flood management with habitat restoration. The San Francisco Bay Bird Observatory has maintained a bird banding station (the Coyote Creek Field Station) in this basin for over twelve years.

The existing Bayside Business Park site is a mix of abandoned airport infrastructure, alkali grassland, and brackish marsh. The infrastructure includes an old runway. Brackish marsh habitat is found throughout the site in various states of disturbance. At the northern end of the site, near milepost 4.3, is a high quality brackish marsh. Most of the rest of the site supports a moderately disturbed brackish marsh community.

- 12-13 The following paragraphs present additional or revised information on the bird species listed in this comment.

Draft EIR's discussion about the **Great Blue Heron Rookery (*Ardea herodias*)** on page C.3-30 is revised as follows:

The great blue heron has no state or federal designation as a special status species; however, breeding colonies, or rookeries, are monitored by CDFG. One small rookery was observed in February 2000 by Wetlands Research Associates biologists along Coyote Creek near milepost 5.1. Several herons were perched on nest structures in a

large willow tree. Great egret (*Ardea alba*), a CDFG Species of Special Concern at rookeries, also nests at the Coyote Creek rookery.

In Table C.3-3, on page C.3-15, revise fourth column of the American peregrine falcon as follows:

Low Moderate potential. Regularly observed in south San Francisco Bay; No suitable breeding habitat on site. ~~Found as a rare winter visitor.~~

The California Yellow Warbler is discussed in the Draft EIR on page C.3-37. In Table C.3-3, on page C.3-16, revise fourth column of California yellow warbler as follows:

Low Moderate potential. ~~No suitable breeding habitat on site.~~ Suitable breeding habitat is present along Coyote Creek.

The Draft EIR impact discussions that address individual bird species are focused on the sensitive species identified by the CDFG and USFWS. In Section C.3.2.4.1, the Draft EIR identified two impacts that apply to all bird species, including those listed in the comment:

- Wildlife Habitat Disturbance is considered a potentially significant (Class II), mitigated by Mitigation Measure B-2
- Bird Collision is a significant impact (Class I). The impact could be reduced with implementation of Mitigation Measure B-9.

The Draft EIR's Impact 27, Other Avian Species, is intended to encompass potential impacts to all other bird species, including those listed below. These bird species are not specifically addressed in the Draft EIR because of their status, and impacts to each species are considered to be less than significant (Class III). Following are brief descriptions of the birds listed in the comment that were not addressed in the Draft EIR:

- The Great Egret, Snowy Egret, and Black-Crowned Night heron were not specifically addressed in the Draft EIR because while they are common residents of the area, they do not have state or federal special status. Their breeding rookeries are of concern and are documented in the CDFG Natural Diversity Data Base, but no known rookeries occur along the transmission line route. There is a potential that nesting could occur in willows along Coyote Creek.
- The California Gull is a CDFG Species of Special Concern, and is listed in Draft EIR Table C-3-3. Again, protection of breeding colonies is the primary concern of this widespread species. A colony exists in salt ponds to the west, but not along the transmission line routes. Gulls are also susceptible to line strikes, and thousands move between the landfills (feeding area), the waterbird pond, and the WPCP (both roosting sites).
- The Caspian Tern and Forster's Tern are not addressed in the Draft EIR because they do not have state or federal special status. However, their breeding colonies are of concern and are documented in the CDFG Natural Diversity Data Base. Some nest on salt pond islands to the west, but not along the transmission line route.
- The Black Skimmer is a CDFG Species of Special Concern that is not addressed in the Draft EIR due to its rare status in the region and the absence of suitable foraging habitat. It is a very rare nesting species on salt pond islands and is unlikely to occur along most of the transmission line route, but may occasionally occur as a transient near the waterbird pond.

- The Short-Eared Owl is listed in Draft EIR Table C.3-3 and discussed on Page C.3-35. Applicant's Proposed Measures would avoid impacts to this ground-nesting species.
 - Vaux's Swift is listed in Draft EIR Table C.3-3 and discussed on Page C.3-35. It may occasionally forage over Coyote Creek during migration, but there is no suitable nesting habitat along the route.
 - The Willow Flycatcher is a state endangered species that may occur along Coyote Creek during migration. It was not discussed in the Draft EIR due to its transient nature in the study area.
 - The Hermit Warbler is a USFWS Species of Concern that was not addressed in the Draft EIR, primarily due to its transient nature in the study area. It typically breeds in coniferous forests; no suitable breeding habitat is present along the transmission line route.
- 12-14 Supplemental Draft EIR Section C.9.1 addresses potential impacts to the salt marsh harvest mouse, and proposes Mitigation Measure B-8 (modified in response to comment X-27) to reduce those impacts.
- 12-15 The Supplemental Draft EIR evaluated the McCarthy Boulevard Alternative and the Southern Underground Alternative; both would reduce impacts of the proposed project adjacent to the waterbird pond.
- 12-16 Neither PG&E's proposed route nor any EIR alternatives would be on top of the Coyote Creek levee or in the overflow channel. Towers for the proposed route would be within the WPCP facility, as illustrated in Supplemental Draft EIR Figure B-5.
- 12-17 Figure C.3-1 accurately shows the crossing of the mitigation area as "Seasonal Wetland." The portion of the route passing adjacent to the WPCP is shown as "developed" because it is within a disturbed area. The transmission line would be located within the WPCP facility and not on or inside of the Coyote Creek levees.
- 12-18 As shown in Supplemental Draft EIR Figure B-5, the conductors of the transmission line may pass over levee deposits, but the towers themselves would not be installed on or inside of the levees. The towers would actually be located within the WPCP sludge drying beds.
- 12-19 The corrections described in the comment are noted in Final EIR Section F (changes to Draft EIR); thank you for providing this information. The District's two reservoirs shall be described as water supply reservoirs and the Milpitas Flood Control Channel (labeled in Figure C.6-1) is more correctly referred to as the District's Lower Penitencia Creek facility.
- 12-20 Draft EIR Table A.3-1, Regulatory Agency Permits or Approvals Required, states the requirement for PG&E Co. to obtain a right-of-way permit for the Coyote Creek crossing. This permit is acknowledged in Final EIR Section F (changes to Draft EIR).

The following statement is included in Final EIR Section F to accurately describe the authority of the Santa Clara Valley Water District:

The Proposed Project will require review, approval, and a permit from the Santa Clara Valley Water District. In accordance with District Ordinance 83-2, a District permit is

required for any construction crossing or work within 50 feet of a flood protection facility.

- 12-21 The three criteria listed by the District are stated in the Draft EIR as “significance criteria” which, if they occurred as a result of project construction or operation, would trigger determination of a significant impact. The referenced criteria relate to construction within stream channels and flooding. Because the project would not cause any construction to occur within stream channels, no impacts in these categories were identified.

Impacts related to flood hazards are discussed on Draft EIR page C.6.20. Geomorphic issues of lateral channel erosion and streambed scour are addressed on Draft EIR page C.6-32 in relation to impacts associated with the Western Alternative. Lastly, as stated above, towers would not impact flood flows, levees, or access roads within the District’s facilities.

- 12-22 Table A.3-1, Regulatory Agency Permits or Approvals Required, states the requirement for PG&E Co. to obtain a right-of-way permit for the Coyote Creek crossing. This permit is acknowledged in Final EIR Section F.

- 12-23 The District’s preferences for the Westerly Route Alternative or an underground alternative are noted. In response to this comment and others, the Supplemental Draft EIR evaluated the Southern Underground Alternative and the McCarthy Boulevard Alternative Segment.

Comment Set 13: U.S. Department of the Interior, National Park Service, Pacific West Region

- 13-1 The high visibility of the transmission line along the Bay margin was one of the factors influencing the need to identify the I-880-A and I-880-B Alternatives in the Draft EIR. These alternatives were designed to be near the western edge of the I-880 Freeway between Auto Mall Parkway and the Fremont Airport property so the bay margin views would not be affected. The Supplemental Draft EIR evaluated the Northern and Southern Underground Alternatives in response to this comment and others.
- 13-2 Please see response to comment 12-6 and the revised Mitigation Measure V-1, which is intended to minimize impacts on trail users, including those along the San Juan Bautista Trail.
- 13-3 The possibility of using of the transmission line right-of-way for trails is a determination left to the discretion of the landowner, especially in the case of a public facility such as the Water Pollution Control Plant (WPCP). In the southern portion of the proposed project, the route would be within the WPCP and public access is not permitted as the facility is fenced for protection of equipment and operations. As illustrated in Draft EIR C.7-3 (Existing and Proposed Recreational Trails), there are potential trails adjacent to the WPCP along the Coyote Creek levees.

Comment Set 14: U.S. Department of the Interior, Fish and Wildlife Service, Endangered Species Division (see also Supplemental Draft EIR Comment Set B)

14-1 The Supplemental Draft EIR evaluated underground alternatives in the northern area (Northern Underground Alternative) and the southern area (Southern Underground Alternative). In addition, Supplemental Draft EIR Section C.9 expands the discussion of potential impacts on the salt marsh harvest mouse and on birds with potential to collide with the lines, presenting Mitigation Measures B-8 and B-9 (note that Mitigation Measure B-8 is modified in the response to comment X-27).

As discussed in Draft EIR Section C.3.2, the following Applicant Proposed Measures are considered to reduce potential impacts to a less than significant level: 10.14a (California clapper rail); 10.16a (California least tern); 10.5a (vernal pool tadpole shrimp); 10.15a (western snowy plover), and 10.6a (California tiger salamander). Mitigation Measures B-5 and B-6 reduce potential impacts to Contra Costa goldfields. Extensive surveys have resulted in no observations of the vernal pool fairy shrimp; therefore, no impacts to this species are anticipated.

14-2 Suitable habitats for the bay checkerspot, Metcalf Canyon jewelflower, Santa Clara Valley dudleya, Coyote ceanothus, and Tiburon paintbrush are not present along the proposed and alternative transmission line routes. Construction of this project should not affect those species in other areas of the San Francisco Bay region.

As explained in Draft EIR Section E (Growth-Inducing Effects), the transmission project is proposed primarily in response to existing demand for electricity, to maintain and enhance system reliability, as well as for future growth based on planned and approved projects in the region. As documented in Section A.2 (Need for the project), even by the summer of 2001, PG&E Co.'s existing transmission system will be inadequate to serve the area. If this project is not constructed by the summer of 2002, significant shortfalls of power will occur in the project area. Therefore, the project does not facilitate future development and the direct/indirect take of federally listed species.

14-3 The Service suggests an alternative that continues to closely follow I-880 south of the Bayside Business Park. Based on comments presented by the Service and others, the Supplemental Draft EIR evaluated the McCarthy Boulevard Alternative Segment and the Southern Underground Alternative. This Final EIR evaluates the Overhead Variation of the Southern Underground Alternative in Section B.2.1.

14-4 The Draft, Supplemental Draft, and Final EIRs have addressed nearly all of the issues in this comment, as follows:

1. Purpose and need: Draft EIR Section A.2

2. Assessment of effect on USFWS conservation plans and actions: EIR authors consulted with managers of the National Wildlife Refuge, but are not aware of conservation plans in the project area
 3. Description and maps of habitat types: Section C.3.1.2
 4. Biological resources and list of sensitive species: Section C.3.1.2 and Table C.3-2 (plants) and Table C.3-3 (wildlife)
 5. Assessment of impacts on biological resources: Section C.3.2 (proposed project) and C.3.3 (alternatives)
 6. Project impacts on federally listed/proposed species: Section C.3.2.4.2
 7. Plans to avoid, minimize, and offset impacts: The Draft, Supplemental Draft, and Final EIR present 10 detailed mitigation measures for biological resources, and also adopts PG&E Co.'s 19 applicant proposed measures.
 8. Measures to prevent discharge of toxic and caustic substances: Draft EIR Section C.6, Hydrology and Water Quality, presents 12 mitigation measures to protect surface and groundwater and prevent discharge of contaminants.
- 14-5 The proposed Calpine Metcalf Energy Center (currently undergoing evaluation by the California Energy Commission [CEC]) is located approximately 16 miles south of this project area. The project would be constructed in accordance with the requirements of the Bay Area Air Quality Management District (requirements are summarized in Draft EIR Sections C.2.2.2 and C.2.2.3, and expanded upon with Mitigation Measures A-1, A-2 and A-3). There are no nearby serpentine soils, and the potential air quality impacts described in this comment are unlikely to result from construction or operation of this project.

Comment Set 15: U.S. Department of the Interior, Fish and Wildlife Service, Wetlands Branch (see also Supplemental Draft EIR Comment Set B)

- 15-1 See response to comment 14-3.
- 15-2 With respect to high bird use in the project area, please see response to comment 12-12. The Supplemental Draft EIR and Final EIR evaluated three alternatives in Milpitas: the Southern Underground Alternative, the McCarthy Boulevard Alternative, and the Overhead Variation of the Southern Underground Alternative.
- 15-3 The Draft EIR acknowledges the value of the habitat protected by the Pacific Commons Preserve in the consideration of the I-880-A Alternative, which was developed based on consultation with the San Francisco Bay National Wildlife Refuge. In addition, the Supplemental Draft EIR evaluated the Northern Underground Alternative in this area. The intent of both alternatives was to minimize impacts on the Pacific Commons Preserve.
- 15-4 The Draft EIR's statement that the proposed transmission line parallels existing transmission lines should have stated this applies only to the northernmost 1.7 miles of the proposed route. With respect to the stated preference for a route following I-880 in the southern area, please see response to comment 14-3.

15-5 The Service's wetland mitigation requirements would be implemented in conjunction with the U.S. Army Corps of Engineers National Environmental Policy Act (NEPA) evaluation of PG&E Co.'s application for a permit under Clean Water Act Section 404.

15-6 See response to comment 14-3.

Comment Set 16: U.S. Department of the Interior, Fish and Wildlife Service, San Francisco Bay National Wildlife Refuge Complex (see also Supplemental Draft EIR Comment Set B)

16-1 The Refuge's permitting and compatibility requirements are described in Draft EIR Section A.3.

16-2 The Refuge's preference for the I-880-A and I-880-B Alternatives is acknowledged.

16-3 We agree that the Refuge and Pacific Commons areas include important wetland habitats. The proposed and alternative rights-of-way contain few wetlands, all of which will be spanned by the transmission conductors (no towers would be installed in wetlands areas). Protection of these wetlands areas would also protect vernal pools. Applicant Proposed Measure 10.6a includes avoidance or replacement of potential tiger salamander estivation habitat, which would also cause vernal pools to be identified. Studies at Pacific Commons have shown that groundwater levels are more important to vernal pool inundation than surface flow from surrounding uplands; therefore, tower placement will not likely have a significant impact to vernal pool inundation. Studies at Pacific Commons have also shown that the pollinators of Contra Costa goldfields are primarily generalist species that do not have an exclusive ecological relationship with goldfields, and will not be significantly impacted by this project.

16-4 The Refuge's preference for the I-880-A and I-880-B Alternatives is acknowledged. Note that the Supplemental Draft EIR evaluated the Northern Underground Alternative to evaluate the potential for further reduction in impact to biological resources.

E.1.2 RESPONSES TO WRITTEN COMMENTS ON THE DRAFT EIR FROM INDIVIDUALS OR PRIVATE COMPANIES

Comment Set 17: Catellus Commercial Group, LLC

17-1 The Northern Underground Alternative was evaluated in the Supplemental Draft EIR, as suggested in this comment. The Supplemental Draft EIR analysis of that alternative recognizes that the aboveground transmission line (I-880-A Alternative) would have adverse visual impacts, but the underground alternative would be subject to geologic hazards that would threaten the reliability of the line. Therefore, as stated in the Final EIR, the I-880-A Alternative is environmentally superior in the northernmost project area. Please also see responses to Comment Set 6 (City of Fremont), which address the issues raised in the City's testimony that was attached to this comment letter.

Comment Set 18: Citizens Committee to Complete the Refuge

18-1 The Committee's preference for the I-880-A and I-880-B Alternatives is acknowledged. Additional alternatives to minimize habitat impacts were evaluated in the Supplemental Draft EIR and Final EIR (Northern and Southern Underground Alternatives, and Overhead Variation of the Southern Underground Alternative).

The CPUC recognizes the importance of the San Francisco Bay National Wildlife Refuge and has consulted with USFWS Refuge management regarding transmission line siting and alternatives since the first application was filed. The potential for bird collision is acknowledged in the Draft EIR and Supplemental Draft EIR (Section C.9) and Mitigation Measure B-9 is presented to reduce the risk of collision.

Comment Set 19: James Mathre (see also Public Participation Hearing Transcripts)

19-1 The CPUC's website was re-designed immediately after release of the Supplemental Draft EIR so the original URL did not work for a period of time. However, the link was corrected soon after this e-mail message was received. We apologize for any inconvenience this caused.

19-2 Section C.9 of the Draft EIR addresses the public safety issues related to transmission lines. If the Northern Receiving Station Alternative were constructed (it is not the environmentally superior alternative), the CPUC's required "no-cost" and "low-cost" mitigation for EMF would apply to the transmission line construction. Please also see Section C.8 of the Supplemental Draft EIR, which addresses EMF mitigation and impacts associated with that mitigation.

19-3 See response to comment 19-2. Supplemental Draft EIR Section C.8.1 explains that PG&E Co.'s first three priority land uses for implementation of EMF mitigation are (1) school/daycare, (2) residential, and (3) commercial/industrial.

19-4 The comment is correct: the 230 kV line would use the existing steel towers on the west side of Lafayette.

Comment Set 20: US DataPort, Inc. (by Jeffer, Mangels, Butler & Marmaro LLP) (see also Supplemental Draft EIR Comment Set P)

20-1 The Supplemental Draft EIR evaluated the US DataPort Substation Alternative in Section C.2. Land use issues were addressed in Section C.2.6.

20-2 The same access road would be used for the US DataPort Substation site and the proposed Los Esteros site. Therefore, the impacts associated with this access road would be the same for both sites.

20-3 The comment is correct that the construction procedures would be the same for either substation site.

- 20-4 The comment is correct that the US DataPort Substation site would have better access to Zanker Road.
- 20-5 Supplemental Draft EIR Section C.2.3 addresses cultural resources on the US DataPort Substation Alternative site and concludes that impacts would be less than significant (Class II) with implementation of Mitigation Measures C-1 and C-2.
- 20-6 Supplemental Draft EIR Section C.2.4 addresses geologic issues related to the US DataPort Substation Alternative and concludes that the impacts would be the same as for the proposed substation site.
- 20-7 No additional potential for contamination was identified at the US DataPort Substation site.
- 20-8 The Supplemental Draft EIR (Section C.2.5) determined that the flood risk at the US DataPort Substation site was similar to that of the proposed substation site.
- 20-9 The Supplemental Draft EIR (Section C.2.5) determined that surface and groundwater issues at the US DataPort Substation site were similar to those of the proposed substation site.
- 20-10 Supplemental Draft EIR Section C.2.6 addresses residential impacts and zoning related to the US DataPort site. As explained in that section, the zoning issues related to the Northwestern Parcel are not the same as those related to the proposed Los Esteros Substation site, because they are under the jurisdiction of different local governments, with distinct land use and zoning regulations. Unlike the proposed Los Esteros Substation site, which is on an isolated parcel of unincorporated Santa Clara County land, the alternative location for the substation proposed by US DataPort is located within the City of San Jose, in an area governed by the *Alviso Specific Plan*. The Specific Plan land use map designates the site as Public/Quasi Public. However, there do not appear to be any potential conflicts with the zoning and land use designations applicable to the Northwestern Parcel associated with developing a substation.

The potential for construction of the substation at the US DataPort Substation site to affect residential receptors depends on whether the current residents of the greenhouse property are still occupying their homes when construction occurs. If the existing residents on the north end of the greenhouse property (the proposed Los Esteros substation site) were to remain during construction of the substation at the US DataPort Alternative site, they would experience slightly greater impacts from construction noise and dust due to their closer proximity to the site. (Since these residents are located on the proposed substation site and therefore would not be present during construction of the substation at the proposed site, they were not considered as receptors under the proposed project.) However, it appears likely that the residents would vacate the site prior to the construction of US DataPort's proposed project, well before construction of the substation. In this case, the construction impacts to residential receptors would be completely eliminated. Assuming the timing of the two projects would unfold in this manner, the operational impacts relating to the visual intrusion of the towers and power lines

would also be eliminated. In the less likely event the adjacent residents remained during construction, the impacts would still remain adverse, but not significant.

- 20-11 Supplemental Draft EIR Section C.2.7 evaluates noise impacts of the US DataPort Substation and concludes that they would be less than significant.
- 20-12 The comment is correct that no residential relocation would be required by use of the US DataPort Substation site.
- 20-13 Operational impacts would be similar at the two substation sites, but not equal. The US DataPort Substation site is closer to a branch of the proposed Bay Trail that would run along the south end of the WPCP.
- 20-14 As described in Supplemental Draft EIR Section C.2.11, relocation of the proposed Los Esteros Substation site to the US DataPort Alternative site (slightly to the northwest) would result in visual impacts similar to those described in the Draft EIR for Los Esteros Substation (Key Viewpoint 5) and the Zanker Road portion of the Westerly Alternative (Key Viewpoint 14). As a point of clarification, Draft EIR Figure C.12-16 does not provide a simulation of the Zanker Road alignment; it only shows the existing view from KOP 14. Given the proximity of the two alternative sites to each other, the visual impact of the 115 kV power lines connected to the substation would be similar with each alternative.
- 20-15 The comment is correct with respect to the contents of Draft EIR Table D.3-5.
- 20-16 The Supplemental Draft EIR fully considers the US DataPort Substation Alternative.

Comment Set 21: Mattson Technology

- 21-1 The site addressed in this comment letter would be adjacent to the I-880-A Alternative (along Cushing Parkway) and the Northern Underground Alternative (along Cushing Parkway and Fremont Boulevard). The Northern Underground Alternative, evaluated in Supplemental Draft EIR Section C.3, would eliminate the visual impacts that are of concern in this comment; a portion of this alternative (through the business park area) is recommended in the Final EIR as the environmentally superior alternative.

The potential for electric and magnetic fields from the transmission lines is addressed in Draft EIR Section C.9, and mitigation is proposed to ensure that electronic equipment is not adversely affected. Please also see response to comment 6-25 and revised Mitigation Measure PS-2.

Comment Set 22: Mission West Properties

- 22-1 See response to comment 21-1. Note also that the Northern Underground Alternative evaluated in Supplemental Draft EIR Section C.3, would eliminate the visual impacts that are of concern in this comment.

Comment Set 23: Ohlone Audubon Society, Inc. (see also Supplemental Draft EIR Comment Set R)

23-1 The CPUC recognizes the importance of the San Francisco Bay National Wildlife Refuge and has consulted with US Fish and Wildlife Service Refuge management regarding transmission line siting and alternatives since the first application was filed by PG&E Co.. The potential for bird collision is acknowledged in the Draft EIR and Supplemental Draft EIR (Section C.9) and Mitigation Measure B-9 is presented to reduce the risk of collision. However, as described in Section C.9.2, the collision risk is still considered to be significant (Class I) even with implementation of the mitigation measure since the effectiveness of the measure is not well-defined.

The Supplemental Draft EIR evaluates two new alternatives that would reduce the severity of the bird collision impact: the Southern Underground Alternative and the McCarthy Boulevard Alternative. The Final EIR evaluates the Overhead Variation of the Southern Underground Alternative for the same reason.

23-2 The proposed transmission line route through the King/Lyons (Fremont Airport) property would follow the west side of the future extension of Fremont Boulevard, which would be a four lane, divided roadway. The Supplemental Draft EIR also presented Mitigation Measure B-8 (modified in response to comment X-27) to ensure that predation in this area is not a significant impact. This measure provides for installation of perch preventers on the tower crossarms to prevent predator perching. The Supplemental Draft EIR also evaluated the Southern Underground Alternative, which would reduce the predation and bird collision risk in this area.

23-3 In response to this comment, and others conveying similar views, the McCarthy Boulevard Alternative and the Southern Underground Alternative were evaluated in the Supplemental Draft EIR because of the high bird use areas south of Dixon Landing Road and adjacent to Coyote Creek.

Comment Set 24: Pantronix Corporation (see also Supplemental Draft EIR Comment Set J)

24-1 As stated in Draft EIR Section C.9.2.2.1, EMF impacts are considered to be less than significant (Class III). Mitigation Measure PS-2 has been modified to ensure that the transmission line would not cause EMF impacts on businesses (see response to comment 6-25). Magnetic fields will not necessarily interfere with all electrical equipment. Testing equipment, such as that referenced in the comment is often designed/hardened against external fields since it may be used in a variety of environments. Note that the Northern Underground Alternative was evaluated in the Supplemental Draft EIR in response to this comment and others.

With the broad range of potential equipment and magnetic field conditions it is very difficult to generalize the level of impact that the project might have on equipment. As stated in the Draft EIR (Section C.9), magnetic fields can penetrate buildings and interfere with electronic equipment operation. Review of this phenomenon in regard to the sensitivity of electrical

equipment identifies a number of thresholds for magnetic field interference. Interference with typical computer monitors can be detected at magnetic field levels of 10 milligauss (mG) and above while large screen or high resolution monitors can be susceptible to interference at levels as low as 5 mG. Other specialized equipment, such as medical equipment or testing equipment can be sensitive at levels below 5 mG.

The magnetic field for the proposed transmission configuration decreases as distance from the line is increased. At a distance of 100 feet from the transmission line the magnetic field has dropped to 10 mG, with field levels of 5 mG at 125 feet and 2 mG at 175 feet. At these field levels, the proposed or alternative transmission line may impact the operation of electrical equipment in businesses that are within 100 to 125 feet of the line, but inexpensive measures are available to reduce the potential impact of these fields. We believe that Mitigation Measure PS-2 (as revised in response to comment 6-25) will help address this concern.

- 24-2 The visual impact of the proposed project and alternatives is acknowledged in the Draft EIR (Section C.12.2) and Supplemental Draft EIR (Section C).
- 24-3 There is no evidence that the presence of transmission lines would reduce the ability of the City of Fremont to attract quality employers or employees. In fact, a recent announcement (made during the comment period for the Supplemental Draft EIR) that Cisco Systems has signed a long-term lease for the Pacific Commons property indicates that the prospect of the proposed transmission line being located adjacent to the property did not dissuade this major company from locating in Fremont. See Draft EIR Section C.10.2.4.3 for a discussion of economic impacts.

Comment Set 25: Peery/Arrillaga

- 25-1 The Draft EIR and Supplemental Draft EIR evaluated the impacts of the Westerly Route Alternative and concluded that this route would have greater impacts than the I-880-B or Underground Through Business Park Alternatives due to its location in open space and the Refuge. While the commenter is correct that this location would avoid developed areas, the impacts of this alternative would be focused on the open space, which has a very high resource value. This value increases as development along the edges of the Bay reduces remaining open space. Please also see responses to comment 24-2 and 24-3.

Comment Set 26: ProLogis

- 26-1 See responses to comments 24-1 through 24-3.
- 26-2 The Draft EIR did not make an assessment of the degree to which individual businesses will be subject to EMF radiation. The extent to which businesses would be affected by EMF can be characterized only as a *potential* impact and cannot be quantified at this time, since the potential impact varies with the type of equipment and distance to the conductors. For this reason,

Mitigation Measure PS-2 is presented (revised as shown in response to comment 6-25). Please see Draft EIR Section C.9.2.2.1 for discussion of this issue.

- 26-3 Mitigation Measure PS-2 has been modified to more clearly explain the process for resolving complaints. The CPUC does not agree with this comment's implication that if interference occurs at a business location, this interference would be widespread, affecting all equipment or requiring that all equipment be replaced. As noted in the Draft EIR Section C.9, the equipment affected would be dependent upon several factors such as sensitivity of equipment and location relative to the line.
- 26-4 See responses to comments 24-1 and 26-2. Note that the Supplemental Draft EIR evaluated the Northern Underground Alternative in this area, and that the Final EIR recommends that a portion of this alternative be constructed through the Fremont business park area.
- 26-5 The Supplemental Draft EIR states that the Modified I-880-B Alternative and the Underground Through Business Park Alternative are comparable in terms of their levels of impact, and that both are considered to be environmentally superior to the proposed route. Please see response to comment 26-2 regarding EMF issues.

Comment Set 27: Richard Geary

- 27-1 The commenter's opposition to the Underground Through Business Park and I-880-B Alternatives is noted.

Comment Set 28: San Francisco Bay Bird Observatory (see also Supplemental Draft EIR Comment Set O)

- 28-1 The CPUC recognizes the importance of the San Francisco Bay National Wildlife Refuge and the adjacent habitat areas, and has consulted with US Fish and Wildlife Service Refuge management regarding transmission line siting and alternatives since the first application was filed. The potential for bird collision is acknowledged in the Draft EIR and Supplemental Draft EIR (Section C.9) as a significant impact (Class I) and Mitigation Measure B-9 is presented to reduce the risk of collision (although the impact would remain significant). The Supplemental Draft EIR evaluated several new alternatives that could reduce collision risk: the Northern Underground Alternative, McCarthy Boulevard Alternative, and the Southern Underground Alternative.
- 28-2 The Supplemental Draft EIR in Section C.6 evaluated the McCarthy Boulevard Alternative to reduce the impacts of the proposed project south of Dixon Landing Road.
- 28-3 Thank you for pointing this out. Figure C.3-1 should be modified to show riparian forest habitat between Milepost's 5.6 and 6.7 west of the proposed transmission line route.

- 28-4 The Supplemental Draft EIR evaluated the McCarthy Boulevard Alternative segment and the Southern Underground Alternative in response to this comment. See Supplemental Draft EIR Sections C.6 and C.7.
- 28-5 Thank you for pointing out the need to clarify this statement. The reference to the proposed line paralleling an existing transmission line corridor was intended to refer only to the northernmost 2.2 miles of the route.
- 28-6 In addition to the new alternatives addressed in response to comment 28-4, Mitigation Measure B-9 was added to the Supplemental Draft EIR to present additional measures for reduction of bird collision impacts.

Comment Set 29: William Garbett (T.H.E. P.U.B.L.I.C.) (see also Public Participation Hearing Transcripts)

- 29-1 Upon receipt of this request, copies of the Draft and Supplemental Draft EIR were provided to the commenter. However, please note that the documents are available in several locations accessible to the public. Four repositories for project information were established in the project area (see Final EIR Section D); these repositories have copies of all project documents including the Draft and Supplemental Draft EIRs. Notices of Availability of the Supplemental Draft EIR were published in local newspapers and mailed to all residents and occupants of areas affected by the alternatives evaluated in that document, and copies of the Supplemental Draft EIR were mailed to all who requested them. The Supplemental Draft EIR was also available on the CPUC's website.

The reference to PG&E Co.'s Advice Letters (#1995-E and 2004-E) relates to the CPUC's process, defined in General Order 131-D, for modification of existing lines. The Advice Letters address PG&E's changes to existing 115 kV lines in the north San Jose area that were required by either Caltrans or local agency street construction activities. In accordance with GO-131-D, these actions do not require CEQA review. These actions affect lines that are not part of the proposed Northeast San Jose Transmission Reinforcement project and are not be considered in this EIR.

Comment Set 30: Willis & Company

- 30-1 The Draft EIR and Supplemental Draft EIR evaluated the impacts of the Westerly Route Alternative and concluded that this route would have greater impacts than the I-880-B or Underground Through Business Park Alternatives due to its location in open space and the Refuge. While the commenter is correct that this location would avoid developed areas, the impacts of this alternative would be focused on the open space, which has a very high resource value. This value increases as development along the edges of the Bay reduces remaining open space.

E.1.3 RESPONSES TO DRAFT EIR COMMENTS FROM THE APPLICANT (PG&E CO.)

(Comment Set 31) (See also Supplemental Draft EIR Comment Set X)

- 31-1 Each of the points raised in this comment are addressed in detail in the following responses.
- 31-2 The commenter contends that the Draft EIR contains far less analysis about the I-880-B Alternative than PG&E Co.'s proposed route. It is true that under the California Environmental Quality Act (CEQA), alternatives may be analyzed in less detail than the proposed project. However, for the present project, PG&E Co.'s proposed route is approximately 7.3 miles long and has been subjected to four key viewpoint analyses and four visual simulations (not counting Los Esteros Substation which would be a fifth viewpoint and simulation). In comparison, the I-880-B Alternative (that portion not overlapping with the I-880-A Alternative) is approximately 1.6 miles long and has been subjected to three key viewpoint analyses and two visual simulations. In effect, on a per-mile basis, the I-880-B Alternative has been given proportionately more analysis than PG&E Co.'s proposed route and the analysis is considered adequate.

In particular, the simulation provided as Figure C.12-12 effectively captures the visual impact that would be experienced along the I-880 corridor and the simulation shows more of the transmission line than the majority of motorists would actually experience (see also response to comment 6-2 above).

As a point of clarification, the comment states that the stretch of freeway along the I-880-B route does not now include views of adjacent powerlines. In fact, as shown on Figure A.2-1, both the Newark-Milpitas 115kV Newark-Dixon Landing Tower Line and the Newark-Montague 115kV wood pole line cross I-880 just south of the southern turn of the I-880-B Alternative (south of the Bayside Business Park). After crossing I-880, the Newark-Montague 115 kV line continues to parallel I-880 immediately adjacent and to the east all the way south to Montague Substation. The Newark-Milpitas 115 kV line diverges away from I-880 toward the southeast. Both of these lines are visible in the southernmost vicinity of the I-880-B Alternative in their convergence on I-880, the paralleling of I-880, and the divergence away from I-880 (for the Newark-Milpitas line).

Two factors guided the conclusions regarding the comparison of alternatives for visual resources in the central portion of the project:

- (1) The proposed route's approach to the point of connection with the Underground Through Business Park option was originally designed to cut diagonally across an open salt pond/wetland area in a route different from the other existing transmission line structures. It was this (aboveground) portion of the Underground Alternative that made that alternative less desirable from a visual resource standpoint. Implementation of the Mitigation Measure V-3 (as defined in the Draft EIR and modified in the Supplemental Draft EIR) would lessen the visual impact of the I-880-A Alternative since that mitigation measure would also require the I-880-A Alternative to parallel the existing corridor established by the Newark-Milpitas and Newark-

Montague transmission lines (Note: PG&E Co.'s proposed realignment of the I-880-A Alternative in this same area, addressed in Supplemental Draft EIR Section C.4 would not effectively lessen the visual impact at this location).

(2) The Modified I-880-B Alternative (analyzed in Supplemental Draft EIR Section C.5) results in a substantial portion of the I-880-B alignment being moved off the frontage to Interstate 880 (therefore it would be somewhat less visible).

With regard to views along I-880 and viewer sensitivity, please also see response to comment 6-2. Note also that the conclusion of the Final EIR is that a portion of the Northern Underground Alternative combined with the Underground Through Business Park Alternative is now the environmentally superior alternative in the central area of the project.

- 31-3 Potential project impacts on recreational trail users were evaluated from the standpoint of the trail users and the inherent land use incompatibility, not as a policy issue, which was addressed separately. The discussion of the planning policies referenced by the commenter determined that the project would be consistent with those policies. While General Plan policies call for use of PG&E Co.'s transmission line rights-of-way to be considered for trail use, it is not known at this time whether these rights-of-way will ultimately be used for regional and local trail alignments since such use would require landowner consent and PG&E Co.'s approval. However, from the trail user standpoint, the CPUC stands behind its analysis and the conclusion that the impact on recreational trail users would be significant (Class I) in the northern portion of the transmission line corridor.

It is understood that existing utility easements provide access opportunities to locate linear recreation facilities such as multi-use trails and bikeways. However, physical compatibility has little bearing on aesthetic consistencies or inconsistencies.

- 31-4 It is agreed that the I-880-B Alternative (and the Modified I-880-B Alternative evaluated in the Supplemental Draft EIR) is somewhat more circuitous than the Proposed Route. However, contrary to the suggestion of this comment, when placed in a developed setting, with numerous buildings blocking sight lines, the multiple segments of a transmission line become less visible from any one viewing location, compared to a transmission line installed in open terrain with panoramic views.

- 31-5 High bird use of the Coyote Creek Flood Control Basin, the San Jose Water Pollution Control Plant ponds, and the Bayside Business Park mitigation area is well documented. New power lines constructed adjacent to these areas could increase bird strikes and result in mortality of special status species.

PG&E Co.'s Applicant Proposed Measure 10.27a would likely reduce collision impacts, but not to less than significant levels. The measure does not implement line-marking mitigation until after significant additional mortality has been documented. The success of line-marking that

will eventually be installed cannot be predicted. Until bird strike studies are conducted to identify specific problem areas, collision impacts would remain significant, Class I unavoidable impacts. Mitigation Measure B-9 is presented in the Supplemental Draft EIR to further reduce potential collision impacts.

- 31-6 The fact that the precise magnitude of bird mortality cannot be predicted in the project area is not a reason to discount the impact entirely. The project area is adjacent to a National Wildlife Refuge that was created specifically for protection of migratory birds, and therefore has unusually high value bird habitat. For this reason, the potential impact of bird collision is stated to be Class I, significant and unavoidable, even though the precise magnitude cannot be defined. It is anticipated that implementation of Mitigation Measure B-9 would result in a reduction of bird collisions, but the extent of the reduction cannot be determined at this time based on existing data in the project area. Therefore, the impact is conservatively determined to be significant (Class I), even with mitigation.

The Draft EIR and Supplemental Draft EIR's conclusions that the McCarthy Boulevard Alternative would result in reduced impacts to birds is based on two significance criteria presented in the Draft EIR, which state that a significant impact would result if the project could:

- Interfere substantially with the movement of any resident or migratory fish or wildlife species
- Adversely affect species under the protection of the Migratory Bird Treat Act

The criteria do not include a requirement that collisions be documented at a level that would threaten the sustainability of the population.

- 31-7 The Draft EIR lists all of PG&E Co.'s specific mitigation measures for biological resources in Table C.3-6. While the Proponent's Environmental Assessment (Section 10.4) also lists several other generic measures, it is not clear that these measures would be implemented since they are not numbered. Although the Draft EIR does not include applicant proposed measures in the Mitigation Monitoring Tables, these measures are included in Final EIR Section C, in Table C-5. The Applicant Proposed Measures identified in Table C-5 would be monitored for implementation during construction in the same manner as Draft EIR mitigation measures.

With respect to bird collision impacts, please see response to comment 31-5 and revised Mitigation Measure B-9, which incorporates the provisions of applicant proposed measure 10.27a.

- 31-8 Note that the Modified I-880-B Alternative was created to avoid these impacts on traffic, and was evaluated in the Supplemental Draft EIR (Section C.5). An updated comparison of alternatives is presented in Supplemental Draft EIR Section D. Remaining PG&E Co. concerns regarding this alternative area addressed in Comment Set X (Comments on Supplemental Draft EIR).

- 31-9 The Draft EIR (Section C.11.3.3) identified a potentially significant (Class II) impact resulting from the conflict of the I-880-B Alternative and the Caltrans modifications at West Warren Avenue. Had the Supplemental Draft EIR not been prepared, this impact would have been mitigated to less than significant levels with implementation of Mitigation Measure T-10, which would have re-routed the alternative around this construction area. One of the purposes of the Supplemental Draft EIR's analysis of the Modified I-880-B Alternative was to avoid this conflict with Caltrans' plans for interchange construction at West Warren Avenue.
- 31-10 Comparison of individual segments of the project and their respective alternatives, as was done in the Draft EIR and the Supplemental Draft EIR, allows a clear explanation of the impacts associated with each segment. It is obvious in the Draft EIR and Supplemental Draft EIR that the I-880-A and I-880-B alternatives alone would not constitute a complete replacement of the proposed project. The commenter's concern that these alternatives by themselves do not meet project objectives is addressed by the fact that the Draft EIR and Supplemental Draft EIR clearly present a combination of the "environmentally superior project components" (in Sections D.3 and D.3, respectively).
- 31-11 The rationale for the conclusions of the Draft EIR and Supplemental Draft EIR regarding comparison of alternatives is presented in Section D of both documents. Please see also responses to comments on the Supplemental Draft EIR (Comment Set X).
- 31-12 Based on this comment and others, the US DataPort Substation Alternative was evaluated in Supplemental Draft EIR Section C.2.
- 31-13 Supplemental Draft EIR Section C.4 evaluated this proposed change to the I-880-A Alternative and concluded that this proposed change resulted in more impacts than the change proposed in Mitigation Measure V-3.
- 31-14 The cost figures presented in Table ES-3 were provided by PG&E Co.; Final EIR Section F.1 presents text changes and corrections to the Draft EIR.

With regard to whether the 115 kV lines currently leading to the NRS site would have to remain, the alternative analyzed in the Draft EIR was defined somewhat differently from the similar alternative presented in PG&E Co.'s PEA. After discussion with PG&E transmission planners, it was not clear that implementation of the NRS Alternative would still require the 115 kV lines north of the NRS Substation site. Since the NRS Substation would be a 230 kV – 115 kV substation, these 115 kV lines could start at the substation and continue south from that point.

- 31-15 The comment is correct that the Executive Summary misstates tiger salamander impacts; Final EIR Section F.1 presents the corrected text (also shown below). Since PG&E Co. Proposed Measures 10.6a and 10.17a reduce impacts to the burrowing owl and California tiger salamander to less than significant levels, revise the third paragraph on page ES-11 as follows:

Alternatives. Potential impacts to biological resources of the four transmission line route alternatives are similar to those of the proposed project because they cross similar habitat types. A combination of the I-880-A and I-880-B alternatives is preferred to the comparable segment of the proposed transmission line route because it would ~~reduce potential impacts to burrowing owls and California tiger salamanders, and it would~~ reduce the potential for bird collisions with power lines.

- 31-16 The correction to the Application date is noted.
- 31-17 The comment is correct that the CPUC may select any alternative evaluated in the CEQA process, not only the environmentally superior alternative.
- 31-18 The comment is correct. Table A.3-1 is hereby revised to change “easement” to “permit.”
- 31-19 The correct location of the Trimble Substation is noted as being west of Zanker Road.
- 31-20 The language correction is noted, though the Draft EIR did evaluate the correct scenario.
- 31-21 These corrections are noted.
- 31-22 While the National Wildlife Refuge did request that towers be lined up to minimize bird collision impacts, the PEA does not present those tower locations. The EIR analyzes the project as proposed by PG&E Co.; this description of the proposed project was taken directly from the PEA.
- 31-23 The additional language in this paragraph is accepted and is shown in Section F.1.
- 31-24 These corrections to the project description are noted and are indicated in Section F.1.
- 31-25 The changes to the I-880-B Alternative defined in this comment are evaluated in Supplemental Draft EIR Section C.5, Modified I-880-B Alternative.
- 31-26 These suggested minor changes in the project description are accepted.
- 31-27 “Ruderal salt marsh” is a very degraded version of a Northern Coastal Salt Marsh. “Ruderal upland” most closely matches the Draft EIR’s terminology (Holland, 1986, as stated in Section C.3.1.2.3). This description of non-native annual grassland consists of non-native grasses and herbs. The focus in the Draft EIR was on using the closest widely accepted descriptions for plant communities that already exist. It is generally not desirable to create new descriptive plant community names for a very specific mix of plants and geographic location.
- 31-28 The Draft EIR states that many special status species that are known to occur in the San Francisco Bay region have a low potential to occur in the project area. In the absence of specific surveys, applying a level of potential for occurrence is preferable to stating that a species could never occur in the project area.

- 31-29 The sentence on page C.3-33 should state that the Western Snowy Plover has “ ... begun breeding in salt ponds around the bay during the twentieth century.”
- 31-30 The example in this comment specifies that a significant impact would occur if construction activity in the vicinity of a nest results in a disruption of normal breeding behavior or abandonment of a nest. According to the significance criteria defined in Draft EIR Section C.3.2.2.1, any action that adversely affects a protected bird species would be considered significant. Therefore, if construction activity causes nest abandonment, even for “only one season” as stated in the comment, this would be considered a significant impact.
- 31-31 The suggested change is accepted. No change in the impact analysis would result.
- 31-32 See response to comment 31-5 and Supplemental Draft EIR Section C.9, which expands the discussion of bird collision risk and mitigation.
- 31-33 Buffer distances are not related to designation or status of a species, but are a reflection of behavior and sensitivity to disturbance. For example, an Alameda song sparrow (California Department of Fish and Game Species of Special Concern) may allow close approach of its nest without abandoning it; however, a northern harrier (another CDFG Species of Special Concern) is much more sensitive to human disturbance and would likely abandon a nest site if human activities occurred nearby.

Raptor nest buffer distances are typical of those generally required by CDFG, and consistent with other transmission line project mitigation requirements (e.g., Sierra Pacific Power Company’s Alturas Transmission Line project approved by the CPUC based on an EIR completed in 1993). Additional footnote information regarding buffer distances is provided below.

Special Status Species	Habitat ¹	Activity to Avoid	Avoidance ² Period	Buffer Distance	Buffer for over-flights
Salt-marsh wandering shrew	marsh with driftwood and pickleweed	construction	none	exclosure	none
Salt marsh harvest mouse	salt marsh dominated by pickleweed	construction	none	exclosure	none
Double-crested cormorant	nests	construction	3/1 - 6/30	0.25 mile ²	500 feet
Great blue heron (rookery)	nests	construction	2/1 - 6/30	0.25 mile ²	500 feet
Northern harrier	nest site	construction	3/1 - 6/30	0.5 mile ²	500 feet
White-tailed kite	nest site	construction	3/1 - 6/30	0.5 mile ²	500 feet
Western snowy plover	nest site	construction	3/1 - 7/30	0.25 mile ²	500 feet
Short-eared owl	nest site	construction	3/1 - 6/30	0.25 mile ²	500 feet
Burrowing owl	nest site	construction	3/1 - 6/30	250 feet ³	500 feet
Loggerhead shrike	nest site	construction	3/1 - 6/30	250 feet ³	500 feet
Saltmarsh common yellowthroat	nest site	construction	3/1 - 6/30	250 feet ³	500 feet
Alameda song sparrow	nest site	construction	3/1 - 6/30	250 feet ³	500 feet

California tiger salamander	grassland estivation areas breeding pools	construction construction	none 12/1 - 5/30	minimize 250 feet ⁴	none
Vernal pool tadpole shrimp	seasonal pools	construction	12/1 - 5/30	250 feet ⁴	none

¹ Avoidance areas will be identified by coordinate or Milepost and will be provided to construction management before project construction begins.

² Subject to modification upon approval by California Department of Fish and Game (CDFG).

³ Consistent with Applicant's Proposed Measures

⁴ Consistent with USFWS requirements at the Pacific Commons Preserve

- 31-34 An expanded discussion of bird collision risk and new Mitigation Measure B-9 were included in the Supplemental Draft EIR (Section C.9.2) in response to this comment and others.
- 31-35 The commenter is correct that implementation of Applicant Proposed Measure 10.18a will ensure that potential construction impacts to the salt marsh wandering shrew would remain at a less than significant level (**Class III**). Potential predation impacts are addressed in Mitigation Measure B-8 (modified in response to comment X-27); with implementation of this measure these impacts would be less than significant (**Class II**).
- 31-36 The comment is incorrect in stating that the Westerly Route would have the least biological impact. In terms of bird collision only, the combination of the Northern Underground Alternative with the Underground through the Business Park alternatives would result in the least impact.
- 31-37 The suggested language change to Draft EIR page C.5-2 is accepted. The correct reference date for Helly and Wesling is 1989.
- 31-38 Regionally damaging earthquakes may also occur on faults that have not been classified as active; therefore this information was included in the Draft EIR (Section C.5). It is important to note that earthquake activity from unmapped subsurface faults or surface faults that are classified as potentially active is a possibility that is currently not predictable without detailed studies of each fault. There are several subsurface faults in the vicinity of the project area that have been classified as potentially active and are not precisely located, due to the difficulty of defining the location and activity of faults that do not reach the surface. The Alquist-Priolo Act specifically deals with the zoning of faults that exhibit surface rupture. The potential for damaging earthquakes from unclassified subsurface faults was exhibited by the 1994 Northridge earthquake, which occurred on an unclassified, unzoned subsurface fault. Since 1994, efforts have been made to classify the activity of known subsurface faults, and to locate and analyze the activity of unknown subsurface faults. However, due to the lack of complete studies on the subsurface faults in the project area, they cannot be classified at this time.
- 31-39 The suggested language change is accepted.
- 31-40 The liquefaction "potential" does not change. However, because liquefaction occurs only as a result of earthquakes, more frequent earthquakes would increase the probability that

liquefaction will occur in the project area. Sand boils were not addressed in the EIR because they are the result of liquefaction and liquefaction-induced subsidence and they are not an impact. Locating sand boils is useful in identifying areas where previous liquefaction has taken place.

- 31-41 The term “mud mats” was used in PG&E Co.’s PEA in Applicant Proposed Measure 6.2a. However, it is agreed that this term should be removed from this measure and also from Mitigation Measure G-1.
- 31-42 Mitigation Measure G-3 states that site-specific geotechnical investigations (either a cone penetrometer test [CPT] or a boring at each tower location) would be required for each tower proposed in areas classified as having high liquefaction potential.
- 31-43 The risk of lateral spreading is dependent on the continuity of the layer of liquefiable soil, the presence of a free face (i.e. a levee or creek embankment) that intersects the liquefiable layer, and a slope as low as two degrees at the base of the liquefiable layer that dips toward the free face. Since the continuity of any liquefiable layers adjacent to the embankment next to the salt ponds along the western margin of the Business Park is not known, the level of risk for lateral spreading along the Underground Through Business Park alternative cannot be determined. Identification of a level of risk would require further study of the area including a review of geotechnical reports, plans and construction documents from development of the Bayside Business Park.

The discussion of lateral spreading potential for the I-880-B Alternative refers to the potential faced by the segment of the proposed project that this alternative would replace. The I-880-B Alternative is not adjacent to any free face. As a result, the potential for lateral spreading along this alternative is believed to be low.

- 31-44 See response to comment 31-41 regarding the use of the term “mud mats”. An “approved engineer” is a registered civil or geotechnical engineer retained by the appropriate supervising governmental agency (city or county planning department, CPUC, etc.) for the review of designs, approval of plans, and issuance of permits.
- 31-45 Note that the revision of the I-880-B Alternative (Modified I-880-B Alternative in the Supplemental Draft EIR) relocates the referenced portion of this alternative route so it is no longer adjacent to the Alameda County Flood Control channel. Therefore, Mitigation Measure H-10 is not relevant and is deleted.

The suggested language change for page C.6-33 is accepted but the meaning of the sentence does not change.

- 31-46 The suggested modifications to the I-880-A Alternative were evaluated in Supplemental Draft EIR Section C.4.

- 31-47 The recommended language changes are accepted.
- 31-48 The recommended change is accepted.
- 31-49 PG&E Co. and the San Francisco Bay Conservation and Development Commission (BCDC) disagree about the BCDC's jurisdiction over the salt ponds. According to the BCDC, Section 66610.2(c) of the Macateer-Petris Act (the enabling legislation for establishment of the BCDC) states that BCDC's jurisdiction includes salt ponds consisting of all areas which have been diked off from the Bay and have been used during the three years immediately preceding the 1969 Regular Session of the Legislature for the solar evaporation of Bay water in the course of salt production. BCDC asserts that salt ponds A-22 and A-23 fall into this category and are therefore subject to BCDC jurisdiction. However, PG&E Co. believes that these salt ponds were created prior to 1966 and are therefore outside of BCDC's jurisdiction. PG&E Co. will need to resolve this issue with BCDC before the start of construction.
- 31-50 The recommended changes are accepted. However, it is noted that the City of Milpitas has now completed construction of its 36-inch sewer line adjacent to the proposed route.
- 31-51 The suggested change is accepted and is documented in Section F.1.
- 31-52 The suggested change is accepted and is documented in Section F.1.
- 31-53 The suggested language change on page C.9-4 is accepted. The other updated information on EMF is acknowledged. The conclusions of this section of the Draft EIR would not change as a result of this information.
- 31-54 The suggested changes are accepted and are documented in Section F.1.
- 31-55 The suggested change in language is accepted and is documented in Section F.1.
- 31-56 Mitigation Measure T-8 has been modified to remove reference to a "registered traffic engineer" because the affected local jurisdictions have indicated that PG&E Co.'s traffic plans are properly prepared. The new text of Mitigation Measure T-8 is:

T-8 PG&E Co. shall develop and implement detailed Traffic Control Plans (TCPs) ~~prepared by a registered traffic engineer,~~ for the entire route at all locations where construction activities would interact with the existing transportation system. Input and approval from the responsible public agencies shall be obtained; copies of approval letters from each jurisdiction must be provided to the CPUC prior to the start of construction within that jurisdiction. The TCP shall define the use of flaggers, warning signs, lights, barricades, cones, etc. according to standard guidelines outlined in the Caltrans Traffic Manual, the Standard Specifications for Public Works Construction and the Work Area Traffic Control Handbook (WATCH).

- 31-57 The comment correctly describes the I-880-A Alternative.
- 31-58 See response to comment 31-14; EIR preparers do not agree with this comment about the description of the NRS Alternative.
- 31-59 See response to comment 31-56.
- 31-60 At the time that the simulations were prepared, a decision was made to use existing similar slant-arm towers in the simulations because these existing towers illustrate the actual weathering that occurs in the near-Bay environment, rather than use computer-simulated towers with gull-wing crossarms. The visualized difference between the slant-arm and gull-wing arm is not significant and in fact, this design detail would go unnoticed by most observers. Revision of the simulations is not considered warranted since this minor design difference would have no material effect on the images and no effect at all on the analysis and conclusions.
- 31-61 Figure B.6-4 provides examples of 115kV transition structures that are similar, albeit smaller, than the proposed 230kV transition structures because this is the only illustration provided by PG&E Co. when an illustration of a 230 kV transition structure was requested. Along with its comments on the Supplemental Draft EIR (see Comment Set X), PG&E Co. provided a photograph of larger transition structures that would be more similar to the 230 kV structures that would be required for this project (although the photograph is illustrating 115 kV structures). As illustrated in Draft EIR Figure C.12-8, the north end transition structures would be placed in the back of a parking lot which would have minimal viewer exposure within the context of numerous other vertical elements with similar visual characteristics as shown in the figure. The transition structures at the south end would also be located on a developed parcel. The viewshed encompassing the south structures will also include similar, though fewer, linear vertical elements in the form of light standards, signage, and the aboveground transmission structures that would be constructed south of the current southern terminus of the business park. The resulting visual impact will be adverse but not significant in the context of the current (and future) developed landscape and is adequately characterized in the Draft EIR.

E.1.4 RESPONSES TO COMMENTS MADE AT PUBLIC PARTICIPATION HEARINGS ON DRAFT EIR

July 11, 2000 Public Participation Hearing

Mr. Tony Fisher

- PPH-1 The subjective nature of evaluation of visual impacts is acknowledged. However, the Visual Resources analysis clearly explains the criteria used to evaluate these impacts. Draft EIR Section C.12 and Supplemental Draft EIR Section C present additional information on visual impacts.
- PPH-2 The commenter's statement about the aesthetic improvements to the east side of the I-880 are acknowledged.

Mr. James Mathre

PPH-3 Please see response to comment 19-1.

PPH-4 Please see response to comment 19-2.

PPH-5 The discussion included with this comment illustrates the disagreement between PG&E and EIR preparers regarding the definition of the Northern Receiving Station Alternative. See response to comment 31-14.

PPH-6 See response to comment 19-3.

Mr. William Garbett (T.H.E. P.U.B.L.I.C.) (See also Comment Set 9)

PPH-7 The power plant “to the north” referenced by the commenter has not been proposed and no application is pending before the California Energy Commission. Therefore, this facility was not included in the analysis of cumulative impacts. The commenter’s reference to the power plant “to the south” is believed to reference the proposed Metcalf Energy Center, which is still under consideration by the California Energy Commission. The CEC is holding hearings on this project from January to March 2001. This project was not included as a cumulative project because it is located nearly 20 miles south of the project area and the impacts would not occur in the same areas occupied by the proposed PG&E Co. transmission project. The repowering of the Moss Landing power plant was approved by the California Energy Commission in October of 2000. The operation of any of these facilities would not eliminate the need for the proposed project, since the project is intended to enhance transmission capacity within the northeastern San Jose area. New generation in the area would increase the need for transmission improvements.

PPH-8 The CPUC’s study of undergrounding of power lines is limited to distribution lines and does not address transmission lines. Therefore, it is not directly applicable to this project EIR.

PPH-9 The verbal comments left on the project hotline were included as Draft EIR comments (see Comment Sets 27 and 29). The commenter’s Scoping Comments were summarized in the Scoping Report (March 2000, pages 7-9); each of the issues raised at that time was addressed in the Draft EIR (primarily in Section B.5, Alternatives).

PPH-10 See response to comment PPH-9.

PPH-11 The comment is referring to PG&E actions affecting distribution lines and existing 115 kV lines in and adjacent to the project area. These lines are not related to the proposed project and are not within the scope of this EIR for the proposed project before the CPUC.

PPH-12 See response to comment PPH-7. The transmission improvements are not proposed to serve power plants (no large power plants have yet been approved in the San Jose area), but

- to transmit power from the existing Newark Substation to the businesses and residents in the San Jose, Santa Clara, and Milpitas areas.
- PPH-13 See response to comment PPH-7. The Supplemental Draft EIR addresses underground alternatives in the Northern and Southern Areas of the project (Northern Underground Alternative and Southern Underground Alternative). Installation of an underground transmission line through the National Wildlife Refuge (along the route of the Westerly Route Alternative) would have extensive and long-term impacts on wetlands and salt marsh habitats.
- PPH-14 The commenter's concerns about the effectiveness of the deregulation of electric power generation are noted.
- PPH-15 Underground alternatives for the Northern Underground Alternative and Southern Underground Alternative were evaluated in the Supplemental Draft EIR Sections C.3 and C.7. With the Underground Through Business Park Alternative, these alternatives would allow an underground route along the entire transmission line.
- PPH-16 The CPUC agrees that the reliability of the electric grid and the transmission system is critically important. The potential for electric and magnetic fields to affect communication devices is addressed in Draft EIR Section C.9.

July 12, 2000 Public Participation Hearing***Mr. Ernest Pasters, LAM Research Corporation***

- PPH-17 The commenter's concerns about potential EMF impacts on its research and development facilities on Cushing Parkway are noted. Draft EIR Section C.9 addresses these concerns.

Mr. Ron Wilson, City Engineer, City of Fremont

- PPH-18 Please see responses to Comment Set 6 (letter from City of Fremont).

E.2 RESPONSES TO COMMENTS ON THE SUPPLEMENTAL DRAFT EIR

Appendix 3 presents copies of all comment letters submitted on the Supplemental Draft EIR, which had a comment period open between October 10 and November 27, 2000. Each comment presented in Appendix 3 has a corresponding response in Section E.2. The comments and responses are presented in the order shown in Table E-2 below. To find the response to a particular comment or comment set, note its comment set identified in letter designation from Table E-2 (the comment set identification letter is also shown on the top of each comment letter). Agency comment letters are presented first in Section E.2.1, followed by comment letters from the general public in Section E.2.2, and then PG&E Co. (the Applicant) in Section E.2.3.

Table E-2 Commenters and Comment Set Numbers: Supplemental Draft EIR

Commenter	Supplemental Draft EIR Comment Set	Draft EIR Comment Set
SUPPLEMENTAL DRAFT EIR COMMENTS FROM PUBLIC AGENCIES		
County of Santa Clara Roads and Airports Department	A	10
US Fish & Wildlife Service	B	14, 15, 16
Santa Clara Valley Transportation Authority	C	11
City of Milpitas	D	--
City of San Jose	E	7
County of Alameda, Public Works Agency, Development Services Department	F	1
City of Fremont	G	6
Santa Clara Valley Water District	H	12
SUPPLEMENTAL DRAFT EIR COMMENTS FROM PRIVATE PARTIES AND INTEREST GROUPS		
Pepper Lane Properties	I	--
Pantronix Corporation	J	24
Los Esteros Ranch Partnership	K	--
San Francisco Bay Joint Venture	L	--
Save the Bay (letter addressed to ALJ Thomas)	M	--
Save the Bay (letter addressed to Brad Wetstone, CPUC Energy Division)	N	--
San Francisco Bay Bird Observatory	O	28
US DataPort, Inc. (by Davis Wright Tremaine LLP)	P	26
McCarthy Ranch (by Skjerven Morrill MacPherson)	Q	--
Ohlone Audubon Society, Inc.	R	23
Applicant Comments on Supplemental Draft EIR		
PG&E (by Morrison & Foerster LLP)	X	31

E.2.1 RESPONSES TO COMMENTS ON THE SUPPLEMENTAL DRAFT EIR FROM PUBLIC AGENCIES**Comment Set A: County of Santa Clara Roads and Airports Department**

A-1 The County's concerns about the future widening of Montague Expressway are acknowledged. If the 115 kV portion of the project (which would be installed south of the roadway) is in the area of future roadway widening, PG&E will comply with the franchise agreement. PG&E will consult with the County prior to final project design and will be required to relocate the towers outside of the road right-of-way. PG&E has a franchise agreement with Santa Clara County and must occasionally relocate portions of its transmission and distribution system in order to accommodate roadway improvement projects. When this occurs in a franchise area, the expense of relocating the lines is paid by PG&E Co.

Comment Set B: U.S. Fish and Wildlife Service

- B-1 The Service correctly summarizes the conclusions of the Supplemental Draft EIR.
- B-2 The Service's recommendation that the I-880-A Alternative be modified to avoid crossing the salt pond south of the Pacific Commons Preserve is addressed in Section B.1 of this Final EIR and is illustrated in Final EIR Figure B-2. As illustrated in that figure, the Final EIR concludes that the environmentally superior route in the Northern and Central Areas is this combination of the I-880-A, Northern Underground, and Underground Through Business Park Alternatives.
- B-3 The Service is correct that the Supplemental Draft EIR's environmentally superior alternative in the southern area is a combination of the McCarthy Boulevard Alternative with the proposed route south of MP 5.6.
- B-4 South of the McCarthy Boulevard Alternative, the Supplemental Draft EIR recommended that the proposed route (between MP 5.6 and MP 6.7) be constructed. The transmission towers in this segment would be located between the WPCP ponds and Coyote Creek. As described in Final EIR Section B.2, the primary bird flight directions in this area are: (1) west from the WPCP ponds; and (2) north and south along Coyote Creek. The suggested "Southern Overhead Alternative" would create a route that directly bisects a bird flight area and separates the Coyote Creek riparian habitat. Therefore, after additional analysis (documented in Final EIR Section B.2), the proposed route is still preferred from MP 5.6 to the substation. This conclusion was reached based on an evaluation of all impacts in the Southern Area: the visual, land use, recreation, noise, and transportation/traffic impacts are more severe in Milpitas than in the WPCP area. While the risk of bird collision impact would remain a significant (Class I) impact in the WPCP area, this one impact does not outweigh the multiple impacts on the east side of the creek.

The issue of vegetation management at the Coyote Creek crossing is thoroughly addressed in the Final EIR. Section B.2.2 considers the impacts associated with an overhead crossing of the

creek at four locations and presents Mitigation Measure B-10 to ensure that the impacts on riparian vegetation are minimized in the event that an overhead crossing is selected. The Service is correct that the existing retail development east of McCarthy Boulevard would be minimally affected by an overhead transmission line route in this area if that route followed McCarthy Boulevard. However, as discussed above, there would be significant Class I recreation and land use impacts on the east side of the creek due to the location of the Bay Trail.

Due to the Final EIR's analysis of four overhead crossings (Section B.2.2) including two suggested by the Santa Clara Valley Water District, analysis of a potential crossing at Highway 237 was not pursued.

- B-5 The CPUC acknowledges the applicability of the Service's Compatibility Regulations, which are summarized in Draft EIR Section A.3. While the Refuge prefers the Northern Underground Alternative, it states that a permit could be granted for either the I-880-A Alternative or the Northern Underground Alternative, both of which would cross a portion of the Pacific Commons Preserve.
- B-6 The Service states a preference for the Northern Underground Alternative (or secondarily, the I-880-A Alternative) combined with the Modified I-880-B Alternative. The Service states that the I-880-A Alternative could be improved if it used Cushing Parkway and Fremont Boulevard to connect with the I-880-B Alternative or the Underground Through Business Park Alternative. As discussed in response to comment B-2, this route would avoid crossing the salt ponds south of Cushing Parkway.
- B-7 The high habitat value of the mitigation ponds west of the Bayside Business Park is acknowledged in the Draft EIR, and was the basis for development of the inland alternatives (Underground Through Business Park and Modified I-880-B Alternatives). Both of these alternatives are considered to be environmentally superior to the proposed route west of the Business Park.
- B-8 The environmentally superior alternative proposed in the Supplemental Draft EIR would significantly reduce impacts to five of the six waterbird features along the proposed project route. The last feature, the WPCP ponds, are located west of the proposed route between MP 5.6 and 6.7, and therefore not located in the area with most potential for impact (the impact potential would be significantly higher if the transmission line were west of the ponds, in the direction that the waterbirds fly from the ponds). While it is agreed that relocation of this 1.1 mile segment to the east side of Coyote Creek would likely reduce impacts to birds, this routing would also create the new impact of the Coyote Creek crossing (see Final EIR Section B.2).
- B-9 Please see response to comments B-2, B-3, and B-8.

- B-10 Mitigation Measure B-9, which proposes a monitoring study of overhead transmission lines to evaluate the extent of bird collisions, includes a provision for development of a study protocol in cooperation with resource agencies. Therefore, the Service would be included in the development of a study that eliminates or reduces the biases referenced in this comment.
- B-11 The referenced bird collision detection system allows more accurate counting of bird collisions with transmission lines at night and at other times when observers are not present at a transmission line segment. The system operates by identifying certain impacts on the transmission line conductors as being typical of birds. After such impacts are identified, biologists can survey the transmission line segment to try to identify the species of bird before its body is taken from the area by scavengers. This system would not prevent or reduce collisions, but would allow documentation of such collisions to be improved. Mitigation Measure B-9 has been modified (as shown in Table C-1) to include consideration of such a system for overhead portions of the 230 kV transmission line.
- B-12 Relocation of the transmission line is not considered to be feasible after operation has started. Mitigation Measure B-9 has been modified (as shown in Table C-1) to incorporate a periodic review of the apparent success of line marking techniques in preventing bird collisions.
- B-13 The applicant's proposed measures will compensate for habitat loss and increased predation impacts. The direct loss of birds through collisions with transmission lines will be reduced with implementation of applicant proposed measure 10.27a, but not to a less than significant level. Mitigation Measure B-9 adds provisions to those required in 10.27a, but would still not eliminate impacts.

Comment Set C: Santa Clara Valley Transportation Authority (see also Comment Set 11)

- C-1 The commenter is correct that the environmentally superior substation sites (the proposed Los Esteros site and the US DataPort site) are both north of Highway 237. The VTA's opposition to the Zanker Road Substation Alternative is acknowledged.
- C-2 See response to comment 11-2.

Comment Set D: City of Milpitas

- D-1 The Draft EIR and Supplemental Draft EIR acknowledge the land use impacts that arise from installation of an aboveground or underground transmission line in Milpitas in Section C.6 (analysis of McCarthy Boulevard Alternative) and Section C.7 (Southern Underground Alternative). Section C.6.2 identifies a significant and unavoidable impact resulting from the McCarthy Boulevard Alternative's inconsistency with the City's Open Space/Conservation policy, as well as potentially significant impacts on Bay Trail users. Supplemental Draft EIR Section B.6.3 addresses potentially significant (but mitigable) impacts on the Milpitas Sewer Lift Plant. In Section C.6.4, visual impacts of the McCarthy Boulevard Alternative are

determined to be adverse but not significant, but still greater than the visual impacts of the proposed route.

D-2 The reduction in impacts to birds that would result from implementation of the McCarthy Boulevard Alternative is supported by the U.S. Fish and Wildlife Service, the Ohlone Audubon Society, and the San Francisco Bay Bird Observatory (see comment letters B, R, and O, respectively). Supplemental Draft EIR Section C.6.1 details the bird populations (including waterbirds and Great Blue Herons) that are present in abundance in the area west of Coyote Creek and south of Dixon Landing Road. The Supplemental Draft EIR's conclusion that the McCarthy Boulevard Alternative would result in reduced impacts to birds is based on two significance criteria presented in the Draft EIR, which state that a significant impact would result if the project could:

- Interfere substantially with the movement of any resident or migratory fish or wildlife species
- Adversely affect species under the protection of the Migratory Bird Treat Act

These criteria result in the determination of a significant impact at a lower threshold than a threat to the sustainability of the population. As noted in the Supplemental Draft EIR, no detailed studies are available that document the frequency of bird flight across the various transmission line routes. Therefore, the conclusions regarding potential impacts to various routes are based on the observations and professional opinions of the biologists preparing the EIR.

D-3 Supplemental Draft EIR Section C.6.2.2 acknowledges the potential for development of the areas around the McCarthy Boulevard Alternative, and the similarity of those impacts to Business Park areas in Fremont that are studied in the Draft EIR. However, it is the primary responsibility of the EIR to evaluate the impacts of the project and alternatives on existing (not future) land uses. The current land uses along the west side of McCarthy Boulevard Alternative are: (1) agriculture and vacant open land, (2) Milpitas' Sewer Lift Station (3) recreational use of the Coyote Creek levee trail (future Bay Trail).

D-4 Supplemental Draft EIR Section C.6.4 (Visual Resources) acknowledges the potential future installation of an entrance monument for the City of Milpitas, and the potential for visual impact to trail users.

D-5 The City's comment implies that the McCarthy Boulevard Alternative would follow McCarthy Boulevard along its length from Dixon Landing Road to Highway 237. In fact, this alternative would follow McCarthy Boulevard for only slightly over 0.5 miles (approximately 4 tower structures) of its 2.6-mile length. As illustrated in Supplemental Draft EIR Figure B-5, the area in which this alternative is proposed is the narrowest part of the property between I-880 and Coyote Creek: no development could occur east of McCarthy Boulevard here because it is immediately adjacent to the freeway. Therefore, impacts of this alternative on future development would be minimal.

- D-6 There is no evidence that the presence of a transmission line would affect the ability of the area to attract technology companies or the City's ability to generate tax revenue. As noted in the response to Draft EIR comment 6-22, a press release recently announced (during the comment period for the Supplemental Draft EIR) that Cisco Systems has signed a long-term lease for the Pacific Commons property (adjacent to the I-880-A Alternative). This indicates that the prospect of being located adjacent to the proposed transmission line did not dissuade this major company from locating near a transmission line.
- D-7 As explained in response to comment D-5, the McCarthy Boulevard Alternative would involve installation of only 4 towers in Milpitas, and none of these would be near any businesses. Therefore, noise and vibration impacts would not be significant. Two towers would be located adjacent to the Bay Trail (and lines would cross the trail); however, the construction of these towers would be of very short duration and would also be governed by Draft EIR Mitigation Measure L-7, which requires PG&E Co. to work with local planning agencies in determining the exact location of each tower.
- D-8 The potential for EMF impacts to businesses and trail users is addressed in Draft EIR Section C.9. As explained in Draft EIR Section C.9.2.2.1 and Supplemental Draft EIR Section C.8, PG&E Co. will implement EMF mitigation as required by the CPUC. Mitigation Measure PS-2 (modified in response to comment 6-25) presents a means to address potential electronic or EMF disturbance caused by the transmission line. No documentation has been provided that the transmission line would cause unmitigable EMF impacts on businesses.
- D-9 The potential for EMF mitigation to affect visual resources is addressed in Supplemental Draft EIR Section C.9, and Mitigation Measure V-4 is recommended to reduce potential significant impacts that could result from increased tower height in highly visible areas. The Supplemental Draft EIR's conclusion that visual impacts of the McCarthy Boulevard Alternative would be adverse, but not significant, acknowledge the scenic highway designation and the future development plans.
- D-10 In an August 23, 2000 meeting with the City of Milpitas, no issues were raised that implied that a transmission line could pose significant impacts to the sewer facility. Mitigation Measure S-1a will ensure that impacts are minimized by locating towers and conductors in locations that would not affect facility operation.

Comment Set E: City of San Jose

- E-1 The City is correct that the Supplemental Draft EIR concluded that there was little overall difference between the proposed Los Esteros Substation site and the US DataPort Alternative. The City is also correct that either substation site would create some visual and noise impacts for the portion of the Bay Trail that is proposed to follow the south side of the WPCP. While the US DataPort site is closer to the trail and therefore would have somewhat greater impacts,

the impacts of both sites on Bay Trail users are considered to be less than significant given the setting of this trail segment.

The footprint of the 24-acre substation site would be approximately 1,000 feet on each side. Therefore, 1,000 feet of the US DataPort Alternative site, plus about 500 feet of access road, would be adjacent to the trail. The remaining distance of the trail along the south end of the WPCP would be about 3,000 feet long. Therefore, if the US DataPort Substation site were constructed, PG&E Co.'s facility would be adjacent to about 1/3 of this trail segment (the remaining 2/3 would be adjacent to the US DataPort development, and the entire segment would be adjacent to the WPCP on the north). Rather than require that PG&E Co. develop and maintain this small portion of the trail, Mitigation Measure V-2 is recommended to ensure that adequate landscaping is provided to screen views of the substation from trail users. The mitigation measure requires the vegetation plan to be developed based on consultation with the City.

- E-2 The issue of substation ownership is beyond the scope of this EIR.
- E-3 The potential delay of the project that could result from the conflict between substation sites is not an issue within the scope of the EIR.
- E-4 The Supplemental Draft EIR considered the (overhead) McCarthy Boulevard Alternative and the Southern Underground Alternative, and the Final EIR considers the Overhead Variation of the Southern Underground Alternatives. Therefore, both overhead and underground routing options are available to decisionmakers.
- E-5 The overhead/underground alternative that the City describes in this comment is exactly the route evaluated in the Supplemental Draft EIR as the Southern Underground Alternative. As described in Supplemental Draft EIR Section B.2.6, that alternative would be underground except for its crossing of Coyote Creek, which was evaluated as either an overhead or an underground crossing.

Regarding the crossing of Coyote Creek by the proposed 115 kV line along Trimble Road and Montague Expressway, the location of this crossing (immediately adjacent to the road) does not have any riparian vegetation that would be affected by the installation of the transmission line.

- E-6 The Draft EIR did not address substantial concerns about liquefaction in the Coyote Creek area because no underground transmission routes were evaluated there. Individual transmission towers are not as susceptible to damage as a continuous underground line; individual towers are designed for the soils in which they are constructed and they can withstand substantial ground movement without failing.

The City suggests that more specific information be presented about the risks of undergrounding a major transmission line in highly liquefiable soils. Unfortunately, no such data exists within the Bay region. PG&E Co. has no other underground 230 kV lines of the

solid dielectric type (the type constructed in concrete duct banks, rather than in oil-cooled pipes). Evaluation of the performance of natural gas and petroleum pipelines in liquefiable soils in earthquakes would not necessarily result in comparable data, since pipelines (which have no rigid concrete components like the concrete duct bank) are ductile and can withstand some amount of ground movement without rupture.

The City's reference to Draft EIR page C.5-14 quotes from a generic PG&E proposed measure to protect underground lines from liquefaction. Providing "extra slack in underground cables" would allow accommodation of ground movement in (1) smaller underground lines (i.e., distribution lines at 12 or 21 kV) that are generally installed without a concrete duct bank, or (b) buried control cables located within substations. The 230 kV solid dielectric cable conductors are approximately 4 3/8 inches in diameter and are not flexible, so it is not possible to provide "extra slack" in this case. These 230 kV cables are installed in a concrete duct bank in order to maintain separation of the separate conductors for heat dissipation.

- E-7 Both the Draft EIR and the Supplemental Draft EIR evaluate the impacts of aboveground lines on the Bay Trail. Draft EIR Section C.7.2.4.1 addresses construction impacts on recreational trail use and proposes Mitigation Measures L-4 and L-5 to ensure that these impacts are not significant. Draft EIR Section 7.2.4.2 addresses potentially significant impacts on future recreational trail use, and proposes Mitigation Measure L-7 to reduce these impacts. This measure would require coordination with local planning agencies prior to final design to ensure that "final location of support towers minimizes impacts on planned trail alignments." It is unlikely that the location proposed by PG&E would interfere with the proposed access ramp since the tower itself would be located in the corner of the existing sludge drying bed and not on the levee. However, Mitigation Measure L-7 would allow placement of the tower at Milepost 6.7 at a location that would not interfere with the proposed access ramp.

Comment Set F: County of Alameda, Public Works Agency

- F-1 The I-880-B Alternative evaluated in the Draft EIR was modified to eliminate the potential impacts on the flood control channel at the south end of the business park. The Modified I-880-B Alternative described in Section B.2.4 of the Supplemental Draft EIR, and evaluated in Section C.5 reflects the County's comments.

Comment Set G: City of Fremont

- G-1 Detailed responses to the City's Draft EIR comments are presented in Section E.1.1 (Comment Set 6) above.
- G-2 Each issue in this comment is addressed in more detail in responses to G-3 through G-10 below.

- G-3 The Supplemental Draft EIR does conclude that, with respect to visual impacts, the Northern Underground Alternative and the Underground Through Business Park Alternative would be preferred over the I-880-A and the Modified I-880-B Alternative, respectively.

The Supplemental Draft EIR found that there were two comparable environmentally superior alternatives through the business park area (Central Area of the project). One of the environmentally superior alternatives was the Underground Through Business Park Alternative, which agrees with the City's position. However, note that the Supplemental Draft EIR concluded that this alternative was comparable with the Modified I-880-B Alternative, which was found to be equally environmentally superior. Also consistent with the City's position, the analysis of the visual impacts of the Northern Underground Alternative (Supplemental Draft EIR Section C.4.12) acknowledges that this alternative is preferred over the I-880-A Alternative. For detailed discussion of visual and land use impacts in the City of Fremont, see responses to comments 6-2, 6-3, 6-4, 6-5, and 6-17. Note also that the Final EIR presents an environmentally superior alternative through Fremont that is composed of portions of the I-880-A Alternative, the Northern Underground Alternative, and the Underground Through Business Park Alternative.

- G-4 This comment incorrectly states that the Supplemental Draft EIR ignores the visual impacts of EMF mitigation. The Supplemental Draft EIR (Section C.8.3.1, page 60) states that "... this mitigation measure may not result in a reduction of the visual impact to less than significant levels. It is possible that the impact would remain significant (Class I)". However, note that the visual impact was further analyzed prior to publication of the Final EIR (Final EIR Section B.1.2) and the visual impact of the taller towers (with EMF mitigation) was determined to be less than significant (Class III).
- G-5 The Draft EIR and Supplemental Draft EIR consider short-term impacts as well as long-term impacts. In the case of the Northern Underground Alternative, the impacts of geologic hazards (liquefaction and lateral spreading) are not short-term impacts, but long-term impacts associated with increased risk to the transmission line during the entire life of the project.
- G-6 The City is correct that the Northern Underground Alternative is preferred by the San Francisco Bay National Wildlife Refuge and that this alternative would have fewer bird collision and visual impacts. However, there is no evidence that overhead transmission lines would affect the value of the business park properties (see response to comment 6-22).
- G-7 Supplemental Draft EIR Table D-1 presented incorrect information with respect to the conclusion about the Northern Underground Alternative. However, the correct conclusion (that the I-880-A Alternative is preferred over the Northern Underground Alternative) was presented consistently in the remainder of the document: in Table D-2 and the discussion in Section D.2.1 regarding alternatives in the Northern Area, in Table ES-1 (Summary of Issues and Conclusions from Supplemental Draft EIR), in Table ES-2, and in Figure ES-2 illustrating the

Environmentally Superior Alternatives. We apologize for the confusion caused by the error in Table D-1.

- G-8 The City is correct that the Supplemental Draft EIR states that there is not a substantial difference between the impacts of the I-880-A Alternative and the Northern Underground Alternative. While the geologic hazards in this area are considered to be significant and unavoidable, the conditions in the Northern Area are not as severe as those in the Southern Area. Still, the geologic conditions played a major part in the decision to retain the I-880-A Alternative as environmentally superior. See also the response to comment G-5; the geologic impacts are not short-term but long-term. These geologic conditions and the associated hazards would be present during the life of the project.
- G-9 See responses to comments 6-2, 6-4, and 6-17.
- G-10 The Supplemental Draft EIR is in partial agreement with the City: the Supplemental Draft EIR concludes that the Underground Through Business Park Alternative is one of the environmentally superior alternatives. Note that the Final EIR presents the environmentally superior alternative to be made up of portions of the I-880-A Alternative, the Northern Underground Alternative, and the Underground Through Business Park Alternative.

Comment Set H: Santa Clara Valley Water District

- H-1 The tower at MP 4.9 (as illustrated in Supplemental Draft EIR Figure B-5) is on the proposed route and not on the McCarthy Boulevard Alternative. It would be located above the creek, adjacent to the recycling facility (not within the flood control area). Note that Mitigation Measure H-6, as modified in response to comment 1-1 on the Draft EIR, requires that PG&E Co. provide construction diagrams to the Santa Clara Valley Water District in order to minimize the potential for project components to affect District facilities.
- H-2 The suggested relocation cannot be implemented because it would require placement of a transmission tower north and east of McCarthy Boulevard, just east of the bridge over Coyote Creek. According to PG&E Co., a wetlands mitigation area will be created in this location as part of mitigation for the McCarthy Ranch development.
- H-3 The District's preference for an underground crossing of Coyote Creek rather than an overhead crossing (as evaluated in Supplemental Draft EIR Section C.7) is noted. It is true that pipelines have been placed under Coyote Creek, but as discussed in Final EIR Section B.2.2.3 (Geologic Hazard Risk in the Southern Area), the downstream location referenced by the District is located in more stable soils than those north of Highway 237. PG&E Co. has no other underground 230 kV lines of the solid dielectric type (the type constructed in rigid concrete duct banks, rather than in oil-cooled pipes). Evaluation of the performance of natural gas and petroleum pipelines in liquefiable soils in earthquakes would not necessarily result in

comparable data, since pipelines (which have no rigid concrete components like the concrete duct bank) are ductile and can withstand some amount of ground movement without rupture.

Final EIR Section B.2.2 presents Mitigation Measure B-10, which would require location of an overhead Coyote Creek crossing to be defined in conjunction with District personnel to eliminate or minimize the need for removal of riparian vegetation. This measure also defines tree-trimming maintenance procedures to ensure that vegetation removal is minimized during the life of the project.

- H-4 Final EIR Section B.2.2.2 evaluates four potential locations for a transmission line crossing Coyote Creek between Dixon Landing Road and Highway 237. The location identified by the District (Crossing D) is considered to be the best location for the Southern Underground Alternative's creek crossing because it would minimize removal of riparian vegetation. However, as noted in Final EIR Section B.3.2, the proposed transmission line route (with the McCarthy Boulevard Alternative) is still considered to be environmentally superior to a route on the east side of Coyote Creek.
- H-5 The CPUC appreciates the District providing a map of potential crossover locations, which were analyzed in Final EIR Section B.2.2.2.
- H-6 Thank you for the information regarding right-of-way costs. However, evaluation of cost is not within the scope of this EIR.
- H-7 A bore under the creek could be extremely difficult due to geologic conditions, as discussed in Supplemental Draft EIR Section C.7.2. Additional information on this issue is presented in Final EIR Section B.2.3. For the biological resources issue area only, the Southern Underground Alternative and its Overhead Variation would be preferred to the proposed route because the Southern Alternatives are located east of the riparian corridor, whereas the proposed route is located between two areas of relatively high bird use (Coyote Creek and the WPCP). The overhead crossing of Coyote Creek would pose some bird collision risk, but the impact is considered to be less than significant because (1) the span is relatively short in length, (2) most waterfowl and shorebirds are more likely to move to and from the riparian corridor further south of this crossing, and (3) Mitigation Measure B-10 in the Final EIR (Section B.2.2.1) defines a procedure for selection of an overhead crossing location and maintenance techniques that would ensure that the crossing would minimize the impact to riparian vegetation or wildlife habitat.
- H-8 If biological impacts were the only factors affecting evaluation of alternatives in the Southern Area, the District is correct that the Southern Underground Alternative or another route east of Coyote Creek would be preferred. However, this route, if underground, would encounter potentially unstable geologic conditions and cause construction impacts (e.g., land use and recreation, noise, air quality). While engineering solutions are available for poor soils and

liquefaction, these solutions are designed for pipelines and would not necessarily work with a rigid concrete duct bank holding six separate insulated conductors.

Due to these geologic concerns, the Overhead Variation of the Southern Underground Alternative (an overhead line east of Coyote Creek) is evaluated in Final EIR Section B.2.1. However, impacts to land uses and recreationists (on the Bay Trail, east of Coyote Creek) would exist during the life of the project.

- H-9 The correct term for the Coyote Creek Flood Protection Facility is noted.
- H-10 Mitigation Measure B-9 has been modified to include the District as a recipient of studies.
- H-11 The District's disagreement with the conclusion regarding the Southern Underground Alternative is noted.
- H-12 Two impact rows are shown in Table D-4 for Geology and Soils because these two issues (liquefaction and expansive/soft soils) are considered as completely separate impacts in the Draft EIR (Sections C.5.2.4.1, Impact G.2: Expansive Soils, Soft or Loose Soils, and High Water Table; Section C.5.2.4.2, Impact G.8: Liquefaction). These issues are evaluated individually because the two conditions can occur separately in different places and for different reasons. As an example, the risk of liquefaction in the Northern Area is significant (Class I), but the risk of lateral spreading would be less than significant with implementation of Mitigation Measures G-1, G-2, and G-3. Therefore, EIR preparers believed that it would be less confusing to evaluate these impacts separately.
- H-13 Table D-4 does not show the Southern Underground Alternative as the environmentally superior route. The District's disagreement with the EIR conclusions is noted.
- H-14 It is clear that the District is committed to continued development and maintenance of the riparian corridor and mitigation areas along Coyote Creek area. The input received from the District will be seriously considered in the CPUC's final decision on this project.

E.2.2 RESPONSES TO COMMENTS ON THE SUPPLEMENTAL DRAFT EIR FROM PRIVATE PARTIES

Comment Set I: Pepper Lane Properties

- I-1 The commenter's opposition to the Underground Through Business Park and Modified I-880-B Alternatives is noted.

Comment Set J: Pantronix Corporation

- J-1 No evidence has been provided that the electric and magnetic fields from the transmission lines would affect equipment testing. Mitigation Measure PS-2 (modified in response to comment 6-25) presents a process for resolving field disturbance issues that may arise after the line is installed.
- J-2 The visual impacts of the Modified I-880-B Alternative are described in the Supplemental Draft EIR, and are concluded to be less than significant (Class III) in the context of the business park setting. Property values are addressed in Draft EIR Section C.10.2.4.3. Please also responses to comments 6-2 through 6-4.
- J-3 There is no evidence that the presence of transmission lines would affect a firm's ability to hire employees. There are existing transmission lines through the center of the business park area south of Cushing Parkway, and these businesses appear to be flourishing.

Comment Set K: Los Esteros Ranch Partnership

- K-1 The CPUC acknowledges the potential effects of the proposed route and Westerly Route on the commenter's property.
- K-2 The route of the McCarthy Boulevard Alternative is illustrated in Supplemental Draft EIR Figure B-5. The use of tubular steel towers minimizes the disturbance at the base of each tower.
- K-3 The McCarthy Boulevard Alternative would follow the western edge of McCarthy Boulevard, staying as far as possible from the riparian corridor (except where it crosses the Creek). This EIR cannot comment on requirements imposed by other jurisdictions for protection of riparian habitat.

Comment Set L: San Francisco Bay Joint Venture

- L-1 The CPUC agrees that the placement of new transmission lines should be carefully considered. The CEQA process for evaluation of this project began in late 1998 with a public scoping process and extensive agency coordination. The result of this process was the June 2000 Draft EIR, which evaluated several alternative routes, and the Supplemental Draft EIR issued in October 2000 that evaluated additional alternatives.
- L-2 The importance of the San Francisco Bay and its associated wetlands is acknowledged in the EIR and reflected in the development of many alternatives designed to minimize impacts on wetland areas and species.
- L-3 Bevanger (1994) is a Norwegian study that referred to some birds that gather in breeding groups, or leks. Movements to and from these breeding grounds may pose a threat of collisions with transmission lines. Savereno et al. (1996) studied an area that had a high potential for

avian mortality, primarily because the line bisected feeding and nesting habitat in an area of major avian use. These studies support the conclusions of the Draft EIR and Supplemental Draft EIR that placing overhead lines through the Pacific Commons Preserve (i.e., the northernmost 1.5 miles of the proposed transmission line route), and between Coyote Creek and the Santa Clara WPCP (i.e., the southernmost 1.5 miles of the proposed route) would likely result in significant numbers of birds striking the lines. If placed through Pacific Commons, the lines would be located between foraging and roosting areas at the seasonal wetlands of Pacific Commons, and foraging and breeding areas associated with salt ponds and tidal habitats. Locating lines between Coyote Creek, which supports breeding herons and waterfowl, and the WPCP, where many of these birds forage or roost, would also likely result in strikes. As concluded in the Supplemental EIR (Sections C.3.3, C.6.1, and C.7.1) and the Final EIR (Section B.2), alternatives that locate lines along I-880 and east of Coyote Creek have reduced risk of bird strikes.

- L-4 It is true that transmission lines through wetland habitats require access walkways. In this EIR, attempts have been made to find routes that do not affect these types of habitats. The I-880-B and Northern Underground Alternatives completely avoid the salt ponds and wetland areas. Please note that as described in the response to comments submitted by the U.S. Fish & Wildlife Service (Comment Set B), this Final EIR finds that the environmentally superior transmission line route is a combination of alternative transmission line routes that would avoid passing through the salt ponds south of Cushing Parkway (see Final EIR Section B.1.1).
- L-5 PG&E Co. is encouraged to seriously consider consultation with the Joint Venture regarding its policy preference that the number of overhead transmission lines around the Bay be reduced over time.

Comment Set M: Save the Bay (letter addressed to ALJ Thomas)

- M-1 While the U.S. Fish & Wildlife Service is not a party to the General Proceeding for the CPUC's action on this project, there has been extensive coordination between CPUC staff, EIR preparers, and USFWS staff on this project. Starting in late 1998 (at the time that PG&E Co.'s initial application was filed) and continuing through preparation of this Final EIR, CPUC staff and EIR preparers met with Refuge managers to discuss the proposed project routes and potential alternatives. As a result of the ongoing consultation with Refuge managers, new alternatives were developed during the EIR process (e.g., the I-880-A Alternative). Creation of the environmentally superior combination of alternatives (described in Final EIR Section B.1.1) for the Northern and Central Areas was made after consideration of issues discussed with the Refuge Manager.
- M-2 The value of the Bay's wetlands habitat is acknowledged in the EIR. The Final EIR's conclusions regarding the environmentally superior alternative place great weight on the value of this habitat.

M-3 The CEQA process is a vehicle for consideration of environmental issues for the CPUC's action on the proposed project. As described in Final EIR Section B.3, protection of wildlife species and open space habitat has been an important factor in identification of the environmentally superior alternative. The CPUC will fully consider the merits of the environmentally superior alternatives presented in this Final EIR in its decision on the project.

Comment Set N: Save the Bay (letter addressed to Brad Wetstone)

N-1 The Final EIR recommends environmentally superior alternatives that avoid or minimize impacts on bayland habitat. Please see also response to comment M-1 regarding consultation with Refuge management.

N-2 The proposed route and some alternatives would cross portions of the Refuge or the Pacific Commons Preserve and other high value habitat areas, as described in Draft EIR Section C.3.1.2 (Biological Resources). In developing the environmentally superior alternative, impacts on these habitats have been minimized.

N-3 The commenter's preference for the Northern Underground, Modified I-880-B, McCarthy Boulevard, and Southern Underground Alternatives (with an overhead crossing of Coyote Creek) is noted.

N-4 The two modified alternatives recommended by the USFWS are evaluated in Final EIR Sections B.1 and B.2. As described in response to comment M-1, the combination of alternatives that avoids the salt ponds (see Final EIR Section B.1.1) is considered to be the environmentally superior alternative in this Final EIR.

N-5 The commenter's recommended alternatives are fully considered in this Final EIR. The environmentally superior alternative in the Northern and Central Areas reflects the Refuge's preference for routes that avoid the salt ponds and other open space areas.

Comment Set O: San Francisco Bay Bird Observatory (see also Draft EIR Comment Set 28)

O-1 Thank you for clarifying the extent of the study on the Coyote Creek riparian corridor. The commenter agrees that the McCarthy Boulevard Alternative is better than the proposed route in the area it would replace. The high value of the Coyote Creek riparian habitat (and associated risk of bird collision with transmission lines in this area) is acknowledged in Supplemental Draft EIR Table C-4.

O-2 The Draft EIR did evaluate several alternatives that would have avoided the entire Coyote Creek corridor. Those alternatives (Westerly Route, Northern Receiving Station, and Westerly Route Upgrade) were found not to be environmentally superior to the proposed project due to their potential impacts on the Refuge and other open space values and habitats.

Supplemental Draft EIR Section B.3.2 addresses a route suggested in comments on the Draft EIR: an overhead route along the western edge of I-880 down to Highway 237. Final EIR Section B.2 evaluates the USFWS suggestions for Southern Area transmission line routes including an Overhead Variation of the Southern Underground Alternative and four different locations for a transmission line crossing of Coyote Creek.

- O-3 The Final EIR (Section B.2.1) evaluates the Overhead Variation of the Southern Underground Alternative, which would be located east of Coyote Creek for most of its length. Caltrans very rarely allows utility encroachment into its right-of-way. For purposes of clarification, the EIR includes alternatives that are developed and evaluated by the CPUC, not by PG&E. PG&E is not involved in the process of selecting alternatives for evaluation in the EIR, or in the process of selecting environmentally superior alternatives.
- O-4 Final EIR Section B.2 evaluates the Overhead Variation of the Southern Underground Alternative, as suggested in this comment and others.
- O-5 The commenter's opposition to the proposed route is noted.

Comment Set P: US DataPort (by Davis Wright Tremaine LLP) (see also Draft EIR Comment Set 26)

- P-1 The commenter's concurrence with the conclusions of the Supplemental Draft EIR regarding the US DataPort Substation Alternative is noted.
- P-2 The land use conflict suggested by the commenter does not exist at this time, because the City of San Jose has not approved the US DataPort project (which would drive selection of the US DataPort Substation Alternative). It is noted that the Draft EIR for the US DataPort facility evaluates an alternative in which the PG&E Co. Los Esteros substation is located in PG&E Co.'s proposed location, so this arrangement is apparently feasible.
- P-3 See response to comment P-2. Until a decision has been made by the City of San Jose, the alleged land use conflict does not exist.

Comment Set Q: McCarthy Ranch (by Skjerven Morrill MacPherson)

- Q-1 This description of the McCarthy Boulevard Alternative is accurate.
- Q-2 Figure B-1 in the Final EIR shows where the mitigation ponds are located. See response to comment D-1 and the responses below.
- Q-3 See response to comment D-2. The Supplemental Draft EIR in Section C.9.2 presents a detailed discussion of bird collision impacts and summarizes studies that have been completed on this issue.

- Q-4 The additional crossings of Coyote Creek that would be required with the McCarthy Boulevard Alternative does present a risk for bird collision impacts. However, the magnitude of these impacts is expected to be considerably less than the impacts of the proposed route in its location between Mileposts 4.9 and 5.3 where it would cross an area regularly used by hundreds of birds.
- Q-5 The fact that the precise magnitude of bird mortality cannot be quantified in the project area is not a reason to discount the impact. The project area is adjacent to a National Wildlife Refuge that was created specifically for protection of migratory birds and waterbirds, and therefore provides unusually high value bird habitat. For this reason, the potential impact of bird collision is stated to be Class I, significant and unavoidable, even though the precise magnitude cannot be defined. It is anticipated that implementation of Mitigation Measure B-9 would result in a reduction of bird collisions, but the magnitude of the reduction cannot be known at this time due to the lack of site-specific data in the project area. Therefore, the impact is conservatively determined to be significant, even with mitigation.
- Q-6 The birds that use the Santa Clara Valley Water District's mitigation ponds (located immediately southwest of the Dixon Landing Road and the north end of McCarthy Road) fly between the south end of the San Francisco Bay and these ponds. Their flight path is primarily to the west from these heavily used ponds. Therefore, the proposed route would have been located directly in this flight path resulting in a significant (Class I) impact. The McCarthy Boulevard Alternative would be located east of the flight path where few birds would likely collide with the new lines.
- Q-7 The success of transmission line markers in other areas would not necessarily translate to similar levels of success in the northeast San Jose area, since different bird species and geographic conditions result in different flight patterns. Please see also the response to comment Q-5.
- Q-8 Section D.2.3 of the Supplemental Draft EIR explains why the McCarthy Boulevard Alternative is considered to be environmentally superior to the proposed route.
- Q-9 Please see response to comments D-3, D-4, and D-5. Note that Cisco Systems has recently signed a long-term lease for a property in the City of Fremont that is adjacent to other alternatives on the northern end of this route.
- Q-10 See response to comment D-6.
- Q-11 See response to comment D-7.
- Q-12 See response to comment D-8.
- Q-13 Draft EIR Section C.10.2.4.3 discusses the potential economic impacts of the proposed project and alternatives.

- Q-14 See response to comment D-9. Supplemental Draft EIR Section C.6.4 acknowledges the City's plan to install entrance monuments along McCarthy Boulevard.
- Q-15 The McCarthy Boulevard Alternative would not require any transmission line facilities to be located between the Coyote Creek levees. The construction of towers and stringing of conductors across the creek can be accomplished either by having a construction worker carry light ropes across the creek or by shooting the lighter rope across the creek with climbing gear. In either case, the heavier conductor cables would then be pulled across from the far side of the creek. No construction equipment would be in the creek area itself and no damage would be done to riparian habitat.
- Q-16 Final EIR Section B.2.1.4 (in a sub-section entitled Ongoing and Future Development in McCarthy Ranch) acknowledges the development plans for the McCarthy Ranch area. The installation of four or five transmission towers north of and adjacent to the Sewer Lift Station (as would be required for the McCarthy Boulevard Alternative) would take approximately 1-2 weeks and would be unlikely to conflict with any ongoing construction in the area south of the Sewer Lift Station.
- Q-17 Supplemental Draft EIR Section C.6 did not include a section addressing Transportation and Traffic because, as illustrated in Figure B-5, only 3 or 4 towers would be located adjacent to McCarthy Road. These towers would not cross McCarthy Boulevard – they would be located west of the roadway and construction would not require blockage of the road.

Comment Set R: Ohlone Audubon Society (see also Draft EIR Comment Set 23)

- R-1 The commenter's preference for the Northern Underground Alternative is noted. As described in Final EIR Section B.1.1, a substantial portion of that route is included in the environmentally superior combination of alternatives for the Northern and Central Areas. Refuge management played a key role in the development of alternative routes through the Pacific Commons Preserve. However, note that the Northern Underground Alternative presents some potential for damage to the Pacific Commons Preserve habitat due to the heat produced by the underground lines. Supplemental Draft EIR Section C.3.3 addresses these biological impacts, which can be reduced to less than significant levels with implementation of recommended mitigation.
- R-2 Thank you for pointing out the difficulties in following alternatives from Figure B-2 to Figure B-4. Final EIR Figure B-1 (Northern and Central Area Routes) clarifies the overlapping alternatives in the Northern and Central Area by presenting this whole area on a single map.
- R-3 The commenter's preference for the Southern Underground Alternative is noted.
- R-4 The EIR has evaluated a wide range of alternatives in order to reduce impacts to the extent feasible. With respect to energy conservation, the CPUC does oversee some programs devoted

to energy conservation, however, these programs are generally targeted at the end-user level. These energy conservation programs alone will not displace the existing need to add increased high-voltage transmission capacity projects to meet both current electricity demand and incremental load growth.

**E.2.3 RESPONSES TO COMMENTS ON THE SUPPLEMENTAL DRAFT EIR FROM PG&E CO.
(SEE ALSO DRAFT EIR COMMENT SET 31)**

- X-1 The Applicant's opposition to the Northern Underground Alternative is noted. There is no question that this alternative could feasibly attain the project objectives in terms of its operation. The underground system would be reliable and comparable to an overhead system in terms of its operation. The Applicant questions the reliability of this alternative due to the potential for an underground system to be damaged in an earthquake. While such damage could occur (as it also could for an overhead line), it would not cause a permanent service disruption, but rather an outage lasting from a few weeks to a few months (while repair is completed).
- X-2 The construction right-of-way for the two underground lines would be 50-60 feet wide, but after construction, only access directly over the buried lines would have to be maintained. The potential for the Northern Underground Alternative to damage tiger salamander habitat is considered to be small, but as described in Supplemental Draft EIR Section C.3.3, mitigation measures B-2a and B-2b (in addition to Applicant Proposed Measure 10.6a) would reduce impacts to less than significant levels (Class II). It is noted that the U.S. Fish & Wildlife Service supports the Northern Underground Alternative over the I-880-A Alternative, despite the potential impacts to biological resources.
- X-3 See response to comment X-2.
- X-4 The Draft EIR and Supplemental Draft EIR acknowledge that underground alternatives would have substantially greater construction impacts than overhead alternatives. As illustrated in Supplemental Draft EIR Figure B-2, the Northern Underground Alternative would require less than one mile of underground construction around the edges of the Pacific Commons Preserve. See response to comment X-2 regarding potential impacts to tiger salamanders.
- X-5 The Applicant's preference for the I-880-A Alternative over the Northern Underground Alternative is noted.
- X-6 Section D.2 of the Draft EIR explains the methodology for comparing alternatives used in this EIR document. As discussed in that section, long-term impacts are given more weight than short-term impacts.

As a result of the modifications to the I-880-B Alternative (which eliminated impacts in the traffic and water resources issue areas), the comparison of these alternatives was reconsidered in the Supplemental Draft EIR. The revised impact assessment led the EIR preparers and the CPUC to conclude that, with respect to the Modified I-880-B Alternative and the Underground

- Through Business Park Alternative, it was not possible at that time to determine that one alternative was clearly superior to the other. However, the Final EIR's conclusion (as described in Final EIR Section B.3) is that the Underground Through Business Park Alternative is the environmentally superior alternative in the Central Area.
- X-7 The Applicant argues that use of a "completely new corridor" for the I-880-B Alternative would increase likelihood of bird collision. It should be noted that PG&E's proposed route, except for the part of the route north of MP 2.7, is also in a "completely new corridor," and nearly all of this proposed corridor is adjacent to high bird use areas. The Modified I-880-B Alternative corridor would be near the I-880 Freeway, in an area that is not regarded as having high bird use. Therefore, the bird collision impacts of the I-880-B Alternative would be substantially less than those of the proposed route.
- X-8 See responses to comments 31-2 and 6-2 through 6-4 regarding the visual impacts of the I-880-B Alternative.
- X-9 Note that the Final EIR finds that the Underground Through Business Park Alternative (when used with the southern portion of the Northern Underground Alternative) to be environmentally superior to the Modified I-880-B Alternative. The Supplemental Draft EIR (Section D.2.2) acknowledges that the visual impacts of the I-880-B Alternative would be greater than those of the Underground Through Business Park Alternative (but less than those of the proposed route). Construction impacts of individual tower construction and conductor stringing would be substantially less with the I-880-B Alternative than for the Underground Through Business Park Alternative because the underground alternative involves much more construction activity and passes through parking lots that are heavily used by businesses along the corridor. The I-880-B Alternative would have towers located on private property, outside of roadway rights-of-way.
- X-10 The EIR does not address issues related to the differences in cost among alternatives; that issue will be considered in the CPUC's Decision on this project based on the record in the General Proceeding. The impacts of each alternative are fully defined in Section C of the Draft and Supplemental Draft EIRs and compared in Section D. The CPUC has adequate information (and the legal right) to select any alternative analyzed in the CEQA process. CEQA Guidelines Section 15126(d) state, "the discussion of alternatives shall focus on alternatives to the project or its location which are capable of avoiding or substantially lessening any significant effects of the project, even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly [emphasis added]."
- X-11 The potential for underground construction to encounter hazardous materials is addressed in Mitigation Measure H-6, which defines procedures for evaluating such hazards. Draft EIR Section C.6.3 addresses potential impacts associated with underground transmission line construction and determines that they would be less than significant (Class II) with implementation of Mitigation Measures H-6 (as modified in response to comment 1-1) and H-9.

- X-12 The geologic hazards associated with the Southern Underground Alternative are described in Supplemental Draft EIR Section C.7.2, which includes similar information to that presented by PG&E Co. in this comment. While this alternative is determined to have significant (Class I) geologic impacts, it is also considered to be a feasible alternative that would meet most project objectives, as required by CEQA.
- X-13 The comment refers to the single pair of transition structures that would be located to the west of Coyote Creek (and west of the Bay Trail which would be east of Coyote Creek) should the option to underground the alternative beneath Coyote Creek be selected. Under that option, the lower portion of the transition structures would be partially to fully screened by the riparian vegetation along Coyote Creek as illustrated in Draft EIR Figure C.12-4B (a simulation of the proposed transmission line structures, which are acknowledged to be less massive than the transition structures). The visual analysis of the Southern Underground Alternative assumed that the transition structures would be similar in height to the proposed transmission line structures but more massive. While the upper portion of the structures would be visible, the lower, more massive portion of the structures would not. Also, the aboveground conductors would then extend to the west away from potential viewers on the Bay Trail, which is located along the east side of the creek. While the single pair of structures would be prominent in foreground views to the west from the Bay Trail, their partially screened presence in the context of existing powerline poles and ongoing development in the adjacent McCarthy Boulevard and I-880 corridors is considered an adverse but not significant visual impact.
- X-14 PG&E Co.'s preference for the proposed route is acknowledged.
- X-15 See response to comment Q-5 and 31-5 regarding significance of bird collision impacts. The Supplemental Draft EIR's conclusions regarding bird collision are based on two significance criteria presented in the Draft EIR, which state that a significant impact would result if the project could:
- Interfere substantially with the movement of any resident or migratory fish or wildlife species
 - Adversely affect species under the protection of the Migratory Bird Treat Act
- The criteria do not include a requirement that collisions be documented at a level that would threaten the sustainability of the population. As noted in the Supplemental Draft EIR, no detailed studies are available that document the frequency of bird flight across the various transmission line routes in the project area. Therefore, the conclusions regarding potential impacts to various routes are based on the observations and professional opinions of the biologists preparing the EIR.
- X-16 PG&E Co.'s agreement with the contents of Mitigation Measure B-9 is acknowledged. PG&E Co.'s suggested modification of the I-880-A Alternative was evaluated in Supplemental Draft EIR Section C.4. While the PG&E-suggested route is better than the portion of the I-880-A Alternative that passed through the salt pond area, it is inferior to the route presented in

Mitigation Measure V-4 (Supplemental Draft EIR Section C.4.3). The Applicant's statement that "any of the I-880-A routes are ... preferable to the I-880-B route" does not make sense, since substantial portions of these two routes are in different areas (I-880-A in northern area; I-880-B in central area) and they are not interchangeable.

X-17 The reason that PG&E Co.'s proposed I-880-A modification does not result in a substantial visual impact reduction can be seen in Figure B-3. The only portion of the modified I-880-A route that would align with an existing transmission corridor is the central portion of approximately 1,000 feet, while over 2,000 feet of the line through the salt ponds would be in a completely new alignment.

X-18 As described in Supplemental Draft EIR Section B.2.3, the towers of PG&E Co.'s suggested modified I-880-A Alternative would be from 15 to 75 feet taller than the existing lines. So while there is some potential that parallel lines could reduce bird collision risk, the additional height of the new lines would present new obstacles to birds. Therefore, as stated in Supplemental Draft EIR Section C.4.2, the bird collision risk for either the modified I-880-A Alternative or the route suggested in Mitigation Measure V-3 would remain significant (Class I).

Contrary to the position articulated in this comment, the visual analysis in the Supplemental Draft EIR (Section C.4.3) does not consider the visual impacts of the Visual Resources Mitigation Measure V-3 route to be similar to the PG&E Co.'s Modified I-880-A Alternative. The section states, "... PG&E Co.'s suggested reroute does not present a visual advantage over the original I-880-A Alternative. For visual resources, the preferred alignment across these salt ponds would be to adopt ... Mitigation Measure V-3." Unlike Mitigation Measure V-3, the Modified I-880-A Alternative would create two new diagonal crossover segments across open terrain between two established corridors. These diagonal crossovers would be through highly visible open saltpond habitat lacking any potential screening. In contrast, the crossover portion of the Mitigation Measure V-3 route would occur along the north boundary of Bayside Business Park, adjacent to an existing line of trees and a parking lot at the rear of office/light industrial buildings, which do not view on to the rear parking lot area. As a result, the crossovers associated with the Modified I-880-A Alternative would be more highly visible and would result in more significant visual impacts than the route suggested in Mitigation Measure V-3.

X-19 PG&E's preferences are noted as being for either (a) the modified I-880-A route in combination with the proposed route through the business park or (b) the I-880-A route with the V-3 mitigation re-route in combination with the Underground Through Business Park Alternative.

X-20 The Draft EIR and Supplemental Draft EIR conclusions regarding environmentally superior alternatives were not made solely on the basis of bird strike impacts, but on consideration of all impacts of both construction and operation.

- X-21 Section B.2.4 of the Supplemental Draft EIR explains that the original I-880-B Alternative route has been modified to accommodate the land use changes in the business park areas. Therefore, the Modified I-880-B Alternative is the only route that should be considered (in comparison to the Underground Through Business Park Alternative and the proposed route).
- X-22 See responses to X-35 to X-39 regarding impacts and mitigation of potential EMF mitigation proposals.
- X-23 For both the proposed route (between MP 4.9 and MP 5.6) and the McCarthy Boulevard Alternative, line markers are recommended to reduce impacts. However, the Supplemental Draft EIR states that line marking may not reduce bird collision to a less than significant level. Mitigation Measure B-9 (Section C.9.2.2) defines measures that should be taken to help reduce the potential for impacts, but as stated in Section C.9.2.3, impacts are still considered to be significant in most areas due to the uncertainty that line marking would reduce impacts in this area. The McCarthy Boulevard Alternative is considered to be superior to the proposed route segment that it would replace due to the very high level of bird use in the ponds south of Dixon Landing Road. The McCarthy Boulevard Alternative would avoid this high bird use area, whereas the proposed route would pass directly through it. In the conclusion showing the McCarthy Boulevard Alternative to be environmentally superior, the bird collision impact is given greater weight than the land use policy inconsistency due to the high environmental value of wildlife habitat in the South Bay area.
- X-24 Supplemental Draft EIR Section C.6.2.1 (Recreation/Open Space Impacts of the McCarthy Boulevard Alternative) identifies two clear conclusions regarding land use impacts: (1) potentially significant impacts on trail users (Class II with implementation of Mitigation Measure L-7), and (2) a significant and unavoidable (Class I) impact due to conflict with the City of Milpitas' Open Space/Conservation Policy.
- X-25 The fact that a portion of the McCarthy Boulevard Alternative route is highly visible does not always result in the determination that the impact would be significant. The impact determination is based on the context of the environmental setting of the area and land use polices of the City of Milpitas. The visual analysis concludes that the visual impact associated with the McCarthy Ranch Alternative is more substantial than that of the proposed route due to the closer proximity of the transmission line to motorists on I-880 and to recreational users of the Bay Trail along the Coyote Creek east levee embankment (specifically at the two locations where the conductors will span the trail). However, impact magnitude needs to be distinguished from impact significance. The resulting visual impact of the McCarthy Ranch Alternative, though greater in magnitude when compared to the proposed route, is still not considered significant given the visual quality of the existing landscape which is in transition to a highly developed visual character. Views of the McCarthy Ranch Alternative, either from I-880 or the Bay Trail, would not be significantly impacted given the developed context provided by new structures and structures currently under construction (as well as areas to be developed) adjacent to I-880, McCarthy Ranch Boulevard, and the Bay Trail. Within this developed

context of commercial and office park structures, the resulting visual impact of the McCarthy Ranch Alternative would not be significant.

- X-26 CEQA Guidelines Section 15126(d) requires consideration of alternatives that "...would avoid or substantially lessen any of the significant effects of the project." The McCarthy Boulevard Alternative meets that standard. The commenter is correct that the Supplemental Draft EIR concludes that bird strike impacts are considered to be significant (Class I) for the McCarthy Boulevard Alternative as well as for the proposed route segment that this alternative would eliminate. However, the magnitude of the bird strike impact in the McCarthy Boulevard area is substantially less than it is along the proposed route segment. As stated in Supplemental Draft EIR Section C.6.1, by avoiding both the waterbird mitigation pond and the Great Blue Heron rookery, the McCarthy Boulevard Alternative would "clearly reduce impacts on birds in this high value habitat area."

As discussed in Final EIR Section B.3.2.1, the McCarthy Boulevard Alternative also creates a significant land use impact due to the potential conflict of an overhead transmission line with local General Plan policies. However, the land use policy conflict and the remaining bird collision risk in the McCarthy Boulevard area are considered to impose less overall impact than the very substantial risk of bird collision that would result from the proposed route's placement of a transmission line immediately west of the waterbird mitigation pond.

- X-27 PG&E Co.'s concerns about Mitigation Measure B-8 (as written in the Supplemental Draft EIR) have been noted, and the measure has been modified to eliminate the requirement for undergrounding this segment, as shown below. This measure incorporates the provisions of Applicant's Proposed Measure 10.25a.

B-8 In order to reduce predation impacts of the transmission line, the specific requirements listed below shall be implemented. Compliance with these requirements shall be documented in a report submitted to the CPUC prior to project operation. In determining detailed compliance requirements for items 2, 3, 5, and 6 (e.g., locations of perch guards, type of habitat enhancement, etc.), PG&E Co. shall consult with CPUC-designated biologists, U.S. Fish and Wildlife Service, and California Department of Fish and Game. (Supercedes Applicant Proposed Measure 10.25a.)

1. Tubular steel poles shall be used for all portions of the transmission line to minimize perching and predation opportunities.
2. Predation opportunities shall be lessened through the use of bird guards to discourage perching at tower locations within the general area of California clapper rail, salt marsh harvest mouse, and salt marsh wandering shrew. Such perch preventers shall be maintained in good condition through the life of the project.
3. Pre-construction biological surveys shall be conducted, with a CPUC-approved biologist present, to evaluate species and habitat along the approved transmission line route and substation site. Predation opportunities shall be evaluated based on existing data and on pre-construction surveys.

4. PG&E shall contribute to a predator control program in Alameda and Santa Clara Counties to help control feral cat/red fox populations.
5. Artificial burrows shall be installed (where property owners concur) to increase escape cover for burrowing owls.
6. Habitat enhancement opportunities shall be developed with the resource agencies at all tower locations designated as contributing to the issue of predation. Habitat enhancement shall be developed to increase escape cover for prey.

X-28 See response to comment X-27.

X-29 Please see response to comment X-11 regarding potential contamination in this area. The Supplemental Draft EIR acknowledges the construction difficulties associated with underground construction in the Southern Area of the proposed project in its discussion of the Southern Underground Alternative (Section C.7.2). Based in part on geology, the Southern Underground Alternative was not selected as the environmentally superior alternative.

X-30 The cost-effectiveness of perch preventers is noted. Please also see response to comment X-27.

X-31 The Supplemental Draft EIR conclusion regarding bird collision impacts is the same as that presented in the Draft EIR. The additional studies summarized in the Supplemental Draft EIR were submitted with comment letters and were summarized in the Supplemental Draft EIR because they were not available to EIR preparers at the time of Draft EIR preparation. The impact conclusions were not based solely on these documents, but on a wide range of documents (see Draft EIR Section C.3.6, References) and professional experience.

The WPCP and Mare Island studies are relevant in that they show that bird strikes in the San Francisco Bay region can be significant. Without evidence to the contrary, it is reasonable to assume that bird strikes will occur in areas of high bird use, such as the waterbird pond, salt ponds, seasonal wetlands, and Coyote Creek riparian area.

X-32 The South San Francisco Bay Study was conducted in the area immediately north of the proposed project: from the Newark Substation north to the Dumbarton Bridge. This study was not considered to present accurate data regarding the frequency of bird collisions with transmission lines because the dead bird searches were conducted only 10 times over a four-month period, almost ensuring that dead birds would be scavenged between the time the bird strike occurred and the search. The Mare Island study involved daily searches.

X-33 The relevance of the WPCP study is that it documents that the area has high bird use. The study states that the WPCP is “widely used across season, tide, and time of day”. Overhead transmission lines adjacent to a high bird use area would result in increased likelihood of bird strikes.

X-34 The bird species documented to occur in the Mare Island study area also occur in the South San Francisco Bay area. Waterfowl and shorebirds represented the majority of bird strikes in that

study. Since the proposed route is located in areas used by large numbers of waterfowl and shorebirds, it is reasonable to conclude that these bird groups would be susceptible to transmission line strikes. PG&E Co.'s PEA (Table 10-5) acknowledges that there are portions of the transmission line where the potential for bird mortality is "moderate to high", and PG&E Co.'s applicant proposed measure 10.27a is presented to mitigate that impact.

- X-35 PG&E Co. is correct that the Draft and Supplemental Draft EIRs do not identify significant visual impacts for the I-880-A or Modified I-880-B Alternatives. However, the Supplemental Draft EIR does identify in Section C.8.3.1 (Visual Impacts of EMF Mitigation) that the addition of 30 feet to each of these towers could result in a significant visual impact.

The visual resources analysis recommended in Mitigation Measure V-4 in the Supplemental Draft EIR for PG&E Co.'s "Interim Proposed EMF Mitigation" (as defined in Supplemental Draft EIR Table C-1) has been completed. The results of this analysis are presented in Final EIR Section B.1.2. Therefore, Mitigation Measure V-4 has been eliminated.

- X-36 See response to comment X-35.

- X-37 See response to comment X-35.

- X-38 See response to comment X-35.

- X-39 See response to comment X-35.

- X-40 The Executive Summary is intended to summarize the information presented in the body of the Supplemental Draft EIR. The full discussion of bird collision impacts is included in Supplemental Draft EIR Section C.9.2, in Table C-4, where it is shown that the risk is highest for the proposed route in the salt pond areas, Fremont Flood Control Channel, Coyote Creek area, and adjacent to the WPCP sludge ponds

- X-41 The suggested terminology changes to Section A are accepted.

- X-42 The Northern Receiving Station Substation Alternative would offer a smaller site with more limited potential for future expansion. However, alternatives in the EIR were evaluated primarily for to their ability to meet project objectives as defined in Draft EIR Section B.5.2.1, and not for their ability to provide room for future expansion. While the NRS Alternative might provide somewhat less capacity than the proposed project, it was determined to meet "most of the project objectives" as required by CEQA.

- X-43 The suggested grammatical change is accepted.

- X-44 Pages 20-21: While Figures B-3 and B-4 were printed in reverse order, their figure number labels and the in-text references to these figures are correct.

Page 16: The Applicant's description of the location of the US DataPort Substation Alternative is correct and accurately reflects the location illustrated in Figure B-1.

Page 19: The suggested text change is accepted.

X-45 The description of the Southern Underground Alternative (Supplemental Draft EIR page 25, lines 3 and 6) correctly states that two pairs of transition structures would be required at each creek crossing.

X-46 The suggested language change (from "minimize heat transfer" to "maximize heat dissipation") is accepted.

X-47 The Applicant's figure of 600 feet is correct.

X-48 Mitigation Measure V-2 has been revised in response to this comment:

V-2 PG&E Co. shall develop and implement a landscaping plan for the Los Esteros Substation or US DataPort Substation Alternative (as appropriate). Vegetation shall be of a density and height necessary to screen views of the lower portion of the substation from Highway 237 to the south, Zanker Road to the west, and the Bay Trail, immediately to the north, to the greatest extent while also complying with safety regulations. Vegetation height and type shall be determined based on consultation with the City of San Jose's Department of Planning, Building, and Code Enforcement and incorporating information from landscaping plans of adjacent developments. Vegetation type and height shall also be consistent with CPUC GO-95 (transmission line safety) and the requirements of the California Department of Forestry. The plan shall be submitted for approval to the CPUC prior to the start of project operation and after the required consultation is concluded; operation may not commence until the plan is approved and planting is complete.

X-49 The comment is correct that this alternative would eliminate the bird collision risk of the proposed project for only the northern segment of the route. As stated in the referenced paragraph, the Refuge's preference for the Northern Underground Alternative was conveyed in a telephone call between Clyde Morris, Refuge Manager, and the EIR Project Manager. This position was reiterated in the Supplemental Draft EIR comment letter from the U.S. Fish and Wildlife Service (see Comment Set B). The U.S. Fish and Wildlife Service has not stated a concern about potential impacts to the tiger salamander from the Northern Underground Alternative.

X-50 The comment is correct that boring or trenching under the flood control channel would be required. No change is required to the impact discussion or to mitigation measures as a result of this requirement. Mitigation Measure H-6 addresses the measures that would be required if contaminated groundwater were found.

- X-51 The referenced paragraph refers the reader to Draft EIR Section C.9, which presents much of the same information summarized in this comment.
- X-52 While the liquefaction risk would exist throughout the life of the project, there would be no damage to the transmission line unless a major earthquake occurred. Even in that case, the line could be repaired and placed back in service within a few weeks or months. The damage to the line would not be permanent.
- X-53 The phrase “public health, safety, and nuisance” has been used throughout this EIR to cover issues such as EMF, induced current, radio, telephone, and electronic equipment interference.
- X-54 Although Mitigation Measure B-9 (presented in Supplemental Draft EIR Section C.9.2.2) will help reduce bird strikes, it is not considered to reduce impacts to less than significant levels for the McCarthy Boulevard Alternative Segment. This conclusion is also stated in Sections C.9.2.3 for the proposed project, the Underground Through Business Park Alternative, and the I-880-A Alternative.
- X-55 The referenced paragraph is an introductory paragraph and does not present findings or conclusions. The impact conclusions for land use and recreation are presented in Section C.6.2.1: potentially significant (Class II) for visual impacts on trail users and significant and unavoidable (Class I) for conflict with the Open Space/Conservation policy.
- X-56 Mitigation Measure H-9a has been revised as follows:

H-9a In order to evaluate the depth to groundwater in underground segments, groundwater levels along all underground segments shall be tested by drilling pilot borings performed at 1,000-foot intervals along this route during high water tidal conditions. The location of places where groundwater depth is less than 6 ft shall be identified prior to trenching activities and avoided, where possible, for the underground route. Where avoidance is not possible, PG&E Co. shall consider construction in a shallower trench, depending upon structural requirements of the underground method and other regulatory requirements. PG&E Co. shall document results of test drilling in a letter report to the CPUC and shall propose specific means to minimize the impact on groundwater if shallow groundwater is found. These measures must be approved by the CPUC prior to the start of construction of the underground segment.

For all underground transmission line segments, PG&E Co. shall research government databases documenting contaminated sites and identify potential sites within 1000 feet of the trench locations. In these areas, and for other areas where contamination is known or suspected, PG&E Co. shall implement Applicant Proposed Measure 7.18a. Prior to the start of construction, PG&E Co. shall provide a report documenting records searches for contaminated sites along underground segments, and shall define its proposed procedures for testing of such sites and for protection of construction workers and the public. These procedures will be reviewed by the CPUC and the Regional Water Quality Control Board, and PG&E Co. may not start construction of an

underground segment prior to receiving approval of its proposed testing and protection program.

- X-57 The hydrologic analysis in the Supplemental Draft EIR (Section C.7.3) includes consideration of hazardous substances.
- X-58 The comment is correct that a benefit of the Southern Underground Alternative is that it would reduce visual impacts. However, the discussion focuses on impacts to biological resources because the impact significance of potential bird collisions in the southern portion of the proposed route was Class I (significant and unavoidable), whereas the visual impacts of the proposed route in this area were found to be less than significant (Class III).
- X-59 The comment is correct that deeper burial of an underground line would result in reduced capacity (approximately 6% reduction per foot of additional burial). However, it should be noted that (a) this reduction would not necessarily result in insufficient ampacity for the project and (b) if the capacity reduction were problematic, PG&E Co. could use a larger cable size, which, in itself, would not increase environmental impacts. However, these capacity issues are not related to environmental impacts, and it is the environmental impacts that are the focus of the discussion in Section C.8.4.
- The comment is also correct that two feet of additional burial is not always possible due to soils, groundwater, or other infrastructure conditions. The referenced text is addressing the potential environmental impacts of deeper burial of underground lines because this could be required as mitigation for EMF impacts.
- X-60 While mitigation is not required for impacts that are found to be less than significant, it is not prohibited in CEQA. The text on page 62 should have stated, "...an additional mitigation measure is recommended to further reduce predation impacts (**Class III**)."
- X-61 The referenced sentence, which states "Shorebirds would most likely collide with..." accurately describes the areas of the proposed project in which bird collisions would most likely occur.
- X-62 Page 72 of the Supplemental Draft EIR does not reference the Modified I-880-A Alternative because the modification proposed by PG&E Co. was not found to be superior to the original I-880-A Alternative. As stated in Supplemental Draft EIR Section C.4.4, if the I-880-A Alternative is selected, the route suggested in Mitigation Measure V-3 is recommended.
- X-63 The year 2000 should have been included in the reference for Thomas P. Ryan (Supplemental Draft EIR page 77). The correct title for Sheila Byrne, Ph.D., is Senior Biologist, Technical and Ecological Services, Pacific Gas and Electric Company.

