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November 27, 2000

Mr. Brad Wetstone  
Aspen Environmental Group  
235 Montgomery Street, Suite 800  
San Francisco, California 94104

Dear Mr. Wetstone,

Thank you for the opportunity to review the Supplemental Draft Environmental Impact Report (SDEIR) related to the NE San Jose Transmission Reinforcement Project (Project). Save The Bay is deeply concerned with the Project and its impacts on the Don Edwards San Francisco Bay National Wildlife Refuge (Refuge). Given the heavy bird use and lack of alternative wetland habitat in this area, we urge the California Public Utility Commission (Commission) to take whatever actions necessary to preserve the Refuge's integrity and protect the threatened and endangered species that reside there.

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The proposed route, as described in the SDEIR, crosses through a portion of the Refuge and passes along its boundary. Areas impacted include salt ponds, the Coyote Creek lagoon, and critical habitat for the endangered salt marsh harvest mouse in south Fremont. Some of these areas receive heavy water bird use. Others contain endangered species. The San Jose sludge drying ponds (which sustain heavy water bird use), the old Fremont airport site, and the Coyote Creek riparian area will probably receive additional impacts.

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Save The Bay concurs with and supports the SDEIR comments submitted by the U.S. Fish and Wildlife Service (USFWS). While Save The Bay welcomes the Commission's efforts to identify and evaluate environmentally superior alternative routes for the Project, we agree with the USFWS that additional effort at several segments is necessary. Further modification of these segments will reduce Project impacts to a greater extent.

Save The Bay urges the Commission to select the environmentally superior route for all Project segments. In our opinion, the environmentally superior route includes the following segments: the Northern Underground Alternative, the Modified I-880-B Alternative, the McCarthy Blvd. Alternative, and the Southern Underground Alternative crossing Coyote Creek aboveground to either the Los Esteros Substation or the US DataPort Substation. We agree with the Service's conclusions that the environmentally superior route for all Project segments will reduce the Project's impacts to wildlife and habitat. At the very least, it will significantly reduce bird collisions with transmission lines.

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In addition to selection of the environmentally superior route, a number of minor alterations exist that will further reduce impacts to wildlife and habitat. One alternative involves routing the 230 kV transmission line to avoid sensitive habitat. The USFWS recommends evaluating a Southern route alternative that crosses Coyote Creek aboveground and rerouting the I-880-A Alternative to avoid crossing the salt pond to the south of the Pacific Commons Preserve. The Service also states that mitigation should not only include creation of new habitat to compensate for lost habitat, but also additional habitat to compensate for the direct loss of birds through collisions with transmission lines. Please review the USFWS comments for more details.

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Approval of the Service's preferred alternatives will result in the fewest impacts to the Refuge and cause the least interference with the Refuge's mission. When developing the Final EIR, Save The Bay urges the Commission to fully incorporate the Service's recommendations in order to maintain the integrity of the Refuge and protect threatened and endangered species and their critical habitat.

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Sincerely,

David Lewis  
Executive Director