

## **STATE AGENCIES**

# Letter S1



Gray Davis  
GOVERNOR

STATE OF CALIFORNIA

## Governor's Office of Planning and Research State Clearinghouse

STREET ADDRESS: 1409 TENTH STREET ROOM 222 SACRAMENTO, CALIFORNIA 95814

MAILING ADDRESS: P.O. BOX 3044 SACRAMENTO, CA 95812-3044

916-445-0611 FAX 916-323-3018 [www.opr.ca.gov/clearinghouse.html](http://www.opr.ca.gov/clearinghouse.html)



Loretta Lynch  
DIRECTOR

November 12, 1999

Judith Ikle  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, CA 94102

Subject: Lodi Gas Storage Project  
SCH#: 99022065

Dear Judith Ikle:

The State Clearinghouse submitted the above named Draft EIR to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on November 10, 1999, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's eight-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

Terry Roberts  
Senior Planner, State Clearinghouse

Enclosures  
cc: Resources Agency

**Responses to Comments from Governor’s Office of Planning and Research—State Clearinghouse—Terry Roberts**

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S1-1. The comment letter acknowledges that the CPUC has complied with the State Clearinghouse review requirements for draft environmental documents, in accordance with CEQA.

# Letter S2

State of California

The Resources Agency

## MEMORANDUM

To: Project Coordinator  
Resources Agency

Date: October 4, 1999

Ms. Judith Ikle, Project Manager  
Public Affairs Management  
California Public Utilities Commission  
101 The Embarcadero, Suite 210  
San Francisco, CA 94105

From: Department of Conservation  
Office of Governmental and Environmental Relations

Subject: Draft Environmental Impact Report (DEIR) for the Lodi Gas Storage, LLC's Application for Certification of Public Convenience and Necessity for Construction and Operation of Gas Storage Facilities Application 98-11-012 - **SCH# 99022065**

The Department of Conservation's Division of Oil, Gas, and Geothermal Resources (Division) has reviewed the above referenced DEIR. The Division supervises the drilling, maintenance, and plugging and abandonment of oil, gas, and geothermal wells in California. We offer the following comments for your consideration.

Page 2-18, under DEIR section *Construction Techniques*, lists a brief outline of the Division's responsibilities and states that a more detailed discussion can be found in Section 2.6, *Required Permits, Approvals, and Reviews*. No mention of the Division can be found in Section 2.6. This discrepancy should be resolved in the final EIR.

S2-1

Page 2-31, under *Water Injection Wells*, the document states "It is currently anticipated that no naturally occurring gasoline would be produced from the formation..." The term "gasoline" refers to a refined product normally sold at gas stations, not a raw mineral resource extract. The document should clarify the type of hydrocarbon to which it is referring; if the reference is to an oil well extraction product, it cannot be gasoline.

S2-2

Thank you for the opportunity to comment on the DEIR. If you have questions, or require technical assistance or information, please contact Robert Habel at the Sacramento district office: 801 K Street, 20<sup>th</sup> Floor, MS 22, 95814-3530; phone (916) 322-1110.

  
Jason Marshall  
Assistant Director

cc: Robert Habel, Division of Oil, Gas, and Geothermal Resources, Sacramento  
Linda Campion, Division of Oil, Gas, and Geothermal Resources, Sacramento

**Responses to Comments from California Department of Conservation—Division of Oil, Gas, and Geothermal Resources—Jason Marshall (10/4/99)**

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- S2-1. The comment notes an incorrect reference to the location within the environmental impact report of the Division of Oil, Gas, and Geothermal Resources' responsibilities related to the proposed project. This information is contained in Section 2.3.2, "State Requirements", of the draft EIR.
- S2-2. The comment relates to the use of the term "gasoline". Gasoline is usually used to describe a refined petroleum product, but it can also be used to describe hydrocarbons containing a range of carbon atoms (gasoline usually contains hydrocarbons with 4 to 10 carbon atoms). In the text of the draft EIR, the term "gasoline" refers to naturally occurring oil, composed of hydrocarbons in the gasoline range. To avoid confusion, the CPUC has modified the sentence on page 2-31 of the draft EIR (See Chapter 3, "Revisions to the Draft EIR", of this final EIR).

Letter S3

State of California

The Resources Agency

MEMORANDUM

To: Project Coordinator  
Resources Agency

Date: October 29, 1999

Ms. Judith Ikle, Project Manager  
Public Affairs Management  
California Public Utilities Commission  
101 The Embarcadero, Suite 210  
San Francisco, CA 94105

From: Department of Conservation  
Office of Governmental and Environmental Relations

Subject: Draft Environmental Impact Report (DEIR) for the Lodi Gas Storage, LLC's  
Application for Certification of Public Convenience and Necessity for  
Construction and Operation of Gas Storage Facilities Application 98-11-012,  
Sacramento and San Joaquin Counties - **SCH #99022065**

The Department of Conservation's Division of Oil, Gas, and Geothermal Resources (Division) previously reviewed the above referenced DEIR and responded in a letter dated October 4, 1999 (enclosed). Subsequently, we have identified an additional concern, noted below, that should be addressed in the final EIR.

On page 3.10-8, Mitigation Measure 3.10-2 reads as follows:

*Restrict the hours of construction, install noise-reducing barriers around the drilling sites, and employ other noise-reducing "best management practices" to reduce drilling noise.*

The Division is concerned about the mitigation proposal to restrict drilling operations from 7:00 p.m. to 7:00 a.m. Monday through Saturday, with no drilling activity on Sundays. This restriction does **not** follow good engineering practices. While the well drilling safety equipment includes blowout prevention equipment that could be used if drilling operations were suspended or shut down, the well bore stability and integrity is at risk if the hole fluid is not circulated on a continuous basis. Therefore, the Division strongly advises that drilling operations and the circulation of hole fluid be conducted on a continuous basis, and **not restricted** to intermittent operations.

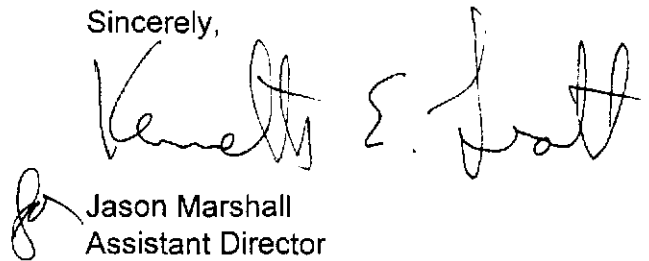
The Division is mandated to supervise the drilling, operation, maintenance, and plugging and abandonment of wells for the purpose of preventing: (1) damage to life, health, property, and natural resources; (2) damage to underground and surface waters suitable for irrigation or domestic use; (3) loss of oil, gas, or reservoir energy; and, (4) damage to oil and gas deposits by infiltrating water and other causes (Public Resources

Project Coordinator and Ms. Judith Ikle  
October 29, 1999  
Page 2

Code Section 3106). In the event that any of the above-mentioned conditions should arise, even during a time of suspended operations, the Division would require operations to continue until the well could be suspended or shut down safely.

Thank you for the opportunity to comment on the DEIR. If you have any questions, please call Robert Habel at the Sacramento district office: 801 K Street, 20<sup>th</sup> Floor, MS 22, Sacramento, CA 95814-3530; phone (916) 322-1110.

Sincerely,

A handwritten signature in black ink, appearing to read "Kenneth E. Hall". The signature is written in a cursive style with a large initial "K".

Jason Marshall  
Assistant Director

Enclosure

cc: Robert Habel  
Division of Oil, Gas, and Geothermal Resources, Sacramento  
Linda Campion  
Division of Oil, Gas, and Geothermal Resources, Sacramento

**Responses to Comments from California Department of Conservation—Division of Oil,  
Gas, and Geothermal Resources—Jason Marshall (10/29/99)**

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- S3-1. This comment concerns Mitigation Measure 3.10-2, the schedule for well construction. Specifically, the commenter is concerned that the proposed suspension of well drilling activities during nights and weekends to minimize noise effects on adjacent residences could result in safety impacts at the wells. In response, the CPUC has revised Mitigation Measure 3.10-2 to provide for necessary continuous activities associated with safe well drilling and to reduce the associated noise to a less-than-significant level. The text of revised Mitigation Measure 3.10-2 is presented in Chapter 3, “Revisions to the Draft EIR”.



# Letter S4

## DEPARTMENT OF FISH AND GAME

SACRAMENTO VALLEY AND CENTRAL SIERRA  
1100 NIMBUS ROAD, SUITE A  
SACRAMENTO, CALIFORNIA 95670  
Phone (916) 358-2900



October 21, 1999

Ms. Judith Ikle  
California Public Utilities Commission  
505 Van Ness Avenue  
San Francisco, California 94102

Dear Ms. Ikle:

The Department of Fish and Game (DFG) has reviewed the draft Environmental Impact Report (DEIR) for the Lodi Gas Storage project (SCH# 99022065). The project consists of a plan to construct an underground natural gas storage facility and 31 miles of pipeline. The project is located north of the City of Lodi, San Joaquin County.

Wildlife habitat resources consist of a variety of wetland, agricultural and rural residential habitats along the pipeline route. Significant resources of the project include habitat for sensitive species. DFG files contain records for State and Federal-listed species within the project vicinity including: greater sandhill crane (*Grus canadensis tabida*), Swainson's hawk (*Buteo swainsoni*), and giant garter snake (*Thamnophis gigas*).

Giant garter snake: Table 3.7-2 contains information that is misleading. Table 3.7-2 indicates that the giant garter snake is "known to occur near Decker Island" and gives no mention of any other observations. In fact, there are several records for the giant garter snake within a five mile radius of the project's alignment on Brack Tract, particularly along the old peripheral canal alignment.

S4-1

We recommend that in order to lend accuracy to the DEIR assessment of threat to the giant garter snake, the DEIR be revised to include information about the occurrence of giant garter snakes within the project vicinity, and provide appropriate mitigation.

Sandhill cranes: The DEIR does not contain adequate mitigation for sandhill cranes. Greater and lesser sandhill cranes use Brack Tract, Staten Island, and Canal Ranch extensively throughout the fall and winter period for both

S4-2

Ms. Judith Ikle  
October 21, 1999  
Page Two

foraging and roosting. The DEIR's proposal to avoid disturbance to sandhill cranes by surveying potential habitat areas and restricting construction activities to 8:00 am to 4:00 pm is infeasible. As an example, practically the entire length of the alternative routes on Brack Tract, and Staten Island are within 1000 feet of important foraging and roost habitats. Constructing the pipeline through this area during the winter-use period for sandhill cranes (Sept-March) will expose them to significant disturbance. Recent (1998) experience with a similar project (Huston-Geophysical's gas exploration project) resulted in significant impacts to sandhill cranes. Sandhill cranes were observed to abandon traditionally used areas while construction crews were present.

S4-2  
(cont'd)


We recommend that the DEIR be revised to include assurances that pipeline construction will not occur on Brack Tract, Staten Island or Canal Ranch during the period when cranes are present in the Delta (September through mid-March).

This project will have an impact to fish and/or wildlife habitat. Assessment of fees under Public Resources Code Section 21089 and as defined by Fish and Game Code Section 711.4 is necessary. Fees are payable by the project applicant upon filing of the Notice of Determination by the lead agency.

Pursuant to Public Resources Code Sections 21092 and 21092.2, the DFG requests written notification of proposed actions and pending decisions regarding this project. Written notifications should be directed to this office.

Thank you for the opportunity to review this project. If the DFG can be of further assistance, please contact Mr. Dan Gifford, Associate Wildlife Biologist, at (209) 369-8851.

Sincerely,

  
for Larry L. Eng  
Assistant Regional Manager  
Wildlife, Fisheries & Environmental Programs

Ms. Judith Ikle  
October 21, 1999  
Page Three

cc: Ms. Terry Roscoe  
Mr. Dan Gifford  
Department of Fish and Game  
1701 Nimbus Road  
Rancho Cordova, California 95670

Mr. Peter Cross  
U.S. Fish and Wildlife Service  
3310 El Camino Avenue, Suite 130  
Sacramento, California 95821-6340

## **Responses to Comments from California Department of Fish and Game—Larry L. Eng**

- S4-1. Comment noted. Although giant garter snakes occur generally within the region, they are primarily located in areas of persistent water and aquatic vegetation and not in vineyard and row crop areas. The commenter is correct that the snakes have been identified within 5 miles of the project; however, the CPUC reviewed DFG's Natural Diversity Data Base (NDDB) for records of giant garter snakes in the area surrounding the project, and no records are known from the immediate project area. The Applicant has proposed, and will be required to implement, mitigation measures that are adequate to protect the giant garter snake, (see Section 2.4.13 of the draft EIR).
- S4-2. The CPUC has revised Mitigation Measure 3.7-6 to further address potential impact on sandhill cranes. See Chapter 3, "Revisions to the Draft EIR", for the revised mitigation measure.

**DEPARTMENT OF TRANSPORTATION  
TRANSPORTATION PLANNING - MS 32**

1120 N STREET  
P.O. BOX 942873  
SACRAMENTO, CA 94273-0001

PHONE (916) 653-9689  
FAX (916) 653-1447  
TDD (916) 654-4014



November 10, 1999

Judith Ikle  
c/o California Public Utilities Commission  
SCH# 99022065 - Lodi Gas Storage Project  
505 Van Ness Avenue  
San Francisco, CA 94102

Subject: Caltrans Review of the Lodi Gas Storage Project,  
State Clearinghouse (SCH) 99022065

Dear Ms. Ikle:

Thank you for the opportunity to review the Draft Environmental Impact Report for the Lodi Gas Storage Project. The Department of Transportation has reviewed this project with the District 3 (Sacramento) and District 10 (Stockton) intergovernmental review units and their associated functional reviewers. We have one general comment as follows:

Encroachment in Caltrans right of way will require a Caltrans encroachment permit. Caltrans encroachment permits are discretionary and not ministerial. Timely application for Caltrans encroachment permits must be made to the District Encroachment Permit Engineer having jurisdiction (district jurisdictions are shown on the attached map). Sufficient time must be allowed for the Permit Engineer and the district Environmental Branch to review the project and its impacts to Caltrans right of way. These reviews might indicate the need for additional studies and clearances. These studies and clearances may include engineering for structures and facilities as well as environmental for wetlands, endangered species, historical, archaeological, paleontological and other environmental resources. Mitigation for project impacts must be specific and directly related to the project area and any impacts outside the project area that are related to the project (i.e. traffic maintenance for off-site work that impacts Caltrans right of way).

S5-1

Delete the fifth bullet on page 2 in District 3's November 3, 1999, memorandum to me. The general rule is that no utilities will be placed in freeway, expressway or restricted access highway rights of way without special exception. There is a standard procedure for requesting such an exception. Longitudinal installation in conventional highway rights of way is subject to review and permit approval. Additionally, longitudinal placement of utilities must be outside the travel-way unless a special exception is approved.

If you have any questions regarding these comments or the attached materials, call me at (916) 653-9689.

Sincerely,

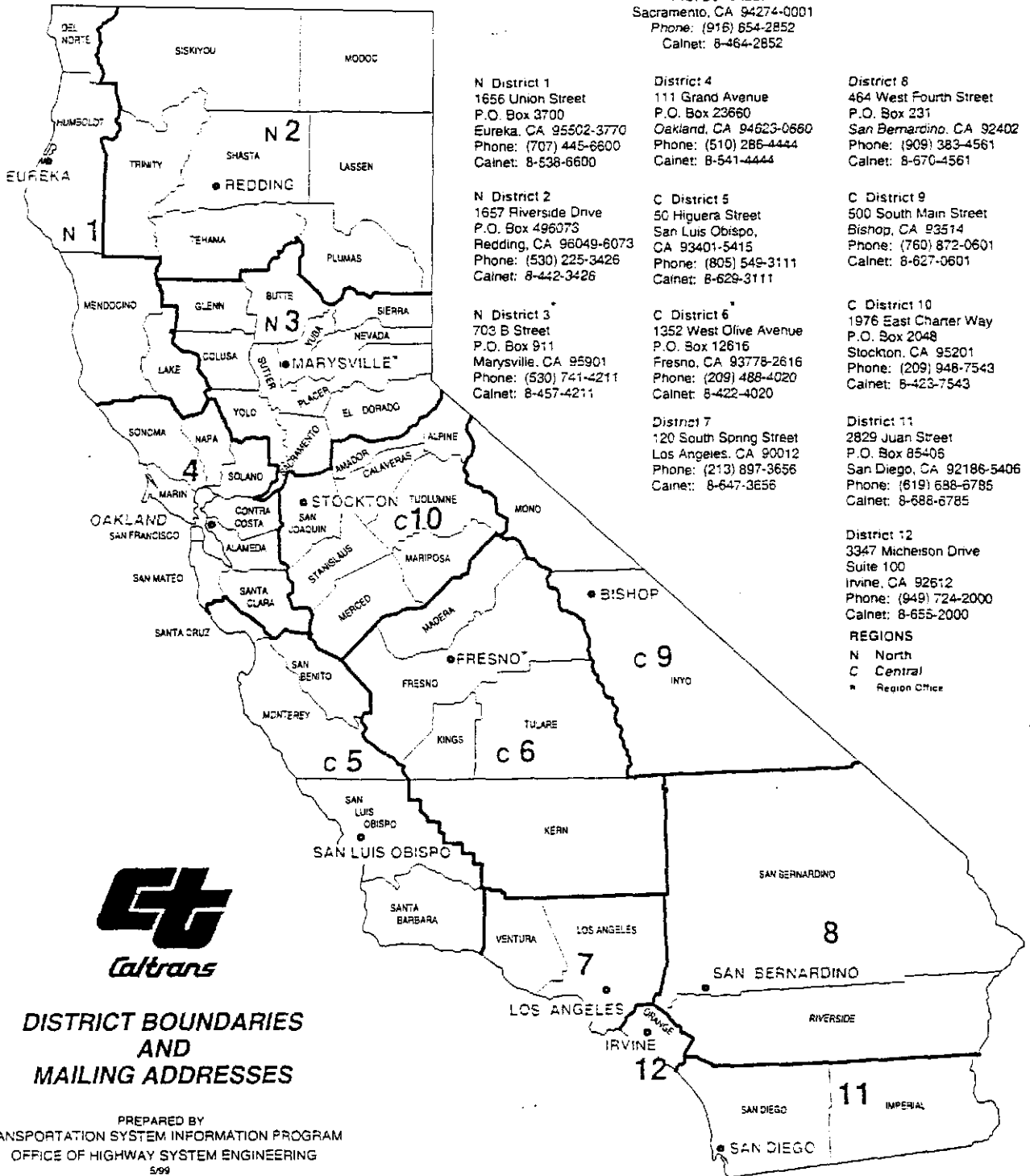
William J. Costa, Coordinator  
Caltrans Intergovernmental  
Review Program

Attachments

cc: Jeff Pulverman, D-3  
Paul Cavanaugh, HQ Traffic Ops.  
Carlos Yamzon, D-10  
Steve Ng, HQ Structures Hyd.  
SCOTT MORGAN, SCH 99022065

STATE OF CALIFORNIA  
Business, Transportation and Housing Agency  
Department of Transportation

JOSE MEDINA  
Director  
California Department of Transportation  
1120 N Street  
P.O. Box 942874  
Sacramento, CA 94274-0001  
Phone: (916) 654-2852  
Calnet: 8-464-2852



**N District 1**  
1656 Union Street  
P.O. Box 3700  
Eureka, CA 95502-3770  
Phone: (707) 445-6600  
Calnet: 8-538-6600

**N District 2**  
1657 Riverside Drive  
P.O. Box 496073  
Redding, CA 96049-6073  
Phone: (530) 225-3426  
Calnet: 8-442-3426

**N District 3**  
703 B Street  
P.O. Box 911  
Marysville, CA 95901  
Phone: (530) 741-4211  
Calnet: 8-457-4211

**District 4**  
111 Grand Avenue  
P.O. Box 23660  
Oakland, CA 94623-0660  
Phone: (510) 286-4444  
Calnet: 8-541-4444

**C District 5**  
50 Higuera Street  
San Luis Obispo, CA 93401-5415  
Phone: (805) 549-3111  
Calnet: 8-629-3111

**C District 6**  
1352 West Olive Avenue  
P.O. Box 12616  
Fresno, CA 93778-2616  
Phone: (209) 488-4020  
Calnet: 8-422-4020

**District 7**  
120 South Spring Street  
Los Angeles, CA 90012  
Phone: (213) 897-3656  
Calnet: 8-647-3656

**District 8**  
464 West Fourth Street  
P.O. Box 231  
San Bernardino, CA 92402  
Phone: (909) 383-4561  
Calnet: 8-670-4561

**C District 9**  
500 South Main Street  
Bishop, CA 93514  
Phone: (760) 872-0601  
Calnet: 8-627-0601

**C District 10**  
1976 East Charter Way  
P.O. Box 2048  
Stockton, CA 95201  
Phone: (209) 948-7543  
Calnet: 8-423-7543

**District 11**  
2829 Juan Street  
P.O. Box 85406  
San Diego, CA 92186-5406  
Phone: (619) 688-6785  
Calnet: 8-688-6785

**District 12**  
3347 Michelson Drive  
Suite 100  
Irvine, CA 92612  
Phone: (949) 724-2000  
Calnet: 8-655-2000

**REGIONS**  
N North  
C Central  
■ Region Office



**DISTRICT BOUNDARIES  
AND  
MAILING ADDRESSES**

PREPARED BY  
TRANSPORTATION SYSTEM INFORMATION PROGRAM  
OFFICE OF HIGHWAY SYSTEM ENGINEERING  
5/99

# MEMORANDUM

To: Bill Costa  
Transportation Planning Program

Date: November 3, 1999

03-SAC, SAN JOAQUIN  
File: KSAC156  
Lodi Gas Storage/Pipeline Const.  
Application  
SCH#99022065

From: DEPARTMENT OF TRANSPORTATION  
District 3 - Office of Regional Planning

Subject: Comments Regarding the Lodi Gas Storage Facility and Pipeline Project

District 3 comments regarding the proposed gas storage and pipeline project are as follows:

- Any pipeline work to be performed within Caltrans right of way will require an encroachment permit. For permit assistance in Sacramento County within District 3, please contact Rich Jones at (530) 741-5374.
- A Traffic Management Plan or Plans should be prepared and submitted for Caltrans review to minimize traffic impacts to Interstate 5, State Route 99 and/or State Route 12 during construction of the chosen pipeline(s). The traffic control plan(s) should discuss the expected dates and duration of construction, as well as traffic mitigation measures. We recommend that to the extent possible, the applicant should limit truck trips during morning and evening peak traffic periods (6-9 AM and 3-6 PM) to avoid exacerbating congestion.
- Pipeline undercrossings should be installed by boring and jacking, directional drilling, or another method meeting Caltrans approval. Tunneling under freeways and expressways is considered under the following conditions:

S5-2

-Studies establish that the soil structure is sufficiently stable.

-Permanent tunnel portals usually shall be located outside of the ultimate right-of-way line or access control line (if those do not coincide).

S5-3

Consideration may be given to a portal within the access control line provided that 1) it will not adversely affect highway operation, 2) it will be beyond the toe slope of current and future embankments, and 3) prior approval is given by Caltrans.

- At undercrossings, the transmission line should be placed in casings extending beyond the access control limits for Interstate 5 or other highway right-of-way. This will assure that the transmission line 1. can be installed and removed from outside of State right-of-way; 2. reduce the likelihood that potential leaks would flow into State right-of-way, with a number of possible ill effects; and 3. is protected from damage during maintenance and capacity-increasing construction activities. Any other option besides casing must be approved by Caltrans. The following information should be provided to Caltrans - District 03 prior to the permit request to expedite the process:
    - Type of pipe used
    - Line pressure and flow volumes
    - Type of casing or other measures planned to prevent leaks over the long term, especially if there are to be joints or sealed connections in the State's right-of-way
- S5-4
- Any material to be removed from State right-of-way, e.g. during drilling or boring and jacking, must be disposed of properly. The potential for both soil and/or groundwater contamination must be assessed prior to construction. The DEIR should include an inventory of potential hazardous waste/contamination properties along the pipeline route and should discuss how the potential for contamination was evaluated in the vicinity of State highways
- S5-5
- We recommend that soil and groundwater sampling be conducted prior to construction. This information will determine if special handling and disposal of waste soil and water is necessary and if any special health and safety issues exist for site workers.
- S5-6
- Any new or replacement pipes crossing conventional State highways or otherwise entering the traveled way must be bored or jacked at a minimum depth of 42". Interstate and freeway facilities must similarly be bored or jacked at a minimum depth of 42" **below the lowest point in the right of way.**
- S5-7
- ~~New or replacement pipes longitudinal to the highway should be located outside the traveled way.~~
  - Pipes crossing the highway should be placed in casings extending beyond the traveled way to assure that the pipelines 1. can be installed and removed from outside of the traveled way; 2. reduce the likelihood that potential leaks would compromise ground features beneath the traveled way; and 3. are protected from damage during maintenance and capacity-increasing construction activities. For the crossing pipes, any other option besides casing must be approved by Caltrans.
- S5-8
- If multiple permits are sought and there is some question whether State right-of-way will be encroached upon for a given phase, the actual right-of-way may have to be identified before an encroachment permit can be issued. For assistance, contact Scott Jackson of Right-of-Way Engineering at (530) 741-4307.
- S5-9
- Caltrans would likely delay certain maintenance, if planned, until any roadwork is complete. Please keep us informed of likely project phasing and delays as well as other planned work.
- Soon after the close of the project, the location of all new and out-of-service pipes should be documented and shared with Caltrans.
- S5-10



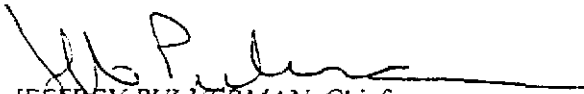
Mr. Bill Costa  
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Page 3

- The precise location of the pipeline crossing installations in relation to State highway right of way lines and structures should be provided to Caltrans on "As-Built" plans.

S5-11

Please provide our office with the requested information and copies of any further action regarding this project. If you have any questions regarding these comments, please contact Ken Champion at (916) 324-6642.

Sincerely,

  
JEFFREY PULVERMAN, Chief  
Office of Regional Planning

## **Responses to Comments from Department of Transportation—William J. Costa**

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- S5-1. As shown on Figure ES-3 of the draft EIR, the proposed project and alternative alignments would cross Interstate 5, Highway 99, and State Route 12. As identified in Table 2-2 (follows page 2-62 of the draft EIR), the Applicant would be required to obtain an encroachment permit from the California Department of Transportation (Caltrans) to construct within the Caltrans' right-of-way. The CPUC determined during the preparation of the draft EIR that specific permit requirements regarding the design of the road crossing would not materially affect the environmental impacts of the project and therefore are not evaluated in the EIR. The Applicant is, however, required to meet those requirements.
- S5-2. The commenter states that a Traffic Management Plan should be prepared for the project and submitted to Caltrans for review to minimize traffic impacts on adjacent state and federal highways. Additionally, the commenter recommends limiting truck trips during the morning and afternoon peak traffic periods to avoid exacerbating traffic conditions. As discussed in Chapter 3.6, "Transportation and Circulation", during project construction the combined traffic volume of construction employees and delivery and haul truck trips would require 170-200 vehicle trips per day. This traffic would have a negligible effect on traffic volumes on Highway 99 and other state and federal roadways in the area; however, construction-related traffic would represent a large increase on local roadways in the project area during peak commute hours. For this reason, Mitigation Measure 3.6-1, which requires the Applicant to develop and implement a traffic control plan, requires that the plan be developed in coordination with Sacramento and San Joaquin County Department of Public Works. Because construction-related traffic would have a minimal effect on the traffic volumes of adjacent state and federal highways, no coordination with Caltrans is recommended. Additionally, as described in Section 2.4.13, "Mitigation Measures Proposed By The Applicant", the Applicant has also committed to several measures to specifically minimize peak-hour traffic and congestion.
- S5-3. The proposed project and project alternatives include bore and jack installation of the pipeline underneath Highway 99, Interstate 5 and Highway 12; no other construction activities are proposed within Caltrans rights-of-way. Conditions required by Caltrans for boring and jacking will be enforced by that agency during its permit review process.
- S5-4. Conditions required by Caltrans for transmission pipeline casing will be enforced by that agency during its permit review process.
- S5-5. As described on page 2-27 of the draft EIR, surplus materials and construction debris will be disposed of properly. The draft EIR does not evaluate existing hazardous material sites that may occur along the potential pipeline alignments. Because a route has not been finalized or the project approved by the CPUC in concept, these detailed analyses have not yet been completed. The Applicant will complete these analyses as part of final project design. The presence of hazardous materials would not materially affect the environmental impacts of the project, but would rather increase the Applicant's construction costs.

- S5-6. Because it is assumed that the Applicant would comply with federal and state hazardous materials laws and occupational health and safety laws, it is anticipated that there would be no worker safety issues related to hazardous materials encountered along the pipeline route.
- S5-7. See response to comment S5-3.
- S5-8. See response to comment S5-4.
- S5-9. Comment noted.
- S5-10. The proposed project and project alternatives include bore and jack installation of the pipeline underneath Highway 99, Interstate 5 and Highway 12. The Applicant will keep Caltrans informed of all construction activities, and any associated delays in the vicinity of Caltrans rights-of-way. Additionally, upon completion of the project the Applicant will provide Caltrans with the location of all new pipeline adjacent to and beneath Caltrans rights-of-way.
- S5-11. The Applicant will provide Caltrans with the precise location of pipeline crossing installations in relation to state highways rights-of-way on “As-Built” plans.

**CALIFORNIA STATE LANDS COMMISSION**

100 Howe Avenue, Suite 100-South  
Sacramento, CA 95825-8202

**PAUL D. THAYER, Executive Officer**

(916) 574-1800 FAX (916) 574-1810

California Relay Service From TDD Phone 1-800-735-2922  
from Voice Phone 1-800-735-2929

Contact Phone: (916) 574-1868

Contact FAX: (916) 574-1885

November 10, 1999

File Ref: SCH: 99022065

Ms. Nadell Gayou  
The Resources Agency  
1020 Ninth St 3<sup>rd</sup> Floor  
Sacramento, CA 95814

Ms. Judith Ikle, Project Manager  
Jones and Stokes Associates  
2600 V Street  
Sacramento, CA 95818

Dear Ms. Gayour and Ms. Ikle:

Staff of the California State Lands Commission (CSLC or Commission) has reviewed the proposed Draft Environmental Impact Report for the Proposed Development of the Lodi Gas Storage Project, by Lodi Gas Storage, LLC, Application No. 98-11-012, SCH# 9902065. The CSLC is a responsible agency pursuant to the California Environmental Quality Act. Based on this review, we offer the following comments.

Jurisdiction

The State acquired sovereign ownership of all tidelands and submerged lands and beds of navigable waterways upon its admission to the United States in 1850. The State holds these lands for the benefit of all the people of the State for statewide Public Trust purposes that include waterborne commerce, navigation, fisheries, water-related recreation, habitat preservation, and open space. The landward boundaries of the State's sovereign interests are generally based upon the ordinary high water marks of these waterways as they last naturally existed. Thus, such boundaries may not be readily apparent from present day site inspections. The State's sovereign interests are under the jurisdiction of the Commission.

It appears at this time that the proposed project involves the North and South forks of the Mokelumne River, the Mokelumne River, and Georgiana, Broad, Sevenmile and Threemile sloughs which are all State sovereign lands

under the jurisdiction of the California State Lands Commission. If alternate routes are to be considered, please contact Commission staff regarding further State ownership. Activities involving these lands are subject to the Commission's leasing jurisdiction. Please contact Lorna Burks, Public Land Management Specialist, at (916) 574-1822, for information concerning obtaining a lease.

Environmental Review

1. Page 2-28 – Boring and Hammering:

The document indicates that the proposed pipeline alignment underneath eight waterway crossings will be installed by directional drilling and each crossing will be individually engineered. Coring samples will be taken up to a depth of 100 feet below the ground surface to determine the soil properties at these locations. We require that the geotechnical investigation report shall be certified by a California registered geotechnical engineer and the depth of the proposed alignment underneath the State waterways shall be based on the recommendations of the certified geotechnical engineer.

S6-1

For the proposed pipeline crossings within CSLC jurisdiction, the engineering information such as the design of the pipeline and its appurtenances, engineering drawings, detailed directional drilling program, construction work plan, quality control (welding) and assurance plans and procedures, geotechnical report, detailed hydrotest procedures, post construction operation and maintenance program, spill contingency plans, etc., will have to be reviewed by CSLC engineering staff for each crossing.

S6-2

2. Page 2-36: 2.4.12

The Document indicates that "...should the pipeline ultimately be abandoned, it would either be abandoned in place or removed and salvaged...pipelines under water crossings and roadways would generally be abandoned in place, sealed and filled with concrete..."

At the time of abandonment of the pipeline, the lessee will need to submit for CSLC staff review and approval, the method of abandonment, detailed procedures and work plan. Prior to abandonment, we require that the pipeline be pigged and flushed until residual hydrocarbons are less than 15PPM.

S6-3

Ms. Nadell Gayou  
Ms. Judith Ikle  
November 10, 1999  
Page Three

3. Section 2.6.2

CSLC should be identified and described as having discretionary leasing authority over the placement of the proposed natural gas pipelines crossing waterways under the jurisdiction of the CSLC.

S6-4

4. Page 3.1-24

CSLC staff will monitor, as necessary, the directional drilling activities, which are proposed to occur under State-owned land.

S6-5

5. Page 3.3-10

Discussion of development and implementation of a site restoration plan for the field and transmission pipelines is mentioned but not found in the referenced Section 2. The components of the Plan should be included in the final EIR prior to CPUC consideration of such Plan.

S6-6

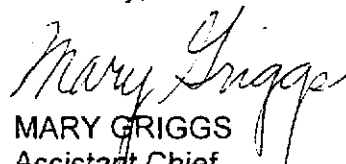
6. Table 5-1 (Page 11 of 15)

CSLC staff is interested in the locations where water intake and discharge for hydrostatic test water will occur. We will work with the applicant to determine waterway locations where CSLC discretion is involved and to ensure compliance with CSLC requirements.

S6-7

We appreciate the opportunity to comment on this document. Please contact Lorna Burks at (916) 574-1822 regarding leasing or Judy Brown at (916) 574-1868 concerning the environmental review comments. We look forward to receiving the FEIR and future notifications of proposed actions on this project.

Sincerely,



MARY GRIGGS  
Assistant Chief  
Division of Environmental  
Planning and Management

cc: Lorna Burks  
Judy Brown  
OPR

## **Responses to Comments from California State Lands Commission—Mary Griggs**

- S6-1. Pages 2-14 and 3.4-21 of the draft EIR describe the oversight role of the California State Lands Commission (CSLC) in constructing projects on state lands. The CPUC assumes that geotechnical studies, prepared by a California licensed geotechnical engineer for the Applicant, are a necessary part of the pipeline engineering plans.
- S6-2. Pages 2-14 and 3.4-21 of the draft EIR describe the oversight role of the CSLC in constructing projects on state lands.
- S6-3. Pipelines located under waterways are typically abandoned in place because removal may cause substantial adverse environmental effects. Thank you for the additional clarification regarding the need to submit abandonment plans to the CSLC for approval. Because the pipeline is proposed for the transmission of dry gas, no residual hydrocarbons would be expected to remain in the pipeline after it is evacuated prior to capping and filling with concrete.
- S6-4. The comment concerns the California State Lands Commission’s discretionary authority over state-owned lands. Section 2.3.2, “State Requirements” of the draft EIR, accurately identifies the California State Lands Commission as having discretionary leasing authority over the installation of the proposed pipeline in all tidelands, submerged lands, and beds of navigable waterways which are under the jurisdiction of the California State Lands Commission.
- S6-5. The commenter notes that the California State Lands Commission will monitor all directional drilling activities which are proposed to occur under state-owned land. This monitoring is in addition to the monitoring of construction activities by other agencies as described in Section 2.3 “Design and Operation Requirements”, and by the CPUC as identified in mitigation measures in the draft EIR.
- S6-6. Description of site restoration activities are described on pages 2-27 and 2-37 of the draft EIR.
- S6-7. Page 3.4-18 of the draft EIR describes the hydrostatic testing procedures to protect aquatic resources. Specific locations have not yet been selected because it is not known if the proposed project or a project alternative will be approved by the CPUC. Once an alignment has been approved, the Applicant will coordinate with responsible agencies to select intake and discharge sites.

**DELTA PROTECTION COMMISSION**

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November 9, 1999

California Public Utilities Commission  
Attention: Judith Ikle  
505 Van Ness Avenue  
San Francisco, Ca 05240

Subject: Lodi Gas Storage LLC's Application for Certificate of Public Convenience and Necessity for Construction and Operation of Gas Storage Facilities Application 98-11-012; Draft Environmental Impact Report (SCH #99022065)

Dear Ms Ikle:

I am writing regarding the above-named environmental document (DEIR) dated September 1999 and received in our office on September 27, 1999. The Delta Protection Commission is a State regional land use planning agency with limited appeal authority over local government activities in the Primary Zone of the Delta. So these comments are advisory only. They are, however, based on the Delta Protection Commission's adopted "Land Use and Resource Management Plan for the Primary Zone of the Delta".

**Background:**

The Commission's authorizing legislation and regional land use plan promote the protection and enhancement of the existing land uses in the Primary Zone, which include agriculture, wildlife habitat, and recreation. In addition, because of the rich natural resources in the region, and the existing popularity of the Delta area as a location for regional pipeline and transmission line corridors, the Plan sets out findings, policies, and recommendations regarding the installation of new pipelines.

The goal of the policies and recommendations is to allow installation of new pipelines, while identifying potential conflicts between agriculture and of new pipelines. In addition to the policies and recommendations in the Commission's regional plan, the Commission staff has forwarded to the PUC concerns about long-term problems associated with installation of pipelines in peat soils, common in the Central and Western Delta (August 10, 1999).



**Analysis of Alternative Location of Underground Gas Storage Locations:**

The DEIR (pp2-4&5) lists four alternative sites for the underground storage of gas. The four include Sherman Island, which is directly adjacent to the PG&E pipeline on Sherman Island. Use of this underground storage location would seemingly eliminate most, if not all, of the impacts associated with construction of the pipeline described in the DEIR.

The DEIR states “Although technically feasible as storage reservoirs for natural gas, these fields were eliminated from further consideration by the Applicant... Sherman Island fields were eliminated because they would not meet the project objectives.”

*Comment: Additional information about the Sherman Island storage site should be included in the DEIR. Additional information about the “project objectives” should also be included and fully compared with the other alternatives, and the Lodi site.*

S7-1

**Alternative Interconnect Sites:**

The DEIR identifies two interconnect sites: one west of Lodi connecting to PG&E Line 196, and one on Sherman Island connecting to PG&E Line 401. The DEIR also includes a number of criteria used by the applicant to evaluate interconnect sites:

- Availability of gas at appropriate operating pressures
- Distance from the Lodi gas field
- The presence of existing metering stations or other equipment to facilitate the interconnection
- The market for stored natural gas
- Potential environmental effects.

The DEIR states “the project Applicant reviewed a number of potential interconnections to provide gas and market access for the proposed projects... Based on these criteria, only the metering stations located along the PG&E Line 196 pipeline at Las Vinas, and PG&E Line 401 on Sherman Island were determined to be feasible interconnection sites.”

*Comment: The DEIR should include additional information about each of the criteria used to evaluate interconnect sites, and should include a complete list of sites evaluated, a map of the locations of PG&E Line 196 and Line 401, and a map showing the location of all the evaluated interconnect sites.*

S7-2

**Pipeline Alignment Between Lodi Storage Site and Sherman Island Interconnect:**

The DEIR describes four alternative alignments for a pipeline between the Lodi storage site and the Sherman Island interconnect site linking to PG&E Line 401:

- Proposed Project.
- Public Right-of-Way Alternative.
- Existing Pipelines Corridor Alternative
- Composite Route Alternative (Preferred Alternative)

The proposed project would be the shortest, most direct route between the two sites. The project would have the most impacts to agricultural land, crossing both fields and drainage ditches that could have long term impacts on future agricultural use. The proposed project follows neither existing roadways, nor existing alignments. The proposed project would not be within any existing pipeline easement.

*Comment: This alternative would have greatest adverse impact on agriculture in the Primary Zone.*

S7-3

The Public Right-of-Way Alternative misses the mark on its proposed goal of following existing public rights-of-way. This alternative should follow I-5 to Highway 12, rather than head out across Brack Tract. In addition, the alignment should follow Highway 12 as far as possible before heading toward Sherman Island. The pipeline should be evaluated with a location on the north side of Highway 12 (rather than the current south of Highway 12) to maximize distance between residences at Terminous and the proposed pipeline. This alternative should be included in the DEIR.

*Comment: This alternative should be revised as described above.*

S7-4

The Existing Pipeline Corridor Alternative is mis-named. This alignment is a new 75-foot wide corridor parallel to an existing pipeline corridor and is not in an existing pipeline corridor. However, it is not possible to determine how closely the proposed alternative meets the described goals because there is no map, or other information showing the location and type of pipe in the "existing corridor". This additional information should be included in the DEIR.

*Comment: More information about this alternative should be provided.*

S7-5

The Composite Route Alternative (Preferred Alternative) purports to follow road alignments and existing pipeline corridors, and would follow Woodbridge Road through Brack Tract until it meets existing pipeline corridors linking to the Sherman Island interconnect. Comments presented above re: Existing Pipeline Corridor Alternative apply to this alternative.

*Comment: More information about this alternative should be provided.*

S7-6

**Mitigation Measures to Address Subsidence of Peat Soils in the Delta:**

The DEIR briefly describes the soils of the area (p.3.3-5 and Appendix B). However, the DEIR does not include specific information about where peat soils subject to subsidence are located in relation to the proposed pipeline alignments. As described in my letter of August 10, 1999 to the CPUC, some areas of the Delta are subject to on-going subsidence due to high percentage of peat in the soil. With the expectation that subsidence will take place in certain areas along the pipeline alignment, the DEIR should include depth of construction for the pipeline that will seek to ensure the pipeline will remain at a safe depth below the surface for the length of the project.

Proposed mitigation measure 3.3-1 states that the project applicant will be responsible for ensuring that pipelines remain at an appropriate depth. The environmental document should include specific recommendations should be made for the depth of the pipeline in areas of peat soils. In addition, it seems inappropriate to allow the applicant to make unsupervised agreements with individual landowners that would allow disregard of the proposed mitigation measure. This could result in long-term adverse impacts to agriculture in the region, long after an agreement had been reached with individual landowners.

*Comment: The soils section should be expanded and a specific mitigation measure addressing subsidence in peat soil areas should be developed and included in the DEIR.*

S7-7

**Conclusion:**

The DEIR lacks information needed to evaluate the environmental impacts of the proposed project. There may be additional alternatives that would have fewer adverse impacts on the environment, and more fully conform to the goals of the Delta Protection Commission for the Primary Zone. The DEIR should be revised to include this additional information and revised pipeline alignments, and recirculated for comment.

Thank you for the opportunity to review the DEIR. Please call if you have questions about these comments.

Sincerely,



Margit Aramburu  
Executive Director

Cc: Chairman Patrick N. McCarty  
Commissioner Don Nottoli  
Commissioner Ed Simas

## **Responses to Comments from Delta Protection Commission—Margit Aramburu**

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- S7-1. The CPUC believes that the information contained on pages 2-4 and 2-5 of the draft EIR provides adequate information under CEQA regarding the project objectives and the Sherman Island storage site. The Sherman Island site is not readily available to the project proponent and while use of this site would eliminate some impacts associated with the proposed project and project alternatives (primarily those related to pipeline construction), it would also result in an increase in the severity of other environmental impacts such as air quality and the permanent loss of important agricultural soils. Therefore, this alternative was eliminated from detailed consideration.
- S7-2. The state CEQA guidelines (Section 15126.6) permit a lead agency to eliminate from detailed consideration project alternatives that do not meet the basic project objectives. After selecting the Lodi gas field as the preferred storage facility, only the interconnects at the PG&E Lines 196 and 401 met the basic project objectives (capacity, metering facilities, and operating pressure) as described in Section 2.2.3, “Alternative Interconnect Sites”, of the draft EIR. Therefore the draft EIR does not identify or discuss alternative interconnect sites.
- S7-3. Comment noted. The impacts of the proposed project on agriculture within the Delta region are identified in Section 3.1, “Land Use, Planning, and Agricultural Resources” of the draft EIR.
- S7-4. The comment concerns varying the pipeline alignment proposed as part of the Public Right-of-Way Alternative. Such a variation was considered in developing the Public Right-of Way Route Alternative. This variation was discarded, however, because of difficulties in routing the pipeline along Highway 12 immediately west of Interstate 5. There are large drainage ditches immediately adjacent to this portion of Highway 12; therefore the pipeline would need to be routed into adjacent agricultural fields. There also are substantial vineyards in this area and one of the key objectives of this alternative was to avoid impacts to vineyards. At Terminous, the river crossing is extremely wide and wetlands are present on the north side of Highway 12. Therefore, this option was discarded.
- S7-5. As described on page 2-9 of the draft EIR, the use of existing PG&E easements is not feasible because the easement agreements do not allow multiple pipelines or assignment of the easement to a third party. The CPUC believes that establishing a new easement parallel to the existing easement is consistent with the Delta Protection Commission’s goal of consolidating utilities in corridors. Section 2.5.2 of the draft EIR provides a narrative description where the alternative alignment would parallel existing PG&E natural gas pipelines. The specific location of the existing PG&E natural gas pipelines within their respective easements has no material effect on the environmental impacts of the Existing Pipeline Corridor Alternative.

- S7-6. This comment accurately describes the Composite Route Alternative. It is unclear what additional information is being requested in this comment. The primary goal of this alternative was to follow existing pipeline alignments to the extent possible and to follow road rights-of-way in other areas.
- S7-7. As described on page 3.3-10 of the draft EIR, it is probably not feasible to bury the pipeline at a depth that would eliminate the need for future actions in areas of peat soils with high subsidence rates during the useful life of the project. Detailed soil engineering studies have not been completed because a final alignment has not been selected and the project has not been approved by the CPUC.

Because ground subsidence in the project area is a result of the oxidation of overlying soil materials there would be no adverse effect on the pipeline. As described on page 3.3-11 of the draft EIR, a one-year period to schedule replacement or reburial of the pipeline is allowed primarily to reduce impacts to agricultural activities. Because remediation would be required when monitoring shows that the pipeline has become shallower than 3.5 feet, at no time would the pipeline be shallower than the Department of Transportation, Office of Pipeline Safety's regulation requirements, even with current rates of subsidence in the Delta. This program would not affect the pipeline integrity.

More detailed information about peat soils and subsidence in the Delta has been provided in Chapter 2, "Clarification of Major Issues", of the final EIR, under "Subsidence". This information does not affect the significance determination made regarding this impact.