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27 July, 2000

Judith Iklé, CPUC
C/o Aspen Environmental Group
235 Montgomery Street, Suite 800
San Francisco, CA 94104

Re: Draft Environmental Impact Report
Northeast San Jose Transmission Reinforcement Project.

Dear Ms. Iklé:

This letter is written in response to the above DEIR and the four components of the project, but particularly the 230kV transmission line proposed to travel across 7.3 miles of bayside habitat.

The lands west of 880 and north of 237 are all bayside habitat and home to thousands of migratory birds. The DEIR refers to this area as "developed parts of the bay". It is true that the land is being put to various uses, but in some critical cases, these uses have greatly enhanced its value as bird habitat. The San Francisco Bay Bird Observatory has conducted field work in this region for nearly 20 years and we have data and reports on bird use of this area that were not been referenced in the DEIR.

Thousands of gulls live in the south bay, mainly along the bay margins and in the salt pond system. They often forage at dumpsites such as Newby Island. SFBBBO conducts weekly boat surveys in Artesian (Mallard) Slough and Coyote Creek near the dump, June through November. We pick up an average of 1-2 gulls per week with broken or amputated wings, due to existing transmission lines over Coyote Creek. We have photos (slides) our volunteers have taken of dead waterbirds hanging from power lines. We support the Fish and Wildlife Service's position that no additional lines should cross the refuge but in fact, no additional lines should cross any local flight paths, which crisscross the baylands. San Francisco Bay is already recognized as a Site of Hemispheric Importance by the Western Hemisphere Shorebird Reserve Network; it supports hundreds of thousands of migratory and wintering shorebirds. These birds move between the mudflats and upper habitat areas during high tides. They often collide with nearly invisible transmission lines and other wires. In addition, the south bay is on the verge of experiencing a huge habitat restoration effort which will increase bird populations in the bay and its surrounding habitats. (PG&E participates on the Board of the San Francisco Bay Joint Venture which is spearheading this cooperative effort.)

The south end of the proposed line travels directly up a levee that separates the San Jose Water Pollution Control Plant's ponds on the west from the Coyote Creek flood control basin on the east. The WPCP's ponds are a high use waterbird area,

supporting thousands of migratory waterfowl and shorebirds. SFBBO's biologists recently participated in a bird study of those ponds with H.T. Harvey and Associates.

Across the levee to the west is the Santa Clara Valley Water District's flood control basin which is also a mitigation site in progress. It is a revegetated riparian corridor that effectively combines flood management with habitat restoration. SFBBO has maintained a bird banding station (Coyote Creek Field Station, formerly known as Coyote Creek Riparian Station) in this basin for 12+ years. Our biologists and volunteers have documented the high diversity and abundance of species using this area and have suggested it be designated an Important Bird Area by National Audubon. Together with the District's waterbird pond on the north end of this area and the WPCP's ponds, this area:

- Has the most number of bird species in the county.
- Is the most diverse site in the county with regards to birds.
- Is the only non-coastal site in California that has been monitored for more than a decade [and a unique volunteer-only banding effort].
- Is the only urban site in the region where long term effects of riparian restoration on wildlife have been measured.
- Is the South Bay stronghold for the Saltmarsh Yellowthroat, a bird endemic to the San Francisco Bay and a species of special concern.

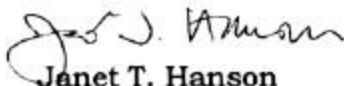
The DEIR refers to this area as "developed" (Figure C.3-1) and refers to the mitigation site as "open space" (C.7-2). This completely misrepresents its relative biological value.

We approve of the 880 A and B alternatives for the north end of the line. No lines should go anywhere near the Bayside Business Park wetlands area, which supports huge flocks of migratory waterfowl, especially in the fall. Why are no such alternatives offered for the southern portion? The DEIR states that the east side of 880 is too "densely developed", but what about the west side? In fact, the west edge of 880 between 237 and Dixon Landing Road is nearly wide open, with development of the former agricultural lands at McCarthy Ranch just beginning. It appears that this alternative is not considered anywhere in the DEIR. Also the option of underground cable is considered for the northern portion; why is this not an option in the southern portion?

In section C.3-63, the DEIR states "the proposed transmission line route parallels an existing PG&E transmission line corridor". This must be an error as the proposed line is not near any existing line.

In conclusion, we feel the DEIR does not satisfactorily address the potential negative impacts these lines would create. Rather than suggest alternatives or mitigation, it simply states these impacts to "unavoidable". We respectfully disagree and strongly encourage additional planning of alternatives for this proposal.

Sincerely,



Janet T. Hanson
Executive Director