

1           FREMONT, CALIFORNIA, JULY 12, 2000 - 2:30 P.M.

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3           ADMINISTRATIVE LAW JUDGE BIREN: The Public Utility  
4 Commission will please come to order.

5                           This is the time and place set for a public  
6 participation hearing in the application for  
7 a certificate for the building of the Los Esteros  
8 Substation and to add to and reinforce some of the  
9 transmission lines in the Fremont and Northeast San Jose  
10 area. It's Application number A.99-09-029 and it is  
11 the application of the Pacific Gas & Electric Company.

12                           The purpose of our meetings today is to take  
13 comments from concerned citizens about this project, and  
14 I'll explain our procedures in just a few minutes, but I  
15 do want to emphasize how important it is to have the  
16 public comments for the Commissioners who make the  
17 ultimate decision on these applications.

18                           I am Administrative Law Judge Andrea Biren and  
19 I'm responsible for writing the draft decision for the  
20 Commission's review on whether to adopt the draft  
21 environmental impact report and whether to approve,  
22 modify, or reject the application. But the Commission  
23 wants to know what the public's view of the application  
24 is, and the way it finds out what the public's view is  
25 is by reviewing the public comments.

26                           I'm going to ask other people who are involved  
27 with this application to stand when I say your name.

28                           From the Commission we have Judith Ikle who is

1 the environmental coordinator; we have Susan Lee from  
2 the Aspen Group who is the environmental consultant  
3 for the Commission and primary author of the draft  
4 environmental impact report; we have Rosalina White,  
5 who is the Commission coordinator for the public  
6 participation, and who is here to help you make your  
7 presentation to the Commission, if you need any help;  
8 and there are also quite a number of representatives  
9 from PG&E, and I don't see any representative from the  
10 Commission's Office of Ratepayer Advocates, but that  
11 person might come in later.

12 If you have any comments you'd like to present  
13 orally today, please sign up on the list. And if you  
14 want to make written comments, we have these  
15 turquoise-blue forms over there (indicating), for  
16 comments, particularly on the Draft EIR, but feel free  
17 to comment on the application as well, although you  
18 might make it clear that that's what you're doing  
19 with an asterisk or something at that time -- and it has  
20 the address. And if you don't want to use the blue  
21 form, you might pick up one anyway, just to get  
22 the address.

23 The comments that you make today will be  
24 recorded by the court reporter and so I'll be asking  
25 anybody who is going to make comments to stand,  
26 so it's clear for the reporter if you look at her  
27 as well as looking at me and also try and speak clearly,  
28 that will be helpful.

1 Right now what we're going to do is go off  
2 the record briefly before I take your comments and allow  
3 Judith Ikle and Susan Lee to make a brief presentation  
4 about the Commission process and about the draft  
5 environmental impact report, and then I'll be taking  
6 your comments. So we're off the record.

7 (Off the record)

8 ALJ BIREN: We'll be back on the record.

9 So if you do have questions, the best time  
10 for the questions will be afterwards to either the  
11 environmental consultants or any of the PG&E staff  
12 that are here.

13 So if you're prepared now, I think we'll go  
14 ahead and -- oh, I do want to tell you if you want to  
15 submit written comments in addition, please feel free  
16 to do so, in addition to the oral comments.

17 Mr. Pasters. Would you please stand,  
18 state and spell your name, and we'd love to hear from  
19 you.

20 MR. PASTERS: Should I come up here?

21 ALJ BIREN: Whatever you're comfortable with.

22 MR. PASTERS: Neither.

23 STATEMENT OF MR. PASTERS

24 MR. PASTERS: My name is Ernest Pasters,  
25 P as in Paul A-S-T-E-R-S. I work with/for Lam Research  
26 Corporation. Lam is a semiconductor equipment, capital  
27 equipment company about a billion dollars plus.

28 And our concern is with process. We have

1 an R&D building on Cushing and let's see if I can.

2 Cushing?

3 ALJ BIREN: At the top.

4 MR. PASTERS: This is the Cushing route right here  
5 (indicating). With this alternative (indicating),  
6 they put transmission towers right down Cushing, and  
7 it would be on our side of the street, and we're very,  
8 very concerned and we're preparing a statement on the  
9 effect it has on our process, because our R&D building,  
10 we have six buildings along that and three of them,  
11 one is our wireless center, which would be probably  
12 heavily affected, we communicate all over the world for,  
13 for our parts and process support; and the R&D is we are  
14 not sure now, but we think there could be some strong  
15 impact on -- we work heavily on RF frequency in our  
16 etch process, and so it could have such an affect that  
17 we would be unable to operate under those conditions.

18 And we will be preparing written comments  
19 July 27th, so we'll get those in; and I thank  
20 Aspen Environmental for getting me copies especially.

21 If there is any questions, I'll be happy to  
22 answer them. If not, why that's basically our statement  
23 and it's an affect -- it's a company of 3,000 people and  
24 on the Fremont campus and we'd be heavily affected by  
25 it.

26 ALJ BIREN: So when you say your "process,"  
27 you're talking about the work that you do?

28 MR. PASTERS: Yes, we have etch, the actual

1 equipment that etches the processes for Intel and  
2 Motorola, we sell them the equipment and we do it with  
3 RF frequency and a bunch of elaborate processes to cut  
4 these 1.8 millimeter lines and silicon wafers; and  
5 we're very concerned that that process wouldn't function  
6 under those conditions. And we're investigating it  
7 now. We're very concerned.

8 ALJ BIREN: Thank you very much.

9 MR. PASTERS: Thank you.

10 ALJ BIREN: Mr. Wilson.

11 You know, I actually think it's better  
12 if you stay there, because the court reporter couldn't  
13 see his face.

14 MR. WILSON: That's fine.

15 ALJ BIREN: Okay, thanks.

16 STATEMENT OF MR. WILSON

17 MR. WILSON: I'm Ron Wilson. I'm the city engineer  
18 for the City of Fremont.

19 I'll be making some preliminary comments and  
20 we'll be following up with more detailed comments  
21 prior to July 27th deadline in writing.

22 Basically, the City of Fremont supports  
23 the proposed PG&E alignment. We are not in support of  
24 the two alternative alignments: the I-880 A and the  
25 I-880 B routes.

26 The City of Fremont wants to stress that  
27 the environmental impacts of the two proposed alternate  
28 routes I-880 A and B are very similar to the

1 environmental impacts of the project and the two  
2 proposed I-880 route alternatives would have severe  
3 visual impacts to the City of Fremont. The EIR  
4 indicates that impacts with respect to air emissions,  
5 biological resources, hydrology and water quality,  
6 conversion of prime farm land, and traffic are  
7 similar -- in some cases worse for the proposed I-880 A  
8 and I-880 B alternatives when compared to the proposed  
9 project.

10 The environmental impact report does not  
11 adequately analyze the visual blighting aspects of  
12 the two I-880 alternatives through the City of Fremont.  
13 The Fremont General Plan identifies I-880 as a City and  
14 County Scenic Route. The fact is not acknowledged  
15 in the EIR and the visual impact to freeway traffic and  
16 existing businesses is casually stated.

17 The visual impacts on the established  
18 industrial business parks along Cushing Parkway are also  
19 deemphasized. The proposed I-880 B route change along  
20 Lakeview Boulevard is not clearly identified in the EIR  
21 would have visual impacts and could constitute new  
22 information under the California Environmental Quality  
23 Act.

24 The EIR states that the two I-880 alternatives  
25 would have worse air emission impacts because they would  
26 involve more transmission structures.

27 In terms of biological resources, the EIR  
28 states the two I-880 alternatives are similar to the

1 proposed project because they cross similar habitat  
2 types. The applicant, PG&E has also submitted  
3 documentation that questions that there's any evidence  
4 that the project would increase the risk of bird  
5 collisions and identifies effective mitigation if that  
6 is indeed an issue.

7 The EIR states that the hydrology and water  
8 quality impacts are nearly identical with respect to  
9 the I-880 A alternative and the project. Impacts from  
10 the I-880 B alternative are worse than the proposed  
11 project with potential impacts to the Alameda County  
12 Flood Control Channel.

13 In terms of traffic the EIR states Alternative  
14 I-880 B would likely have greater adverse impacts  
15 because the number of roadway crossings would increase  
16 significantly.

17 The EIR identifies visual impacts related to  
18 the proposed project. However there's very little  
19 analysis of the visual impacts of the alternatives and  
20 the City of Fremont disagrees with the conclusions of  
21 the EIR. There will be significant visual impacts of  
22 new towers along long stretches of the corridors along  
23 I-880 in both alternatives A and B.

24 There will be significant impact to landscaped  
25 areas of existing business parks along Cushing Parkway  
26 and Lakeview Boulevard.

27 In summary, the City of Fremont questions that  
28 there are substantial differences between the proposed

1 project and the I-880 A and B alternatives. In light of  
2 these similarities, the City of Fremont finds no reason  
3 to pursue the I-880 A and B alternatives and recommends  
4 that the original project be adopted.

5 ALJ BIREN: Thank you.

6 I don't have anyone else signed up.

7 Is there anyone else who would like to address  
8 us today?

9 (No response)

10 ALJ BIREN: In that case, I do remind you that  
11 we need the written comments by July 27th; and thank you  
12 very much.

13 With no further business, the Commission will  
14 be adjourned. And our public participation hearing is  
15 over.

16 (Whereupon, at the hour of 2:53 p.m.,  
17 this Public Participation Hearing having been  
concluded, the Commission then adjourned.)

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