Comment Set 7

SAN JOSE
CAPITAL OF SILICON VALLEY

CITY OF SAN JOSÉ, CALIFORNIA

DEPARTMENT OF PLANNING, BUILDING AND CODE ENFORCEMENT
801 NORTH FIRST STREET
SAN JOSE, CALIFORNIA 95113-1795

JAMES R. DERRYBERRY
DIRECTOR

July 27, 2000

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

SUBJECT: DRAFT ENVIRONMENTAL IMPACT REPORT FOR PG&E COMPANY'S APPLICATION FOR CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY FOR NORTHEAST SAN JOSE TRANSMISSION REINFORCEMENT PROJECT (APPLICATION NO. 99-09-029)(OA00-07-013)

Dear Ms. Ikle:

The City of San Jose appreciates the opportunity to review and comment on the above referenced project. The City of San Jose requests that the US Dataport site be more fully evaluated as an alternative substation location prior to final action on the DEIR and this Project. Alternative Site A (City owned property) is located immediately north and west of PG&E's preferred alternative as analyzed in the DEIR.

The DEIR (pg. B-46) is correct in concluding that Alternative Site A is currently unavailable for development of a substation due to its existing use by the City as a "buffer" between adjacent private property and to dispose of recycled wastewater. However, the US Dataport proposal presents the City with an opportunity to consider the use of the adjacent property (which is the site of PG&E's preferred alternative in the DEIR) that could eliminate the need for the City to retain Alternative Site A for its current uses, thereby making Alternative Site A available for a substation.

A PG &E substation, with appropriate mitigation (primarily with landscaping and screening), would be a use of the preferred site that is compatible with the existing General Plan and land use designation for the site. However, if the City approves US Dataport's proposal prior to final action on the DEIR and this Project, the substation will be incompatible with the Planned Development Zoning that will exist on the property at that time. We therefore request that Alternative Site A should be fully evaluated as an alternative. **7-1**

In addition to resolving a potential land use compatibility issue, the advantage to PG&E in evaluating Alternative Site A is that if the City concludes that Site A could be made available for the substation, PG&E's land acquisition/construction process will be simplified and expedited. If the Project is approved as currently proposed, PG&E will need to negotiate with the City over the purchase of transmission line easements and access rights, as well as negotiate with the owners of the preferred substation site. If the City approves the US Dataport Project and makes Alternative Site A available for the substation, PG&E would only need to negotiate with the City for the substation, transmission lines and access road.

PLANNING DIVISION (408) 277-4576
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Please refer to the City's recent submittal to the CPUC on the Application for Certificate of Convenience and Necessity to Construct this Project that further discusses the City's concerns with the proposed project.

As stated in that testimony, the PG&E preferred route would directly impact the San Jose/Santa Clara Water Pollution Control Plant's (Plant) sludge handling operation by locating: **7-2**

- high voltage power lines overhanging more than twelve beds and ponds and the private road used to access the ponds,
- three towers in the drying beds along the eastern boundary of the Plant, and
- four additional towers on top of the berms that separate the drying ponds

The westerly alignment alternative is superior from a Plant standpoint because it would eliminate potential conflicts between the sludge drying operation and the transmission lines and towers. However, from an overall environmental standpoint, because it passes through sensitive wetland areas, PG&E might need to dedicate sites for wetland mitigation. Undergrounding the lines along the preferred route would minimize potential conflicts. **7-3**

The EIR does not adequately address the removal of the 145 eucalyptus trees that are currently located adjacent to the drying beds. Their removal would also adversely impact the Plant, unless the trees are replaced with mature trees of an appropriate species. These trees are an integral part of the Plant operation because they act as a buffer between the Plant and adjacent privately owned lands. Arbitrary limitation of the type of replacement tree to a species that will not exceed thirty feet in height is unacceptable. The trees must act as a visual barrier, and, to a limited extent, as an odor barrier. If the height of the trees is a concern, PG&E should be responsible for maintaining (trimming) the trees. **7-4**

The EIR does not include a thorough analysis of potential effects on Coyote Creek as it is assumed that the towers will be located a sufficient distance from the creek to avoid impact. No map is provided to analyze exact tower locations. Towers will have significant effects on avian species, including raptors, due to potential bird strikes or collisions. The EIR states that it is impossible to predict the magnitude of bird mortality from the transmission line without extensive information on bird species and movements in the project vicinity and then states that such data is not available. The EIR should address these issues. **7-5**

Thank you for the opportunity to comment and we look forward to reviewing the Final EIR document when it becomes available. If you have any questions regarding these comments, please contact me at 408-277-4576.

Sincerely,

Janis Moore
Planner II

JAM

c: Mollie Dent, City Attorney

OA00-07-013 NE SJ Transmission Reinf Pjct Ltr.doc/JAM

TOTAL P.03

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BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of PACIFIC GAS & ELECTRIC COMPANY For a Certificate of Public Convenience and Necessity Authorizing the Construction of the Northeast San Jose Transmission Reinforcement Project	Application 99-09-029

PREPARED TESTIMONY OF THE CITY OF SAN JOSE AND REDEVELOPMENT AGENCY OF THE CITY OF SAN JOSE

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I. INTRODUCTION

The attached Prepared Testimony of the City of San Jose is submitted pursuant to the Administrative Law Judge's Ruling in this matter, dated May 12, 2000 and Rule 68 of the Commission Rules of Practice and Procedure.

II. SUBJECT INDEX

Attachment A – Prepared Testimony of Darrell Dearborn

Attachment B – Prepared Testimony of Joni Pattillo

Attachment C – Prepared Testimony of Carla Ruigh

Attachment D – Prepared Testimony of Andrew Crabtree

Attachment E – Prepared Testimony of John Galat

Dated: July 29, 2000

Respectfully submitted,

RICHARD DOYLE, City Attorney

BY: _____
MOLLIE J. DENT, Sr. Deputy City Attorne

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ATTACHMENT A

PREPARED TESTIMONY OF DARRELL DEARBORN

(Comments of the of PG&E's Northeast San Jose Transmission Reinforcement Project)

I. **Introduction**

My name is Darrell Dearborn. My business address is 801 North First Street, San Jose, California 95110. I am the Senior Deputy City Manager for the City of San Jose and responsible for coordinating City review of PG&E's Application for a Certificate of Public Necessity and Convenience to Construct the Northeast San Jose Transmission Reinforcement Project. My testimony will generally address the City concerns with the proposed Project. My comments will also address the City's position on the recent proposal by US Dataport to have PG&E evaluate moving the substation that is proposed as part of the Project onto City owned lands located north and west of the site currently under consideration. In addition to my testimony, the following individuals are also submitting prepared testimony on behalf of the City: Joni Pattillo, Deputy Director, Environmental Services Department of the City of San Jose; Carla Ruigh, Park Manager City of San Jose Department of Parks, Recreation & Neighborhood Services; Andrew Crabtree, Senior Planner, City of San Jose Planning Department; and John Galat, independent consultant.

II. **City's Concerns With The Proposed Project**

The City has concerns with the impact of the proposed Project on the City-operated San Jose/Santa Clara Water Pollution Plant because at least a portion of the Project will be built on operational property of the Plant. Unless one of the alternate routes identified in PG&E's EIR is selected for the proposed transmission lines, approximately two miles of transmission lines and associated towers will be located on City owned property. Unless the transmission lines are undergrounded, or other measures are taken to avoid potential conflicts between the transmission lines and existing uses of the City property, the proposed and existing uses will be incompatible. 7-6

The City also has concerns with impact of the proposed project on other planned and potential surrounding land uses. Of particular concern is the need to include landscaping or screening to buffer the visual impact of the proposed substation. 7-7

The City is sensitive to PG&E's cost considerations in designing the Project. The City is evaluating the cost information produced by PG&E to date, and will continue to examine whether and how addressing the City's concerns will impact costs, particularly costs to consumers. The City's purpose in presenting prepared testimony at this time is to preserve the City's ability to introduce evidence into the record in this proceeding on these issues in the event that the City and PG&E are not able to resolve the City's concerns to their mutual satisfaction. 7-8

III. **City Position on Moving the Proposed Substation**

The City has recently been served with the intervention papers of US Dataport, requesting that PG&E and the Commission evaluate, as a preferred alternative, moving the proposed PG&E substation to property immediately adjacent to the northwest boundary of the proposed location. The site suggested by US Dataport is owned by the City of San Jose as part of the operating property of the San Jose/Santa Clara Water Pollution Control Plant. It is currently in use by the Plant during the summer months (May-October) for disposal of recycled water, and serves year round as a buffer between Plant operations and adjacent private property, including the property currently proposed by PG &E for the substation. 7-9

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US Dataport's request to PG&E and the Commission has been filed concurrently with applications to the City for rezoning, a General Plan amendment and annexation of a large parcel of property that includes PG&E's proposed substation site. The City is in the early stage of evaluating US Dataport 's proposed development.

The City has determined and advised both PG&E and US Dataport that use of the City owned property for the PG&E substation would not be incompatible with the existing light industrial General Plan and zoning designation on the property. However, the City has also advised both US Dataport and PG&E that in order to make a determination that the substation use should be allowed to displace existing public uses on the property (for recycled water disposal and buffer land) certain conditions would need to be met. City staff have met with both PG&E and US Dataport to discuss both the conditions under which City staff would be prepared to recommend allowing use of the City property for the substation, and the process under which this recommendation could be presented to the City Council for action. The City is committed to continuing to meet with PG&E and US Dataport on these issues should those parties continue to be interested in pursuing the alternate substation location.

7-9

ATTACHMENT B

PREPARED DIRECT TESTIMONY OF JONI PATTILLO

(Impact of PG&E's Northeast San Jose Transmission Reinforcement Project on the San Jose/Santa Clara Water Pollution Control Plant)

I. **Introduction**

My name is Joni Pattillo. My business address is 777 North First Street, Suite 400, San Jose, California 95110. I am Chief Deputy Director of the Environmental Services Department of the City of San Jose, which operates the San Jose/Santa Clara Water Pollution Control Plant. My testimony will address the impacts of PG&E's Northeast Transmission Reinforcement Project on the operations of the San Jose/Santa Clara Water Pollution Control Plant.

II. **Background**

The San Jose/Santa Clara Water Pollution Control Plant (Plant) is owned jointly by the Cities of San Jose and Santa Clara. The Plant lands, comprising approximately 1760 acres in North San Jose, are administered by the City of San Jose's Environmental Services Department (ESD) on behalf of a joint powers authority. The Plant provides wastewater treatment services to the cities of San Jose, Santa Clara, Milpitas, Campbell, Cupertino, Los Gatos, Monte Sereno and Saratoga and includes the Burbank Sanitary District, Cupertino Sanitation District, Sunol Sanitary District, County Sanitation District No. 2-3 and West Valley Sanitary District. The Plant serves approximately 1.32 million residents and a workforce of 700,000 at businesses including many of the leading computer and electronics manufacturers that comprise "Silicon Valley."

Sludge, known as biosolids, is the final product of the treatment process. After the wastewater goes through primary and advanced treatment, excess solids are produced. Bacteria are introduced, breaking down solids into carbon dioxide and methane inside anaerobic digesters. The residual materials are then

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transported to storage lagoons, where they remain for a minimum of two years. Afterwards, the material is pumped to drying beds and solar dried to be used beneficially in such applications as agriculture and landfill cover.

The Plant has a total of 20 drying beds. A drying bed operation consists of thoroughly drying the biosolids for 3-4 months and dredging for 6-8 months thereafter. Dredging involves the operation of heavy equipment such as scats or specialized vehicles for turning sludge. Cranes are occasionally used to move scats and other heavy equipment and machinery to and from the drying beds. The dry biosolids are transported off-site on trucks. The beds are occasionally used for wastewater storage. In the event of heavy storms and high flows to the Plant, wastewater is diverted to the beds for storage and treatment at a later point. These beds are essential to the operation of the Plant. The current solar drying operation is the most economical method currently available for this stage of the treatment process. A consultant study conducted for the Plant in August 1996 estimated that replacing the solar drying operation with a energy intensive mechanical drying operation would require a capital investment of $95 million and cost $2.2 million more annually than the current operation.

III. **Impact of the Proposed Transmission Lines on the Plant**

The PG&E preferred route will directly impact the Plant's sludge handling operation, by locating high voltage power lines overhanging more than twelve beds and ponds and the private road used to access the ponds, three towers in the drying beds along the eastern boundary of the Plant and four additional towers on top of the berms that separate the drying ponds. The alternative westerly alignment would eliminate potential conflicts between the sludge drying operation and the transmission lines and towers. Undergrounding the lines along the preferred route would minimize potential conflicts.

7-10

Beds with towers in them must be modified or decommissioned. Reduced drying bed capacity could impact availability of the beds for sludge drying and emergency storage of the Plant flow. Replacing or modifying the beds at this time is very expensive if not cost prohibitive.

Locating towers in the beds will require operational modification to avoid collision of heavy equipment with base of towers. Also, operations on the maintenance road and on the berms around the beds will be impacted, if the high voltage lines create interference with radio operated equipment. The berms and road allow access into the beds and to valves and piping necessary for the operation of the beds. Constructing new berms or roads would require major modification and approvals from several agencies, at significant cost to the Plant, and possibly requiring additional environmental mitigation as the drying bed area does provide some habitat value for birds. Since the beds are below the grade of the road and berms, the lines will be closer to the road and berms than to the base of the towers, potentially limiting the use of cranes to move equipment around in the beds.

7-10

Removal of the 145 eucalyptus trees that are currently located adjacent to the drying beds, as proposed by PG&E, would also adversely impact the Plant, unless the trees are replaced with mature trees of an appropriate species. These trees are an integral part of the Plant operation because they act as a buffer between the Plant and adjacent privately owned lands. Arbitrary limitation of the type of replacement tree to a species that will not exceed thirty feet in height is unacceptable. The trees must act as visual and odor barrier, and if the height of the trees is a concern to PG&E, PG&E should be responsible for maintaining (trimming) the trees.

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ATTACHMENT C

PREPARED DIRECT TESTIMONY OF CARLA RUIGH
(Impact of PG&E's Northeast San Jose Transmission Reinforcement Project on the Planned Bay Trail Extension Project)

I. Introduction

My name is Carla Ruigh. My business address is 4 North 2nd Street, San Jose, California 95113. I am a Park Manager with the Parks, Recreation & Neighborhood Services Department of the City of San Jose. I am the representative for our Department in the preparation of the Bay Trail Master Plan. My Department will be responsible for managing the Bay Trail when it is completed. I am a member of both the Technical Advisory Committee and the Staff Committee working on this project. My testimony will address the impacts of PG&E's Northeast Transmission Reinforcement Project on plans to extend the San Francisco Bay Trail south from Fremont in Alameda County through Milpitas and San Jose, in Santa Clara County.

II. Background

The City has been actively working on a Master Plan to extend the San Francisco Bay Trail south into Santa Clara County since 1995. A number of preliminary investigations were done prior to that time to assess the feasibility of the project. The section of the trail located in North San Jose is a critical link in creating a continuous Bay Trail. Without this link, there will be no connection between the sections of the trail in the East Bay, and those running northward up the Peninsula. A draft Master Plan for the trail was recently completed by a City consultant and is in the final review stages. Current plans call for finalization of the draft Plan in the next 2-3 months. If the Plan is finalized in accordance with the draft, the Bay trail will extend south on the east (Milpitas) side of Coyote Creek from Dixon Landing Road to State Route 237, where the trail will cross the Creek to join a parallel trail on the west (San Jose) side of the Creek. The west side trail will also follow the Creek south from Dixon Landing Road, but will turn west at the southern boundary of the San Jose/Santa Clara Water Pollution Control Plant sludge drying bed, and continue across Zanker Road into the town of Alviso. If constructed as proposed by PG&E, the Northeast San Jose Transmission Reinforcement Project would have immediate, direct audio and visual impacts on trail users.

7-12

III. Impact of the Preferred Transmission Line Alignment on the Bay Trail Extension

Unless mitigated through undergrounding, the proposed transmission lines along Coyote Creek from Dixon Landing Road through the lands of the San Jose/Santa Clara Water Pollution Control Plant will degrade the recreational experience of trail users. On the east (Milpitas) side of the creek, the transmission lines and towers will clearly be visible above the trees that line the Creek. Without the lines and towers the vista across the creek to dense vegetation, which shields low rise building beyond, would be essentially rural in nature. The power lines and towers detract from this unique experience of a rural vista in an increasing urbanized area, by reminding the trail user of the urban uses just beyond the Creek. While trail users on the west side of the Creek will not have the same "rural vista" as users on the east side, due to the adjacency of the Plant's sludge drying beds, their trail experience will also be impacted by the "buzzing" noise commonly associated with overhead powerlines. The transmission lines will also be a deterrent to public use of the trail not only due to the noise and unsightliness of the lines, but because of continuing public concerns over the safety of recreational use in the proximity of high power lines.

7-12

IV. Impact of the Substation on the Bay Trail Extension

The proposed substation will impact trail users in two ways. First, unless the substation is screened from view by extensive landscaping, the substation will

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become an unattractive focal point on the trail. Secondly, if chain link fencing is used around the substations, the fence will become a trap for litter and debris, especially given the windy conditions that frequently exist in this area. Measures that may be taken by PG&E to provide security for the substation, such as barbed wire fencing will further degrade the trail users experience.

The Bay Trail is a significant regional trail and recreational amenity that serves not only San Jose, but residents of the entire region and the State. Every effort should be made to maximize the recreational experiences and value of this trail.

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ATTACHMENT D

PREPARED DIRECT TESTIMONY OF ANDREW CRABTREE

(City of San Jose Design Concerns with Substation Element of PG&E's Northeast San Jose Transmission Reinforcement Project)

I. **Introduction**

My name is Andrew Crabtree. My business address is 801 North First Street, CHA 400, San Jose, California 95110. I am a Senior Planner for the Planning, Building and Code Enforcement Department of the City of San Jose. I am responsible for review of new development proposals in Districts 3 and 4 of the City, which includes the site of the proposed PG&E Los Esteros substation. My testimony will address the City's design concerns with the proposed substation, and will identify and discuss the City's design guidelines and criteria applicable to new industrial development projects, like the proposed substation.

II. **Background**

The City has adopted Industrial Design Guidelines that outline the underlying principles for the review of industrial development. A copy of these Guidelines is attached to my testimony. These Guidelines are applicable to development applications that are submitted to the City for the review of larger equipment areas such as a PG&E substation.

III. **Specific City Design Criteria**

The Guidelines include specific criteria for outdoor storage, utility and mechanical equipment areas (see pp. 32-35). The Guidelines establish that utility/mechanical equipment should not be visible from public streets. As a preferred option, equipment should be located within buildings or specially designed structures. When this is not possible, equipment should be placed to the rear or side of the site (behind buildings or other architectural structures) and completely screened from public view by walls and appropriate landscaping.

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Chain link fences should not be used in areas that are visible from a public street.

7-14

ATTACHMENT E

PREPARED DIRECT TESTIMONY OF JOHN GALAT
(Technical & Economic Feasibility of Undergrounding 230kV and 115kV Transmission Lines)

I. **Introduction**

My name is John Galat. My business address is 1908 Bolbones Court, Walnut Creek, California 94925. I am a licensed professional electrical engineer in the State of California with 42 years of experience, specializing in power system planning. I have been retained to assist the City of Jose in evaluating the technical and economic feasibility of undergrounding 230Kv and 115Kv transmission lines. The purpose of my testimony is to support the concerns that the City has raised in this proceeding with PG&E's contention that undergrounding transmission lines is an inferior alternative to overhead construction. My testimony will describe the situations in which undergounding is commonly used for environmental reasons, discuss the cost differential between underground versus overhead construction, and discuss the general relationship between project costs and costs to the consumer for electricity.

II. **Background**

In order to accurately compare undergrounding transmission lines with overhead construction, it is critical to identify the precise type of underground technology that is proposed. There are many types of technology for undergrounding power lines. However, the most economic type construction currently in use is solid dielectric technology. The cost of a solid dielectric installation is also substantially less than the cost of undergrounding oil cooled pipe type cables

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III. **Environmental Differences Between Solid Dielectric Technology and Oil-Cooled Technology**

Use of solid dielectric technology would eliminate or minimize some of the disadvantages that PG&E has identified as associated with undergrounding. Solid dielectric technology eliminates the potential for oil leakage from oil cooled underground lines.

IV. **Environmental Differences Between Undergrounding and Overhead Construction**

One situation in which undergounding is typically used is where aesthetic concerns are prominent. Undergrounding eliminates the negative visual impacts of power lines. Wildlife concerns, particularly the potential for bird strikes is another typical reason for undergrounding. Undergrounding has other less recognized environmental advantages as well, however, including elimination of the electrostatic fields associated with high voltage overhead lines. Electrostatic fields cause the corona discharge which is recognized by the "buzzing sound" commonly associated with these lines and can also cause interference with nearby radio operated equipment. Undergrounding also reduces area of potential exposure to electromagnetic fields.

7-15

V. **Cost Differences Between Undergrounding and Overhead Construction**

As indicated above in order to fully evaluate the cost differential between undergrounding and overhead construction, the type of underground construction must be considered. Accuracy of the costing methodology is also critical to evaluating the cost differential, regardless of the type of undergrounding technology. If a costing method is used that does not precisely account for various cost components, and as a result costs are overestimated, the cost differential between different types of construction is magnified. In my opinion, PG&E cost estimates for both underground and overhead construction exceed the cost that would be estimated for private construction of an equivalent

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project by 2 - 3 times. As a result, the true cost differential between the two types of construction as shown by PG&E is 2-3 times greater than it should be.

VI. **Relationship between Project Costs and Costs to the Consumer for Electricity**

Even assuming that undergrounding does increase the cost of the project by th amounts estimated by PG&E, this will not necessarily cause a rate impact on consumers. If the total cost of delivering power over the new lines does not exceed the average cost of delivery on the current system, revenue obtained from the sale of the energy delivered through the line will be sufficient to pay for the even most expensive construction methodology.

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