

Comment Set G



CITY OF FREMONT
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November 27, 2000

Brad Wetstone, CPUC
 c/o Aspen Environmental Group
 235 Montgomery Street, Suite 800
 San Francisco, CA 94104

RE: Pacific Gas & Electric Northeast San Jose Electrical Transmission Reinforcement Project Supplemental Draft EIR

Dear Mr. Wetstone:

Thank you for the opportunity to provide comments on the Pacific Gas & Electric Northeast San Jose Electrical Transmission Reinforcement Project Supplemental Draft Environmental Impact Report (SDEIR).

On July 27, 2000, the City of Fremont submitted a comment letter on the Draft Environmental Impact Report for the Pacific Gas & Electric Northeast San Jose Transmission Reinforcement Project. That letter is hereby incorporated by reference as part of the response to the Supplemental Draft EIR, except as otherwise noted.

The City of Fremont notes the inclusion of an analysis of an underground alternative for the I-880-A Alternative portion of the route, the inclusion of the detail of the modified route for the I-880-B Alternative, and the recirculation of the Supplemental Draft EIR for a 45-day review period.

However, the City of Fremont still has serious concerns with the document. These concerns are summarized as follows:

Continued inadequate and biased evaluation of visual impacts. The SDEIR grossly underestimates and is completely insufficient in its evaluation of the visual and blighting impacts of the "I-880-A and I-880-B Alternatives." The SDEIR still fails to make note of the daily negative impact on 242,000 drivers, hotel visitors and workers who must traverse or view the affected portions of I-880.

Inadequate analysis of visual impacts of EMF Mitigation. The SDEIR fails to provide an analysis of the visual impacts of the EMF Mitigation that could raise tower heights as much as 55 feet to a maximum of 175 feet. There are no visual simulations of these proposed towers.

Inappropriate comparison of short-term construction impacts versus long-term biological and visual advantages for the Northern Underground Alternative. The SDEIR, in the analysis of the I-880-A Alternative and the Northern Underground Alternative, emphasized the short-term construction impacts while downplaying the long-term biological and visual advantages of the Northern Underground Alternative.

Confusing and contradictory analysis of the Northern Underground Alternative and the I-880-A Alternative. The text of the SDEIR states in Table D-1 that the Northern Underground Alternative is slightly preferred over the I-880-A Alternative. Other portions of the text, on pages 2 and 72, contradict that statement.

Reiteration of comments identified in the City of Fremont letter of July 27, 2000 on the Draft Environmental Impact Report. The following sections of the July 27, 2000 comment letter still apply: Inadequate Evaluation of Visual Impacts; Inadequate Assessment of an Underground Alternative (portion); Bias and lack of basis for the selection of an "environmentally preferred alternative;" Poor evaluation of Socioeconomic Impacts; Lack of assessment of a reasonable range of alternatives (portion); Lack of Identification of Cumulative Impacts; and Inadequate Notice (portion).

In summary conclusion, the City of Fremont believes that the SDEIR is insufficient, biased and inadequate and that most of the concerns we have continued to identify have been ignored. The City of Fremont recommends that the identified issues be analyzed and presented, including an explanation of whether or not the new analysis should be recirculated under section 15088.5(a) of the California Environmental Quality Act.

Continued Inadequate and Biased Evaluation of Visual Impacts

As noted in the comment letter on July 27, 2000, the DEIR completely ignored potential impacts of the estimated 212,500 motorists, hotel visitors and workers who make 170,000 daily trips on the portion of I-880 that would be impacted by the I-880-A or I-880-B Alternatives. The SDEIR similarly says nothing about these impacts. If this impact had been analyzed appropriately, the SDEIR would conclude that the Northern Underground and Underground Through the Business Park Alternatives would be the environmentally superior alternatives. (Please refer to the July 27 letter for a comprehensive citing of City of Fremont objections.)

Inadequate Analysis of Visual Impacts of EMF Mitigation

The SDEIR states that towers within the Bayside Business Park could be raised by 20 to 55 feet to reduce EMF exposure. The report further states that tower heights in this area currently range from 99 to 154 feet and the increased tower height would be an additional 13 to 50 percent. The report then states, on pages 59 and 60, that this increase is not considered to add substantially to the visual impact.

The City of Fremont reiterates the statements of the July 27, 2000 letter with regard to visual impacts on the 212,500 motorists, visitors and workers identified. Not only was this visual impact ignored in the DEIR, the SDEIR authors chose to ignore this new significant visual impact in this most recent environmental document as well. CEQA requires that the impacts of proposed mitigation also be adequately analyzed.

Again, if the impact had been fully disclosed and analyzed, the SDEIR would have identified the two underground alternatives as environmentally superior.

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Inappropriate Comparison of Short-term Construction Impacts Versus Long-term Biological and Visual Advantages for the Northern Underground Alternative

The SDEIR continues to emphasize the short-term (less than a year) construction impacts associated with trenching for the Northern Underground Alternative as a significant impact. The construction impacts have a limited duration estimated at less than one year.

The long-term benefits of the Northern Underground Alternative are similarly de-emphasized. The primary benefits of the Northern Underground Alternative are in relation to the biological and visual impacts. The SDEIR, on page 37, states that the adverse impact of bird collisions would be eliminated with this alternative. This section notes that there could be potentially significant impacts to the tiger salamander, but the SDEIR states that "the San Francisco Bay National Wildlife Refuge has indicated that this alternative would likely be found compatible with refuge purposes, given its location at the edge of the Preserve and the elimination of bird collision risk."

The benefit of the visual impact of an underground alternative was discussed at great length in the July 27, 2000 comment letter on the DEIR. The Northern Underground Alternative, when combined with the Underground Through the Business Park Alternative, would eliminate the overwhelming and long-term visual blight that additional overhead transmission lines would create in this section of Fremont poised for development of high value, high-income software and e-business firms.

An accurate assessment of the long-term biological and visual benefits, when compared to short-term construction impacts, would conclude that the Northern Underground and Underground Through the Business Park Alternatives are environmentally superior.

Confusing and Contradictory Analysis of the Northern Underground Alternative and the I-880-A Alternative

The authors of the SDEIR were apparently confused when they prepared the analysis of the Northern Underground Alternative. Table D-1 of the report identifies the Northern Underground Alternative as the alternative "slightly preferred over the I-880-A Alternative and strongly preferred over the proposed route." Other portions of the document, on pages 2 and 72, state that the I-880-A Alternative is preferable.

Page 72 of the document admits that "there is not a substantial difference in impact between the I-880-A Alternative and the Northern Underground Alternative." The deciding factor is the high potential for liquefaction in the underground alternative.

The City of Fremont maintains that the Northern Underground Alternative is environmentally preferable. The long lasting benefit of undergrounding is far more important than the potential short-term impact of liquefaction.

Reiteration of Comments Identified in the City of Fremont Letter of July 27, 2000 on the Draft Environmental Impact Report

The City of Fremont incorporates by reference the following sections of the July 27, 2000 comment letter: "Inadequate Evaluation of Visual Impacts"; "Inadequate Assessment of an Underground Alternative" (portion); "Bias and lack of basis for the selection of an 'environmentally preferred alternative'"; "Poor Evaluation of Socioeconomic Impacts"; "Lack of

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assessment of a reasonable range of alternatives" (portion); "Lack of Identification of Cumulative Impacts"; and "Inadequate Notice" (portion). The City of Fremont acknowledges that the SDEIR did analyze an underground alternative for the I-880-A portion of the site, which relates to a portion of the "Inadequate Assessment of an Underground Alternative" section and a portion of the "Lack of assessment of a reasonable range of alternatives" section. The City of Fremont also acknowledges that the SDEIR corrected the location of the I-880-B Alternative, which relates to a portion of the "Inadequate Notice" section. All other portions of the July 27, 2000 letter apply.

Conclusion

The City of Fremont believes that the SDEIR has not accurately identified the Northern Underground and Underground Through the Business Park Alternatives as the clearly environmentally preferred alternatives.

An unbiased and thorough evaluation of the long-term visual, economic and cumulative impacts of overhead lines to the City of Fremont would conclude that the underground alternatives are environmentally superior.

Sincerely,

Jan Perkins
City Manager

c: City Council

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