
C.7 LAND USE AND PUBLIC RECREATION

C.7.1 Environmental Baseline and Regulatory Setting	C.7-1
C.7.1.1 Regional Overview	C.7-1
C.7.1.2 Environmental Setting	C.7-1
C.7.1.3 Applicable Regulations, Plans, and Standards	C.7-9
C.7.2 Environmental Impacts and Mitigation Measures for the Proposed Project	C.7-11
C.7.2.1 Introduction	C.7-35
C.7.2.2 Definition and Use of Significance Criteria	C.7-35
C.7.2.3 Applicant Proposed Measures	C.7-36
C.7.2.4 Proposed 230kV Transmission Line Route	C.7-37
C.7.2.5 Proposed Substation Site	C.7-43
C.7.2.6 Proposed Trimble-Montague Upgrade	C.7-48
C.7.2.7 Cumulative Impacts And Mitigation Measures	C.7-49
C.7.3 Environmental Impacts and Mitigation Measures: Alternatives	C.7-50
C.7.3.1 Underground Through Business Park	C.7-50
C.7.3.2 I-880-A Alternative	C.7-50
C.7.3.3 I-880-B Alternative	C.7-52
C.7.3.4 Westerly Route Alternative	C.7-53
C.7.3.5 Westerly Upgrade Alternative	C.7-56
C.7.3.6 Substation Alternatives	C.7-58
C.7.3.7 Trimble-Montague 115kV Alternatives	C.7-61
C.7.4 The No Project Alternative	C.7-63
C.7.5 Mitigation Monitoring Program	C.7-63
C.7.6 References	C.7-68

C.7 LAND USE AND PUBLIC RECREATION

C.7.1 ENVIRONMENTAL BASELINE AND REGULATORY SETTING

C.7.1.1 Regional Overview

The proposed project would be constructed at the southern end of San Francisco Bay, one of the most highly urbanized estuaries in the world. The development would occur along the edges of the land/water interface, which in the South Bay is characterized by numerous creeks and sloughs, marshes, mudflats, diked salt ponds, and large expanses of wetlands, including the Don Edwards San Francisco Bay National Wildlife Refuge, which extends along the shorelines of five cities.

The San Francisco Bay region is home to one of the largest concentrations of urban populations in the United States, ranking fifth among the largest metropolitan areas. A significant portion of that urban density is centered around the project area, which includes two of the Bay Area's most populous cities (based on population rankings, San Jose is the largest city and Fremont is the fourth-largest city in the region). The project area is both densely populated and provides many tens of thousands of jobs.

Being the heart of the worldwide high technology revolution, the area is home to hundreds of high technology businesses, whose office and light industrial buildings are scattered throughout the project area in large concentrations, often in large research and development business parks. In many cases, such uses crowd right up to the fringes of developable land around the Bay, abutting sensitive and/or protected natural habitats. These urban fringes are also often developed with heavy industrial uses. For example, a large auto factory, sewage treatment plant, and numerous solid waste landfills are located in the vicinity of the project or alternative transmission line alignments. These alignments also pass near several regional freeways that transport the goods and people between the many cities lining the Bay.

C.7.1.2 Environmental Setting

C.7.1.2.1 *Land Jurisdiction and Uses*

230 kV Transmission Line

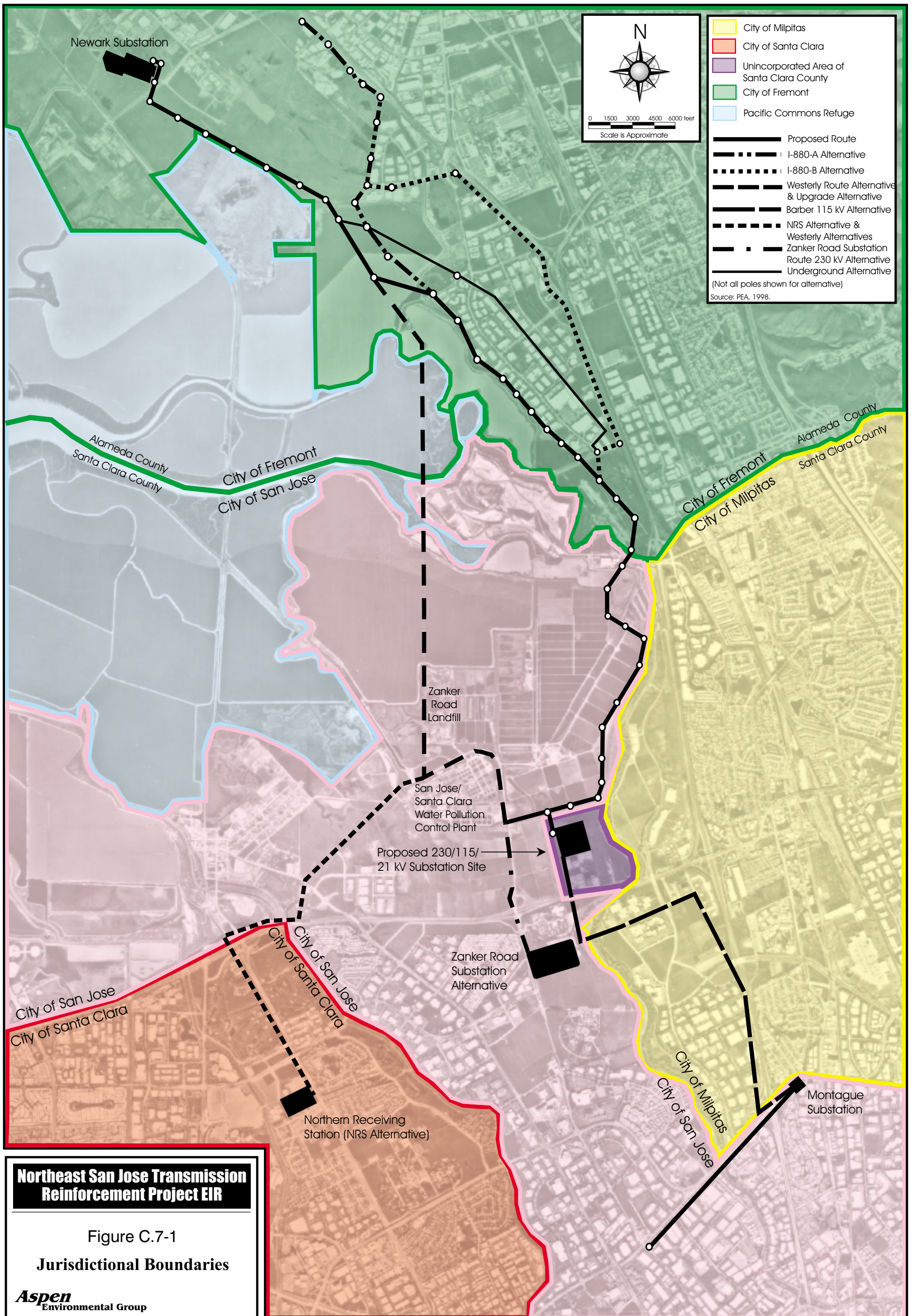
The Newark Substation and the northern two-thirds of the proposed transmission line alignment, extending from MP 0.0 to about MP 4.9, are located in the City of Fremont. The Fremont incorporation limits and other jurisdictional boundaries are shown on Figure C.7-1, while the land uses described below are mapped on Figure C.7-2. The existing Newark Substation is situated on a parcel of 167 acres owned by PG&E Co., about 26 acres of which is fenced. A separate fenced 3-acre distribution substation is located on the same large parcel at the northwestern corner of the intersection of Auto Mall Parkway and Boyce Road. The Newark Substation is surrounded by open space grassland, which is sometimes used as cattle pasture. The Tri-Cities Waste Management Landfill is

located at the west end of Auto Mall Parkway, about 1,500 feet southwest of the substation. Office development, including a large high technology office building, is located east of the substation, along Auto Mall Parkway. Heavy industrial uses are located to the north and northeast of the substation, including a PG&E Co. Fremont Materials Distribution Center and General Construction Depot immediately to the north, on Weber Road. A large office/light industrial building is immediately south of the substation, on the south side of Auto Mall Parkway. To the east of this building is a large office and distribution center, which extends to the south along Nobel Drive. Southeast of the substation is Auto Mall Circle, which is lined with 11 auto dealerships. The Auto Mall is surrounded by a large tract of land proposed for development with a variety of industrial and commercial uses, to be known as Pacific Commons. A portion of this development is already under construction at the south end of Nobel Drive. The District Development Plan that is currently being considered for adoption by the City as part of the Pacific Commons development includes a train station at the west end of Auto Mall Parkway.

Three transmission lines with lattice-type towers and one wood pole line originate at the main substation and travel southeast through undeveloped open space. The proposed project alignment would parallel this existing transmission line corridor for approximately 2 miles and would be located about 60 feet west of it. From the Newark Substation (MP 0.0), the alignment heads west, obliquely crossing Auto Mall Parkway in front of the large light industrial building south of the substation. As the alignment turns southeast from MP 0.3, it borders this industrial area on the west for about 1,000 feet, with undeveloped open space lying to the west of the alignment. Open space lies on both sides of the alignment from about MP 0.55 to MP 1.7. At about MP 0.9 the alignment lies adjacent to the eastern boundary of the Warm Springs Seasonal Wetland, under the jurisdiction of the Don Edwards San Francisco Bay National Wildlife Refuge. The alignment remains adjacent to the Refuge until MP 1.7, where the Refuge boundary heads due south. From approximately MP 0.75 to approximately MP 1.45, a flood control channel (Line N-1) maintained by the Alameda County Flood Control and Water Conservation District is located immediately west of the alignment. At about MP 1.45, the channel turns north, crossing the proposed project alignment.

At MP 1.7 the proposed project alignment crosses the western end of Cushing Road, then traverses salt production ponds owned by Cargill Corporation. High technology office and light industrial development is located about 1,000 feet east of the alignment at this point, along Cushing Parkway and around Northport Loop.

The proposed project alignment diverges from PG&E Co.'s existing transmission line corridor at MP 2.2 and turns toward the southeast, continuing to cross salt ponds. South of MP 2.5, the alignment crosses a slough connected to Agua Caliente Creek, which is also a flood control channel (Line E), then follows the western edge of Bayside Business Park to MP 4.1. Transmission line support towers would be located in the parking lot. The business park is bordered on the west by a wetland pond created as mitigation for development of the business park. A levee enclosing the pond on the west is topped by a recreational walking trail that comprises a segment of the partially completed regional Bay Trail.



Northeast San Jose Transmission Reinforcement Project EIR

Figure C.7-1
Jurisdictional Boundaries

Aspen
Environmental Group

Figure C.7-2 Existing Land Use (must start odd – 2 pages)
11x17

Page 2

Although no support towers would be located in these wetlands, transmission lines would pass overhead in some locations. The Newby Island Landfill is about one-half mile west of MP 4.1.

South of MP 4.1 the alignment crosses the old Fremont Airport site, which currently consists of grassland and an abandoned runway. An extension of Fremont Boulevard is planned to cross this site; the alignment would be placed on the west side of the right-of-way. The road extension is planned to provide access to a proposed expansion of Bayside Business Park that would occupy the area between the extended Fremont Boulevard and I-880. Land west between the road extension on the east and Coyote Creek on the west would be developed with wetland ponds as mitigation for the business park project. A segment of the Bay Trail is also planned to pass through the old airport site and then follow alongside Coyote Creek south of Dixon Landing Road.

The proposed project alignment crosses Coyote Creek at about MP 4.8, passing out of Fremont's jurisdiction and into the City of San Jose. Just south of the creek crossing, the alignment passes the east side of the Recyclery, a recycling and composting facility operated by Browning-Ferris Industries. From about MP 4.9 to MP 6.7 the alignment passes adjacent to the east side of the San Jose/Santa Clara Water Pollution Control Plant (WPCP) sludge drying ponds. To the east of this segment lies Coyote Creek flanked by undeveloped open space. Unpaved access roads are on top of the levees that confine Coyote Creek on both sides. East of the creek is fallow agricultural land that is planned for development with commercial and light industrial/office uses.

At MP 6.7 the alignment makes a 90-degree turn to the west, running along the southern edge of the sludge ponds. South of the ponds is currently fallow agricultural land. The Zanker Road Landfill is located about 4,000 feet northwest of MP 6.7, on the west side of the WPCP sludge ponds. The alignment again heads south at MP 7.0 passing through currently fallow agricultural land until MP 7.2, at which point the alignment turns east and enters the proposed Los Esteros Substation site, currently occupied by greenhouses, row crops, and residences occupied primarily by agricultural workers. Just east of MP 7.2 the alignment passes into the jurisdiction of Santa Clara County. The proposed Los Esteros Substation site and the land eastward to Coyote Creek comprises a small rectangular island of unincorporated County land surrounded by the City of Milpitas to the east and the City of San Jose on all other sides.

Proposed Trimble-Montague 115 kV Upgrade. This portion of the proposed project is entirely within the City of San Jose, though the eastern half of the alignment is just south of the border between San Jose and the City of Milpitas. The east end of the alignment would start at the existing Montague Substation, which is bordered on the east by a gas station with car wash and auto detailer and on the west by I-880 and a northbound off-ramp. To the south is a mobile home park, with several units immediately adjacent to the southwest end of the substation site. An office building abuts the southeast side of the substation, with more office buildings lining Harris Way, to the east of the substation. Technology offices are also on the north side of the Montague Expressway, catty-corner from the substation, while directly to the north is a single-family residential subdivision shielded by a soundwall.

Heading west along the alignment, which would be along the south side of the street, a high-rise hotel is on the north side of Montague, immediately west of I-880, with an office park to the west of the hotel, and another one on the south side of Montague. A gas station/car wash is on the southwest corner of Montague and McCarthy Boulevard/O'Toole Avenue, followed (on the west) by a one-story multimedia office complex. High technology offices are also on the northwest corner of the intersection.

Continuing west, the alignment crosses Coyote Creek, then is lined on the south side of Montague by a complex of large Bekins Moving and Storage buildings. On the north side of Montague between the creek and Seely Avenue there is agricultural land planted with grape vines and row crops. West of Seely Avenue are more high technology office buildings, both east and west (along Trimble) of the point where the Montague Expressway splits off to the north. Bekins storage buildings continue on the south side, extending past Junction Avenue. The remainder of the alignment is lined by technology offices on both sides of Trimble Avenue.

C.7.1.2.2 Recreational Uses

Existing and proposed recreational uses are shown on Figure C.7-3. Recreational opportunities in the vicinity of the proposed 230 kV Transmission Line alignment and substations are very limited. As previously mentioned, an unpaved hiking trail is located on top of the levee enclosing the wetland mitigation ponds to the west of the Bayside Business Park. This trail originates east of MP 2.7, at Fremont Boulevard, just north of West Warren Avenue, and terminates at the south end of the business park, to the east of MP 4.1. The Don Edwards San Francisco Bay National Wildlife Refuge also provides recreational opportunities in the vicinity of the transmission line alignment. The refuge is west of the proposed project alignment from about MP 0.9 to about MP 6.6. However, trails within the refuge are a considerable distance from the alignment—generally more than a mile. No other existing recreational facilities were identified in the vicinity of the 230 kV alignment.

A park is located north of the Trimble-Montague 115 kV Upgrade alignment, though it is too far away to be affected by the proposed project. Pinewood Park is a neighborhood park located about 1,600 feet north of the Montague Substation. The alignment also crosses a *de facto* recreational hiking trail located on top of the west levee of Coyote Creek. Although currently not an officially sanctioned trail, this packed gravel access road is widely used by hikers and joggers, and is intended for ultimate inclusion in the City's trail system. For the crossing of Montague Expressway, the trail drops down to creek level and crosses under the bridge spanning the creek, then climbs back to the top of the levee.

Although existing recreational uses are limited, a number of new recreational facilities are planned or proposed along or near the proposed project alignment. The Juan Bautista de Anza National Historic Trail is a multi-use recreational trail that is a National Park Service unit; a portion of the trail would pass through the project area and could potentially be affected by the proposed project. The historic trail is discussed in Section C.7.1.3.1, Federal Regulations.

Placeholder for Figure C.7-3 Existing and Proposed Recreational Facilities 11 x 17 (2 pages)

Page 2 for figure page 2 of 2

Portions of the project alignment would also cross or pass adjacent to segments of the Bay Trail, a partially completed, 400-mile-long recreational ring around San Francisco Bay. This trail is discussed in Section C.7.1.3.3, Regional/Local Regulations. A park proposed by the City of Fremont is also discussed in this section.

C.7.1.2.3 Other Sensitive Land Uses

Sensitive receptors are generally defined as land uses with population concentrations that would be particularly susceptible to disturbance from dust, noise, vibration, air pollutant concentrations, or other disruptions associated with project construction and/or operation. They typically include schools, day care centers, libraries, hospitals, residential care centers, parks, and churches. Although there are no sensitive receptors in the vicinity of the 230 kV transmission line alignment, there are a number of residences on and immediately south of the Los Esteros Substation site. In addition there are two residences on the agricultural land between the substation site and Coyote Creek. One residence is immediately north of Alviso-Milpitas Road and immediately west of Coyote Creek, about 1,900 feet southeast of the substation site. The other, surrounded by agricultural outbuildings, is about 1,300 feet southeast of the substation site.

Sensitive land uses are more numerous near the east end of the Trimble-Montague 115 kV Upgrade. Several mobile homes abut the southern border of the Montague Substation. These homes are part of the Casa del Lago development, a gated community with 618 mobile home units accessed from Oakland Road. Additional residential development is across from the substation to the north of the Montague Expressway. This neighborhood of single-family homes is sheltered behind a tall soundwall along Montague. Within the neighborhood is the Pearl Zanker Elementary School on Fallen Leaf Drive and Greenwood Way, approximately 900 feet north of the Montague Substation. As noted above, Pinewood Park is also in this neighborhood, approximately 1,600 feet north of the substation. Another potentially sensitive receptor near the proposed Trimble-Montague 115 kV Upgrade is the Beverly Heritage Hotel, located on the north side of the Montague Expressway on the west side of I-880.

C.7.1.3 Applicable Regulations, Plans, and Standards

Different portions of the proposed project would be located within the planning jurisdictions of two cities — Fremont and San Jose — and Santa Clara County. Due to its close proximity to San Francisco Bay, a portion of the alignment would be subject to San Francisco Bay Conservation and Development Commission jurisdiction. The preferred alignment would also pass immediately adjacent to the San Francisco Bay National Wildlife Refuge and would pass through an area that is planned for future inclusion in the refuge; the project would therefore be subject to plans and policies applicable to the refuge, administered by the U.S. Fish and Wildlife Service. The CPUC will consider compliance with local regulations as part of the CEQA process, and will encourage PG&E Co.'s compliance with local regulations to the extent feasible. Therefore, both the legally binding federal and State regulations and the non-binding local regulations are discussed in this section. The CPUC will consider the consistency

of the proposed project with local plans and policies during review of this EIR and prior to making a decision on whether or not to approve the proposed project or one of its alternatives. The detailed analysis of policy consistency is included in Appendix 3, but summarized in Table C.7-1 below.

Table C.7-1 Land Use Policy Consistency

Section/ Policy No.	Policy Statement	Consistency Determination
Bay Conservation and Development Commission (BCDC)		
Water Quality Policy 1	To the greatest extent feasible, the Bay marshes, mudflats, and water surface area and volume should be maintained and, whenever possible, increased. Fresh water inflow into the Bay should be maintained at a level adequate to protect Bay resources and beneficial uses. Bay water pollution should be avoided.	Consistent. While the pedestals supporting the tower structures located in marshes and salt flats would reduce the water surface area, the number of such structures would be limited, and the amount of aerial surface would be extremely limited relative to the areas in which the structures would be located. The proposed project would not substantially alter water surface or volume, and would therefore be consistent with this policy
Water Quality Policy 3	Shoreline projects should be designed and constructed in a manner that reduces soil erosion and protects the Bay from increased sedimentation through the use of appropriate erosion control practices.	Consistent. As discussed in detail in Section C.5, Geology, Soils, and Paleontology, and Section C.6, Hydrology and Water Quality, an Erosion and Sedimentation Control Plan would be developed for the project that would stipulate appropriate construction measures to control erosion and sedimentation. Operation of the project would not result in soil erosion. The proposed project would therefore be consistent with this policy
Water Quality Policy 4	Polluted runoff from projects should be controlled by the use of best management practices in order to protect the water quality and beneficial uses of the Bay, especially where water dispersion is poor and near shellfish beds and other significant biotic resources. Whenever possible, runoff discharge points should be located where the discharge will have the least impact. Approval of projects involving shoreline areas polluted with hazardous substances should be conditioned so that they will not cause harm to the public or the beneficial uses of the Bay.	Consistent. The potential for polluted runoff during construction would be controlled by implementation of an Erosion and Sedimentation Control Plan, as discussed above. Operation of the project would not generate polluted runoff water. The proposed project would be consistent with this policy.
Water Surface Area and Volume Policy 1	The surface area of the Bay and the total volume of water should be kept as large as possible in order to maximize active oxygen interchange, vigorous circulation, and effective tidal action. Filling and diking that reduce surface area and water volume should therefore be allowed only for purposes providing substantial public benefits and only if there is no reasonable alternative.	Consistent. While the pedestals supporting the tower structures located in marshes and salt flats would reduce the water surface area, the number of such structures would be limited, and the amount of aerial surface would be extremely limited relative to the areas in which the structures would be located. The proposed project would not substantially alter water surface or volume, and would therefore be consistent with this policy
Water Surface and Volume Policy 2	Water circulation in the Bay should be maintained, and improved as much as possible. Any proposed fills, dikes, or piers should be thoroughly evaluated to determine their effects upon water circulation and then modified as necessary to improve circulation or at least to minimize any harmful effects.	Consistent. Refer to the analysis of Water Quality Policy 1, above. As noted therein, the amount of fill within the Bay would be extremely limited and would not affect water circulation in the Bay in any substantial manner. The proposed project would be consistent with this policy.
Marshes and Mudflats Policy 1	Marshes and mudflats should be maintained to the fullest possible extent to conserve fish and wildlife and to abate air and water pollution. Filling and diking that eliminate marshes and mudflats should therefore be allowed only for purposes providing substantial public benefits and only if there is no reasonable alternative. Marshes and mudflats are an integral part of the Bay tidal system and therefore should be protected in the same manner as open water areas.	Consistent. Refer to the analysis of Water Quality Policy 1, above. As noted therein, the amount of fill within the Bay would be extremely limited and would not eliminate any marshes or mudflats from the Bay. The proposed project would be consistent with this policy.

Section/ Policy No.	Policy Statement	Consistency Determination
Marshes and Mudflats Policy 2	Any proposed fills, dikes, or piers should be thoroughly evaluated to determine their effects on marshes and mudflats, and then modified as necessary to minimize any harmful effects.	Consistent. The proposed project's potential impacts on marshes are evaluated in detail in this EIR and mitigation measures have been recommended to reduce and/or offset any potentially significant impacts. Accordingly, the proposed project would be consistent with this policy.
Marshes and Mudflats Policy 3	To offset possible additional losses of marshes due to necessary filling and to augment the present marshes: (a) former marshes should be restored when possible through removal of existing dikes; (b) in areas selected on the basis of competent ecological study, some new marshes should be created through carefully placed lifts of dredged spoils; and (c) the quality of existing marshes should be improved by appropriate measures whenever possible.	Consistent. Refer to the analysis of Marshes and Mudflats Policy 2, see above.
Safety of Fills Policy 1	The Commission has appointed the Engineering Criteria Review Board consisting of geologists, civil engineers specializing in geotechnical and coastal engineering, structural engineers, and architects competent to and adequately empowered to: a) establish and revise safety criteria for Bay fills and structures thereon; b) review all except minor projects for the adequacy of their specific safety provisions, and make recommendations concerning these provisions; c) prescribe an inspection system to assure placement of fill according to approved designs; and d) gather, and make available, performance data developed from specific projects. These activities would complement the functions of local building departments and local planning departments, none of which are presently staffed to provide soils inspections.	Consistent. The proposed project applicant will consult with the Commission to determine if review by the Engineering Criteria Review Board is warranted and, if so, will comply with the design safety recommendations of the Board. The proposed project would be consistent with this policy.
Safety of Fills Policy 2	Even if the Bay Plan indicates that a fill may be permissible, no fill or building should be constructed if hazards cannot be overcome adequately for the intended use in accordance with the criteria prescribed by the Engineering Criteria Review Board.	Consistent. The project applicant has previously constructed projects similar to the proposed project within marshes and other waters of the Bay without creating undue hazards with respect to structural stability. There is no reason to anticipate that the design for the proposed project will be unable to adequately address potential hazards to the satisfaction of the Engineering Criteria Review Board. The proposed project would therefore be consistent with this policy.
Dredging Policy 8	To protect underground fresh water reservoirs (aquifers): (a) all proposals for dredging or construction work that could penetrate the mud "cover" should be reviewed by the San Francisco Bay Regional Water Quality Control Board and the State Department of Water Resources; and (b) dredging or construction work should not be permitted that might reasonably be expected to damage an underground water reservoir. Applicants for permission to dredge should be required to provide additional data on groundwater conditions in the area of construction to the extent necessary and reasonable in relation to the proposed project.	Inconsistent. It is unknown at this time whether the drilling of piers and/or driving of piles would penetrate the Bay Mud cover over fresh water aquifers. Additional hydrological investigation will be required to identify and evaluate the characteristics of any groundwater aquifers beneath proposed tower locations underlain by Bay Mud. For purposes of this analysis, the proposed project is assumed to be inconsistent with this policy. Refer to Section C.7.2, Environmental Impacts and Mitigation Measures, for additional discussion.
Public Access Policy 1	In addition to the public access to the Bay provided by waterfront parks, beaches, marinas, and fishing piers, maximum feasible access to and along the waterfront and on any permitted fills should be provided in and through every new development in the Bay or on the shoreline, whether it be for housing, industry, port, airport, public facility, or other use, except in cases where public access is clearly inconsistent with the project because of public safety considerations or significant use conflicts. In these cases, access at other locations preferably near the project, should be provided whenever feasible.	Consistent. The proposed project would not impede any existing or probable future access to the Bay, and would therefore be consistent with this policy.

Section/ Policy No.	Policy Statement	Consistency Determination
Appearance, Design, and Scenic Views Policy 4	Structures and facilities that do not take advantage of or visually complement the Bay should be located and designed so as not to impact visually on the Bay and shoreline. In particular, parking areas should be located away from the shoreline. However, some small parking areas for fishing access and Bay viewing may be allowed in exposed locations.	Inconsistent. The visual impacts of the proposed project are evaluated in detail in Section C.12. While visual impacts have been identified, no mitigation measures are available to reduce those impacts. The proposed project would therefore create a visual impact on the Bay shoreline and would not visually complement the Bay. The proposed project would be inconsistent with this policy.
Appearance, Design, and Scenic Views Policy 10	Towers, bridges, or other structures near or over the Bay should be designed as landmarks that suggest the location of the waterfront when it is not visible, especially in flat areas. But such landmarks should be low enough to assure the continued visual dominance of the hills around the Bay.	Partially Consistent. The transmission towers for the proposed project are not intended to be landmarks for the Bay or shoreline. However, to those familiar with their locations, it may be possible to use them as navigation aids, either from watercraft in the Bay or from land-based positions. While their height will enable them to be seen at locations from which the shoreline may not be visible, their presence will not negate the visual dominance of the hills to the east. The proposed project is deemed partially consistent with this policy.
Other Uses of the Bay and Shoreline Policy 5	High voltage transmission lines should be placed in the Bay only when there is no reasonable alternative. Whenever high voltage transmission lines must be placed in the Bay or in shoreline areas: (a) New routes should avoid interfering with scenic views and with wildlife, to the greatest extent possible; and (b) The most pleasing tower and pole design possible should be used. High voltage transmission lines should be placed underground as soon as this is technically and economically feasible.	Consistent. This EIR evaluates a number of alternatives to the proposed project that would meet the objectives of the project. However, each reasonable alternative also entails the placement of high-voltage transmission lines in shoreline areas. As detailed elsewhere in this document, the proposed project has been designed so as to minimize potential impacts on wildlife and scenic views to the greatest extent possible. While constructing the entire transmission line underground is technically feasible, it would create much greater impacts on biological resources than the proposed project and would be prohibitively expensive. For these reasons, the proposed project would be consistent with this policy.
Other Uses of the Bay and Shoreline Policy 6	Power distribution and telephone lines should either be placed underground (or in an attractive combination of underground lines with streamlined overhead facilities) in any new residential, commercial, public, or view area near the shores of the Bay.	Consistent. As currently proposed, the proposed project would not include any underground segments due to prohibitive cost and unacceptable environmental impacts associated with construction. The proposed project would be inconsistent with this policy. However, an alternative is evaluated in this EIR that includes an underground segment of approximately 1.4 miles through Bayside Business Park. If the decision makers elect to implement this alternative, the project would be consistent with Policy 6.
City of Fremont		
General Plan Land Use Element: Industrial Design and Development Policy LU 3.7	Building heights shown in Table 3-6 are thresholds which shall be applied to all industrial projects. Thresholds indicate the maximum height permitted under conventional development. However, additional building height may be granted at the City's discretion based on one or more of the following criteria: <ul style="list-style-type: none"> ▪ Extraordinary benefits to the City ▪ Unique circumstances or special project design which would reduce its impact in comparison to other projects ▪ Unique building requirements of a particular industrial use. 	Consistent. The referenced Table 3-6 identifies a height limit of 40 feet for the General Industrial and Restricted Industrial land use categories. Although the General Plan is silent on the issue of height limits for structures other than buildings, as noted above, the City has indicated that these height limits are not applicable to transmission line support towers. However, even if the height limit is assumed to apply to the towers, one or more of the cited exemptions would seem to apply to the proposed project. The electric power provided by the proposed project can be seen as providing extraordinary benefits to the City. Although the towers would not strictly speaking constitute an industrial use, they possess unique requirements that cannot be realized with 40-foot structures. Accordingly, the proposed project would be consistent with Policy LU 3.7.
General Plan Land Use Element: Industrial Design and Development Policy LU 3.11	Portions of areas designated for industrial use west of I-880 are constrained due to underlying geologic conditions (high potential for liquefaction and/or shaking during an earthquake) and/or have biologically sensitive seasonal or other wetlands (see the Health and Safety and Natural Resource Chapters for locations). Early assessment of environmental constraints and resources should be conducted and submitted with applications for development. Early consultation with the City regarding the implications of the environmental assessment for proposed development is recommended.	Consistent. This EIR evaluates in detail the underlying geologic conditions and the biological resources, including wetlands, of the transmission corridors and substation location. The City was consulted early in the EIR process and the CPUC has responded to concerns raised by the City. Therefore, the proposed project would be consistent with Policy LU 3.11.

Section/ Policy No.	Policy Statement	Consistency Determination
General Plan Land Use Element: Industrial Design and Development Policy LU 4.3	Development on land designated Institutional Open Space is limited to compatible recreational and community uses.	Consistent. The proposed project 230 kV transmission line alignment passes briefly through and area designated Institutional Open Space, between approximately MP 2.6 and MP 2.7. No tower structures would be located within this designation. Therefore, the proposed project would be consistent with this policy.
General Plan Land Use Element: Industrial Design and Development Policy LU 5.1	The public designations shall be applied when the public use of a site is different from surrounding land uses.	Would not affect consistency. The General Plan cites specific land uses that are generally designated Public, including utilities, where land is owned by the utility. As noted under Land Use Designations, the Newark Substation, owned by PG&E Co., is currently designated General Industrial. It is assumed that in order to maintain consistency with its own policy, the City will redesignate the substation site as Public at a future date. The proposed project would not affect consistency with Policy LU 5.1.
General Plan Open Space Element Policy OS 1.1.1	Land with environmental resources such as stream corridors shall be conserved.	Consistent. The proposed alignment passes Coyote Creek at approximately MP 4.8 and would parallel the creek from approximately MP 5.6 to MP 6.7, outside of Fremont's jurisdiction. The creek is protected by earthen levees along this portion of the alignment, and the support towers for the transmission line would be placed west of the levee. The crossing of the creek would entail an overhead span of transmission lines supported by towers to the north and south of the creek crossing, well outside of the creek corridor. The alignment would also cross Agua Caliente Creek at about MP 2.6. The support towers for this crossing would be in the Bayside Business Park parking lot and in Cargill Salt Pond A23 and would not affect creek resources. Only existing roads would be used for maintenance purposes. The stream corridors would be preserved in their current condition and, therefore, the proposed project would therefore be consistent with Policy OS 1.1.1.
General Plan Open Space Element Policy OS 2.1.2	Land uses and activities in areas adjacent to the Wildlife Refuge must be compatible with, and, if possible, should promote the goals of the Refuge.	Inconsistent. The proposed project alignment would be adjacent to the San Francisco Bay National Wildlife Refuge between roughly MP 0.7 and MP 1.7 and between MP 2.7 and MP 4.1. The portion of the alignment from MP 0.7 to MP 1.7 is currently owned by Catellus Corporation and is part of the proposed Pacific Commons development currently under review by the City. If approved, a condition of approval would be dedication of a wetland preserve on the property that would ultimately be deeded to the National Wildlife Refuge. The transmission line alignment would pass through this future addition to the refuge from about MP 1.2 to MP 1.7. Consequently, about 2.4 miles of the alignment would pass through or adjacent to the Wildlife Refuge. As discussed in more detail in Section C.3, Biological Resources, the presence of elevated power lines within or adjacent to the Wildlife Refuge would pose a flying hazard to migratory birds and waterfowl utilizing the Refuge. Construction of one or more support towers and access boardwalks in future refuge areas could adversely affect habitat and biological organisms. These uses and activities would not be compatible with the Wildlife Refuge; the proposed project would therefore be inconsistent with Policy OS 2.1.2.

Section/ Policy No.	Policy Statement	Consistency Determination
General Plan Open Space Element Policy OS 2.2.1	<p>The City shall take an active role in protecting wetlands. There shall be no net loss of wetlands as a result of development in Fremont.</p> <p>Implementation 1: Early assessment of environmental constraints and resources should be conducted and submitted with applications for development of projects in or adjacent to wetland areas. Early consultation with the City regarding the implications of the environmental assessment for proposed development is recommended. See Land Use Chapter discussion and Policy 3.11 in the Land Use Chapter.</p> <p>Implementation 2: Conditions of development approval shall include measures to protect wetlands, including long-term monitoring and maintenance programs as appropriate. Off-site mitigation should be used only if on-site mitigation is not feasible and if the loss of on-site wetlands is out-weighed by a specific public purpose. The replacement off-site mitigation site should be nearby.</p> <p>Implementation 3: Require that proposed development be compatible with wetlands, both in terms of the allowed uses, and in the arrangement of buildings, parking, landscaping, access, drainage, runoff, and other facilities on the parcel.</p>	<p>Consistent. As noted in the discussion on Policy LU 3.11, this EIR evaluates in detail the biological resources, including wetlands, of the transmission corridors and substation location. The City was consulted early in the EIR process and the CPUC has responded to concerns raised by the City. However, the activities surrounding construction of tower structures between Mileposts 0.0 and 1.7 could affect seasonal wetlands for a short time, but impacts would not be significant with implementation of Mitigation Measure B-1. Therefore, the proposed project would be consistent with this policy.</p>
General Plan Open Space Element Policy OS 2.4.1	<p>The City will give special consideration to protecting natural and historic elements in approving designs for new development. Developments should maximize preservation of natural waterways, landmark and heritage trees, wildlife habitats, and other natural and historic features and provide for their protection and enhancement during and after construction. Proposed developments should include physical and visual access to natural features and historical sites.</p>	<p>Consistent. The proposed project has been designed so as to minimize intrusion into natural waterways and wildlife habitats. As described in detail in Section C.3, Biological Resources, where potential impacts may occur on the natural environment through implementation of the proposed project, Mitigation Measures B-1 through B-6 have been recommended to reduce those impacts to less-than-significant levels. Accordingly, the proposed project would be consistent with Policy OS 2.4.1.</p>
General Plan Open Space Element Policies OS 2.5.2 and 2.5.3	<p>OS 2.5.2: Provide public access to major trails, with appropriate staging areas and parking where feasible. Public access points shown on the General Plan are approximate locations. Specific locations of those access points will be determined as part of project approval and shall be provided in new development. Where access is provided, (either as required or as part of project designs), site and building design adjacent to the access point or trail shall also provide for sufficient privacy and a clear boundary between public access and private uses.</p> <p>Policy OS 2.5.3: The City shall use a variety of resources in completing its trail system.</p> <p>Implementation 1: Work with other public agencies to develop paths on existing rights-of-way, such as creeks, flood control channels, Hetch Hetchy and South Bay Aqueduct rights-of-way, and PG&E Co. power line easements, where needed to close gaps.</p> <p>Implementation 3: Require new development to dedicate right-of-way for trails where they are indicated on the General Plan map. The location of trails shown in the Hill Area which do not already exist are conceptual. Exact trail locations will be determined when development projects are proposed.</p>	<p>Consistent. As noted in the discussion of Fremont land use designations, the proposed project alignment closely parallels a bicycle and foot trail designated on the General Plan land use map, and crosses it in several locations. PG&E Co. will cooperate with the City to make its maintenance roads available for public trail use, as appropriate and in accordance with restrictions applicable to the National Wildlife Refuge. The proposed project would be consistent with this policy.</p>

Section/ Policy No.	Policy Statement	Consistency Determination
General Plan Open Space Element Policy OS 2.6.1	The City supports the ABAG Bay Trail, the "Bay Ridge Trail" (East Bay Regional Park District Garin to Mission Peak Trail), Niles Canyon regional trail, and Wildlife Refuge trails. Implementation 1: Assure sufficient right-of-way and improvements for the ABAG Bay Trail along its proposed alignment in Fremont.	Consistent. As currently planned, the Bay Trail would cross under the proposed alignment several times within Fremont's jurisdiction, as shown on Figure C.7-3 (see Section C.7). The trail would also parallel the alignment along the west side of Bayside Business Park and a spur segment would follow the transmission corridor from about MP 0.3 to approximately MP 1.0. PG&E Co. will cooperate with the City of Fremont in providing recreational access along its right-of-way. The proposed project would be consistent with this policy.
General Plan Natural Resources Element Policy NR 1.1.1	Whenever feasible, natural and semi-natural wetland areas, including riparian corridors, vernal pools and their wildlife habitat shall be preserved or impacts minimized. Implementation 1: Development encroaching on wetland areas, including lakes, ponds, marshes, and vernal pools shall be discouraged. Any development plans for areas that may affect the riparian corridor shall provide for maximum retention of natural plant formations and natural topographic features such as drainage swales and streams.	Consistent. The proposed project has been designed so as to minimize intrusion into wetlands, waterways, riparian corridors, and other wildlife habitats within the transmission corridor. As described in detail in Section C.3, Biological Resources, where potential impacts may occur on the natural environment through implementation of the proposed project, mitigation measures have been recommended to reduce those impacts to less-than-significant levels. Accordingly, the proposed project would be consistent with Policy NR 1.1.1, the guiding goal and objective, and Implementation 1.
General Plan Natural Resources Element Policy NR 2.2.4	Avoid disruption of grassed and naturalized areas known to provide groundnesting for endangered, threatened or candidate animals.	Consistent. As discussed in Section C.3, special status wildlife species may be present in some locations along the transmission line corridor. To the extent feasible, the proposed project would avoid disturbance of sensitive groundnesting areas. Where the proposed project could potentially cause impacts to protected species, Mitigation Measures B-2 and B-3 have been proposed to avoid or reduce the impacts to less-than-significant levels. Therefore, the proposed project would be consistent with this policy.
General Plan Natural Resources Element Policy NR 4.1.1	Consider mineral resource values prior to approval of land uses in the vicinity of the mineral resource area that could affect the future availability of the resource. Implementation 2: Advise Planning Commission and City Council of mineral resource deposits for any development project proposed within approximately 100 yards of the identified resource. Evaluate impact of project on the resource during any project review or environmental assessment process.	Consistent. The project alignment would pass through several producing salt ponds managed by Cargill Corporation. Salt is considered one of the City's important mineral resources. It is anticipated that three twin-legged support towers would be constructed within salt ponds A22 and A23. Construction of the towers would temporarily disturb the salt beds in a limited area. Two 5-foot by 5-foot pedestals supporting each tower would protrude above the salt flats, thus displacing a small amount of salt production area. Relative to the area dedicated to salt production, this loss would be insignificant. The proposed project would not substantially affect future salt production. The potential impact of the proposed project on this mineral resource was previously evaluated in the Supplemental Proponent's Environmental Assessment (September 1999). Therefore, the proposed project would be consistent with Policy NR 4.1.1 and Implementation 2.
General Plan Natural Resources Element Policy NR 5.1.1	Promote continued productive agricultural production in areas not proposed for urban development.	Consistent. Although the salt production ponds constitute a mineral resource, they are considered an agricultural land use by the City and are designated Agriculture on the General Plan Land Use Map. The proposed project would not affect production in the salt ponds, and therefore would be consistent with Policy NR 5.1.1.
General Plan Natural Resources Element Policy NR 6.3.2	Appropriate control measures shall be required to limit erosion during and immediately subsequent to new construction.	Consistent. The proposed project would contain appropriate erosion and sedimentation control measures to limit erosion during and following construction, as described in Section C.6, Hydrology and Water Quality. The proposed project would therefore be consistent with Policy NR 6.3.2.

Section/ Policy No.	Policy Statement	Consistency Determination
General Plan Natural Resources Element Policy NR 13.1.1	Seek permanent protection of unique visual elements within the City. Minimize any negative development impacts on the visual characteristics of the resource when permanent protection is not feasible. Implementation 1: Prepare and adopt guidelines for visual impact assessments. Conduct a visual impact assessment of any proposed public or private project on an identified visual resource. Mitigate negative visual impacts to the degree feasible.	Consistent. This EIR contains a visual impact assessment of the proposed project (see Section C.12). As noted therein, the proposed project would result in significant visual impacts on the Bay lands in which the project would be located. Accordingly, the proposed project would be inconsistent with Policy NR 13.1.1, but because visual impacts would be mitigated to the degree feasible, the proposed project would be consistent with Implementation 1.
General Plan Natural Resources Element Policy NR 13.3.1	Reduce the visual impacts of signs, utility lines and poles. Implementation 2: Continue to promote undergrounding of utilities, and require undergrounding of utilities in new development.	Consistent. The power line support towers have been designed to minimize visual impacts to the greatest extent practical while still providing sufficient structural support. The one- and two-leg structures are substantially less visually intrusive than used on many existing 230-kV transmission lines, such as the 230-kV Newark-Metcalf transmission line, which is supported on four-legged towers with multiple cross-braces. While the City supports undergrounding of the proposed transmission line, the cost would be prohibitive and, within the present alignment, would create much greater impacts on vegetation, wildlife, and wildlife habitat. The proposed project does not represent new development, but rather necessary infrastructure to support existing and anticipated development in the project area. Based on the above considerations, the proposed project would be consistent with Policy NR 13.3.1 and Implementation 2.
General Plan Natural Resources Element Policies NR 14.1.1 and NR 14.1.2	NR 14.1.1: The following routes are designated scenic routes for the City of Fremont: I-680, State Route 84 through Niles Canyon, State Route 84 from the western City limits to I-880, Mission Boulevard, Paseo Padre Parkway, Fremont Boulevard, Mowry Avenue, Stevenson Boulevard, Warm Springs Boulevard, and Washington Boulevard. The BART alignment is also considered a scenic route (see Figure 9-9). NR 14.1.2: The impacts of development on the scenic character of scenic routes and on the routes' visual access to scenic resources shall be considered prior to approval of industrial and commercial projects adjacent to scenic routes. Implementation 1: Visual impact assessments shall be conducted for projects over two stories high adjacent to a scenic route. Guidelines for scenic impact assessment shall be prepared. Implementation 2: Proposed uses that could have a negative impact on the quality of the visual character of an area adjacent to a scenic route shall be required to screen or in other ways limit the visual impacts of the use.	Consistent. The proposed project transmission towers and lines would be visible from I-880, one of the City's designated scenic routes, and may be visible from other designated scenic routes. (The referenced General Plan Figure 9-9 indicates that Fremont Boulevard is designated a scenic route only east of I-880. Although I-880 is not included in the list of scenic routes in Policy NR 14.1.1, it is shown as such on General Plan Figure 9-9.) The visual impacts of the proposed project are addressed in detail in Section C.12. The options for reducing the visual impacts of a transmission line are limited. However, the support towers would be painted gray, which would help them to blend into the shoreline environment to the greatest degree possible. Since visual impacts have been assessed and reduced to the extent feasible, the proposed project would be consistent with Policy NR 14.1.2 and the supporting implementation measures.
General Plan Health and Safety Element Policy HS 1.1.2	Require proposed new development in areas of potential geologic hazard identified in Figure 10-1, Figure 10-3, and Figure 10-5 of this General Plan to evaluate geologic hazards and sufficiently mitigate hazards through site planning, appropriate construction techniques, building design and engineering.	Consistent. Figure 10-3 of the General Plan shows the project alignment to be within areas of groundshaking potential ranging from moderate to severe and in areas of liquefaction potential ranging from variable to moderate to high. The geologic hazards associated with the proposed project are evaluated in detail in Section C.5, Geology, Soils, and Paleontology, and measures are recommended to mitigate identified potential impacts. Therefore, the proposed project would be consistent with Policy HS 1.1.2.

Section/ Policy No.	Policy Statement	Consistency Determination
<p>General Plan Health and Safety Element Policy HS 2.1.1</p>	<p>Locate development to minimize potential damage resulting from seismic activity.</p> <p>Implementation 1: Continue to comply with the provisions of the Alquist-Priolo Act and other seismic safety criteria established by the City of Fremont. Required geotechnical studies shall include a determination of the location of a fault (if on site), and an analysis of the site response to potential ground shaking. Continue to prohibit construction of structures for human occupancy (as defined by the State) within at least 50 feet of an identified fault trace as required by State law. In addition, the construction of attached garages within 50 feet of an identified fault trace is prohibited.</p> <p>Implementation 2: Require site specific soils, geologic and/or geotechnical engineering studies prior to development approval of sites in areas identified with moderate to high (S4) or Severe Shaking Potential (S5) shown on Figure 10-3 of the General Plan, Groundshaking and Liquefaction Potential Map.</p> <p>Implementation 3: Require site specific soils, geologic and/or geotechnical engineering studies prior to development approval of sites in areas identified as L3(w), L4 or L5 as shown on Figure 10-3 of the General Plan, Groundshaking and Liquefaction Potential Map.</p>	<p>Consistent. The proposed project alignment would be located in areas designated S4, S5, L4, and L5 on Figure 10-3. Site-specific geotechnical studies will be prepared for the project prior to construction. Therefore, the proposed project would be consistent with Policy HS 2.1.1 and the supporting implementation measures.</p>
<p>General Plan Health and Safety Element Policy HS 2.1.2</p>	<p>Maintain construction and soil engineering standards which minimize earthquake danger to building occupants.</p> <p>Implementation 1: Continue to require appropriate engineering and design mitigations for structures to minimize seismic hazards.</p>	<p>Consistent. As discussed in detail in Section C.5, Geology, Soils, and Paleontology, engineering and design mitigation measures have been recommended to minimize seismic hazards to the project. Therefore, the proposed project would be consistent with Policy HS 2.1.2 and Implementation 1.</p>
<p>General Plan Health and Safety Element Policy HS 2.1.3</p>	<p>Locate critical facilities and systems vital to the public health and safety (e.g., water, power and waste disposal systems, police and fire stations, hospitals, and communication facilities) away from areas of greatest land instability, and design such facilities to mitigate any seismic or geologic hazards associated with the development site.</p> <p>Implementation 2: Continue to require new roads, bridges and utility lines crossing active fault traces be designed and developed in a manner to minimize damage from seismic or geologic hazards.</p>	<p>Consistent. The proposed project would not cross any active faults and would be designed to mitigate site-specific seismic and geologic hazards. Therefore, the proposed project would be consistent with Policy HS 2.1.3 and Implementation 2.</p>

Section/ Policy No.	Policy Statement	Consistency Determination
City of Fremont		
General Plan Urban Service Area Policy 6	It is City, County and LAFCO policy that existing and future urban development should be located within cities. This policy should be implemented through the City's existing agreement with the County which requires that unincorporated properties within the Urban Service Area either annex to the City, if possible, or execute a deferred annexation agreement prior to approval of development. The City should also encourage the County and LAFCO to join in cooperative efforts to seek the annexation of urbanized County pockets within the Urban Service Area.	Consistent. Although the proposed project would not require approval by the City of San Jose or Santa Clara County, it is expected that the unincorporated Los Esteros Substation site would eventually be annexed to the City, in accordance with this General Plan policy and the referenced agreement with the County. Development of the substation site would likely accelerate annexation of unincorporated pocket within the City's Urban Service Area. The proposed project would be consistent with this policy.
General Plan Urban Design Policy 7	The City should require the undergrounding of distribution utility lines serving new development sites as well as proposed redevelopment sites. The City should also encourage programs for undergrounding existing overhead distribution lines. Overhead lines providing electrical power to light rail transit vehicles and high tension electrical transmission lines are exempt from this policy.	Exempt. The proposed project would entail construction of high voltage electrical transmission lines. The proposed project would therefore be exempt from this policy.
General Plan Urban Design Policy 11	<p>Non-residential building height, including all elements of a building whether occupied space or decorative feature, but not roof equipment or screening, should not exceed 45 feet except:</p> <ul style="list-style-type: none"> ▪ For structures other than buildings, where substantial height is intrinsic to the function of the structures and where such structures are located to avoid significant adverse effects on adjacent properties, height limits may be established in the context of project review. For communications structures (such as towers, antennae, and monopoles, but not buildings) located outside the Downtown Core Area and regulated by the Public Utilities Commission, maximum height may be 100 feet on sites with non-residential or non-urban land use designations, and 160 feet on sites with an existing PG&E Co. substation or high tension line corridor exceeding 200 kV, if all of the following criteria are met: <ul style="list-style-type: none"> -The site and structure are located to minimize public visibility. -The project provides visual amenities, such as landscaping, to off-set the potential visual impacts associated with the project. -There is adequate evidence that technical necessity requires greater height and, in the case of cellular facilities, the increase in height will result in a reduction in the number of future freestanding monopoles. -In the Communications Hill area, the maximum height for water storage tower/tanks is 150 feet. ▪ In accordance with the conditions set forth in the Alviso Master Plan, the maximum building height may be 90 feet for planned commercial and industrial development between the Water Pollution Control Plant lands and the Guadalupe River, and on the former Cargill landfill site. 	Consistent. Although the tower structures for the proposed project would all be located on sites with non-residential or non-urban land use designations, their substantial height is intrinsic to their function. Accordingly, they would normally be subject to height limits established by the City during project review. Therefore, the height limit that would normally be applicable to the transmission line has not been established. Accordingly, the proposed project would be consistent with Urban Design Policy 11.

Section/ Policy No.	Policy Statement	Consistency Determination
General Plan Urban Design Policy 24	New development projects should include the preservation of ordinance-sized and other significant trees. Any adverse affect [sic] on the health and longevity of such trees should be avoided through appropriate design measures and construction practices. When tree preservation is not feasible, the project should include appropriate tree replacement.	Consistent. The proposed project would not be considered the type of building development that is addressed in this and other Urban Design policies of the San Jose General Plan. However, while the proposed project would require the removal of ordinance-sized trees that would create safety hazards in close proximity to the transmission line, the project applicant would replace removed trees with appropriate substitutes. The proposed project would be consistent with this policy.
General Plan Parks and Recreation Policy 7	The City encourages the Santa Clara Valley Water District, school districts, the Pacific Gas and Electric Company and other public agencies and utilities to provide for appropriate recreational uses of their respective properties and rights-of-way. Consideration should be given to cooperative efforts between these entities and the City to develop parks, pedestrian and bicycle trails, other open space areas, and recreational facilities and programs.	Consistent. A Trails and Pathways Corridor along Coyote Creek, around the north end of the Water Pollution Control Plant sludge ponds, and west into the National Wildlife Refuge, is designated on the Scenic Routes and Trails Diagram of the General Plan. An existing unpaved access road follows this alignment; PG&E Co. would purchase a right-of-way for the transmission line and easement along the road from the City for maintenance access. While PG&E Co. is willing to cooperate in sharing its access road, the City is unlikely to allow public access to the sludge ponds bordering the road. However, a second access road lies immediately east of and parallel to the road, separated by a cyclone fence. This road would provide a safer and more viable trail alignment. Nonetheless, PG&E Co. will cooperate in allowing appropriate access to its maintenance roads for recreational uses. The proposed project would be consistent with this policy.
General Plan Trails and Pathways Policy 1	The City should control land development along designated Trails and Pathways Corridors in order to provide sufficient trail right-of-way and to ensure that new development adjacent to the corridors does not compromise safe trail access nor detract from the scenic and aesthetic qualities of the corridor.	Consistent. The proposed project alignment would closely parallel the City's designated Trails and Pathways Corridor along Coyote Creek, approximately between MP 5.6 and MP 6.7. However, the support structures would be placed on the Bayward side of the levees enclosing the sludge ponds operated by the WPCP, and would not conflict with the trail corridor. The proposed project alignment would also cross the trail corridor at about MP 4.9 but, again, no support tower would be placed within the trail right-of-way. The transmission lines would be placed sufficiently high over the trail that they would not intrude into the normal viewshed of trail users. While the periodic placement of the support structures outside the trail right-of-way would not be a positive aesthetic addition to the corridor, the number of poles would be limited (seven poles along a 1.1-mile transmission line segment), and the single- or double-pole design would minimize their visual intrusion. Furthermore, the scenic qualities of the trail corridor are not high when viewing to the west, due to the dominating presence sludge drying ponds. The proposed project would not affect the more scenic views to the east of the riparian corridor along Coyote Creek. For these reasons, the proposed project would be consistent with this policy.
General Plan Trails and Pathways Policy 2	When new development occurs adjacent to a designated Trails and Pathways Corridor, the City should encourage the developer to install and maintain the trail.	Consistent. The proposed project would not draw new people into the project area, which would occur with the type of urban development encompassed by this policy, such as new residential or commercial buildings. These types of development typically generate revenue from which a developer can contribute to the costs of constructing and maintaining a recreational trail. Such developments also consume land that precludes its incorporation into the trail corridor. None of these characteristics would apply to the proposed project. The project is therefore consistent with this policy.

Section/ Policy No.	Policy Statement	Consistency Determination
General Plan Trails and Pathways Policy 6	The incorporation of trails and pathways into lanes used for public and utility purposes is encouraged.	Consistent. Between approximately MP 5.4 and MP 6.7, the proposed project alignment would closely parallel an unpaved maintenance road used by WPCP personnel to access the sludge ponds. It is anticipated that the project sponsor would also utilize this road for infrequent (i.e., annual) transmission line inspection and maintenance. Between MP 5.6 and MP 6.7, this road follows the same alignment as the Trails and Pathways Corridor designated in the San Jose General Plan. It would be up to the City to coordinate with the WPCP in order to utilize the existing maintenance road for part of the future trail alignment. The proposed project would not preclude or discourage such use, and would therefore be consistent with this policy.
General Plan Hazards Policy 2	Levels of "acceptable exposure to risk" established for land uses and structures based on descriptions of land use groups and risk exposure levels are outlined in Figure 15, "Acceptable Exposure to Risk Related to Various Land Uses," and should be considered in the development review process.	Consistent. Land use Group 2 in the referenced Figure 15 includes "vital public utility facilities, such as electric transmission interties (500 kV), network ties (230 kV), and substations..." Group 2 land uses are rated as having an Extremely Low level of acceptable exposure to risk. The potential hazards of the proposed project are evaluated in Section C.9, Public Health, Safety, and Nuisance, and will be carefully considered by decision makers prior to deciding whether or not to approve the proposed project or one of its alternatives. Consequently, the proposed project would be consistent with Hazard Policy 2.
General Plan Soils and Geologic Conditions Policy 1	The City should require soils and geologic review of development proposals to assess such hazards as potential seismic hazards, surface ruptures, liquefaction, landsliding, mudsliding, erosion and sedimentation in order to determine if these hazards can be adequately mitigated.	Consistent. This EIR includes an assessment of soils and geologic hazards at substation and transmission line support tower locations. Additional detailed geotechnical studies will be prepared prior to initiating project construction. It is anticipated that appropriate design features, special structural requirements, and other mitigation measures will be identified to reduce potential geologic hazards to acceptable levels. Consequently, the proposed project would be consistent with this policy.
General Plan Soils and Geologic Conditions Policy 2	The City should not locate public improvements and utilities in areas with identified soils and/or geologic hazards to avoid any extraordinary maintenance and operating expenses. When the location of public improvements and utilities in such areas cannot be avoided, effective mitigation measures should be implemented.	Consistent. As noted in the discussion on Soils and Geologic Conditions Policy 1, site-specific geotechnical studies will identify potential soils and/or geologic hazards and recommend mitigation measures, including construction and design features, to reduce potential risks to acceptable levels. The proposed project would be consistent with this policy.
General Plan Soils and Geologic Conditions Policy 3	In areas susceptible to erosion, appropriate control measures should be required in conjunction with proposed development.	Consistent. The project sponsor will prepare an Erosion and Sedimentation Control Plan prior to initiation of construction. This Plan will identify appropriate measures to control erosion during and following construction. Therefore, the proposed project would be consistent with this policy.
General Plan Soils and Geologic Conditions Policy 6	Development in areas subject to soils and geologic hazards should incorporate adequate mitigation measures.	See the analysis of Soils and Geologic Conditions Policy 1, above.
General Plan Soils and Geologic Conditions Policy 8	Development proposed within areas of potential geological hazards should not be endangered by, nor contribute to, the hazardous conditions on the site or on adjoining properties.	Consistent. The mitigation measures for potential geological hazards that would be implemented as part of the proposed project would ensure that the project would not be endangered by nor contribute to hazardous conditions on the site or on adjoining properties. The proposed project would be consistent with this policy.

Section/ Policy No.	Policy Statement	Consistency Determination
General Plan Earthquake Policies 3, 4, and 5	<p>3: The City should only approve new development in areas of identified seismic hazard if such hazard can be appropriately mitigated.</p> <p>4: The location of public utilities and facilities in areas where seismic activity could produce seismic activity could produce liquefaction should only be allowed if adequate mitigation measures can be incorporated into the project.</p> <p>5: The City should continue to require geotechnical studies for development proposals; such studies should determine the actual extent of seismic hazards, optimum location for structures, the advisability of special structural requirements, and the feasibility and desirability of a proposed facility in a specified location.</p>	See the analysis of Soils and Geologic Conditions Policy 1, above.
General Plan Earthquake Policies 6 and 7	<p>6: Vital public utilities as well as communication and transportation facilities should be located and constructed in a way which maximizes their potential to remain functional during and after an earthquake.</p> <p>7: Land uses in close proximity to water retention levees or dams should be restricted unless such facilities have been determined to incorporate adequate seismic stability.</p>	Consistent. The primary purpose behind the construction and design features that would be incorporated into the proposed project would be to maximize the ability to resist damage from an earthquake and remain functional during and after an earthquake. The proposed project would be consistent with this policy.
Alviso Specific Plan Industrial/Non-Industrial Relationships Objective	Setbacks and buffers should be established to protect environmental resources (e.g., Coyote Creek) and "sensitive uses" (e.g., residential, day care, and school uses) from potential negative impacts of industrial use.	Consistent. The proposed Los Esteros Substation, which could be considered an industrial use, would be set back from Coyote Creek approximately 1,000 feet and would not result in any negative impacts on the creek. The proposed project would be consistent with this policy.
Alviso Specific Plan Industrial/Non-Industrial Relationships Policy 2	The Light Industrial areas located north of State Street and adjacent to Coyote Creek should mitigate potential negative environmental impacts to nearby natural resources.	Consistent. The proposed project substation that would be located on one of the referenced Light Industrial areas would not create negative impacts on nearby natural resources, such as Coyote Creek. Refer to Section C.3, Biological Resources, for a detailed discussion of potential project impacts on natural resources. The proposed project would be consistent with this policy.
Alviso Specific Plan Environmental Protection Policy 1	All new parking, circulation, loading, outdoor storage, utility, and other similar activity areas must be located on paved surfaces with proper drainage to avoid potential pollutants from entering the groundwater, Guadalupe River, Coyote Creek, or San Francisco Bay.	Consistent. Although the entire substation site would not be paved, a spill prevention containment and countermeasure pond would be installed within the substation to process all water runoff from the operating areas, thereby preventing pollutants from entering the groundwater or nearby Coyote Creek. Thus, the proposed project would comply with the intent of this policy and would be consistent with this policy.
Alviso Specific Plan Environmental Protection Policy 3	The riparian corridors adjacent to Coyote Creek and Guadalupe River should be preserved intact. Any development adjacent to the waterways should follow the City's Riparian Corridor Policies.	Consistent. The transmission line corridor would be well outside the riparian corridor of Coyote Creek and would have no potential to adversely affect the riparian habitat. The proposed project would be consistent with this policy.

Section/ Policy No.	Policy Statement	Consistency Determination
Alviso Specific Plan Environmental Protection Policy 5	To protect aquatic habitats that receive storm runoff, all new development must comply with adopted City Council policy entitled "Post-Construction Urban Runoff Management."	Consistent. The proposed project would comply with the provisions of the City's runoff management policy and would therefore be consistent with this policy.
Alviso Specific Plan Lands Outside of the Village Area Design Objective	Given the high visibility of most of this area, development should be attractive; should fit in the context of the larger community; and should reflect some of the elements and materials of seaside styles to contribute to Alviso's sense of place.	Partially Consistent. The Light Industrial area in which the Los Esteros Substation would be located is specifically referenced in the discussion of this Alviso Master Plan policy. The nature of the substation facilities precludes an attractive design that contributes to the community's sense of place. However, the site is well removed from the residential and office development in and around the Village area that comprises the heart of Alviso. The site is also near the large industrial site containing the treatment facilities for the San Jose/Santa Clara Water Pollution Control Plant. The substation would be consistent in appearance and use with this facility. The proposed project would be partially consistent with this policy.
Alviso Specific Plan Landscaping Policy 3	Landscaping should be used to screen unattractive uses and soften the effect of taller buildings due to the flood protection requirements.	Inconsistent. As presently proposed, the Los Esteros Substation would not include landscaping. The proposed project would be inconsistent with this policy. If landscaping is added to the project as mitigation and/or a condition of approval, other landscaping policies contained in the Alviso Master Plan would be relevant to the proposed project. Those policies are not addressed in this discussion.
Alviso Specific Plan Storm Drainage Policy 1	All new development projects should be evaluated to determine the possible need for additional storm drainage facilities.	Consistent. The proposed project's potential impact on Alviso's storm drainage facilities is evaluated in Section C.10 of this EIR. The proposed project would be consistent with this policy.
Alviso Specific Plan Sanitary Sewer Objective	Provide for the sanitary sewage needs of existing and future development within Alviso.	Consistent. Because the Los Esteros Substation would be an unattended, remote-controlled facility there would be no need for sanitary sewer facilities. The proposed project would therefore be consistent with this policy.
Alviso Specific Plan Energy Objective	Provide adequate electrical and gas service to support future development and encourage a program of energy conservation.	Consistent. The proposed project would ensure continued electrical energy supplies in the project area, including Alviso, and would therefore be consistent with and help further this Master Plan objective.
Alviso Specific Plan Existing Use Policy 1	Existing legal uses within the entire Alviso area may remain until a property owner wishes to change uses.	Consistent. The Los Esteros Substation site is currently devoted to agricultural and residential use. The property owners are hoping to sell the site for subsequent development as an electrical substation by PG&E Co.. Therefore, the proposed project would be consistent with this policy.

C.7.1.3.1 Federal Regulations

U.S. Army Corps of Engineers

The U.S. Army Corps of Engineers (USACE) has jurisdiction over all waters of the U.S., which include oceans, lakes, streams, wetlands, tributaries to navigable waters of the U.S., and other water bodies. Within San Francisco Bay, the USACE's jurisdiction extends to all bayshore areas at elevations lower than mean high tide, including currently dry wetlands that historically were below mean high tide. The USACE is legally charged with the administration of a variety of federal permits, including

the Section 404 permit required for the proposed project. See Section C.6, Hydrology and Water Quality, for an additional discussion of the Section 404 permit and the USACE's role in the permitting process.

U.S. Environmental Protection Agency

The U.S. Environmental Protection Agency (U.S. EPA) is charged with administering the Clean Water Act and the permitting system that includes the Section 404 permit required for the proposed project. The U.S. EPA developed, and revises as warranted, the environmental guidelines used by the USACE in its issuance and enforcement of Section 404 permits. The U.S. EPA retains oversight of the permitting process and can revoke a permit issued by the USACE.

U.S. Fish and Wildlife Service

Under the Fish and Wildlife Coordination Act of 1958, the USACE is required to consult with the U.S. Fish and Wildlife Service (USFWS) prior to issuing a Section 404 permit. The Act requires that all federal agencies consult with the USFWS, the National Marine Fisheries Service (NMFS), and state wildlife agencies (e.g., the California Department of Fish and Game) for activities that affect, control, or modify waters of any stream or other surface body of water.

Planned Recreational Uses

As mitigation for biological impacts of development of the Pacific Commons project (south of Auto Mall Parkway), the Catellus Corporation will create a preserve on a large portion of their land (see Figure B.6-2). This land will undergo wetlands and habitat restoration, and a conservation easement will be granted to the Don Edwards San Francisco Bay National Wildlife Refuge. When restoration is completed, land ownership will be transferred to the Refuge.

Juan Bautista de Anza National Historic Trail

In 1990 the U.S. Congress added the Juan Bautista de Anza National Historic Trail to the National Trail System, which is a federal network of trails that follow and commemorate original trails or routes of travel of national historical significance (National Park Service, 1996).

The Juan Bautista de Anza trail follows the route taken by its namesake when he led a group of Spanish colonists on a 1,800-mile trek from Sinaloa, Mexico to the San Francisco Bay Area, establishing an overland route into Alta (Upper) California.

The approved historic trail follows the route taken by Anza on his 1775/76 journey through what is today U.S. territory, encompassing 1,210 miles of the total 1,849-mile route. The trail corridor, defined by historical records and archaeological evidence, varies in width, depending on terrain and

details of the documented evidence. The trail includes an auto route along major roads and highways that follows or parallels the actual historic route. Historic and interpretive sites are to be located throughout the trail length to interpret the trail's significance. While many segments are on private land and therefore unavailable to the public, it passes through a variety of federal lands and includes more than 160 miles under the jurisdiction of the National Park Service, Bureau of Land Management, U.S. Forest Service, U.S. Fish and Wildlife Service, and Department of Defense (Navy, Army, Air Force). Four miles of the Anza route cross the San Francisco Bay National Wildlife Refuge within Santa Clara County.

In the proposed project area, the Anza Trail passes from Sunnyvale east into the Alviso Historic District, describes a loop from the Alviso Marina through the National Wildlife Refuge, and follows Grand Avenue to the Environmental Education Center for the wildlife refuge. The Anza Trail then follows Los Esteros Road to Zanker Road, heads east to Coyote Creek, then continues northward, sharing the alignment for the San Francisco Bay Trail, described in Section C.7.1.3.3. Passing into Fremont and Alameda County, the trail alignment heads well east of the proposed project alignment.

C.7.1.3.2 State Regulations

California Public Utilities Commission

The California Public Utilities Commission (CPUC) is charged with the regulation of certain investor-owned public utilities within the State of California, including electric transmission facilities. The CPUC regulates the terms and rates for service, equipment, practices, and facilities, as well as the issuance of stocks and bonds. As previously noted, the CPUC is the Lead Agency for CEQA review of the proposed project and has authority for project approval.

State Lands Commission

The Cargill Corporation leases salt ponds from State Lands Commission. The proposed project would require an amendment to the existing leases to permit the construction of support towers within the salt ponds.

C.7.1.3.3 Regional/Local Regulations

San Francisco Bay Conservation and Development Commission

By virtue of passing through salt ponds and marshlands, the proposed project would be subject to the policies of the San Francisco Bay Conservation and Development Commission (BCDC). Enacted in 1965, the McAteer-Petris Act established BCDC and charged it with preparing a plan for the long-term beneficial use and protection of San Francisco Bay. BCDC was initially established as a temporary agency; a 1969 amendment to the legislation made BCDC a permanent agency and incorporated the

policies contained in the San Francisco Bay Plan into State law. Those policies govern the placement of fill in the Bay and regulate development on its shoreline.

Regional Water Quality Control Board

The San Francisco Bay Regional Water Quality Control Board (RWQCB) is one of nine regional water quality control boards in the State under the direction of the State Water Resources Control Board. The RWQCB is responsible for maintaining and improving water quality in San Francisco Bay and its tributaries. The proposed project would require Section 401 Water Quality Certification from the RWQCB or a waiver of Waste Discharge Requirements. These requirements are discussed in more detail in Section C.6 (Hydrology and Water Quality).

Santa Clara County

General Plan - Land Use Designations

Los Esteros Substation. The proposed Los Esteros Substation is located in unincorporated Santa Clara County on a parcel surrounded by the City of Milpitas to the east and by the City of San Jose on all other sides. The site is within the Urban Service Area for the City of San Jose and hence does not have a County land use designation; the County defers to San Jose's designation for the site, which is Light Industrial. Sites within a city's Urban Service Area are generally annexed into that city as part of a development project when a Use Permit is required. While the City of San Jose intends to ultimately annex the site, the proposed project would be exempt from the requirement for a Use Permit, and annexation would not be part of the project.

Zoning

Los Esteros Substation. The substation site is zoned A-20S-bd, which is Agriculture with a minimum lot size of 20 to 160 acres, and a bd-drylands combining district. The minimum lot size depends on slope; because the substation site is level, the minimum lot size is 20 acres. The bd-drylands combining district is applied to drylands adjacent to or near San Francisco Bay to protect recreation values, scientific and educational resources, scenic features, open space, wildlife, the baylands ecology, and to protect people and property from the effects of inundation or earthquake. Development on parcels in a bd-drylands combining district require architectural and site approval and preparation of a geological report. The County has indicated that this overlay is being eliminated from the zoning code, but it was in effect at the time of publication of this EIR.¹ The purpose of the Agricultural zoning district is to preserve and encourage the long-term viability of agriculture on lands most suitable for agricultural production. The zoning district is also reserved for open space lands that may be suitable for future

¹ Bill Shoe, Planner III, Santa Clara County, personal communication, March 27, 2000.

urbanization, retaining them in open space until public facilities and services can be economically provided.

Section 4-1.1 of the *Santa Clara County Zoning Ordinance* stipulates the following general criteria for all uses permitted by right or by special approval in A zoning districts:

- a) The use must be compatible with and not substantially interfere with the continuation of any on or off-site agricultural operation
- b) The use should not be of a sensitive nature that would itself be negatively impacted by any existing or future agricultural use on nearby parcels
- c) The use will not require public urban services or infrastructure, or establishment of special districts or similar entities
- d) The use should be consistent with the rural image of the agricultural area
- e) Any new use should be sited to avoid taking the most viable agricultural lands out of active agricultural production (except as permitted elsewhere in this Article or in Article 36: Special Use Regulations)
- f) Any new use should not significantly inhibit the future development of adjacent parcels consistent with General Plan land use designations of nearby cities
- g) The use must clearly enhance the long term viability of local agriculture and agricultural lands.

The Zoning Ordinance identifies a list of agricultural and accessory uses permitted by right in Agricultural zones, as well as lists of uses allowed (a) subject to a special permit; (b) upon securing architectural and site approval; or (c) upon securing a Use Permit and architectural and site approval. Among the uses permitted upon securing architectural and site approval are minor public utilities, while major public utility uses are permitted upon securing a Use Permit and architectural and site approval. It should be noted that the zoning of the substation site is inconsistent with the City of Fremont's land use designation of the site as Light Industrial. It is County policy for its zoning to be consistent with city general plan designations for properties within their Urban Service Areas, and to re-zone any areas that are not consistent. While annexation of parcels within an Urban Service Area would normally be required as a part of a development application, because the proposed project is exempt from the City's and County's discretionary permit requirements, annexation will not occur as part of the proposed project. However, the City of San Jose may annex the substation site at any time, at its discretion.

City of Fremont

General Plan - Land Use Designations

230 kV Transmission Line. The northern two-thirds of the alignment (from MP 0.0 to approximately MP 4.8) lies within the City of Fremont. The Newark Substation property and the transmission alignment from MP 0.0 to about MP 0.25 is designated General Industrial, with a Commercial-Industrial Overlay. Although the *Fremont General Plan* establishes a 40-foot height limit in this land

use category, it provides for City discretion to allow greater heights for projects which provide extraordinary benefits to the City, have unique circumstances or special design that would reduce its impacts in comparison to other projects, or have unique building requirements of a particular industrial use. City staff indicated that these height limits do not apply to electric transmission towers.² In addition to a broad range of industrial, warehousing, distribution, and wholesaling uses allowed within the General Industrial designation, other uses may be allowed which achieve the intent of the General Plan. The Commercial/Industrial Overlay recognizes that land with convenient freeway access presents a special opportunity for retailers with a regional customer base, and is intended to allow large-scale, regional retail uses and shopping centers in industrial districts where the overlay has been mapped.

As the alignment crosses Auto Mall Parkway, it passes into land designated as Restricted Industrial (with Commercial-Industrial Overlay), which is reserved for a wide variety of research and development activities, but may include manufacturing if hazardous or nuisance characteristics are mitigated. It may also include warehousing, wholesaling, and distribution if they can be conducted in a manner consistent with the designated area. Large-scale retail and amusement uses are permitted as a conditional use on sites with convenient freeway access and where the proposed use is compatible with the purpose of the industrial area. The height limit for Restricted Industrial uses is the same as applies to General Industrial uses.

South of Cushing Parkway (MP 1.7), the alignment has no designation on the General Plan Land Use Map until about MP 2.6, although it is zoned for agriculture, as discussed below in the discussion on zoning. From about MP 2.6 to MP 2.7, the alignment is designated Institutional Open Space, which is reserved for publicly held land permanently committed to open space uses, including parks, agriculture, recreation, preservation of biological resource values, and natural open space. At MP 2.7 the alignment passes back into Restricted Industrial with a Commercial-Industrial Overlay. It remains in this land use designation, and borders an Institutional Open Space area, until just south of MP 4.1. Between MP 2.7 and MP 4.1, while all of the support towers would be placed on the Restricted Industrial land, at some locations the power lines would pass over the Institutional Open Space areas. South of MP 4.1 the alignment passes into Private Open Space, a designation applied to privately held land that is permanently committed via easement, deed restriction, or other encumbrance to open space uses, as defined above. The alignment remains in the Private Open Space designation to Fremont's incorporation limits, just south of MP 4.8.

A designated bicycle and foot trail runs east of and parallel to the proposed project alignment from about MP 0.3 to MP 1.7. This trail is intended to be part of the regional San Francisco Bay Trail, which is discussed below, under Planned Recreational Facilities. Just north of MP 2.7 the alignment crosses the designated trail, then again parallels it, this time along the east side of the trail. At about MP 4.1 the alignment passes west of a junction of three designated bicycle/foot trails, then continues

² Terrence Wong, Junior Planner, Development and Environmental Services Department, City of Fremont, personal communication, March 13, 2000.

adjacent to the west side of one of these trails until it passes out of Fremont jurisdiction at about MP 4.8.

Zoning

230 kV Transmission Line. From MP 0.0 to about MP 0.6, the transmission line alignment is zoned General Industrial, as is the existing Newark Substation at MP 0.0. As with the General Industrial land use designation, there is a 40-foot building height limit in this zoning district, which does not apply to transmission lines and support towers.³ The purpose of the General Industrial zoning district is to provide areas for general industrial, manufacturing, wholesale, and other related commercial and service uses needed by the City and the region.

South of MP 0.6 the alignment passes into land designated as Planned District, which is intended to encourage desirable developments of mixed land uses, varied dwelling types, or variations in siting. Although it passes briefly through another General Industrial district, the alignment remains primarily in Planned District zoning until MP 1.7. South of MP 1.7, the alignment is zoned Agriculture, with a Flood Combining district. Agricultural districts are intended to preserve land best suited for agricultural use, protecting it from the encroachment of incompatible uses. The Agricultural district has a minimum lot size of 5 acres. The Flood Combining district adds additional land use and structural regulations to the underlying zoning district that are intended to prevent property damage from flooding and to safeguard the health, safety, and general welfare of people in areas subject to flooding and inundation. Southeast of MP 2.5, approximately 350 feet of the alignment is zoned Open Space. The purpose of this district is to encourage the clustering of dwelling units in order to preserve and enhance the limited and reasonable use of open space lands as a limited and valuable resource.

From a few hundred feet northeast of MP 2.7 to MP 4.1, the alignment is zoned Restricted Industrial. This district provides areas devoted to research and development activities, such as product development, engineering, sales, administration, light manufacturing, and wholesale uses. It imposes the same height restrictions as the General Industrial district. South of MP 4.1, the alignment passes back into an Open Space (Flood Combining) district bordered on the east by land zoned Restricted Industrial. The remainder of the alignment within the City of Fremont is zoned Open Space (Flood Combining).

Park Proposal

A City recreation park is currently planned adjacent to the northern end of the transmission line alignment, immediately south of Auto Mall Parkway and west of the alignment. The park is included in a Planned District Development Plan that is currently being considered for adoption by the City as part of the proposed Pacific Commons development, an 840-acre business park, hotel/conference

center, and retail/commercial development. The park would provide athletic fields for such outdoor sports as soccer, football, cricket, and/or softball. The park would be between 29 and 60 acres, depending on requirements imposed by the Regional Water Quality Control Board for detention basins.

City of San Jose

General Plan - Land Use Designations

230 kV Transmission Line. North of SR 237, the portion of the proposed project alignment in the City of San Jose is within the planning area of the *Alviso Master Plan: A Specific Plan for the Alviso Community*. The alignment passes into San Jose's jurisdiction at about MP 4.8. From this point to MP 7.2, the alignment is designated Public/Quasi-Public on the Alviso Specific Plan land use map, as well as on the Alviso Planned Community Specific Land Use Plan (Map 12) of the General Plan. As defined in the Specific Plan and the Alviso Planned Community discussion in the General Plan, this designation is for public land uses such as libraries, community centers, schools, fire stations, post offices, and the City of San Jose/Santa Clara County Water Pollution Control Plant (WPCP) and its buffer lands. Lands used by particular private institutions are also designated Public/Quasi-Public, such as churches and the Alviso Family Health Clinic.

Los Esteros Substation. The Los Esteros Substation site is designated Light Industrial in the Alviso Specific Plan and on Map 12 of the General Plan. As defined in the Specific Plan and the General Plan, this designation allows a wide variety of industrial uses, such as warehousing, wholesaling, light manufacturing, and industrial service and supply businesses, as long as any hazardous or nuisance effects are mitigated. Only low-intensity uses (i.e., those with low employment densities) are permitted in the Light Industrial area near Coyote Creek in which the substation site would be located, and appropriate screening and landscaping is required, particularly along the SR 237 frontage. Coyote Creek must be protected from non-point source pollution and other potential negative environmental impacts.

Proposed Trimble-Montague 115 kV Upgrade. The Montague Substation site is designated Public/Quasi-Public on the San Jose land use map. This designation is similar to the Public/Quasi-Public designation in the Alviso Specific Plan. It is used for public land uses, including schools, colleges, corporation yards, homeless shelters, libraries, fire stations, water treatment facilities, convention centers, auditoriums, museums, governmental offices, and airports. It may also be used for some private entities, including churches, private hospitals and schools, and organizations providing public services, such as gas, electricity, water, and telecommunications. The Public/Quasi-Public designation is generally reserved for existing uses and future uses for which substantial planning has been completed. The substation site is bordered on the east by land designated Industrial Park and on

³ Terrence Wong, Junior Planner, Development and Environmental Services Department, City of Fremont, personal communication, March 16, 2000.

the south by Medium Density Residential, which permits 8 to 16 dwelling units per acre. The City of Milpitas is immediately to the north of the substation site.

West of I-880, the south side of the Montague Expressway, which contains the alignment for the upgraded transmission line, is designated Industrial Park, while the north side is within Milpitas' city limits until Coyote Creek. The Industrial Park designation is an exclusive industrial designation that permits a wide variety of light industrial uses as long as any hazardous or nuisance characteristics can be mitigated through design controls. A limited amount of supportive commercial uses are permitted if they are compatible in scale and design with the businesses they support and are located within a larger industrial building to protect the character of the area. The Industrial Park designation is similar to the City's Light Industrial designation, except that more rigorous performance and design standards are applied, primarily with respect to landscaping requirements.

The Coyote Creek corridor, crossed by the upgrade alignment, is designated Public Park/Open Space. Public Park and Open Space lands are mostly publicly owned open space lands, though access by the public is not necessarily unrestricted. City and County parks, other recreation areas, and the San Francisco Bay National Wildlife Refuge are open space lands given this designation. It is also applied to non-open space uses such as the County Fairgrounds, PAL Stadium, the Historical Museum, golf course club houses, community centers, and concession facilities. From the creek to the terminus at Zanker Road, the alignment is on land designated Industrial Park on both sides of the Montague Expressway and Trimble Road.

Alviso Specific Plan

The *Alviso Master Plan: A Specific Plan for the Alviso Community* (Alviso Master Plan) was adopted by the City of San Jose in December 1998 as a detailed policy and planning document for the Alviso Planned Community, the portion of San Jose north of SR 237 and generally bounded on the east and west by Coyote Creek and the Guadalupe River, respectively. The Alviso Master Plan supplements the General Plan policies and provides detailed planning direction beyond the scope of the General Plan. The land use and zoning district designations established in the Master Plan for the Alviso Planned Community are addressed, respectively, above under Land Use Designations and below under Zoning Districts. Alviso Master Plan policies pertinent to the proposed project are listed below. Although the Los Esteros Substation site is on an unincorporated pocket, it is within the Urban Service Area for the City of San Jose and the Alviso Planned Community, and in accordance with City and County policy, would normally be annexed by the City as part of development approval. Accordingly, the development of the substation site is included in the analysis of the proposed project's consistency with Alviso Master Plan policies.

Zoning

230 kV Transmission Line. Just south of the Coyote Creek crossing, where the transmission line alignment passes from Fremont into San Jose's jurisdiction, the alignment barely crosses a corner of a parcel zoned R-3-B (Multiple-Family Residential), then passes briefly through land within an A (Agricultural) district. The R-3-B district is for single- and multiple-family dwellings, but also allows a wide range of compatible uses, including schools, museums, libraries, parks, golf courses, child care centers, and more. Additional uses are allowed subject to a Conditional Use Permit, including public utility facilities. The 30-foot height limit stipulated in the Zoning Ordinance for the R-3-B district applies both to buildings and structures, which includes utility poles. The A district is primarily for agricultural uses, and allows residential uses only as incidental to the agricultural use and/or by owners or relatives of the owners of such properties. Conditional uses include public utility facilities, among others. The 35-foot height limit in the A district also applies to buildings and structures.

Continuing south of MP 4.9, the alignment passes into a large M-4 (Heavy Manufacturing) district. This district permits a wide variety of manufacturing, service, storage, distribution, communications, and other uses, with many more uses allowed upon issuance of a Conditional Use Permit, including public utility facilities. A height limit of 45 feet applies to structures in the M-4 district.

From just south of MP 6.4 until just south of MP 7.0, the alignment is zoned I (Industrial Park). Research and experimental laboratories, wholesale sales, warehousing, distribution, public utility, food preparation, equipment repair, office, and certain types of non-hazardous manufacturing facilities are among the various uses permitted in the I district. Many types of commercial and other uses are also allowed, subject to a Conditional Use Permit. The height limit is 45 feet for buildings and other structures. From about MP 7.0 to MP 7.2 the alignment is in an M-1 (Light Manufacturing) zoning district. The M-1 district allows a more restricted (but still broad) range of industrial uses and conditional uses than the M-4 district. Public utility facilities are among the permitted uses. Many potentially hazardous manufacturing operations are explicitly prohibited from the district. A maximum height of 45 feet also applies to the M-1 district. Just east of MP 7.2, the alignment passes into unincorporated Santa Clara County, and is not zoned by the City.

Proposed Trimble-Montague 115 kV Upgrade. The Montague Substation site and adjacent gas station site are zoned M-4 (Heavy Manufacturing), while the office development to the southeast is zoned I (Industrial Park).

South of Montague, the block between I-880 and O'Toole Avenue is zoned I. Between O'Toole and Zanker Road, all of the parcels are zoned I or M-4, with the exception of one parcel east of Kruse Drive zoned A(PD). The PD (Planned Development) district is combined with a base district and, upon adoption, establishes zoning requirements individually tailored to the area so zoned. All development within a PD district requires a discretionary PD permit. The adopted PD district defines permitted uses, development densities, and other zoning restrictions.

The north side of Montague between Main Street and Seely Avenue is zoned by the City of Milpitas. The block west of Seely is zoned I by San Jose, as is the next block east, where the project alignment enters Trimble Road. An island in the roadway at the split between Trimble and Montague is zoned A.

Planned Recreational Uses

The Bay Trail

Passed in 1987, Senate Bill 100 initiated regional planning of, and provided funding for, a network of connected recreational trails encircling San Francisco Bay. The Bay Trail is intended to provide easily accessible recreational opportunities for hikers, joggers, bicyclists and skaters, as well as a beautiful setting for viewing wildlife and learning about the Bay's natural environment. The enabling legislation mandated that the Bay Trail would:

- Provide connections to existing park and recreation facilities
- Create links to existing and proposed transportation facilities
- Be planned in such a way as to avoid adverse effects on environmentally sensitive areas.

In coordination with a planning committee comprised of 34 local elected officials and representatives of business, labor, community organizations, and other regional agencies, the Association of Bay Area Governments (ABAG) developed the *Bay Trail Plan*, which was adopted by ABAG's Executive Board in June 1989. The *Bay Trail Plan* proposes an alignment for the 400-mile-long trail network that consists of spine trails, spur trails, and connector trails. The spine trail encircles the Bay with a continuous recreational corridor that links all nine Bay Area counties, while spur trails provide access to other recreational resources, particularly the Bay shoreline. Connector trails are existing shoreline trails not included in the Bay Trail alignment or trails providing connections to urban centers located inland from the Bay. Most of the connector trails are located in the San Francisco Bay National Wildlife Refuge and are restricted to pedestrians only. Spine trails, on the other hand, may be biking only, hiking only, or hiking and biking trails, depending on location. To date, approximately 210 miles of the Bay Trail have been completed.

Connector trails will also be used to provide links to the Ridge Trail, another regional trail encircling San Francisco Bay primarily via ridgetop trails. The connector trails are an important link to the transportation benefits of the Bay Trail, which will enable bicycle commuters to connect to regional public transportation facilities, including ferry terminals, light-rail lines, bus stops and Caltrain, Amtrak, and BART stations. The Bay Trail will eventually cross all of the major toll bridges in the Bay Area. However, while many segments of the trail will be paved (and will include bike lanes, sidewalks, and city streets signed as bike routes), other segments will consist of dirt trails.

The *Bay Trail Plan* sets forth a variety of policies pertaining to trail alignment, trail design, environmental protection, transportation access, and implementation. Although none of these policies are applicable to the proposed project, the Plan also sets forth design guidelines that, among other

things, stipulate minimum clearances. The proposed project should not encroach on these clearances of existing or proposed trail segments. The applicable clearances vary depending on trail type, as shown in Table C.7-2:

Table C.7-2 Applicable Clearances

Trail Type	Vertical Clearance	Shoulder Width (each side)	Horizontal Clearance (including shoulders)
High-Use Facilities*	10 ft.	2 ft.	12–16 ft.
Multi-Use Paths	10 ft.	2 ft.	14–16 ft.
Bicycle-Only Paths	10 ft.	2 ft.	10 ft.
Hiking-Only Paths	10 ft.	2 ft.	9–12 ft.
Natural Trails or Boardwalks	10 ft.	2 ft.	7–9 ft.

*Separate paths meeting Caltrans Class I Bikeway standards.

The proposed project alignment crosses, is coincident with, or runs parallel to various existing or proposed stretches of the Bay Trail. Although the exact alignment of the trail is subject to modifications as local sections are planned and developed by the appropriate jurisdictions, as currently planned the Bay Trail would cross under the proposed project alignment several times near the northern end. From about MP 1.0 to about MP 1.7 the Bay Trail would lie west of the transmission line, then would cross east, back under it, at Cushing Road. The trail would then follow Cushing to Fremont Boulevard, turning south to connect with an existing Bay Trail segment that begins at Warren Avenue and is on top of the levee enclosing the wetland mitigation pond west of Bayside Business Park. This existing segment ends at the southern end of the business park, at the end of Lakeview Boulevard.

South of the business park, the proposed Bay Trail would be adjacent to I-880 until Dixon Landing Road, at which point it would again intersect with the proposed project alignment, which it would follow until MP 7.0, at which point it would continue west to Zanker Road, then follow Zanker north around to Los Esteros Road. From Los Esteros Road it would follow most of the NRS Alternative alignment to SR 237. The segment of Bay Trail that parallels the proposed project from about MP 4.9 to MP 6.7 would be located on the east levee of Coyote Creek, while the transmission line would be along the west levee. However, a spur trail to the Bay Trail is proposed along this section of the west levee.

C.7.2 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES FOR THE PROPOSED PROJECT

C.7.2.1 Introduction

This section evaluates the potential land use and planning impacts that could result from construction and operation of the proposed project. The discussion is organized by the primary components of the project, i.e., the 230 kV transmission line, the proposed Los Esteros Substation, 115 kV Transmission Line Connections, and the Trimble-Montague 115 kV Upgrade. Land use conflicts may result due to noise generation, air pollutant emissions, hazardous materials use and storage, traffic generation, visual intrusion, or other project characteristics. Where such characteristics are applicable, the discussion in this section refers to more detailed and/or technical topical analyses elsewhere in this document and, as

appropriate, relies on and incorporates mitigation measures identified specific to those topical impacts. However, the evaluation of potential land use conflicts considers all of the potential topical (i.e., issue- or media-specific) impacts in the aggregate in order to determine their combined effects on neighboring land uses.

C.7.2.2 Definition and Use of Significance Criteria

The CEQA Guidelines (Appendix G, Environmental Checklist Form, Sections II, IX, and XIV), indicate that a significant adverse land use, planning, or recreation impact would result if a project would:

- (a) Physically divide an established community
- (b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to, the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect
- (c) Conflict with any applicable habitat conservation plan or natural community conservation plan
- (d) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use
- (e) Conflict with existing zoning for agricultural use, or a Williamson Act contract
- (f) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use.
- (g) Increase the use of existing neighborhood and regional parks or recreational facilities such that substantial deterioration of the facility would occur or be accelerate
- (h) Include recreational facilities or require construction or expansion of recreational facilities which might have an adverse effect on the environment.
- (i) Adversely affect the use or enjoyment of existing recreational facilities.

These standards of significance are adopted for purposes of this EIR. In addition, this analysis considers substantial incompatibility with established land uses or with planned recreational uses in the project vicinity to constitute a significant impact.

C.7.2.3 Applicant Proposed Measures

There are no applicant proposed measures to reduce potential land use, planning, or recreation impacts.

C.7.2.4 Proposed 230 kV Transmission Line Route

C.7.2.4.1 Construction Impacts

Construction Impacts on Business Park Occupants

Construction of the 230 kV transmission line would generate noise and dust that would adversely affect workers in buildings adjacent to the alignment along Bayside Business Park. Construction of the tower foundations would require operating jackhammers, a backhoe, a rotary drilling rig, and other powered construction equipment that would generate noise that could disturb nearby workers. Other noise-generating equipment would include trucks to haul equipment, materials, and personnel; a crane to install each support tower (and to install piles, if used for structural support); a concrete truck to pour foundations (and piers, if used for structural support); power generators, air compressors, and more. Construction of each tower within the business park parking lot and subsequent power line installation would require about seven non-consecutive working days. The dust that would be generated by construction of the support towers would be limited due to the limited exposure of soil required. While some dust may settle onto cars parked in the vicinity, this would constitute a minor nuisance. Because the construction at each location would be so short-term in nature, and such noise is a commonly accepted by-product of the growing urban development in the Bay Area, this impact would be adverse, but not significant (**Class III**). Refer to Section C.8.2 for additional discussion of construction-related noise impacts.

Mitigation Measures for Construction Impacts on Business Park Occupants

Mitigation measures listed in the Air Quality (Section C.2) and Noise (Section C.8) impact analyses would reduce land use disturbances to business park occupants. While significant impacts have not been identified, the following measures would further reduce impacts on nearby office and light industrial workers.

Impact: Temporary noise and dust impacts on business park occupants (**Class III**).

L-1 PG&E Co. or its construction contractor shall provide advance notice, between two and four weeks prior to construction, by mail to all businesses and residences in the following areas: (a) within 1,600 feet of proposed construction areas where pile-driving will take place, and (b) within 300 feet of construction if no pile-driving will occur. The announcement shall state specifically where and when construction will occur in the area. If construction delays of more than 7 days occur, an additional notice shall be made, either in person or by mail. Notices shall provide tips on reducing noise intrusion, for example, by closing windows facing the planned construction. The notice shall also advise the recipient on how to inform the Applicant/contractor if specific noise or vibration sensitive activities are scheduled so that construction can be rescheduled, if necessary, to avoid a conflict and a reasonable deadline for

such contact shall be stated. PG&E Co. shall also publish a notice of impending construction in local newspapers, stating when and where construction will occur.

- L-2** PG&E Co. shall identify and provide a public liaison person before and during construction to respond to concerns of neighboring businesses about noise, dust, and other construction disturbance. Procedures for reaching the public liaison officer via telephone or in person shall be included in notices distributed to the public in accordance with Mitigation Measure L-1. PG&E Co. shall also establish a toll-free telephone number for receiving questions or complaints during construction and develop procedures for responding to callers (procedures to be approved by the CPUC).

Construction Impacts on Parking in Business Park

The construction of the transmission line along the west side of Bayside Business Park would temporarily displace parking spaces. However, a survey of the area during business hours revealed a general surplus of parking along the west side of the business park. During the survey, the majority of spaces that would be affected by construction were unoccupied. While some drivers could experience displacement from their typical parking spots, alternative parking would be readily available nearby. No parking spaces would be permanently displaced. This would constitute a minor short-term annoyance at worst. It would therefore be an adverse, but not significant, impact (**Class III**).

Mitigation Measures for Construction Impacts on Parking in Business Park

Impact: Temporary displacement of parking spaces in business park (**Class III**).

While significant impacts have not been identified, the following measures would further reduce the impacts on parking in the business park.

- L-3** The notices required by Mitigation Measure L-1 shall include notification that parking spaces along the western edge of the business park will be temporarily unavailable. This notification shall include the exact dates and extent of parking of unavailability. If, during the course of construction, it becomes necessary to alter the dates, additional written notification shall be provided to property owners and tenants of the affected properties at the earliest feasible date.

Construction Impacts on Recreational Trail Use

Access to the northern end of the recreational trail that wraps around the western side of Bayside Business Park would be temporarily blocked during conductor stringing operations. This existing segment of the regional Bay Trail is heavily used by hikers and joggers, who often enter the trail from the northern trailhead near Warren Avenue or from the parking lot at the north end of the business park. Access to this end of the trail would be blocked for less than one day during stringing of the

conductor cables. The trail would also be blocked at the southern end of the trail both during conductor stringing operations and during construction of the support tower at MP 4.1. Blockage at this end could occur for up to seven working days. Disturbances to recreational users of this trail would be adverse, but not significant (**Class III**), due to the temporary nature of the construction activities and because both ends of the trail would not be blocked simultaneously.

Mitigation Measures for Construction Impacts on Recreational Trail Use

Impact: Temporary blockage of recreational trail (**Class III**).

While significant impacts have not been identified, the following measures would further reduce the impacts on recreational trail users.

- L-4** The Applicant shall make arrangements with the property owner at the southwest corner of the business park to provide temporary access across the property and through the existing chain-link fence. Proper barricading shall be erected around the construction work area and signs shall direct trail users to the temporary trail access point. Following construction, the Applicant shall repair the property owner's fence and any incidental damage and restore the trail to its original condition.
- L-5** Prior to stringing the conductor cables across the trail at the north end, the Applicant shall erect a temporary clearance structure, similar to the ones proposed for road crossings elsewhere on the alignment, in order to maintain continuous access to the northern end of the recreational trail.

Construction Impacts on Cropland

South of MP 7.0 to just east of MP 7.2, the alignment crosses along the edge of a productive agricultural field. Approximately 2 to 3 acres of this field would be disturbed during construction of an angle tower structure at MP 7.2 and subsequent conductor stringing. Depending on the timing of construction, this area could be unavailable for crop production. Though temporary, this would potentially be a significant, but mitigable, impact (**Class II**).

Mitigation Measures for Construction Impacts on Cropland

Impact: Interference with cropland production (**Class II**)

The following measures would reduce the impacts on cropland.

- L-6** The Applicant shall include in its easement agreement with the owner of the affected parcel a stipulation that the farmer shall be reimbursed for the value of any crops lost and the cost of

any delay or interruption in necessary farming practices resulting from project construction activities on the land. To the extent feasible, the Applicant shall avoid the necessity to compensate the farmer by timing construction activities so as to avoid the prime crop planting, growing, and harvesting seasons.

C.7.2.4.2 Operational Impacts

Impacts on Business Park Uses

Electric and Magnetic Fields and Interference with Electronics. Between MP 2.7 and MP 4.1 the 230 kV transmission line would be located along the western edge of the Bayside Business Park. The presence of the tower structures and overhead transmission lines would adversely affect occupants of the adjacent properties. Concerns have been expressed by some property owners about the (1) effects of electric and magnetic fields (EMFs) generated by active transmission lines on the health of nearby building occupants and (2) the potential for transmission lines to interfere with operation of radio, television, and electronic equipment and on sensitive electronic equipment.

No federal or California state standards limit human exposure to EMFs from transmission lines. However, because of the ongoing research on the issue, the CPUC has established a policy requiring implementation of “no cost and low cost” measures to reduce EMF exposure levels. Section C.9, Public Health, Safety and Nuisance, presents a detailed assessment of the effects of EMFs and describes current EMF research and policy. Mitigation measures are presented to ensure that interference with electronic equipment would be minimized.

Visual Impacts. The presence of the transmission line would also adversely affect views from the business park toward the wetland mitigation pond west of the business park. Affected receptors would primarily be those in the buildings at the western edge of the business park, and would primarily be limited to persons with windows facing the west. While other people entering and leaving the buildings could notice the transmission line, such brief exposures would be insignificant. To some workers with west-facing windows, the transmission lines would be visible overhead, though not in the normal field of vision, due to their height. Workers opposite support towers would have the single-leg poles intruding into their views of the parking lot and levee and wetlands beyond. Because this represents a work environment and most building occupants would generally focus their attention on their work, the degradation of views from these locations would not be significant. Accordingly, this impact would be adverse, but not significant (**Class III**).

Mitigation Measures for Impacts on Business Park Uses

Impact: Degraded views from business park buildings (**Class III**)

For mitigation measures related to EMF exposure, refer to Section C.9.2. No mitigation measures are required or recommended for the visual impacts on business park receptors.

Impacts on Future Recreational Trail Use

The presence of transmission lines and towers would aesthetically detract from the experience of future recreational trail and park users at various locations along the proposed project alignment. The affected trails include segments of existing and planned regional and subregional trails, including Bay Trail, Juan Bautista de Anza National Historic Trail, and trails identified in the *Santa Clara County Countywide Trails Master Plan* and *Alviso Specific Plan*. The most sensitive segment would be between MP 0.3 and MP 2.7. From MP 0.3 to about MP 0.75, the alignment would be adjacent to a future segment of the regional Bay Trail and a recreational park planned by the City of Fremont. South of this, the alignment would pass adjacent to the National Wildlife Refuge. The presence of the transmission lines and support towers would detract from the experience of recreational park and trail users by degrading the natural and scenic character of the environment in which the recreational uses are located. Although there are currently electric transmission lines traversing the wetlands in the National Wildlife Refuge to the west of the proposed alignment, the new towers would be taller, and the additional lines and towers would add visual clutter to the land and sky-scapes.

Where planned trail segments pass directly under the transmission lines, many hikers would experience a sense of intrusion of the manmade environment into the primarily natural setting. This effect would be less intrusive and the transmission line would be less incongruent where it abuts existing urban development, such as alongside the existing industrial building just south of Auto Mall Parkway, and along the western edge of Bayside Business Park. Hikers and joggers on the existing trail west of the business park would need to be viewing east to see the transmission line, which would have a backdrop of substantial existing urban development. In this context, the detracting from the recreational experience would not be substantial. Similarly, where the proposed project alignment passes adjacent to Water Pollution Control Plant sludge ponds, the quality of the existing environment is not such that it would be substantially degraded. On the other hand, a planned Bay Trail segment east of the sludge ponds on the east side of Coyote Creek would not include the sludge ponds in its viewshed. Rather, to the west, hikers would be exposed to views of the adjacent riparian vegetation. At some locations along the trail, the transmission lines and towers would be visible above the treetops, substantially detracting from the natural views from these locations.

When considered in the aggregate, while some alignment segments would not be that incompatible with the existing altered environment, the views that would be experienced by recreational trail users along much of the alignment would be substantially degraded. This represents a conflict with the future recreational uses and, therefore, this would be a significant impact that cannot be mitigated to a level that is not significant (**Class I**) for the portion of the 230 kV Line between MP 0.3 and 2.7. For the remainder of the transmission line, the impact would be mitigable with implementation of Mitigation Measure L-7 (**Class II**).

Mitigation Measures for Impacts on Future Recreational Trail Use

Impact: Degradation of the recreational experience along regional and subregional trails (**Class I**).

The following mitigation measure would reduce the significant degradation of the recreational experience of hikers and joggers on regional and subregional trails along the transmission line alignment, but not to a level of non-significance:

L-7 The Applicant shall coordinate with the affected local planning agencies prior to finalizing project design to ensure that the final location of support towers minimizes impacts on planned trail alignments.

Inconsistency with Bay Plan Policy

As discussed in Appendix 3 (Policy Consistency Analysis), the proposed project would potentially conflict with the BCDC's *San Francisco Bay Plan* Safety of Fills Policy 8, which states that dredging or construction work that could damage an underground water reservoir should not be permitted. While it is not known at this time whether the proposed project would penetrate or damage an aquifer, given the generally shallow groundwater table along the alignment and the depths (up to 80 feet) to which piles or piers would be installed for structural support, construction of support towers could penetrate the bay mud cover over a fresh water aquifer. This would allow intrusion of saltwater and/or contaminants into an aquifer potentially used for drinking water. Refer to Section C.6 for additional discussion of this potential physical impact on water quality. Under CEQA, the potential conflict with this policy would constitute a significant, but mitigable (**Class II**) impact.

Mitigation Measures for Inconsistency with Bay Plan Policy

Impact: Potential conflict with Bay Plan Safety of Fills Policy 8 (**Class II**).

Mitigation Measures H-2 and H-6 (Section C.6, Hydrology and Water Quality) would reduce the policy conflict impact to a level of non-significance.

Inconsistency with Bay Plan Policies

The presence of the transmission line and support towers along the proposed alignment would be inconsistent or partially consistent with the BCDC's *San Francisco Bay Plan* Appearance, Design, and Scenic Views policies 4 and 10. Policy 4 states that structures that do not visually complement the Bay should be located and designed so as not to impact visually on the Bay and shoreline, while Policy 10 states that towers near or over the Bay should be designed as landmarks that suggest the location of the waterfront when it is not visible, especially in flat areas. As evaluated in detail in Section C.12 (Visual Resources), the proposed project would create adverse visual impacts on the Bay shoreline. While the

height of the support towers would enable them to be used as navigating aids and indicators of the general shoreline location along the northern portion of the alignment, they have not been designed as landmarks and do not possess any inherent aesthetic interest or appeal. The proposed project's lack of consistency with these policies would be significant and unmitigable (**Class I**). No mitigation has been identified that would reduce the policy conflict to a level of non-significance.

Inconsistency with Fremont General Plan Policy

The proposed project would conflict with *Fremont General Plan* Open Space Policy OS 2.1.2, which states that land uses adjacent to the National Wildlife Refuge must be compatible with and, if possible, promote, the goals of the Refuge. As evaluated in Section C.3 (Biological Resources), the presence of the transmission lines would pose flight hazards to birds in the Wildlife Refuge and would thus be incompatible with the goals of the Refuge. In addition, construction of one or more support towers and access boardwalks in future refuge areas could adversely affect habitat and biological organisms. The proposed project's lack of consistency with this policy would be significant, but mitigable (**Class II**) for habitat impacts but remain significant (**Class I**) for bird collision impacts.

Mitigation Measures for Inconsistency with Fremont General Plan Policy

Impact: Inconsistent with *Fremont General Plan* Open Space Policy OS 2.1.2 (**Class II**).

Mitigation Measure B-1 (protection of wetlands and plant communities, see Section C.3.2.4.2, Biological Resources) has been identified and would reduce the policy conflict with respect to biological habitat. However, as identified in Section C.3.2.4.2, the potential for transmission lines to cause bird mortality as a result of collision is considered an unavoidable significant impact (**Class I**).

C.7.2.5 Proposed Los Esteros Substation and 115 kV Lines

C.7.2.5.1 Construction Impacts

Construction Impacts on Residential Uses

Construction of the substation and 115 kV lines would generate noise and dust that could disturb adjacent residents. Approximately eight residences are located adjacent to the substation site, with the closest being about 300 feet south of the southern boundary. Some of the residences are more than 1,200 feet from the substation site and screened by numerous intervening greenhouses and other structures, and would therefore experience little or no disturbance. Two of the residences are immediately east of a proposed angle structure tower for the 115 kV lines. There is the possibility that all of the existing residential and agricultural uses to the south of the substation site would be removed for other industrial development prior to construction of this project. However, if they remained, construction noise and dust could adversely affect the residents and interfere with the unhindered use

and enjoyment of their properties. These impacts are addressed in more detail in Sections C.2 (Air Quality) and C.8 (Noise and Vibration) and mitigation measures are recommended therein to reduce these construction impacts. Due to their temporary nature, disturbances to residential uses during construction of the substation and 115 kV lines would be adverse, but not significant (**Class III**).

Mitigation Measures for Construction Impacts on Residential Uses

Mitigation measures listed in Section C.2 (Air Quality) and Section C.8 (Noise) would reduce land use disturbances to residential uses in the vicinity of the substation and 115 kV lines. In addition, Mitigation Measures L-1 and L-2 are recommended to further reduce impacts on nearby residents.

C.7.2.5.2 Operational Impacts

Impacts from Conversion of Farmland

Development of the substation site would displace the existing agricultural uses on the site, which include greenhouses and fields used for flower and crop production. Under CEQA, the conversion of Prime Farmland to another use constitutes a significant adverse impact. Although the California Resources Agency hasn't mapped the area that includes the substation site, soils ranked as Class I or Class II by the U.S. Soil Conservation Service (SCS) are generally considered to be candidates for classification as Prime Farmland. SCS maps of the substation site show that it is underlain by Cropley clay loam (CsA) and Campbell silty clay loam (Cc), rated as Class II and III soils, respectively. Accordingly, a portion of the site would be considered Prime Farmland, and its conversion to a non-agricultural use would be a significant impact. There are no farmland conservation programs within the City or County in which the Applicant could participate to reduce this impact. Therefore, the conversion of Prime Farmland would be significant and unmitigable (**Class I**).

Impacts from Displacement of Persons

Development of the substation site would displace the persons and existing land uses from the site, including four residences, an agricultural grower, and an undetermined number of seasonal agricultural workers who live part-time on the property. There is also the possibility that the entire 54-acre parcel that includes the 24-acre substation site would be acquired as part of a separate development project, with the 24-acre substation site sold to the Applicant, which would result in additional displacement of residential and agricultural uses. However, this project only includes the proposed purchase and development of the 24-acre substation site, and this analysis is limited to the displacement of the existing uses on that portion of the property. The conversion of agricultural land is addressed as a separate issue in the paragraph above.

PG&E has stated that it will fully comply with its obligations under the California Relocation Assistance Act (Government Code Section 7260 *et seq.*) in providing relocation assistance to the displaced residents and businesses (PG&E, 1998). The California Relocation Assistance Act generally provides that displaced residents and businesses are entitled to certain relocation benefits, which include moving costs, re-establishment costs, and assistance in finding comparable replacement dwellings. Eminent domain powers will not be required for PG&E Co.'s purchase of the substation site if the property owners are willing sellers of their property. This situation is assumed to be the case. Therefore, the owners would not be displaced involuntarily, and would be compensated for their relocation. While other persons may reside part-time or full-time on the site, they are not legal residents, due to the existing zoning of the site, under which more than one residence per 20-acre parcel constitutes a non-conforming use. Neither the City nor the County has policies supporting agricultural housing. For these reasons, the displacement of persons would be adverse, but not significant (**Class III**). No mitigation measures are required or recommended.

Inconsistency with County Zoning

Development of the substation site would be inconsistent with the Agricultural zoning of the site. The County Zoning Ordinance states that any uses permitted by right or special approval in A zoning districts must be compatible with and not substantially interfere with the continuation of any on- or off-site agricultural operations and must clearly enhance the long-term viability of local agriculture, among other provisions. The proposed project would not meet either of these requirements. However, as noted in the discussion of Santa Clara County zoning in Section C.7.1.3.3, which is in not consistent with a number of its own General Plan policies, the County's zoning of the site is not consistent with the City of San Jose's Light Industrial land use designation of the site. Where such inconsistencies exist, it is County policy to adjust its regulations and standards to minimize the impacts of inconsistencies.

Under CEQA, a conflict with an adopted plan or policy is generally considered to be a significant impact. However, there are specific circumstances surrounding this site. First, County policy states that within cities' Urban Service Areas, allowable land uses and densities are determined by the applicable city's general plan (the City of San Jose's General Plan identifies the parcel as Light Industrial). Second, the proposed project would be consistent with San Jose's Light Industrial land use designation of the site. For these reasons, the inconsistency with County zoning is considered to be an adverse, but not significant impact (**Class III**).

Mitigation Measures for Inconsistency with County Zoning

Impact: Substation inconsistent with County zoning (**Class III**).

Neither the Lead Agency nor the Applicant have the authority to implement the mitigation that would avoid the identified impact and that is recommended in the County's General Plan in General Land Use Management Implementation Recommendation U-LM (I) 11, which states: "Evaluate County and city

development standards and regulations for possible inconsistencies of significance and modify County regulations where necessary to rectify or minimize the impacts of inconsistencies.” While it is suggested that Santa Clara County implement this measure, no measures are recommended for implementation by the Applicant or Lead Agency to reduce or eliminate this impact.

Impacts on Existing Residential Uses

The presence of the substation and the 115 kV line connectors could affect existing residential uses through the introduction of intrusive or unattractive visual elements and exposure to EMFs. If not demolished for other industrial land uses, the residences that would remain on the southern portion of the 54-acre parcel occupied by the substation would be located adjacent to a large substation: an industrial facility with voltage transformers, switching equipment, bus and dead-end structures, and other heavy-duty electrical equipment. However, due to the location of intervening greenhouses and other agricultural buildings, direct views of the substation would be blocked, and would only be visible from the unpaved road that bisects the site and provides access to some of the residences. Two residences on the southwest corner of the parcel would be adjacent to an angle structure for the 115 kV lines. The closest of these residences would be approximately 200 feet from the tower structure. Although existing trees and vegetation partially screen the property from the adjacent agricultural field, the 80- to 100-foot-tall support tower would be visible above the vegetation and would diminish the quality of the residential uses at this location. Visual impacts are addressed in more detail in Section C.12.2.

As previously noted, the CPUC has policies on avoiding and reducing exposure to EMFs. Please see Section C.9, Public Health, Safety and Nuisance, for a detailed assessment of the effects of EMFs.

Because the rural residential character would be altered through the addition of incongruent, unattractive elements into the existing views available from the residences, the impact of the adjacent substation would be significant, but mitigable (**Class II**).

Mitigation Measures for Impacts on Existing Residential Uses

Mitigation measures listed in the Public Health, Safety and Nuisance (Section C.9) and Visual Resources (Section C.12) impact analyses would reduce land use impacts on residential uses. In addition, the following measure would further reduce impacts on nearby residences:

Impact: Alteration of residential character (**Class II**).

L-8 The Applicant shall design the proposed project so that a minimum distance of 300 feet is maintained between the transmission line structure(s) and nearby existing residences, unless PG&E Co. can document that such residences are not occupied and would not be occupied during the project life.

Impacts on Future Recreational Uses

The proposed access road leading from Zanker Road to the substation would detract from the recreational experience of hikers, joggers, and bicyclers on a proposed recreational trail that would either share the same alignment or be located immediately adjacent to the road. A segment of the regional Bay Trail and a San Jose bicycle access route to Coyote Creek are both planned along the alignment that would be used by the access road. The presence of the road could conflict with this future recreational trail use if access were impeded or blocked due to the presence of the road. Because an existing unpaved road currently occupies most of the alignment for the roadway and because vehicular use of the road by PG&E Co. employees would be infrequent, the presence of the road would not significantly affect trail users. However, if construction and use of the trail were precluded or curtailed due to the presence of the road, that would constitute a significant impact on recreational uses. Accordingly, this would be a significant, but mitigable impact (**Class II**).

Mitigation Measures for Impacts on Future Recreational Uses

The following measure would reduce impacts on future recreational uses to insignificance.

Impact: Potential interference with recreational trail use (**Class II**).

L-9 The Applicant shall design the substation access road in coordination with the City of San Jose and Santa Clara County, as appropriate, to ensure recreational use of the road or an adjacent pathway.

Inconsistency with Alviso Specific Plan Policy

The proposed project would conflict with ***Alviso Specific Plan*** Landscaping Policy 3, which states that landscaping should be used to screen unattractive uses. As presently proposed, the Los Esteros Substation would not include landscaping, and the proposed project would therefore be inconsistent with this policy. The proposed project's lack of consistency with this policy would be significant, but mitigable (**Class II**).

Mitigation Measures for Inconsistency with Alviso Specific Plan Policy

Impact: Inconsistent with *Alviso Specific Plan* Landscaping Policy 3 (**Class II**).

Mitigation Measure V-2 has been identified in Section C.12, Visual Resources, that would reduce the policy conflict impact to a level of non-significance (**Class II**).

C.7.2.6 Proposed Trimble-Montague 115 kV Upgrade

C.7.2.6.1 Construction Impacts

Construction Impacts on Office and Light Industrial Uses

Construction of the support towers would generate noise and dust that could adversely affect land uses adjacent to the alignment, which is primarily limited to office and light industrial uses. Construction of the towers and installation of the transmission line would also disrupt traffic, an impact which is addressed in Section C.11. In the vicinity of the alignment, Montague Expressway is a major six-lane divided arterial, which is in itself a significant noise source. Due to the width of the roadway right-of-way, neighboring land uses on the north side of Montague are 300 to 500 feet and more from the south side of Montague, where construction would occur. Due to the intervening distance, uses on the north side of the roadway would be largely unaffected by construction noise and dust. Along the south side, some workers in adjacent buildings could experience disruption from construction noise. Primary noise sources would include a truck-mounted auger, mobile cranes, air compressors, air tampers, and portable generators. This impact is addressed in more detail in Section C.8 (Noise). Due to the attenuation of building exterior and interior walls, intervening distance, and the temporary nature of the noise, noise impacts would be less than significant. While some dust would be generated by construction, the amount would be limited due to the limited areas of excavation (approximately 36 square feet at each tower foundation). At worst, a small amount of construction-generated dust could settle on nearby parked cars. This would be a one-time occurrence and would merely constitute a minor annoyance. Accordingly, this impact would be adverse, but not significant (**Class III**). Mitigation Measures L-1 and L-2 are recommended to further reduce these impacts.

Construction Impacts on Underground Utilities

The construction of tower foundations along the Montague Expressway could require the relocation of existing underground utilities and result in temporary disruptions in service. This impact is assessed and mitigation measures are recommended in Section C.10 (Socioeconomics and Public Services). Please refer to that section for additional information.

C.7.2.6.2 Operational Impacts

Potential operational impacts related to EMFs and visual quality are addressed in Sections C.9 (Public Health, Safety and Nuisance) and C.12 (Visual Resources), respectively. No additional operational land use or planning impacts have been identified for this component of the proposed project.

C.7.2.7 Cumulative Impacts and Mitigation Measures

The primary type of cumulative impacts that could result from implementation of the proposed project would be disruption from construction of the project in combination with construction of other future projects in the vicinity. Such disturbances are primarily related to the generation of noise and dust, but can also pertain to temporarily blocked access or displacement of parking. Due to the nature of the proposed project, it does not have the potential to generate more typical cumulative operational impacts that can occur with other types of development projects. Such impacts typically relate to local and regional traffic impacts, regional air emissions, population increases, and conversion of cumulatively significant areas of vacant or agricultural land to urban use, none of which would be impacts associated with the proposed project. While the addition of transmission lines to existing transmission lines in the vicinity of the alignment would contribute cumulatively to visual clutter in the skyline, this is a visual quality issue that is addressed in Section C.12 (Visual Resources).

Local planning jurisdictions were contacted during preparation of this EIR to identify existing, planned, and proposed construction projects in the vicinity of the proposed project or one of the alternatives, the effects of which could combine with those of the proposed project to create cumulatively significant impacts. While several large development projects are planned or anticipated in the vicinity of the proposed project alignment, it is not anticipated that their construction would result in significant cumulative land use impacts. At the north end of the alignment, the 840-acre Pacific Commons office/light industrial development is expected to be approved soon by the City of Fremont. Much of the construction for this project would occur substantially east of the alignment. While some construction could occur in proximity to the alignment, it is not known if the timing of such construction would be coincident with that of the proposed project. In any event, there are no sensitive receptors adjacent to the northern portion of the alignment to be adversely affected by the limited dust and short-term noise generated during construction of the proposed project. The proposed project would generate a limited amount of construction traffic that, depending on timing, could combine cumulatively with that of construction traffic from the Pacific Commons project. Construction traffic impacts are addressed in Section C.11 (Transportation and Traffic).

Two other large construction projects are anticipated in the City of Fremont in the vicinity of the proposed project. A 31-acre industrial and retail development is proposed for a vacant site south of Cushing Parkway and west of Fremont Boulevard. The project alignment is more than 4,000 feet west of this site, with no potential to cumulatively interact with that project, were construction to occur simultaneously. The other anticipated project in Fremont is an expansion to the south of the Bayside Business Park. Although the transmission line would be placed along the west side of the extension of Fremont Boulevard that would be included in the business park project, there are no neighboring land uses that would be adversely affected by construction noise and dust, even if cumulatively combined. While dust generation is also a regional air quality concern, that issue is addressed separately in the appropriate section (Section C.2, Air Quality).

Along the southern portion of the alignment, within San Jose's jurisdiction, there are no existing or anticipated construction projects in close enough proximity to the project to result in cumulative construction impacts. (Again, potential cumulative construction traffic impacts are addressed in Section C.11.) While a sizeable construction project is currently underway in San Jose on the north side of the Trimble-Montague 115 kV Upgrade alignment, the exterior of these high technology office buildings are completed and remaining construction will occur in the interior of the buildings. Consequently, the noise and dust impacts of that project have already occurred.

Based on the above analysis, no significant cumulative land use or recreation impacts would occur with implementation of the proposed project.

C.7.3 ENVIRONMENTAL IMPACTS AND MITIGATION MEASURES: ALTERNATIVES

C.7.3.1 Underground Through Business Park

C.7.3.1.1 Land Jurisdiction and Uses

This alternative would follow the same alignment as the proposed project except between MP 1.8 and MP 4.1. This alternative segment lies entirely within the City of Fremont. Between MP 1.8 and the north end of Bayside Business Park (approximately MP 2.7), the existing land use is the same as described for the proposed project. At the north end of the business park, where the underground segment of the alternative alignment begins, the alignment passes between light industrial buildings and through parking lots located behind light industrial and office buildings. The underground segment continues through the entire length of the business park, turning west at Lakeview Boulevard, then converting to an overhead structure at the end of Fremont Boulevard. From here the alignment heads south, entering the old Fremont Airport site and connecting with the proposed project alignment at MP 4.3.

C.7.3.1.2 Applicable Regulations, Plans, and Standards

The General Plan land use designations and zoning districts between MP 1.8 and MP 4.1 are the same as those described for the proposed project in Section C.7.1.3.3. The plans and policies discussed in Section C.7.1.3 are also applicable to this alternative and the consistency analysis presented for the proposed project (Appendix 3) pertains equally.

C.7.3.1.3 Environmental Impacts and Mitigation Measures

The construction impacts related to noise, dust, and parking on business park occupants for the Underground Through Business Park Alternative would be similar to those identified for the proposed project, although the location would be shifted to the interior of the business park, east of Fremont Boulevard. The alignment would pass through the rear parking lots of light industrial buildings and

along connecting alleyways. Similar to the western edge of the business park, parking in these areas is generally lightly utilized, and finding alternative parking should not be difficult for those temporarily displaced. The alternative would also have the same construction impacts on cropland that would occur under the proposed project.

This alternative would result in the same construction impacts on recreational trail users as identified for the proposed project, but would avoid the visual intrusion of the overhead transmission line along the western side of the business park that would be experienced under the proposed project by hikers and joggers on the recreational trail west of the business park. The underground alternative would avoid the operational impact related to visual intrusion on occupants of the business park. EMF issues, addressed in Section C.9, would be similar to those for the overhead lines. While EMF field strengths would be greater directly over the underground line than they would be under the overhead line, the field strengths would decrease very quickly with distance from the line. All of the impacts related to inconsistency with local and regional planning documents would apply equally to this alternative.

Construction of the Underground Through Business Park Alternative would require the temporary displacement of a private half-court outdoor basketball court located along the alignment in Bayside Plaza. Use of an adjacent volleyball court could also be disrupted. Due to the short-term nature of the construction activities, this impact would be adverse, but not significant (**Class III**). Construction would also remove some existing landscaping along the underground alignment, including small trees, which would be significant, but mitigable (**Class II**).

The south end of the underground alignment would pass through the loading area for the Mervyn's Distribution Center. Construction activities in this area would interfere with trucks maneuvering into the numerous loading docks at the back of the building. This potential disruption of loading operations would interfere with the company's ability to conduct business as normal and would be a significant, but mitigable (**Class II**) impact.

The following measure would reduce the impact from the temporary displacement of the private basketball court (and possibly the adjacent volleyball court):

L-10 The Applicant shall notify the owners of the playing court(s) in writing at least two weeks prior to disruption of the courts, advising them of the impending disruption and furnishing information for contacting the public liaison person identified in Mitigation Measure L-2. Following completion of construction activities, the Applicant shall restore the court(s) to like-new condition.

The following measure would reduce the impact on existing landscaping along the underground alignment to insignificance:

L-11 Following the completion of construction, the Applicant shall install replacement landscaping comparable to that removed, in cooperation with the affected property owners. Where the location of landscaping must be altered so as not to interfere with the underground transmission line, the Applicant shall provide landscaping comparable to that lost in locations dictated by the affected property owners, or monetarily compensate the owners.

The following measure would reduce the impact on truck loading operations:

L-12 The Applicant shall coordinate with the property owner to identify times, such as weekends or nights, when loading operations do not occur, and shall conduct construction activities on the Mervyn's property during those times.

C.7.3.2 I-880-A Alternative

C.7.3.2.1 *Land Jurisdiction and Uses*

The I-880-A Alternative alignment lies entirely within the City of Fremont, and the land use and zoning designations identified below are Fremont designations. The northern end of the alignment is a vacant field adjacent to the southbound onramp to I-880, just to the south of Auto Mall Parkway. The north side of Auto Mall Parkway near the alignment is lined with office and light industrial development. Most of the alignment segment along the west side of I-880 is through undeveloped open space. However, it passes several office developments and a heavy industrial use centered around the south end of Christy Street. The east side of this stretch of I-880 is lined with light and heavy industrial uses and high technology office buildings, as well as the California Highway Patrol.

Where the alternative alignment ends its initial southeast trajectory and heads southwest, it passes more high technology office development on the east, located along Northport Loop, off of Cushing Parkway. On the west is open space, becoming seasonal wetland as the alignment approaches Cushing Parkway and Cushing Road. South of Cushing Road, the alternative alignment crosses salt ponds, then a creek leading into Mud Slough, and then rejoins the proposed project alignment at MP 2.7.

C.7.3.2.2 *Applicable Regulations, Plans, and Standards*

At its northern extreme at Auto Mall Parkway and I-880, the alignment is designated on the Fremont General Plan Land Use Map as Restricted Industrial with a Commercial-Industrial Overlay. South of Cushing Road, and for the remainder of its length, the alternative alignment has the same land use designations as the proposed project. Each of these land use designations and the following zoning districts are defined in the related discussions for the proposed project.

At its northern extreme, the alignment is zoned P (Planned District), then immediately enters an I-R (Restricted Industrial) zoning district. The zoning remains I-R until about 800 feet before the

alternative alignment turns south, away from the freeway, at which point it enters another P district. South of Cushing Road, the alignment is zoned A(F) (Agricultural, Flood Combining). Prior to rejoining the proposed project alignment at MP 2.7, the alternative alignment passes through an O-S(F) (Open Space, Flood Combining) district, then an O-S district (no overlay). The location of MP 2.7 is zoned I-R.

Refer to Section C.7.1.3.3 for a discussion of planning policies potentially applicable to this alternative.

C.7.3.2.3 *Environmental Impacts and Mitigation Measures*

The construction impacts related to noise, dust, and parking on business park occupants for the I-880-A Alternative would be the same as those identified for the proposed project. In addition, similar noise impacts would occur to the light industrial land uses along the west side of Northport Loop and, to a lesser degree, along I-880. The same mitigation measures would apply. The alternative would also have the same construction impacts on recreational trail users and on cropland that would occur under the proposed project, with the same mitigation applicable. Except as noted below, all of the operational impacts identified for the proposed project would apply to this alternative, although the impacts on future recreational trail users would be reduced to adverse, but not significant (**Class III**), with no mitigation recommended or required. The one impact identified for the proposed project that would be avoided by this alternative is the impact related to inconsistency with *Fremont General Plan* Open Space Policy OS 2.1.2. No additional land use and recreation impacts would result from implementation of this alternative.

C.7.3.3 *I-880-B Alternative*

C.7.3.3.1 *Land Jurisdiction and Uses*

The I-880-B Alternative alignment is also under Fremont's jurisdiction for its entire length, and the land use and zoning designations identified below are Fremont designations. The I-880-B Alternative alignment follows the same route as the I-880-A Alternative from the northern end until the alignment reaches Cushing Parkway, at which point this alternative would veer sharply to the east, following Cushing Parkway on the south side of the street to the I-880 on-ramp. The stretch of Cushing Parkway followed by the alternative alignment is lined on both sides by high technology office and light industrial development until the crossing of a large drainage channel. Between the channel and I-880, the north side of Cushing Parkway is occupied by a hotel and the Northport Center, a small commercial center with fast food restaurants, a dance studio, and a few commercial businesses. The south side of the parkway is vacant.

As the alternative alignment veers southeast at I-880, it passes four hotels on the west side of the alignment. The New Motors automobile factory is on the east side of the freeway. The alternative alignment continues hugging the west side of the freeway along the east side of Bayside Business Park.

At the southern end of the park, the alignment veers west to the end of Fremont Boulevard, at which point it turns south into open space and shortly rejoins the proposed project alignment at MP 4.3.

C.7.3.3.2 *Applicable Regulations, Plans, and Standards*

The Fremont land use designations for this alternative are the same as for the I-880-A Alternative until Cushing Parkway. Jogging east, then south at the freeway, the I-880-B Alternative remains in the Restricted Industrial (with Commercial-Industrial Overlay) throughout its passage through the Bayside Business Park until it rejoins the proposed project alignment.

At the point where the alternative alignment diverges from that of the I-880-A Alternative, the land is zoned I-R(F). A crossing of an Alameda County flood control channel to the west of Fremont Boulevard is designated O-S, then the alignment passes into an I-R zoning district, remaining in this district until it rejoins the I-880-A Alternative alignment at the south end of Bayside Business Park. These zoning and land use designations are defined in Section C.7.1.3.3.

Refer to Section C.7.1.3.3 for a discussion of planning policies potentially applicable to this alternative.

C.7.3.3.3 *Environmental Impacts and Mitigation Measures*

This alternative would avoid the construction and operation impacts along the western side of the Bayside Business Park that would occur under the proposed project. However, similar to the I-880-A Alternative, it would generate construction noise impacts on office/light industrial workers along Northport Loop and along the south side of Cushing Parkway. It could also result in construction impacts on parking for the office uses on the south side of Cushing Parkway. These would be **Class III** impacts that would be reduced through implementation of Mitigation Measures L-1, L-2, and L-3.

Similar to the I-880-A Alternative, the I-880-B Alternative would reduce the impacts on future recreational trail users to adverse, but not significant (**Class III**), due to the increased distance from the proposed Bay Trail segments between Auto Mall Parkway and the Bayside Business Park. Again, no mitigation is required or recommended. The other operational impacts and mitigation measures identified for the proposed project, except for the conflict with *Fremont General Plan* Open Space Policy OS 2.1.2, would apply equally to this alternative.

C.7.3.4 *Westerly Route Alternative*

C.7.3.4.1 *Land Jurisdiction and Uses*

The land uses (and jurisdiction) of the Westerly Route Alternative are identical to those described for the proposed project from MP 0.0 to MP 2.2. At MP 2.2, the westerly alignment continues south through a salt pond, and then crosses into the wetland mitigation pond created by the developers of the

Bayside Business Park. South of MP 2.9 the westerly alignment begins crossing another salt pond (Salt Pond A19) that is located in the National Wildlife Refuge. At about MP 3.7 the alternative alignment crosses Mud Slough, Coyote Creek, and into the City of San Jose. Continuing south, it passes out the wildlife refuge at MP 4.1 and then crosses Cargill's Salt Pond A18. The Zanker Road Landfill borders the alignment on the east between about MP 4.8 and MP 5.4. Continuing south across an open space buffer area for the San Jose/Santa Clara WPCP, at Los Esteros Road the alignment turns to the northeast and follows the road around the WPCP. Heading south on Zanker Road, the alignment is bordered on the west by the WPCP and on the east by sludge ponds for the WPCP. At the southern end of the WPCP on the west side of Zanker Road, the alignment turns east and follows a dirt road flanked on the south by a WPCP pump station and rejoins the proposed project alignment at about MP 7.0.

C.7.3.4.2 *Applicable Regulations, Plans, and Standards*

From MP 0.0 to MP 0.7, the Westerly Route Alternative alignment is designated General Industrial with a Commercial-Industrial Overlay on the Fremont General Plan Land Use Map. From MP 0.7 to MP 1.7, the designation is Institutional Open Space. Crossing the salt ponds between MP 1.7 and MP 2.6, the Agricultural designation applies; then the alignment passes back into Institutional Open Space for the remainder of the alignment within Fremont's jurisdiction. Passing into San Jose, the alternative alignment passes briefly across land designated Public Parks and Open Space, then crosses Private Open Space with a Solid Waste Disposal Site Overlay, then crosses another strip of Public Parks and Open Space Land until approximately MP 5.2, from which point the remainder of the alternative alignment is designated Public/Quasi-Public. The Public Park/Open Space designation is applied to existing City and County parks, the San Francisco Bay National Wildlife Refuge, trail corridors along the Guadalupe River, a PG&E Co. easement, and a wetland mitigation area adjacent to SR 237. Although these lands are owned by public agencies, facilities developed by private entities are appropriate under this designation. The Private Open Space designation is applied to privately owned lands for low-intensity open space activity. The Solid Waste Disposal Site Overlay is applied to currently operating public or private landfills, such as the Newby Island Landfill crossed by the Westerly Route Alternative, and also including recycling, resource recovery, composting, or other related activities. The Public/Quasi-Public designation was previously defined for the proposed project.

Fremont's zoning of the alternative alignment corresponds to the land use designations described above. Crossing into San Jose's jurisdiction at MP 3.7, the alignment is zoned R-3-B (Multiple-Family Residential). Just prior to MP 4.0 it passes into an A (Agricultural) district, then passes in an M-1 (Light Manufacturing) at about MP 5.2. As it heads east along Los Esteros Road, the zoning becomes M-4 (Heavy Manufacturing), then becomes M-1 again on Zanker Road, about 700 feet before it heads east into the substation site. The zoning applicable to the substation site was addressed in the discussion of the proposed project (Section C.7.1.3.3).

In addition to the policies identified for the proposed project, a number of additional Santa Clara County and San Jose policies relating to open space or the National Wildlife Refuge would apply to this alternative. The Westerly Route Alternative would be consistent with most of the policies. However, if it is determined that construction of the transmission line would result in a net loss of baylands habitat value, the alternative would be inconsistent with San Jose's Bay and Baylands Policy 6, which states that no development, which creates adverse impacts on the National Wildlife Refuge in South San Francisco Bay or results in a net loss of baylands habitat value, should be permitted.

C.7.3.4.3 *Environmental Impacts and Mitigation Measures*

This alternative would avoid all of the construction and operations impacts on Bayside Business Park that would occur under the proposed project, as well as the construction impacts on recreational trail users. However, it would create more severe operational impacts (**Class I**) on existing and future recreational trail users because the transmission line would lie west of the wetland mitigation ponds to the west of the business park. The view west from the Bay Trail segment on the west side of these ponds toward the wetlands and open space of the wildlife refuge would be substantially degraded. Also, as noted above, it would conflict with San Jose General Plan Bay and Baylands Policy 6, and the Fremont general plan open space policy OS 2.1.2 which would also be significant, but mitigable (**Class II**) with respect to habitat loss with implementation of Mitigation Measure B-1 (Biological Resources), but the potential for bird collision impacts is a significant and unavoidable impact (**Class I**). With the exceptions noted above, all other construction and operational impacts identified for the proposed project would apply to the Westerly Route Alternative.

C.7.3.5 *Westerly Upgrade Alternative*

C.7.3.5.1 *Land Jurisdiction and Uses*

This alternative involves two 230kV lines that have different routes at the southern end, and a new 115kV connector (approximately 1.5 miles long) as shown on Figure B.6-5. The first line (the follows the same alignment as the Westerly Route Alternative from MP 0.0 to the Los Esteros Substation; see Section C.7.3.4.1 for a discussion of the land jurisdiction and uses for along this line. The second line (currently connecting the Newark Substation with the Scott Substation in Santa Clara) would be connected to the Los Esteros Substation via a new and follow the first line back to the existing 115kV transmission line right-of-way. At about MP 5.3 the western line of the Westerly Upgrade Alternative turns southwest and follows the existing 115kV transmission line right-of-way towards Alviso. Crossing Artesian Slough, the western line passes National Wildlife Refuge wetlands to the north. South of Los Esteros Road, the modest single-family residential development in Alviso lies to the northwest of the alignment, which then passes between the Alviso Public Library and Alviso Park to the south and new residential development under construction to the north. Crossing N. First Street, the western line passes along the north side of a golf driving range. In addition to the residential and recreational uses in Alviso, the western line of this alternative passes near two other sensitive land uses:

a church on Grand Boulevard (the frontage of the church is on Michigan Avenue) near Essex Street and the George Mayne Elementary School on N. First Street at Tony P. Santos Street (shown as School Street on the most recent AAA road map).

The western line alignment continues south, crossing the Guadalupe River just to the north of the Summerset Mobile Estates. Two new office buildings are just to the south of the mobile home park, on Gold Street. The alignment passes through vacant commercial land on the opposite side of Gold Street, and then crosses SR 237, where the transmission line would be installed on existing support poles that line the west side of Lafayette Street. South of SR 237, the alignment passes a former landfill on each side of Lafayette, followed by the Santa Clara Golf Course on each side of the street, with a pedestrian overpass connecting the two halves of the golf course. South of the golf course on the east side of Lafayette is the Calle del Mundo Business Park, occupied primarily by light industrial uses. Residential development, including attached condominiums and single-family homes, is to the south of the business park. On the west side of Lafayette to the south of the golf course is the Santa Clara Fire Station No. 10 and the Amtrak train station, both accessed via Stars and Stripes Drive. South of Tasman Drive is a vacant field, south of which is the San Francisco 49ers training camp. The site of the future Northern Receiving Station (NRS), a substation to be constructed and operated by Silicon Valley Power, is located immediately south of the training camp.

The easterly line of the Westerly Upgrade Alternative would follow the same route as the Westerly Route Alternative. See Section C.7.3.4.1 for a discussion of the land jurisdiction and uses for the easterly line of this alternative.

C.7.3.5.2 *Applicable Regulations, Plans, and Standards*

The land use designations for this alternative would be the same as described for the Westerly Route Alternative from MP 0.0 to about MP 5.2. As it heads southwest at this point, the alignment would pass briefly through land designated by San Jose as Public/Quasi-Public, then would cross Private Open Space land, another brief stretch of Public/Quasi-Public land, and then into land designated Industrial Park with a Mixed Industrial Overlay. This latter designation is primarily for industrial and office uses, but it allows some non-industrial uses. Prior to crossing the Guadalupe River, the alternative alignment crosses land with a Combined Industrial/Commercial designation, which allows commercial activities, industrial uses, or a compatible mixture. After crossing the river just north of SR 237, the alignment is again within an area designated Industrial Park with a Mixed Industrial Overlay. Crossing Gold Street and the Union Pacific railroad tracks, the alignment passes through a Combined Industrial/Commercial area, then turns southeast and crosses into the City of Santa Clara.

South of SR 237, the City of Santa Clara designates the alternative alignment Urban Reserve. The Urban Reserve designation applies to City-owned land held in reserve until an appropriate development proposal is submitted and approved, at which time the City will redesignate its land use category. Lands designated urban reserve require a General Plan Amendment to change any existing uses.

Building height and coverage are not permitted to exceed that allowed in the most restrictive adjacent land use. Continuing south, the alignment passes through Parks and Recreation land along the golf course. The Parks and Recreation designation applies to open space lands whose primary purpose is recreation, and includes Santa Clara Golf Course skirted by the alignment. As with the Urban Reserve designation, building height and coverage shall not exceed that allowed in the most restrictive adjacent land use. The remainder of the alignment, including the Northern Receiving Station site, is designated Tourist Commercial, which is one of the City's six commercial designations. Tourist Commercial-designated parcels are centered on the Great America Amusement Park and the City's Convention Center and generally located along the Tasman Light Rail Line. Quality hotel, recreation, and other tourist-oriented uses such as theaters, museums, and specialty retail are encouraged within this designation, as are ground-floor retail, outdoor restaurants, and other pedestrian-oriented uses. The General Plan indicates that tall structures should be located or designed so as to not cast shadows over the public right-of-way for most of the day, and building height is limited to 150 feet.

Zoning designations along the alignment for this alternative are the same as those identified for the Westerly Route Alternative until the two routes diverge at about MP 5.2. From this point, the alignment passes respectively through M-1, A (PD), M-1, R-1:B-6, A, I, and A (PD) zoning districts, respectively. Each of these districts has been previously defined, with the exception of R-1:B-6 (One-Family Residential), which is intended to promote a suitable environment for family life, and requires a minimum lot size of 6,000 square feet. Within Santa Clara, the entire Westerly Upgrade Alternative alignment is zoned B (Public), with the exception of the City's planned Northern Receiving Station, which is zoned PB(B) (Planned Development with a Public Overlay).

C.7.3.5.3 Environmental Impacts and Mitigation Measures

The impacts of the Westerly Upgrade Alternative would be the same as those identified for the Westerly Route Alternative. In addition, construction impacts related to noise and dust, similar to those identified for the proposed project on Bayside Business Park, would occur on the office uses in Alviso on the east side of Gold Street, north of SR 237. Implementation of Mitigation Measures L-1 and L-2 would reduce these adverse, but not significant, impacts (**Class III**).

C.7.3.6 Substation Alternatives

C.7.3.6.1 Northern Receiving Substation Alternative

Land Jurisdiction and Uses

This northern portion of the transmission line alignment under this alternative has not yet been determined. It would either follow the proposed project alignment, the Westerly Route Alternative alignment, or the Westerly Upgrade Alternative alignment to Los Esteros Road. (If the proposed project alignment were used, it would need to continue west to Zanker Road from MP 7.0, then follow

Zanker north to Los Esteros Road.) See the appropriate previous discussions for information on land uses and jurisdiction to this point.

At the point where Los Esteros Road turns from its southwest heading to the west, the alignment for this alternative continues the southwest trajectory across open space, passing approximately 1,800 feet to the southeast of the residential development in Alviso Village. The alignment passes behind the large Jubilee Christian Center and light industrial uses located along Nortech Parkway. Approaching N. First Street in Alviso, the alignment passes alongside two residences located just east of Tony P. Santos Street, then crosses open space to the south of the golf driving range referenced in the Westerly Upgrade Alternative discussion. At SR 237 the alignment turns west, paralleling the highway, crossing the Guadalupe River, then passing new office development on the north. Past Gold Street, the alignment turns southeast and follows the west side of Lafayette Street to the Northern Receiving Station (NRS) site, about a mile away. This portion of the alignment is described above for the Westerly Upgrade Alternative.

The existing land uses north of the NRS site were also described for the Westerly Upgrade Alternative. The site is bordered on the west by a Silicon Valley Power generation plant, while further west, across San Tomas Aquino Creek, lies parking for the Santa Clara Convention Center and Great America amusement park. Attached condominiums line the southern border of the NRS, forming the northern edge of a primarily single-family residential neighborhood. As previously mentioned, residential development is located east of the NRS site, across Lafayette Street.

Aside from the Santa Clara Golf and Tennis Club to the north and Great America to the southwest, the only other recreational uses in the vicinity of the NRS and the alternative alignment south of SR 237 are neighborhood parks in the residential neighborhoods south and east of the substation site. The closest is Angelina Park, located about 1,300 feet due east. A larger park, Lick Mill Park, is about 2,100 feet east of the NRS.

Other than the numerous residences in the vicinity, the closest sensitive receptor south of SR 237 is the Kathryn Hughes Elementary School on Calle de Escuela, about 1,000 feet northeast of the NRS.

Applicable Regulations, Plans, and Standards

For the northern portion of the alignment for this alternative, the land use and zoning designations applicable to this alternative are the same as those described for the proposed project, Westerly Route Alternative, or Westerly Upgrade Alternative, depending on which alignment was followed. South of Los Esteros Road in San Jose, the remainder of the alignment has the same land use and zoning designations as described for the Westerly Upgrade Alternative.

This alternative would be consistent with the goals, policies, and programs of the *City of Santa Clara General Plan*.

Environmental Impacts and Mitigation Measures

All of the impacts identified for the Westerly Upgrade Alternative would apply to the Northern Receiving Station Alternative. In addition, the construction of a 230 kV substation at the Northern Receiving Station would adversely affect neighboring residential uses immediately south of the site. This impact was addressed in the City of Santa Clara's *Bayshore North Redevelopment Projects Environmental Impact Report*. That project included development of a 115 kV substation on the site, adjacent to an existing turbine transmission station immediately west of the site. The EIR concluded that, given the existing turbine transmission station, power line towers, adjacent parking lot, and general urban character of surrounding development, development of the substation would not result in a significant land use conflict. Accordingly, this impact would be adverse, but not significant (**Class III**).

C.7.3.6.2 Zanker Road Substation Alternative

Land Jurisdiction and Uses

This transmission alignment for this alternative follows that of the proposed project until MP 7.0, at which point it continues west to Zanker Road, past a WPCP pumping station on the south and WPCP sludge ponds to the north. At Zanker Road, the alignment turns south, passing fallow agricultural fields on both sides of the road. The lands on the west side are owned by the City of San Jose and are used for the application of excess reclaimed water from the WPCP. South of SR 237, there are office buildings and a subdivision of mobile homes enclosed by a 6-foot wall on the west side of Zanker Road. On the east side of Zanker Road, a vacant field is immediately south of SR 237, followed by the Santa Clara Valley Transportation Authority's maintenance facility, which borders the north side of the Zanker Substation site. The substation site itself is currently a vacant field overgrown with grasses and weeds and enclosed by a cyclone fence. It is bordered on the east by the western levee alongside Coyote Creek. Part of the large Cisco office campus borders the site on the south.

Applicable Regulations, Plans, and Standards

Up to MP 7.0, the alignment of this alternative follows that of the proposed project, with the same applicable land use and zoning district designations. The remainder of the alignment is designated Public/Quasi-Public. North of SR 237, it passes through I, A, and M-1 zoning districts; south of SR 237, the final stretch of alignment and the substation site are both zoned I (Industrial). All of the land use and zoning designations have been previously defined.

Environmental Impacts and Mitigation Measures

All of the impacts identified for the proposed project would apply to this alternative, with the exception of those impacts related to development of the Los Esteros Substation. Additional construction noise

and dust impacts would occur on the office development south of the Zanker Road Substation site and, to a lesser degree, on the residential and light industrial uses west of the site. Due to intervening distance and a masonry wall enclosing the residences west of the site, the impacts on those uses would be minor. However, the noise and dust impacts on the office development south of the site would be greater than those that would occur on the Bayside Business Park uses because construction at this location would be longer in duration, prolonging noise exposure, and the area where soil would be exposed to wind erosion would be much greater. Due to their temporary nature, these impacts would still be adverse, but not significant (**Class III**). Implementation of dust control measures recommended in Section C.2 (Air Quality) would further reduce the dust impacts.

This alternative would convert an existing vacant field to an industrial-type use. No existing land uses would be displaced from the site, and the proposed use would generally be compatible with the urban development in the surrounding area, including the fleet maintenance facility immediately north of the site. Accordingly, the change in land use would be adverse, but not significant (**Class III**), and no mitigation would be required or recommended. The presence of a substation on this site would create a visual impact on the neighboring office uses, which is addressed in Section C.12 (Visual Resources). Because the neighboring residences are screened from view and the facility would be located in a context of light industrial and other urban uses, the visual impact on neighboring land uses would be adverse, but not significant (**Class III**).

Mitigation Measure V-2 (Visual Resources) would further reduce the visual impact on land uses bordering the Zanker Road Substation.

C.7.3.7 Trimble-Montague 115 kV Alternatives

C.7.3.7.1 Barber 115 kV Alternative

Land Jurisdiction and Uses

Starting at the Los Esteros Substation in unincorporated Santa Clara County, the alignment for this alternative briefly heads east and into the City of San Jose, then immediately turns south through agricultural fields bordered by the existing greenhouses and residences to the east. Crossing SR 237, the Barber Alternative alignment then passes behind the Santa Clara Valley Transportation Authority's maintenance facility, then turns east and crosses Coyote Creek into the City of Milpitas. East of the creek the alignment follows the south side of Technology Drive. West of McCarthy Boulevard, Technology Drive is lined on both sides with high technology office buildings. East of McCarthy, Technology Drive becomes Bellew Drive. A large parcel to the south of Bellew is currently being developed with parking and four large office buildings that will be added to the Cisco technology complex. The north side of Bellew Drive east of McCarthy is occupied by a gas station, credit union, motel, and high-rise hotel.

Bellew Drive ends at Barber Lane; the Milpitas Square shopping center occupies the east side of this T-intersection. The alignment turns south on Barber, following the west side of the street alongside the Cisco office development under construction, which occupies the block all the way to Tasman, with the exception of the existing Milpitas Fire Station No. 4. Across the street from the fire station is a large child care facility under construction that will serve Cisco employees. Between this facility and the Milpitas Square shopping center are a small two-story shopping complex with about 20 stores and restaurants and an automobile sales and service dealership.

South of Tasman Drive, on the west side of Barber Drive, the Barber Alternative alignment passes a vacant, tilled field and a construction staging area. South of Alder Drive, the west side of Barber is lined by numerous large office buildings that continue for at least 3,500 feet, while the I-880 freeway abuts the east side of Barber. Just before Barber Drive curves to the west there is a Sheraton hotel on the west side. At this point the alignment crosses east across the freeway and south across the Montague Expressway, passing back into the City of San Jose. The alignment follows Montague northeast for a short distance before entering the Montague Substation. The existing land uses along Montague are described in Section C.7.1.2.1.

Applicable Regulations, Plans, and Standards

Within the City of San Jose, the alignment for this alternative is designated Public/Quasi-Public on the City's land use map. The alignment is zoned M-1 north of SR 237 and I south of the highway. These land use and zoning designations have been previously defined.

Crossing east into Milpitas, the entire alignment within the City's jurisdiction is designated Mixed Use and zoned MP (Industrial Park). While the *City of Milpitas General Plan* is silent on the Mixed Use land use category, the Zoning Ordinance states that the MP district is intended to accommodate a limited group of research, professional, packaging and distribution facilities and uses which are clean and quiet in a park-like setting. Public utilities are a permitted use. Although there are no specific height limitations in the MP District, any structure 35 feet in height requires a finding by the Planning Commission that the excess height will not be detrimental to the light, air, or privacy of any other structure or use currently existing or anticipated. The land use and zoning designations of the Montague Substation were previously identified for the proposed project.

This alternative would be consistent with the policies contained in the San Jose and Milpitas general plans.

Environmental Impacts and Mitigation Measures

Construction of this alternative would create noise, dust, and parking impacts on adjacent office/light industrial uses similar to those identified for the proposed project, and the same mitigation measures would be applicable. The Applicant has included the replacement of trees, where they would conflict

with the proposed project alignment, with species compatible with an electric transmission line. It is assumed that similar measures would be included in the implementation of this alternative, so removal of existing trees along the alignment is not identified as an impact. The visual impacts of this alternative are addressed in Section C.12 (Visual Resources), and are not addressed separately here as conflicts with individual land uses.

C.7.3.7.2 Underground Trimble-Montague 115 kV Alternative

Land Jurisdiction and Uses

The existing land uses and jurisdiction for this alternative are identical to the aboveground alignment included in the proposed project. Please refer to the discussion in Section C.7.1.2.1.

Applicable Regulations, Plans, and Standards

The land use designations, zoning districts, and local policies applicable to this alternative are the same as those previously described for the overhead Trimble-Montague 115 kV Upgrade.

Environmental Impacts and Mitigation Measures

Implementation of this alternative would result in the same construction impacts as those identified for the overhead Trimble-Montague 115 kV Upgrade. The only difference would be that construction noise and dust impacts would be somewhat longer in duration. No operational impacts would result from this alternative.

C.7.4 THE NO PROJECT ALTERNATIVE

Under the No Project Alternative, none of the construction or operational impacts identified in this section would occur. Without upgrades to the electric transmission system, as demand continues to grow, there would be increased interruptions in electrical service as peak demands overloaded the existing equipment. Electrical failures could result in a wide variety of adverse environmental impacts, particularly related to health and safety. The No Project Alternative would also conflict with planning policies of local jurisdictions, most of which have goals or policies pertaining to the provision of adequate services and utilities to the population under their jurisdiction.

C.7.5 MITIGATION MONITORING PROGRAM

Table C.7-3 presents the mitigation monitoring program for land use and recreation.

Table C.7-3 Mitigation Monitoring Program—Land Use and Recreation Impacts

Impact (Class)	Mitigation Measure	Location	Monitoring/Reporting Action	Effectiveness Criteria	Responsible Agency	Timing
Proposed Project, Underground Through Business Park, I-880-A, I-880-B, Zanker Road Substation, Barber 115 kV, and Underground Trimble-Montague 115 kV Alternatives						
Construction of the 230 kV transmission line would generate noise and dust that would adversely affect workers in buildings adjacent to the alignment along Bayside Business Park. (Class III)	<p>L-1 Provide advance written notice to potentially affected property owners and occupants within 250 feet of the alignment.</p> <p>L-2 Provide a public liaison person before and during construction to respond to concerns of neighboring businesses about noise and dust.</p>	Bayside Business Park.	Mailing list and copies of notification letters submitted to Lead Agency.	Inclusion of Lead Agency contact on notification, with follow-up by Lead Agency in response to complaints.	CPUC	Prior to and during construction
Construction of the transmission line along the west side of Bayside Business Park would temporarily displace parking spaces. (Class III)	L-3 Notify property owners and occupants within 250 feet of alignment that parking will be temporarily disrupted.	Bayside Business Park	Mailing list and copies of notification letters submitted to Lead Agency.	Proof of notification sufficient.	CPUC	Prior to construction
Access to the northern and southern ends of the recreational trail that wraps around the western side of Bayside Business Park would be temporarily blocked during conductor stringing operations. (Class III)	<p>L-4 Arrangements with the property owner at the southwest corner of the business park to provide temporary access across the property and through the existing chain-link fence and provide directional signs to the detour.</p> <p>L-5 Erect a temporary clearance structure prior to stringing the conductor cables across the trail at the north end.</p>	Northwest and southwest corners of Bayside Business Park	Copy of agreement with property owner submitted to Lead Agency. Lead Agency to field verify detour and use of clearance structure.	Detour and clearance structure verified.	CPUC	Prior to and during construction
Proposed Project, Underground Through Business Park, I-880-A, I-880-B, Westerly Route, Westerly Upgrade, Northern Receiving Station, Zanker Road Substation, Barber 115 kV, and Underground Trimble-Montague 115 kV Alternatives						
Construction in agricultural fields could interfere with cropland production. (Class II)	L-6 Time construction to avoid impacts on cropland or reimburse farmers for the value of any crops lost and the cost of any delay or interruption in necessary farming practices.	Agricultural field north of Los Esteros Substation site.	Copy of easement agreement submitted to Lead Agency.	Clause in easement agreement with landowner covering avoidance of conflict or reimbursement.	CPUC	Prior to construction

Impact (Class)	Mitigation Measure	Location	Monitoring/Reporting Action	Effectiveness Criteria	Responsible Agency	Timing
Proposed Project, Underground Through Business Park, Westerly Route, Westerly Upgrade, Northern Receiving Station, Zanker Road Substation, Barber 115 kV, and Underground Trimble-Montague 115 kV Alternatives						
Presence of the transmission line would degrade the recreational experience along regional and subregional trails. (Class I)	L-7 Coordinate with affected local planning agencies prior to finalizing project design to ensure that support towers are not placed in the middle of planned trail alignments.	Along planned trail alignments in Fremont and San Jose.	Letters submitted by Fremont and San Jose planning departments following review of final alignment plans.	Assertion by cities that alignment doesn't conflict with trails.	CPUC, City of Fremont, City of San Jose	Prior to construction
Proposed Project, Underground Through Business Park, I-880-A, I-880-B, Westerly Route, Westerly Upgrade, Northern Receiving Station, Barber 115 kV, and Underground Trimble-Montague 115 kV Alternatives						
The substation and the 115 kV lines would adversely affect existing residential uses through the introduction of intrusive or unattractive visual elements and exposure to EMFs. (Class II)	L-8 Relocate transmission line support tower at least 300 feet from adjacent residences.	Southwest corner of 54-acre parcel that includes Los Esteros Substation site.	Review of final construction plans.	Minimum 300-foot buffer observed.	CPUC	Prior to construction
The substation access road could interfere with planned recreational trails, including a Bay Trail segment. (Class II)	L-9 Design the substation access road in coordination with the City of San Jose and Santa Clara County, as appropriate, to ensure recreational use of the road or an adjacent pathway.	Adjacent to southern side of WPCP sludge ponds to north of substation site.	Letters submitted by Santa Clara County and San Jose planning departments following review of final alignment plans and easement agreement(s) submitted to Lead Agency.	Clause in easement agreement(s) ensuring recreational access or verification of dedicated trail easement.	CPUC, Santa Clara County, City of San Jose	Prior to construction
Underground Through Business Park Alternative						
Construction would require temporary displacement of a private half-court outdoor basketball court and possibly a volleyball court located along the alignment in Bayside Plaza. (Class III)	L-10 Provide advance written notice to the owners of the playing court(s) and restore the court(s) to like-new condition following completion of construction activities.	Bayside Business Park	Mailing list and copies of notification letters submitted to Lead Agency.	Proof of notification and field verification of restoration by Lead Agency.	CPUC	Prior to and following construction

Impact (Class)	Mitigation Measure	Location	Monitoring/Reporting Action	Effectiveness Criteria	Responsible Agency	Timing
Construction would remove some existing landscaping along the underground alignment, including small trees. (Class II)	L-11 Install replacement landscaping comparable to that removed, in cooperation with the affected property owners, or monetarily compensate the owners.	Alignment of underground line through Bayside Business Park.	Copy of easement agreements and letters of concurrence from affected property owners submitted to Lead Agency.	Clause in easement agreement with landowner covering replacement landscaping or compensation. Property owner approval of replacement landscaping.	CPUC	Prior to construction
Construction activities in the Mervyn's Distribution Center would interfere with trucks maneuvering into the numerous loading docks at the back of the building, disrupting company operations. (Class II)	L-12 Conduct construction activities on the Mervyn's property during those times when loading operations do not occur.	Mervyn's Distribution Center at south end of Bayside Business Park.	Signed agreement between Mervyn's and Applicant.	Mutually acceptable construction schedule.	CPUC	Prior to construction
PROPOSED PROJECT, UNDERGROUND THROUGH BUSINESS PARK ALTERNATIVE, I-880-A ALTERNATIVE, I-880-B ALTERNATIVE, WESTERLY ROUTE ALTERNATIVE, WESTERLY UPGRADE ALTERNATIVE, NORTHERN RECEIVING STATION ALTERNATIVE, BARBER 115 kV ALTERNATIVE & UNDERGROUND TRIMBLE-MONTAGUE 115 kV ALTERNATIVE						
Construction of the substation and 115 kV lines would generate noise and dust that could disturb adjacent residents. (Class III)	L-1 and L-2 apply	54-acre parcel that includes substation site.	Mailing list and copies of notification letters submitted to Lead Agency.	Inclusion of Lead Agency contact on notification, with follow-up by Lead Agency in response to complaints.	CPUC	Prior to and during construction
I-880-A ALTERNATIVE, I-880-B ALTERNATIVE						
Presence of the transmission line would degrade the recreational experience along regional and subregional trails. (Class III)	L-7 Coordinate with affected local planning agencies prior to finalizing project design to ensure that support towers are not placed in the middle of planned trail alignments.	Along planned trail alignments in Fremont and San Jose.	Letters submitted by Fremont and San Jose planning departments following review of final alignment plans.	Assertion by cities that alignment doesn't conflict with trails.	CPUC, City of Fremont, City of San Jose	Prior to construction

Impact (Class)	Mitigation Measure	Location	Monitoring/Reporting Action	Effectiveness Criteria	Responsible Agency	Timing
WESTERLY UPGRADE ALTERNATIVE, NORTHERN RECEIVING STATION ALTERNATIVE						
Construction of the 230 kV transmission line would generate noise and dust that would adversely affect workers in buildings adjacent to the alignment on the east side of Gold Street in Alviso. (Class III)	L-1 Provide advance written notice to potentially affected property owners and occupants within 250 feet of the alignment.	Gold Street, north of Highway 237 in Alviso.	Mailing list and copies of notification letters submitted to Lead Agency.	Inclusion of Lead Agency contact on notification, with follow-up by Lead Agency in response to complaints.	CPUC	Prior to and during construction
	L-2 Provide a public liaison person before and during construction to respond to concerns of neighboring businesses about noise and dust.					
ZANKER ROAD SUBSTATION ALTERNATIVE						
Construction of the 230 kV transmission line would generate noise and dust that would adversely affect workers in buildings south of the substation site. (Class III)	L-1 Provide advance written notice to potentially affected property owners and occupants within 250 feet of the alignment.	Zanker Road, south of Highway 237 in San Jose.	Mailing list and copies of notification letters submitted to Lead Agency.	Inclusion of Lead Agency contact on notification, with follow-up by Lead Agency in response to complaints.	CPUC	Prior to and during construction
	L-2 Provide a public liaison person before and during construction to respond to concerns of neighboring businesses about noise and dust.					
BARBER 115 kV ALTERNATIVE						
Construction of the support towers on the Barber 115 kV line would generate noise and dust that could adversely affect adjacent office and light industrial uses. (Class III)	L-1 Provide advance written notice to potentially affected property owners and occupants within 250 feet of the alignment.	Barber 115 kV Alternative alignment	Mailing list and copies of notification letters submitted to Lead Agency.	Inclusion of Lead Agency contact on notification, with follow-up by Lead Agency in response to complaints.	CPUC	Prior to and during construction
	L-2 Provide a public liaison person before and during construction to respond to concerns of neighboring businesses about noise and dust.					

C.7.6 REFERENCES

C.7.6.1 Persons Contacted

Joy Albertson, Wildlife Biologist, Don Edwards San Francisco Bay National Wildlife Refuge.

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Laura Thompson, Bay Trail Planner, Association of Bay Area Governments.

Terrence Wong, Junior Planner, Development and Environmental Services Department, City of Fremont.

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