

LOCAL AGENCIES

Letter L1



HENRY M. HIRATA
DIRECTOR

COUNTY OF SAN JOAQUIN

DEPARTMENT OF PUBLIC WORKS

P. O. BOX 1810 - 1810 EAST HAZELTON AVENUE
STOCKTON, CALIFORNIA 95201-1810

209/468-3000

FAX: 209/468-2999

VIA FAX/LETTER

(415) 291-8943

THOMAS R. FLINN
DEPUTY DIRECTOR

MANUEL LOPEZ
DEPUTY DIRECTOR

STEVEN WINKLER
DEPUTY DIRECTOR

October 25, 1999

Mrs. Judith Ikle
California Public Utilities Commission
c/o Public Affairs Management
101 Embarcadero, Suite 210
San Francisco, California 94105

SUBJECT: LODI GAS STORAGE, LLC's APPLICATION FOR A CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

Dear Mrs. Judith Ikle:

The San Joaquin County Department of Public Works has reviewed the environmental document for the above proposed project. Our concerns, recommendations, corrections, and requests for additional data are as follows:

Page: 2-63 Paragraph: 2.6.3 Heading: Local Permits and Entitlements

L1-1

COMMENT:

The process of acquiring an Encroachment Permit from the Department of Public Works to work in San Joaquin County right-of-way is omitted.

GENERAL COMMENTS:

- Construction traffic clauses appear adequate.
- Not noted is the impact of having a utility in the right-of-way which will be difficult and time consuming to relocate for utility conflicts. I am not sure what section this could be addressed. I would like to see the depth set, such as that future water or ditch and culvert drainage facilities would easily clear such as a minimum 5 foot depth in the right-of-way.

L1-2

Please note that all development projects must follow the attached Waste Plan Format.

L1-3

Thank you for the opportunity to be heard. Should you have questions or need additional information regarding the above comments, please contact me at (209) 468-3085 or send your fax, attention: Paul Takhar, to (209) 468-2999.

Mrs. Judith Ikle
LODI GAS STORAGE, LLC's APPLICATION FOR A
CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

It is requested that all lead agencies send at least three copies of environmental documents (Initial Studies, Negative Declarations, Environmental Impact Reports) for the Department of Public Works review. This will speed up our comment delivery to you. All comments will be sent by fax/letter, with the original letter being mailed the day of transmission to the responsible agency.

Sincerely,



PAUL TAKHAR
Assistant Real Property Agent

PT:cg

Attachment

c: Manuel Lopez, Deputy Director/Development
Wes Johnson, Assistant Engineer/Solid Waste
Pete Martin, Senior Civil Engineer/Field Engineering
Richard Hieb, Engineering Assistant III/Public Services

SAN JOAQUIN COUNTY
WASTE PLAN FORMAT FOR DEVELOPMENT PROJECTS

I. Waste Generation Analysis

- A. Discussion of types of solid and hazardous waste that will be produced.
- B. Estimation of annual quantities of solid and hazardous waste that will be produced, per waste type identified in Section I, A above.

II. Waste Diversion Analysis

- A. Discussion of types of solid and hazardous waste that will be diverted from disposal by recycling methods.
- B. Discussion of processes that will be used that reduce the amount of waste that would normally be generated.
- C. Estimation of the annual quantity of solid and hazardous waste that will be diverted, per waste type identified in Section II, A & B above.
- D. Discussion of market availability for diverted materials.

III. Waste Storage

Discussion of methods that will be used to store solid and hazardous waste on site, prior to collection for diversion or disposal, including discussion of types of storage containers to be used, location of storage areas on site plan, and access to storage areas by collection vehicles.

IV. Waste Collection

Discussion of methods that will be used to collect and transport recyclable materials to market and solid and hazardous waste to disposal sites.

V. Waste Disposal

Discussion of disposal facilities that will be used for disposal of solid and hazardous wastes that are produced, including identification of the facilities and impact on the facilities by the increased waste quantities.

VI. Records

Discussion of methods used to report to County the annual quantities of waste diverted and or disposed.

Responses to Comments from County of San Joaquin, Department of Public Works—Paul Takhar

- L1-1. The commenter is correct in noting that the reference to obtaining an encroachment permit from the San Joaquin County Department of Public Works was inadvertently omitted from Section 2.6.3, “Local Permits and Entitlements” of the draft EIR. The permit requirements and other federal, state, and local permits and approvals applicable to the project are summarized in Table 2.2, “Potentially Applicable Project Permits and Other Approvals”. This table was inadvertently omitted from the draft EIR and is reprinted in Section 3. “Revisions to the Draft EIR”.
- L1-2. As discussed in Chapter 3, “Revisions to the Draft EIR”, under “Land Use, Planning, and Agricultural Resources”, Mitigation Measure 3.1-2 has been revised. As revised, this mitigation measure requires that the pipeline be buried a minimum of 4 feet below the ground surface and at least 2 feet below the bottom of existing irrigation and drainage ditches along the pipeline route.
- Page 3.11-4 of the draft EIR describes potential conflicts with public service providers. As noted in this discussion, LGS will coordinate closely with county public works departments and other utility providers during the final project design to minimize potential utility conflicts. Additionally, the DOT design specifications (49 CFR 192) provide minimum separation from other utilities.
- L1-3. Comment noted. The attached Waste Plan Format is San Joaquin County’s implementation methodology pursuant to the Hazardous Materials Release Response Plans and Inventory Act of 1985 (commonly called the Business Plan Act), which is discussed on page 3.9-6 of the draft EIR.

Letter L2

North San Joaquin Water Conservation District
c/o City of Lodi Public Works Department
Lodi City Hall
221 W. Pine Street
Lodi, CA 95240

November 4, 1999

Judith Ikle
Public Affairs Management
101 The Embarcadero, Suite 210
San Francisco, CA 94105

Subject: Lodi Gas Storage

Dear Ms. Ikle,

I am writing on behalf of North San Joaquin Water Conservation District (NSJWCD) to comment on the subject project draft EIR.

The broad and general description of groundwater is inadequate. There is no discussion of the groundwater overdraft and saline intrusion within eastern San Joaquin. There is no mention of the possibility that current saline intrusion within the Stockton area results from cross connections caused by improperly abandoned gas wells drilled years ago.

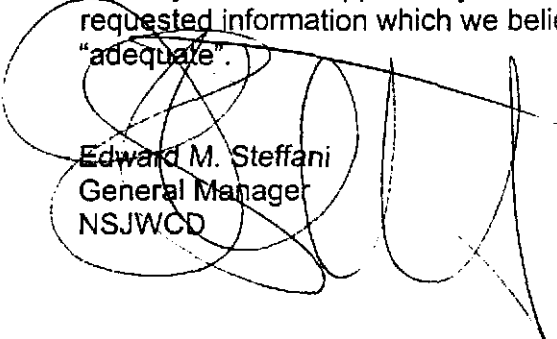
L2-1

(NSJWCD), the local water agency responsible for protecting groundwater within the proposed gas storage project has not been contacted by the project proponent. Had contact been made, NSJWCD would have raised this question much earlier. Hopefully, there is still time to address the old wells' and proposed new wells' potential cross connection matter properly.

NSJWCD asks that the DEIR include an inventory of all existing water and gas/oil wells and exploration holes within the project area. The inventory should present hole detail, casing perforation information, abandonment details, etc., etc., The potential for groundwater contamination from such wells should be investigated. Assurances that new wells will be constructed and abandoned properly is not enough. Experience with old wells in the Stockton area is proof that cross connections do exist.

L2-2

Thank you for this opportunity to comment on the DEIR. Hopefully, you will provide the requested information which we believe is necessary for the DEIR to be deemed "adequate".


Edward M. Steffani
General Manager
NSJWCD

Responses to Comments from North San Joaquin Water Conservation District— Edward Steffani

- L2-1. The potential for well drilling to result in cross-contamination between potable water aquifers and the underlying saline and non-potable aquifers is addressed in the discussion of Impact 3.4-3 in Chapter 3, “Revisions to the Draft EIR”, in this final EIR. The division of Oil, Gas, and Geothermal Resources is responsible for regulating well drilling and abandonment and would enforce its regulations relating to the project. The CPUC believes that developing or abandoning wells in compliance with the division’s rules and regulations reduces this potential impact to a less-than-significant level.
- L2-2. An inventory of all wells in the project area would not provide useful information that could be used to determine project impacts. The purpose of the EIR is to examine the effects of the proposed project, not potential effects of previous projects. Impact 3.4-3 on page 3.4-19 of the draft EIR identifies that there is potential for cross contamination of aquifers. The CPUC believes that developing or abandoning wells in compliance with the Department of Conservation’s Division of Oil, Gas, and Geothermal Resources rules and regulations reduces this potential impact to a less-than-significant level.

Letter L3

RECLAMATION DISTRICT #2033
BRACK TRACT
165 West Cleveland Street
Stockton CA 95204

November 10, 1999

VIA FAX 415-291-8943

CA Public Utilities Commission
c/o Public Affairs Management
101 The Embarcadero, Suite 210
San Francisco CA 94105

RE: Lodi Gas Storage,
LLC's Application for Certificate of
Public Convenience and Necessity for
Construction and Operation of Gas
Storage Facilities Application 98-11-012

Dear Public Utilities Commission:

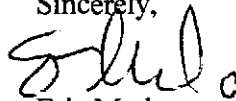
I am writing in opposition to the above application 98-11-012.

The Draft Environmental Impact Report Sch#99022065 does not adequately address the geology and mitigation measures of the proposed public right away route alternative figure 2-12b.

Our Reclamation District maintains the levees on Brack Tract. Several years ago, P.G. & E. installed a gas line under the Mokelumne River, then west along Woodbridge Road (figure 2-14b). There were many unforeseen consequences, even now, years later. These included subsidence seeps in the levee and damages due to vibrations. In addition, there are financial considerations that were not addressed. The Reclamation District would be providing a benefit to Lodi Gas Storage by maintaining the levees, which would in turn protect their gas line. The District would need to add Lodi Gas Storage to it's assessment roll and assess them.

Due to the potential hazard (possible levee failure) to all the property owners on Brack Tract, Reclamation District #2033 is opposed to this proposed project. This proposed project definitely would have significant negative effects on the environment.

Sincerely,



Eric Merlo
Chairman

EM/gh

encl

cc: Board of Trustees
Engineer, Gil Cosio

L3-1

Responses to Comments from Reclamation District #2033—Eric Merlo

L3-1. As described on page 2-15 of the draft EIR, local reclamation districts would be asked to endorse the project's engineering designs. The districts may request additional supporting information if required to evaluate the project and may impose additional engineering requirements on the project. The district's assessment policy is not an environmental issue requiring discussion in the EIR. The Applicant is planning to directionally drill under the levee system to reduce potential impacts on the levee.

Letter L4



SAN JOAQUIN COUNTY COMMUNITY DEVELOPMENT DEPARTMENT

1810 E. HAZELTON AVE., STOCKTON, CA 95205-6232
PHONE: 209/468-3121 FAX: 209/468-3183

November 10, 1999

Judith Ikle
CPUC Project Manager
C/O Public Affairs Management
101 The Embarcadero, Suite 210
San Francisco, California 94105

SUBJECT: COMMENTS ON THE DRAFT ENVIRONMENTAL IMPACT REPORT
FOR THE PROPOSED LODI STORAGE PROJECT

Dear Ms. Ikle:

The San Joaquin County Community Development Department appreciates the opportunity to comment on the above referenced Draft Environmental Impact Report (DEIR). We have reviewed the document and offer the following comments:

Page 3.1-7, Second Paragraph

In the AG (General Agriculture) zone, the "Petroleum and Gas Extraction" use type is classified as a permitted use with an approved Improvement Plan (which is a ministerial, over the counter type permit). The definition contained in the Development Title for "Petroleum and Gas Extraction" is as follows:

The Petroleum and Gas Extraction use type refers to the extraction of oil and natural gas from the ground and the temporary storage of oil at the well site. Typical uses include oil and gas wells (Section 9-115.510).

In the AG zone the "Utility Services – Major" use type is classified as a conditionally permitted use with an approved Site Approval application. Site Approval applications are discretionary, and specific findings must be made in the affirmative in order to approve this type of permit. The definition contained in the Development Title for "Utility Services – Major" is as follows:

Utility services involving major structures. Typical uses include natural gas transmission lines and substations, petroleum pipelines, and wind farms.

L4-1

The discussion in the DEIR regarding the permits required in San Joaquin County should be revised to accurately reflect the Development Title requirements. The statement that utilities are a "Permitted Use" is incorrect. The discussion does not accurately summarize relevant Development Title requirements.

L4-1
(cont'd)

Thank you for the opportunity to review the DEIR. We look forward to receiving a copy of the Final EIR where it is completed. If you have any questions, I can be reached at (209) 468-3140.

Sincerely,



KERRY SULLIVAN
Deputy Director

KS:ss
IKLELTR

**Responses to Comments from San Joaquin County Community Development
Department—Kerry Sullivan**

- L4-1. The CPUC has reviewed the local permit requirements in response to the comment, and Chapter 3, “Revisions to the Draft EIR”, of this final EIR, contains a revised description of the San Joaquin County Development Title requirements.

WOODBIDGE

RURAL FIRE PROTECTION DISTRICT
400 EAST AUGUSTA STREET
TELEPHONE (209) 369-1945
FAX (209) 369-4568

Letter L5

MICHAEL W. KIRKLE
Fire Chief

Directors
TOM ALEXANDER
MICHAEL MANASSERO
MICHAEL MANNA
LOREN MOORE SR.
JOHN NEAL

POST OFFICE BOX 186
WOODBIDGE, CA 95258

November 2, 1999

California Public Utilities Commission
ATTN: Judith Ikle, Project Manager
c/o Public Affairs Management
101 The Embarcadero, Suite 210
San Francisco, CA 94105

RE: LODI GAS STORAGE PROJECT

The Woodbridge Fire District consists of approximately 74 square miles located in north central San Joaquin County surrounding the City of Lodi. The district is responsible for emergency services and public safety as mandated to include, but not limited to, fire protection, fire suppression and emergency medical services.

The proposed Lodi Gas Storage Project's compressor facility, along with approximately 9.5 miles of pipeline, lies within the jurisdictional responsibility of the Woodbridge Fire District.

There has been very little correspondence regarding public safety addressing fire or other catastrophes other than statements relating to strict guidelines and regulations dealing with natural gas pipeline facilities. There is no doubt that if the project is granted, all laws and regulations as required by federal, state and/or local authority will be followed. That does not limit, however, the possibility for potential emergencies dealing with a project of this magnitude now or in the future.

In response to the numerous meetings attended by myself and staff, this agency wishes to bring to your attention some concerns. A major concern is that of creating a financial burden to the taxpayers of the district when addressing specialized training and equipment needs associated with this project. Those immediate needs would include confined space and trench rescue situations, along with hazardous material incidents.

L5-1

An additional concern is that of possible false alarms associated with the project. It has been brought to our attention that on occasion, the compressor facility will conduct a procedure referred to as "Off Gas" which will emit the appearance of flame that can and will be seen or heard from some distance. With Highway 99 less than a mile from the facility we can envision an increase in cellular false alarms.

L5-2

If this project is approved, this agency will establish a working relationship with the project developer which will include a request for the Fire Prevention Plan (Disaster Contingency Plan) as defined in accordance with California Administrative Code, Title 8. With this information and open dialog with project managers, we will have the ability to better understand and address any additional potential emergency situations.

It is the request of the Woodbridge Fire District that the California Public Utility Commission address within the EIR our concerns as outlined and to assure that additional issues are addressed as further studies are conducted should the project be granted for the protection of the district constituents, taxpayers and employees.

If you have any questions, please do not hesitate to contact my office.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael W. Kirkle". The signature is fluid and cursive, written over a white background.

Michael W. Kirkle, Fire Chief

MWK:SB

cc: Woodbridge Fire District Board of Directors
Supervisor Jack Sieglock
Scott Wilson, Vice President, Lodi Gas Storage
Jeryl Fry

Responses to Comments from Woodbridge Rural Fire Protection District—Michael W. Kirkle

- L5-1. The comment concerns creating a financial burden to the taxpayers of the fire district in regards to the specialized equipment and training needs associated with the proposed project. As noted in Section 3.9, “Public Health and Safety”, of the draft EIR, the Applicant has committed to providing training and specialty equipment to local fire districts to effectively fight fires at LGS facilities. Additionally, several programs have been incorporated into the proposed project and project alternatives and required in Mitigation Measure 3.9-1, including an operations and maintenance plan, a damage prevention program, a hazardous materials release response plan, and a stormwater pollution prevention plan, and a peat fire prevention plan. These programs are required by law and require the approval of several responsible agencies, including the State Water Resources Control Board, the U.S. Department of Transportation Office of Pipeline Safety, and the State Fire Marshall. The CPUC will require the Applicant to closely coordinate with all local fire protection agencies during project construction. An additional mitigation measure has also been added to the project. See Chapter 3, “Revisions to the Draft EIR”, of this final EIR for additional information.
- L5-2. On occasion, the project facilities will be “blowdown” to allow maintenance activities. The gas will be flared (burnt) to control odor, as described in greater detail in Chapter 2, “Clarification of Major Issues”. The Applicant has committed to provide training to local fire departments. It is assumed that this training would include a description of normal operating procedures so that false alarms would be minimized. As noted in the comment letter, if the project is approved the Applicant would establish a working relationship with the fire district. It would be reasonable to assume that as part of this relationship, the district would be notified of activities that may appear to require emergency response to further minimize responses to false alarms. In addition, the Applicant has designed the flare tips in an excavated area on the compressor facility site, surrounded by a berm, to provide noise and visual attenuation. The site will also be densely landscaped around its perimeter. These measures will reduce the potential for false alarms.