

ORIGINAL

Decision No. 88759 MAY. 2 1978

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

In the Matter of the Application of
PACIFIC GAS AND ELECTRIC COMPANY for
a certificate of public convenience
and necessity under General Order
No. 131 for a 230-kV Transmission
Line from the New Melones Switchyard
to Applicant's Bellota-Herndon 230-kV
Line.

(Electric)

Application No. 56725
(Filed September 1, 1976)

O P I N I O N

Pacific Gas and Electric Company (Applicant) seeks an order of the Commission granting it a certificate that present and future public convenience and necessity will require the construction and operation of a double-circuit, 230-kv transmission line from the U.S. Bureau of Reclamation's New Melones Power Plant Switchyard to the Applicant's Bellota-Herndon 230-kv line near the City and County of San Francisco's Warnerville Substation located south of Oakdale, California.

Environmental Impact Report (EIR) Process and Public Hearing

A Final Environmental Impact Report (Final EIR) was prepared in connection with this application in compliance with the provisions of the California Environmental Quality Act (CEQA), the Guidelines, and Rule 17.1 of this Commission's Rules of Practice and Procedure (Rules). The Environmental Impact Branch of the Utilities Division of the California Public Utilities Commission (CPUC) prepared the Final EIR.

A Draft EIR has been reviewed by the public and various state and public agencies in accordance with the State Environmental Guidelines. A public hearing on the environmental issues was held

on November 30, 1977, in Oakdale, California, by the U.S. Bureau of Reclamation for the U.S. Department of Energy. There were no protests at the hearing. The Final EIR was issued on March 13, 1978. No exceptions to that document were filed with the Commission. Two letters protesting the project were, however, received in February, 1978.

Project Description

The proposed project is an approximately 23-mile, double-circuit facility extending from the New Melones Switchyard to the Applicant's Bellota-Herndon 230-kv line. The route of the proposed line proceeds southwesterly from the New Melones Switchyard, across the eastern reach of Turlock Lake Reservoir, on southerly across State Highway 120 near the Tuolumne-Stanislaus County line; thence southeasterly to avoid ridgeline exposure to the Wilms Ranch State Historical Monument; thence westerly to the City and County of San Francisco's Hetch-Hetchy right of-way; thence westerly to a location near the Warnerville Substation, southeast of the City of Oakdale in Stanislaus County.

The proposed transmission line, with its attendant 100- to 103-foot wide right-of-way, would use lattice steel square based towers. These towers would average 135 feet in height, with spans between towers ranging from 500 to 2,000 feet apart. All existing developed access will be utilized in preference to construction of new access facilities.

The cost of providing transmission service to the Federal Government will be paid in three lump sum payments totalling \$15.7 million. This cost is less than that which the United States would incur if it were to construct and operate its own transmission line.

Need for Project

The New Melones hydroelectric generating plant is being developed to supply the needs of the Central Valley Project (CVP) via the project's Tracy Switchyard. (The New Melones line will provide backup for CVP commitments in the New Melones area.)

Applicant's system will benefit to the extent that it will be enabled to transmit energy between New Melones and Tracy Switchyard and thereby may utilize locally generated power, thus reducing the need to construct new transmission lines.

Alternatives to the Project

The principal alternate is a 65-mile transmission line which would be required if the U.S. Bureau of Reclamation were to build its own line in order to connect the New Melones and Tracy Switchyards. That alternate is not economically or environmentally preferable to the proposed route. The other alternate routes which might connect the New Melones Switchyard to a location near the Warnerville Substation would have to cross the same roads and in addition would have greater visual exposure and/or would be more expensive to construct.

The alternative of undergrounding is excessively expensive because of the steep terrain and rock outcrops which would require blasting. The impact of this blasting is considered to have a greater environmental impact on living creatures than the erection of towers. The clearing and trenching required for underground line construction would have a greater long-term environmental effect than overhead construction.

Environmental Matters

A comprehensive record of environmental matters was developed in the Final EIR on this project. Field investigation of the route has been conducted by the staff. Adverse impacts associated with the

project are principally short term. The long-term, visible impact has been mitigated as much as is reasonable and is considered unavoidable.

The adverse impacts of the proposed projects on the flora and fauna of the area have an effect on only a small portion of it. No residential, commercial, industrial, or agricultural developments will be disrupted by the project. The disturbance to vegetation, wildlife, and traffic by dust, noise, and movement will be of short duration. Applicant will reduce dust and noise with mitigation measures, incorporated into the contract specifications, and will reseed disturbed areas with native plants beneficial to wildlife.

Other mitigation measures will include proper design of access roads to provide erosion control, gates to protect private property from trespass, proper transmission line design to minimize electrical effects, the use of existing roads wherever possible. Steel lattice towers will be used to reduce the visual impact, and right-of-way clearing will be kept to the minimum necessary. Should previously unknown archeological resources or historically sensitive areas be discovered during construction, work would be stopped until the proper course of action can be determined by a professional archeologist.

The Commission has carefully considered the evidence on environmental matters, especially the contents of the Final EIR and makes the following findings pursuant to Rule 17.1(j)(3,4) of its Rules of Practice and Procedure.

Findings

1. Land Resources - Minor alterations of physiographic features will result from the project. The disturbances associated with construction will be of short duration while those associated with operation will affect only a small land area.

2. Biological Resources (vegetation and wildlife) - The major disturbance to vegetation and wildlife will be during construction and the construction contemplated in this project will cause no significant permanent adverse impacts on the biological resources of the area. Other possible adverse impacts will be adequately mitigated by the Applicant.

3. Air, Water, and Noise - The proposed transmission line is expected to have no adverse impact on the water, insignificant impact on the air and negligible impact on noise of the area. Audible noise and radio and television interference would increase directly beneath the transmission line. However, these effects would not be significant outside the right-of-way. Very brief radio interference might be experienced by motorists as they pass under the transmission line.

4. Cultural Resources - No significant impact to archeological, paleontological or historical resources has been identified as a result of the project. In the event any archeological materials are discovered during excavation for the transmission line towers, historical authorities will be notified so that their value may be rapidly and adequately assessed.

5. Aesthetics - The project will have visual impact in the area as the conductors will contrast with the sky at Highway 120 crossing. In addition, one tower may be visible to motorists in both directions because the topography permits long views. To mitigate that impact, grey galvanized lattice steel towers have been selected in order to blend into the surrounding area. The revegetation of construction areas as proposed by Applicant will further conceal the project while providing beneficial foodstock for wildlife. Excavation and grading will be limited to only that absolutely needed for tower sites and access road construction.

Conclusions

1. The project will deliver hydroelectric power to CVP's northern California Tracy and New Melones Switchyards and will eliminate the need to construct a longer, more environmentally adverse line. Thus its benefits should outweigh the irreversible environmental impacts. Its planned construction and operation is an economic, efficient, and appropriate means of meeting CVP's contracted commitments and bolstering Applicant's available capacity in this region.

2. The consequences of not implementing the proposed transmission line would result in the loss of the full energy production capability of the New Melones Powerhouse and thus the renewable energy source would not be utilized.

3. In conformance with General Order No. 131-A, the construction and operation of the 230-kv transmission line:

- A. Is reasonably required to meet demands for present and/or reliable and economic electric service; and
- B. Will not produce an unreasonable burden on natural resources, aesthetics of the area in which the proposed facilities are to be located, public health and safety, air and water quality in the vicinity, or parks, recreational, and scenic areas, or historic sites and building or archeological sites.

4. Present and future public convenience and necessity require the construction and operation of this transmission project.

5. Applicant is placed on notice that operative rights, as such do not constitute a class of property which may be capitalized or used as an element of value in rate fixing for any amount of money in excess of that originally paid to the state as the consideration for the grant of such rights. Aside from their purely permissive aspect, such rights extend to the holder a full or partial monopoly of a class of business. This monopoly feature may be modified or canceled at any time by the state, which is not in any respect limited as to the number of rights which may be given. The action taken herein

is not to be considered as indicative of amounts to be included in future proceedings for the purpose of determining just and reasonable rates.

6. The Notice of Determination for the project is attached as Appendix A to this decision, and the Commission staff's Final EIR has been completed in compliance with CEQA and the Guidelines. The Commission has reviewed and considered the information contained in the Final EIR. Further public hearing is not necessary.

7. Based on the foregoing, the Commission concludes that the New Melones to Bellota-Herndon transmission line should be authorized in the manner set forth in the following order.

O R D E R

IT IS ORDERED that a certificate of public convenience and necessity is granted to Pacific Gas and Electric Company to construct and operate the 230-kv transmission line in Calaveras, Tuolumne and Stanislaus Counties, California, as proposed in this proceeding.

The Executive Director of the Commission is directed to file a Notice of Determination for the project, with contents as set forth in Appendix A to this decision, with the Secretary for Resources.

The effective date of this order shall be thirty days after the date hereof.

Dated at San Francisco, California, this 2nd day
of MAY 1, 1978.

Robert B. Lamm
President
William L. Lyons
Vernon L. Strydom
Charles W. Threlk
Clare J. DeRish
Commissioners

NOTICE OF DETERMINATION

TO: ☒ Secretary for Resources
 1416 Ninth Street, Room 1311
 Sacramento, CA 95814

FROM: (Lead Agency)
California Public Utilities Commission
State Building
San Francisco, California 94102

☐ County Clerk
 County of _____

SUBJECT: Filing of Notice of Determination in Compliance with Section 21108 or
 21152 of the Public Resources Code

Project Title	
New Melones 230-kv Transmission Line	
State Clearinghouse Number (If submitted to State Clearinghouse) 77100328	
Contact Person Phillip E. Blecher	Telephone Number 415-557-1487
Project Location Calaveras, Stanislaus and Tuolumne Counties	
Project Description Application by Pacific Gas and Electric Company to construct a 23-mile, 230-kilovolt, 3-phase, double-circuit line from the PG&E Bellota- Herndon 230-kv transmission line from New Melones Switchyard to Oakdale, California.	

This is to advise that the California Public Utilities Commission
 (Lead Agency)
 has made the following determinations regarding the above-described project:

1. The project has been ☒ approved by the Lead Agency.
☐ disapproved
2. The project ☒ will have a significant effect on the environment.
☐ will not
3. ☒ An Environmental Impact Report was prepared for this project pursuant
 to the provisions of CEQA.

☐ A Negative Declaration was prepared for this project pursuant to the
 provisions of CEQA. A copy of the Negative Declaration is attached.

Date Received for Filing

Signature Phillip E. Blecher

Title Executive Director

Date _____