



California Public Utilities Commission



To: State Clearinghouse, Responsible and Trustee Agencies, Property Owners & Interested Parties

From: Mr. Tommy Alexander, CPUC Project Manager

Subject: NOTICE OF PREPARATION (NOP) OF AN ENVIRONMENTAL IMPACT REPORT (EIR) AND NOTICE OF PUBLIC SCOPING MEETING FOR THE POWER THE SOUTH BAY PROJECT (A.24-05-014)


Date: July 29, 2024

INTRODUCTION

LS Power Grid California (LSPGC) filed a certificate of public convenience and necessity (CPCN) application (A.24-05-014) with the California Public Utilities Commission (CPUC) for its proposed Power the South Bay Project (Project). The Project was approved by the California Independent System Operator (CAISO) to ensure the reliability of the area’s CAISO-controlled grid. As such, the Project’s stated purpose is to strengthen the electrical grid in the San Francisco Bay Area (Bay Area). The CPUC, as the lead agency under the California Environmental Quality Act (CEQA), will prepare an Environmental Impact Report (EIR) to analyze the effects of the proposed Project in compliance with CEQA. The CPUC has reviewed the application submitted May 17, 2024, and deemed the application complete on June 13, 2024. In order to obtain early feedback on the environmental issues to be addressed in the EIR, the CPUC is initiating the scoping process to inform the CEQA review with a scoping period from July 29 through August 30, 2024.

PUBLIC SCOPING MEETINGS NOTICE

Two Zoom meetings will be held Thursday, August 15, 2024

Meeting Information	Virtual Meeting No. 1	Virtual Meeting No. 2
Day and Date	Thursday, August 15, 2024	Thursday, August 15, 2024
Time	2:30 to 4:00 p.m.	6:30 to 8:00 p.m.
Attend by	Zoom Link: https://bit.ly/PowertheSouthBay or by phone: (888) 788-0099 Webinar ID: 894 4671 0376	

What is Scoping?

The purpose of this NOP is to inform recipients that the CPUC is beginning the scoping process and preparing an EIR for the proposed Project. Scoping is the process of soliciting public and agency input regarding the scope and content of an EIR, in advance of its preparation. Pursuant to CEQA, the CPUC is requesting comments to inform the scope and content of the EIR and help identify the actions, alternatives, mitigation measures, and environmental effects to be analyzed in the EIR.

This notice includes a brief description of the Project, a brief summary of the anticipated potential impacts, information on public meetings, and how to provide input on the scope and content of the EIR. After the public scoping period has ended, a Scoping Report will be prepared to summarize the comments received. This NOP and the Scoping Report will be included as an appendix to the EIR and will be available on the CPUC's website for the Project with other Project documents and reports, including LSPGC's application and PEA, at the following link:

<https://ia.cpuc.ca.gov/environment/info/esa/psb/index.html>

PROJECT LOCATION

The Project would be located in the cities of Fremont, Milpitas, San José, and Santa Clara, and within the counties of Alameda and Santa Clara. **Figure 1, *Project Location***, depicts an overview of the proposed Project in the context of regional jurisdictions.

PROJECT DESCRIPTION

The Power the South Bay Project would augment the reliability of a CAISO-controlled grid located in the cities of Fremont, Milpitas, San José, and Santa Clara. This would be accomplished through the construction of two new high-voltage direct current (HVDC) terminals and associated new transmission lines which would connect the existing Pacific Gas and Electric Company (PG&E) Newark 230 kilovolt (kV) substation and the existing Silicon Valley Power (SVP) Northern Receiving Station (NRS) 230 kV substation. The two new HVDC terminals would include a new Albrae HVDC converter station terminal (Albrae terminal) interconnected to the existing PG&E Newark substation, and a new Baylands HVDC converter station terminal (Baylands terminal) interconnected to the existing SVP NRS substation. The primary function of the proposed new HVDC terminals would be to convert alternating current (AC) power to direct current (DC) power at the sending terminal and convert DC power back to AC power at the receiving terminal. The new transmission lines would extend approximately 12.5 miles and would be a combination of both overhead and underground lines. The Project would include all new facilities as well as modifications to the existing PG&E Newark and SVP NRS substations to accommodate interconnection specifically to the new HVDC terminals via the new transmission lines.



SOURCE: KP Environmental, 2024

CPUC Power the South Bay

Figure 1
 Project Location



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The CPUC regulates privately owned electric, natural gas, telecommunications, water, railroad, rail transit, and passenger transportation companies.



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Applicant Proposed Measures

As part of the Project, LSPGC has committed to implementing applicant-proposed measures (APMs) to reduce its potential impacts. The EIR will evaluate these measures as part of the Project, and the CPUC will develop additional mitigation measures to reduce or avoid any significant impacts of the Project identified in its independent analysis.

Project Objectives

LSPGC's stated purpose of the Project is to strengthen the electrical grid in the Greater Bay Area in the counties of Santa Clara and Alameda. LSPGC has identified the following objectives for the Project:

- Meet the CAISO's reliability-driven need by addressing multiple near-, mid-, and long-term reliability issues in the existing San José area 115 kV system.
- Meet the technical specifications set forth by CAISO for a Voltage Source Converter (VSC)-HVDC link in the Greater Bay Area located near or adjacent to the existing PG&E Newark substation and SVP NRS substation. Adjacency to the existing PG&E Newark and SVP NRS substations would reduce the length of the interconnection (230 kV) transmission lines, thereby reducing the right-of-way requirements and potential for significant environmental impacts.
- Improve and maintain the reliability of the transmission grid by providing dynamic reactive power support, and increase deliverability of renewable power by building and operating a facility that would help keep transmission voltages within specified parameters, reduce transmission losses, increase reactive margin for the system bus, increase transmission capacity, provide a higher transient stability limit, increase damping of minor disturbances, and provide greater voltage control and stability.
- Facilitate deliverability of energy from existing and proposed renewable generation projects to the Greater Bay Area and corresponding progress toward achieving California's Renewables Portfolio Standard (RPS) goals in a timely and cost-effective manner by California utilities.
- Comply with and assist CAISO in meeting applicable Reliability Standards and Criteria developed by the North American Electric Reliability Corporation (NERC), Western Electricity Coordinating Council (WECC), and CAISO.
- Design and construct the Project in conformance with LS Power's standards, the National Electric Safety Code, and other applicable national and State codes and regulations.

As lead agency under CEQA, the CPUC is responsible for identifying appropriate Project objectives, which may differ from LSPGC's objectives described above, to inform the CEQA process/evaluation, including the development and screening of Project alternatives. The CPUC has not yet identified its CEQA objectives for the Project.

ISSUES TO BE ADDRESSED IN THE EIR

It has been determined that an EIR is required for the CEQA review because the Project could result in potentially significant impacts to environmental resources. The EIR will address all of the issues identified in the CEQA Environmental Checklist Form (see CEQA Guidelines Appendix G). However, it is anticipated that the Project would have nominal or no impacts to the following resource areas: agriculture and forestry resources, energy, greenhouse gas emissions, land use and planning, mineral resources, population and housing, and wildfire.

Environmental Effects

LSPGC has indicated that the Project would not result in any potentially significant or significant and unavoidable impacts. Nonetheless, LSPGC would remain responsible for the assembly of construction and environmental teams that would implement and evaluate APMs. As such, LSPGC has identified APMs, which include PG&E and/or SVP best management practices (BMPs), to make sure that Project-level impacts for some resource areas would be less than significant. Resource areas for which LSPGC has provided APMs, as well as CEQA Appendix G checklist items associated to those APMs, are summarized below.

- ***Aesthetics***: Have a substantial adverse effect on a scenic vista; conflict with applicable zoning and other regulations governing scenic quality; introduce new sources of light and/or glare.
- ***Air Quality***: Conflict with or obstruct implementation of the applicable air quality plan; result in a cumulatively considerable net increase of any criteria pollutant for which the Project region is non-attainment under an applicable federal or state ambient air quality standard; expose sensitive receptors to substantial pollutant concentrations.
- ***Biological Resources***: Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special-status in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife (CDFW) or the U.S. Fish and Wildlife Service (USFWS); have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, or regulations, or by the CDFW or USFWS; have a substantial adverse effect on state or federally protected wetlands as defined by Section 404 of the Clean Water Act (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means; interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites; create a substantial collision or electrocution risk for birds or bats.
- ***Cultural Resources***: Cause a substantial adverse change in the significance of a historical resource pursuant to Section 15064.5; cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5; inadvertent disturbance of any cultural resources or human remains, including those interred outside of dedicated cemeteries.
- ***Geology, Soils, and Paleontological Resources***: Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving: rupture of a known earthquake fault, strong seismic ground shaking, seismic-related ground failure (including liquefaction), landslides; result in substantial soil erosion or the loss of topsoil; be located on a geologic unit or soil

that is unstable or that would become unstable as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse; be located on expansive¹ soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property; directly or indirectly destroy a unique paleontological resources or site or unique geologic feature.

- **Hazards, Hazardous Materials, and Public Safety:** Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials; create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment; emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school; be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code 65962.5 and, as a result, would it create a significant hazard to the public or the environment; impair implementation of or physically interfere with an adopted emergency response plan or emergency response plan; expose workers or the public to excessive shock hazards.
- **Hydrology and Water Quality:** Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or groundwater quality; create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff; risk release of pollutants due to project inundation in flood hazard, tsunami, or seiche zones; conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan;
- **Recreation:** Reduce or prevent access to a designated recreation facility or area; damage recreational trails or facilities.
- **Traffic and Transportation:** Conflict with a program, plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities; substantially increase hazards due to geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment); result in inadequate emergency access; create potentially hazardous conditions for people walking, bicycling, or driving or for public transit operations; interfere with walking or bicycling accessibility; substantially delay public transit.
- **Tribal Cultural Resources:** Cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code Section 5020.1 (k); cause a substantial adverse change in the significance of a tribal cultural resource, defined in Public Resources Code Section 21074 as either a site, feature, place, cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is resource determined by the lead agency, in its discretion and supported by substantial evidence,

¹ The California Building Code (CBC), formerly Uniform Building Code, no longer includes a Table 18-1-B. Instead, Section 1803.5.3 of the CBC describes the criteria for analyzing expansive soils.

to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1.

- **Utilities and Service Systems:** Require or result in the relocation or construction of new or expanded water, wastewater treatment or stormwater drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects; increase the rate of corrosion of adjacent utility lines as a result of alternating current impacts.

Mitigation Measures, Cumulative Impacts, and Alternatives

The EIR will include the CPUC's independent evaluation of the potential effects described above and other potentially significant environmental effects of the Project, including those resulting from its construction, operation, and maintenance. Where necessary and feasible, mitigation measures will be recommended (in addition to or to supersede LSPGC APMs) to avoid or reduce potentially significant impacts. The EIR will also address potential cumulative environmental impacts of the Project, when considered with past, other current, and reasonably foreseeable future projects in the region.

The EIR will include a discussion and analysis of a reasonable range of alternatives to the Project, including a No Project alternative scenario, and alternatives to the Project that could attain most of its basic CEQA objectives while avoiding or reducing any of its significant environmental effects. LSPGC has identified several alternatives in its PEA, including the Albrae Terminal Site Alternative, Baylands Terminal Site Alternative, Albrae to Baylands Transmission Line Route Alternative, Newark to Albrae Transmission Line Route Alternative, and Baylands to Northern Receiving Station Transmission Line Route Alternative. These will be considered by the CPUC's environmental review team and potentially carried forward for full analysis in the EIR. Other alternatives may be added to the analysis based on input received during the 30-day scoping period following issuance of this NOP, or by the EIR team to reduce or eliminate potentially significant environmental impacts identified during the EIR process.

Public Resources Code Section 21092.6(a)

Per Public Resources Code Section 21092.6(a), if the Project site or site of any project alternative to be analyzed is a site listed on the "Cortese List" of hazardous waste site, then this information must be included in the NOP. According to LSPGC, pursuant to Government Code Section 65962.5, there are two sites within the Project area that would intersect and are included on the Cortese List of hazardous waste sites – the Cisco Systems Site 6/Syntax Court Disposal Site and the South Bay Asbestos Area (also known as the South Bay Asbestos Superfund Site). The proposed staging areas 10 and 11, as well as an underground portion (approximately 206 linear feet) of the Baylands to NRS transmission line, would be located within the Cisco Systems Site 6. An underground portion of the Baylands to NRS transmission line would be located within the Santos Landfill portion of the South Bay Asbestos Area.

ISSUES THAT WILL NOT BE ADDRESSED IN THE EIR

Non-environmental issues such as economic impacts and assessment of Project need are outside the scope of CEQA and will not be addressed in the EIR, but those issues may be addressed through the CPUC's concurrent proceeding for the Project. The EIR will also not consider electric and magnetic fields (EMFs) that would be generated by the Project in the context of the CEQA analysis of potential environmental

impacts, for two reasons: (1) There is no agreement among scientists that EMFs create a potential health risk; and (2) there are no defined or adopted CEQA standards for defining health risk from EMFs.

PUBLIC SCOPING PERIOD FOR THIS NOTICE OF PREPARATION

Information to be included in the EIR will be based in part on input and comments received during the scoping period. Decision-makers, responsible and trustee agencies under CEQA, property owners, and members of the public will also have an opportunity to comment on the Draft EIR once it is issued. Pursuant to CEQA, the scoping period will be 30 days following the release of this NOP. The scoping period for this Project begins on Monday, July 29, 2024, and closes at 5:00 PM on Friday, August 30, 2024. Please include the name, organization (if applicable), mailing address, and e-mail address of the contact person for all future notifications related to this process. Public comments will become part of the public record and will be published in a Scoping Report.

Please send your comments by mail or e-mail to:

Tommy Alexander, CPUC Project Manager
Power the South Bay Project; Attn. D. Davis
c/o Environmental Science Associates
575 Market Street, Suite 3700, San Francisco, CA 94105;
or via e-mail: PowertheSouthBay@esassoc.com

SCOPING MEETINGS

In order for the public and regulatory agencies to have an opportunity to submit comments on the scope of the EIR for the Project, virtual meetings will be held August 15, 2024, during the NOP scoping period. Information about the virtual meetings is included in the table below. For the first half hour of the meetings, CPUC will host a workshop to explain: a) the CPUC's process for reviewing the application; b) the environmental review process; and c) details on how the public can become involved with each of these processes. Following the workshop, the CPUC will hold the official scoping meeting beginning with a brief presentation providing an overview of the Project and alternatives identified to date. Following this presentation, agencies and the public will have an opportunity to provide verbal comments to inform the scope of the environmental review. Written comments will be accepted throughout the NOP scoping period to the address and/or email provided above. A QR code to join either meeting is also provided.

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