

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512



September 24, 1999

Kenneth E. Abreu
Development Manager
6700 Koll Center Parkway, Suite 200
Pleasanton, CA 94566

Dear Mr. Abreu:

METCALF ENERGY CENTER DATA REQUESTS – Set #2

Pursuant to Title 20, California Code of Regulations, section 1716, the California Energy Commission staff requests the information specified in the enclosed data requests. The information requested is necessary to: 1) more fully understand the project, 2) assess whether the facility will be constructed and operated in compliance with applicable regulations, 3) assess whether the project will result in significant environmental impacts, 4) assess whether the facilities will be constructed and operated in a safe, efficient and reliable manner, and 5) assess project alternatives and potential mitigation measures.

Data requests are being made in the areas of: biological resources, cultural resources, facility design, hazardous materials management, noise, socioeconomics, transmission system engineering, traffic and transportation, visual resources, waste management and water resources. Written responses to the enclosed data requests are due to the Energy Commission staff on or before October 25, 1999, or a later mutually agreed upon date.

The City of San Jose, in their letter of August 18, 1999, made several comments about the need for additional information about the Metcalf Energy Center (MEC) proposal in order to determine compliance with local requirements. The City also provided some corrections to information contained in the MEC Application for Certification. Staff has noted the City's corrections of information contained in the AFC and has incorporated some of their requests for additional information in the enclosed data requests.

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If you are unable to provide the information requested, need additional time to provide the information, or object to providing it, you must send a written notice to both Commissioner Robert A. Laurie, and to me, within 15 days of receipt of this notice. The notification must contain the reasons for not providing the information, the need for additional time and the grounds for any objections (see Title 20, California Code of Regulations section 1716 (e)).

If you have any questions regarding the enclosed data requests, please call Roger Johnson at (916) 653-0385.

Sincerely,

Lorraine White
Energy Facility Siting Project Manager

Enclosure

cc: Docket (99-AFC-3)
Proof of Service List
John Hathaway, Calpine Corporation
John Carrier, CH2MHill
David Wright, U.S. Fish and Wildlife Service
Carl Wilcox, Department of Fish and Game
John McMillan, San Jose Fire Department
Jerry Buzzetta, San Jose Fire Department
Eric Rosenblume, South Bay Water Recycling

**METCALF ENERGY CENTER
DATA REQUEST SET #2
(99-AFC-3)**

Technical Area: Biological Resources

Author: Linda Spiegel

In staff's July 23, 1999 Data Requests, the applicant was asked to provide a biotic assessment of the riparian corridor, an enhancement plan for Fisher Creek, the arborist's impact analysis, an analysis of the NOx loading on the serpentine soils of Tulare Hill and Tulare Hill Management Plan. The applicant has indicated that additional time was required to provide staff with this information and studies that satisfy requirements of the Riparian Corridor Policy Study, City of San Jose Riparian Corridor Policy. Some answers to the requests below may be forthcoming in the applicant's responses to first round of data requests. This information is needed by staff to conduct an analysis and has been requested by the City of San Jose in a letter to the Energy Commission dated August 18, 1999.

BACKGROUND: The applicant's response to Data Request #31 indicates that the applicant does not intend to consider alternate site plans that would comply with the City of San Jose's requirement for a 100-foot set back from the riparian corridor.

DATA REQUEST

153. Please confirm if the proposed project will or will not comply with 100 foot set back requirements. If the project will not comply, please provide detailed justification for the non-compliance and the need for an exemption to the 100-foot setback requirement.

154. Please provide a detailed explanation of how the current plan for a 55-foot setback (65 feet to plant site and 10-foot wide area around the site that will be cleared of vegetation) will affect Fisher Creek's terrestrial and aquatic biota. Provide any studies that were conducted to make this assessment. Please provide a detailed discussion of what mitigation measures will be used to avoid impacts to Fisher Creek.

BACKGROUND: In staff's July 23, 1999 Data Requests, the applicant was asked to provide 1) the Best Management Practices that will be implemented to ensure high water quality standards into Fisher Creek (Data Request #28) and 2) a Storm Water Pollution Prevention Plan (SWPPP; Data Request #147). In response, the applicant only provided a sample SWPPP that is not adequate for determining impacts from the proposed project.

DATA REQUEST

155. Please provide a complete analysis of potential erosion and water quality impacts to Fisher Creek resulting from storm water outfalls from the discharge pipe and runoff specific to the proposed Metcalf Energy Center.

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156. Please provide a complete SWPPP prepared specific to the Metcalf Energy Center. Paving the site alone will not provide adequate post-construction management. Please describe what steps will be taken to prevent contact with or removal of pollutants from the storm-water runoff.

157. Provide details of the detention pond.

BACKGROUND: In the applicant's response to staff's Data Request #29 regarding herbicides, only a single example of a possible herbicide was provided. Staff needs to determine the potential for adverse impacts to Fisher Creek and the surrounding biotic resources that may result for the use of herbicides to control vegetation at the project's fence line.

DATA REQUEST

158. Please provide a detailed list of all "approved/registered herbicides" that the applicant may consider for use at the fence line of the proposed project to control vegetative growth. For each of these herbicides, also include a detailed description of biotic affects and hazards (e.g., manufacturer's disclosure information).

BACKGROUND: As discussed in the first set of data requests, the proposed power plant and linear facilities will result in the removal of 85 Significant Trees. The applicant is preparing an arborist's impact analysis and mitigation and monitoring plan. If not already included in this analysis, please provide the following information:

DATA REQUEST

159. Please identify which trees in the project area are or could qualify as, Significant and/or Heritage trees by the city or county. Provide this information on a map and in a table similar to those shown on Land Use Plan – 4, Tree Survey in the applicant's PD-Zoning application to the City of San Jose.

160. On the preliminary landscape plan map submitted in the August 23, 1999 data responses, please identify which trees shown adjacent to Fisher Creek are existing and which are new. For existing trees, show which are, or could qualify as, city or county Significant or Heritage trees. Please submit this information at the same scale, 1" = 50'.

BACKGROUND: Currently, PG&E accesses their transmission towers by driving through Fisher Creek. This results in an unacceptable adverse impact on the riparian corridor. Calpine/Bechtel has indicated that they will access the transmission line associated with the proposed project by this route. In their August 18, 1999 letter (page 7), the City of San Jose states that the access road will need to be improved with an over-crossing that will not interfere with trail construction and use along the creek.

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DATA REQUEST

161. Please provide a detailed description of the measures that the applicant will implement to stop vehicular access directly through the creek, but still allow access to the utility's transmission line towers. If the applicant is considering the construction of a bridge as a possible measure, please provide all design information and construction requirements.

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Technical Area: Cultural Resources

Author: Kathryn Matthews and Dorothy Torres

BACKGROUND: Staff's analysis must address potential disturbance to cultural resources that might be caused by project linear facilities. As part of a thorough analysis, staff also must include a thorough examination of all alternatives. To complete an analysis, staff needs to understand the potential of project linears to disturb soil and cultural resources.

DATA REQUEST

162. Previous Data Request #38 asked for detailed construction information for the project linear facilities. In relation to the project linear facility alternates, does the previous information concerning construction apply to all the suggested linear alternates? If so, please provide a statement indicating concurrence with the construction information provided as a response to #38. If there will be different construction techniques used in relation to any of the alternates, please provide that information in the same detail as in the response to previous Data Request #38.

163. Alternate recycled water Route B appears to follow city streets. Please confirm whether (if used) the route will be confined under existing streets or if it will be adjacent to them. If there are areas where the route will not be placed under existing roadways, please indicate those areas on Confidential Figure 8.3-4a and Confidential Figure 8.3-4b.

164. Alternate recycled water Route J appears to follow state highway 101. There are numerous cultural resource sites either in the direct path or immediately adjacent to Route J. Staff is concerned that a lack of space in the right-of-way will require the applicant to go outside the right-of-way (ROW) thus causing additional damage to cultural resources. Please describe where the pipeline would be placed within or along the highway right of way. Please discuss:

- the overall width of the highway ROW,
- the location and width of any other utility rights of way within it,
- the location and width of the ROW proposed for this project water line, and
- the potential that the ROW in portions of the route may not be wide enough to accommodate the proposed water line.

If there are areas where the route might extend outside the ROW, please indicate those areas on Confidential Figure 8.3-4a and Confidential Figure 8.3-4b.

165. Previous Data Request #37 asked general questions about construction methods. A portion of the response included a section entitled "Pull Sites." Please clarify whether the following sentence is accurate: "However, these sites are typically 30 feet by 10 feet with depth depending on what is required for the trench." If trenches are to be used in relation to pull sites, please

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provide a discussion of how the trenches will be used and the potential for disturbance to surrounding areas as a result of construction.

166. Thank you for providing, under confidential cover, a map indicating the location of CA-SCL-448. It appears from this map that the site will be severely impacted by water line AHI. From the map, it also appears that it will not be possible to avoid the site. Please provide a detailed discussion of estimated impacts to this site and a plan to minimize or mitigate the expected impacts.
167. The applicant's response to previous Data Request #38 discusses the heavy disturbance present in the Union Pacific Railroad ROW due to the existence of underground utilities and railroad maintenance activities. Calpine/Bechtel are suggesting a variety of construction methods on this route. The maximum depth and width of the trenches will vary depending on existing congestion at points within the corridor. Please identify the underground utilities present in this corridor, the width of ROW used for each, the overall width of the railroad ROW, and the location of each existing utility within it, and the location and width of the ROW proposed for the project water line.
168. The response to Data Request #38 also discusses a plan for dealing with short portions of pipeline that will not fit within the UPRR ROW. Please provide information concerning the applicants certainty that the waterlines AHI will fit within the ROW corridor. Please provide a discussion of construction plans that will be used, if lines other than short portions will not fit within this ROW.
169. National Register eligible sites occur near the proposed and alternate gas lines and an alternate water line. Please provide site records under confidential cover for CA-SCL-338H and CA-SCL-237.

BACKGROUND: The City of San Jose has identified several areas of concern in relation to activities that have a potential to impact cultural resources.

DATA REQUEST

170. On Confidential Figure 8.3-a and Confidential Figure 8.3-b, please identify the location of all Heritage Keesling Walnut Trees. Please provide a discussion of the proximity of the trees to the project site, project linears and project alternatives. Please explain the procedures that will be followed to avoid any impacts to the trees.
171. Please clarify for staff whether Coyote Ranch and Fischer Ranch are two different names for the same historic resource or separate historic resources. If they are separate resources, on Figure 8.3-b, please indicate the location of

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Coyote Ranch. Please discuss the historic background of the Coyote Ranch and indicate whether this site is eligible for the National Register of Historic Places (NRHP).

172. The City of San Jose indicated that the Coyote Ranch is located within _ mile from the project site and it is downwind. Please provide a discussion of possible air quality impacts and effects of steam vapor emission/condensations on this cultural resource.
173. Please provide a discussion of the criteria used to determine sensitivity for cultural resources in the project area.
174. Using Figure 8.3-4b, please clearly identify the proposed natural gas line and the gas line alternates. The labeling is confusing on the current Figure 8.3-b.

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Technical Area: Hazardous Materials Management

Author: Rick Tyler

BACKGROUND: Staff's analysis needs to assess the potential for impacts on public health in the event of an accidental hazardous materials release. The San Jose Fire Department has asked several questions regarding the hazardous materials handling at the proposed Metcalf Energy Center. Their questions are related to two main topics: 1) on-site emergency response capability, and 2) compliance of the facility with the 1999 San Jose Fire Code.

DATA REQUEST

175. Please provide a discussion of the on-site emergency response capability and the emergency response contingency plan that would be implemented during the 30 minute period before the San Jose Fire Department arrives in the event of an accidental hazardous materials release.

176. Please describe how the Metcalf Energy Center will comply with all the requirements of the 1999 San Jose Fire Code applicable to hazardous materials handling at the facility.

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Technical Area: Noise

Author: Kisabuli

BACKGROUND: Staff needs to understand the project to ensure that the power plant can be constructed and operated in compliance with the General Plan, local noise ordinance or community noise performance standards. Noise impacts are evaluated by staff using two criteria: 1) the extent to which the requirements of the General Plan, local noise ordinance or community noise performance standards may be exceeded; and 2) the extent to which likely sensitive receptors are affected by the projected change(s) in noise levels or tonal characteristics.

The proposed Metcalf Energy Center (MEC) is to be developed on land that is partly in the City of San Jose and partly in Santa Clara County. The County of Santa Clara has established a nighttime (10 p.m. to 7 a.m.) exterior noise limit at the property line of 45 dBA (hourly L_{50}) for one- and two-family residential areas. In addition, the San Jose 2020 General Plan has established a short-term outdoor noise policy for traffic noise impacts of 60 DNL, a long-term outdoor noise goal of 55 DNL (average day/night), an indoor noise goal of 45 DNL at adjacent sensitive receptors. Non-residential land uses located adjacent to existing residential land uses, and other sensitive receptors, should mitigate noise generation to meet the 55 DNL at the property line. The City of San Jose does not normally allow construction activities to occur outside the hours of 7:00 a.m. to 7:00 p.m. on weekdays.

DATA REQUEST

177. Please confirm that you will use the County of Santa Clara's noise ordinance of 45 dBA (L_{50}) at the property line to analyze the impact to the residences located in the County. Please note that the land use receiving the noise impact is one- and two-family residential and, therefore, should be analyzed as a sensitive rather than agricultural land use. Also note that even with the eventual annexation of the property to the City of San Jose, the sensitive receptors continues to be in the County and, therefore, should be analyzed to meet the County requirements.

BACKGROUND: It is not clear from reading the AFC, and the responses provided to-date, what the noise design criteria is for the proposed power plant. (a) Section 8.5.3.3 and page 8.5-9 states that "to minimize the impact of operational noise on the surrounding community, the plant will be designed to produce no more than 49 dBA at the nearest sensitive receptor to MEC." (b) Section 8.5.3.5 and page 8.5-10 of the AFC states that "the average hourly nighttime L_{90} noise level at the receptor designated M1 is 46 dBA, and also that to limit the increase in nighttime noise level to 5 dBA, or a total of 51 dBA, that the plant will be designed not to exceed 49 dBA at this location."

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DATA REQUEST

178. Please provide information on noise compliance in a summary table that is divided or separated into three subsections to address requirements of each of the three agencies (City, County and CEC). For each subsection, please specify the noise impact thresholds pertaining to which agency will be used. A summary section could be included that would discuss the result of the three analyses.

179. If the lowest L_{90} noise level recorded at receptor M1 on two consecutive nights was 37 dBA and 34 dBA at receptor M2 (AFC section 8.5.2.2 and page 8.5-5), please justify why these noise levels are not used as the design criteria for the powerplant?

180. Page 8.5-17, Last paragraph: It is stated that the MEC meets the 55 Leq requirement at the property line and that the octave band requirements at the property line have not been analyzed. Please define/identify what the octave band requirements are and describe their use. Please provide the appropriate octave band requirements analysis.

BACKGROUND: AFC Section 8.8.3.3 states that ..."the plant will be designed so that the cumulative background noise level at the nearest receptor is not increased by more than 5 dBA."

DATA REQUEST

181. Please confirm that the 5-dBA increase will be compared to the lowest recorded L_{90} noise level of 37 and 34 dBA at locations M1 and M2 respectively. The information provided has not adequately addressed this issue.

BACKGROUND: In their August 18, 1999 letter, the City of San Jose indicated that they require a complete Noise Impact Analysis to determine the potential for significant adverse noise impacts. When these noise impacts are found significant, mitigation measures are required to reduce the impacts. This site will be subject to annexation into the City of San Jose, therefore it is important to stress conformance with City of San Jose standards throughout the document. Cumulative Noise Impacts are treated similarly. Please note that use of data that is approximately 20 to 25 years old is not adequate; current data should be used.

182. Please provide a complete Noise Impact Analysis report, including any modeling information and calculations. Since the City of San Jose noise standards are based on noise levels measured in decibels using DNL, the AFC noise analysis should include a separate noise level analysis using DNL. A map should also be included to illustrate measured noise levels (in DNL) overlaid on a 1:1,000 scale map containing property line information. The analysis should include a) noise impacts for construction and operation; b)

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from periodic start-ups and shut-downs; c) noise associated with the initial two week commissioning of the plant; d) an analysis of potential impacts from both ground and airborne vibration on nearby sensitive receptors during construction and operation; and e) an assessment of the typical high-pressure steam blow activity that is generally addressed separately because of the high noise levels and potential for significant noise impact.

183. Page 8.5-13 and -14, Mitigation Measures: Based on results from the Noise Impact Analysis requested above, please provide an explanation how the mitigation measures identified in this section would reduce noise impacts (and vibration impacts, if required) from the proposed plant operation to a less than significant level.

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Technical Area: Project Description

Author: Lorraine White

BACKGROUND: Staff must understand the proposed project and all its features in order to fully evaluate potential impacts. The applicant has proposed points of interconnection for the MEC's linear facilities.

DATA REQUESTS:

184. Please provide verification from PG&E that the identified point of interconnection for the natural gas pipeline is acceptable and verification from South Bay Water Recycling Program and the San Jose Municipal Water System that the water and sewer line interconnections are acceptable. If no verification is available at this time, please provide the status of agreements that the applicant is pursuing to finalize these points of interconnection.

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Technical Area: Socioeconomics

Author: Jim Adams

BACKGROUND: Staff needs to determine the fiscal impacts of the proposed project on local agencies. The discussion of utilities, public and emergency services in the AFC (pgs. 8.8-10 –8.8-16) describes the projects impact on fire, police, water districts, and hospitals among other things. There are no estimates for the cost to the local agencies to provide these services.

DATA REQUEST

185. Please identify any costs that will be incurred by the City of San Jose or Santa Clara County to provide the proposed project with utility, public and emergency services and estimate the magnitude of these costs. Include any costs that may be incurred by the local agencies to construct gas, water and sewer lines necessary to operate the facility.

BACKGROUND: The applicant provided staff a telephone conversation record from February 25, 1999 that described how property taxes would go to the state and then be reallocated back to the county. There was also a description of those taxes and how they would be allocated to the various districts, such as schools. However, the State Board of Equalization did not change the assessment process, so only the county will be assessing and distributing the property tax revenues generated by the proposed MEC.

DATA REQUEST

186. Please provide revised tax revenue stream from MEC that shows how it will be distributed to the local taxing jurisdictions.

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Technical Area: Transmission System Engineering

Author: Linda Davis

BACKGROUND: The August 23, 1999 Response to Data Request 71.a states that “While the benefits of MEC generation to the transmission system were not studied, the likely impact on the City of San Jose’s system is positive.” The August 27, 1999 Data Responses, Set 1B states on page 1, last sentence that the “Additional objectives of this project include... providing Bay Area electric grid reliability benefits, mitigating transmission congestion into the area...”.

DATA REQUEST

187. Please provide an analysis and/or rationale discussing the likely positive impacts of the Metcalf Energy Center to the area transmission system identified in the August 23, 1999 Response to Data Request 71.a. Please provide supporting documentation such as system modeling and associated assumptions and references.

188. Please provide an analysis and/or rationale discussing the objectives of the project in providing Bay Area electric grid reliability benefits and in mitigating transmission congestion in to the area. Please provide supporting documentation such as system modeling and associated assumptions and references.

BACKGROUND: The August 27, 1999 Data Responses, Set 1B states on page 4, last sentence that “Smaller substations at the 115-kV level were eliminated due to capacity concerns while those at the 500-kV level were eliminated as being electrically outside the load to be served in the greater Bay Area.”

DATA REQUEST

189. Please provide an analysis and/or rationale discussing the conclusion that 115-kV substations should be eliminated due to capacity concerns and 500-kV substations are electrically outside the load to be served. Please provide supporting documentation such as system modeling and associated assumptions and references.

BACKGROUND: The August 27, 1999 Data Responses, Set 1B states on page 8, first and second sentences that “There is currently a shortage of RMR generation in the Bay Area and the most vulnerable location associated with this shortage is at the Metcalf substation. Calpine/Bechtel’s investigations reveal that the MEC will not only help offset the shortage of RMR generation in the Bay Area, it will also mitigate the reliability problems at Metcalf substation, thereby enhancing the reliability of the South Bay.”

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DATA REQUEST

190. Please provide an analysis and/or rationale discussing the conclusions that: a) there is currently a shortage of RMR generation in the Bay Area, b) that the most vulnerable location associated with this shortage is at the Metcalf substation, c) that the MEC will help offset the shortage of RMR generation in the Bay Area, d) that the MEC will mitigate the reliability problems at Metcalf substation, and e) that the MEC will enhance the reliability of the South Bay. Please provide also a discussion of the specific reliability problems identified at Metcalf substation and/or the South Bay, which the MEC may mitigate. Please provide supporting documentation such as system modeling and associated assumptions and references.

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Technical Area: Traffic and Transportation

Author: Steve Brown

BACKGROUND: The latest copy of the schematic drawing of the MEC Access Roads shows that the proposed access road connecting to Blanchard Road from the west essentially parallels the tracks and, thus, creates potential sight distance problems for vehicles exiting the project site heading across the railroad tracks onto Monterey Highway.

DATA REQUEST

191. Please provide the most current proposed alignment drawings (to scale) of the proposed access road connecting to Blanchard Road. The distance from the railroad crossing to the access road off Blanchard Road should be provided.

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Technical Area: Visual Resources
Author: Joe Donaldson/Gary Walker

BACKGROUND: A portion of the project site currently lies within the jurisdiction of Santa Clara County. Therefore, it will be necessary to identify and analyze the consistency of the proposed project with the laws, ordinances, regulations, and standards (LORS) applicable to visual resources in the county.

DATA REQUEST:

192. The AFC did not address consistency with county LORS regarding visual resources. Please identify and provide a discussion of the consistency of the proposed project with all LORS applicable to visual resources in the county.

193. Please update Table 8.11-3 to include the applicable information and provide a new table that summarizes the proposed project's consistency with applicable county laws, ordinances, regulations, and standards for visual resources.

BACKGROUND: The base map used for Figure 8.11-1 appears to be a USGS quad map that does not show all current land uses in the area.

DATA REQUEST:

194. To assist staff identify sensitive visual receptors, please provide a revised Figure 8.11-1 that includes a base map showing all current land uses in the area, including residences, parks and roads.

BACKGROUND: The August 18, 1999 letter from the City of San Jose, commenting on the AFC, states (p.15) that:

"The current proposal needs to more fully evaluate the potential visual impacts that would result from the development of the MEC at this location at this time" and "More emphasis needs to be placed on impacts to the existing environment, or to adjacent or nearby projects currently on file. It is appropriate, however, to analyze potential impacts on future development that may occur in the reasonably foreseeable future and for that reason, the potential impacts on the future Coyote Valley Urban Reserve (CVUR) should be addressed in this document."

DATA REQUEST:

195. Please provide a detailed evaluation of the project's potential visual impacts on the future CVUR.

BACKGROUND: The AFC does not specifically describe the visual impacts of the above-ground transmission lines. The City of San Jose's letter (p.15) states that "The analysis of visual impacts should also include impacts anticipated with

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the additional powerlines connecting the power plant to the existing tower and substation/grid system.”

DATA REQUEST:

196. Please provide a detailed assessment of the visual impacts of the proposed above-ground transmission lines.

BACKGROUND: The City of San Jose’s letter (p.15) states that :”A visual impact would be considered significant in the City of San Jose if the project would:

- have a substantial, demonstrable negative aesthetic effect; or
- restrict or impair the view within a designated scenic corridor; or
- remove or substantially alter an important scenic or aesthetic resource; or
- substantially block existing views of scenic vistas or resources; or
- produce substantial new light or glare such that it poses a hazard or nuisance.”

DATA REQUEST:

197. Please clearly describe the rationale for all of the determinations of significance of visual impacts of the project using these significance criteria.

BACKGROUND: The AFC provides a general description of the process used to assess the visual character and quality of the project area and visual impacts of the proposed project. The City of San Jose’s letter (p. 15) raises the point that this description does not adequately describe the applicability of, and rationale for, the visual quality rating system developed by Buhyoff et al. 1994, that is used for this analysis. Furthermore, it does not clearly describe the rationale for determinations of significance of visual impacts identified in the AFC.

DATA REQUEST:

198. Please provide a detailed description of the applicability of, and rationale for, the visual quality rating system developed by Buhyoff et al. 1994 that is used for this analysis.

199. Please provide a detailed description of the visual quality ratings identified in Table 8.11-1 as they apply specifically to the visual resources of the project area.

200. Please clarify or modify and provide detailed justifications for all visual quality ratings identified for specific views and visual resources in the AFC.

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BACKGROUND: The City's letter states in regard to the AFC, p.8.11-21: "The second bullet statement indicates the project would not obstruct any scenic view or vista. This statement is incorrect. The analysis is inadequate in that it does not take into consideration the effect the project would have on the rural scenic views as seen from Highway 101, which is a designated Rural Scenic Corridor/Landscaped Throughway in the City of San Jose General Plan. Nor does it take into account the effect the project would have on the rural scenic views as seen from the Trails and Pathway Corridors designated along Fisher and Coyote Creeks."

DATA REQUEST:

201. In regard to the City's comments, please clarify whether the project would obstruct a scenic view or vista.
202. Please describe how the project would or would not be compatible with the designation of Highway 101 as a Rural Scenic Corridor and Landscaped Throughway in the City of San Jose's 2020 General Plan Scenic Routes and Trails Diagram.
203. Please specifically include the City's recognition of the scenic values in the area of KOP 5 by its designation of Highway 101 as a Rural Scenic Corridor and Landscaped Throughway in your revised discussion of the visual quality rating for KOP 5.
204. Please describe how the project would or would not be compatible with the City of San Jose's identification of the project area as a major southern gateway to the City of San Jose.
205. In addition to the information requested in staff's Data Request #96, please provide a detailed analysis of the visual impacts and proposed mitigation for views of the project from Fisher and Coyote Creeks based on the City's designation of these areas as Trails and Pathway Corridors in the San Jose 2020 General Plan Scenic Routes and Trails Diagram.

BACKGROUND: Applicant's response to staff's Data Request #86 states that: "Since the time that the AFC was submitted, a detailed landscape plan for the project site has been developed that has revised some aspects of the landscape scheme that the AFC described. This landscape plan is included in the Planned Development Zoning Application plan set (Attachment LU-50B)." However, this landscape plan does not clearly show the proposed location of all of the species planned for use.

DATA REQUEST:

206. Please provide a revised landscape plan identifying the locations for each proposed plant species listed.

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BACKGROUND: Applicant's response to staff's Data Request #96 does not clearly show what portions of the proposed project would be visible from the planned trail along Fisher Creek.

DATA REQUEST:

207. Please conduct an investigation to determine the location where the project would be most visible, even after planned vegetation has grown to mature height.
208. Please provide a photograph of the site from that location.
209. Please provide a color photographic simulation of the project from the same location.

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Technical Area: Waste Management

Author: Mike Ringer

BACKGROUND: Construction of linear facilities may disturb earth that has been contaminated by toxic substances, creating waste management or public health concerns. Staff's July 23, 1999 Data Request #111 asked: Please provide information on any known sites (e.g., hazardous substance release sites, leaking underground tanks, groundwater pollution) which may be encountered during excavation for, or construction of, linear facilities. The response stated that such sites will be identified prior to excavation and construction activities. The response provided no additional information and is not adequate for staff's analysis.

DATA REQUEST:

210. Please conduct a database search of all known hazardous substance release sites, leaking underground tanks, groundwater pollution which may be encountered during excavation for, or construction of, linear facilities. A similar search was conducted in response to staff's Data Request #61 for the Delta Energy Center (98-AFC-3). Please include all proposed and alternative linear facility routes.

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Technical Area: Soil & Water Resources

Staff: Joe O'Hagan

BACKGROUND: In their letter dated August 18, 1999, the City of San Jose identified additional information that is required about the proposed project to determine potential impacts. Specifically, on page 18 and page 19, the City points out that reverse osmosis units are available that reject less than 10 percent compared to the 25 percent identified in the AFC. The City also suggests that the applicant should consider re-cycling reverse osmosis reject water and evaporative cooler blowdown through the cooling towers as well as using reclaimed water for "...other uses such as toilets, filter backwash, washdown or other process related uses."

DATA REQUEST:

211. Please provide a detailed discussion of the use of a more efficient reverse osmosis unit for water treatment. If a more efficient unit can be used, please provide a revised water balance reflecting the changes in water flows from using a more efficient unit. Also identify the likely water quality of the reverse osmosis reject water and the corresponding changes in the wastewater quality.

212. Please provide an evaluation of using reclaimed water for other purposes such as toilets, filter backwash, etc. Also identify the potential reclaimed water demand for each potential uses and any design changes necessary to implement such a use.

BACKGROUND: The City of San Jose letter raises several points about the project's back-up water supply system. The AFC indicates that the back-up water supply will either be from on-site wells or from a connection to city MUNI wells pending an evaluation of the MUNI well's ability to serve the project.

DATA REQUEST:

213. Please identify the proposed back-up water supply source for the project. If the back-up source is to be the City's MUNI wells, please provide the analysis indicating the existing well field can adequately supply the project.

BACKGROUND: On page 21 of their letter, the City states that the project should provide mitigation for changes in recycled water quality due to the high total dissolved solids levels contained in the proposed project's wastewater discharge. It also points out that the South Bay Water Recycling facilities are designed for occasional shutdowns for up to 72-hours. Groundwater from either on-site wells or from the city 's MUNI wells have been identified in the AFC as a cooling water backup source. On or off-site storage, however, may alleviate the need for switching water sources during short term interruptions in the availability of effluent from the water recycling plant.

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DATA REQUEST SET #2
(99-AFC-3)

DATA REQUEST:

214. Please identify potential mitigation measures that can be implemented by the project to reduce or remove project-related increases in recycled water quality.

215. Please provide a discussion of the feasibility of providing on or off-site storage of tertiary treated effluent for cooling water make-up. The discussion should address the advantages and disadvantages of storage, the facilities that would be required and the associated cost.