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February 18, 2021

RECEIVED
PUBLIC UTILITY COMMISSION
FILING CLERK

Ms. Rachelle Robles
Public Utility Commission
P.O. Box 13326
Austin, TX 78711-3326

RE: PUC Docket No. 51023. Amendment to the Application of the City of San Antonio through City Public Service Board to amend its Certificate of Convenience and Necessity for the proposed Scenic Loop 138-kilovolt Double-Circuit Transmission Line, Bexar County, Texas

Dear Ms. Robles:

Texas Parks and Wildlife Department (TPWD) has received and reviewed the Application Amendment and amended Environmental Assessment and Alternative Route Analysis (EA) regarding the above-referenced proposed transmission line project. TPWD offers the following recommendations and comments concerning this project.

Please be aware that a written response to a TPWD recommendation or informational comment received by a state governmental agency may be required by state law. For further guidance, see the Texas Parks and Wildlife (TPW) Code, Section 12.0011. For tracking purposes, please refer to TPWD project number 44546 in any return correspondence regarding this project.

Project Description

In December 2020, the presiding Administrative Law Judge in Public Utilities Commission of Texas (PUC) Docket No. 51023 ordered the City of San Antonio, acting by and through City Public Service Board (CPS Energy) to amend its application to address landowner requested modifications to four primary alternative route segments (Segments 42, 46, 48, and 49). Subsequent to the order, CPS Energy determined that an adjustment to another primary alternative route (Segment 26) was necessary due to recent development activities in the study area. The Environmental Assessment and Alternative Route Analysis (EA) prepared by POWER Engineers, Incorporated (POWER) was amended to document the changes. Changes relevant to TPWD's review that were described in the EA Amendment include:

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- Alignment changes made to Segments 26, 42, 46, and 49; Segment 48 was eliminated. Segments 42, 46, 48, and 49 are located on a single landowner's property.
- The location of Segments 26a, 42a, 46a, and 49a;
- The amended set of proposed alternative routes;
- Revision of Section 4.0 of the EA to account for environmental impacts of the modified segments and routes; and
- The amended land use and environmental data for route and segment evaluation (Table 4-1 Amended, Table 4-2 Amended).

Previous Coordination

TPWD's Wildlife Habitat Assessment Program provided information and recommendations regarding the preliminary study area for this project to POWER on August 1, 2019. On September 10, 2020, TPWD provided comments and recommendations for the original EA to the PUC. TPWD's most recent comments are included on the PUC Interchange Filings for Docket No. 51023, Item #343.

Comment: Please review the September 10, 2020, correspondence from TPWD. With the exception of TPWD's recommended proposed route, all comments and recommendations remain applicable to the project.

Proposed Route

The original EA identified 29 primary alternative routes developed from 48 primary alternative segments. The EA Amendment identified 31 primary alternative routes developed from 49 primary alternative route segments.

In the original Application, CPS Energy identified Route Z as the alternative route that best addresses the requirements of the Public Utility Regulatory Act (PURA) and the PUC's Substantive Rules. A CPS Energy preferred route was not identified in the Application Amendment.

While the EA Amendment revised applicable data presented in the original EA, it failed to provide sufficient information based on surveys (aerial or field), remote sensing, modeling, or other available analysis techniques to determine which route would best minimize impacts to important, rare, and protected species. Therefore, TPWD's routing recommendation is based solely on the natural resource information provided in the amended CCN amendment application and the EA Amendment, as well as publicly available information examined in a Geographic Information System (GIS).

Recommendation: Of the 31 alternative routes evaluated in the EA Amendment, **Alternative Route DD** appears to be the route that causes the least adverse impacts to natural resources. TPWD's primary recommendation to the PUC is to select a route that minimizes the fragmentation of intact lands because such a route should have the least adverse impacts to natural resources. TPWD believes the State's long-term interests are best served when new utility lines and pipelines are sited

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where possible in or adjacent to existing utility corridors, roads, or rail lines instead of fragmenting intact lands. Of the proposed routes, **Route DD** would appear to be the preferred route.


Based on information in the original EA, TPWD originally selected Alternative Route AA as the route that would result in the least adverse impact to natural resources. A comparison between the information provided in the original EA and the information in the EA Amendment indicates that the minor adjustments to segments that were used in developing both Alternative Routes Z1 and AA1 resulted in decreased impacts in low to moderate quality wildlife habitat (i.e., pasture) and increased impacts in higher quality wildlife habitat (woodland, golden-cheeked warbler (*Setophaga chrysoparia*) high quality habitat). However, the newly created Alternative Route DD, balances the preferable qualities of both Alternative Routes Z1 and AA1.

Alternative Route DD was selected as the recommended route primarily because it:

- is the second shortest route of the 31 alternative routes, at 4.64 miles (Route Z is the shortest at 4.53 miles);
- is the shortest route across upland woodlands/bushlands; at 3.12 miles, which equates to 37.84 acres of woodland impact;
- has the ninth-largest percentage of ROW parallel to other existing ROW at 40% (Route Y has the highest percentage at 58%, Route T1 has the lowest at 9%);
- has the eighth least amount of area of ROW across golden-cheeked warbler modeled habitat designated as 3-Moderate High and 4-High Quality, at 10.74 acres; and
- is located entirely in Karst Zone 5, defined as cavernous and non-cavernous areas that do not contain endangered karst invertebrate species. Approximately 650 feet of the west end of Alternative Route AA1 occurs in Karst Zone 3, defined as areas that probably do not contain endangered karst species.

TPWD appreciates the opportunity to review and comment on this amended EA. If you have any questions, please contact Habitat Assessment Biologist Mr. Russell Hooten by email at russell.hooten@tpwd.texas.gov or by phone at (361) 825 3240. Thank you for your favorable consideration.

Sincerely,



John Silovsky

Wildlife Division Director

JS:RH:bdk

cc: Mr. Adam Marin, CPS Energy, Regulatory Case Manager