



Filing Receipt

Filing Date - 2024-12-02 09:52:01 AM

Control Number - 57115

Item Number - 206



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December 2, 2024

Ms. Marisa Wagley
Public Utility Commission
P.O. Box 13326
Austin, TX 78711-3326

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David Yoskowitz, Ph.D.
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RE: PUC Docket No. 57115: Joint Application of the City of San Antonio, acting by and through the City Public Service Board (CPS Energy), and South Texas Electric Cooperative, Incorporated (STEC) to amend their Certificates of Convenience and Necessity for the proposed Howard Road to San Miguel 345-kilovolt Transmission Line, Bexar and Atascosa Counties, Texas

Dear Ms. Wagley:

Texas Parks and Wildlife Department (TPWD) has reviewed the Environmental Assessment (EA) and Route Analysis received by our office on October 04, 2024, regarding the above-referenced proposed transmission line project.

TPWD is providing input on this proposed project to facilitate the incorporation of beneficial management practices (BMP) during construction, operation, and maintenance that may assist the project proponent in minimizing impacts to the state's natural resources. For tracking purposes, please refer to TPWD project number 52954 in any return correspondence regarding this project.

Under Texas Parks and Wildlife Code (PWC) §12.0011(b)(2) and (b)(3), TPWD has the authority to provide recommendations and informational comments that will protect fish and wildlife resources to local, state, and federal agencies that approve, license, or construct developmental projects or make decisions affecting those resources. Under PWC §12.0011(c), the Commission has a non-discretionary duty to respond to the recommendations and informational comments filed by TPWD and include any reason it disagrees with or did not act on or incorporate the recommendation or comment.

Now, pursuant to PWC §12.0011(b)(2) and (b)(3), TPWD offers the following comments and recommendations concerning this project.

Project Description

The City of San Antonio, acting by and through City Public Service Board (CPS Energy), and South Texas Electric Cooperative, Incorporated (STEC) propose to

construct a new double-circuit 345-kilovolt (kV) transmission line in Bexar and Atascosa Counties. The proposed Howard Road to San Miguel 345-kV transmission line would connect the CPS Energy Howard Road Station located approximately three miles northeast of the intersection of State Highway (SH) 16 and SH 1604, to the existing STEC San Miguel Station located approximately four miles east of SH 16 and approximately 0.65 miles southwest of Farm-to-Market-Road (FM) 3387.

The proposed transmission line would be constructed using double-circuit steel monopole structures with a typical height ranging from 120 to 170 feet above ground level. The proposed transmission line would require a 150-foot-wide permanent right-of-way (ROW), that would not be clear cut of vegetation. Depending on the alternative route selected, the total length of the proposed project would be between approximately 45 and 59 miles.

CPS Energy and STEC contracted with POWER Engineers, Incorporated (POWER) to prepare an EA and Alternative Route Analysis to support the applications to amend the Certificates of Convenience and Necessity (CCN) for this project. The EA is intended to provide information and address requirements of Section 37.056(c)(4)(A)-(D) of the Texas Utilities Code, Public Utility Commission of Texas (PUC) Procedural Rule §22.52(a)(4), PUC Substantive Rules Section 25.101, and the PUC CCN application form for a proposed transmission line.

Previous Coordination

TPWD provided scoping information and recommendations regarding the preliminary study area for this project to POWER on January 25, 2024. This letter is included in Appendix A of the EA.

Recommendation: Please review the TPWD correspondence in Appendix A and consider the recommendations provided as they remain applicable to the project as proposed.

Proposed Route

CPS Energy and STEC

According to the EA, POWER evaluated 34 geographically diverse alternative routes that were filed with CPS Energy and STEC's joint CCN applications. The applicants identified Route U (3-6-20-28-30-31-35-41-45A-45B-52-56-61-62-69-75-77-87-94-99-107-108-110) as the alternative that best addresses the requirements of the Texas Utilities Code Section 37.56 (c)(4)(A)-(D), Public Utility Regulatory Act (PURA) and PUC Substantive Rules Section 25.101(b)(3)(B).

Table 4-1 of the EA presents the environmental data for the 34 alternative routes filed with the CCN. Table 4-1 indicates that CPS Energy and STEC's recommended Route U would cross the following land types or ecological resources:

- 19.64 miles of woodlands/brushlands
- 4.81 miles of bottomland/riparian woodlands
- 0.01 miles across open water (lakes/ponds)
- 57 stream and river crossings

TPWD's Recommended Route

In addition to reviewing the EA and publicly available data, TPWD evaluated potential impacts to fish and wildlife resources using the following criteria from Table 4-1 in the EA:

- Length of alternative route
- Length of ROW parallel and adjacent to existing transmission line ROW
- Length of ROW across woodlands/brushlands
- Length of ROW across bottomland/riparian woodlands
- Length of ROW across open water (lakes, ponds)
- Number of stream crossings
- Length of ROW parallel (within 100 feet) to streams or rivers
- Length of ROW across 100-year floodplains

TPWD did not evaluate the routes using *length of ROW parallel and adjacent to apparent property lines* because the existence of property lines does not always represent a linear disturbance or a break between contiguous tracts of habitat and cannot be used to assume existing habitat fragmentation. The following ecological and land use criteria had values of zero for all routes and were not used by TPWD to compare routes: *length of ROW using existing transmission line ROW, length of ROW across conservation easements or mitigation banks, and length of ROW across critical habitat of federally-listed species.*

TPWD typically recommends that transmission line routes be located adjacent to previously disturbed areas such as existing utility or transportation ROWs and discourages fragmenting habitat or locating in areas that could directly negatively impact wildlife, including federally and state listed species, while also minimizing the route length. After careful evaluation of the 34 routes filed with the CCN application, TPWD selected **Route Y** (3-6-20-28-30-31-35-41-45A-45B-53-57-62-70-78-99-107-108-110) as the route having the least potential to impact fish and wildlife resources. The decision to recommend **Route Y** was based primarily on the following factors that **Route Y**:

- Is the 10th shortest route at 48.87 miles (All routes: 45.32 miles to 58.92 miles);
- Is tied with four other routes as having the fourth longest length parallel to existing transmission line ROW at 7.14 miles (All routes: 0.11 miles to 11.23 miles);
- Has the fifth shortest length across upland woodlands/brushlands at 18.51 miles (All routes: 17.23 miles to 22.84 miles);
- Has the second shortest length across bottomland/riparian woodlands at 2.93 miles (All routes: 2.90 miles to 6.45 miles);
- Is tied with four other routes as having the third shortest length across open water (lakes, ponds) at 0.02 miles (All routes: 0.00 miles to 0.2 miles);
- Has the third fewest stream crossings at 51 (All routes: 47 to 74);
- Has the shortest length of ROW parallel (within 100 feet) to streams or rivers at 0.91 miles (All routes: 0.91 miles to 2.80 miles); and,
- Has the second shortest length across the 100-year floodplain at 4.68 miles (All routes: 4.00 miles to 9.94 miles).

The selection of **Route Y** by TPWD was based primarily on the total length of the route, the length of the route across upland woodlands/brushlands, length of the route across bottomland/riparian woodlands, and length of route parallel (within 100 feet) to streams or rivers.

The EA indicates that the extent of field investigation included reconnaissance surveys of the study area by observations from public roads and public ROW. The EA did not provide sufficient information based on field surveys to determine which route would best minimize impacts on important, rare, and protected species and their associated habitats. Therefore, TPWD's routing recommendation is based solely on the natural resources information provided in the CCN application and the EA, as well as publicly available information examined in a Geographic Information System (GIS).

Recommendation: Of the routes evaluated in the EA and filed with the CCN application, **Route Y** appears to best minimize adverse impacts to natural resources. TPWD recommends the PUC select a route that would minimize adverse impacts on natural resources, such as **Route Y**.

Implementation of Beneficial Management Practices

In general, POWER, CPS Energy, and STEC attempted to design route alternatives that took into consideration environmental and land use constraints. The EA identified several BMP that CPS Energy and STEC could utilize during clearing, construction, site reclamation, and maintenance to conserve and protect natural resources; however, there were few commitments that those BMP would be implemented. To more comprehensively avoid or minimize potential impacts on

fish and wildlife resources, TPWD encourages implementation of BMP recommended in TPWD's January 25, 2024, scoping letter.

Recommendation: TPWD recommends CPS Energy, STEC, and the PUC utilize the following BMP, which are more fully described in TPWD's January 25, 2024, scoping letter, when specifically applicable to the project:

- Avoid vegetation clearing during March 15 – September 15 general bird nesting season.
 - If unable to avoid vegetation clearing during the bird breeding season, survey for active bird nests and avoid disturbance until fledged, in compliance with PWC §64.003.
- Proactively install bird flight diverters where transmission lines cross habitats most attractive to birds, e.g., creeks, drainages, wetlands, floodplains.
- Conduct surveys of the PUC-approved route for federal and state listed species or potential suitable habitat.
- Educate employees and contractors of state listed species and species of greatest conservation need (SGCN) that are susceptible to project activities and potentially occurring within the area.
- Utilize a biological monitor during construction when required by law or permit.
- Allow wildlife to safely leave the site on their own, without harassment or harm.
- Use wildlife escape ramps in excavated areas, or cover while unattended, and inspect for trapped wildlife prior to backfilling.
- Design the project to minimize removal of vegetation and retain as much native habitat as possible.
- Avoid the use of erosion control blankets containing polypropylene fixed-intersection mesh. Erosion control measures utilized for the project should be implemented with consideration for potential impacts to wildlife species.
- Avoid impacts to SGCN flora and fauna if encountered during project construction, operation, and maintenance activities.

TPWD appreciates the opportunity to review and comment on this EA. If you have any questions, please do not hesitate to contact Environmental Review Biologist

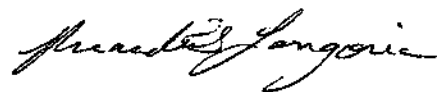
Ms. Marisa Wagley

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Mr. Russell Hooten by email at russell.hooten@tpwd.texas.gov or by phone at (361) 431-6003. Thank you for your favorable consideration.

Sincerely,

A handwritten signature in black ink, appearing to read "Meredith Longoria". The signature is fluid and cursive, with the first name "Meredith" written in a larger, more prominent script than the last name "Longoria".

Meredith Longoria
Interim Wildlife Division Director

ML:rh:sh

cc: Ms. Laura Zebehazy
Ms. Theda Strickler
Mr. Russell Hooten
Mr. Daniel Otto, CPS Energy
Mr. Arthur H. (Holly) Grifford, STEC






WL52954 PUC Docket 57115-HowardRd_San Miguel 345-kV Transfer_Bexar_Atascosa 20241120_FINAL

Final Audit Report

2024-12-01

Created:	2024-11-27
By:	SP Susan Hinds (Susan.Hinds@tpwd.texas.gov)
Status:	Signed
Transaction ID:	CBJCHBCAABAAKbxglQt31glV7-n8dYVsTFSM56GVXY0r

"WL52954 PUC Docket 57115-HowardRd_San Miguel 345-kV T ransfer_Bexar_Atascosa 20241120_FINAL" History

-  Document created by SP Susan Hinds (Susan.Hinds@tpwd.texas.gov)
2024-11-27 - 6:04:43 PM GMT
-  Document emailed to Meredith Longoria (meredith.longoria@tpwd.texas.gov) for signature
2024-11-27 - 6:05:50 PM GMT
-  Email viewed by Meredith Longoria (meredith.longoria@tpwd.texas.gov)
2024-11-28 - 4:22:18 AM GMT
-  Document e-signed by Meredith Longoria (meredith.longoria@tpwd.texas.gov)
Signature Date: 2024-12-01 - 5:39:04 PM GMT - Time Source: server
-  Agreement completed.
2024-12-01 - 5:39:04 PM GMT