

Decision 08-03-011 March 13, 2008

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Application of PACIFICORP (U 901 E), an Oregon Company, for a Permit To Construct the Morrison Creek Project Pursuant to General Order 131-D.

Application 07-07-018
(Filed July 20, 2007)

ORDER GRANTING PERMIT TO CONSTRUCT

We grant the request of PacifiCorp for a Permit to Construct the Morrison Creek Substation, a 69 kilovolts (kV) to 12.5 kV distribution substation, as a replacement to the existing Simonson Substation, which is also a 69 kV to 12.5 kV distribution substation, and for authority to remove the Simonson Substation upon completion of the Morrison Creek Substation, consistent with the Final Mitigated Negative Declaration (Final MND) prepared pursuant to the California Environmental Quality Act (CEQA).

The Project

The Simonson Substation is a distribution substation constructed in 1957 with wood poles in a box configuration with wood pole cross arms. According to PacifiCorp, the wood framing, transformers, regulators, breakers, switches, connectors and bus work at the Simonson Substation are deteriorating due to age and severe corrosion, and the substation must be replaced in order to ensure continued reliable service to its customers and the safety of its maintenance crews. PacifiCorp states that the current site of the Simonson Substation is too small (approximately 0.25 acre) to allow for rebuilding it to current design standards which require approximately 1.74 acres, and is also too small to allow

mobile substation access. PacifiCorp proposes to build the replacement Morrison Creek Substation on a different site in the vicinity of the Simonson Substation and, upon completion of the Morrison Creek Substation, to remove the Simonson Substation.

The proposed site for the Morrison Creek Substation is adjacent to and located on the eastern side of Highway 101 on private land previously used by a lumber mill operation, accessed from Highway 101 by an existing driveway. An existing 69/12.5 kV line is located along the east side of Highway 101 and is adjacent to the site.

The Morrison Creek Substation, as proposed by PacifiCorp, will be a low-profile design and will have an 8-foot chain-link fence around its 275 foot by 275 foot footprint. The substation will have one transformer, a 69 kV Delta with a 12.47/7.2 kV Wye and 11.2/14 MVA. There will be two 12.47 kV circuit breakers. Underground feeder circuits will connect from the substation to existing transmission poles along the highway right-of-way. The entire area of the substation will be covered by gravel except for an oil containment system consisting of a concrete slab, approximately 50' by 40', which will be constructed at grade and will surround the transformer and the regulators. The containment system would ensure that rain water will not cause migration of spilled oil from the transformer into the groundwater. Construction of the Morrison Creek Substation will be performed entirely on the property acquired from Green Diamond Lumber Company, a d/b/a of Arcata Redwood Corporation, LLC.

Once the new Morrison Creek Substation has been constructed, the existing Simonson Substation will be removed. The transformer and other oil-filled equipment will be hauled from the site to PacifiCorp's Medford Service Center for storage. The existing transmission and distribution taps into

Simonson Substation will also be removed. Upon removal of the substation components, PacifiCorp will re-grade the Simonson Substation site. It is anticipated that all topsoil and excavated soil left over from the Morrison Creek Substation will be stockpiled on Green Diamond property as part of the land purchase agreement. Approximately 5,600 cubic yards will be excavated during construction and suitable topsoil will be used as backfill material. All material not-re-used will be stockpiled on Green Diamond property at a location agreed to the property owner.

Procedural Background

PacifiCorp filed its application, along with a Proponent's Environmental Assessment, on July 20, 2007. The Division of Ratepayer Advocates filed a protest on August 24, 2007, and subsequently withdrew it on October 29, 2007.

Commission staff prepared and issued for comment a Draft Mitigated Negative Declaration on November 20, 2007. No comments were made during the public information meeting held on December 12, 2007, in Smith River, California. Written comments were received from the Del Norte County Department of Agriculture, the Native American Heritage Commission, and the Department of Transportation (District 1).

Commission staff issued the Final MND (State Clearinghouse #2007112094) for the project on January 30, 2008. The document is received into the evidentiary record as reference Exhibit 1.

California Environmental Quality Act

Under CEQA, the Commission is the lead agency for this project. Accordingly, the Commission is responsible for preparing an appropriate environmental document, such as an environmental impact report or negative declaration, for the project. (CEQA Guideline 15050(a).) The Commission has

prepared a mitigated negative declaration (previously referred to as the Final MND).

Before granting approval of this project, the Commission must consider the Final MND. (CEQA Guideline 15004(a).) The Commission has done so. We find that the Final MND was prepared in compliance with CEQA, and we adopt it in its entirety, and incorporate it by reference in this decision approving the project.

The Final MND finds that approval of the project will have no impact, or less-than-significant impact, in the areas of Agricultural Resources; Air Quality; Geology, Soils, and Seismicity; Hydrology and Water Quality; Land Use, Plans, and Policies; Mineral Resources; Population and Housing; Recreation; Transportation; and Utilities and Services. The Final MND finds that approval of the project would have potentially significant impacts in the areas of Aesthetics; Biological Resources; Cultural Resources; Health and Hazardous Materials; Noise; and Public Services; Recreation. However, the Final MND also identifies mitigation measures to avoid the impact or to reduce it to a less-than-significant level. Full descriptions of the proposed mitigation measures and the monitoring and reporting requirements are included in Chapter 3 of the Final MND. PacifiCorp has agreed to the mitigation measures contained in the Final MND.

Waiver of Comment Period

This is an uncontested matter granting the relief requested. No evidentiary hearings were conducted. Accordingly, as provided by Rule 14.6(c)(1) of our Rules of Practice and Procedure, we waive the otherwise applicable 30-day comment period for this decision.

Assignment of Proceeding

Dian M. Grueneich is the assigned Commissioner and Hallie Yacknin is the assigned Administrative Law Judge in this proceeding.

Findings of Fact

1. The Simonson Substation is deteriorating and must be replaced in order to ensure continued reliable service to PacifiCorp's customers and the safety of its maintenance crews.

2. The current site of the Simonson Substation is too small to allow for rebuilding it to current design standards and to allow mobile substation access.

3. The proposed Morrison Creek Substation, which would replace the Simonson Substation, would be located along the eastern side of Highway 101 on private land previously used by a lumber mill operation, accessed from Highway 101 by an existing driveway.

4. The Commission staff has prepared a Final MND for the project.

5. The Commission has considered the contents and conclusions of the Final MND.

6. The Final MND finds that approval of the project will have no impact, or less-than-significant impact, on the environment in several areas and, to the extent that approval of the project would have potentially significant impacts in other areas, it identifies specific mitigation to avoid the impact or reduce it to a less-than-significant level.

7. PacifiCorp has agreed to the mitigation measures contained in the Final MND.

8. With the adoption of the mitigation measures contained in the Final MND, the project will not have a significant effect on the environment.

Conclusions of Law

1. The preparation and contents of the Final MND for the construction of the Morrison Creek Substation and removal of the Simonson Substation comply with the requirements of CEQA.

2. The Final MND for this project should be adopted in its entirety, and incorporated by reference in this decision.

3. PacifiCorp's application for a permit to construct the Morrison Creek Substation and to remove the Simonson Substation, as described in the Final MND, should be approved.

4. Application 07-07-018 should be closed.

IT IS ORDERED that:

1. The Final Mitigated Negative Declaration for the Morrison Creek Substation project, including the removal of the Simonson Substation, is adopted and incorporated by reference in this decision.

2. The Mitigation Monitoring, Reporting and Compliance Program in the Final Mitigated Negative Declaration is adopted.

3. PacifiCorp is authorized to construct the Morrison Creek Substation and remove the Simonson Substation as described in the Final Mitigated Negative Declaration, subject to the mitigation measures and other conditions set forth in the Final Mitigated Negative Declaration.

4. Application 07-07-018 is closed.

This order is effective today.

Dated March 13, 2008, at San Francisco, California.

MICHAEL R. PEEVEY
President
DIAN M. GRUENEICH

JOHN A. BOHN
RACHELLE B. CHONG
TIMOTHY ALAN SIMON
Commissioners