

	<p>California Public Utilities Commission <i>Mitigation Monitoring, Compliance, and Reporting Program</i></p>
	<p>East County (ECO) Substation Project</p> <p>Compliance Status Report: 001</p> <p>February 25, 2013</p>

SUMMARY

The California Public Utilities Commission (CPUC) is responsible for overseeing implementation of the mitigation measures set forth in the Final Environmental Impact Report/Environmental Impact Statement (FEIR/EIS) for the East County (ECO) Substation Project. The CPUC has established a third-party monitoring program and adopted a Mitigation Monitoring, Compliance, and Reporting Program (MMCRP) to ensure that measures approved in the FEIR/EIS to mitigate or avoid significant impacts are implemented in the field. This MMCRP status report is intended to provide a description of construction activities on the project, a summary of site inspections conducted by the CPUC’s third-party monitors, the compliance status of mitigation measures required by the MMCRP, and anticipated construction activities. This compliance status report covers construction activities from February 4, to February 17, 2013.

MITIGATION MONITORING, COMPLIANCE, AND REPORTING

Site Inspections/Mitigation Monitoring

A CPUC third-party environmental compliance monitor conducted site observations at the ECO Substation site and at 23 geotechnical boring sites located along Carrizo Gorge Road, Old Highway 80, Tule Jim Lane, Jewel Valley Road, and an unnamed private dirt road. Site observations were completed on February 7, 11, 12, 13, and 15, 2013. Areas of active and inactive construction within the project limits were observed to verify implementation of the mitigation measures stipulated in the project’s MMCRP. Daily observations were documented on daily site inspection forms and applicable mitigation measures were reviewed in the field.

Implementation Actions

Mobilization of Construction Equipment to ECO Substation Site

CPUC authorized construction of the ECO Substation component via Notice to Proceed (NTP) No. 002 on February 1, 2013 (see Attachment B). San Diego Gas & Electric (SDG&E) initiated mobilization of

construction equipment to the ECO Substation site on February 6, 2013. The construction contractor mobilized equipment on February 6, 2013, to the ECO Substation site prior to notifying SDG&E and the associated environmental monitors. A piece of construction equipment was unloaded at the ECO Substation site along an access road prior to environmental monitors being present (see Photo 1 – Attachment A). See further discussion below under Compliance.

Geotechnical Investigations

Construction activities for this reporting period were limited to 23 small-diameter (approximately 6-inch) geotechnical boring locations. Eleven geotechnical borings were observed along Carrizo Gorge Road and Old Highway 80, from Steel Pole (SP) 105 to SP 90, and 12 borings along Tule Jim Lane, Jewel Valley Road, and an unnamed private dirt road between the Boulevard Substation and SP 38. One boring location was located on Bureau of Land Management (BLM)-administered lands within the road shoulder of Old Highway 80, whereas the remaining 22 borings were all located on private land.

No grading or clearing of vegetation was required to obtain access to the geotechnical boring locations. Each of the geotechnical borings were backfilled following drilling activities and returned to pre-construction conditions. A truck-mounted drill rig was used to drill all boring locations along existing roadways and a tracked drill rig was used for a single boring (GEO-11a) located approximately 100 feet from an existing roadway. An SDG&E biological and archaeological monitor was present during all geotechnical activities in accordance with the MMCRP (see Photo 2 – Attachment A).

In accordance with Mitigation Measure FF-1, SDG&E is providing ongoing fire patrols during construction hours and for 1 hour after the end of daily construction. In addition, construction vehicles were observed to be equipped with fire suppression equipment as required in the Construction Fire Prevention/Protection Plan (see Photo 3 – Attachment A).

Water trucks were observed watering down access roads in accordance with Mitigation Measure BIO-4a and the associated Dust Control Plan. Exclusion fencing has also been placed within areas adjacent to the approved work limits and environmentally sensitive areas (ESAs) to minimize the potential for impacts to sensitive habitat and cultural resources (see Photo 4 – Attachment A).

Mitigation Measure Tracking

Mitigation measures applicable to the construction activities were verified in the field and documented in the CPUC's mitigation measure tracking database. A complete list of mitigation measures and applicant proposed measures is included in the FEIR/FEIS for the ECO Substation Project, as adopted by the CPUC on April 19, 2012 (Decision 12-04-022).

Compliance

Pre-construction mitigation measures have been completed as indicated in CPUC NTP No. 001, No. 002, No. 003, and BLM NTP No. 001 (see Attachment B). Applicable mitigation measures were verified during site inspections and were determined to be implemented in accordance with the MMCRP with the exception of two non-compliance events as discussed further below.

Two non-compliance events occurred during this reporting period. Both non-compliance events were reported by SDG&E in accordance with Section 4.1.4 of the MMCRP.

Non-Compliance No. 001 – On February 6, 2013, the SDG&E Lead Environmental Inspector was notified that a piece of construction equipment had been mobilized to the ECO Substation Project site prior to notifying environmental monitors. The SDG&E Lead Environmental Inspector and Lead Archaeological Monitor followed-up to conduct an assessment to evaluate whether environmental resources were impacted from mobilizing the equipment to the site prior to an environmental monitor being present. Based upon the observations made by the SDG&E Lead Environmental Inspector and Lead Archaeological Monitor, no impacts to environmental resources occurred as a result of this incident, as the piece of construction equipment was unloaded along an existing disturbed roadway. Following the environmental resource assessment, the construction equipment was demobilized by SDG&E.

The mobilization of construction equipment to the project site as described above was not in compliance with the following environmental measures required by CPUC to minimize potential impacts to environmental resources: (1) Notice to Proceed No. 3 conditions of approval that require an archaeological monitor to be present when construction equipment is mobilized to the site when adjacent to ESAs, and (2) Construction equipment had not been cleaned prior to mobilizing to the site in accordance with the Noxious Weeds and Invasive Species Control Plan (Mitigation Measure BIO-3A).

See Attachment D – SDG&E Non-compliance Report No. 001 for a further discussion regarding Non-compliance No. 001.

Non-Compliance No. 002 – SDG&E received NTP No. 001 from the BLM and NTP No. 003 from the CPUC to conduct geotechnical activities (see Attachment B). A geotechnical crew completed activities at a location along Old Highway 80 that was not authorized under NTP No. 001 from the BLM or NTP No. 003 issued by the CPUC. The geotechnical bore location that was not authorized by BLM or the CPUC was located within a disturbed area adjacent to the paved surface along Old Highway 80 within lands administered by the BLM. The SDG&E Lead Environmental Inspector and SDG&E Lead Archaeological Monitor completed a resource assessment to evaluate whether there were any impacts to environmental resources. Based on the resource assessment, the bore location was confirmed to be located within the boundary of an unmarked ESA; however, no sensitive environmental resources were impacted from the unauthorized activity. SDG&E will be providing follow-up with CPUC and BLM to develop Quality Control/Quality Assurance procedures to ensure that all staking is confirmed in the field prior to construction activities.

See Attachment E – SDG&E Non-compliance Report No. 002 for a further discussion regarding Non-compliance No. 002.

CONSTRUCTION PROGRESS

Abatement Activities at the Boulevard Substation Rebuild Site

All abatement activities associated with the removal of environmental hazards present in existing buildings and structures at the Boulevard Substation Rebuild Site as authorized by CPUC NTP No. 001 have been completed.

ECO Substation Site Construction

No construction activities have occurred to date at the ECO Substation site.

Geotechnical Investigations

All geotechnical investigations authorized by CPUC NTP No. 003 and BLM NTP No. 001 to conduct 23 geotechnical borings were completed as of February 15, 2013.

CONSTRUCTION SCHEDULE

Abatement Activities at the Boulevard Substation Rebuild Site (CPUC NTP No. 001) – SDG&E began abatement activities on December 3, 2012, and abatement activities were completed on December 7, 2012.

ECO Substation Construction (CPUC NTP No. 002) – No construction activities have occurred to date at the ECO Substation site.

Geotechnical Investigations (CPUC NTP No. 003 and BLM NTP No. 001) – SDG&E began construction on February 11, 2013, and construction was completed by February 15, 2013.

ATTACHMENT A Photos



Photo 1: Construction equipment is mobilized to the ECO Substation site prior to notification being provided to the SDG&E Lead Environmental Inspector. See discussion regarding Non-Compliance No. 001.



Photo 2: SDG&E archaeological and biological monitors observed construction crews using a tracked drill rig to conduct a geotechnical boring at site GEO-11a.

ATTACHMENT A (Continued)



Photo 3: In accordance with Mitigation Measure FF-1, SDG&E is providing ongoing fire patrols during construction hours and for 1 hour after the end of daily construction.



Photo 4: Environmentally sensitive areas (ESAs) have been flagged in the field prior to completing geotechnical work in accordance with Mitigation Measure CUL-1.

ATTACHMENT B Notices to Proceed

NTP No.	Date Issued	Description	Conditions Included (Y/N)
CPUC - 001	November 30, 2012	Abatement activities at the Boulevard Substation rebuild site.	Y
CPUC - 002	February 1, 2013	Construction of a new substation (a 500-kilovolt (kV) yard and a 230/138 kV yard) and rebuilding and paving of an existing access road to provide main access to the substation.	Y
CPUC - 003	February 1, 2013	Twenty-two geotechnical borings to finalize the design of the underground transmission alignments on private lands.	Y
BLM - 001	February 11, 2013	A single geotechnical boring to finalize the design of the underground transmission alignments on lands administered by the BLM.	Y

ATTACHMENT C

Minor Project Refinement Request

Minor Project Refinement Request No.	Submitted	Description	Status	Approval
001	January 25, 2013	The addition of a temporary, polyvinyl chloride (PVC)-lined retention basin with the 500 kV yard to be used for water storage during initial mass grading activities.	Approved	February 7, 2013

ATTACHMENT D
Non-Compliance Report No. 1



East County Substation Project

Non-compliance Report #1

February 6-7, 2013

Activity Summary

At approximately 1545 on February 6, 2013, the Lead Environmental Inspector (LEI, Insignia Environmental), Larry Butcher, was notified by Matt Huber (Substations Project Manager, San Diego Gas & Electric Company [SDG&E]) that a bulldozer belonging to Sukut Construction (Sukut) had been mobilized to the East County (ECO) Substation Project (Project) site and had been parked along an existing access road. Project environmental staff was not aware of the mobilization and were not present at the time of the equipment delivery. The LEI arrived at the site to investigate at approximately 1650. The bulldozer was parked approximately 100 feet east of Old Highway 80, within a widened portion of an approved access road. No construction personnel were present when the LEI arrived at the site.

On February 7, 2013, a tailboard was held at 0600 at the Jacumba Shell station. Personnel were present from Beta Engineering, Sukut, Insignia Environmental, and SDG&E. Topics discussed included compliance documentation, communication protocols, corrective actions, and the need for a resource assessment. The resource assessment was conducted on the afternoon of February 6 and from 0600 to 0800 on February 7. Following the resource assessment, the bulldozer was demobilized from the Project area at approximately 0900. California Public Utilities Commission third-party monitors (Dudek) Marshall Paymard and Josh Dunn arrived at the bulldozer's location at approximately 0640.

Resource Assessment

An assessment of any potential damage was made by the LEI on February 6, 2013. The bulldozer was inspected for leaks and none were observed. No rare plants, special-status species, or vegetation were impacted as a result of the incident. The bulldozer was parked approximately 10 feet south of a drainage and approximately five feet southeast of a marked Environmentally Sensitive Area (ESA). No soil was observed on the adjacent paved roadway. No other impacts were identified at the time of the assessment.

An intensive pedestrian survey was conducted on February 7, 2013 by Brian Williams (Lead Cultural Monitor, ASM Affiliates) to assess whether cultural resources were damaged by the bulldozer. The immediate area is a slightly widened turnoff created and mitigated for during installation of the existing transmission line. No artifacts or features were identified in this area during the cultural resources inventory for the ECO Substation Project. The turnoff is located outside of any previously recorded cultural resources, but is within 100 feet of an ESA. The road in this area is covered with a layer of silty sand so some rutting occurred in the existing access road during ingress and egress of the machinery.

No cultural resources were identified within the access road turnoff area during review of the area and an archaeological monitor was present during the removal of the equipment and hand-



smoothing of the road surface. No artifacts or features were damaged during the drop-off and removal of the bulldozer, and no further cultural resources work is recommended.

Compliance Summary

The bulldozer was tracked and parked immediately adjacent to a cultural ESA. Notice to Proceed (NTP) #3 requires that an archaeological monitor be present when large equipment travels down existing access roads north of the ECO Substation site when adjacent to ESAs. No archaeological monitor or Native American representative was present at the time the bulldozer travelled down the road adjacent to the ESA.

The bulldozer had been unloaded and tracked approximately 100 feet along an access road. Existing dirt and vegetative debris were present on the equipment. Mitigation Measure BIO-3a and the Noxious Weeds and Invasive Species Control Plan require that vehicles and equipment that are mobilized to the Project area be free of dirt and vegetative debris.

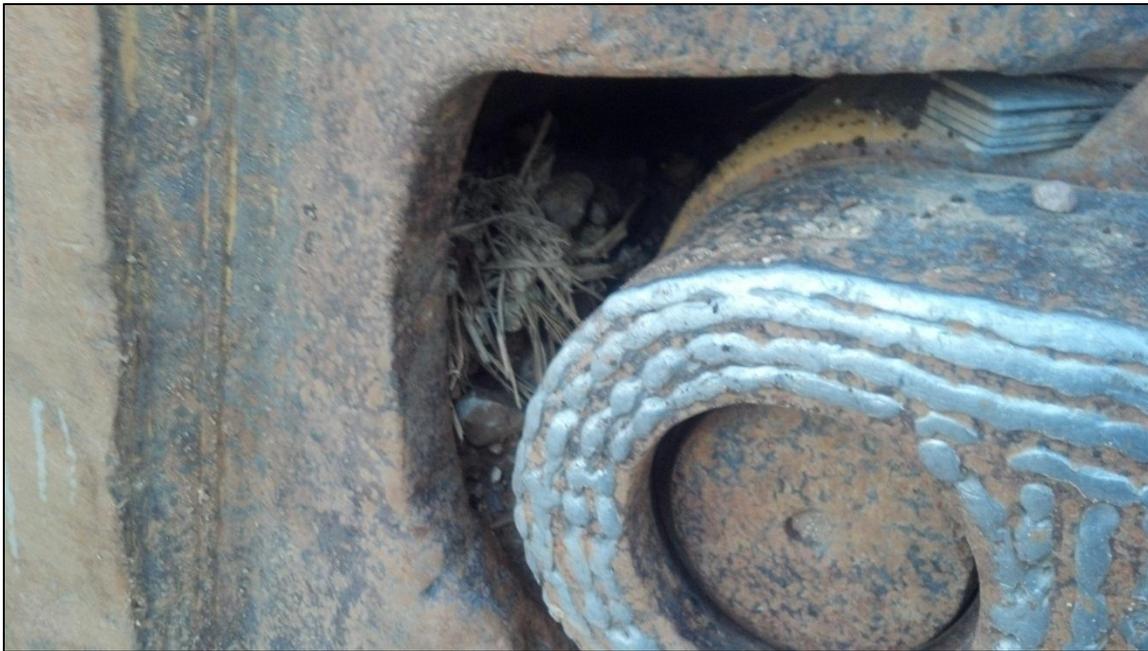
Corrective Action and Follow-Up

On the evening of February 6, the Project environmental team recommended that the bulldozer be demobilized for cleaning. The bulldozer was removed from the Project site on February 7 so that it can be cleaned of dirt and vegetative debris before returning to the Project area. Best Management Practice installation and vegetation clearance activities that were planned to commence at the ECO Substation site were cancelled until clean equipment can be mobilized to the Project area and the required avian surveys can be replicated in accordance with the requirements of the Nesting Bird Management Monitoring and Reporting Plan. SDG&E will conduct an additional pre-construction meeting to discuss required compliance measures prior to beginning work at the ECO Substation location.

Photographs



Photograph 1: Bulldozer parked within a widened portion of an access road facing west toward the ECO Substation.



Photograph 2: Vegetative debris present in the tracks of the bulldozer.

ATTACHMENT E
Non-Compliance Report No. 2



East County Substation Project

Non-Compliance Report #2

February 14, 2013

Activity Summary

On February 14, 2013, the Lead Environmental Inspector (LEI, Insignia Environmental) Larry Butcher was notified by Jeffry Coward (Environmental Field Supervisor, Insignia Environmental) at approximately 0900 that during geotechnical boring operations on February 13, 2013, one bore had been conducted in a location that had not been authorized by a Notice to Proceed (NTP). Two NTPs (California Public Utilities Commission [CPUC] NTP #3 and Bureau of Land Management [BLM] NTP #1) have been obtained for geotechnical boring activities; however, the location of this bore was not identified in either of the NTPs. This location was located approximately 250 feet north of the approved site and was determined to be within a portion of Old Highway 80 that is within the BLM property limits. The LEI conducted an inspection of the location at approximately 1000. The boring activities had been conducted at the edge of a paved access road apron, in the disturbed road shoulder.

The LEI met with Kirstie Reynolds (Environmental Compliance Lead, SDG&E) and Nicole Morgan (Cultural Resource Specialist, SDG&E) at approximately 3:00 p.m. to discuss the Non-Compliance. Carrie Simmons (Resources Branch Supervisor, BLM) was notified of this Non-Compliance around 5:00 p.m. by Nikki Morgan and Keith Carwana (Environmental Compliance Manager, CPUC/Dudek) and David Hochart (Environmental Compliance Manager, CPUC/Dudek) were notified by Kirstie Reynolds that evening as well. An additional phone call to Brian Paul (Project Manager, BLM) was made early February 15, 2013 by Kirstie Reynolds. It was determined that an incorrect coordinate list was used by the Contractor to locate and stake the proposed bore location.

Resource Assessment

Nicole Morgan (Cultural Resource Specialist, SDG&E), Isabel Cordova (Archaeologist, ASM Affiliates), and the LEI conducted an investigation of the bore location on February 14, 2013. The bore location was confirmed to be located just within the boundary of an unmarked Environmentally Sensitive Area (ESA), in the previously disturbed shoulder of the adjacent paved roadway. The road shoulder is an existing Southwest Powerlink (SWPL) and Sunrise Powerlink (SRPL) access route. The road was mitigated for cultural resources under SWPL (Townsend 1984) and improved during SRPL where the amount of paved access was extended to the north. No subsurface deposit was found to be present within the area during the Townsend evaluation and data recovery. This area was also subject to a micro-mapping study in 2012 (Williams, report pending), and no artifacts or features were previously recorded at this location. The portion of the site boundary that the boring took place is in a buffer zone kept in the legacy site data to preserve the interior site components and inform management decisions. No soil discoloration indicating a subsurface anthrosol was identified in the tailings or during the boring. No cultural resources were identified in the vicinity of the bore hole, and no impacts were observed. No further cultural resources work is recommended. No rare plants, special-status species, jurisdictional waters, or vegetation were impacted as a result of the incident.



Tom Taylor (Archaeologist, ASM Affiliates) and Frank Salazar (Tribal Cultural Consultant) were present during the boring operation on February 13, 2013. No potential archaeological or historical resources were observed during the boring operation.

Compliance Summary

The boring operation had been conducted in a location that had not been authorized by an NTP. The boring activities were conducted within the boundary of an unmarked ESA. This incident was recorded as a Non-Compliance as there was potential for resource damage to occur. In addition, Mitigation Measure BIO-1a of the Project's Mitigation Monitoring, Compliance, and Reporting Program requires that all construction-related activities be limited to approved work limits and both CPUC NTP #3 and BLM NTP #1 specify that all geotechnical activities should be conducted within the approved work limits identified in the NTP requests.

As previously discussed, work activities were conducted within the boundary of an unmarked ESA. This incident was recorded as a Deviation as Mitigation Measure CUL-1A of the Project's Mitigation Monitoring, Compliance, and Reporting Program requires that all cultural sites located within 100 feet of work areas be designated as ESAs and flagged or fenced for avoidance.

Corrective Action and Follow-Up

As previously discussed, a verification that the boring location was within an ESA was conducted and further assessment of potential resource damage was conducted by SDG&E, ASM Affiliates, and the LEI by the end of the day. In addition, the LEI met with Kirstie Reynolds and Nicole Morgan to discuss this Non-Compliance at approximately 1500 to discuss the incident. A follow-up meeting will be held internally between SDG&E and its Contractors within one week (by February 21) to develop Quality Control/ Quality Assurance procedures to ensure that all staking is confirmed in the field prior to construction activities. SDG&E's Contractors will also evaluate the existing procedures for adequacy, assess if any procedures were not properly implemented, as well as develop new procedures, as necessary, within one week (by February 21) to ensure a similar incident does not occur in the future.

Photographs



Photograph 1: View of the unauthorized boring location.



Photograph 2: View of the unauthorized boring location and previously disturbed road shoulder.

