



Aspen *Environmental Group*

PROJECT MEMORANDUM

PG&E NORTHEAST SAN JOSE TRANSMISSION REINFORCEMENT PROJECT

To: Roosevelt Grant, CPUC

From: Vida Strong, Aspen Project Manager

Date: October 23, 2002

Subject: Weekly Report #21: October 14, 2002 – October 20, 2002

CPUC Environmental Monitor (EM): Jody Fessler

Summary of Activity:

Thursday, October 17:

The CPUC EM conducted a site visit of U.S.D. Lagoon #4 bore in the evening. Crews were lowering conduit pipe into the entrance bore pit and inserting the conduit pipes into the bore under the creek. Later in the evening, the CPUC EM conducted a site visit of the concrete slurry work and paving work by P&P north of man-hole vaults #6 where crews were working on tie-ins.

At the Los Esteros Substation site, there was a union picketing outside of the entrance to the Calpine property. They were picketing Calpine. The CPUC EM walked around the Los Esteros Substation site and observed that the site was very orderly and clean and the ground had been well watered to prevent dust. The CPUC EM observed the water truck watering the ground. Crews were working on foundations and other concrete work.

The CPUC EM conducted a site visit of Fremont Boulevard construction and work on private property behind the business parks and Mervyn's property in the early afternoon and evening. At man-hole vaults #9 on the Mervyn's property, stakes for the trenching line were being placed. In addition, crews were working on finishing-up vault work. Some back-filling work has been done already. The CPUC EM observed crews starting to pothole with a backhoe in an area outside of the construction right-of-way in a dry grassy area where crews were looking for a water line that was suspected to turn and intersect the trenching route at some point. The water line was not in the location indicated on the drawings. The Essex EI informed the CPUC EM that the area where they were potholing had been surveyed by Essex for biological resources. Whether or not the potholing activity was work outside of the corridor addressed in the project EIR is under review.

Near man-hole vaults #9, the CPUC EM also observed that there were approximately 15 vehicles, equipment, and materials being stored outside of the construction right-of-way. The CPUC EM called the Essex Environmental Inspector (EI) who said PG&E was taking the stance that they did not need a Variance for a staging area at this location because it was on private property and that they had permission from Mervyn's to park their vehicles and equipment there until December when Mervyn's would need the area for their trucks. The Essex EI also said that in exchange for PG&E being allowed to use the partially graveled area and partially un-graveled area, Mervyn's wanted PG&E to do some minor grading and leveling out of the area. Essex did a biological survey before this work was done and recommended to PG&E that they go through the Variance Request process. Construction management supposedly has photos of the area before they altered it and the CPUC EM requested that those photos be turned in to the CPUC. The Essex EI informed the CPUC EM that PG&E wants to use this as a staging area until December.

Friday, October 18:

The CPUC EM issued a Non-Compliance Report for activities outside of the construction right-of way near man-hole vaults #9. The Non-Compliance Report (Level 2) reads as follows:

“On October 17, the CPUC EM observed that construction was not in compliance near man-hole vaults #9 where approximately 15 vehicles, equipment, and materials were being stored outside of the right-of-way. PG&E was using part of Mervyn’s extra parking space that was partially graveled and partially uneven un-graded soil. The CPUC EM was informed that PG&E leveled parts of the area per Mervyn’s request. This activity is out of compliance with a mitigation measure in the NTP: ‘No clearing activities or movement or staging of construction vehicles or equipment shall be allowed outside of the approved workspace areas. If additional temporary workspace areas or access routes, or changes to construction technique or mitigation implementation to a lesser level are required, a Variance Request shall be submitted for CPUC review and approval’. Correction Comments: PG&E was informed/instructed to come back into compliance by removing vehicles, equipment, and materials by end of the 10-17-02 night shift (A.M. of 10-18-02). CPUC EM was informed in A.M. of 10-18-02 that all vehicles, equipment, and materials were removed by the end of the shift, except pit supports and a couple of gravel piles being used for current construction at vaults #9”.

Regarding the pit supports being stored near man-hole vaults #9, a rental company is suppose to come by and pick them up and construction management informed the Essex EI that they do not have the equipment and/or vehicles to move the pit supports very far – only short distances. The gravel piles were currently being used to back-fill the man-hole vaults.

The CPUC EM conducted a site visit of man-hole vaults #9 in the early afternoon and confirmed that all vehicles, equipment, and materials had been removed from the Mervyn’s property outside of the construction right-of-way (except the pit supports and a couple of gravel piles). The Essex EI had posted signs the night before at the construction right-of-way boundaries. The CPUC EM observed a red-tailed hawk flying overhead and an American kestrel perched on a power line above the construction site.

The CPUC EM conducted a site visit of man-hole vaults #7 in the early afternoon where cones were still placed around the vaults. No construction crews were observed working at that location. At man-hole vaults #6, no construction crews were observed working at that location. The CPUC EM observed that traffic controls were still in place at the intersection of Fremont Boulevard and West Warren; however, no construction crews were observed working. Further, at the U.S.D. Lagoon #4 bore, no construction crews were observed working.

The CPUC EM conducted a site visit of the Los Esteros Substation site in the afternoon. No union picketers were observed outside of the Calpine site. The CPUC EM spoke with Jeff Jensen of OCI at the site. He has been vigilant containing oil leaks of vehicles coming onto the site or sending them off the site if the leaks cannot be contained. Observed water truck watering the property. Crews are still working on foundation work. Jeff Jensen informed the CPUC EM that the foundation concrete work is almost complete for now.

Environmental Compliance:

On October 17, the CPUC EM observed that construction equipment and materials were being stored near man-hole vaults #9, but outside of the designated right-of-way. At the subject location, PG&E had done some grading work and set up a new staging area on a portion of the Mervyn’s property. All other construction was in compliance with mitigation measures adopted in the EIR and other permitting requirements.

On October 18, the CPUC EM issued a Non-Compliance Report (Level 2) for activities that were observed yesterday outside of the right-of-way near man-hole vaults #9. All vehicles, equipment, and materials were removed from the area except a couple of pit supports and gravel piles, which will be removed shortly. All other construction was in compliance with mitigation measures adopted in EIR and other permitting requirements.

Notices to Proceed (NTP):

No NTPs were issued during the subject week. A conference call between PG&E, Essex, and Aspen representatives was held on October 22 to discuss pre-construction compliance status for the tower installation NTP.

Variance Requests:

No Variance Requests were submitted for review during the subject week.

TABLE 1
VARIANCE REQUEST STATUS TABLE
(Updated 10-23-02)

Variance Request #	Date Submitted	Description	Status	CPUC Approval Date
1	6/11/02	Disposal of excavated material, corner of Fremont Boulevard and Cushing Parkway, Fremont.	Completed	6/11/02
2	6/13/02	Material/equipment yard, 42400 Boyce Road, Fremont.	Completed	See Underground NTP
3				
4	6/26/02	Reduce biological buffer from 250 to 15-feet at existing structure, Los Esteros Substation.	Completed; 25-foot buffer approved.	7/5/02
5	7/9/02	Extra work space area for Line F bore, west of Fremont Blvd.	Completed	7/12/02
6	9/6/02	Change the location of the permanent access road to the Los Esteros Substation.	Completed	9/23/02