



Aspen *Environmental Group*

PROJECT MEMORANDUM PG&E – TRI-VALLEY 2002 CAPACITY INCREASE PROJECT

To: Jensen Uchida, CPUC
From: Vida Strong, Aspen Project Manager
Date: September 2, 2005
Subject: Weekly Report #73: August 21, 2005 – August 27, 2005
CPUC Environmental Monitors (EMs): Anne Sweet and Jenny Slaughter

Notice to Proceed (NTP) #6 was issued by CPUC for portions of Phase Three construction on June 29, 2005. Under NTP #6, construction of the following Phase Three components can occur: all roadway and vault pad grading, construction of the overhead transmission line and transition station, and preparation of the 0.33 acre mitigation area. NTP #7 was issued by CPUC on August 4, 2005 allowing construction of the underground component to commence and preparation of the 0.94 acre mitigation area. NTP #8 was issued by CPUC on August 18 for construction of the North Dublin Substation. Opus Environmental will be providing the Environmental Inspectors for PG&E (PG&E EIs). Opus is providing environmental, as well as biological monitoring and oversight, including conducting environmental training of all new crew personnel. Road improvement and installation is being conducted by Granite Construction. The tower work is being conducted by PG&E. The underground construction is being engineered by Wilson Construction and completed by Ranger Construction.

Summary of Phase Three Activity:

Weather was clear and hot throughout the subject week. The CPUC EMs toured the Phase Three sites on August 22nd through 26th. During the subject week, the PG&E EIs conducted environmental trainings as new crew members joined the project.

The project mitigation measures require that the CPUC EM field validate the flagging of the right-of-way and resource exclusion boundaries prior to the start of construction. Per PG&E, gaps will need to be left in the fence to allow pasturing cows to move through the area. Additional areas cleared during the week included a portion of the underground alignment that had been flagged in the field between Cayetano Creek and Access Road 5; access to Towers 1, 2, and 12; and the mitigation pond site. These areas were verified by the CPUC EM prior to construction.

A field tour took place on August 23rd for the CPUC Project Managers (see Figure 1). After an environmental training tailgate meeting, the group toured the right-of-way and visited underground and overhead construction sites.

PG&E is preparing a mitigation plan for the rare Congdon's tarplant found within the project area. The Congdon's tarplant has been identified along Access Roads 5 and 6, adjacent storage area and overland access road, as well as within the mitigation pond site. Construction has been on hold for Access Road 6 since the crew crossed the CDFG jurisdictional drainage without permission and conducted grading within the bank of the creek. It was apparent that the grading that occurred has destroyed some number of the Congdon's tarplant found in the area. PG&E submitted Variance 15 on August 19th, for use of two staging areas and an access route parallel to Road 6. A few Congdon's tarplants cannot be avoided in the requested areas. PG&E consulted CDFG and received approval to enter the requested areas. The CPUC approved the Variance Request 15 on August 27th.

Construction of the underground portion continued, just north of the Cayetano Substation on North Livermore Avenue, with the excavation, conduit installation, and backfill of the second trench of the double circuit line. Crews initially used a disk to break up the soil and then were able to strip the top soil and stockpile it along the side of the right-of-way. Excavation is being conducted using a trenching machine. Two trenches are being installed 15 feet apart as part of the double circuit project. Underground construction is currently limited to the area between the Cayetano Substation and Access Road 5, which crosses the alignment of Access Road 7 in several places. In order to avoid impacting an oak tree which lies along the underground construction parallel to Manning Road, the alignment and disturbance area was shifted slightly (less than 20 feet) within the existing survey corridors. On Friday August 27th, the CPUC approved a Temporary Extra Work Space (TEWS) request for use of an access road connecting Road 5 to a staging area which was approved under Variance Request 14.

Granite Construction began work along Access Road 7 during the subject week (see Figure 2). Construction of this access road is necessary for equipment transport for the underground portion, which is being constructed by another contractor. The right-of-way was disked and graded and upon completion, will be an improved permanent road. One PG&E EI was present for the road construction.

Granite Construction continued to work on the Moller Road access. Three earth movers and a grader are being used to shape and construct the access road. The area is being adequately watered by two water trucks. Crews continue to excavate wet material from the road and have set it along the right-of-way for storage. It is unlikely that the wet material will be used for backfill and may have to be hauled off-site. The wet area was backfilled with rock in order to construct the access road. One biological monitor was present during the Moller Road construction. The barn owl nest is being monitored for signs of activity and disturbance. According to project biologists, the owls have fledged from the burrow.

Granite crews began work in the mitigation pond site on August 24th (see Figure 3). Seven test pits were excavated in order to determine soil conditions in the area. A PG&E EI was present during the work in the area and led the excavator to the test pit sites to avoid any impact to the Congdon's tarplant. At least two populations of the rare plant were identified adjacent to the mitigation pond site and these areas were fenced off with orange fence for avoidance. One population, which was within the access road alignment, will not be impacted because crews have reconfigured the construction of the road in order to avoid all rare plants.

PG&E crews continued to work on Towers 2, 3, 4, 5, 7, 8, 9, and 10 during the subject week. Materials are being transported to and from the work sites via helicopter or truck. A biological monitor was monitoring the tower crews during the week. Permission to reduce the 250-foot buffer for the active burrowing owl burrow along the access road to Towers 3 through 6 was given by CDFG. Crews can continue to use the access road, which is within 240 feet of the burrow, given the area is fenced to keep crews on the road.

ENVIRONMENTAL COMPLIANCE:

On August 17th, a dumpster used for fence materials was placed outside of the approved right-of-way along Access Road 7 (see Figure 3). The CPUC EM informed PG&E of the incident and they planned to remove the dumpster the next day. The dumpster was not removed until late August 19th. A Project Memorandum was issued for the dumpster on August 21st.

On August 16th, the CPUC EM noted that the silt fence was in need of maintenance in two locations along Moller Road. The silt fence has been effective in preventing material from leaving the right-of-way, but the material against the silt fencing needs to be removed in order for the silt fencing to function properly in the event of further sedimentation. The PG&E EI was immediately informed and PG&E was notified;

however, the issue had not been addressed during the week of August 22nd. CPUC EM Anne Sweet revisited the issue with another PG&E EI the week of August 22nd and a Project Memorandum may be issued by the CPUC if the issue is not addressed promptly.

On July 26th, a drainage off Manning Road was bridged by steel plates and the area extending upslope from the original bridging that had been graded up to, and possibly within the drainage, without an approved CDFG Streambed Alteration Agreement (SAA). Crews have been planning a bridge design for the drainage and plan to submit the plan to CDFG prior to construction. CDFG gave approval to PG&E to move a large piece of equipment back across the steel plates.

Previously, the PG&E EI and biologist identified a barn owl nest containing a nesting pair and fledglings along the right-of-way. Subsequent correspondence with the CDFG has occurred. A 250-foot exclusion zone has been set up. Limited vehicle traffic will be allowed to progress through the area, and as agreed, a hay bale wall has been built to shield the nest. The PG&E EIs must monitor the nest closely to see if the birds appear harmed or harassed.

Sightings of California red legged frogs and a California tiger salamander were reported along Moller Road in previous weeks. In two cases, a frog and a salamander were found immediately adjacent to construction and were relocated out of the work area by the appropriate biological monitors. USFWS and CDFG were notified of the sightings and relocation of these sensitive species.

An active burrowing owl colony was identified along the access road to Towers 3 through 6. Notifications were made to CDFG and a fence was installed to keep project vehicles on the access road. Project biologists have identified seven owls in the burrows and continue to monitor the owls for signs of disturbance.

The CPUC EM observed that all other Phase Three construction activities were in compliance with mitigation measures adopted in the EIR and other permit requirements.

Three Non-Compliance Reports (NCRs) and two Project Memoranda (PMs) have been issued for the Phase Three portion of the project to date (see Table 1).

TABLE 1
ENVIRONMENTAL COMPLIANCE STATUS
(Updated 09-02-05)

Project Memo or NCR	Date Issued	Description	Follow-Up Activities
PHASE THREE			
Project Memorandum	7/20/05	Crews have installed exclusion fencing as well as sediment fencing in areas with potential for spoils to slide in to sensitive areas. Numerous gaps were left in the fencing to allow moving cows. However, no exclusion signs have been installed in the gaps after repeated requests. In addition, the CTS exclusion zone was toured and no sensitive resource or exclusion signs to notify crews of the resource have been installed. Notifications were made to the PG&E EI. On July 14, an operator was not aware of the 500 foot CTS exclusion zone and a 400-foot by 20-foot area was scraped within the zone coming within 100 feet of the CTS borrow. The site Foreman when he realized what was occurring immediately stopped the operator. Opus notified Mary Hammer of the USFWS in an e-mail.	
NCR	7/26/05	A drainage off Manning Road was bridged by steel plates and the area extending upslope from the bridge had been graded up to and possibly within the drainage without an approved CDFG Streambed Alteration Agreement.	CDFG notification required
NCR	7/26/05	Construction at Pole location 9, 10, 11 and 12 and use of associated access roads were started prior to the CPUCM verifying that proper flagging and exclusion fencing had been installed as required by Project mitigation measures. Directly upslope of a CTS/CRLF breeding pond burrow clusters were not fenced off and the site was left unmonitored though construction was occurring within 200-ft of the pond. Crews were using new routes which were not previously surveyed or approved.	PG&E must properly flag and fence the work and access areas, and provide maps and survey results. Burrow clusters must be fenced for exclusion.
NCR	7/29/05	Crews graded the other side of the drainage referred to in an NCR issued 7/26/05. Note that a CDFG Streambed Alteration Agreement has not been issued for the site.	CDFG notification required
Project Memorandum	8/21/05	Crews placed a dumpster outside of the project area and did not move it for three days.	Dumpster was removed 8/19/05

AGENCY PERSONNEL CONTACTS:

Marcia Grefstrud and Gene Colley from CDFG were present for the August 17th field meeting near Road 6 to discuss the rare plant found within the project area. PG&E supplied numerous e-mail correspondence records with CDFG regarding work around the Congdon's tarplant populations as well as the barn owl nest located adjacent to Moller Road.

NOTICES TO PROCEED (NTP):

Table 2 presents the NTPs issued by the CPUC for the Tri-Valley Project to date.

TABLE 2
NOTICES TO PROCEED
(Updated 9-02-05)

NTP #	Date Issued	Description
#1	September 12, 2002	Phase One: Construction on of six different sections of the underground portion of the Vineyard Segment, within the City of Pleasanton, City of Livermore, and unincorporated Alameda County.
#2	October 10, 2002	Phase One: Construction of six additional sections of the underground portion of the Vineyard Segment, within the Cities of Pleasanton, Livermore, and unincorporated Alameda County
#3	December 12, 2002	Phase One: Construct the final sections of the Phase One portion Tri-Valley 2002 Capacity Increase Project, within the City of Pleasanton.
#4	May 5, 2003	Phase Two: Construction of the new 5-acre Cayetano Substation located at the intersection of North Livermore Avenue and May School Road.
#5	July 14, 2003	Phase Two: Construction of 2.3 miles of underground transmission line installation extending from the Cayetano Substation to the North Livermore Transition Station to be constructed at the Contra Costa–Newark Transmission Line Corridor
UAD NTP		Phase Two: Allow construction within the exclusion boundary of the May School road cultural resource discovery area.
#6	June 29, 2005	Phase Three: Construction of the overhead transmission line, the transition station, all roadway and vault pad grading, and preparation of 0.33-acre mitigation area.
#7	August 4, 2005	Phase Three: Underground construction and preparation of the 0.94-acre mitigation area.
#8	August 18, 2005	Phase Three: North Dublin Substation.

VARIANCE REQUESTS:

On August 19th, Variance Request #15 was submitted for use of two laydown areas and an access road. Congdon’s tarplant occurs in and around these areas. CDFG was made aware of the resources and gave approval to enter the requested areas. Variance Request 15 was approved August 26th. Table 3 presents the Phase Three Variance Requests reviewed to date.

TABLE 3
VARIANCE REQUEST STATUS
(Updated 9/02/05)

Variance Request #	Date Submitted	Description	Status	CPUC Approval Date
PHASE THREE				
11	7/7/05	Variance to allow travel through home-stead archaeological site C-Livermore-1H.	Completed	7/8/05
12	7/15/05	Variance to allow the use of staging areas as outlined in road plan drawings along the Phase 3 alignment.	Completed	7/26/05
13	7/29/05	Variance to use three staging areas. Two are located along the Moller Ranch Road. The last is located adjacent to the Cayetano Substation.	Incorporated into NTP #7.	
14	8/12/05	Variance to use three access roads, and a laydown area.	Completed	8/19/05
15	8/19/05	Variance to use two laydown areas and one access road near road 6.	Completed	8/26/05

Photographs



Figure 1 – CPUC staff inspecting trenching along North Livermore Ave., August 23, 2005.



Figure 2 – Construction of Access Road 7, August 24, 2005.



Figure 3 – A PG&E EU monitors excavation within the mitigation pond area, August 24, 2005.