

**PUBLIC UTILITIES COMMISSION**

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



August 19, 2011

Mr. Mark Cassady  
TRC, Inc.  
Senior Biologist  
80 Stone Pine Rd # 200  
Half Moon Bay, CA 94019

Subject: Atascadero - San Luis Obispo 70kV Power Line Reconductoring Project Variance Request #3 for Realignment of An Overland Access Road

Dear Mr. Cassady:

We have reviewed Variance Request #3, which Pacific Gas and Electric Company (PG&E) submitted on August 16, 2011 for the Atascadero - San Luis Obispo 70kV Power Line Reconductoring Project (Project) (Attachment 1) and have determined that the realigned route will not have significant new or greater environmental impacts than analyzed in the approved Initial Study/Mitigated Negative Declaration (IS/MND) for the project and other regulatory conditions and requirements of the project.

**Proposed Actions**

PG&E is requesting realignment of an existing overland access route to poles 64/13 and 64/14 that was identified by PG&E during the planning process and included in Figure 2.4 of the approved IS/MND. The proposed realignment of the overland route would not result in direct removal of any trees, although some may be impacted by equipment or pruning due to their close proximity. The route identified in the final IS/MND required the removal of up to 25 young oak trees. The proposed re-route is shown in the map appended to the Variance Request #3 submittal (Attachment 1).

The realignment of the overland route would also involve moving the temporary steel plate at crossing S4, currently located approximately 50 feet north of Pole 64/13, to a new location approximately 75 feet northwest of Pole 64/13 (Attachment 1). Installation of the temporary structure at crossing S4 was evaluated in the approved IS/MND and was subsequently authorized by California Department of Fish and Game (CDFG) through a Streambed Alteration Agreement (SAA). In an email dated August 15, 2011, CDFG approved the use of steel plates placed directly on the ground at crossings S3, S4, and S5. The SAA had originally specified that the bridge structures at S3, S4, and S5 would consist of a temporary bridge or steel plate underlain by timber mats. The SAA does not constrain the location of temporary structures at crossings but, rather, imposes a host of conditional measures to protect fish and wildlife resources within impacted creeks, tributaries, and adjacent riparian habitat.

**CPUC Analysis of Environmental Impacts**

**Biological and Cultural Resources.** The area encompassing the realigned route, including the new proposed location for the steel plate at crossing S4, were reviewed with negative findings for botanical, wildlife, and cultural resources as part of the original project field work. In addition, the area was recently surveyed on several occasions by Terra Verde environmental inspectors (EIs) for all nesting birds, including burrowing owls, and for other sensitive species (California red-legged frog, coast horned lizard, silvery legless lizard, western pond turtle, coast range newt, western spadefoot toad, foothill yellow-legged frog, two-striped gartersnake). No nesting birds or sensitive species were noted as occurring within this area. However, two sensitive species were noted as foraging in the area: loggerhead shrike and white-tailed kite. Based on a field review of the area conducted on August 15<sup>th</sup> by PG&E Foreman Bobby Rael, PG&E arborist Cory Pereira, and Terra Verde EIs Pete Giles and Kyle Giacomini, it was determined that the proposed reroute would utilize an opening within the young oaks to the west of the current road alignment and would not require direct removal of any young oaks, although, as previously noted, some may be impacted by equipment or pruning due to their close proximity. To reduce impacts, project APM and mitigation measures defined in the IS/MND will be implemented as appropriate to the area and the activity. Since all of the proposed activities were addressed in the approved IS/MND, no additional new or greater impacts are anticipated provided all mitigation measures and APMs are implemented. The installation and removal of the steel plate at the new crossing, as well as all work occurring in the vicinity of the crossing, will also comply with all terms and conditions of the SAA regarding biological resources and thus will not result in any conflicts with that agreement or impacts to biological resources.

**Air Quality.** The project as proposed resulted in significant fugitive dust emissions that exceeded the standards of the APCD; however, the IS/MND includes mitigation measures AQ-1, which, if implemented reduces impacts from fugitive dust to less-than-significant levels. Because no road grading would be required, the only fugitive dust emissions that are expected to occur are those from use of the realigned route. The dust control mitigation identified in the IS/MND would reduce any potential impacts from dust to less-than-significant levels and no new or greater impacts than were addressed in the IS/MND are anticipated.

**Noise and Traffic.** Noise and traffic impacts would be similar to the impacts assessed in the IS/MND and would not have new or greater impacts.

**Hazards and Hydrology.** Hazards and hydrology impacts would be the same as assessed in the approved IS/MND. Measures to contain spills and minimize hazards, including fire hazards, and to prevent sedimentation or runoff would be implemented as required in the approved IS/MND. No new or greater impacts associated with hazards or hydrology would occur. Additionally, impacts related to installation and removal of the steel plate at the new crossing, as well as all work occurring in the vicinity of the crossing, will be addressed through implementation of all applicable SAA measures, including those limiting soil disturbance, fueling and maintenance of vehicles, and staging and storage of hazardous materials to areas outside of any riparian habitat or water body. With adherence these measures, no conflicts impacts to biological and water resources would occur.

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## **Approval**

The realignment of the existing overland access route to poles 64/13 and 64/14, including the relocation of the steel plate at crossing S4, will not have significantly greater or new significant impacts beyond those identified in the IS/MND prepared for the Project. The installation and removal of the steel plate at the new crossing, as well as all work occurring in the vicinity of the crossing, will also not conflict with the terms and conditions of the SAA. Variance Request #3 is therefore approved and is subject to all applicable project MMs, APMs, compliance plans, and permit conditions pertinent to the Project. Please contact me or Andrew Martin of RMT if you have any questions.

Sincerely,

*Lisa Orsaba*

Lisa Orsaba

CPUC Project Manager

Cc: Tania Treis, RMT, Inc .  
Judi Mosley, PG&E attorney

Attachment 1: Variance Request #3 submittal