

## PUBLIC UTILITIES COMMISSION

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SAN FRANCISCO, CA 94102-3298



September 30, 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 #5 for Alternate Staging Area and Helicopter Landing Zone near Orcutt Road

Dear Mr. Cassady:

We have reviewed Variance Request #5, which Pacific Gas and Electric Company (PG&E) submitted on July 8, 2011 for the Atascadero - San Luis Obispo 70kV Power Line Reconductoring Project (Project) and have determined that the proposed staging area and helicopters landing zone will not have significant new or greater environmental impacts than analyzed in the approved Initial Study/Mitigated Negative Declaration (IS/MND) for the project, pursuant to the description and analysis presented in this letter.

### **Proposed Action**

PG&E is requesting approval of an alternate staging area and helicopter landing zone off of Orcutt Road, approximately 2 miles southeast of the project terminus at the San Luis Obispo Substation. The area was selected because it is located in a rural setting away from riparian corridors, waterways, and other sensitive receptors, such as residences. The proposed staging area would be approximately 475 feet by 300 feet in size and would include a 200-foot square pad constructed of decomposed granite, as shown in Attachment 1 (PG&E's Variance Request). The site would be restored and stabilized following use. Restoration of the site may include leaving the decomposed granite in place if requested by the property owner.

Access to the new staging area/landing zone would be via an existing access road. The existing road may require maintenance and repairs as a result of damage incurred during use by PG&E. A new gate and a new section of fencing would also be installed on the access road approximately 100 feet north of Orcutt Road to allow for vehicles to fully pull off of the road when entering the site. Construction of the new gate and fencing would likely involve some ground disturbance, as post holes will be required to seat the new poles.

No residences are located within close proximity of the proposed staging area/landing zone; however, PG&E will need to obtain permission of the landowner to access and use the property. A Central Coast Water Authority (CCWA) distribution line is within a right-of-way that runs parallel with the access road, and PG&E will be crossing over the line while the road is in use. PG&E has an existing access permit from the Department of Water Resources (DWR) for access to CCWA right of way, and PG&E will follow all conditions stipulated by the permit, including closing and

locking gates, maintaining a 20 mile per hour speed limit, and notifying DWR of activities within CCWA right of way. As a condition of approval for this variance, PG&E will coordinate with landowner and DWR prior to use of the proposed staging area/landing zone and installation of the new gate and fencing along the access road.

### **CPUC Analysis of Environmental Impacts**

RMT, Inc. (RMT) and I reviewed the Variance Request (Attachment A). PG&E provided adequate information to determine that the new staging area would have no new significant impacts.

**Biological Resources.** The site was surveyed by Terra Verde for biological resources on August 22, August 25, and September 6, 2011. The survey area included the area within and around the proposed work space and a 10-foot buffer on either side of the road.

The proposed site for the staging area/landing zone is a fallow agricultural field that was recently burned in an effort to control medusahead (*Taeniatherum caput-medusae*), an invasive weed species. Because the site was burned and the survey was conducted late in the season, it was impossible for Terra Verde to conduct an adequate botanical survey; however, the landowners provided information from prior biological and botanical surveys conducted for the property. Two sensitive resources were identified as occurring within the area of the proposed staging area: Cambria morning glory (*Calystegia subacaulis ssp. episcopalis*) and pockets of purple needlegrass (*Stipa pulchra*). Evidence of both of these species was discovered despite the controlled burn.

Cambria morning glory is currently listed as 1B.2 by the California Native Plant Society, which indicates that the species is rare, threatened, or endangered in California and elsewhere; however, local experts feel that this species no longer warrants a sensitive rating. Dr. David Keil, a California Polytechnic professor and local expert of native plants, has stated that this species is much more common throughout the County than originally thought when the sensitive status was designated. Purple needlegrass is not considered a sensitive species, but is considered a sensitive resource when it occurs in dense enough populations. The proposed staging area/landing zone supports patches of purple needlegrass, primarily in the eastern portion of the staging area/landing zone. PG&E has adjusted the staging area/landing zone to avoid this species as much as feasible.

California red-legged frog (CRLF) has not been documented within a two mile radius of the area surveyed, and the area is located outside of designated critical habitat. The proposed staging area/landing zone and the area in the vicinity of the access road lack suitable aquatic habitat and contain little upland refugia habitat for CRLF; however, suitable aquatic habitat is found in the surrounding area in the form of stock ponds and drainages. The nearest suitable habitat is a riparian corridor that crosses under Orcutt Road and meanders within 100 feet of the access road before veering sharply to the east. The same corridor passes within approximately 500 feet of the proposed staging/area landing zone.

Raptors and potential raptor nests were observed during the three field visits to the site, and it is assumed that raptors will use the nearby riparian corridor for nesting. Given the distance between the proposed staging area/landing zone and the corridor, it is not anticipated that any nesting raptors will be disturbed during use of the area for construction staging, helicopter landings, etc. Nonetheless, spring surveys will be conducted, and, if nesting raptors are noted, any reduction in the recommended 1,200-foot setback for helicopter use from nesting raptors will be coordinated

with the CPUC third-party biological monitor. The gate and fence installation will be performed outside of the nesting season, but surveys in that area will be performed for wintering burrowing owls.

The variance includes the inclusion of the following provisions to avoid or minimize impacts to special-status species within and around the staging area/landing zone.

1. Install a “no-climb” fence around the perimeter of the work space prior to use of the site. This fence shall include the ability for workers to travel in and out of the site, but be secured at the end of the day (i.e., gate within the exclusion fencing). This gate can be left open during work hours during non-rainy periods or if a biologist is present during rain events. In lieu of the fencing, a biologist shall survey the work area prior to use each day to ensure no red-legged frogs are sheltering there.
2. To prevent the potential spread of medusahead, PG&E shall install decomposed granite or equivalent base along all travel paths within the work space. This will prevent tracking of potential seed stock out from the work space to other locations on the project or in the County. The equipment used to install this base or gravel shall be cleaned prior to being used off road (e.g., the crew may wash at a local truck wash or within their existing service yard). If feasible, a water truck may be used to wash the equipment on the site prior to exiting the area.
3. Nesting surveys shall be conducted in accordance with existing project requirements. All applicable mitigation for nesting species shall be followed for this site.
4. The work area shall avoid impacting stands of purple needlegrass, as feasible. Restoration for the site shall be in coordination with the landowner and will be in line with project requirements. If the area is revegetated (e.g., decomposed granite or base is removed and the area returned to agricultural use), the seed mix for this site shall include purple needlegrass sourced from a local stock.
5. If the area is revegetated, Cambria morning glory shall be included in the seed mix or shall be monitored to ensure that it recovers within the project area. Alternatively, PG&E shall coordinate with the County of San Luis Obispo to verify that further action is not required to assist the recovery of the species. Evidence of consultation shall be provided prior to beginning any work to establish and use the landing zone. Additionally, Mitigation Measure BO-29 must be implemented and CDFG contacted for approval of restoration methods prior to commencing work described in this variance, if required.
6. PG&E’s erosion control contractor, ETIC, shall evaluate the need for storm water controls at this site. Any needed measures shall be installed in accordance with the Stormwater Pollution Prevention Plan for the project.

Additionally, because suitable CRLF habitat is located in close proximity to the area where the new gate and fencing would be installed, there will be a Service-approved biological monitor who will conduct preconstruction surveys and monitoring during ground disturbance. Other standard protection measures that will be implemented during fence and gate installation include: no refueling, litter control, and worker environmental training. There are no new potential impacts to CRLF that weren’t addressed in the IS/MND and BO for the project. All conditions of the IS/MND and the BO pertaining to CRLF will be implemented.

Re-initiation of the BO is only required when 1) incidental take of CRLF is exceeded; 2) new information reveals that the effects of the action may affect listed species in a manner or extent not considered in the BO; 3) the agency action is modified in a manner that causes new effects to a list species/critical habitat not previously considered; or 4) a new species is listed or critical habitat is designated that may be affected by the action. The proposed changes do not create any of these conditions and therefore re-initiation of the BO is not required.

With implementation of the above measures, and all other pertinent mitigation measures and APMs in the IS/MND, no additional new or greater impacts to biological resources are anticipated.

**Cultural Resources.** The site was surveyed by Applied Earthworks (Æ) for cultural resources on September 8 and September 12, 2011. Æ surveyed this new proposed staging area/landing zone and 150 feet on either side of the current entrance gate. No archaeological or historical sites were identified within the area surveyed. No additional new or greater impacts to cultural resources, including any resulting from discovery of any previously unknown resources during construction, are anticipated provided all mitigation measures and APMs are implemented.

**Traffic and Noise.** Traffic delays due to construction vehicles turning onto the gated access road would be reduced because the proposed gate location would allow vehicles to fully pull off of Orcutt road when entering the site. The access road would also be repaired as necessary if any damage is incurred during use by PG&E; thus, long-term access to the property would not be affected. The alternate landing zone would not generate any greater noise impacts as it is further away from residents than the Reservoir Canyon Staging Area. Noise and traffic impacts would be similar to the impacts assessed in the IS/MND and would not have new or greater impacts.

**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 measure AQ-1, which, if implemented reduces impacts from fugitive dust to less than significant levels. Thus, any potential increases in fugitive dust emissions that would result from use of the new staging area/landing zone and from installation of the new gate and fencing would be reduced to less than significant levels with adherence to the dust control measures in mitigation measure AQ-1, and no new or greater impacts than were addressed in the IS/MND are anticipated.

**Visual Impacts.** There are no residences with views of the proposed staging area/landing zone. The area is on private land and can only be accessed via a gated road; thus, close range views of the area are not available from surrounding roadways. Views of the area from Orcutt Road are obtained over a minimum distance of 0.5 mile and are limited due to the presence of riparian vegetation on the north side of the road. Any impacts to visual character during use of the proposed staging area/landing zone or installation of the new gate and fencing would be short-term, limited in extent, and less than significant. As analyzed in the IS/MND, implementation of APM AE-1, which stipulates that PG&E will store materials and equipment and away from public view, would further reduce potential impacts to the visual character of the area. The visual impacts would therefore be less than significant as analyzed in the approved IS/MND for the project.

**Hazardous Materials and Hydrology.** All hazardous material storage would be contained in the same manner as proposed and analyzed in the approved IS/MND, and any needed measures to

control erosion will be installed in accordance with the Stormwater Pollution Prevention Plan for the project, as described above. The staging area/landing zone will also be mowed in morning hours to minimize fire hazard risks, as analyzed in the approved IS/MND. Runoff and contamination of waterways would not be significant with implementation of measures included in the IS/MND.

### **Approval**

Use of the proposed alternate staging area and helicopter landing zone near Orcutt Road and installation of the new gate and fencing will not have significantly greater or new significant impacts beyond those identified in the IS/MND prepared for the Project. Provided PG&E coordinates with the landowner and CCWA prior to use of the proposed staging area/landing zone and installation of the new gate and fencing, and implements all mitigation measures pertinent to the Project, Variance Request #5 is approved. Please contact me or Andrew Martin of RMT if you have any questions.

Sincerely,

*MJ Orsaba*

Lisa Orsaba

CPUC Project Manager

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

Attachment 1: Variance #5 Request Submittal