

## PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



April 1, 2020

Mr. David Thomas  
245 Market Street, Room 1054D  
San Francisco, CA 94105

**RE: Minor Project Refinement #18 for the Fulton-Fitch Mountain Reconductoring Project**

Dear Mr. Thomas,

Pursuant to the California Environmental Quality Act (CEQA), the California Public Utilities Commission (CPUC) prepared an Initial Study/Mitigated Negative Declaration (IS/MND) for Pacific Gas and Electric Company's (PG&E's) Fulton-Fitch Mountain Reconductoring Project (A. 15-12-005). On December 18, 2017, the CPUC issued a decision to adopt the Final IS/MND and grant PG&E a Permit to Construct the project (Decision D.17-12-012). Following its initial decision, the CPUC prepared a Supplemental IS/MND to address project changes proposed by PG&E, which was adopted on September 12, 2019.

The CPUC adopted the mitigation measures (MMs) and applicant proposed measures (APMs) identified in the 2017 IS/MND (with revisions identified in the 2019 Supplemental IS/MND) as conditions of project approval, as well as a Mitigation Monitoring and Reporting Program (MMRP) to ensure compliance with the MMs and APMs pursuant to Public Resources Code § 21081.6 and § 15097 of the CEQA Guidelines. A detailed Mitigation Monitoring, Compliance, and Reporting Plan (MMCRP) was developed for the project with direct participation from PG&E staff. The MMCRP defines specific procedures that are part of the adopted MMRP, including the Minor Project Refinement (MPR) process, which requires PG&E to obtain CPUC authorization for any deviations from the approved project.

On March 25, 2020, PG&E submitted MPR #18 requesting CPUC authorization to leave 0.27 acre of geotextile fabric and gravel at LZ-2 and transfer the remaining gravel to a neighboring landowner. The CPUC conducted a CEQA consistency review for MPR #18 following the procedures set forth in the MMCRP. A copy of the MPR review form is provided as Attachment 1, which describes the proposed actions and the CPUC's consistency review analysis. This letter serves to inform you that the CPUC has reviewed and approved PG&E's request for MPR #18 on the basis that no new or substantially greater impacts would occur beyond those previously analyzed in the 2017 IS/MND and 2019 Supplemental IS/MND.

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Please direct any questions related to this matter to me at 415-703-1966 or [lisa.orsaba@cpuc.ca.gov](mailto:lisa.orsaba@cpuc.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Lisa Orsaba", with a small blue dot to the right.

Lisa Orsaba  
Project Manager  
Energy Division, CEQA Unit

cc: Jo Lynn Lambert, PG&E Attorney  
Aaron Lui, Project Manager, Panorama Environmental, Inc.

Attachment 1: CPUC Review of MPR #18

# MINOR PROJECT REFINEMENT REVIEW FORM



## Part A: Request Description

### MPR Request

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**Request Number:** 18

**Date Requested:** March 25, 2020

**Proposed Duration/  
Timing of Use:** A portion of the gravel installed at Landing Zone (LZ-2) would be permanently left in place. PG&E requests to begin removal and transfer of the remaining gravel on 4/1/20; the activity would take approximately 1 to 3 days.

**Location:** LZ-2, including private residences at 5401 and 5397 Faught Road.

**Attached Map?**  Yes  No

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### Proposed Action(s)

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PG&E installed approximately one acre of gravel and geotextile fabric at LZ-2. The LZ is located within non-native grasslands at a private residential property: 5401 Faught Road. The work area was used to support equipment staging and helicopter landing during construction of the Southern Segment. PG&E proposes to leave 0.27 acre of the gravel and geotextile fabric in place at the southeast corner of LZ-2 (refer to Figure 1) at the landowner's request. The remaining 0.76 acre of gravel at LZ-2 would be removed, and the impacted area would be restored in accordance with the CPUC-approved Revegetation, Restoration, and Monitoring Plan (RRMP).

The adjacent landowner to the south at 5397 Faught Road requested that PG&E transport some or all of the excess gravel from LZ-2 to their property, rather than transporting it offsite for disposal. PG&E would transfer and stockpile the amount of excess gravel desired by the adjacent landowner (5397 Faught Road); any remaining gravel would be transported offsite for disposal.

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### Purpose(s)

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The landowner at LZ-2 requested that PG&E leave 0.27 acre of the gravel and geotextile fabric at LZ-2 in place so they may use it as a delivery truck turnaround area for horses and supplies. In the event of a fire, the graveled area could also be used as a safe area for the landowner's horses.

The adjacent landowner to the south requested that PG&E transfer the removed gravel to their property, rather than dispose of it. Providing the landowner with excess gravel would reduce project costs, air quality and greenhouse gas emissions, and traffic associated with hauling the excess gravel to a disposal site.

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### Part B: Existing Conditions

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**Existing Land Uses:** Rural residential properties; pastures of non-native grassland.

**Surrounding Land Uses:** Agricultural fields; rural residential properties; and suburban properties.

**Sensitive Receptors within 500 feet:** Residential buildings of described property owners: 5401 and 5397 Faight Road.

**Environmental Recourses within 500 feet:**

- Potentially suitable habitat for Western burrowing owl (*Athene cunicularia*), California red-legged frog (*Rana draytonii*) (CRLF), and American badger (*Taxidea taxus*) at LZ-2 site
- Potentially suitable habitat for nesting birds and foothill yellow-legged frog (*Rana boylei*) (FYLF) approximately 150 feet to the north of LZ-2
- Potentially jurisdictional water feature SEW-9 approximately 150 feet to the north of LZ-2

**Has landowner approval been granted?**  Yes  No  N/A

The proposed actions were requested by the applicable landowners.

**Landowner:** Owners of 5401 and 5397 Faight Road.

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### Surveys

List any new survey reports under Part D, attach a copy, and describe relevant survey details under the applicable resource category listed in the Part E.

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**Biological Resources. Were all sites associated with the proposed action(s) surveyed for biological resources with the potential to occur in the area? If so, were survey results positive or negative? Were surveys completed during the appropriate timing and season to detect resources? If not, describe under the applicable resource category in Part E.**

LZ-2 is within the biological survey area identified in the IS/MND, and provides potentially suitable habitat for Western burrowing owl, California red-legged frog, and American badger. Potentially suitable habitat for nesting birds and foothill yellow-legged frog exists approximately 150 feet to the north at SEW-9. PG&E biologists have been conducting weekly construction-phase surveys for special-status species and nesting birds at the proposed work area starting in September 2019 (for about eight months). No special-status species or nesting birds have been identified at LZ-2 or the surrounding area.

**Cultural Resources. Were all sites associated with the proposed action(s) surveyed for cultural resources (records search and pedestrian survey)? If so, were survey results positive or negative?**

LZ-2 is within the cultural survey area identified in the IS/MND. Pedestrian surveys were conducted between 2011 and 2017. No cultural resources were discovered at the proposed work site.

**Jurisdictional Waters. Were all sites associated with the proposed action(s) surveyed for hydrologic resources? If so, were survey results positive or negative?**

The proposed work area is within the hydrologic resources survey area. Water features that were identified in the vicinity of LZ-2 were delineated and mapped in 2018. No hydrological resources were identified in the areas where gravel would be removed or stockpiled. SEW-9, a potentially jurisdictional seasonal watercourse, was identified approximately 150 feet north of the location where gravel is proposed to be left in place at LZ-2.

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**MINOR PROJECT REFINEMENT REVIEW FORM**

**Part C: Permits, Agency Approvals, and Environmental Protection Measures**

List any new permits or agency approvals under Part D, attach a copy, and describe relevant details under the applicable resource category listed in Part E.

**Have all required permits, permit amendments/authorizations, or agency approvals been issued by resource agencies with applicable jurisdiction? Describe if necessary.**

Yes

**Would the proposed action(s) conflict with permit conditions or agency approvals? Describe if necessary.**

No

**Would the proposed action(s) conflict with project applicant proposed measures or mitigation measures listed in Final Initial Study/Mitigated Negative Declaration (IS/MND)? Describe if necessary.**

No. The IS/MND Project Description Section 2.6.3 "Gravel and Geotextile Fabric" (page 2-32) allows for gravel and fabric to be left in place for use by landowner request if on private land. The CPUC requested that PG&E submit an MPR request to ensure leaving the gravel in place would not result in a new impact or increase in the severity of a previously analyzed impact pursuant to the MMRP.

**Part D: Attached Materials**

List any attached materials (e.g. surveys, maps, photos, memos, agency authorizations, etc.) below. Materials should be attached to the end of this form.

Figure 1: Map of Graveled Area at LZ-2 and 0.27 Acre of Gravel to Remain

**Part E: Final IS/MND Consistency Summary**

Complete the Final IS/MND Consistency Summary below and answer the consistency questions for each resource category. Include a description and justification below each resource category as necessary. The consistency questions were developed using the CEQA Checklist provided in the Final IS/MND. Refer to the Final IS/MND for the details on the project impact evaluation.

<b>Would the proposed action(s) result in a new impact, or increase the severity of a previously analyzed impact on:</b>	<b>No Change</b>	<b>Potentially Significant Change</b>	<b>N/A</b>
<b>Aesthetics (e.g., damage scenic resources or vistas, degrade the existing visual character of the site and its surroundings, or create sources of light or glare)?</b> <i>Final IS/MND evaluation: Less than Significant with Mitigation</i> Leaving gravel at LZ-2 would permanently convert a vegetated area (0.27 acre of non-native grassland) to an unvegetated graveled area. Permanently removing vegetation could affect visual quality; however, the work area location is screened from Faught Road, the only nearby public vantage, by roadside vegetation and the resident's home. The proposed action would not result in a new impact or increase the severity of a previously analyzed impact on aesthetics.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
<b>Agriculture and Forestry Resources (e.g., convert Farmland to nonagricultural use, or create a conflict with existing agricultural zoning or a Williamson Act)?</b> <i>Final IS/MND evaluation: Less than Significant with Mitigation</i> LZ-2 is located on land mapped by the State Farmland Mapping and Monitoring Program as Farmland of Local Importance. The area is composed of non-native grasslands. Prior to the development of LZ-2, the area was used for horse grazing by the landowner. Temporary and permanent impacts on Farmland	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

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were analyzed in the IS/MND and found to be less than significant. The analysis in the IS/MND described 11.9 to 45.3 acres of temporary impacts and less than 0.001 acre of permanent impacts on Farmland. Leaving gravel at LZ-2 would permanently convert 0.27 acre of additional Farmland. Conversion of this amount of Farmland is not substantial. Further, the property would continue to operate as a pasture and grazing area for the landowner's horses, and the area where gravel would be retained would support the existing land uses. Leaving 0.27-acre of gravel at the landowner's request would not prevent the potential for future agricultural development of the property. The proposed refinement would not result in a new impact or increase the severity of a previously analyzed impact on agricultural resources. LZ-2 is located in areas that were non-native grassland. No forestry resources are present; therefore, there would be no impact to forestry resources.

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**Air Quality (e.g. produce additional emissions, or expose sensitive receptors to additional pollutants)?**

*Final IS/MND evaluation: Less than Significant*

Impacts on air quality from installation and removal of the gravel at landing zones were analyzed in the IS/MND, including those associated with equipment emissions and dust generation. The proposed refinement would involve leaving gravel at LZ-2 or transferring it to a neighboring property. By doing so, PG&E would reduce equipment emissions and dust generation that would occur if all of the gravel were removed and transported offsite for disposal. The proposed refinement would not result in a new impact or increase the severity of a previously analyzed impact on air quality.

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**Biological Resources (e.g., cause an adverse effect to sensitive or special-status species, or impact riparian, wetland, or any other sensitive habitat, or conflict with local policies or ordinances protecting biological resources)?**

*Final IS/MND evaluation: Less than Significant with Mitigation*

Non-native grassland that was present prior to the installation of LZ-2 may provide potentially suitable habitat for burrowing owl, CRLF (upland), and American badger. Potentially suitable aquatic habitat for FYLF and CRLF is also located 150 feet north of LZ-2 at SEW-9, as well as riparian vegetation. Focused surveys for these and other special-status species, including nesting birds, were conducted prior construction in the Southern Segment and prior to installation of gravel at LZ-2. In addition, weekly surveys for special-status species and nesting birds were completed on a weekly basis since construction began in September 2019 (eight months). No special-status species have been observed in the vicinity of LZ-2.

Retaining the 0.27-acre of gravel at LZ-2 would permanently convert a small area of non-native grassland. This area may have provided some level of potentially suitable habitat for plants and wildlife in the region, but the area was heavily disturbed before and after project activities. Converting a small area of non-native grassland where no special-status species have been identified in the vicinity would not change the impact analysis presented in the IS/MND. The proposed refinement would not result in a new impact or increase the severity of a previously analyzed impact on biological resources.

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**Cultural and Tribal Cultural Resources (e.g., cause adverse change to a historical, archeological, or tribal cultural resource)?**

*Final IS/MND evaluation: Less than Significant with Mitigation*

No cultural resources were discovered at the proposed site during pre-construction surveys conducted between 2011 and 2017. The proposed activity would not involve any ground disturbance that could damage potential subsurface cultural resources that may be present. The proposed refinement would not result in a new impact or increase the severity of a previously analyzed impact on cultural resources.

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**Geology and Soils (e.g., cause or expose people or structures to geologic or soil hazards, including erosion or loss of topsoil)?**

*Final IS/MND evaluation: Less than Significant with Mitigation*

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The proposed refinement would not require any additional earthmoving activities and would not result in the loss of topsoil or increase erosion. The proposed refinement would not result in a new impact or increase the severity of a previously analyzed impact on geology and soils.

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**Greenhouse Gas Emissions (e.g., generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?)**

*Final IS/MND evaluation: Less than Significant with Mitigation*

Impacts from greenhouse gas emissions were analyzed in the IS/MND, including those associated with equipment emissions from gravel installation and removal. The proposed refinement would involve leaving gravel at LZ-2 or transferring it to a neighboring property, which would reduce overall equipment emissions associated with gravel removal. The proposed refinement would not result in a new impact or increase the severity of a previously analyzed impact on greenhouse gas emissions.

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**Hazards and Hazardous Materials (e.g., create or increase the exposure of people or structures to hazardous materials or wildland fires, involve the use of additional hazardous materials or equipment, or interfere with an adopted emergency plan?)**

*Final IS/MND evaluation: Less than Significant with Mitigation*

LZ-2 does not contain any known hazardous material sites, and none were created as a result of construction activities. Leaving the gravel in place or transporting it to the adjacent property would not increase the risk of potential hazards beyond those analyzed in the IS/MND. The proposed refinement would not result in a new impact or increase the severity of a previously analyzed impact on hazards and hazardous materials.

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**Hydrology and Water Quality (e.g., degrade water quality, discharge waste or sediment, deplete groundwater, alter the existing drainage pattern, create additional runoff water or polluted runoff, place structures in a 100-year flood hazard area, or expose people or structures to a significant risk involving flooding?)**

*Final IS/MND evaluation: Less than Significant with Mitigation*

SEW-9, a potentially jurisdictional seasonal watercourse, is present approximately 150 feet north of the location where gravel is proposed to be left in place. The area is primarily flat, and the area between the gravel and the watercourse would be revegetated in accordance with the RRMP. The area where gravel would be retained does not pose an erosion risk for SEW-9. Leaving compacted gravel in place at LZ-2 would result in a small increase in semi-pervious surfaces (0.27 acre). The area is flat and surrounded by grasslands. Any increase in the rate or amount of surface runoff from the gravel area would be negligible, and adjacent waterways and drainage systems would not be put at any elevated risks from the site. The proposed refinement would not result in a new impact or increase the severity of a previously analyzed impact on hydrology and water quality.

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**Land Use (e.g., conflict with a land use plan, policy, or regulation of an agency with jurisdiction over the project, or conflict with a habitat conservation plan?)**

*Final IS/MND evaluation: Less than Significant with Mitigation*

LZ-2 is located on private property. Leaving gravel at the landowner's request would not conflict with land use or zoning designations. The proposed refinement would not result in a new impact or increase the severity of a previously analyzed impact on land use.

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**Noise (e.g., expose sensitive receptors to additional noise or vibration?)**

*Final IS/MND evaluation: Less than Significant with Mitigation*

Impacts to sensitive receptors from noise associated with gravel installation and removal were addressed in the IS/MND. The proposed refinement would reduce noise-generating activities since the overall

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amount of gravel and geotextile fabric removed from LZ-2 would be reduced. The landowner would use the site for delivery of horses and supplies, which would be similar to existing activities at the location and would not create a notable increase in noise levels. The proposed refinement would not result in a new impact or increase the severity of a previously analyzed impact on noise.

**Paleontological Resources (e.g., cause adverse change to a paleontological resource or site or unique geologic feature)?**

                                          

*Final IS/MND evaluation: Less than Significant with Mitigation*

The proposed activity would not involve any ground disturbance that could damage subsurface paleontological resources that may be present. The proposed activities would not result in a new impact or increase the severity of a previously analyzed impact on paleontological resources.

**Population and Housing (e.g., induce substantial population growth in an area, or displace substantial numbers of people or housing)?**

                                          

*Final IS/MND evaluation: Less than Significant with Mitigation*

The proposed activities would not result in population growth or the displacement of people or housing. The proposed refinement would not result in a new impact or increase the severity of a previously analyzed impact on population and housing.

**Recreation (e.g., increases the use of, or cause adverse effects to, parks or other recreational facilities)?**

                                          

*Final IS/MND evaluation: Less than Significant with Mitigation*

The proposed activity is not located adjacent to or within a park or other recreational facility. The proposed refinement would have no impact on recreation.

**Transportation and Traffic (e.g., increase traffic congestion or degrade performance of the circulation system, taking into account all modes of transportation, or increase hazards due to a design feature)?**

                                          

*Final IS/MND evaluation: Less than Significant with Mitigation*

The proposed refinement would reduce impacts on transportation and traffic. Since the overall amount of gravel removed would be reduced, fewer truck trips would be required haul the gravel from LZ-2. The removed gravel would also be transported to the neighboring property rather than to an off-site disposal location. The overall distance of travel for each truck trip would be reduced. The proposed refinement would not result in a new impact or increase the severity of a previously analyzed impact on transportation and traffic.

**Utilities and Public Services (e.g., result in construction of new, or expansion of existing, water facilities, stormwater drainage facilities, require additional water entitlements, or creation of new solid waste disposal needs)?**

                                          

*Final IS/MND evaluation: Less than Significant with Mitigation*

Since the gravel at LZ-2 would be transferred to landowners for reuse, the proposed refinement would reduce the overall amount of solid waste generated by the project. The proposed activities would not include the construction or expansion of water or stormwater drainage facilities or require additional water entitlements. The proposed activities would not result in a new impact or increase the severity of a previously analyzed impact on utilities and public services.



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Figure 1: Map of Graveled Area at LZ-2 and 0.27 Acre of Gravel to Remain

