

**APPENDIX A:
USFWS AND CDFG CORRESPONDENCE**

Susanne Heim

From: Lambert, Jo L (Law)
Sent: Tuesday, April 10, 2012 6:02 PM
To: Susanne Heim (Susanne.heim@panoramaenv.com)
Cc: Rosauer, Michael; Johnson, Tom; Healy, Patricia (Patty); 'Jan Bush'; Rhodehamel, Westley; Steve Imhoof (Steven@Imhooflaw.com); Kraska, David (Law)
Subject: Verification of HCP Covered Activities related to the proposed Shepherd Substation

Hi Susanne,

Attached is correspondence between our HCP Administrator, USFWS and CDFG. Let me know if you need anything further.

Thanks,
Jo Lynn

-----Original Message-----

From: Dedon, Mark
Sent: Friday, April 06, 2012 2:28 PM
To: Lambert, Jo L (Law); Johnson, Tom; Healy, Patricia (Patty)
Cc: Rhodehamel, Westley; Coleman, William; Parker, Greg; Boland, Mary; aguerra@briscoelaw.net; Kellman, Janelle (Law); Davis, Susan
Subject: FW: Request to initiate confer process and for verification of HCP Covered Activities related to the proposed Shepherd Substation

Concurrence received from CDFG.

-Mark

Mark Dedon
San Joaquin Valley Operations and Maintenance HCP Administrator Pacific Gas and Electric Company
3401 Crow Canyon Rd.
San Ramon, CA 94583
Office: 925-415-6370
Mobile: 415-297-9711

-----Original Message-----

From: Julie Vance [mailto:JVANCE@dfg.ca.gov]
Sent: Friday, April 06, 2012 2:24 PM
To: Joshua_Emery@fws.gov; Dedon, Mark
Cc: Thomas_Leeman@fws.gov; Rhodehamel, Westley
Subject: RE: Request to initiate confer process and for verification of HCP Covered Activities related to the proposed Shepherd Substation

We are in agreement with Josh's determination. Thanks for verifying.

Julie

Julie Vance

Environmental Program Manager
Habitat Conservation Planning
Department of Fish and Game
Central Region (R4)
1234 E. Shaw Ave
Fresno, CA 93710
(559) 243-4005 x 141

>>> "Dedon, Mark" <MFD2@pge.com> 4/6/2012 2:04 PM >>>

Josh,
Thank you for your email and concurrence that the reconductoring/pole replacement portion of work and the construction of the new line in the new right-of-way under 1 mile are covered activities under the HCP. I appreciate your caution regarding the possibility for impacting California tiger salamander during the construction of the substation where the orchard is and we will ensure that AMMs will be implemented for that phase of work. We recognize that PG&E or its contractors will not be exempt from section 9 prohibitions against take of listed species for the substation construction. We will also be implementing monitoring and or exclusion fencing, as needed, to reduce any risk for impacting listed species.

Julie,
In my conversation with Josh it is my understanding that you are in agreement with this concurrence. Please let me know if otherwise.

Thank you both for your helpful and speedy coordination.

-Mark

Mark Dedon
San Joaquin Valley Operations and Maintenance HCP Administrator Pacific Gas and Electric Company
3401 Crow Canyon Rd.
San Ramon, CA 94583
Office: 925-415-6370
Mobile: 415-297-9711
From: Joshua_Emery@fws.gov [mailto:Joshua_Emery@fws.gov]
Sent: Thursday, April 05, 2012 3:09 PM
To: Dedon, Mark; jvance@dfg.ca.gov
Cc: Thomas_Leeman@fws.gov
Subject: Re: Request to initiate confer process and for verification of HCP Covered Activities related to the proposed Shepherd Substation

Mark,

As we discussed on the phone on Tuesday, there are essentially three projects in this request. One is to construct a new substation, another is to reductor existing lines and replace poles along an existing line, and the third is the construction of a new line less than 1 mile in length. I can confirm that the reductoring phase of the project, the replacement of existing poles, and the construction of the new line under 1 mile in length are activities that are covered under the plan.

All relevant AMM's, including AMM 17, should be in place during these activities.

PG&E is not seeking coverage for the substation project because it is not an activity covered by the HCP due to its size. The substation is to be constructed in an orchard that is not considered to be suitable habitat for listed species; however, the location is within a short distance of waterbodies that may or may not provide habitat for the California tiger salamander. It is possible then that the construction of the substation may result in take if California tiger salamanders wander into the site. Without obtaining take coverage for that project, PG&E will be proceeding at its own risk in regards to the federal Endangered Species Act. We recommend adopting the AMM's in the PG&E O&M HCP as best management practices for this project in order to minimize the likelihood for take to occur, although it is important to not that this will not exempt PG&E or its contractors from section 9 prohibitions against take of listed species.

Let me know if you have any questions or need anything else.

Thank you,
Josh Emery
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
Endangered Species Division
2800 Cottage Way, W-2605
Sacramento, California 95825

joshua_emery@fws.gov<mailto:joshua_emery@fws.gov>
(916)414-6692

"Dedon, Mark" <MFD2@pge.com<mailto:MFD2@pge.com>>

03/28/2012 06:03 PM

To

"Julie Vance (JVANCE@dfg.ca.gov<mailto:JVANCE@dfg.ca.gov>)"
<JVANCE@dfg.ca.gov<mailto:JVANCE@dfg.ca.gov>>,
"Joshua_Emery@fws.gov"
<Joshua_Emery@fws.gov<mailto:Joshua_Emery@fws.gov>>

cc

"Rhodehamel, Westley" <WMR6@pge.com<mailto:WMR6@pge.com>>, "Johnson, Tom"
<TJJ1@pge.com<mailto:TJJ1@pge.com>>, "Healy, Patricia (Patty)"
<PMH9@pge.com<mailto:PMH9@pge.com>>

Subject

Request to initiate confer process and for verification of HCP Covered Activities related to the proposed Shepherd Substation

Josh and Julie,

In accordance with PG&E's San Joaquin Valley O&M HCP, I am requesting initiation of the confer process for an E13 activity (electric tower line construction) (see pages 2-26 and 4-16 of the HCP) that is scheduled to start construction in June 2013 in Fresno County, north of the City of Clovis. I am making this request due to the presence of medium suitable habitat for CTS and the existence of a CNDDDB record for California tiger salamander (CTS) located within 2 miles of the worksite. In addition, I am seeking your verification that the proposed project is a Covered Activity under the HCP, as explained further below.

The total distance of the new 115-kV power line right-of-way (ROW) is 0.63 miles. A portion of this new ROW (about 26%) is within habitat that provides refugia for the CTS. The attached pre-activity survey indicates that there is medium suitable habitat for CTS adjacent to the ROW that could be impacted by the project.

Another portion of the new power line will be constructed within an existing ROW by rebuilding the existing electric distribution line to accommodate the power line as overbuild (HCP activities E8 and E9- electrical system pole and equipment replacement and repair, and electric line reconductoring, pages 2-22 and 2-23 of the HCP). The total distance of this existing ROW is 0.87 miles. The pre-activity survey for this activity also indicates about 26% of the traversed grassland and wetlands occur in medium suitable habitat for CTS adjacent to the ROW.

Combined, the power line in new ROW and existing ROW totals 1.5 miles.

These project components are part of the planned construction of the proposed Shepherd Substation during the same period and will help meet future load demand. The substation will connect 115-kV and electric distribution circuits using three transformers (at full build-out). The substation will be located where there is an existing orchard and will not affect natural vegetation. The attached figure shows the location of the proposed substation, rebuilt distribution/power line and new power line ROW. We believe that power line projects are Covered Activities in the San Joaquin Valley O&M HCP.

On November 9, 2011, PG&E senior planner Greg Parker and senior biologist Wes Rhodehamel met with CDFG biologist Lisa Gymer and reviewed the portions of the power line ROWs described above. Lisa expressed her satisfaction with the project design based on incorporation of approved avoidance and minimization measures into the projects* design. This work will be performed under the jurisdiction of the California Public Utility Commission (CPUC). Their consultant has asked that we obtain verification from you that the portions of the work described above in natural vegetation are Covered Activities under the HCP.

To facilitate CPUC approval, I would appreciate your response to this request as soon as possible, verifying that the proposed power line project activities are Covered Activities under the HCP.

In addition, I am requesting the initiation of the confer process for the E13 activity.

I would like to set up a conference call to initiate our confer discussion at your earliest convenience. Please let me know your availability for that phone call within the next 5 business days, if possible. In the meantime, please let me know if you have any questions, or need additional information.

Thanks in advance,

-Mark

Mark Dedon

San Joaquin Valley Operations and Maintenance HCP Administrator Pacific Gas and Electric Company

3401 Crow Canyon Rd.

San Ramon, CA 94583

Office: 925-415-6370

Mobile: 415-297-9711