



# **Aspen** *Environmental Group*

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

**To:** Jensen Uchida, CPUC  
**From:** Vida Strong, Aspen Project Manager  
**Date:** November 23, 2005  
**Subject:** Weekly Report #85: November 13, 2005 – November 19, 2005  
**CPUC Environmental Monitor (EM):** Anne Sweet

Current construction of the PG&E Tri-Valley Project includes the Phase Three portion of the project, including construction of the overhead transmission line, underground alignment, North Dublin Substation, and Transition Station; all roadway and vault pad grading; and preparation of the 0.33-acre and 0.94-acre mitigation areas. Opus Environmental is 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 is being completed by Ranger Construction. The substation work is being engineered by Black and Veatch who has subcontracted construction to Granite Construction. PG&E has contracted with North Valley Construction to ensure that adequate erosion and sediment controls are installed and maintained project wide, including areas covered by Ranger Construction and Granite Construction.

### **Summary of Phase Three Activity:**

Weather was clear throughout the week. During the subject week, the PG&E EIs conducted environmental trainings as new crew members joined the project.

Most recently, a large focus on the site visits by the CPUC EMs was compliance with the project permit seasonal work requirements, the Storm Water Pollution Prevention Plan (SWPPP), and the installation of Best Management Practices (BMPs) on the project.

The CPUC EM monitored construction on November 17<sup>th</sup> and 18<sup>th</sup>.

Underground construction included conduit proofing, mandrill pulling, and erosion control installation. Crews continued work at the Transition Station (see Figure 1). During the site tour on November 18, the CPUC EM noted that the trench line which extends along Road 7 still needs additional water flow dissipation controls such as straw wattles or water bars, and additional erosion controls including mulching and seeding (see Figure 2). A call was put into PG&E and the independent SWPPP contractor, North Valley Construction, installed jute wattles and hydro-seeded the area on Saturday, November 19. Per Opus, the cows in the area investigated the wattles, but it appears that they are not eating them as has been a continual problem along portions of the project.

The staging areas and temporary access road along Road 6 have been vacated and the area has been restored and reseeded (see Figure 3).

The USFWS Biological Opinion (BO) conditions and requirements, resulting from continued correspondence with USFWS, direct that biologist escorts are needed within and at some locations beyond 200 feet from known and potential California red legged frog (CRLF) and California tiger salamander (CTS) habitat now that work has continued past October 31<sup>st</sup> and due to the seasonal weather conditions.

Opus informed the CPUC EM that on the evening of November 14, a project truck driver had stopped at the escort required point, waited for approximately 5 minutes and then decided not to wait any longer and proceeded without an escort along Moller Road. On November 15, another Granite employee decided to drive along Moller without an escort. These mark repeated documented incidents of Granite personnel and/or Granite subcontractors traveling without the required escort. A Project Memorandum was issued on November 4 and a Non-Compliance Report (NCR) was issued on November 10 for the same compliance problem. After speaking with Opus the problem seemed isolated to Granite Construction. PG&E, Ranger Construction, and Black and Veatch crews have all operated on-site and have complied with the escort system. The CPUC EM issued a second NCR on November 15 and informed the USFWS, CDFG, and RWQCB. The notification sparked great concern from all of the agencies and PG&E was asked how they planned to deal with Granite Construction to regain compliance. All expressed concerns over Granite continuing construction on-site. In response to the concerns, Granite Construction was shutdown November 17 and 18. A meeting was held between PG&E, Granite, and Opus on November 17. It was stated that there has been some miscommunication between Granite and PG&E in terms of the severity of the recent non-compliance events. PG&E has committed to include the Granite Foreman and Granite Managers on distribution of the non-compliance documentation in addition to the verbal noticing. An additional training will be held with all Granite personnel to ensure that all personnel understand the significance of the measures. Granite will warn workers that they may be removed from the site if they do not follow the rules. In addition, Opus will compile a list of the compliance issues written in both English and Spanish, and the list will be distributed to all training attendees. The two Granite personnel cited in the non-compliance have been dismissed from the project. PG&E has installed gates with locks on Moller Road and Road 5 off of Manning Road. Both run parallel to and within 200 feet of CRLF and CTS habitat and serve as entry points to project construction locations. Only project management personnel have keys to the gates. Attached to the gates are 4-ft by 4-ft signs escort required signs. A monitor has been placed at the gate and sign-in sheets have been implemented.

Although Granite Construction has already completed paving of Road 6 and most of Moller Road, a punch-list of outstanding repair and maintenance items has been compiled. It is estimated that approximately three to four days of work remain.

The CPUC EM had previously expressed concerns that existing wetland areas adjacent to Moller Road could be impacted by the new drain features. These concerns were again reiterated. CH2MHill has responded that their hydrologist has analyzed the site and a report will be submitted to PG&E. The CPUC EM requested that the CPUC and the RWQCB be given copies of the report. Per Opus, the report has been completed and is currently under review by PG&E.

During the previous week, grading activities were completed at the new substation site and the area was rocked. A culvert was also installed. Black and Veatch has set up trailers on the substation pad and will commence substation component installation.

The PG&E line crews are using helicopters to pull rope and sock line through the towers. Spools of line are placed near the Substation pad in order to pull through Tower 1 (see Figure 4) to the other towers ending at Tower 13 which will connect to the Transition Station (see Figure 5).

#### **ENVIRONMENTAL COMPLIANCE:**

Opus informed the CPUC EM that on November 14 and 15 two separate incidents occurred where Granite Construction employees decided to drive along Moller without the required escorts. These mark repeated documented incidents of Granite personnel and/or Granite subcontractors traveling without the required escort. A Project Memorandum was issued on November 4 and an NCR was issued on November 10 for the same compliance problem. The CPUC EM issued an NCR on November 15 and informed the USFWS, CDFG, and RWQCB.

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

Six NCRs and four Project Memoranda have been issued for the Phase Three portion of the project as of November 19, 2005 (see Table 1).

**TABLE 1**  
**ENVIRONMENTAL COMPLIANCE STATUS**  
(Updated 11-19-05)

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 burrow. 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 CPUC EM 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 feet 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
Project Memorandum	11/1/05	During the tour of Moller road on November 1, the CPUC EM noted that a spoil pile located adjacent to Tassajara Creek lacked adequate protection. PG&E had been notified of the problem twice previously.	November 2, wattles had been installed around the spoils pile and silt fencing extended to further protect the creek.

Project Memo or NCR	Date Issued	Description	Follow-Up Activities
PHASE THREE			
NCR	11/2/05	<p>During the field tour on November 2, 2005, the CPUC EM documented several related compliance problems regarding the lack of appropriate resource erosion protection as well as work within resource buffers outside of the appropriate time frames established in project agency permits.</p> <p>On November 2, at the Cayetano Creek crossing ground disturbing activity had occurred within the 30-foot buffer established around potential California red-legged frog and California tiger salamander habitat which is prohibited after October 31, as outlined in the project BO.</p> <p>At another area where the Ranger Construction crossed Cayetano Creek, just off of Road 5 the CPUC EM noted a lack of erosion protection. PG&amp;E had been notified of the lack previously.</p> <p>At the Tassajara Creek bank stabilization area, the upslope erosion cloth installation as outlined in the USFWS Biological Opinion (BO) had not occurred by October 31 which is the deadline for the bank stabilization work in both the USFWS BO and the CDFG Streambed Alteration Agreement. PG&amp;E had been repeatedly informed of the necessary erosion protection requirements as well as work deadlines.</p>	<p>PG&amp;E EI was forthright that he unintentionally overlooked the BO buffer requirement. Opus took quick action and notified the USFWS of the work within the potential habitat buffer.</p> <p>Adequate erosion controls were installed by 11/4/05</p> <p>Opus Environmental notified CDFG that the installation had not met the required deadline. The installation was completed 11/4/04.</p>
Project Memorandum	11/4/05	<p>During the site tour of Road 5 on November 4, the CPUC EM witnessed that at the end of the work day, although the road had been swept 20 minutes earlier by an approved biologist, the Granite crew proceeded to exit the site via Road 5 without being walked out. The CPUC EM was informed that PG&amp;E informed Granite that they could proceed because the road had just been swept. Project Memo documented that vehicles shall be walked through areas as outlined by the BO and given the verbal recommendations set forth by USFWS.</p>	<p>The USFWS has approved the use of ATVs to escort vehicles which should streamline the walk through process.</p>
NCR	11/10/05	<p>The Project Biological Opinion conditions and requirements resulting from continued correspondence with USFWS direct that biologist escorts are needed within and at some locations beyond 200 feet from known and potential CRLF and CTS habitat past October 31 and November 9, a Granite truck entered Road 5 unescorted and that several Granite trucks had left the Substation site on Moller Road which also lies within 200 feet of sensitive habitat, unescorted. November 10, when the Opus EM arrived on-site at 6:15 am a Granite operator had already entered the site via Road 5 unescorted. Please note that Opus has repeatedly notified Granite of the necessity for escorts through sensitive areas and has documented the unescorted vehicle movement as non-compliance issues.</p>	<p>Large signs have been posted along the road side in plain view directing all project vehicles and equipment to stop and wait for an escort. In addition radios were placed at the signs to enable contractors to call for an escort. PG&amp;E representatives stayed at the Road 5 entrance and along Moller Road to ensure that all project personnel stopped and waited for biologist escorts.</p>

Project Memo or NCR	Date Issued	Description	Follow-Up Activities
PHASE THREE			
NCR	11/15/05	Opus informed the CPUC EM that on the evening of November 14abd on November 15 two Granite employees decided to drive along Moller without the required escort. These mark repeated documented incidents of Granite personnel and/or Granite subcontractors traveling without the required escort.	Granite construction was 11/17 and 11/18. A meeting was held between 11/ 17. An additional training will be held. The two Granite personnel have been dismissed. PG&E has installed gates with locks and a monitor has been placed at the gate with sign-in sheets.

**NOTICES TO PROCEED (NTP):**

Table 2 presents the NTPs issued by the CPUC for the Tri-Valley Project to date. No additional NTPs are anticipated.

**TABLE 2**  
**NOTICES TO PROCEED**  
(Updated 11/23/05)

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:**

No Variance Requests were submitted for review during the subject week. Table 3 presents the Phase Three Variance Requests reviewed to date.

**TABLE 3**  
**VARIANCE REQUEST STATUS**  
 (Updated 11/23/05)

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
16	9/15/05	Variance for use of a temporary overland access connector route to access two vault installation sites	Completed	9/19/05
17	10/25/05	Variance for installation of guard structures at Collier Canyon Road and grading a work space for a boom truck near the Dublin Substation.	Completed	11/4/05
18	11/3/05	On November 4, 2005, PG&E submitted Variance Request #18 requesting a variance to change the surface treatment of Moller Road from chip seal to asphalt concrete.	Completed	11/8/05
19	11/3/05	Variance Request #19 requesting a variance to resource buffer zones outlined in Applicant Proposed Measures 7.6 and 7.7, deferring to the Project's Agency permit conditions	Completed	11/8/05

**AGENCY PERSONNEL CONTACTS:**

November 15<sup>th</sup>, Aspen/CPUC notified Mary Hammer/USFWS, Marcia Grefsrud/CDFG, and Brian Wines/RWQCB of the second NCR issued for contractors traveling unescorted within 200 feet of CTS and CRLF habitat on November 15. The notification sparked great concern from all of the agencies and PG&E was asked how they planned to deal with Granite Construction to regain compliance. All expressed concerns over Granite continuing construction on-site.

Michele Barlow/Opus continued follow-up correspondence regarding the NCR with USFWS, CDFG, RWQCB, and CPUC providing corrective actions taken by PG&E.

## Photographs



**Figure 1** – Transition Station. November 18<sup>th</sup>.



**Figure 2** – Road 7 and trench line, November 18. Note the lack of erosion controls over the trench line.



**Figure 3** – Staging area along Road 6 has been vacated and the area has been restored and reseeded, November 18<sup>th</sup>.





**Figure 4** – Line pulling next to the Substation, November 17<sup>th</sup>.



**Figure 5**– Line pulling at tower 13 next to the Transition Station, November 17<sup>th</sup>.

