Aspen
Environmental Group

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

To: Jensen Uchida, CPUC

From: Vida Strong, Aspen Project Manager

Date: January 12, 2005

Subject: Weekly Report #92: January 1, 2006 – January 7, 2006

CPUC Environmental Monitor (EM): Anne Sweet

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 was conducted by Granite Construction. The tower work was conducted by PG&E. The underground construction was engineered by Wilson Construction and is being completed by Ranger Construction. The substation work is being engineered by Black and Veatch who has subcontracted earthwork to Granite Construction. Ranger and now PG&E have contracted with North Valley Construction to ensure that adequate erosion and sediment controls are installed and maintained.

Summary of Phase Three Activity:

Most recently, a large focus on the site visits by the CPUC EMs has been 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.

Heavy rains occurred prior to and at the beginning of subject week. No active construction had occurred during the previous week through January 2 due to the holidays. The latest storm left the site erosion controls damaged and in some locations overrun. The CPUC EM monitored construction on January 4. On January 3, Opus issued a project wide concern for necessary maintenance of erosion controls. In addition, Opus notified the RWQCB that potential project related discharges into Tassajara Creek and Cayetano Creek had occurred. Both creeks are considered breeding habitat for California red legged frog and California tiger salamander. In order to repair, maintain, and reinstall site erosion controls, both Granite and North Valley Construction worked throughout the week.

At the Transition Station, the pad has showed signs of erosion at the northeast corner of the bulkhead. Previously Granite filled the corner with concrete and installed sediment fence below the area. During the subject week base rock was installed.

Along Road 6, the earthen v-ditches showed erosion and sediment had build up in the sandbag checks. The area down slope of Road 6 where previous construction had occurred to stabilize a potential landslide area showed erosion and crews were on-site January 4 to re-install erosion controls (see Figure 1). Along Road 7, some landslides had occurred which uprooted the staked in wattles (see Figure 2).

Along Moller Road and the mitigation site access road, several areas along the new roadbed including some culvert inlet areas continue to show signs of ponding. Much greater erosion has occurred in v-ditches along the side of Moller Road (see Figure 3). Some installed sediment fencing had been overcome upstream of Tassajara Creek (see Figure 4). A landslide had occurred at a new culvert outlet also upstream of Tassajara Creek (see Figure 5).

At the North Dublin Substation the concrete from the SPCC pond was removed.

The project Biological Opinion (BO) conditions and requirements, resulting from continued correspondence with USFWS, direct that biologists escort crews 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 31st and due to the seasonal weather conditions. The escort system worked well during the subject week.

On January 5, an adult California red legged frog was sighted in Cayetano Creek parallel to Road 5.

ENVIRONMENTAL COMPLIANCE:

On January 3, Opus issued a project wide concern for necessary maintenance of project erosion controls. In addition, Opus notified the RWQCB that potential project related discharges into Tassajara Creek and Cayetano Creek had occurred. Both creeks are considered breeding habitat for California red legged frog and California tiger salamander. In order to repair, maintain, and reinstall site erosion controls, both Granite and North Valley Construction worked throughout the week.

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

Seven NCRs and six Project Memoranda have been issued for the Phase Three portion of the project to date (see Table 1).

TABLE 1
ENVIRONMENTAL COMPLIANCE STATUS
(Updated 1-12-06)

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 with in 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.

Project Memo or NCR	Date Issued	Description	Follow-Up Activities
PHASE THREE			
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.
NCR	11/2/05	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. 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. 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&E had been notified of the lack previously. 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&E had been repeatedly informed of the necessary erosion protection requirements as well as work deadlines.	PG&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. Adequate erosion controls were installed by 11/4/05 Opus Environmental notified CDFG that the installation had not met the required deadline. The installation was completed 11/4/04.
Project Memorandum	11/4/05	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&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.	The USFWS has approved the use of ATVs to escort vehicles which should streamline the walk through process.
NCR	11/10/05	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.	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&E representatives stayed at the Road 5 entrance and along Moller Road to ensure that all project personnel stopped and waited for biologist escorts.

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 14 and 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.
Project Memorandum	11/29/05	Upon inspection of the Mitigation Site Access Road the CPUC EM noted that the installed erosion controls were in serious need of maintenance and repair. Rain was occurring and was forecasted to continue for the next four days. The CPUC EM notified the site EI about the problem. Upon returning to the location on the next day the CPUC EM documented that no repairs had been made. In a different area along Road 7, a build up of sediment has occurred around erosion controls near the Vault installation, and maintenance is needed. In addition to the above issues, culverts installed on Road 6 looked as though they were colleting materials and showed potential to be clogged. Under this Memo, information is requested from PG&E regarding the effectiveness of the installation, how they plan to clear the materials, and how further build up will be prevented .	Repairs to the MSA Road erosion controls had been made following issuing the memo.
NCR	12/15/05	December 14, The CPUC EM discovered that monofilament erosion control matting had been installed along/adjacent to the Tassajara Creek tributary which runs through the Mitigation Site. The USFWS BO disallows use of such matting. The PG&E EI decided to take the installation in the presence of the CPUC EM. PG&E was contacted and the CPUC EM was informed that PG&E was aware of the issue and that the matting had been installed the day prior on Tuesday, December 13. PG&E had informed the contractor that the matting had to be removed and plans were set to remove the matting on Thursday, December 15. Within the NCR, information was requested from PG&E as to why the CPUC was not informed of the flawed installation. In addition, NCR information was requested to explain why was the matting removal was planned for two days after the discovery and not immediately.	PG&E responded on December 15, that at the time of the initial discovery on December 13, it was one half hour before sunset and there was not enough time to conduct the removal and exit the site given the existing work hour regulations. The crew which installed the matting was previously scheduled to return on December 16, so the removal was planned for that time.
Project Memorandum	12/20/05	An informational memo was issued on December 20 to document the findings of a project wide walkthrough conducted December 19 and 20 to review the installed erosion controls. A large storm event had occurred prior to the walk through; thus, erosion control functioning as well as maintenance needs were assessed. In most areas the controls worked well; however several areas had sediment build up and other areas were in need of repair.	By the end of the subject week, Granite and North Valley Construction repaired and maintained the erosion controls outlined in the memo.

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 1/12/06)

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 1/12/06)

Variance Request #	Date Submitted	Description	Status	CPUC Approval Date
PHASE THREE				
11	7/7/05	Variance to allow travel through homestead 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:

On January 3, Opus notified Brian Wines, RWQCB, that potential project related discharges into Tassajara Creek and Cayetano Creek had occurred.

On January 5, Opus notified Marcia Grefsrud, CDFG, and Mary Hammer, USFWS, that an adult California red legged frog was sighted in Cayetano Creek parallel to Road 5.

Photographs

Figure 1 – Erosion down slope of Road 6, January 4, 2006.

Figure 2 – Road 7 landslide area, January 4, 2006.

Figure 3 – Erosion from the earthen v-ditch along Moller Road, January 4, 2006.

Figure 4 – Overrun sediment fencing along Moller Road upstream of Tassajara Creek, January 4, 2006.

Figure 5 – Small landslide at a culvert outlet along Moller Road, January 4, 2006.