



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 19, 2005
Subject: Weekly Report #93: January 8, 2006 – January 14, 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 seasonal work requirement in the project permits, the Storm Water Pollution Prevention Plan (SWPPP), and the installation of Best Management Practices (BMPs) on the project.

Rains occurred prior to and at the beginning of subject week. The CPUC EM monitored construction on January 11th, 12th, and 13th. During the previous subject week, Opus issued a project wide concern for necessary maintenance of erosion controls. Both Granite and North Valley Construction had worked throughout the week and had fixed most of the issue areas. Continued work and maintenance occurred throughout the subject week.

At the Transition Station, crews installed a fence with barb wire around the area during the subject week (see Figure 1). Work at the station is finished for the time being. Per the PG&E inspector, Wilson Construction will most likely return March 15th.

Previously, along Road 6, the earthen v-ditches showed erosion and sediment had buildup in the sandbag checks. The sediment has been cleaned out from the area and additional sandbags have been installed. On Friday, January 13, a burrowing owl was observed approximately 80 feet northeast of Road 6 at approximately Station 29+00. Opus notified the CPUC EM and CDFG. No work other than erosion control maintenance is planned to occur in the area. Previously along Road 7, some landslides had occurred which uprooted the staked in wattles. The area has been repaired and erosion controls have been reinstalled (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. Great erosion has occurred in v-ditches along the side of Moller Road (see Figure 3). Although the large amount of erosion debris/accumulated sediment run off has been removed, some dispute remains over whether the erosion was caused by a design flaw and

whether Granite or PG&E will be responsible for repairs/maintenance. The earthen v-ditch remains at risk for further erosion. Previously a landslide had occurred at a new culvert outlet also upstream of Tassajara Creek, a plastic tarp has been installed over the area (see Figure 4).

At the North Dublin Substation, during the previous week, the concrete forms from the SPCC pond were removed. During the subject week, Black and Veatch excavated foundation holes and installed construction forms, which were set in concrete (see Figure 5). Crews installed fiber optic pull boxes. Extra spoils were removed from the site on January 13th.

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.

ENVIRONMENTAL COMPLIANCE:

Opus issued a project wide concern for necessary maintenance of project erosion controls on January 3rd. Both Granite and North Valley Construction continue to work to repair and maintain issue areas.

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 1-19-06)

| 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 into 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. |

| 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 | <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&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&E had been repeatedly informed of the necessary erosion protection requirements as well as work deadlines.</p> | <p>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.</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 | 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 roadside 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. |
| 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 did not work 11/17 and 11/18. A meeting was held on 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 Memo or NCR | Date Issued | Description | Follow-Up Activities |
|---------------------|-------------|---|--|
| PHASE THREE | | | |
| Project Memorandum | 11/29/05 | <p>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.</p> <p>In a different area along Road 7, a buildup of sediment has occurred around erosion controls near the Vault installation, and maintenance is needed.</p> <p>In addition to the above issues, culverts installed on Road 6 looked as though they were collecting 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 buildup will be prevented.</p> | Repairs to the MSA Road erosion controls had been made following issuing the memo. |
| NCR | 12/15/05 | <p>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.</p> <p>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.</p> | 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 projectwide walk-through 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 well as maintenance needs were assessed. In most areas the controls worked well, however several areas had sediment buildup 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 1/19/06)

| 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 |

| NTP # | Date Issued | Description |
|---------|-------------------|---|
| #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 1/19/06)**

| 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 |

| Variance Request # | Date Submitted | Description | Status | CPUC Approval Date |
|--------------------|----------------|--|-----------|--------------------|
| PHASE THREE | | | | |
| 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 Friday January 13th, a burrowing owl was observed approximately 80 feet northeast of Road 6 near Station 29+00. Opus notified the CPUC EM and Marcia Grefsrud of CDFG.

Photographs



Figure 1– Fence installation at the Transition Station, January 11, 2006.



Figure 2 – Road 7 previous landslide area where erosion controls have been fixed, January 11, 2006.



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



Figure 4 – Plastic placed over a small landslide at a culvert outlet
along Moller Road,
January 13, 2006.



Figure 5 – Foundation structure installation at the North Dublin Substation, January 11, 2006.