



Aspen *Environmental Group*

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

To: Jensen Uchida, CPUC
From: Vida Strong, Aspen Project Manager
Date: May 16, 2006
Subject: Weekly Report #107: May 7, 2006 – May 13, 2006
CPUC Environmental Monitor (EM): Anne Sweet Coronado

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 was completed by Ranger Construction; cable pulling and splicing remain. The substation work is being engineered by Black and Veatch who has subcontracted earthwork to Granite Construction. Ranger and PG&E have contracted with North Valley Construction (NVC) to ensure that adequate erosion and sediment controls are installed and maintained.

Summary of Phase Three Activity:

Weather was warm and dry throughout the subject week. The CPUC EM conducted tours of the construction site on May 10th and 11th.

Ranger Construction has returned to the site and the new crew members were environmentally trained prior to beginning work. The Ranger crew cleaned and de-watered vaults located along the underground alignment in preparation for pulling and splicing activities (see Figure 1). Prior to de-watering, the water pH was tested. Depending on the vault the pH ranged from 7.5 to 9.9. The water was discharged to overland areas away from resources.

At the Transition Station, Wilson Construction will re-erect the beam structure on Monday, May 15th. Per Opus a “high-frequency line” will be installed with the structure in an effort to prevent the beam movement previously caused by wind and resonance.

The CPUC EM had noted previously that slumping of cut slope areas above Road 6 had occurred. No information has been submitted on when work will be conducted now that the rain has stopped and the soil has dried. As noted previously in the Opus Weekly Report:

“PG&E is working on the engineering designs for permanent solutions to the v-ditches and culvert inlets along Moller Road and Road 6, in addition to the soil slumping on the cut slope above Road 6. Work in these areas is delayed due to the wet conditions.”

Along Road 6, two burrowing owls were repeatedly spotted in nearby burrows. Opus notified Marcia Grefsrud, CDFG, via e-mail on May 9th. Opus requested permission to use Road 6 for movement of materials and equipment to the Transition Station and the associated vault area (equipment will include a crane as well as a flat bed truck hauling spools of transmission line). An alternative access route was assessed; however, Road 6 appears to be the preferred route. Per the Opus e-mail “the burrowing owl has been favor-

ing a burrow less than 10 feet from Road 6.” However no work will occur within 1000 feet of the burrow and a biological monitor will accompany all crews in this area. In addition, a killdeer nest containing 5 eggs has been identified at the intersection of Roads 5 and 6 (which is the access site for Road 6). On May 10th, Marcia Grefsrud agreed to the proposal to use Road 6; however, she stated that “...if there is any sign of nest disturbance, PG&E may have to stop using the Roads”.

Along Moller Road and the mitigation site access road, areas along the new roadbed which had shown signs of ponding have now dried. The cut slope areas which were hydro-seeded by Granite have, as they have dried, turned a rust color distinct from the surrounding areas (see Figure 2). Previously, the CPUC EM noted that the area upslope from the Tassajara Creek bank stabilization area showed poor grass growth and that the installed jute netting was ripped and had pulled away from the slope, possibly preventing further vegetative growth. The CPUC EM also noted that soil had slumped down the slope. NVC had fenced the area to prevent pasturing cows from degrading areas of reinstalled jute netting. Now that the soils have dried restoration may commence; however, a schedule for the work has not been submitted.

Throughout late winter and the spring multiple tri-colored blackbirds were observed foraging along Moller Road near the Substation site as well as other areas of the project (see Figure 3). These birds continue to occupy the area. On Thursday, February 16th, a pair of red-tailed hawks were observed near a nest structure adjacent to Moller Road at Station 14+50. The Opus biologist provided that it appears that the hawks are incubating eggs and that they will continue to monitor the area. On February 23rd, PG&E had established a 250-ft buffer extending from each side of the nest where project parking and stopping are prohibited. A portion of Moller Road lies within 250 feet of the nest. Moller Road is currently being used for project ingress and egress. CDFG was contacted and concurred that travel could continue along Moller Road at the current level. On March 17th three pacific pond turtles were first observed in Tassajara Creek at Station 23+20. However, the turtles have not been sighted recently.

The engineered pond at the mitigation site still contains water (see Figure 4). If the water remains it will be drained later in the season in order to discourage bull frog populations. Per Opus, a new red tail hawk nest has been identified at the site.

Black and Veatch crews demobilized from the North Dublin Substation on April 14th due to the persistent rains and saturated soils. Per Opus, work at the Substation will start up again after May 29. Previously, on January 25th, crews filled the transformer with mineral oil. The Spill Prevention Control Countermeasure (SPCC) pond and drainage network has not been completed. An earthen berm with a plastic cover was placed around the transformer in case an oil spill occurs prior to completion of the pond. The secondary containment will continue to be maintained until the constructed SPCC pond is functional.

A PG&E crew has been conducting “gas-stubbing” activities which connect the North Dublin Substation to the distribution line. The work involves trenching and installing underground conduit outside of the substation wall adjacent to Moller Road (see Figure 5). A loggerhead shrike nest was identified adjacent to the North Dublin Substation approximately 180 feet from where the work is occurring. Opus notified CDFG of the nest on May 12th. The CPUC EM notified Opus on May 13th that the project mitigation measures require a 250-ft buffer. Since work within the buffer had not yet been approved by CDFG, work at this location was terminated.

The project Biological Opinion (BO) conditions and requirements, resulting from continued correspondence with USFWS, had directed that biologists escort crews within 200 feet of known and potential California red legged frog (CRLF) and California tiger salamander (CTS) habitat between October 31st and April 30th. Biologists are no longer escorting vehicles along Road 5 or Moller Road; however, crews will continue to be escorted through bird nest buffer zones as approved by CDFG.

ENVIRONMENTAL COMPLIANCE:

A loggerhead shrike nest was identified adjacent to the North Dublin Substation approximately 180 feet from where work is occurring. The CPUC EM notified Opus on May 13th that project mitigation measures require a 250-ft buffer. On May 15th the CPUC EM issued a verbal warning for PG&E to provide CDFG approval to continue with work within the buffer or to otherwise bring the project into compliance with the mitigation measure. PG&E responded by moving work outside the buffer zone and is currently waiting for CDFG approval to work within the buffer zone.

The CPUC EM observed that all other 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 5-16-06)

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 14th, 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 1st, 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 2nd, 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 2nd, 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 2nd, 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 31st, 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 31st 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	<p>During the site tour of Road 5 on November 4th, 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.</p>	<p>The USFWS has approved the use of ATVs to escort vehicles which should streamline the walkthrough 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 31st and November 9th, 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 10th, 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&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>
NCR	11/15/05	<p>Opus informed the CPUC EM that on the evening of November 14th and on November 15th 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.</p>	<p>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.</p>

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 build-up 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 build up will be prevented .</p>	Repairs to the MSA Road erosion controls had been made following issuing the memo.
NCR	12/15/05	<p>On December 14th, 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 13th. PG&E had informed the contractor that the matting had to be removed and plans were set to remove the matting on Thursday, December 15th.</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 15th, that at the time of the initial discovery on December 13th, 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 16th, so the removal was planned for that time.
Project Memorandum	12/20/05	An informational memo was issued on December 20th to document the findings of a project wide walkthrough conducted December 19th and 20th to review the installed erosion controls. A large storm event had occurred prior to the walkthrough 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 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 5/16/06)**

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 5/16/06)**

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 lay-down 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:

May 9th, Opus notified Marcia Grefsrud, CDFG, via e-mail regarding two burrowing owls which were repeatedly spotted in burrows along Road 6, as well as a killdeer nest containing 5 eggs identified at the intersection of Roads 5 and 6. Opus requested permission to use Road 6 for movement of materials and equipment to the transition station and associated vault area. On May 10th, Marcia Grefsrud agreed to the proposal to use Road 6; however, she provided “if there is any sign of nest disturbance, PG&E may have to stop using the Roads.”

On May 12th, Opus notified CDFG of the loggerhead shrike nest that was identified adjacent to the North Dublin Substation approximately 180 feet from where work is occurring. The project mitigation measures require a 250-ft buffer. Following a verbal warning by the CPUC EM, PG&E has moved construction activities out of the buffer zone and is awaiting CDFG approval to work within the buffer zone.

Photographs



Figure 1 – Wilson crew cleaning the Vault 7 area, May 11, 2006.

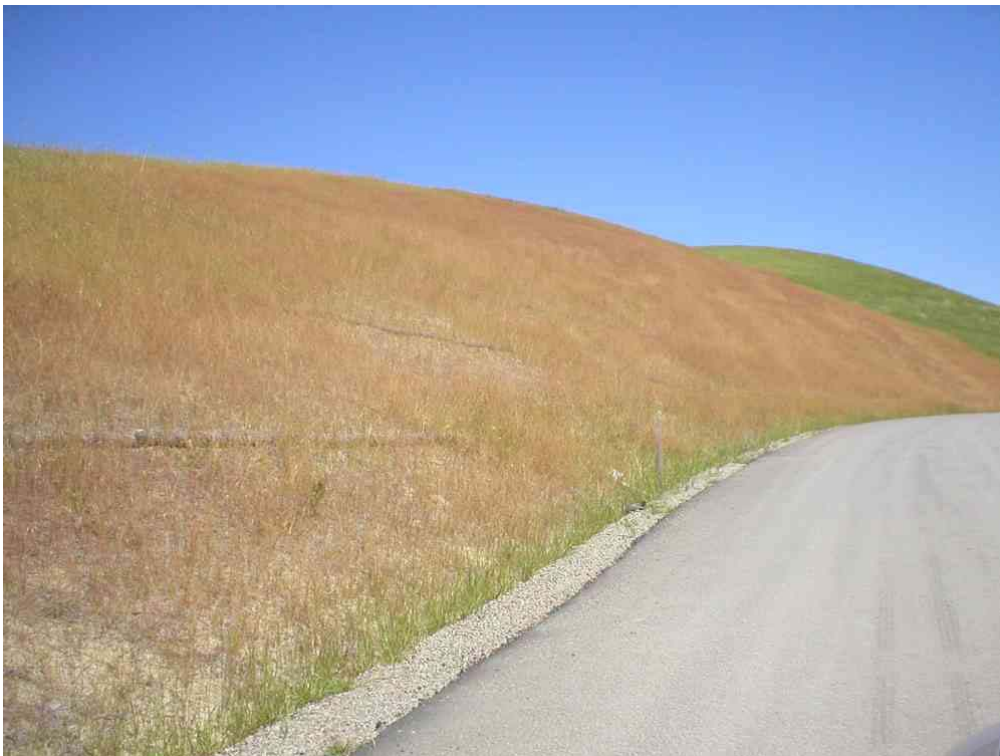


Figure 2 – Seeded cut slope area along Moller Road, May 10, 2006. Note the difference in color from the existing vegetation.



Figure 3 – Redwing and potential tri-color black birds located along Road 5, May 10, 2006.

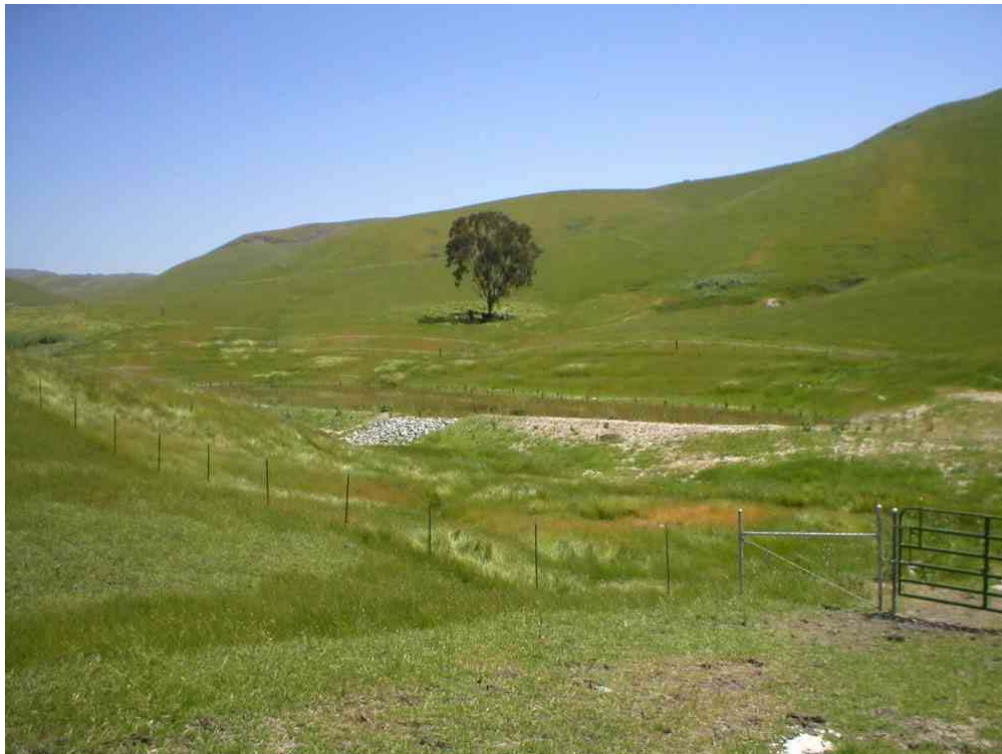


Figure 4 – Mitigation Site, May 11, 2006.



Figure 5 – “Gas-stubbing” work connecting the North Dublin Substation to the distribution line, May 11, 2006.