



Aspen *Environmental Group*

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

To: Jensen Uchida, CPUC
From: Vida Strong, Aspen Project Manager
Date: August 1, 2005
Subject: Weekly Report #68: July 17, 2005 – July 23, 2005
CPUC Environmental Monitor (EM): Anne Sweet

Notice to Proceed (NTP) #6 was issued by CPUC for Phase Three construction on June 29, 2005. Under NTP #6, construction of the following Phase Three components can occur: all roadway and vault pad grading, construction of the overhead transmission line and transition station, and preparation of the mitigation area. Opus Environmental will be providing the Environmental Inspectors for PG&E (PG&E EIs). Opus will provide environmental, as well as biological monitoring and oversight, including conducting environmental training of all new crew personnel. Road grading is being conducted by Granite Construction. The tower work is being conducted by PG&E.

Summary of Phase Three Activity:

Weather was clear and hot throughout the subject week. The CPUC EM toured the Phase Three sites on July 18th and 20th. During the subject week, the PG&E EIs conducted environmental trainings as new crew members joined the project. However, it was reported that tower crews called Opus in order to have crews trained on July 18th, but the training did not occur until July 21st (see further discussion below). Opus documented the issue as a non-compliance.

The project mitigation measures require that the CPUC EM field validate the flagging of the right-of-way and resource exclusion boundaries prior to the start of construction. Per PG&E, gaps will need to be left in the fence to allow pasturing cows to move through the area. On July 6, the CPUC EM agreed to the gaps as long as “No Project Access” signs were placed on posts to inform crews of sensitive resources and project boundaries. Road grading has begun throughout the area.

Per Opus, on Friday July 8th, a California tiger salamander (CTS) was sighted at the northern portion of the Moller access road near the planned 0.33-acre wetland mitigation site. The CTS was found hiding in a crack in the soil in an area under the bridge in a sink hole at the edge of the road. Exclusion fence was erected around this location to protect the CTS and construction crews were redirected away from the area. The CDFG and USFWS were notified. Continued consultation regarding protection of the CTS has occurred. A 500-foot exclusion zone was set up around the CTS burrow area. On July 14, the Opus Environmental Supervisor called the CPUC EM with notification that one of the operators was not aware of the 500-foot exclusion zone and a 400-foot by 20-foot area was scraped within the zone coming within 100 feet of the CTS burrow.

On July 18th the CPUC EM noted that “No Project Access” or exclusion signs had not yet been installed in the fence gaps and had not been placed at the CTS exclusion boundary. On July 20th, a Project Memorandum was issued to document the lack of adequate project boundary marking, as well as the grading which occurred within the CTS exclusion zone. On July 20th crews installed signage along the Moller Ranch Road (see Figure 1); however, no signage had been placed at the CTS exclusion zone boundary.

The PG&E EIs have been approved by USFWS to relocate the CTS. Previously, PG&E watered the CTS sighting area repeatedly in hopes that the CTS would crawl to the surface; however, attempts were unfruitful. USFWS had requested the burrow area be hand excavated prior to construction restarting in the area. Hand excavation was completed on Friday, July 20th and the CTS was encountered and relocated to an upland area.

While driving along the Moller Ranch Road on July 20th, the CPUC EM noticed that tree removal debris was left along the roadside (see Figure 2). The CPUC EM asked the PG&E EI about the tree removal and he said that he didn't know about the removal and that it must have occurred when he was not on-site.

On July 20th, the CPUC EM toured the Doolan Canyon Road area with the PG&E EI. The PG&E EI said that he had not been regularly monitoring the tower crew working in this area. He said that he had been too busy monitoring Moller Road to environmentally train new tower crew members, even though a call was made to the PG&E EI requesting training more than 24 hours prior. The CPUC EM told the PG&E EI that he is required by the project mitigation measures and permits to monitor and environmentally train all new crew members, especially considering the highly sensitive resources in the area such as an active CRLF breeding pond, acres of potential CTS and CRLF breeding areas, upland aestivation habitat, burrowing owl nests, and a cultural resource site which is crossed daily (allowed under Variance 11) by construction crews. The CPUC EM placed a call with the Opus Environmental Supervisor and relayed concerns over the lack of monitoring and training. Opus documented the issue as a non-compliance. A communication protocol and general permit overview meeting was planned for July 27th.

During the Doolan Canyon area tour on July 20th, the CPUC EM asked the PG&E EI about the burrowing owl nest located near the helicopter lay down area (the nest is discussed in the pre-construction survey report). The exclusion boundary extends into the yard and is flagged for avoidance. The PG&E EI said that he did not know about the owl nest. The CPUC EM pointed out the location of the nest to the PG&E EI. The lay down ward was jointly inspected to make sure no project equipment or spoils had breached the nest exclusion boundary.

Continuing from Doolan Road, the overland access to Tower #38 was toured. A PG&E flat bed trailer had been left by the tower crews off of the approved access road. The CPUC EM notified the PG&E EI that the trailer placement is out of compliance and that due to its proximity to CRLF and CTS breeding and aestivation habitat areas, as well as San Joaquin kit fox range, a biologist needs to inspect the flat bed trailer prior to removal. The CPUC EM called and informed the Opus Environmental Supervisor of the trailer. The Opus Environmental Supervisor called the CPUC EM on Friday July 22nd, and said that the trailer had been inspected by the biologist/EI and removed from the location. Crews have completed foundation work and have poured concrete for the tower footings at Tower #38 (see Figure 3).

ENVIRONMENTAL COMPLIANCE:

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. 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 had been 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. A Project Memorandum was issued on July 20th documenting these issues.

Issues arose during the subject week concerning inadequate monitoring and training of the tower crews. Opus documented the issue as a non-compliance.

Lack of knowledge and inadequate monitoring of a burrowing owl nest occurred during the subject week.

A PG&E flatbed trailer was left off the overland access area. The trailer was inspected by a biologist and moved.

Previously, the PG&E EI and biologist identified a barn owl nest containing a nesting pair and fledglings along the right-of-way. Subsequent correspondence with the CDFG has occurred. A 250-foot exclusion zone has been set up. Limited vehicle traffic will be allowed to progress through the area; and as agreed, a hay bale wall has been built to shield the nest. The PG&E EIs must monitor the nest closely to see if the birds appear harmed or harassed.

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.

No Non-Compliance Reports (NCRs) and one Project Memorandum (PMs) have been issued for the Phase Three portion of the project through July 23 (see Table 1).

TABLE 1
ENVIRONMENTAL COMPLIANCE STATUS
(Updated 7-23-05)

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.	

AGENCY PERSONNEL CONTACTS:

PG&E/Opus has made numerous contacts to both the CDFG and USFWS in regard to barn owl and CTS encountered along the project right of way.

NOTICES TO PROCEED (NTP):

Table 2 presents the NTPs issued by the CPUC for the Tri-Valley Project to date.

TABLE 2
NOTICES TO PROCEED
(Updated 8-1-05)

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 mitigation area.

VARIANCE REQUESTS:

Variance Request #12 for use of staging areas as drawn in the road plan figures along the Phase 3 alignment was submitted on July 15th. An amended variance request was submitted July 20th. The request was approved by CPUC on July 26th.

Table 3 presents the Phase Three Variance Requests reviewed to date.

TABLE 3
VARIANCE REQUEST STATUS
(Updated 8/1/05)

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

Photographs



Figure 1 –Project boundary marking, Phase 3, July 20, 2005.



Figure 2 – Tree removal remains along the Moller Ranch Road, Phase Three, July 20, 2005.



Figure 3 – Foundation construction at Tower #38, Phase Three, July 20, 2005.