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|  | <p>California Public Utilities Commission <i>Mitigation Monitoring, Compliance, and Reporting Program</i></p> |
| | <p>CalPeco 625 and 650 Electrical Line Upgrade Project</p> <p>Compliance Status Report: 004</p> <p>October 8, 2015</p> |

SUMMARY

The California Public Utilities Commission (CPUC) is responsible for overseeing implementation of the mitigation measures set forth in the Final Environmental Impact Statement (EIS)/EIS/Environmental Impact Report (EIR) for the CalPeco 625 and 650 Electrical Line Upgrade Project. The CPUC has established a third-party monitoring program and adopted a Mitigation Monitoring, Compliance, and Reporting Program (MMCRP) to ensure that measures approved in the FEIS/EIS/EIR to mitigate or avoid impacts are implemented in the field. This MMCRP status report is intended to provide a description of construction activities for the project, a summary of site inspections conducted by the CPUC’s third-party monitors, the compliance status of mitigation measures required by the MMCRP, and anticipated construction activities. This compliance status report covers construction activities from September 20 through October 3, 2015.

MITIGATION MONITORING, COMPLIANCE, AND REPORTING

Site Inspections/Mitigation Monitoring

A CPUC third-party environmental compliance monitor conducted site observations in areas of active construction. Observations were documented using site inspection forms, and applicable applicant proposed measures (APMs) and mitigation measures (MMs) were reviewed in the field.

Implementation Actions

CalPeco’s biological and cultural monitors were present during project construction activity, consistent with APM-BIO-1, APM-BIO-21, and APM-CUL-1. Environmental monitors inspected excavated holes in accordance with APM-BIO-22 and holes were covered daily as construction activity ceased for the day. Project work areas were kept free of trash/debris, consistent with APM-BIO-33. Project best management practices (BMPs) were maintained along the ROW, consistent with APM-SOILS-1. Water trucks were on-site to control fugitive dust, as required under APM-AQ-1. Salvaged topsoil stockpiles were covered as required under APM-BIO-23.

Work area boundary fencing and flagging was maintained along the ROW to identify the extent of approved work area. Exclusion fencing was maintained at appropriate locations along the ROW for identified sensitive resources and to delineate cultural sites. Signs were maintained along the ROW to identify weed cleaning stations (APM-BIO-5), speed limits (APM-AQ-7), and sensitive resource exclusion areas (APM-BIO-26). Refueling areas were identified with signs and located 100 feet from waterways (APM-WQ-1). Fire suppression equipment was kept within 25 feet of chainsaw use areas, as required under APM-HAZ-5.

In compliance with APM-BIO-26, work areas were clearly marked with fencing, staking, flagging, or another appropriate material. Silt fencing was installed along the work area boundary for tree removal areas. All project work and equipment was confined to delineated work areas.

An active bat roost was discovered by monitoring biologists during preconstruction surveys conducted in accordance with APM BIO-20 on September 23, 2015. A single Yuma myotis (*Myotis yumanensis*) was discovered in a dead fir tree located approximately 200 feet north of the 650 Line between proposed Pole #291126 and #291127. The tree is designated for removal. On September 28 and September 29, 2015, follow-up bat emergence surveys were conducted at the same tree by monitoring biologists. On September 28, 2015, bats were observed flying in the vicinity of the tree, but no bats were observed emerging from the tree. On September 29, 2015, no bats were observed flying in the vicinity or emerging from the tree; therefore, the tree is not considered to be an active bat roost. Sarah Lose (Environmental Scientist, California Department of Fish and Wildlife [CDFW]) examined the tree during a field inspection on October 2, 2015 and agreed with the determination that the roost is not active. This determination was confirmed in an email received from Ms. Lose on October 2, 2015.

In compliance with APM-BIO-1, APM-CUL-7, APM-CUL-10, and APM-HAZ-1, Liberty Utilities continued to implement a Worker Environmental Awareness Program (WEAP) for all personnel entering the project area. Liberty Utilities provided the required environmental awareness training to approximately 21 personnel during the reporting period.

Minor Project Refinement (MPR) request 001 was submitted to the CPUC by Liberty Utilities on September 23, 2015. MPR request 001 included a request for additional temporary work areas at Poles #291098 and #291087. The CPUC evaluated the proposed temporary work areas in the field on September 23, 2015 and the materials submitted with MPR request 001. MPR 001 was approved by the CPUC on September 29, 2015.

Mitigation Measure Tracking

Mitigation measures applicable to the construction activities were verified in the field and documented in the CPUC's mitigation measure tracking database. A complete list of mitigation measures and applicant proposed measures is included in the project's MMCRP, as referenced in the Decision for the CalPeco 625 and 650 Electrical Line Upgrade Project, as adopted by the CPUC on March 27, 2015 (Decision D.15-03-020).

Compliance Status

Pre-construction mitigation measures have been completed as indicated in Notice to Proceed (NTP) No. 2 (Attachment B). Applicable mitigation measures were verified during site inspections and were determined to be implemented in accordance with the MMCRP, except as discussed below.

As discussed in Compliance Status Report 003, Liberty Utilities identified non-compliant actions related to materials placement outside of delineated work areas, disturbance of a known cultural site, and lack of archaeological monitors in or within 100 feet of the cultural site during construction activity. This information was presented in Liberty's Weekly Compliance Summary Report covering the period from September 7 to September 13, 2015 and was discussed with the project team during a conference call on September 18, 2015, along with reporting procedures consistent with the requirements of the MMCRP.

On September 22, 2015, the CPUC issued Non-Compliance Report (NCR) 001 identifying these non-compliant actions. NCR 001 also required that Liberty Utilities prepare a work plan that indicates how similar non-compliant actions instances will be prevented in the future and how the project will comply with the reporting requirements outlined in the MMCRP. A follow up call regarding these non-compliant actions and NCR 001 was held on September 24, 2015 and included representatives from the CPUC, Dudek, Liberty Utilities, Trisage Consulting, and DWT (legal counsel for Liberty Utilities). Liberty Utilities provided an initial copy of their work plan to the CPUC on September 28, 2015. On September 29, 2015, the CPUC provided feedback on the initial work plan. A revised work plan was then submitted to the CPUC on September 30, 2015, incorporating CPUC feedback. On October 6, 2015, the CPUC issued a letter stating that the work plan provided by Liberty Utilities met the intent of the request by CPUC to establish a process that will ensure that construction-related activities are confined to delineated work areas, archaeological monitors are present to observe all project-related activities within or within 100 feet of known cultural sites, and noncompliance reporting to the CPUC is consistent with the requirements of the project's MMCRP.

During a compliance monitoring visit on October 2, 2015, CPUC monitors observed the following:

1. APM-AQ-14: Three unoccupied vehicles were observed to be idling for more than 5 minutes, inconsistent with APM-AQ-14. The observation of one vehicle was relayed to Insignia monitor Marty Gilroy in the field and the remaining two were observed after our conversation.
2. APM-SCE-1: Cut stump heights were observed to be inconsistent on the project site, with some observed to exceed 6-inches (uphill side), inconsistent with APM-SCE-1.
3. APM-BIO-4: The application of Sporex to freshly-cut stumps was actively observed in one location; however, evidence of application was not consistent in areas where tree removal had previously occurred.

These observations were communicated to Liberty Utilities on October 5, 2015. Corrective actions were identified by Liberty Utilities and communicated to the CPUC on October 6, 2015. These conditions will continue to be monitored in the field during compliance monitoring inspections.

CONSTRUCTION PROGRESS

The project has been broken into three phases, as summarized below:

Phase 1 (Rebuild and Upgrade of the 650 Line (Including the Northstar Fold (2015-2016))

Pre-Construction Invasive Weed Treatment (CPUC NTP No. 001)

Pre-construction weed treatment in areas identified in the project's Invasive Plant Risk Assessment document was initiated on July 2, 2015, consistent with APM-BIO-4. Weed treatment activities covered under NTP-1 were completed in July 2015.

650 Line Rebuild (CPUC NTP No. 002)

Project tasks associated with the 650 Line rebuild were initiated on August 10, 2015. During the period covered by this report, the following tasks were completed or initiated:

- Pulling, sagging and clipping in of conductor and communications cable/fiber on east side of SR 267, between Poles #291068 to #291105;
- Distribution re-energized up to Pole #291104;
- All temporary generators taken off line;
- Pole bases installed for Poles #291272 and #291273;
- Concrete poured for foundations for Poles #291261, #291263, #291267, and #291272; and
- Excavation for and installation of new pole anchors and installation of pole bases and tops;
- Disassembly and removal of old pole tops and bases and clipping in conductors along the line;
- Improving and installing new access roads along right-of-way; and
- Removal of all timber matting, boundary fencing, stockpiles, and miscellaneous items from Martis Valley.

The estimated completion date for the 2015 phase of the 650 Line rebuild is October 2015.

Vegetation Management (Pole 291034 to 291169 and Pole 291105 to Northstar Substation) (CPUC NTP No. 002)

Tree removal associated with the 650 Line rebuild were initiated on August 31, 2015. During the period covered by this report, the following tasks were completed or initiated:

- Tree removal has been completed along the east side of SR 267, to Pole #291126.
- A spittler crossing and two dry rock fords were installed for tree harvest work continuing southward down the highway toward Brockway Summit.

The estimated completion date for the 2015 phase of vegetation management is November 2015.

Northstar Substation Rebuild (CPUC NTP No. 002)

Project tasks associated with the Northstar Substation rebuild were initiated on September 23, 2015. During the period covered by this report, the following tasks were completed or initiated:

- Initiation of excavation for structure foundations within Northstar Substation.

The estimated completion date for the Northstar Substation rebuild is October 15, 2015.

Phase 2 (Substation Upgrades, Decommissioning of the Brockway Substation (2017))

Not Started. Estimated completion date is October 2017.

Phase 3 (Upgrade of the 625 Line and Additional Modifications of the Substation (2019-2020))

Not Started. Estimated completion date is October 2020.

CONSTRUCTION SCHEDULE

Phase 1 (Rebuild and Upgrade of the 650 Line (Including the Northstar Fold (2015-2016))

Pre-Construction Invasive Weed Treatment (CPUC NTP No. 001)

Completed in July 2015.

650 Line Rebuild (CPUC NTP No. 002)

Initiated on August 10, 2015, estimated completion date is October 2015.

Vegetation Management (Pole 291034 to 291169 and Pole 291105 to Northstar Substation) (CPUC NTP No. 002)

Initiated on August 31, 2015, estimated completion date is November 15, 2015.

ATTACHMENT A Photos



Photo 1: Timber matting being removed in Martis Valley, biological monitors present during removal activities.

ATTACHMENT A (Continued)



Photo 2: Topsoil stockpiled and covered near Pole #291261, in accordance with APM-BIO-23.

ATTACHMENT A (Continued)



Photo 3: Pole top removed and staged within the ROW to be dismantled and removed from site, near Pole #291087.

ATTACHMENT A (Continued)



Photo 4: Weed cleaning station with high-pressure air compressor near Pole #291081, in accordance with APM-BIO-6.

ATTACHMENT A (Continued)



Photo 5: Excavation for pole anchors at Pole #291087 in temporary work areas outside of ROW, as approved under Minor Project Refinement 001. Biological monitor was on-site during excavation activities.

ATTACHMENT A (Continued)



Photo 6: Slash treated and scattered within ROW near Pole #291110, in accordance with APM-SCE-1.

ATTACHMENT B Notices to Proceed

| NTP No. | Date Issued | Description | Conditions Included (Y/N) |
|----------|----------------|--|---------------------------|
| CPUC-001 | July 2, 2015 | Pre-Construction Weed Treatment from Martis Tap Pole to Brockway Summit | Y |
| CPUC-002 | August 5, 2015 | 650 Line Re-Build Between the Martis Tap Pole and the Northstar Substation, Northstar Substation Civil Work, and Vegetation Management Between the Martis Tap Pole and Brockway Summit | Y |
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ATTACHMENT C

Minor Project Refinement Request

| Minor Project Refinement Request No. | Submitted | Description | Status | Approval |
|--------------------------------------|--------------------|--|----------|--------------------|
| 001 | September 23, 2015 | Additional Temporary Work Areas at Poles #291087 and #291098 | Approved | September 29, 2015 |
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