

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



December 31, 2013

Mr. Greg Parker
Pacific Gas and Electric Company
Principal Land Planner
1455 E. Shaw Avenue
Fresno, CA 93710

Subject: Shepherd Substation Project – Notice to Proceed #1

Dear Mr. Parker,

On November 29, 2013, Pacific Gas and Electric Company (PG&E) requested California Public Utilities Commission (CPUC) authorization to commence construction of the electrical substation component of the Shepherd Substation Project (project). The California Public Utilities Commission (CPUC) adopted a Final Initial Study/Mitigated Negative Declaration (IS/MND) for the project in accordance with the California Environmental Quality Act (CEQA) on May 23, 2013 (Decision No. 13-05-019). The IS/MND includes applicant proposed measures (APMs) and mitigation measures (MMs) that were adopted as conditions of project approval. CPUC also adopted a Mitigation Monitoring, Compliance, and Reporting Program (MMCRP) to ensure compliance with all APMs and MMs during project implementation. The MMCRP describes the CPUC Notice to Proceed (NTP) process, which requires PG&E to obtain an approval letter from CPUC, authorizing PG&E to initiate project construction.

NTP Request #1

PG&E requested authorization to construct the electrical substation component of the project in NTP Request #1. PG&E proposes to begin construction of the substation on January 20, 2014. PG&E's proposed actions associated with construction of the substation are listed below.

Proposed Actions

PG&E proposes to construct the 115/21-kilovolt electrical substation within the 5-acre substation parcel. Substation construction includes the following activities:

1. Installing erosion and sediment control best management practices (BMPs)
2. Removal of remaining trees, stumps, and slash
3. Land clearing, rough grading, and compaction of subgrade
4. Installation of security fence
5. Excavation of foundations, raceways, and ducts
6. Construction of groundwater well and irrigation system
7. Installation of grounding grid
8. Construction of the buswork structure
9. Installation of substation facilities

Review of NTP Request #1

CPUC reviewed NTP Request #1 for compliance with applicable preconstruction requirements listed in the IS/MND, MMCRP, and permits. Preconstruction requirements and current status are summarized by category in Table 1.

Table 1: Applicable Permits, Authorizations, and Notifications			
Permit or Authorization	Requirement	Submittal Dates	Status
CPUC Permit to Construct	General Order 131-D, Section III.B	Due: N/A	Complete CPUC authorized a Permit to Construct for the project on May 23, 2013.
NTP Request for proposed actions (Construction of the substation)	MMCRP	Due: Prior to December 1, 2013 Received by CPUC: November 29, 2013	Complete PG&E's NTP Request #1 and an updated version of the Mitigation Monitoring Program Table (Appendix B from the MMCRP) is attached to this letter.
Incidental take of special-status species in the project area	Endangered Species Act, Section 10 CDFW Code, Section 2081	Due: Prior to construction Received by CPUC: April 10, 2012	Complete The United States Fish and Wildlife Service (USFWS) and California Department of Fish and Wildlife (CDFW) verified incidental take coverage for special-status species under PG&E's San Joaquin Valley Operations & Maintenance Habitat Conservation Plan on March 28, 2012 and April 6, 2012, respectively.
Notice of Intent (NOI) with National Permit Discharge Elimination System (State Water Resources Control Board)	Construction General Permit Order 2009-0009-DWQ	Due: Prior to construction scheduled to begin January 20, 2014 Received by CPUC: December 20, 2013	Complete PG&E submitted a NOI to the State Water Resources Control Board on December 13, 2013.
Dust Control Plan approved by San Joaquin Valley Air Pollution Control District (SJVAPCD)	SJVAPCD Rule 8021	Due: Prior to construction scheduled to begin January 20, 2014 Received by CPUC: Pending	<u>Pending (Condition of Approval #1)</u> PG&E has submitted notification to SJVAPCD. PG&E is in the process of preparing a Dust Control Plan.
Notify landowners	MM Land Use-1	Due: December 21,	<u>Condition of Approval #2</u>

Table 1: Applicable Permits, Authorizations, and Notifications

Permit or Authorization	Requirement	Submittal Dates	Status
within 300 feet of the project area of project activities, and residents in areas with heavy construction noise.	APM Noise-7	2013* (MM Land Use-1 only) Received by CPUC: December 30, 2013	PG&E sent notification on December 30, 2013. Construction cannot start until at least 30 days after notice was sent to property owners.

* Measure(s) specify a due date of at least 30 days prior to construction.

Table 2: Applicable Plans and Programs

Plan or Program	Requirement	Submittal Dates	Status
Cultural Resource Awareness Program	MM Cultural-1	Due: December 21, 2013* Received by CPUC: December 4, 2013	<i>Approval Pending (Condition of Approval #3)</i>
Environmental Training Program (ETP), and an Environmental Compliance Management Plan (ECMP)	APM Bio-6 AMM 1 MM Hazards-2**	Due: December 21, 2013* Received by CPUC: November 27 (ECMP) and December 4, 2013	<i>Approval Pending (Condition of Approval #3)</i>
Site Safety Plan (PG&E titled "Health & Safety Plan")	MM Hazards-1	Due: December 21, 2013* Received by CPUC: December 4, 2013	<i>Approval Pending (Condition of Approval #3)</i>
Stormwater Pollution Prevention Plan (SWPPP), including an Erosion and Sediment Control Plan (ESCP)	APM Geo-1/WQ-1	Due: Prior to January 21, 2014 Received by CPUC: December 4, 2013	<i>Approval Pending (Condition of Approval #3)</i>

Notes:

* Measure(s) specify a due date of at least 30 days prior to construction. The proposed construction start date is January 20, 2014.

** MM Hazards-2 specifies implementation of an Environmental Training and Monitoring Program. PG&E has clarified that an Environmental Training Program will be developed to address worker training, and a separate Environmental Compliance Management Plan will be developed to address monitoring requirements.

Table 3: Applicable* Preconstruction Surveys

Resource	Requirement	Submittal Dates	Status
California tiger salamander survey	AMM 17**	Due: Prior to construction scheduled on January 20, 2014 Received by CPUC: <i>Pending</i>	<u><i>Pending (Condition of Approval #4(a))</i></u> PG&E will conduct a California tiger salamander survey prior to construction.
Nesting bird survey	MM Bio-4 AMM 22	Due: Within 30 days prior to ground-disturbing activities during the avian nesting season (February 1 to September 15) Received by CPUC: <i>Pending</i>	<u><i>Pending (Condition of Approval #4(b))</i></u> PG&E will conduct a nesting bird survey prior to construction in the nesting season.

Notes:

* Surveys only address work areas associated with the proposed actions listed in this NTP. Additional surveys are required for project components not addressed in this letter.

** PG&E committed to implement AMM 17 for work associated with construction of the substation on April 6, 2012 through consultation with USFWS and CDFW. PG&E is not exempt from Section 9 prohibitions against take of listed species during substation construction. PG&E has elected to implement monitoring and or exclusion fencing, as needed, to reduce any risk for impacting listed species.

Authorization of NTP #1

CPUC authorizes NTP #1 with conditions of approval. PG&E may commence with the proposed actions as described in the IS/MND and this letter. PG&E must obtain additional NTP authorizations for all other actions that are not addressed in this letter. The following conditions of approval apply to NTP #1.

Conditions of Approval

Permits and Approvals

1. **Dust Control Plan.** PG&E shall submit a Dust Control Plan to SJVAPCD and CPUC prior to commencing the proposed actions. PG&E shall submit a copy of the approved plan to CPUC upon SJVAPCD acceptance and approval.

Notification

2. PG&E shall not begin construction prior to January 29, 2014 (30 days after notification was mailed to property owners).

Plan Deficiencies

3. PG&E shall address CPUC's comments on the Applicable Plans listed in Table 2, to the approval of CPUC prior to the start of construction.

Preconstruction Surveys

4. PG&E shall conduct applicable preconstruction biological surveys in all work areas associated with the proposed actions as described in Table 3.
 - a. The results of a California tiger salamander survey shall be submitted to the USFWS, CDFW, and CPUC prior to commencing the proposed actions.
 - b. The results of a nesting bird survey conducted within 30 days of the nesting season (February 1 – September 15) shall be submitted to CPUC prior to starting work after February 1.

Conclusion

PG&E is authorized to commence construction of the substation component of the Shepherd Substation Project, including the associated actions described in this letter, provided that the conditions described in this letter have been met. All project APMs, MMs, permit conditions, and other CPUC requirements shall be implemented as described in the IS/MND and MMCRP.

Please contact me if you have any questions.

Sincerely,

Mike Rosauer
CPUC Project Manager

cc: Chris Howard, PG&E
Tom Johnson, PG&E
Zack Parker, PG&E
Brooke Langle, Terra Verde
Susanne Heim, Panorama
Aaron Lui, Panorama

Attachments

Attachment A: PG&E's NTP Request #1
Attachment B: PG&E's updated Mitigation Monitoring Program Table