

Appendix A

USFWS Correspondence

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Department of Energy
Western Area Power Administration
Sierra Nevada Customer Service Region
114 Parkshore Drive
Folsom, California 95630-4710

APR 5 2010

Mr. Dan Russell
Deputy Assistant Field Supervisor
U.S. Department of the Interior
Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, CA 95825

Dear Mr. Russell:

The Western Area Power Administration (Western), Sierra Nevada Region, is a power marketing administration of the U.S. Department of Energy. Western owns, operates and/or maintains various distribution and transmission lines, substations and maintenance facilities throughout California. Western also has legal use of various improved and unimproved access roads to these lines. This letter is intended to introduce the U.S. Fish and Wildlife Service (Service) to Western's San Joaquin Valley Right-of-Way (ROW) Maintenance Program (San Joaquin Valley Project) and to request that this effort be added to a currently ongoing informal consultation process.

The San Joaquin Valley Project consists of 17.2-kilovolt (kV) distribution lines, 69-kV and 230-kV transmission lines, associated substations (including a 50-foot buffer around the substation), a maintenance facility, and associated access road ROW located within the counties of Alameda, Calaveras, Contra Costa, San Joaquin, Merced, Santa Clara, and Tuolumne (Figure 1). In total, there are approximately 115 miles of distribution and transmission line ROW, 28 miles of access roads, 7 substations, and 1 maintenance facility within the proposed Project area. Additionally, as part of this effort, Western's infrastructure in Placer, Sacramento and Sutter counties were resurveyed in order to update the Section 7 consultations with the Service. This infrastructure was previously addressed in Western's Sacramento Valley ROW Maintenance Environmental Analysis (Sac Valley Project) and was not included in the environmental analysis for the San Joaquin Valley Project.

Pursuant to Section 7 of the Federal *Endangered Species Act*, Western has a programmatic biological opinion from the Service for existing operation and maintenance (O&M) activities (USFWS 1998), as well as a Programmatic Informal Consultation on the North Area Right-of-Way Operations and Maintenance Project (North Area, Service File No. 81420-2009-I-0743-1). These documents address current routine maintenance along Western's ROWs, including access roads and substations;

however, the most recent informal consultation does not include the San Joaquin Valley Project or the Sac Valley Project updates.

San Joaquin Valley Project serves to update the existing O&M Program to include all transmission lines, associated legal access roads, substations, and the maintenance facility, into one comprehensive Master O&M Program. The Master O&M Program would include additional maintenance activities that are outside the scope of the existing biological opinion and outside the area of the North Area informal consultation. Western would like to have the San Joaquin Valley Project and Sac Valley Project updates added to the informal consultation process, or covered under a parallel process to the North Area consultation.

The purpose of the San Joaquin Valley Project is to maintain existing transmission line and legal access road ROWs, as well as substations and a maintenance facility, in a manner: (1) consistent with prudent utility practices, including applicable reliability standards; and (2) that protects environmental resources while improving the efficiency and effectiveness of maintenance activities. Western has designed this maintenance program to balance environmental protection with system reliability and compliance with the National Electric Safety Code, Western Electricity Coordinating Council requirements, North American Electric Reliability Corporation reliability standards, Institute of Electrical and Electronics Engineers standards, and Western directives for maintaining system reliability and protection of human safety.

To meet this purpose, Western's objectives are to maintain its ROWs to:

- Protect from operational hazards
- Provide access for maintenance
- Protect facilities from fire
- Control the spread of noxious weeds and protect environmental quality
- Develop a technically and economically efficient program
- Protect public and worker safety
- Maintain sound relationships with landowners and managers
- Streamline regulatory permitting activities
- Protect significant environmental resources, as defined by applicable Federal, state, and local laws
- Comply with environmental laws and regulations affecting Federal actions

The need for the Proposed Action includes:

- Eliminating the threat for vegetation to interfere with the lines and towers. Vegetation near transmission lines may pose a threat to public safety and the environment from arcing (which can cause fires) and trees falling onto the transmission lines.

environment from arcing (which can cause fires) and trees falling onto the transmission lines.

- Performing O&M activities in a cost-effective manner that would benefit the public and natural ecosystems.
- Maintaining the transmission line and legal access road ROWs to ensure that Western's maintenance crews have safe and all-weather access to ROW facilities.

To facilitate evaluation with this addition to the informal consultation, the San Joaquin Valley Project area has been divided into three geographical regions: Tracy, New Melones, and Morgan Hill/San Luis. The following describes the transmission line ROW, substations (including a 50-foot buffer surrounding each substation), and maintenance facility that comprise the Project area. Legal access roads, as described above, run close to but outside of transmission line ROWs.

The Tracy region of the Project area consists of the ROWs and legal access roads for the following transmission lines:

- Hurley-Tracy (#1 & #2) 230-kV between the Tracy Substation and the San Joaquin County/Sacramento County border
- Tracy-Contra Costa 69-kV between the Tracy Substation and Contra Costa #4 in Antioch
- Tracy-Los Vaqueros 69-kV between the Tracy-Contra Costa transmission line (near Kellogg Creek Road in Contra Costa County) and the Los Vaqueros Substation
- Tracy-Lawrence Livermore National Laboratory 230-kV between the Tracy Substation and Livermore Substation

The Tracy Substation, Los Vaqueros Substation, and Livermore Substation are all within the Tracy region. The Tracy Maintenance Facility is contained within the same fenced area as the Tracy Substation.

The New Melones region of the Project area consists of the ROWs for the following transmission and distribution lines:

- New Melones (#1 & #2) 230-kV between the New Melones Powerstation and the New Melones Substation
- Tuttletown 17.2-kV, east of New Melones Lake
- Gloryhole 17.2-kV, north of New Melones Lake

The New Melones Substation is included within the New Melones region.

The Morgan Hill/San Luis region of the Project area consists of three substations:

- Coyote Substation in Morgan Hill
- Pacheco Substation, west of the San Luis Reservoir
- O'Neill Substation, east of the San Luis Reservoir

Western is currently working on an Environmental Assessment for the San Joaquin Valley Project; additional detailed information is included in that document. Full sized maps for each of the above mentioned facilities will be included, as well as a complete analysis of impacts to species. This document will be provided to your office as soon as a draft copy is available for review.

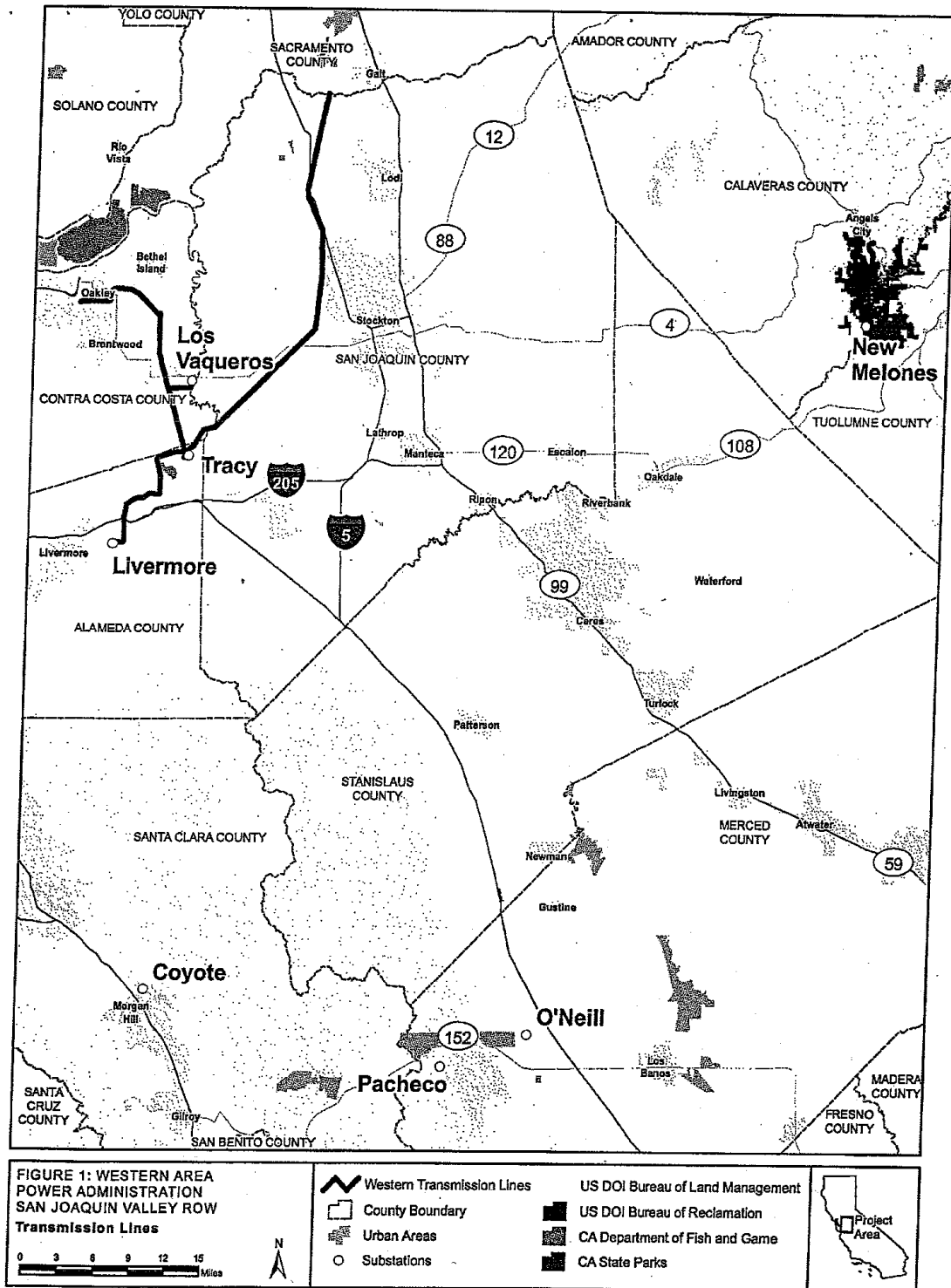
Again, Western would like to address our O&M needs for the San Joaquin Valley Project via an informal consultation process similar to, if not included in, the North Area consultation. Western currently has a meeting planned for the week of April 5, 2010, to address this effort with your staff. If you have any questions please do not hesitate to call the project manager, Ricardo Velarde, at (916) 353-4565, or the staff biologist, Misti Schriener, at (720) 962-7239.

Sincerely,


for Steve Tuggle

Stephen Tuggle
Natural Resources Manager

Enclosure





Department of Energy
Western Area Power Administration
Sierra Nevada Customer Service Region
114 Parkshore Drive
Folsom, California 95630-4710

APR 28 2010

Mr. Dan Russell
Deputy Assistant Field Supervisor
U.S. Department of the Interior
Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, CA 95825

Dear Mr. Russell:

This is a follow-up to the letter sent to your office on April 5, 2010, by the Western Area Power Administration (Western), Sierra Nevada Region. It includes more detailed information on the Sacramento Valley Right-of-Way (ROW) Maintenance Program (Sac Valley Project). Western's infrastructure in Placer, Sacramento and Sutter counties were resurveyed in order to update the Section 7 consultations with the U.S. Fish and Wildlife Service (Service).

The Sac Valley Project updates encompass the ROWs and legal access roads for the following transmission lines (Figure 1):

- O'Banion-Elverta (#1 & #2) 230-kilovolt (kV) between the O'Banion Substation and the Elverta Substation.
- Cottonwood-Roseville 230-kV between the Sutter/Yuba County line to the Roseville Substation.
- Hurley-Tracy (#1 & #2) 230-kV between the Hurley Substation and the Sacramento/San Joaquin County Line.
- Roseville-Elverta 230-kV between the Roseville Substation and the Elverta Substation.
- Elverta-Hurley (#1 & #2) 230-kV between the Elverta Substation and the Hurley Substation.
- Nimbus-Folsom 115-kV between the Nimbus Substation and the Folsom Substation.
- Folsom-Roseville 230-kV between the Folsom Substation and the Roseville Substation.

In addition, the following facilities were also resurveyed:

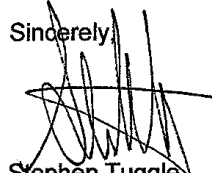
- O'Banion Substation in Sutter County
- Roseville and Fiddymont Substations in Placerville County

- Folsom and Elverta Substations in Sacramento County
- Elverta Maintenance Facility in Sacramento County

In total, there are approximately 137 miles of transmission line ROW, 7 miles of access roads, five substations and one maintenance facility within the Sac Valley Project area.

Western and Service staff have met and discussed these updates along with other projects, in particular, the San Joaquin Valley ROW Maintenance Program. As explained in the initial letter (enclosed) and discussed in subsequent meetings, Western would like these updates added to the informal consultation process that was completed for the North Area ROW Maintenance Program (Service File # 81420-2009-I-0743-1). If you have any questions regarding the Project, please do not hesitate to call the Environmental Assessment Project Manager, Ricardo Velarde, at (916) 353-4565 or the Staff Biologist, Misti Schriner, at (720) 962-7239.

Sincerely,



Stephen Tuggle
Natural Resources Manager

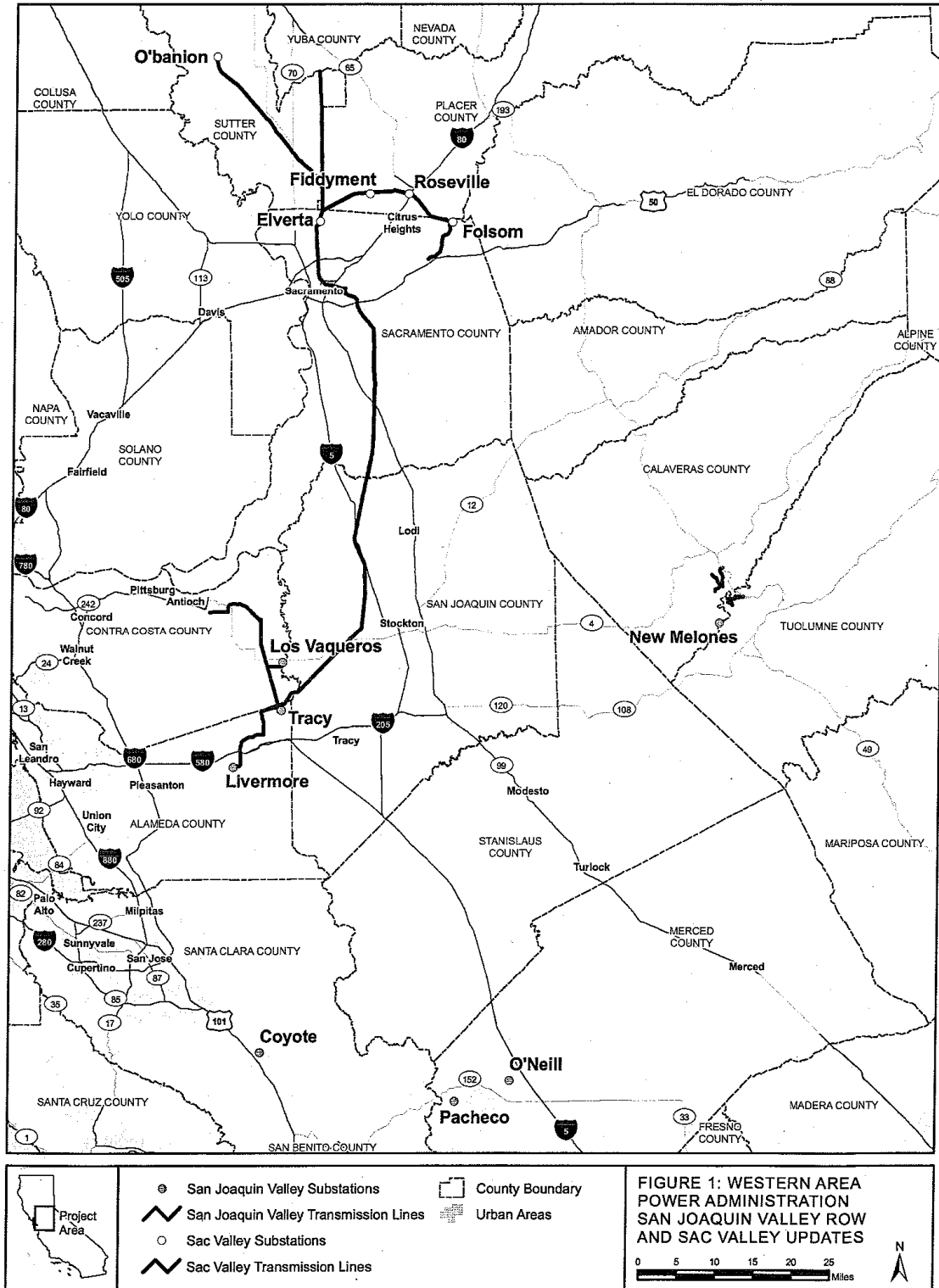
Enclosures (2)

cc (w/ Enclosures):

Ms. Jana Affonso
Chief, Sacramento Valley Branch
U.S. Fish and Wildlife Service
2800 Cottage Way, Room W-2605
Sacramento, CA 95825

Mr. Ryan Olah
Chief, Coastal Branch
U.S. Fish and Wildlife Service
2800 Cottage Way, Room W-2605
Sacramento, CA 95825

Ms. Susan Jones
Chief, San Joaquin Valley Branch
U.S. Fish and Wildlife Service
2800 Cottage Way, Room W-2605
Sacramento, CA 95825





Department of Energy
Western Area Power Administration
Sierra Nevada Customer Service Region
114 Parkshore Drive
Folsom, California 95630-4710

JAN 6 2011

Mr. Terry Adelsbach
Acting Chief, Sacramento Valley Branch
U.S. Fish and Wildlife Service
Sacramento Valley Branch
2800 Cottage Way, Room W-2605
Sacramento, CA 95825

Dear Mr. Adelsbach:

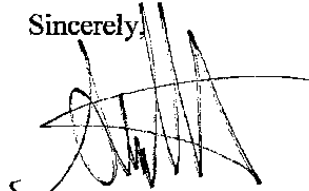
Western Area Power Administration (Western) is prepared to reinitiate section 7 consultation for our programmatic informal consultation on the North Area Right-of-Way Operations and Maintenance Project (North Area ROW O&M; reference number 81420-2009-1-0743-1) in order to include the San Joaquin Valley Right-of-Way Operation and Maintenance Program (San Joaquin Valley Program) and the Sacramento Valley Operation and Maintenance Program (Sac Valley Program). The inclusion of these two programs would effectively create a single unified informal programmatic consultation for all of Western's lines in northern and central California.

Enclosed with this letter on disc are Western's *San Joaquin Right-of-Way Maintenance Project Biological Data Report* (June 2010), *Final Biological Report in Support of an Environmental Assessment for Right-of-Way Maintenance in the Sacramento Valley, CA* (August 2005), *Draft Final Environmental Assessment for Right-of-Way Maintenance in the San Joaquin Valley, CA* (October 2010), and *Final Environmental Assessment for Right-of-Way Maintenance in the Sacramento Valley, CA* (August 2005) (enclosure 1). Summarized responses to four critical information needs are also enclosed (enclosure 2).

We believe that the information provided herein is sufficient to reinitiate consultation under section 7 of the Endangered Species Act. Western has determined that the proposed O&M Programs may affect but are not likely to adversely affect section 7 species for Categories A and B (as previously defined in the North Area ROW O&M consultation) given the extensive

use of Project Conservation Measures. Western has concluded that Category C actions would likely require individual consultations based on project specific designs before a may affect not likely to adversely affect determination could be made. Please contact Ms. Misti Schriener at (720) 962-7239 or at mschriener@wapa.gov with any questions or if any more information is needed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stephen Tuggle', written over a horizontal line.

Stephen Tuggle
Natural Resources Manager

2 Enclosures:

Enclosure 1 (4 copies)

Enclosure 2 (1 copy)

cc:

Mr. Jason Hanni
Fish and Wildlife Biologist
U.S. Fish and Wildlife Service
Endangered Species Division
2800 Cottage Way, Room W-2605
Sacramento, CA 95825

ENCLOSURE 2: Responses to Four Critical Information Needs

1) Description of the action being covered:

The action is to maintain Western Area Power Administration's (Western) transmission lines, legal access roads, substations, and maintenance facilities to ensure that Western's maintenance crews have safe and all-weather access in order to maintain the reliable operation of the transmission system. The action is described in detail in Section 2 of the enclosed San Joaquin Right-of-Way (ROW) Maintenance Project Biological Data Report (BDR).

Activities proposed include inspection and systems management (aerial, ground, and climbing inspections), and maintenance activities. Maintenance activities include vegetation maintenance (manual, mechanical, and herbicide application), access road maintenance (culvert and ditch clearing and repair/replacement, road and road structure repair, debris removal, and erosion control), and equipment maintenance (maintenance and upgrades to transmission lines and facilities). All the actions proposed under the Operations and Maintenance (O&M) Program are classified into three categories: Categories A, B, and C. Each category, along with activities typical of the category for various ROWs (substations, transmission lines, communication systems, and maintenance facilities), is described briefly below:

- Category A – Inspection and Minor Maintenance Activities
- Category B – Routine Maintenance Activities
- Category C – New Infrastructure

Category A – Inspection and Minor Maintenance Activities

Maintenance activities in Category A are primarily inspection-type actions, with some minor repairs that would not cause substantial soil disturbance. These maintenance tasks would cause no or nominal effects to sensitive resources as long as Standard Operating Procedures (SOP) were followed. SOPs are listed in Table 2.4-1 in Section 2 of the San Joaquin Environmental Assessment (EA). Typical activities under Category A include but are not limited to:

Substation*:

- Maintenance and replacement of transformers and breakers
- Servicing and testing of equipment at existing substations, including oil change-outs
- Installation or replacement of brushings
- Cleaning or replacement of capacitor banks
- Maintenance or installation of propane tanks within a substation yard
- Maintenance of switches, voltage regulators, reactors, tap changes, reclosers, and valves
- Replacement of wiring in substations and switchyards
- Replacement of existing substation equipment including regulators, capacitors, switches, wave traps, radiators, and lightning arresters
- Installation of cut-out fuses
- Adjustment and cleaning of disconnect switches
- Placement of temporary transformers
- Maintenance, installation, and removal of solar power arrays and controllers
- Installation of foundation for storage buildings above ground mat within existing substation yard
- New footings
- Ground mat repairs
- Remediation of small spill of oil and hazardous materials (less than 1 gallon)
- Clearing vegetation by hand within the property boundary of a fenced substation
- Application of soil sterilants and herbicides within the property boundary of a fenced substation

Transmission Line:

- Ground and aerial patrols
- Ground wire maintenance
- Aircraft warning devices maintenance
- Insulator maintenance
- Bird guard maintenance
- Cross arms maintenance on wood pole structures
- Emergency manual removal and/or pruning of danger trees or vegetation
- Steel members of steel transmission line structures
- Hardware on wood and steel transmission line structures
- Dampener maintenance
- X brace and knee brace maintenance
- Ground spike maintenance on wood pole structures
- Ground rod maintenance
- Armor rod maintenance and clipping-in structures
- Conductor upgrade, replacement, and/or maintenance
- Overhead ground-wire (OHGW) upgrade, replacement, and/or maintenance
- Wood preservative maintenance on wooden pole structures
- Emergency placement of rocks at bases of poles or structures to stabilize small eroded areas
- Remediation of small spill of oil and hazardous materials (less than 1 gallon)
- Antennae maintenance
- Structure mile markers maintenance

Communication System:

- Microwave radio tower maintenance
- Communication tower and antennae maintenance
- Light beacon maintenance
- Microwave dish maintenance
- Parabolic dish maintenance
- Periodic antenna tower climbing inspections

Maintenance Facility*:

- Building maintenance including interior and exterior painting; and roof, ceiling, floor, window, and door maintenance
- Clearing vegetation by hand within the property boundary of fenced maintenance facilities
- Application of soil sterilants and herbicides within the property boundary of fenced maintenance facility

*Substation and maintenance facility activities are restricted to the confines of the existing fenced substation or facility perimeter

Category B – Routine Maintenance Activities

Maintenance activities in Category B include some of the typical repair tasks that would occur along Western's existing ROW. Category B actions may cause minimal effects to sensitive resources. Category B maintenance equipment may include, but would not be limited to, rubber-tired vehicles such as bucket trucks, backhoes, front-end loaders, cranes, auger trucks, bobcats, and pole trucks. In addition to SOPs, Western would implement all PCMs identified for resources in the work area for Category B maintenance activities. PCMs are listed in Tables 2.4-2 through 2.4-6 in Section 2 of the San Joaquin Environmental Assessment (EA). Typical activities under Category B include but are not limited to:

Transmission Line:

- Maintenance and repair of existing culverts
- Removal of soil deposition around tower legs
- Ground anchors maintenance
- Wood pole maintenance
- Filling of erosional features on access roads
- Remediation of small spill of oil and hazardous materials (between 1 and 10 gallons)
- Grading existing access roads
- Installation of minor rip-rap on creeks and rivers
- Application of herbicides
- Placement of fill or rock(s) around existing culverts
- Placement of fill or rock(s) around existing towers or structures
- Vehicle and equipment staging
- Installation and repair of fences and gates
- Installation or replacement of underground power, communication, fiber optics, ground wire, or ground electrical line (less than 100 feet)
- Installation or replacement of power, communication, fiber optics, OHGW, or electrical line over water features (less than 100 feet)
- Manual removal and/or pruning of danger trees or vegetation
- Mechanical vegetation management by means of masticator or other small mechanical equipment

Communication System:

- Foundations or footings maintenance
- Installation of underground power, communication, fiber optics, ground wire, or ground electrical line (less than 100 feet)
- Installation or replacement of power, communication, fiber optics, OHGW, or electrical line over water features (less than 100 feet)
- Maintenance and repair of existing culverts
- Remediation of small spill of oil and hazardous materials (between 1 and 10 gallons)
- Application of soil sterilants and herbicides
- Installation of equipment on existing towers

Category C – New Infrastructure

Maintenance activities in Category C may cause adverse effects to sensitive resources if PCMs are not implemented. Category C tasks are generally those maintenance activities that would disturb large areas and would utilize heavy equipment. Category C maintenance equipment may include, but would not be limited to, the use of steel-tracked and/or rubber-tired bulldozers, graders, backhoes, and front-end loaders. Typical activities under Category C include, but are not limited to:

Transmission Line and Communication System:

- Adding new access roads
- Installation of new culverts
- Installation of new foundation for storage building at existing facilities
- Erosion-control projects at existing facilities
- Reconductoring
- Tower/pole relocation/realignment
- Installation or replacement of underground power, communication, fiber optics, or ground electrical line (greater than 100 feet)
- Installation or replacement of power, communication, fiber optics, or electrical line over water features (greater than 100 feet)
- Remediation of a small spill of oil and hazardous materials (greater than 10 gallons)
- Mechanical vegetation management by means of bulldozers or other large, heavy equipment

Projected O&M Frequency

Based on past O&M activities, Western assumes that O&M activities would occur on an annual basis as follows for the San Joaquin Valley ROWs; the estimate is an average per year over the entire project area:

- 100 to 200 acres of vegetation would be managed in ROW and access roads
- 6 to 12 miles of maintenance and access roads would be stabilized/graded
- 3 to 5 culverts would be repaired or replaced
- 4 to 8 towers or poles would be relocated or stabilized (towers would be relocated adjacent to existing tower or poles)
- Up to 1 communication tower would be installed

2) Description of the specific area that may be affected by the action:

The affected area includes transmission line and legal access road ROWs, substations, and a maintenance facility within Western's Sierra Nevada Region of central California, which includes portions of San Joaquin, Contra Costa, Alameda, Calaveras, Tuolumne, Santa Clara, Merced, Placer, Sacramento, and Sutter counties. The area includes approximately 242 miles of transmission line ROW, 38 miles of access roads, 12 substations, and 2 maintenance facilities. The area is described in detail in Section 1 of both BDR and illustrated in Figure 1 - Western Area Power Administration San Joaquin Valley ROW and Sac Valley Updates.

The project area has been divided into four geographical regions: Sacramento Valley, Tracy, New Melones, and Morgan Hill/San Luis. The following describes the transmission line ROW, substations (including a 50-foot buffer surrounding each substation), and maintenance facility that comprise the project area. Legal access roads, as described above, run close to, but outside of transmission line ROWs.

Sacramento Valley

The Sacramento Valley region of the project area consists of the ROWs and legal access roads for the following transmission lines:

- Elverta-Hurley #1/#2 230 kV between the Elverta and Hurley Substations
- Hurley-Tracy #1/#2 230 kV between the Hurley Substation and the San Joaquin County/Sacramento County border
- Folsom-Nimbus 115 kV between the Folsom Substation and Nimbus Power plant
- Folsom-Roseville 230 kV Folsom Substation and the Roseville Substation
- Roseville-Elverta (consists of two separate lines, Roseville-Fiddymont and Fiddymont-Elverta) 230 kV between Roseville Substation and Elverta Substation
- Cottonwood-Roseville 230 kV between the Sutter/Yuba County border and the Roseville Substation
- O'Banion-Elverta # 1 and # 2 230 kV between the O'Banion Substation and Elverta Substation

The Elverta Substation, Hurley Substation, Roseville Substation, O'Banion Substation, and Folsom Substation are all within the Sacramento Valley region. The Elverta Maintenance Facility is contained within the same fenced area as the Elverta Substation.

Tracy

The Tracy region of the project area consists of the ROWs and legal access roads for the following transmission lines:

- Hurley-Tracy #1/#2 230 kV between the Tracy Substation and the San Joaquin County/Sacramento County border
- Tracy-Contra Costa 69 kV between the Tracy Substation and Contra Costa #4 pumping plant in Antioch
- Tracy-Los Vaqueros 69 kV between the Tracy-Contra Costa transmission line (near Kellogg Creek Road in Contra Costa County) and the Los Vaqueros Substation; and
- Tracy-Lawrence Livermore National Laboratory 230 kV between the Tracy Substation and Livermore Substation

The Tracy Substation, Los Vaqueros Substation, and Livermore Substation are all within the Tracy region. The Tracy Maintenance Facility is contained within the same fenced area as the Tracy Substation.

New Melones

The New Melones region of the project area consists of the ROWs for the following transmission and distribution lines:

- New Melones #1/#2 230 kV between the New Melones Generation Facility and the New Melones Substation
- Tuttletown 17.2 kV, east of New Melones Lake
- Gloryhole 17.2 kV, north of New Melones Lake

The New Melones Substation is included within the New Melones region.

Morgan Hill/San Luis

The Morgan Hill/San Luis region of the project area consists of three substations:

- Coyote Substation in Morgan Hill
- Pacheco Substation, west of the San Luis Reservoir
- O'Neill Substation, east of the San Luis Reservoir

The affected environment is described in the enclosed electronic EAs in Section 3.0 and summarized below by region. The transmission line ROWs, substations, maintenance facility, and legal access roads are found in the San Francisco Bay area, Sacramento-San Joaquin Delta, San Joaquin Valley, Coast Range, and Sierra Nevada Foothills. The tables included below show acreages of specific habitats found in each region. The habitat and land use types are described in detail in Section 3.2 of the San Joaquin EA and Section 3.3 of the Sacramento Valley EA.

Sacramento Valley

The study area covers a significant portion of the Sacramento Valley and includes a variety of habitat types. For the purposes of this section, habitat types and associated plant species are largely based on *Preliminary Descriptions of the Terrestrial Natural Communities of California* (Holland 1986). The dominant natural habitat types common to the Sacramento Valley study area include elderberry savanna; vernal pools; riparian forest, woodland, and scrub; perennial streams and rivers; and grassland. The following table lists the total number of acres for each type of habitat within the Sacramento Valley. These habitat types are further described in the Chapter 3.3 in the EA and their locations within the study area are fully disclosed. The attached map set also identifies the types of habitat along the ROW.

Habitat Type	Acreage
Commercial or Industrial	123
Elderberry Savanna	14
Fallow	92
Fieldcrop	246
Grassland (Valley and Foothill Grassland)	527
Other	95
Orchard	28
Pasture (Non-Native Grassland)	329
Residential	179
Rice	273
Riparian	130
Vineyard	22
Wet meadow (Freshwater Scvp)	6
Vernal Pools	16
Woodland (Oak Woodland)	45

Tracy

The Tracy region of the project area is the largest area of the project and is located in the northwestern San Joaquin Valley portion of the Central Valley. The Tracy region is composed of four transmission lines (Tracy-Contra Costa, Tracy-Los Vaqueros, Tracy-Livermore and Hurley-Tracy), three substations, and a maintenance facility. Most of the Tracy region is also within the Sacramento-San Joaquin Delta. Approximately 75 percent of the Tracy region is comprised of agricultural lands and non-native grasslands.

The Tracy-Contra Costa line begins near the town of Oakley in northeast Contra Costa County and ends at the Tracy Substation/Maintenance Facility; it traverses mostly pasturelands and agricultural areas (primarily alfalfa) in the Delta region, but also crosses levees, canals, and irrigation drainages, and passes through urban areas, seasonal wetlands, alkaline meadows, non-native grasslands, and chenopod scrub. The vernal pool, alkaline meadow, and wetland habitats are mainly concentrated near Discovery Bay and Clifton Court Forebay.

The Tracy-Los Vaqueros line extends from the Los Vaqueros Substation at Middle River to the Tracy-Contra Costa line near Kellogg Creek. This line mostly crosses pasturelands, grain crops, and irrigation channels. There is some seasonal wetland, chenopod scrub, and alkaline meadow habitat near where this line meets the Tracy-Contra Costa line.

The Tracy-Livermore line begins near the City of Livermore and is mostly comprised of hilly, heavily-grazed, annual grasslands of the Altamont Hills and adjacent seasonal creeks and wetland areas. This line crosses vernal pool grassland habitats near where it meets the Tracy Substations and Maintenance Facility.

The Hurley-Tracy line extends from the Tracy Substations/Maintenance Facility to the San Joaquin/Sacramento County Line and crosses primarily agricultural lands (including row crops, grain crops, orchards and vineyards), but also crosses riparian areas along major Delta rivers and sloughs, seasonal wetlands, non-native grasslands, and pasturelands.

Habitat Acreages in the Tracy Region

Upland Habitat Type	Acres	Wetland Habitat Type	Acres
Agricultural (grain crops, row crops, vineyards, orchards)	903.8	Meadows	9.7
Agricultural pasture	68.0	Wetlands, seasonal	47.3
Agricultural (rice fields)	39.4	Wetlands, vernal pool (isolated and high density vernal pool grassland)	8.1
Grassland, non-native	295.8	Wetlands, freshwater marsh	3.6
Scrub, chenopod	17.4	Waters, man-made (irrigation canals, ditches, impoundments)	16.7
Levee	30.9	Waters, seeps/springs	0.5
Urban/barren/commercial	151.8	Waters, rivers and creeks	12.1
		Riparian, Great Valley forest	0.2
		Riparian, Great Valley scrub	10.9
TOTAL ACREAGE			1616.0

New Melones

The New Melones region of the project area is in the Sierra Nevada Foothills between the Central Valley and the Sierra Nevada. This region is characterized by blue-oak woodlands, non-native grasslands, and chaparral. The Tuttletown and Gloryhole distribution lines intersect blue oak woodland and non-native grassland habitats surrounding the New Melones Reservoir with some riparian, chaparral, and foothill pine woodlands. Both lines cross creeks and very small amounts of wetland, and seep/spring habitats. The NML-NML1 line and New Melones Substation are small ROWs located just below New Melones Dam on the Stanislaus River; this area is characterized by non-native grassland, foothill-pine woodland and chaparral.

Habitat Acreages in the New Melones Region

Upland Habitat Type	Acres	Wetland Habitat Type	Acres
Chaparral, mixed	2.0	Wetlands, seasonal	< 0.1
Chaparral, oak	1.3	Wetlands, other	0.1
Woodland, blue oak	13.1	Wetlands, freshwater marsh	< 0.1
Woodland, foothill pine chaparral	0.6	Waters, man-made (ditches)	0.1
Grassland, non-native	18.5	Waters, seeps/springs	0.2
Barren/commercial	8.3	Waters, rivers and creeks	1.1
		Riparian, Great Valley forest	0.2
TOTAL ACREAGE			45.4

Morgan Hill/San Luis

The Morgan Hill/San Luis region consists of three substations, Coyote, Pacheco and O'Neill, including 50-foot surrounding buffers. The Coyote Substation is located in Morgan Hill in the San Francisco Bay Area and has a buffer consisting of urban (landscaped), barren, and agricultural (both grain crops and orchards) habitats. The Pacheco and O'Neill substations are in the San Joaquin Valley. The Pacheco Substation is in the hills near San Luis Reservoir and is surrounded by oak woodlands and non-native grasslands; the substation is mostly comprised of commercial and barren habitats, with some chaparral, riparian and freshwater marsh. The O'Neill Substation is surrounded by non-native grassland. The buffer includes a portion of the O'Neill Forebay and is primarily in commercial and barren habitats with some non-native grassland.

Habitat Acreages in the Morgan Hill/San Luis Region

Upland Habitat Type	Acres*	Wetland Habitat Type	Acres*
Agriculture (grain crop and orchard)	2.6	Wetlands, freshwater marsh	< 0.1
Chaparral, mixed	0.4	Waters, man-made (reservoir)	0.2
Grassland, non-native	0.1	Riparian, Great Valley scrub	0.2
Urban/barren/commercial	3.0		
TOTAL ACREAGE			6.6

*Note that acreages consist of the 50-foot buffer surrounding each substation but do not include the substations themselves.

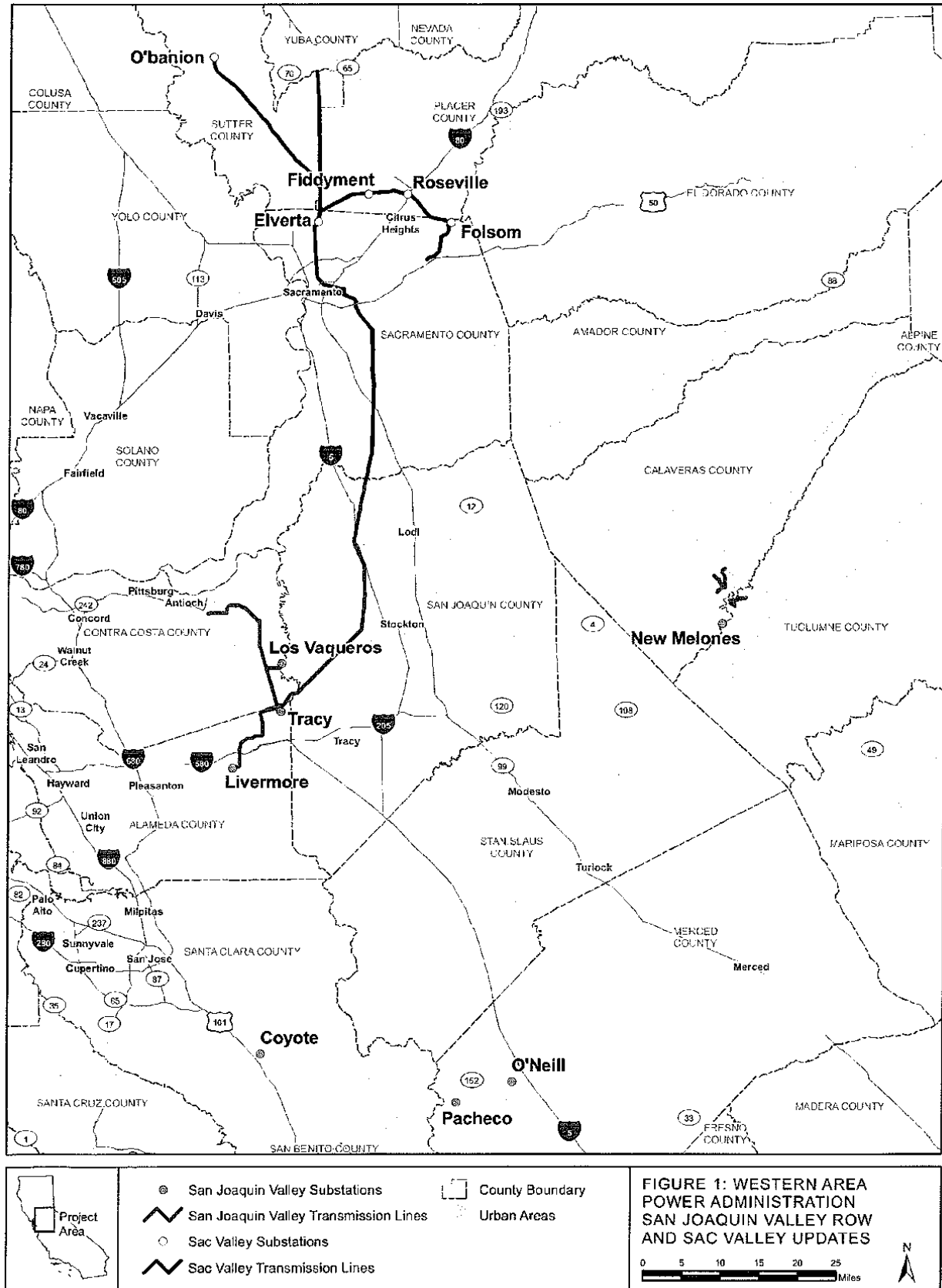
3) Description of any listed species or critical habitat that may be affected by the action:

The EA and BDR addresses 25 federally listed Threatened, Endangered and/or Candidate species which may be affected by the Proposed Action (7 plant species, 15 wildlife species, and 3 fish species). The EA and BDR also addresses 62 plant species, 36 wildlife species, and 3 fish species which are not federally listed as Threatened, Endangered, or Candidates for listing, but are listed by the State of California, the Bureau of Land Management, and/or the California Native Plant Society.

Sections 3.2 through 3.7 of the EA present the affected environment, impact assessment, and environmental consequences for habitats and vegetation, special-status plants (including critical habitat) and plant communities, wildlife and special-status wildlife (including critical habitat), and fish and special-status fish (including critical habitat). Section 5 of the BDR contains species accounts, Section 6 summarizes the measures taken to reduce impacts to species, and Section 8 provides the effects determination for each of the species.

4) Description of the manner in which the action may affect any listed species or critical habitat, and an analysis of any direct, indirect, or cumulative effects:

Possible adverse impacts to special-status species have been considered within the context of the Federal Endangered Species Act (16 U.S.C. §§ 1531-1544). The EA addresses impacts and environmental consequences to listed species and critical habitat in Sections 3.3 (*Special-status Plants*), 3.5 (*Special-status Wildlife*), and 3.7 (*Special-status Fish*), and the BDR accounts for the effects in Section 8, Table 8-2. It is important to note that the effects determinations made in Section 8 are reflective of the inclusion of the PCMs listed for each species in Section 6.



Appendix B

NMFS Correspondence

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Department of Energy
Western Area Power Administration
Sierra Nevada Customer Service Region
114 Parkshore Drive
Folsom, California 95630-4710

APR 28 2010

Ms. Maria Rea
Sacramento Area Office Supervisor
National Marine Fisheries Service
650 Capitol Mall, Suite 8-300
Sacramento, CA 95814

Dear Ms. Rea:

The Western Area Power Administration (Western), Sierra Nevada Region, is a power marketing administration of the U.S. Department of Energy. Western owns, operates, and/or maintains various distribution and transmission lines, substations, and maintenance facilities throughout California. Western also has legal use of various improved and unimproved access roads to these lines. This letter is intended to introduce the National Marine Fisheries Service (NMFS) to Western's San Joaquin Valley Right-of-Way (ROW) Maintenance Program (San Joaquin Valley Project) and the Sacramento Valley ROW Maintenance Program (Sac Valley Project), and to request that these efforts be added to the informal consultation process that was completed on the North Area ROW Operation and Maintenance Program (North Area Project).

The San Joaquin Valley Project consists of 17.2-kilovolt (kV) distribution lines, 69-kV and 230-kV transmission lines, associated substations (including a 50-foot buffer around the substations), a maintenance facility, and associated access road ROW located within the counties of Alameda, Calaveras, Contra Costa, San Joaquin, Merced, Santa Clara, and Tuolumne (Figure 1). In total, there are approximately 115 miles of distribution and transmission line ROW, 28 miles of access roads, seven substations, and one maintenance facility within the proposed San Joaquin Valley Project area.

Additionally, as part of this effort, Western's infrastructure in Placer, Sacramento, and Sutter counties were resurveyed in order to update the Section 7 consultations with NMFS. This infrastructure was previously addressed in Western's Sacramento Valley ROW Maintenance Environmental Analysis and was not included in the environmental analysis for the San Joaquin Valley Project. In total, there are approximately 137 miles of transmission line ROW, 7 miles of access roads, five substations, and one maintenance facility within the proposed Sac Valley Project area.

Pursuant to Section 7 of the Federal *Endangered Species Act*, Western has a Programmatic Informal Consultation on the North Area Project (North Area, NMFS File No. 2008/07762). These documents address current routine maintenance along Western's ROWs, including access roads and substations; however, the most recent informal consultation does not include the San Joaquin Valley Project or the Sac Valley Project updates.

The San Joaquin Valley Project serves to update the existing Operation and Maintenance (O&M) Program to include all transmission lines, associated legal access roads, substations, and the maintenance facility into one comprehensive Master O&M Program. In order to accomplish this, Western would like to have the San Joaquin Valley Project and Sac Valley Project areas added to the informal consultation that was completed for the North Area Project, or covered under an identical consultation. Western is currently working with your staff to arrange a meeting during the month of April 2010 to discuss these efforts, as well as the proposed process for consultation.

The purpose of the San Joaquin Valley Project is to maintain existing transmission line and legal access road ROWs, as well as substations and a maintenance facility, in a manner: (1) consistent with prudent utility practices, including applicable reliability standards; and (2) that protects environmental resources while improving the efficiency and effectiveness of maintenance activities. Western has designed this maintenance program to balance environmental protection with system reliability and compliance with the National Electric Safety Code, Western Electricity Coordinating Council requirements, North American Electric Reliability Corporation reliability standards, Institute of Electrical and Electronics Engineers standards, and Western directives for maintaining system reliability and protection of human safety.

To meet this purpose, Western's objectives are to maintain its ROWs to:

- Protect from operational hazards.
- Provide access for maintenance.
- Protect facilities from fire.
- Control the spread of noxious weeds and protect environmental quality.
- Develop a technically and economically efficient program.
- Protect public and worker safety.
- Maintain sound relationships with landowners and managers.
- Streamline regulatory permitting activities.
- Protect significant environmental resources, as defined by applicable Federal, State, and local laws.
- Comply with environmental laws and regulations affecting Federal actions.

The need for the Proposed Action includes:

- Eliminating the threat for vegetation to interfere with the lines and towers. Vegetation near transmission lines may pose a threat to public safety and the environment from arcing (which can cause fires) and trees falling onto the transmission lines.
- Performing O&M activities in a cost-effective manner that would benefit the public and natural ecosystems.
- Maintaining the transmission line and legal access road ROWs to ensure that Western's maintenance crews have safe and all-weather access to ROW facilities.

To facilitate evaluation in this addition to the informal consultation, the San Joaquin Valley Project area has been divided into three geographical regions: Tracy, New Melones, and Morgan Hill/San Luis. The following describes the transmission line ROW, substations (including a 50-foot buffer surrounding each substation), and a maintenance facility that comprise the Project area. Legal access roads, as described above, run close to but outside of transmission line ROWs.

The Tracy region of the Project area consists of the ROWs and legal access roads for the following transmission lines:

- Hurley-Tracy (#1 & #2) 230-kV between the Tracy Substation and the San Joaquin County/Sacramento County border.
- Tracy-Contra Costa 69-kV between the Tracy Substation and Contra Costa #4 in Antioch.
- Tracy-Los Vaqueros 69-kV between the Tracy-Contra Costa transmission line (near Kellogg Creek Road in Contra Costa County) and the Los Vaqueros Substation.
- Tracy-Lawrence Livermore National Laboratory 230-kV between the Tracy Substation and Livermore Substation.

The Tracy Substation, Los Vaqueros Substation, and Livermore Substation are all within the Tracy region. The Tracy Maintenance Facility is contained within the same fenced area as the Tracy Substation.

The New Melones region of the Project area consists of the ROWs for the following transmission and distribution lines:

- New Melones (#1 & #2) 230-kV between the New Melones Powerstation and the New Melones Substation.
- Tuttletown 17.2-kV, east of New Melones Lake.
- Gloryhole 17.2-kV, north of New Melones Lake.

The New Melones Substation is included within the New Melones region.

The Morgan Hill/San Luis region of the Project area consists of three substations:

- Coyote Substation in Morgan Hill.
- Pacheco Substation, west of the San Luis Reservoir.
- O'Neill Substation, east of the San Luis Reservoir.

The Sac Valley Project updates encompass the ROWs and legal access roads for the following transmission lines (Figure 1):

- O'Banion-Elverta (#1 & #2) 230-kV between the O'Banion Substation and the Elverta Substation.
- Cottonwood-Roseville 230-kV between the Sutter/Yuba County line and the Roseville Substation.
- Hurley-Tracy (#1 & #2) 230-kV between the Hurley Substation and the Sacramento/San Joaquin County Line.
- Roseville-Elverta 230-kV between the Roseville Substation and the Elverta Substation.
- Elverta-Hurley (#1 & #2) 230-kV between the Elverta Substation and the Hurley Substation.
- Nimbus-Folsom 115-kV between the Nimbus Substation and the Folsom Substation.
- Folsom-Roseville 230-kV between the Folsom Substation and the Roseville Substation.

In addition, the following facilities were also resurveyed:

- O'Banion Substation in Sutter County
- Roseville and Fiddymont substations in Placerville County
- Folsom and Elverta substations in Sacramento County
- Elverta Maintenance Facility in Sacramento County

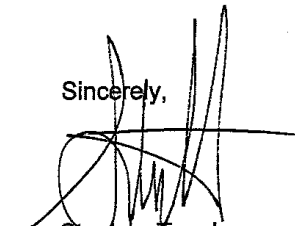
In total, there are approximately 137 miles of transmission line ROW, 7 miles of access roads, five substations and one maintenance facility within the Sac Valley Project area.

Western is currently working on an Environmental Assessment (EA) for the San Joaquin Valley Project; additional detailed information is included in that document. Full sized maps for each of the above mentioned facilities will be included, as well as a complete analysis of impacts to species. This document will be provided to your office as soon as a draft copy is available for review.

5

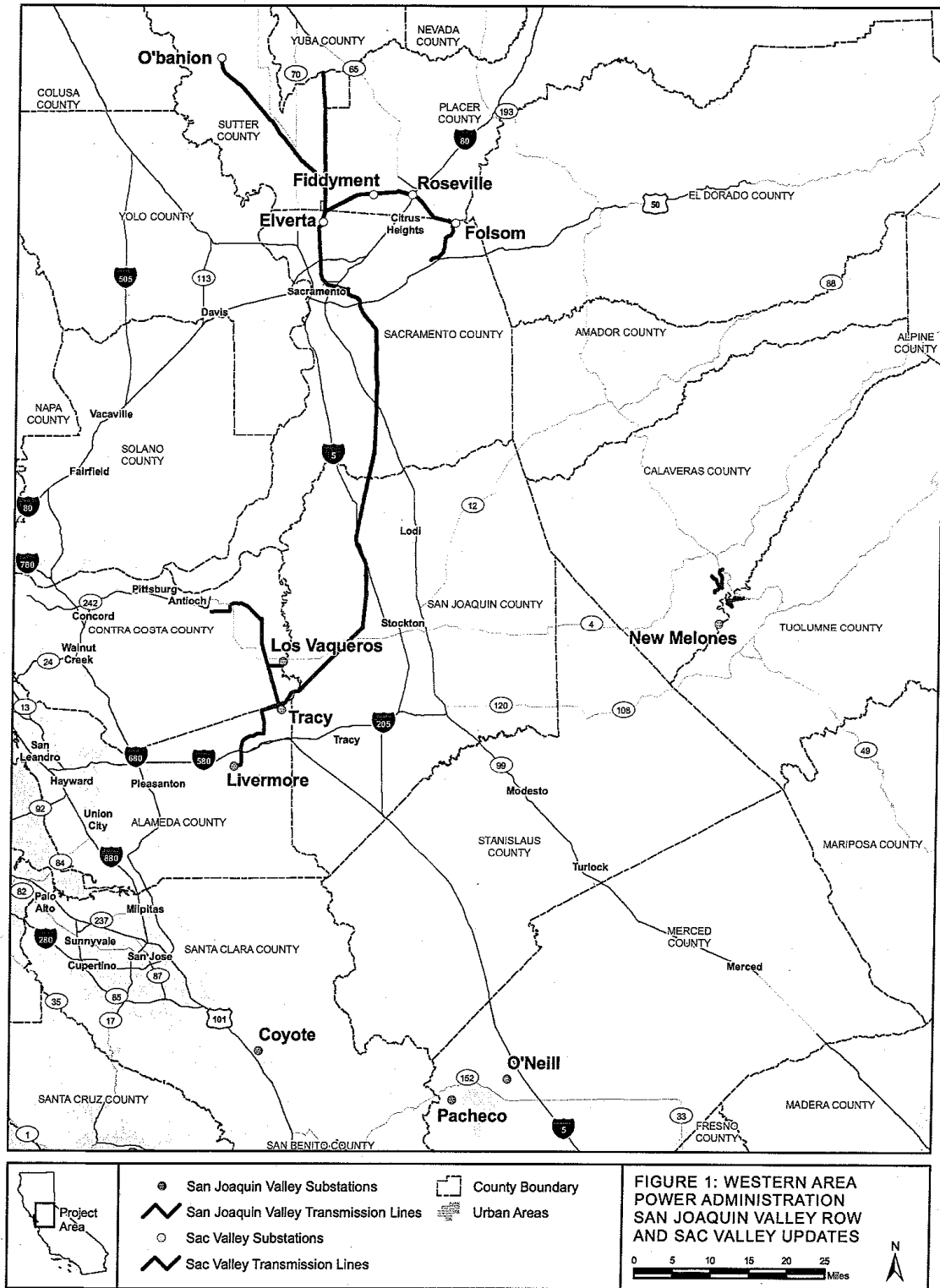
Western would like these updates added to the informal consultation process that was completed for the North Area ROW Maintenance Program. If you have any questions regarding the Project, please do not hesitate to call the EA Project Manager, Mr. Ricardo Velarde, at (916) 353-4565 or the Staff Biologist, Ms. Misti Schriner, at (720) 962-7239.

Sincerely,



Stephen Tuggle
Natural Resources Manager

Enclosure





Department of Energy
Western Area Power Administration
Sierra Nevada Customer Service Region
114 Parkshore Drive
Folsom, California 95630-4710

APR 15 2011

Ms. Maria Rea
Central Valley Office Supervisor
U.S. Department of Commerce
National Oceanic and Atmospheric Administration
National Marine Fisheries Service
Sacramento Area Office
650 Capitol Mall, Suite 8-300
Sacramento, CA 95814-4706

Dear Ms. Rea:

Western Area Power Administration (Western) is prepared to reinitiate section 7 consultation for our programmatic informal consultation on the North Area Right-of-Way Operations and Maintenance Project (North Area ROW O&M) in order to include the San Joaquin Valley ROW O&M Program (San Joaquin Valley Program) and the Sacramento Valley ROW O&M Program (Sacramento Valley Program). The inclusion of these two programs would effectively create a single unified informal programmatic consultation for Western's lines in northern and central California.

Enclosed with this letter on disc are Western's *San Joaquin Right-of-Way Maintenance Project Biological Data Report* (June 2010), *Final Biological Report in Support of an Environmental Assessment for Right-of-Way Maintenance in the Sacramento Valley, CA* (August 2005), *Draft Final Environmental Assessment (EA) of Right-of-Way Maintenance in the San Joaquin Valley* (October 2010), and *Final Environmental Assessment for Right-of-Way Maintenance in the Sacramento Valley, CA* (August 2005) (enclosure 1). Summarized responses to four critical information needs are also enclosed (enclosure 2).

We believe that the information provided herein is sufficient to reinitiate consultation under section 7 of the Endangered Species Act. Western has determined that the proposed O&M Programs *may affect but are not likely to adversely affect* section 7 species given the extensive

use of Project Conservation Measures. Please contact me at (916) 353-4565 or by email at velarde@wapa.gov with any questions or if additional information is needed.

Sincerely,



Ricardo Velarde
Acting Natural Resources Manager

2 Enclosures:
Enclosure 1 (4 copies)
Enclosure 2 (1 copy)



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
 NATIONAL MARINE FISHERIES SERVICE

Southwest Region
 501 West Ocean Boulevard, Suite 4200
 Long Beach, California 90802-4213

In response refer to:

2011/03019

SEP 16 2011

Ricardo Velarde
 Department of Energy
 Western Area Power Administration
 Sierra Nevada Customer Service Region
 114 Parkshore Drive
 Folsom, California 95630-4710

Dear Mr. Velarde,

This letter is in response to your April 15, 2011, letter requesting re-initiation of section 7 consultation pursuant to section 7 of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*), as it pertains to the Western Area Power Administration's (WAPA) proposed North Area Right-of-Way Operations and Maintenance Project (North Area ROW O&M) to include the San Joaquin Valley Right-of-Way Operations and Maintenance Program (San Joaquin Valley Program) and the Sacramento Valley Right-of-Way Operations and Maintenance Program (Sacramento Valley Program). The inclusion of these two programs would effectively create a single unified informal programmatic consultation for Western's lines in northern and central California. The San Joaquin Valley Program and the Sacramento Valley Program include a suite of actions associated with the routine maintenance of existing transmission lines and access roads in order to ensure system reliability and safe, all-weather access to transmission line structures and appurtenant facilities ranging over a large geographic area of Central California, including portions of San Joaquin, Contra Costa, Alameda, Calaveras, Tuolumne, Santa Clara, Merced, Placer, Sacramento, and Sutter counties. Within this area, there are also many streams and watersheds that contain habitat occupied by or supportive of federally listed evolutionarily significant units (ESU) and distinct population segments (DPS), including the endangered Sacramento River winter-run Chinook salmon ESU (*Oncorhynchus tshawytscha*), threatened Central Valley spring-run Chinook Salmon ESU (*O. tshawytscha*), threatened Central Valley steelhead DPS (*O. mykiss*), and the threatened Southern DPS of North American green sturgeon (*Acipenser medirostris*), and their respective designated critical habitats.

WAPA has determined that the proposed combined O&M Programs may affect but are not likely to adversely affect federally listed species, given the extensive use of project conservation measures (PCMs) and standard operation procedures (SOPs). The program, activities and criteria are described in detail in the *San Joaquin Right-of-Way Maintenance Project Biological Data Report (BDR)* (June 2010), *Final Biological Report in Support of an Environmental Assessment for Right-of-Way Maintenance in the Sacramento Valley, CA* (August 2005), *Draft Final Environmental Assessment (EA) of Right-of-Way Maintenance in the San Joaquin Valley* (October 2010), *Final Environmental Assessment (EA) for Right of Way Maintenance in the*



Sacramento Valley, CA (August 2005), and the *Biological Assessment (BA) for the North Area Right-of-Way Maintenance Program* (November 2008).

In addition, this letter includes NMFS's consultation regarding the potential of program-related activities to adversely affect the Essential Fish Habitat (EFH) of Pacific salmon pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (MSA). This letter also serves as consultation under the authority of and in accordance with the provisions of the Fish and Wildlife Coordination Act of 1934 (FWCA), as amended.

Consultation History

- On April 29, 2008, NMFS received a letter requesting a species list for WAPA's North Area Right-of-Way Maintenance Environmental Assessment (EA). That list was sent on May 21, 2008, and indicated that the endangered Sacramento River winter-run Chinook salmon ESU, threatened Central Valley spring-run Chinook Salmon ESU, threatened Central Valley steelhead DPS, and the threatened Southern DPS of North American green sturgeon, including their respective designated critical habitats, were present in the project area.
- On July 29, 2008, NMFS received a draft EA that analyzed proposed operation and maintenance procedures for its existing North Area electrical transmission line infrastructure, right-of-way, communication facilities, and access roads.
- On December 1, 2008, NMFS received a BA for the North Area Right-of-Way Maintenance Project.
- On December 23, 2009, NMFS submitted a concurrence letter, thereby concluding a section 7 informal consultation regarding WAPA's North Area ROW O&M.
- On April 28, 2010, NMFS received a letter requesting re-initiation of consultation, to add WAPA's San Joaquin Valley Program and the Sacramento Valley Program to the North Area ROW O&M section 7 consultation.
- On June 15, 2010, NMFS, along with other interested parties, received an EA from WAPA, developed in cooperation with the U.S. Forest Service, Bureau of Land Management, and National Park Service. The EA analyzed proposed operation and maintenance procedures for its existing North Area electrical transmission line infrastructure, right-of-way, communication facilities, and access roads.
- On July 30, 2010, NMFS issued a letter to WAPA seeking additional information in order to initiate the section 7 consultation requested in WAPA's April 28, 2010, letter.
- On April 15, 2011, NMFS received the additional information and a request from WAPA to reinitiate section 7 consultation for their programmatic informal consultation on the North Area ROW O&M to include the San Joaquin Valley Program and the Sacramento Valley Program. Additional information included the *San Joaquin Right-of-Way*

Maintenance Project Biological Data Report (June 2010), Final Biological Report in Support of an Environmental Assessment for Right-of-Way Maintenance in the Sacramento Valley, CA (August 2005), Draft Final Environmental Assessment of Right-of-Way Maintenance in the San Joaquin Valley (October 2010), Final Environmental Assessment for Right of Way Maintenance in the Sacramento Valley, CA (August 2005), Enclosure 2: Responses to Four Critical Information Needs (April 2011) and the San Joaquin Project Maps (April 2011) on a compact disc.

- On June 23, 2011, additional information from NMFS regarding wood pole treatment was requested; WAPA's response was received on June 27, 2011.
- On July 7, 2011, NMFS requested that WAPA consult again when the use of cofferdams or berms will be needed in anadromous stream work and on July 19, 2011, they concurred.
- On August 8, 2011, NMFS requested additional information from WAPA regarding PCMs and more information about stream work; this information was provided by WAPA on August 9, 2011.
- On August 31, 2011, NMFS requested additional clarification from WAPA regarding PCM W002; this information was provided by WAPA on September 1, 2011.

Action Area

The action area for this project is divided two major components. The first major component is WAPA's Sierra Nevada region. This action area was considered in the NMFS December 23, 2009, letter of concurrence. In that consultation, program related activities were assessed for their potential to cause adverse effects to listed fish or their habitat along more than 800 miles of transmission line ROWs and 250 miles of access roads wherever those alignments intersect or come within 300 feet of habitat that supports or is occupied by listed anadromous fish species, including the watersheds that are hydrologically connected to and upstream from those habitats, within northern and central California extending from just north of the Oregon border in a southerly direction to a substation just west and south of Tracy, California. This area includes portions of Klamath County, Oregon and Modoc, Siskiyou, Shasta, Trinity, Tehama, Glenn, Colusa, Butte, Yuba, Yolo, Sacramento, Solano, Sutter, San Joaquin, Contra Costa, and Alameda counties in California. Since the action area includes but also extends beyond the geographic boundaries of several ESA listed anadromous fish species, and the potential for species exposure to the effects of NAROW Program activities varies across the action area, we defined five distinct sub-areas to help determine which seasonal work window to observe in order to avoid protected species exposure to covered activities in each geographical region. The sub-areas and the associated allowable work-windows in each are as follows:

- The Delta: Any of the waterways in the action area that are south and west of the City of Sacramento. Near shore work within the Delta should be performed between June 1 and October 15 of any given year.

- The Mainstem Sacramento River- South: The waters of the Sacramento River from the City of Sacramento north to Hamilton City. Near shore work on the mainstem Sacramento River in this region should be performed between June 1 and October 15 of any given year.
- The Mainstem Sacramento River- North: The waters of the Sacramento River from Hamilton City north to Keswick Dam. Near shore work on the mainstem Sacramento River in this region should be performed between December 1 and April 1 of any given year.
- Butte, Mill, Deer, and Battle creeks: Any of the waters that comprise the forks or mainstems of these four named creeks. Near shore work that occurs on Butte, Mill, Deer, or Battle Creek should be performed between December 1 and April 1 of any given year.
- The North State Tributary Area: Any of the waterways in the action area that are north of the City of Sacramento and flow into the mainstem Sacramento River, excluding Butte, Mill, Deer, and Battle Creeks, as described above. Near shore work that occurs in the North State Tributary Area should be performed between June 1 and October 15 of any given year.

The San Joaquin and Sacramento Valley Component includes portions of San Joaquin, Contra Costa, Alameda, Calaveras, Tuolumne, Santa Clara, Merced, Placer, Sacramento and Sutter counties. This area includes approximately 242 miles of transmission line ROW, 38 miles of access roads, 12 substations, and 2 maintenance facilities. The Sacramento Valley project area crosses through the Sacramento Valley and covers a variety of habitat types, a majority being grassland, agricultural land, and pasture. The San Joaquin Valley project is divided into three geographical regions: Tracy, New Melones, and Morgan Hill/San Luis. These regions are comprised of agricultural land and non-native grassland; blue-oak woodlands, non-native grasslands and chaparral; and urban, barren, and agricultural lands, respectively. Waterways that the project area crosses include the Old River (downstream of Clifton Court Forebay), Middle River, San Joaquin River (in the vicinity of Stockton, CA), Mosher Slough, Mokelumne River, American River, Natomas East Main Drainage Canal, East Side Canal, Coon Creek, Feather River, Butte Creek-Sutter Bypass, Dry Creek, and Bear River. This portion of the Action Area includes a total of 13.2 acres that are considered habitat for the listed species.

Proposed Project Description

WAPA needs to maintain transmission lines, legal access roads, substations, and maintenance facilities to ensure that their crews have safe and all-weather access in order to maintain reliable operation of the transmission system and to eliminate the threat for vegetation to interfere with the lines and towers. Vegetation near transmission lines may pose a threat to public safety and the environment from arcing (which can cause fires) and trees falling onto the transmission lines. This is further outlined in the 2010 San Joaquin Right-of-Way Maintenance Project EA and the BDR. The BA for the North Area Right-of-Way Maintenance Program and the draft EA for the San Joaquin Valley provides a detailed description of the various types of activities that are necessary in order to maintain overall system reliability and safe all-weather access to the

transmission lines. These activities range from inspections to vegetation, access road, and transmission line maintenance, and include system component upgrades as well.

Project activities are limited to inspections (aerial, ground and climbing) and systems management and maintenance activities. These project activities have been grouped into three distinct categories based on the scope and frequency of the activity under consideration as well as the potential for the covered activity to disturb the surrounding area. WAPA classified the project activities in three separate categories: categories A, B, and C.

Category A covers inspections, including aerial, ground, and climbing surveys, and minor maintenance activities such as installation of cut-out fuses and clearing vegetation by hand within the property boundary of a fenced substation, as well as some minor repairs to existing structures. Aerial, ground and climbing inspections will involve visual inspections of transmission lines by helicopter or aerial plane, vehicles on access roads and/or by bucket trucks when necessary. Category A activities are not expected to occur in aquatic habitat, which would include areas with active flowing water. Category A is intended to capture all activities that would cause nominal effects to listed species as long as SOPs and PCMs are followed.

Category B refers to routine maintenance activities along WAPA's existing ROW. Category B activities are: manual, mechanical, and herbicidal methods of vegetation management (except for vegetation by hand within the property boundary of a fenced substation, which is within Category A), heavy equipment use that may result in minor amounts of ground disturbance, culvert maintenance, grading and fill of existing access roads, placement of rock around existing towers and structures, or other similar activities that are moderate in scope and frequency. This is based on the need for these measures to be done on an annual basis. Category B activities will involve the incorporation of SOPs and all PCMs identified for listed species in the work area in order to avoid any significant disturbances or adverse effects to sensitive resources. Having routine projects allow for more familiarity with the maintenance activities, thus reducing the incidents that could potentially harm listed species.

Category C activities refer to the development of new infrastructure, such as access roads, culverts, foundations for storage buildings, erosion control projects, tower relocation, realignment, or replacement, and other activities that are more likely to disturb a large area or require the incorporation of specific conservation measures in order to avoid significant disturbances or adverse effects to sensitive resources. The construction of new infrastructure (Category C projects) could cause adverse effects to listed species if PCMs were not implemented appropriately as well as SOPs.

In order to address the potential for any of the project activities to adversely impact listed species, WAPA has incorporated two levels of protective measures. The first level is the application of SOPs, which will be implemented in all cases for all project activities, regardless of whether any listed species are present. PCMs, the second level of protective measures, will be applied in a focused manner to protect a specific listed species that is known to occur within the immediate area of the activity under consideration.

WAPA has stated that vehicle access (except on existing access and maintenance roads), dumping, stockpiling, or burying of any material, mixing of pesticides, herbicides, or other potentially toxic chemicals, and open petroleum products will be prohibited at all times within 100 feet of a river, stream, or marsh, and their associated habitats. As part of this PCM, rip rap placement may occur within the 100 foot buffer as required for specific O&M activities, but will not be placed on the banks or in the channel of rivers, streams, or marshes. Another specific PCM is the incorporation of geographic seasonal work windows (discussed above and below) that will help serve to avoid exposing listed fish to program related activities.

All of the activities, categories, SOPs, PCMs and listed species that have been proposed and considered have been described in sufficient detail in the EAs, BA the BDR and the aforementioned communications between WAPA and NMFS. These associated materials allow for a comprehensive analysis to assess the potential of the inclusions of the San Joaquin Valley Program and the Sacramento Valley into the North Area ROW O&M to cause adverse effects to listed species and their habitats.

Endangered Species Act (ESA) Section 7 Consultation

NMFS has received the information necessary to initiate consultation on federally listed anadromous fish species and their designated critical habitat within the action area. Based on our review of the material provided and the best scientific and commercial information currently available, NMFS has determined that including the San Joaquin Valley Program and the Sacramento Valley Program in the North Area ROW O&M may affect, but is not likely to adversely affect, endangered Sacramento River winter-run Chinook salmon, threatened Central Valley spring-run Chinook Salmon, threatened Central Valley steelhead, and the threatened Southern DPS of North American green sturgeon, or any of their respective designated critical habitats. This concurrence is based on WAPA implementing all of the PCMs and SOPs in order to avoid or minimize adverse effects to fish and fish habitat as identified in the August 2005 EA for the Sacramento Valley, the October 2010 EA for the San Joaquin Valley, the BA for the North Area Right-of-Way Maintenance Program, the San Joaquin BDR, and the communications received from WAPA on July 19, August 9 and September 1, 2011.

O&M activities may impact listed species due to changes in water quality or alteration of existing conditions. Specifically, listed species may be affected by unnaturally high levels of turbidity, loss of shading and associated temperature increases, changes to the predator density and/or prey availability, impaired access to or loss of spawning and rearing habitat, and exposure to hazardous substances. Fish habitats are susceptible to erosion and compaction from heavy machinery. Removal of vegetation in uplands and access road maintenance activities can increase surface runoff, causing turbidity and sedimentation into fish habitats.

The potential for adverse effects to occur has been reduced to an insignificant or discountable level based on the following reasons:

- (1) Equipment will be stored, fueled, and maintained in a vehicle staging area at least 300 feet or the maximum distance possible, whichever is greater, from any seep, spring, pond,

lake, river, stream, marsh, or their associated habitats. Vehicles will be inspected daily for fluid leaks before leaving the staging area.

- (2) For vegetation management or maintenance within 100 feet of any seep, spring, pond, lake, river, stream, or marsh, or any of their associated habitats, only manual-clearing of vegetation will be permitted and foliar application of herbicides will be prohibited. Above the 100 meter buffer, only cut-stump treatments of target vegetation will be allowed using herbicide approved for aquatic use by the EPA and in coordination with the appropriate Federal land manager. In addition, WAPA will observe an additional no-use buffer for the ground application of any of the chemicals named in the salmon injunction that is in effect at the time of its application.
- (3) For ground-disturbing activities, a 100-foot buffer zone will be maintained from the edge of the seep, spring, pond, lake, river, stream, marsh, or their associated habitats for protection from siltation and runoff of contaminants by use of erosion-control measures.
- (4) Trees will not be felled into anadromous streams in a way that will obstruct or impair the flow of water, unless authorized by NMFS. Tree removal that could cause stream bank erosion or result in increased water temperatures will not be conducted. Tree removal in riparian or wetland areas will be done only by manual methods.
- (5) In-stream work will only be performed in intermittent streams. Listed species will not be present in in-stream work areas because intermittent streams at the flow level under which work will be allowed do not support listed species. These streams will not connect to anadromous waterways and thus activities in these streams will not affect listed species at any time.
- (6) WAPA will adhere to seasonal work windows. The seasonal work windows for the Delta, Mainstem Sacramento River (North and South), Butte, Mill, Deer, Battle Creek, and the North State Tributary Area are discussed on page 4 above. For all other areas, the work window for near stream work will be June 1 through September 1 for all activity categories proposed within listed fish habitat, including critical habitat, unless otherwise authorized by NMFS. When considering whether to authorize work outside of the work window, NMFS will consider, among other things, whether listed species are present in the work area. This measure would avoid near stream work during the periods when steelhead and salmon are most likely to be migrating and spawning. Rearing juvenile salmonids may be present in the action area year around but with the use of SOPs and PCMs they should avoid any adverse effects from nearby maintenance activities. Green sturgeon may occur within the action area during the stated construction season, since juveniles, sub-adults, and adults utilize the waters of the various geographic locations described above year-round. Their presence in the waterways is unpredictable. Even if green sturgeon are present, the effect on green sturgeon will be insignificant because water temperatures are expected to be higher during the work window, thus causing green sturgeon to seek greater depths for cooler water. Since no work will affect depths that might be occupied by green sturgeon during this period (per email sent to NMFS August 9, 2011), these fish will avoid any adverse effects from nearby maintenance work.

- (7) WAPA will initiate consultation again whenever in-stream work (including the use of cofferdams or temporary berms) must be performed in areas in which NMFS listed species and/or critical habitat may occur and sufficient flow exists to support listed species.
- (8) SOPs and species and habitat specific PCMs have been developed and incorporated for the express purpose of avoiding adverse effects to listed species throughout the action area.
- (9) SOPs and PCMs, along with environmental laws and regulations and applicable agency requirements, would be included in an annual training program for WAPA's O&M personnel so that they would fully understand species and critical habitat that could possibly be affected.
- (10) Over time, a low-growth vegetated ROW would be established and maintained, thereby reducing the frequency of O&M activities required and allowing for non-disrupted streams and riparian habitats.
- (11) WAPA has developed a GIS database accessible on laptop computers that maps and catalogues sensitive biological resources span by span throughout the action area and cross references the appropriate PCM that must be followed for the type of activity proposed (i.e., category A, B or C) with the type of species and/or habitat that may be present so that WAPA personnel and subcontractors will now at a glance exactly what PCMs need to be implemented in every location where work is proposed.
- (12) All covered Program activities, including the installation of new facilities such as cell towers and fiber optic cable (i.e., category C activities), will take place within existing ROWs and any larger actions will trigger the necessity to consult on a case by case basis.

In addition, section 7(a)(1) of the ESA directs Federal agencies to utilize their authorities to further the purposes of the ESA by carrying out conservation programs for the conservation of threatened and endangered species. Conservation recommendations are the suggestions of NMFS regarding discretionary measures to minimize or avoid adverse effects of a proposed action on listed species or critical habitat, or to develop information. In order to fulfill the requirement of section 7(a)(1), NMFS recommends that WAPA purchase credits from an anadromous fish conservation bank to further conservation of the species.

This concludes informal consultation for the proposed inclusion of the San Joaquin Valley Program and the Sacramento Valley Program into the North Area ROW O&M. Re-initiation of the consultation is required where discretionary Federal agency involvement or control over the proposed project has been retained (or is authorized by law), and if: (1) new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not previously considered; (2) the identified action is subsequently modified in a manner that

causes an effect to listed species or critical habitat that was not previously considered; or (3) a new species is listed or critical habitat designated that may be affected by the identified action.

Essential Fish Habitat (EFH) Consultation

With regard to EFH consultation, the action area has been identified as EFH for Chinook salmon in Amendment 14 of the Pacific Salmon Fishery Management Plan pursuant to the MSA. Federal action agencies are mandated by the MSA (section 305(b)(2)) to consult with NMFS on all actions that may adversely affect EFH and NMFS must provide EFH conservation recommendations to those agencies (section 305(b)(4)(A)). Because the proposed project has incorporated specific measures (described above) to avoid adverse effects to the habitat that supports Chinook salmon, NMFS concurs with WAPA that the proposed project will not adversely affect EFH. As a result, additional EFH conservation recommendations are not being provided at this time. However, if there are substantial revisions to the proposed project that may adversely affect EFH, the lead Federal agency will need to re-initiate EFH consultation.

Fish and Wildlife Coordination Act (FWCA) Consultation

The purpose of the FWCA is to ensure that wildlife conservation receives equal consideration, and is coordinated with other aspects of water resources development (16 U.S.C. § 661). The FWCA establishes a consultation requirement for Federal departments and agencies that undertake any action that proposes to modify any stream or other body of water for any purpose, including navigation and drainage (16 § U.S.C. 662(a)). Consistent with this consultation requirement, NMFS provides recommendations and comments to Federal action agencies for the purpose of conserving fish and wildlife resources. The FWCA provides the opportunity to offer recommendations for the conservation of species and habitats beyond those currently managed under the ESA and MSA. Because the proposed project is designed to avoid environmental impacts to aquatic habitat within the action area, NMFS has no addition FWCA comments to provide.

Please contact Sierra Franks at (916) 930-3720, or via e-mail at Sierra.Franks@noaa.gov, if you have any questions or require additional information concerning this project.

Sincerely,


Rodney R. McInnis
Regional Administrator

cc: Copy to File ARN # 151422SWR2011SA00092
NMFS-PRD, Long Beach, CA

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Appendix C

BLM Correspondence

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Department of Energy
Western Area Power Administration
Sierra Nevada Customer Service Region
114 Parkshore Drive
Folsom, California 95630-4710

SEP 22 2009

Mr. William Haigh
Field Manager
Bureau of Land Management
Mother Lode Field Office
5152 Hillside Circle
El Dorado Hills, CA 95762

Dear Mr. Haigh:

The Western Area Power Administration (Western) an agency of the Department of Energy, markets and delivers reliable, cost-based, hydroelectric power and related services within a 15-state service area of the central and western United States. The Sierra Nevada Region (SNR) makes up one of four customer service regions of Western. SNR is responsible for the operation and maintenance (O&M) of Federal transmission facilities within a geographic service territory that includes northern California and a portion of Nevada. In order to effectively operate and maintain the facilities, Western must comply with various directives, regulations, and orders, including the National Electric Safety Code and Western States Coordinating Council, which ensure protection of human safety and reliability of the transmission system.

Western proposes to update the O&M procedures, and currently has one completed Environmental Assessment (EA) and another that is nearing completion. These EAs fulfill the various environmental documentation requirements for routine O&M activities which allow Western to conduct necessary routine activities in an efficient manner, rather than reacting to O&M activities with a time-consuming, project-by-project approach. However, these two EAs are only applicable to O&M actions within roughly two-thirds of SNR's service area. Western is seeking to produce a third EA that would cover O&M activities for the remaining facilities within SNR. The proposed Project, for the purposes of this document, will be referred to as the San Joaquin Valley Right-of-Way (ROW) Maintenance EA Project (Project).

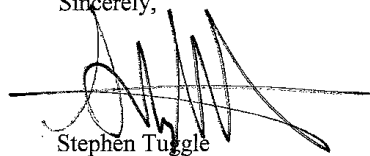
The Project area includes the majority of Western's transmission lines, legal access road ROWs, and facilities within the counties of San Joaquin, Contra Costa, Alameda, Calaveras, Tuolumne and Santa Clara (enclosure 1). Each ROW may contain either single-circuit (one set of conductors on one set of towers) or double-circuit (two sets of conductors on one set of towers) transmission lines. Much of Western's infrastructure is not accessible by paved road; therefore, Western has legally established access roads that allow personnel to drive to facilities and various locations along the transmission lines. Western's documented legal access roads are generally dirt or gravel, and require occasional maintenance.

Our teams of biologists and archaeologists are conducting biological and cultural resource surveys within the Project area to collect comprehensive environmental baseline data. All biological and cultural data is logged using Geographic Positioning System technology and other mapping media.

Western's ROW in the San Joaquin Valley overlaps a portion of the Bureau of Land Management's land (enclosure 2). Western would like to extend an invitation for you to attend an inter-agency meeting where you can hear about the Project, ask questions, and discuss the data collected and our approach for preparation of the EA. Other topics to discuss at the meeting include the proposed EA schedule, purpose and need, opportunities for agencies to be involved in the EA process with Western, ROW access, and field survey coordination. Also included in the meeting will be a presentation of Western's Geographic Information System data resources shown within the Project area, which will characterize the baseline conditions along the ROW. The meeting is scheduled to be held on October 8, 2009, at 11 a.m. at Western's regional office in Folsom, California.

Western appreciates your cooperation with our office. We look forward to collaborating with you and other agencies on the Project. Please contact Mr. Ricardo Velarde, Environmental Protection Specialist, by no later than October 2, 2009, at (916) 353-4565 or at velarde@wapa.gov to confirm meeting attendance or for additional information.

Sincerely,



Stephen Tuggle
Natural Resources Manager

2 Enclosures

FEB 18 2010

Mr. William Haigh
Field Manager
Bureau of Land Management
Mother Lode Field Office
5152 Hillside Circle
El Dorado Hills, CA 95762

Dear Mr. Haigh:

In September 2009, you received a letter from Western Area Power Administration (Western) (enclosure 1) introducing Western's proposal to update its current operation and maintenance (O&M) procedures within their facilities, transmission line rights-of-way (ROW) and associated access roads in the San Joaquin Valley. A workshop was held at Western's Folsom office on October 8, 2009, where the proposal was further discussed. Although no one from your agency was present, representatives from California State Parks and the U.S. Bureau of Reclamation attended the workshop.

Since that workshop, biologists and archaeologists have completed field surveys within the Project area. The data was logged using Global Positioning System technology and organized into comprehensive baseline data for a Preliminary Draft Environmental Assessment (EA). This EA is similar to two EAs that Western previously prepared for its O&M activities in the North Area and the Sacramento Valley.

Western would like to extend an invitation for you to continue participating with this Project. There are several options for participating. Enclosed is the Preliminary Draft EA (enclosure 2). After reviewing it, you may provide informal comments or ask questions by February 26, 2010. We anticipate the formal 30-day comment period for the EA will begin in March or April. As an interested party, you will receive notice of the comment period along with a copy of the EA; you will have the opportunity to provide comments formally during this period. Also, we can deliver all biological and cultural data to you that we have collected from portions of the ROW that cross your lands.

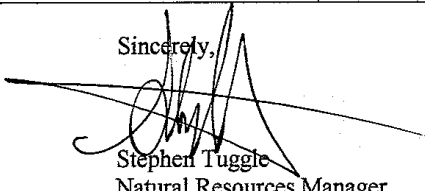
Another option for your participation in this action would be as a Cooperating Agency. A Cooperating Agency is any Federal, state, or local agency, or Indian Tribe, which has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative) for legislation or other major Federal action significantly affecting the quality of the human environment. The selection and responsibilities of a Cooperating Agency are described in 40 CFR Part 1501.6. Should you request this option, we would develop a Memorandum of Understanding (MOU) describing the environmental compliance roles and responsibilities for the proposed Project by and between Western and your agency. As a Cooperating Agency, some of your responsibilities would include the following:

- Provide any and all background information, technical reports, or existing supporting data that may be pertinent to the Project and EA development.
- Make staff available for support.
- Participate in all communications regarding the National Environmental Policy Act (NEPA) process for the proposed Project, including, but not limited to, conference calls, meetings, and emails. When appropriate, send a representative(s) to attend Project-related meetings.
- Provide review and written comments on NEPA-related documents, including public notices for which review and comments are requested by Western.
- Provide review and written comments on the administrative draft versions of the Draft and Final EA and major biological and cultural reports within the agreed upon review time for meeting the overall Project schedule requirements.
- Identify additional compliance reporting actually needed for this proposed Project. Provide direction, review, and comment on the preparation of these reports.
- Adopt the EA and issue a Finding of No Significant Impact to support decisions relative to your agency.

To discuss your options for participation, which are summarized below, please contact Mr. Ricardo Velarde at (916) 353-4565 or at velarde@wapa.com. If you do not respond, the next communication you will receive about this Project will be a notice of the 30-day comment period. Western will mail you a copy of the EA with instructions about how to comment on it.

Options for Participation	Request Participation (check those applicable)
1. We have reviewed the Preliminary Draft EA and will provide informal comments to you by February 26, 2010.	
1. We have reviewed the Preliminary Draft EA and do not have any comments on it at this time.	
2. As an Interested Party we will plan to review the EA during the 30-day comment period and we may provide comments at that time.	
3. We would like to receive all cultural and biological data that you gathered on our properties.	
4. We would like to be a Cooperating Agency for this action. I will contact you by February 26, 2010, to initiate development of a MOU between our agencies.	

Sincerely,


Stephen Tuggle
Natural Resources Manager

2 enclosures



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE
Sacramento Area Office
650 Capitol Mall, Suite 8-300
Sacramento, California 95814-4706

JUL 30 2010

Mr. Stephen Tuggle
Natural Resources Manager
Western Area Power Administration
114 Parkshore Drive
Folsom, California 95630-4710

Dear Mr. Tuggle:

This letter is in response to your April 28, 2010, letter requesting to have Western Area Power Administration's (WAPA) San Joaquin Valley Right-of-Way (ROW) Maintenance Program (San Joaquin Valley Project) and the Sacramento Valley ROW Maintenance Program (Sac Valley Project) added to the North Area ROW Operation and Maintenance Program (NAROW Project) section 7 consultation. NOAA's National Marine Fisheries Service (NMFS) cannot comply with WAPA's request to add these different programs (projects) to the section 7 consultation that Douglas Hampton has recently completed concerning the NAROW Project. The April 28, 2010, letter points out that "Western is currently working on an environmental assessment (EA) for the San Joaquin Valley Project". NMFS cannot begin section 7 consultation without all relevant documents, and the EA is one of the requisite documents for consultation.

In order to initiate section 7 consultation under the Endangered Species Act (ESA), the following six critical information needs must be submitted to NMFS by the action agency (or their non-Federal designee):

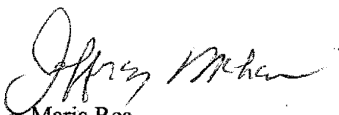
- 1) A description of the action being covered.
- 2) A description of the specific area that may be affected by the action.
- 3) A description of any listed species or critical habitat that may be affected by the action.
- 4) A description of the manner in which the action may affect any listed species or critical habitat, and an analysis of any direct, indirect, or cumulative effects.
 - Direct Effects: Effects to listed species or designated critical habitat that occur during implementation of the project.
 - Indirect Effects: Effects to listed species that occur later in time or offsite, but are reasonably certain to occur.



- Cumulative Effects: For purposes of the ESA, cumulative effects are defined as the effects of future State or private activities, not involving Federal activities, that are reasonably certain to occur within an action area of the Federal action subject to consultation (50 CFR 402.02). Future Federal actions are not included here because they require separate consultation pursuant to section 7 of the ESA.
- 5) Relevant reports, including any environmental impact statements, environmental assessments, biological assessments or other analysis prepared on the proposal.
 - 6) Any other relevant studies or other information available on the action, the affected listed species, or critical habitat.

Initiation of consultation under section 7 of the ESA will begin after we have received all of the information listed above. Please contact Steve Hillyer at (916) 930-3627, or via e-mail at Stephen.Hillyer@noaa.gov if you have any questions regarding this letter.

Sincerely,


Maria Rea
Central Valley Office Supervisor

cc: Administration Record: SWR2008SA00177
NMFS-PRD – Long Beach, Ca.

Appendix D

BOR Correspondence

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Department of Energy
Western Area Power Administration
Sierra Nevada Customer Service Region
114 Parkshore Drive
Folsom, California 95630-4710

SEP 22 2009

Mr. Michael R. Finnegan
Area Manager
Central California Area Office
Bureau of Reclamation
7794 Folsom Dam Road
Folsom, CA 95630-1799

Dear Mr. Finnegan:

The Western Area Power Administration (Western) an agency of the Department of Energy, markets and delivers reliable, cost-based, hydroelectric power, and related services within a 15-state service area of the central and western United States. The Sierra Nevada Region (SNR) makes up one of four customer service regions of Western. SNR is responsible for the operation and maintenance (O&M) of Federal transmission facilities within a geographic service territory that includes northern California and a portion of Nevada. In order to effectively operate and maintain the facilities, Western must comply with various directives, regulations, and orders, including the National Electric Safety Code and Western States Coordinating Council, which ensure protection of human safety and reliability of the transmission system.

Western proposes to update the O&M procedures, and currently has one completed Environmental Assessment (EA) and another that is nearing completion. These EAs fulfill the various environmental documentation requirements for routine O&M activities which allow Western to conduct necessary routine activities in an efficient manner, rather than reacting to O&M activities with a time-consuming, project-by-project approach. However, these two EAs are only applicable to O&M actions within roughly two-thirds of SNR's service area. Western is seeking to produce a third EA that would cover O&M activities for the remaining facilities within SNR. The proposed Project, for the purposes of this document, will be referred to as the San Joaquin Valley Right-of-Way (ROW) Maintenance EA Project (Project).

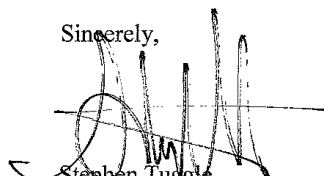
The Project area includes the majority of Western's transmission lines, legal access road ROWs, and facilities within the counties of San Joaquin, Contra Costa, Alameda, Calaveras, Tuolumne and Santa Clara (enclosure 1). Each ROW may contain either single-circuit (one set of conductors on one set of towers) or double-circuit (two sets of conductors on one set of towers) transmission lines. Much of Western's infrastructure is not accessible by paved road; therefore, Western has legally established access roads that allow personnel to drive to facilities and various locations along the transmission lines. Western's documented legal access roads are generally dirt or gravel, and require occasional maintenance.

Our teams of biologists and archaeologists are conducting biological and cultural resource surveys within the Project area to collect comprehensive environmental baseline data. All biological and cultural data is logged using Geographic Positioning System technology and other mapping media.

Western's ROW in the San Joaquin Valley overlaps a portion of the Bureau of Reclamation's land (enclosure 2). Western would like to extend an invitation for you to attend an inter-agency meeting where you can hear about the Project, ask questions, and discuss the data collected and our approach for preparation of the EA. Other topics to discuss at the meeting include the proposed EA schedule, purpose and need, opportunities for agencies to be involved in the EA process with Western, ROW access, and field survey coordination. Also included in the meeting will be a presentation of Western's Geographic Information System data resources shown within the Project area, which will characterize the baseline conditions along the ROW. The meeting is scheduled to be held on October 8, 2009, at 11 a.m. at Western's regional office in Folsom, California.

Western appreciates your cooperation with our office. We look forward to collaborating with you and other agencies on the Project. Please contact Mr. Ricardo Velarde, Environmental Protection Specialist, by no later than October 2, 2009, at (916) 353-4565 or at velarde@wapa.gov to confirm meeting attendance or for additional information.

Sincerely,



Stephen Tuggle
Natural Resources Manager

2 Enclosures

FEB 18 2010

Mr. Michael Jackson
Area Manager
Bureau of Reclamation
South-Central California Area Office
1243 N Street
Fresno, CA 93721-1813

Dear Mr. Jackson:

In November 2009, you received a letter from Western Area Power Administration (Western) (enclosure 1) introducing Western's proposal to update its current operation and maintenance (O&M) procedures within their facilities, transmission line rights-of-way (ROW) and associated access roads in the San Joaquin Valley. A workshop was held at Western's Folsom office on October 8, 2009, where the proposal was further discussed. Melissa Vignau, Mary Ellingsworth, Dan Holsapple and Brandee Bruce from the Bureau of Reclamation attended the workshop, along with a representative from California State Parks.

Since that workshop, biologists and archaeologists have completed field surveys within the Project area. The data was logged using Global Positioning System technology and organized into comprehensive baseline data for a Preliminary Draft Environmental Assessment (EA). This EA is similar to two EAs that Western previously prepared for its O&M activities in the North Area and the Sacramento Valley.

Western would like to extend an invitation for you to continue participating with this Project. There are several options for participating. Enclosed is the Preliminary Draft EA (enclosure 2). After reviewing it, you may provide informal comments or ask questions by February 26, 2010. We anticipate the formal 30-day comment period for the EA will begin in March or April. As an interested party, you will receive notice of the comment period along with a copy of the EA; you will have the opportunity to provide comments formally during this period. Also, we can deliver all biological and cultural data to you that we have collected from portions of the ROW that cross your lands.

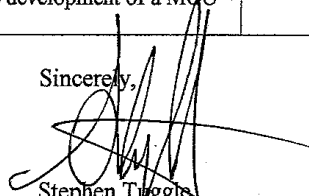
Another option for your participation in this action would be as a Cooperating Agency. A Cooperating Agency is any Federal, state, or local agency, or Indian Tribe, which has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative) for legislation or other major Federal action significantly affecting the quality of the human environment. The selection and responsibilities of a Cooperating Agency are described in 40 CFR Part 1501.6. Should you request this option, we would develop a Memorandum of Understanding (MOU) describing the environmental compliance roles and responsibilities for the proposed Project by and between Western and your agency. As a Cooperating Agency, some of your responsibilities would include the following:

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To discuss your options for participation, which are summarized below, please contact Mr. Ricardo Velarde at (916) 353-4565 or at velarde@wapa.com. If you do not respond, the next communication you will receive about this Project will be a notice of the 30-day comment period. Western will mail you a copy of the EA with instructions about how to comment on it.

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Sincerely,



Stephen Tuggle
Natural Resources Manager

2 enclosures

FEB 18 2010

Mr. Michael R. Finnegan
Area Manager
Bureau of Reclamation
Central California Area Office
7794 Folsom Dam Road
Folsom CA 95630-1799

Dear Mr. Finnegan:

In September 2009, you received a letter from Western Area Power Administration (Western) (enclosure 1) introducing Western's proposal to update its current operation and maintenance (O&M) procedures within their facilities, transmission line rights-of-way (ROW) and associated access roads in the San Joaquin Valley. A workshop was held at Western's Folsom office on October 8, 2009, where the proposal was further discussed. Melissa Vignau, Mary Ellingsworth, Dan Holsapple and Brandee Bruce from the Bureau of Reclamation attended the workshop, along with a representative from California State Parks.

Since that workshop, biologists and archaeologists have completed field surveys within the Project area. The data was logged using Global Positioning System technology and organized into comprehensive baseline data for a Preliminary Draft Environmental Assessment (EA). This EA is similar to two EAs that Western previously prepared for its O&M activities in the North Area and the Sacramento Valley.

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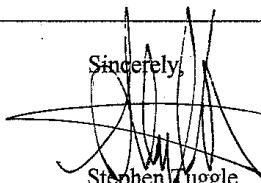
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- Adopt the EA and issue a Finding of No Significant Impact to support decisions relative to your agency.

To discuss your options for participation, which are summarized below, please contact Mr. Ricardo Velarde at (916) 353-4565 or at velarde@wapa.com. If you do not respond, the next communication you will receive about this Project will be a notice of the 30-day comment period. Western will mail you a copy of the EA with instructions about how to comment on it.

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4. We would like to be a Cooperating Agency for this action. I will contact you by February 26, 2010, to initiate development of a MOU between our agencies.	

Sincerely,



Stephen Tuggle
Natural Resources Manager

2 enclosures



IN REPLY REFER TO:

CC-418
ENV-6.00

United States Department of the Interior

BUREAU OF RECLAMATION

Central California Area Office
7794 Folsom Dam Road
Folsom, California 95630-1799

MAR 17 2010

Mr. Stephen Tuggle
Western Area Power Administration
114 Parkshore Drive
Folsom, California 95630

Subject: San Joaquin Valley Right-of-Way Maintenance Environmental Assessment

Dear Mr. Tuggle:

Thank you for your letter dated February 18, 2010. In the letter Western Area Power Administration (WAPA) extended an invitation to the Bureau of Reclamation to continue to participate in the review of the San Joaquin Valley Right-of-Way Maintenance Environmental Assessment (EA) as a continued 'interested party' or a cooperating agency.

Reclamation would like to continue to be considered as an 'interested party' during the environmental process. As an interested party, we look forward to receiving the notice of the comment period along with a copy of the EA. Reclamation appreciates the opportunity to provide comments formally during that time and additionally, receiving all biological and cultural data that the WAPA has collected from portions of the Right-of-Way that cross Reclamation lands.

If you have any questions or concerns please contact Melissa Vignau at 916-989-7182 or mbrockman@usbr.gov. Reclamation looks forward to working with you during this review process.

Sincerely,

Michael R. Finnegan
Area Manager

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Appendix E

State Agency Correspondence

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Department of Energy
Western Area Power Administration
Sierra Nevada Customer Service Region
114 Parkshore Drive
Folsom, California 95630-4710

SEP 22 2009

Mr. Chuck Armor
Regional Manager
Bay Delta Region
Department of Fish and Game
7329 Silverado Trail
Napa, CA 94558

Dear Mr. Armor:

The Western Area Power Administration (Western) an agency of the Department of Energy, markets and delivers reliable, cost-based, hydroelectric power, and related services within a 15-state service area of the central and western United States. The Sierra Nevada Region (SNR) makes up one of four customer service regions of Western. SNR is responsible for the operation and maintenance (O&M) of Federal transmission facilities within a geographic service territory that includes Northern California and a portion of Nevada. In order to effectively operate and maintain the facilities, Western must comply with various directives, regulations, and orders, including the National Electric Safety Code and Western States Coordinating Council, which ensure protection of human safety and reliability of the transmission system.

Western proposes to update the O&M procedures, and currently has one completed Environmental Assessment (EA) and another that is nearing completion. These EAs fulfill the various environmental documentation requirements for routine O&M activities which allow Western to conduct necessary routine activities in an efficient manner, rather than reacting to O&M activities with a time-consuming, project-by-project approach. However, these two EAs are only applicable to O&M actions within roughly two-thirds of SNR's service area. Western is seeking to produce a third EA that would cover O&M activities for the remaining facilities within SNR. The proposed Project, for the purposes of this document, will be referred to as the San Joaquin Valley Right-of-Way (ROW) Maintenance EA Project (Project).

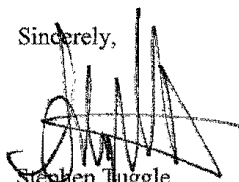
The Project area includes the majority of Western's transmission lines, legal access road ROWs, and facilities within the counties of San Joaquin, Contra Costa, Alameda, Calaveras, Tuolumne and Santa Clara (enclosure 1). Each ROW may contain either single-circuit (one set of conductors on one set of towers) or double-circuit (two sets of conductors on one set of towers) transmission lines. Much of Western's infrastructure is not accessible by paved road; therefore, Western has legally established access roads that allow personnel to drive to facilities and various locations along the transmission lines. Western's documented legal access roads are generally dirt or gravel, and require occasional maintenance.

Our teams of biologists and archaeologists are conducting biological and cultural resource surveys within the Project area to collect comprehensive environmental baseline data. All biological and cultural data is logged using Geographic Positioning System technology and other mapping media.

Western's ROW in the San Joaquin Valley overlaps a portion of the Department of Fish and Game's land (enclosure 2). Western would like to extend an invitation for you to attend an inter-agency meeting where you can hear about the Project, ask questions, and discuss the data collected and our approach for preparation of the EA. Other topics to discuss at the meeting include the proposed EA schedule, purpose and need, opportunities for agencies to be involved in the EA process with Western, ROW access, and field survey coordination. A presentation of Western's Geographic Information System data resources shown within the Project area, which characterize the baseline conditions along the ROW will also be included in the discussion. The meeting is scheduled to be held on October 8, 2009, at 11 a.m. at Western's regional office in Folsom, California.

Western appreciates your cooperation with our office. We look forward to collaborating with you and other agencies on the Project. Please contact Mr. Ricardo Velarde, Environmental Protection Specialist, by no later than October 2, 2009, at (916) 353-4565 or at velarde@wapa.gov to confirm meeting attendance or for additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'Stephen Huggle', written over a series of horizontal lines.

Stephen Huggle
Natural Resources Manager

2 Enclosures



Department of Energy
Western Area Power Administration
Sierra Nevada Customer Service Region
114 Parkshore Drive
Folsom, California 95630-4710

SEP 22 2009

Mr. Dan Ray
Chief of Planning
California State Parks
Resources Management Division
P.O. Box 942896
Sacramento, CA 94296-0001

Dear Mr. Ray:

The Western Area Power Administration (Western) an agency of the Department of Energy, markets and delivers reliable, cost-based, hydroelectric power, and related services within a 15-state service area of the central and western United States. The Sierra Nevada Region (SNR) makes up one of four customer service regions of Western. SNR is responsible for the operation and maintenance (O&M) of Federal transmission facilities within a geographic service territory that includes northern California and a portion of Nevada. In order to effectively operate and maintain the facilities, Western must comply with various directives, regulations, and orders, including the National Electric Safety Code and Western States Coordinating Council, which ensure protection of human safety and reliability of the transmission system.

Western proposes to update the O&M procedures, and currently has one completed Environmental Assessment (EA) and another that is nearing completion. These EAs fulfill the various environmental documentation requirements for routine O&M activities which allow Western to conduct necessary routine activities in an efficient manner, rather than reacting to O&M activities with a time-consuming, project-by-project approach. However, these two EAs are only applicable to O&M actions within roughly two-thirds of SNR's service area. Western is seeking to produce a third EA that would cover O&M activities for the remaining facilities within SNR. The proposed Project, for the purposes of this document, will be referred to as the San Joaquin Valley Right-of-Way (ROW) Maintenance EA Project (Project).

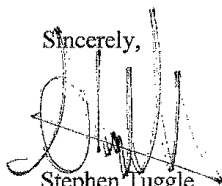
The Project area includes the majority of Western's transmission lines, legal access road ROWs, and facilities within the counties of San Joaquin, Contra Costa, Alameda, Calaveras, Tuolumne and Santa Clara (enclosure 1). Each ROW may contain either single-circuit (one set of conductors on one set of towers) or double-circuit (two sets of conductors on one set of towers) transmission lines. Much of Western's infrastructure is not accessible by paved road; therefore, Western has legally established access roads that allow personnel to drive to facilities and various locations along the transmission lines. Western's documented legal access roads are generally dirt or gravel, and require occasional maintenance.

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Western appreciates your cooperation with our office. We look forward to collaborating with you and other agencies on the Project. Please contact Mr. Ricardo Velarde, Environmental Protection Specialist, by no later than October 2, 2009, at (916) 353-4565 or at velarde@wapa.gov to confirm meeting attendance or for additional information.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen Tuggle", written over a horizontal line.

Stephen Tuggle
Natural Resources Manager

2 Enclosures

FEB 18 2010

Mr. Chuck Armor
Regional Manager
Bay Delta Region
Department of Fish and Game
7329 Silverado Trail
Napa, CA 94558

Dear Mr. Armor:

In September 2009, you received a letter from Western Area Power Administration (Western) (enclosure 1) introducing Western's proposal to update its current operation and maintenance (O&M) procedures within their facilities, transmission line rights-of-way (ROW) and associated access roads in the San Joaquin Valley. A workshop was held at Western's Folsom office on October 8, 2009, where the proposal was further discussed. Although no one from your agency was present, representatives from California State Parks and the U.S. Bureau of Reclamation attended the workshop.

Since that workshop, biologists and archaeologists have completed field surveys within the Project area. The data was logged using Global Positioning System technology and organized into comprehensive baseline data for a Preliminary Draft Environmental Assessment (EA). This EA is similar to two EAs that Western previously prepared for its O&M activities in the North Area and the Sacramento Valley.

Western would like to extend an invitation for you to continue participating with this Project. There are several options for participating. Enclosed is the Preliminary Draft EA (enclosure 2). After reviewing it, you may provide informal comments or ask questions by February 26, 2010. We anticipate the formal 30-day comment period for the EA will begin in March or April. As an interested party, you will receive notice of the comment period along with a copy of the EA; you will have the opportunity to provide comments formally during this period. Also, we can deliver all biological and cultural data to you that we have collected from portions of the ROW that cross your lands.

Another option for your participation in this action would be as a Cooperating Agency. A Cooperating Agency is any Federal, state, or local agency, or Indian Tribe, which has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative) for legislation or other major Federal action significantly affecting the quality of the human environment. The selection and responsibilities of a Cooperating Agency are described in 40 CFR Part 1501.6. Should you request this option, we would develop a Memorandum of Understanding (MOU) describing the environmental compliance roles and responsibilities for the proposed Project by and between Western and your agency. As a Cooperating Agency, some of your responsibilities would include the following:

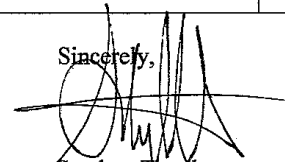
As a Cooperating Agency, some of your responsibilities would include the following:

- Provide any and all background information, technical reports, or existing supporting data that may be pertinent to the Project and EA development.
- Participate in all communications regarding the National Environmental Preservation Act (NEPA) process for the proposed Project, including, but not limited to, conference calls, meetings, and emails. When appropriate, send a representative(s) to attend Project-related meetings.
- Provide review and written comments on NEPA-related documents, including public notices for which review and comments are requested by Western.
- Provide review and written comments on the administrative draft versions of the Draft and Final EA and major biological and cultural reports within the agreed upon review time for meeting the overall Project schedule requirements.
- Identify additional compliance reporting actually needed for this proposed Project. Provide direction, review, and comment on the preparation of these reports.
- Adopt the EA to support decisions relative to your agency.

To discuss your options for participation, which are summarized below, please contact Mr. Ricardo Velarde at (916) 353-4565 or at velarde@wapa.com. If you do not respond, the next communication you will receive about this Project will be a notice of the 30-day comment period. The State Clearing House will mail you a copy of the EA with instructions about how to comment on it.

Options for Participation	Request Participation (check those applicable)
1. We have reviewed the Preliminary Draft EA and will provide informal comments to you by February 20, 2010.	
1. We have reviewed the Preliminary Draft EA and do not have any comments on it at this time.	
2. As an Interested Party we will plan to review the EA during the 30-day comment period and we may provide comments at that time.	
3. We would like to receive all cultural and biological data that you gathered on our properties.	
4. We would like to be a Cooperating Agency for this action. I will contact you by February 20, 2010, to initiate development of a MOU between our agencies.	

Sincerely,



Stephen Tuggle
Natural Resources Manager

2 enclosures

FEB 18 2010

Mr. Dan Ray
Chief of Planning
California State Parks
Resources Management Division
P.O. Box 942896
Sacramento, CA 94296-0001

Dear Mr. Ray:

In September 2009, you received a letter from Western Area Power Administration (Western) (enclosure 1) introducing Western's proposal to update its current operation and maintenance (O&M) procedures within their facilities, transmission line rights-of-way (ROW) and associated access roads in the San Joaquin Valley. A workshop was held at Western's Folsom office on October 8, 2009, where the proposal was further discussed. Bill Lutton from California State Parks and representatives from the U.S. Bureau of Reclamation attended the workshop.

Since that workshop, biologists and archaeologists have completed field surveys within the Project area. The data was logged using Global Positioning System technology and organized into comprehensive baseline data for a Preliminary Draft Environmental Assessment (EA). This EA is similar to two EAs that Western previously prepared for its O&M activities in the North Area and the Sacramento Valley.

Western would like to extend an invitation for you to continue participating with this Project. There are several options for participating. Enclosed is the Preliminary Draft EA (enclosure 2). After reviewing it, you may provide informal comments or ask questions by February 26, 2010. We anticipate the formal 30-day comment period for the EA will begin in March or April. As an interested party, you will receive notice of the comment period along with a copy of the EA; you will have the opportunity to provide comments formally during this period. Also, we can deliver all biological and cultural data to you that we have collected from portions of the ROW that cross your lands.

Another option for your participation in this action would be as a Cooperating Agency. A Cooperating Agency is any Federal, state, or local agency, or Indian Tribe, which has jurisdiction by law or special expertise with respect to any environmental impact involved in a proposal (or a reasonable alternative) for legislation or other major Federal action significantly affecting the quality of the human environment. The selection and responsibilities of a Cooperating Agency are described in 40 CFR Part 1501.6. Should you request this option, we would develop a Memorandum of Understanding (MOU) describing the environmental compliance roles and responsibilities for the proposed Project by and between Western and your agency.

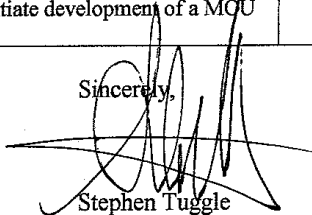
As a Cooperating Agency, some of your responsibilities would include the following:

- Provide any and all background information, technical reports, or existing supporting data that may be pertinent to the Project and EA development.
- Make staff available for support.
- Participate in all communications regarding the National Environmental Policy Act (NEPA) process for the proposed Project, including, but not limited to, conference calls, meetings, and emails. When appropriate, send a representative(s) to attend Project-related meetings.
- Provide review and written comments on NEPA-related documents, including public notices for which review and comments are requested by Western.
- Provide review and written comments on the administrative draft versions of the Draft and Final EA and major biological and cultural reports within the agreed upon review time for meeting the overall Project schedule requirements.
- Identify additional compliance reporting actually needed for this proposed Project. Provide direction, review, and comment on the preparation of these reports.
- Adopt the EA and issue a Finding of No Significant Impact to support decisions relative to your agency.

To discuss your options for participation, which are summarized below, please contact Mr. Ricardo Velarde at (916) 353-4565 or at velarde@wapa.com. If you do not respond, the next communication you will receive about this Project will be a notice of the 30-day comment period. Western will mail you a copy of the EA with instructions about how to comment on it.

Options for Participation	Request Participation (check those applicable)
1. We have reviewed the Preliminary Draft EA and will provide informal comments to you by February 26, 2010.	
1. We have reviewed the Preliminary Draft EA and do not have any comments on it at this time.	
2. As an Interested Party we will plan to review the EA during the 30-day comment period and we may provide comments at that time.	
3. We would like to receive all cultural and biological data that you gathered on our properties.	
4. We would like to be a Cooperating Agency for this action. I will contact you by February 26, 2010, to initiate development of a MOU between our agencies.	

Sincerely,



Stephen Tuggle
Natural Resources Manager

2 enclosures



State of California • Natural Resources Agency

Arnold Schwarzenegger, Governor

DEPARTMENT OF PARKS AND RECREATION

Ruth Coleman, Director

Central Valley District
22078 Broadway
Columbia, CA 95310
(209) 536-5930/FAX (209) 536-2978

May 5, 2010

Mr. Ricardo Velarde
Western Power Administration
Sierra Nevada Customer Service Region
114 Parkshore Drive
Folsom, CA 95630-4710

Dear Mr. Ricardo Velarde

This letter constitutes the comments of the Central Valley District (CVD) for California State Parks (CA State Parks) on this Environmental Assessment. The comments will pertain to Bethany Reservoir State Recreation Area.

1. Vegetation Maintenance

- a. Topping and Trimming (Pg. 2-5): The method of vegetation maintenance of topping trees is a practice that does not take place in CA State Parks because it takes away from the visual appearance/aesthetics of the park. If a tree needs to be topped then the tree should be felled.
- b. Slash Disposal/Fuels Reduction (Pg. 2-6): While chipping may eliminate most but not all insects, chipping does not eliminate pathogens and indeed may serve to more thoroughly distribute the pathogen among the chips through contamination. Chipping also increases ground fuel which in turn can increase the chance of fire moving fairly quickly through these fuels. Due to the above statements it is preferred that the slash/chipping material be removed from the park.

2. Herbicide Control Methods

- a. (Pg. 2-6): According to the CA State Parks Pest Control Handbook herbicides that are to be used should follow four directives. These are: 1) the herbicide is target specific; 2) the herbicide does not persist in the environment; 3) the herbicide must not damage resources; and 4) the herbicide must be the least hazardous for humans. The last directive will also insure visitor, employee, and public safety. Due to the directives stated above the CVD would like to be informed of the herbicide that will be used and when the application will take place. As a department we

Mr. Ricardo Velarde
May 5, 2009
Page 2

would like to make sure the herbicide that will be used will not have a negative impact on any native species especially any sensitive, threatened, or endangered species. We would also like the MSDS for the herbicide(s) that will be used and for the MSDS to be updated annually.

3. Access Road Maintenance

- a. Clearing Culverts and Ditches (Pg. 2-9): Leaving the grass in the ditch creates a possible fire hazard and may adversely affect a scenic view. With this in mind the CVD would prefer that the grass be removed from the ditch.
- b. Culvert and Ditch Design (Pg. 2-9): Before any culverts are cleaned the CVD would prefer the culvert to be surveyed for nests. If there is an active nest the culvert should be left untouched until the nest is no longer active. At that time the culvert may be cleaned and maintained so no further nests are built in that location. It is preferred that the slash and debris that is cleaned from the culvert to be removed not scattered on the landscaped. Once again this may possibly create a fire hazard.
- c. Culvert (Pg. 2-9): If the possibility of a creating a culvert arises the CVD would like to be informed of this prior to action taking place. The CVD would like a site visit to determine any potential negative impacts to the location.
- d. Water Bars (2-10): CA State Parks Resource Division prefers the rolling dip method to water bars so whenever possible please use a rolling dip.

Sincerely,



William R. Lutton
Calaveras Sector Superintendent

Cc: Heather M. Reith
Environmental Scientist



ARNOLD SCHWARZENEGGER
GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE of PLANNING AND RESEARCH
STATE CLEARINGHOUSE AND PLANNING UNIT



CYNTHIA BRYANT
DIRECTOR

July 6, 2010

Ricardo Velarde
Western Area Power Administration
114 Parkshore Drive
Folsom, CA 95630-4710

Subject: Right-of-Way Maintenance in the San Joaquin Valley, California
SCH#: 2010064001

Dear Ricardo Velarde:

The State Clearinghouse submitted the above named Environmental Assessment to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on July 1, 2010, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's ten-digit State Clearinghouse number in future correspondence so that we may respond promptly.


Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,


Scott Morgan
Acting Director, State Clearinghouse

Enclosures

cc: Resources Agency

1400 10th Street P.O. Box 3044 Sacramento, California 95812-3044
(916) 445-0613 FAX (916) 323-3018 www.opr.ca.gov

Document Details Report State Clearinghouse Data Base

SCH# 2010064001
Project Title Right-of-Way Maintenance in the San Joaquin Valley, California
Lead Agency Western Area Power Administration

Type EA Environmental Assessment

Description Western Area Power Administration (Western) has prepared a Draft Environmental Assessment (EA) for its facilities in the San Joaquin Valley and nearby areas. The project encompasses approximately 115 miles of transmission lines and associated rights-of-way, 28 miles of access roads, seven substations, and one maintenance facility. The Proposed Action would update Western's existing Operation and Maintenance (O&M) Program to include all transmission lines, associated legal access roads, substations, and the maintenance facility into one comprehensive Master O&M Program. Proposed operation and maintenance activities include, but are not limited to, facility inspection/repair, vegetation management, and equipment upgrades.

Lead Agency Contact

Name	Ricardo Velarde		
Agency	Western Area Power Administration		
Phone	916-353-4565	Fax	
email			
Address	114 Parkshore Drive		
City	Folsom	State CA	Zip 95630-4710

Project Location

County	San Joaquin, Contra Costa, Alameda, Calaveras, Tuolumne, ...		
City			
Region			
Lat / Long			
Cross Streets	various		
Parcel No.			
Township	Range	Section	Base

Proximity to:

Highways	
Airports	
Railways	
Waterways	
Schools	
Land Use	Various

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Cumulative Effects; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Growth Inducing; Landuse; Noise; Recreation/Parks; Soil Erosion/Compaction/Grading; Toxic/Hazardous; Traffic/Circulation; Vegetation; Water Quality; Water Supply; Wetland/Riparian

Reviewing Agencies Resources Agency; Department of Conservation; Department of Fish and Game, Region 2; Office of Historic Preservation; Department of Parks and Recreation; Central Valley Flood Protection Board; Department of Water Resources; Caltrans, District 3; State Water Resources Control Board, Division of Water Quality; California Energy Commission; Native American Heritage Commission; Public Utilities Commission; State Lands Commission

Date Received	06/01/2010	Start of Review	06/01/2010	End of Review	07/01/2010
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Note: Blanks in data fields result from insufficient information provided by lead agency.

STATE OF CALIFORNIA – THE RESOURCES AGENCY

ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF WATER RESOURCES

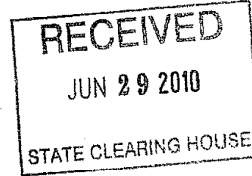
1416 NINTH STREET, P.O. BOX 942836
SACRAMENTO, CA 94236-0001
(916) 653-5791



JUN 24 2010

Ricardo Velarde
Environmental Protection Specialist
Western Area Power Administration
Sierra Nevada Region, N1411
114 Parkshore Drive
Folsom, California 95630-4710

Clear
7/1/10
e



Draft Environmental Assessment For Existing Electrical Transmission Line Infrastructure, Rights of Way, and Access Roads in San Joaquin Valley, Western Area Power Administration (Western), San Joaquin, Contra Costa, Alameda, Santa Clara, and Merced Counties, Approximately Between Mileposts 0.93 and 17.31, Delta Field Division, SCH2010064001

Dear Mr. Velarde:

Thank you for the opportunity to review and comment on the draft environmental assessment (Draft EA) for right-of-way maintenance by Western for the San Joaquin Valley. Western has prepared the Draft EA in order to analyze proposed operation and maintenance (O&M) procedures for its existing electrical transmission line infrastructure, rights of way, and access roads at three geographical regions of Tracy, Morgan Hill/San Luis, and New Melones.

The Department of Water Resources (DWR) State Water Project (SWP) has facilities located at the geographical region of Tracy. In July 1988, DWR issued Encroachment Permit 746 (EP 746) to Western for the transmission line project. EP 746 contains guidelines that include maintaining access roads and warning signs within DWR right of way. Any proposed O&M activities within DWR's right of way shall adhere to EP 746. These guidelines can also be viewed at:

[http://www.doe.water.ca.gov/Services/Real Estate/Encroach Rel/index.cfm](http://www.doe.water.ca.gov/Services/Real_Estate/Encroach_Rel/index.cfm)

Please provide DWR with a copy of any subsequent environmental documentation when it becomes available for public review. Any future correspondence relating to this environmental assessment should be sent to:

Leroy Ellinghouse, Chief
SWP Encroachments Section
Division of Operations and Maintenance
Department of Water Resources
1416 Ninth Street, Room 641-2
Sacramento, California 95814

Ricardo Velarde
JUN 24 2010

Page 2

If you have any questions, please contact Leroy Ellinghouse, Chief of the SWP Encroachments Section, at (916) 659-7168 or Jonathan Canuela at (916) 653-5095.

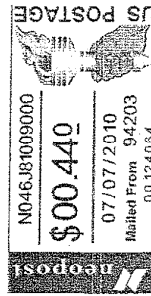
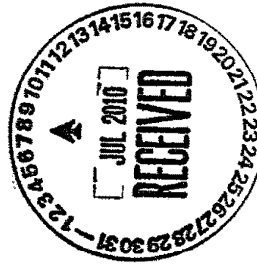
Sincerely,

Original Signed by

David M. Samson, Chief
State Water Project Operations Support Office
Division of Operations and Maintenance

cc: State Clearinghouse
Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, California 95814

State of California
GOVERNOR'S OFFICE OF PLANNING AND RESEARCH
STATE CLEARINGHOUSE
P.O. BOX 3044
SACRAMENTO, CALIFORNIA 95812-3044



5563034710 0006



Department of Energy
Western Area Power Administration
Sierra Nevada Customer Service Region
114 Parkshore Drive
Folsom, California 95630-4710

SEP 21 2010

William R. Lutton
Calaveras Section Superintendent
California Department of Parks and Recreation
Central Valley District
22078 Broadway
Columbia, CA 95310

Dear Mr. Lutton:

Western Area Power Administration (Western) received a letter from you dated May 5, 2010, providing comments on the Preliminary Draft of the Environmental Assessment (EA) for Right-of-Way (ROW) Maintenance in the San Joaquin Valley. Due to schedule constraints, Western was unable to incorporate or respond to your comments before distribution of the Draft EA on June 1, 2010. I have reviewed the comments with responses provided below.

In general, the EA is consistent with Western's policy to work closely with land owners and land managers in determining the suitability of particular maintenance methods to a given area. Be assured that Western will work closely with the Department of Parks and Recreation (Department) in maintaining ROWs in the Bethany Reservoir State Recreation Area. Responses to specific comments are as follows:

Comment 1a: *Topping and Trimming (Pg. 2-5): The method of vegetation maintenance of topping trees is a practice that does not take place in CA State Parks because it takes away from the visual appearance/aesthetics of the park. If a tree needs to be topped then the tree should be felled.*

Response: The topping and trimming section was revised before publication of the Draft EA to eliminate topping. A sentence under the "Cutting" section referring to topping has now been deleted.

Comment 1b: *Slash Disposal/Fuels Reduction (Pg. 2-6): While chipping may eliminate most but not all insects, chipping does not eliminate pathogens and indeed may serve to more thoroughly distribute the pathogen among the chips through contamination. Chipping also increases ground fuel which in turn can increase the chance of fire moving fairly quickly through these fuels. Due to the above statements it is preferred that the slash/chipping material be removed from the park.*

Response: One of the options stated for slash disposal is to remove slash from the site. The section also states "Western acknowledges land manager/owner concerns related to fuels left in

the ROW and would reduce fuel load during vegetation management activities, to the extent feasible.” Western would coordinate with the Department in disposing of slash.

Comment 2a: (Pg. 2-6): *According to the CA State Parks Pest Control Handbook herbicides that are to be used should follow four directives. These are: 1) the herbicide is target specific; 2) the herbicide does not persist in the environment; 3) the herbicide must not damage resources; and 4) the herbicide must be the least hazardous for humans. The last directive will also insure visitor, employee, and public safety. Due to the directives stated above the CVD would like to be informed of the herbicide that will be used and when the application will take place. As a department we would like to make sure the herbicide that will be used will not have a negative impact on any native species especially any sensitive, threatened, or endangered species. We would also like the MSDS for the herbicide(s) that will be used and for the MSDS to be updated annually.*

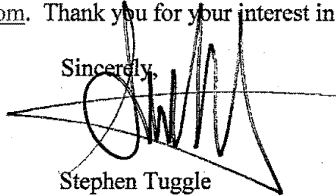
Response: To the extent feasible, Western would coordinate with land managers and local agencies to ensure that its use of herbicides is consistent with local regulations and guidelines. Western would coordinate with the Department on the selection of herbicides for use in the Bethany Reservoir State Recreation Area.

Comment 3a: *Clearing Culverts and Ditches (Pg. 2-9): Leaving the grass in the ditch creates a possible fire hazard and may adversely affect a scenic view. With this in mind the CVD would prefer that the grass be removed from the ditch. 3b. Culvert and Ditch Design (Pg. 2-9): Before any culverts are cleaned the CVD would prefer the culvert to be surveyed for nests. If there is an active nest the culvert should be left untouched until the nest is no longer active. At that time the culvert may be cleaned and maintained so no further nests are built in that location. It is preferred that the slash and debris that is cleaned from the culvert to be removed not scattered on the landscaped. Once again this may possibly create a fire hazard. 3c. Culvert (Pg. 2-9): If the possibility of a creating a culvert arises the CVD would like to be informed of this prior to action taking place. The CVD would like a site visit to determine any potential negative impacts to the location. 3d. Water Bars (2-10): CA State Parks Resource Division prefers the rolling dip method to water bars so whenever possible please use a rolling dip.*

Response: To the extent feasible, Western would take into account land manager guidelines when performing access road maintenance or construction of culverts, ditches, and water bars.

If you would like to discuss these responses further, please contact Ricardo Velarde at (916) 353-4565 or at velarde@wapa.com. Thank you for your interest in the project.

Sincerely,



Stephen Tuggle
Natural Resources Manager

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Appendix F

Concurrence Letters under the Endangered Species Act

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United States Department of the Interior

FISH AND WILDLIFE SERVICE

Sacramento Fish and Wildlife Office
2800 Cottage Way, Room W-2605
Sacramento, California 95825-1846



In reply refer to:
81420-2009-I-0743-2

JUN 6 2011

Mr. Steven Tuggle
Western Area Power Administration
114 Parkshore Drive
Folsom, California 95630-4710

Subject: Amendment to the Programmatic Informal Consultation for the Western Area Power Administration North Area Right of Way Operations and Maintenance Project, from Klamath County, Oregon through Alameda County, California

Dear Mr. Tuggle:

This letter is in response to your two separate letter requests for an amendment to the existing Programmatic Informal Consultation for the Western Area Power Administration (Western) North Area Right of Way Operations and Maintenance Project (Service File Number 81420-2009-I-0743-1). On October 27, 2010, Western sent a letter to the U.S. Fish & Wildlife Service (Service) requesting an amendment to include additional activities associated with the North Area Right of Way Operations and Maintenance Project into the Programmatic Informal Consultation (programmatic). The Service received this letter in our office on October 28, 2010. On January 6, 2011, Western sent another separate letter to the Service requesting the inclusion of the San Joaquin Valley Right of Way Program and the Sacramento Valley Operation and Maintenance Program (programs) to the programmatic. This letter was received in our office on January 7, 2011. The letter also identifies that both of these programs contain identical operation and maintenance activities that are described in the programmatic, and in the April 2009, *Biological Assessment for the North Area Right-of-Way Maintenance Program*. This response is in accordance with section 7(a)(2) of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*).

We have considered the following in our review of the proposed project: (1) the April 2009, *Biological Assessment (Biological Assessment) for the North Area Right-of-Way Maintenance Program*; (2) June 2010, *San Joaquin Right of Way Maintenance Project Report*; (3) the August 2005, *Final Biological Report in Support of an Environmental Assessment for Right Of Way Maintenance in the Sacramento Valley*; (4) electronic mail and phone correspondence between representatives of the Service and Western between October 2010 through March 2011; (5) the July 15, 2010 site visit attended by representatives of the Service and Western; and (6) other information available to the Service.

TAKE PRIDE
IN AMERICA

Mr. Steve Tuggle

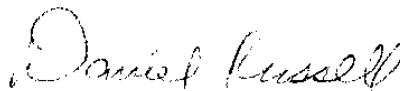
2

In your October 27, 2010 letter, you requested the Service to include three additional activities associated with vegetation management activities that were previously excluded as part of the existing programmatic. These vegetation management activities were described in the Biological Assessment as Category B, sub-category, Transmission Line Maintenance activities. The three activities include: 1) the appropriate application of soil sterilants and herbicides; 2) manual removal and/or pruning of danger trees or vegetation; and 3) the mechanical vegetation management by means of bulldozers, masticators, or other mechanical equipment. Based on a July 15, 2010, site visit attended by representatives of the Service and Western, and additional information provided by Western, the Service has determined that the proposed vegetation management activities as described in the Biological Assessment are appropriate to include in the programmatic. The remainder of the activities that fall within the category B, sub-category, Transmission Line Maintenance will still require the same analysis as set forth in the existing programmatic for these activities.

In your January 6, 2011 letter, Western has also requested to include additional programs into the existing programmatic. The inclusion of these two programs would effectively create a single unified informal programmatic consultation to cover all of Western's operation and maintenance activities that are described in the biological assessment for their transmission lines in northern and central California. These programs include new areas of transmission lines and legal access for road Right of Ways, substations, and a maintenance facility within portions of San Joaquin, Contra Costa, Alameda, Calaveras, Tuolumne, Santa Clara, Merced, Placer, Sacramento, and Sutter Counties. The two programs include approximately 242 miles of transmission line right of way, 38 miles of access roads, 12 substations, and 2 maintenance facilities. After reviewing the Biological Assessment and the locations of the new programs, the Service has determined that it is appropriate to include these two new programs into the existing programmatic.

If you have any questions regarding this amendment to the programmatic for the proposed Western's Right of Way Operations and Maintenance Project, please contact Jason Hanni, Fish and Wildlife Biologist, or Kellie Berry, Chief, Sacramento Valley Branch at (916) 414-6645.

Sincerely,



Daniel Russell
Deputy Assistant Field Supervisor

cc:

Misti Schriner, Western Area Power Administration, Lakewood, Colorado
Cliff Harvey, State Water Resources Control Board, Sacramento, California
Stacey Smith, USDA Forest Service, Redding, California
Howard Matzat, Bureau of Land Management, Redding, California
Barbara Alberti, National Park Service, Whiskeytown, California
Trisha Roninger, United States Fish and Wildlife Service, Klamath Falls, Oregon
Michelle Havens, United States Fish and Wildlife Service, Red Bluff, California

Mr. Steve Tuggle

3

Misti Schriner
Western Area Power Administration
Corporate Services Office
P.O. Box 281213
Lakewood, CO 80228

Cliff Harvey
State Water Resources Control Board
401 Certification & Wetlands Unit
1001 I Street, 15th Floor - 55c
Sacramento, CA 95814

Stacey Smith
USDA Forest Service
Shasta Trinity, Lassen, Modoc NF
3644 Avtech Parkway
Redding, CA 96002

Howard Matzat
Bureau of Land Management,
Redding Field Office
355 Hemsted Drive
Redding, CA 96002

Barbara Alberti
National Park Service
P.O. Box 118
Whiskeytown, CA 96095

Trisha Roninger
USFWS
Klamath Falls FWO
1936 California Avenue
Klamath Falls, OR 97601

Michelle Havens
USFWS
Red Bluff FWO
10950 Tyler Rd
Red Bluff, CA 96080



UNITED STATES DEPARTMENT OF COMMERCE
National Oceanic and Atmospheric Administration
NATIONAL MARINE FISHERIES SERVICE

Southwest Region
501 West Ocean Boulevard, Suite 4200
Long Beach, California 90802-4213

OCT 17 2011

In response refer to:
2011/03019

Ricardo Velarde
Department of Energy
Western Area Power Administration
Sierra Nevada Customer Service Region
114 Parkshore Drive
Folsom, California 95630-4710

Dear Mr. Velarde,

On September 16, 2011, NOAA's National Marine Fisheries Service (NMFS) sent a letter in response to your April 15, 2011, letter requesting re-initiation of section 7 consultation pursuant to section 7 of the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*), as it pertains to the Western Area Power Administration's (WAPA) proposed North Area Right-of-Way Operations and Maintenance Project (North Area ROW O&M) to include the San Joaquin Valley Right-of-Way Operations and Maintenance Program (San Joaquin Valley Program) and the Sacramento Valley Right-of-Way Operations and Maintenance Program (Sacramento Valley Program). You responded to NMFS with clarification of the planned project activities and protective measures via a telephone call on September 29, 2011. This letter reflects our understanding of the information provided subsequent to September 16 in your e-mail and phone communications and the aspects of the project described before September 16 which remain unchanged; this letter supersedes our previous letter, which was provided on September 16, 2011.

The inclusion of these two programs would effectively create a single unified informal programmatic consultation for Western's lines in northern and central California. The San Joaquin Valley Program and the Sacramento Valley Program include a suite of actions associated with the routine maintenance of existing transmission lines and access roads in order to ensure system reliability and safe, all-weather access to transmission line structures and appurtenant facilities ranging over a large geographic area of Central California, including portions of San Joaquin, Contra Costa, Alameda, Calaveras, Tuolumne, Santa Clara, Merced, Placer, Sacramento, and Sutter counties. Within this area, there are also many streams and watersheds that contain habitat occupied by or supportive of federally listed evolutionarily significant units (ESU) and distinct population segments (DPS), including the endangered Sacramento River winter-run Chinook salmon ESU (*Oncorhynchus tshawytscha*), threatened Central Valley spring-run Chinook Salmon ESU (*O. tshawytscha*), threatened Central Valley steelhead DPS (*O. mykiss*), and the threatened Southern DPS of North American green sturgeon (*Acipenser medirostris*), and their respective designated critical habitats.



WAPA has determined that the proposed combined O&M Programs may affect but are not likely to adversely affect federally listed species, given the extensive use of project conservation measures (PCMs) and standard operation procedures (SOPs). The program, activities and criteria are described in detail in the *San Joaquin Right-of-Way Maintenance Project Biological Data Report* (BDR) (June 2010), *Final Biological Report in Support of an Environmental Assessment for Right-of-Way Maintenance in the Sacramento Valley, CA* (August 2005), *Draft Final Environmental Assessment (EA) of Right-of-Way Maintenance in the San Joaquin Valley* (October 2010), *Final Environmental Assessment (EA) for Right of Way Maintenance in the Sacramento Valley, CA* (August 2005), and the *Biological Assessment (BA) for the North Area Right-of-Way Maintenance Program* (November 2008).

In addition, this letter includes NMFS's consultation regarding the potential of program-related activities to adversely affect the Essential Fish Habitat (EFH) of Pacific salmon pursuant to the Magnuson-Stevens Fishery Conservation and Management Act (MSA). This letter also serves as consultation under the authority of and in accordance with the provisions of the Fish and Wildlife Coordination Act of 1934 (FWCA), as amended.

Consultation History

- On April 29, 2008, NMFS received a letter requesting a species list for WAPA's North Area Right-of-Way Maintenance Environmental Assessment (EA). That list was sent on May 21, 2008, and indicated that the endangered Sacramento River winter-run Chinook salmon ESU, threatened Central Valley spring-run Chinook Salmon ESU, threatened Central Valley steelhead DPS, and the threatened Southern DPS of North American green sturgeon, including their respective designated critical habitats, were present in the project area.
- On July 29, 2008, NMFS received a draft EA that analyzed proposed operation and maintenance procedures for its existing North Area electrical transmission line infrastructure, right-of-way, communication facilities, and access roads.
- On December 1, 2008, NMFS received a BA for the North Area Right-of-Way Maintenance Project.
- On December 23, 2009, NMFS submitted a concurrence letter, thereby concluding a section 7 informal consultation regarding WAPA's North Area ROW O&M.
- On April 28, 2010, NMFS received a letter requesting re-initiation of consultation, to add WAPA's San Joaquin Valley Program and the Sacramento Valley Program to the North Area ROW O&M section 7 consultation.
- On June 15, 2010, NMFS, along with other interested parties, received an EA from WAPA, developed in cooperation with the U.S. Forest Service, Bureau of Land Management, and National Park Service. The EA analyzed proposed operation and maintenance procedures for its existing North Area electrical transmission line infrastructure, right-of-way, communication facilities, and access roads.

- On July 30, 2010, NMFS issued a letter to WAPA seeking additional information in order to initiate the section 7 consultation requested in WAPA's April 28, 2010, letter.
- On April 15, 2011, NMFS received the additional information and a request from WAPA to reinstate section 7 consultation for their programmatic informal consultation on the North Area ROW O&M to include the San Joaquin Valley Program and the Sacramento Valley Program. Additional information included the *San Joaquin Right-of-Way Maintenance Project Biological Data Report* (June 2010), *Final Biological Report in Support of an Environmental Assessment for Right-of-Way Maintenance in the Sacramento Valley, CA* (August 2005), *Draft Final Environmental Assessment of Right-of-Way Maintenance in the San Joaquin Valley* (October 2010), *Final Environmental Assessment for Right of Way Maintenance in the Sacramento Valley, CA* (August 2005), *Enclosure 2: Responses to Four Critical Information Needs* (April 2011) and the *San Joaquin Project Maps* (April 2011) on a compact disc.
- On June 23, 2011, additional information from NMFS regarding wood pole treatment was requested; WAPA's response was received on June 27, 2011.
- On July 7, 2011, NMFS requested that WAPA consult again when the use of cofferdams or berms will be needed in anadromous stream work and on July 19, 2011, they concurred.
- On August 8, 2011, NMFS requested additional information from WAPA regarding PCMs and more information about stream work; this information was provided by WAPA on August 9, 2011.
- On August 31, 2011, NMFS requested additional clarification from WAPA regarding PCM W002; this information was provided by WAPA on September 1, 2011.
- On September 16, 2011, NMFS sent a concurrence letter to WAPA.
- On September 30, 2011, WAPA provided clarification on planned project activities which were different from the project as described in NMFS September 16, 2011, letter.
- On October 5 and 11, 2011, further clarification was requested by NMFS concerning the nature of the project.

Action Area

The action area for this project is divided two major components. The first major component is WAPA's Sierra Nevada region. This component of the action area was considered in the NMFS December 23, 2009, letter of concurrence. In that consultation, program related activities were assessed for their potential to cause adverse effects to listed fish or their habitat along more than 800 miles of transmission line ROWs and 250 miles of access roads wherever those alignments

intersect or come within 300 feet of habitat that supports or is occupied by listed anadromous fish species, including the watersheds that are hydrologically connected to and upstream from those habitats, within northern and central California extending from just north of the Oregon border in a southerly direction to a substation just west and south of Tracy, California. This area includes portions of Klamath County, Oregon and Modoc, Siskiyou, Shasta, Trinity, Tehama, Glenn, Colusa, Butte, Yuba, Yolo, Sacramento, Solano, Sutter, San Joaquin, Contra Costa, and Alameda counties in California. Since the action area includes but also extends beyond the geographic boundaries of several ESA listed anadromous fish species, and the potential for species exposure to the effects of NAROW Program activities varies across the action area, we defined five distinct sub-areas to help determine which seasonal work window to observe in order to avoid protected species exposure to covered activities in each geographical region. The sub-areas and the associated allowable work-windows in each are as follows:

- **The Delta:** Any of the waterways in the action area that are south and west of the City of Sacramento. Category B and C (explained below) near shore work within the Delta should be performed between June 1 and October 15 of any given year.
- **The Mainstem Sacramento River- South:** The waters of the Sacramento River from the City of Sacramento north to Hamilton City. Category B and C near shore work on the mainstem Sacramento River in this region should be performed between June 1 and October 15 of any given year.
- **The Mainstem Sacramento River- North:** The waters of the Sacramento River from Hamilton City north to Keswick Dam. Category B and C near shore work on the mainstem Sacramento River in this region should be performed between December 1 and April 1 of any given year.
- **Butte, Mill, Deer, and Battle creeks:** Any of the waters that comprise the forks or mainstems of these four named creeks. Category B and C near shore work that occurs on Butte, Mill, Deer, or Battle Creek should be performed between December 1 and April 1 of any given year.
- **The North State Tributary Area:** Any of the waterways in the action area that are north of the City of Sacramento and flow into the mainstem Sacramento River, excluding Butte, Mill, Deer, and Battle Creeks, as described above. Category B and C near shore work that occurs in the North State Tributary Area should be performed between June 1 and October 15 of any given year.

The San Joaquin and Sacramento Valley Component includes portions of San Joaquin, Contra Costa, Alameda, Calaveras, Tuolumne, Santa Clara, Merced, Placer, Sacramento and Sutter counties. This area includes approximately 242 miles of transmission line ROW, 38 miles of access roads, 12 substations, and 2 maintenance facilities. The Sacramento Valley project area crosses through the Sacramento Valley and covers a variety of habitat types, a majority being grassland, agricultural land, and pasture. The San Joaquin Valley project is divided into three geographical regions: Tracy, New Melones, and Morgan Hill/San Luis. These regions are comprised of agricultural land and non-native grassland; blue-oak woodlands, non-native grasslands and chaparral; and urban, barren, and agricultural lands, respectively. Waterways that the project area crosses include the Old River (downstream of Clifton Court Forebay), Middle

River, San Joaquin River (in the vicinity of Stockton, CA), Mosher Slough, Mokelumne River, American River, Natomas East Main Drainage Canal, East Side Canal, Coon Creek, Feather River, Butte Creek-Sutter Bypass, Dry Creek, and Bear River. This portion of the Action Area includes a total of 13.2 acres that are considered habitat for the listed species.

Proposed Project Description

WAPA needs to maintain transmission lines, legal access roads, substations, and maintenance facilities to ensure that their crews have safe and all-weather access in order to maintain reliable operation of the transmission system and to eliminate the threat for vegetation to interfere with the lines and towers. Vegetation near transmission lines may pose a threat to public safety and the environment from arcing (which can cause fires) and trees falling onto the transmission lines. This is further outlined in the 2010 San Joaquin Right-of-Way Maintenance Project EA and the BDR. The BA for the North Area Right-of-Way Maintenance Program and the draft EA for the San Joaquin Valley provides a detailed description of the various types of activities that are necessary in order to maintain overall system reliability and safe all-weather access to the transmission lines. These activities range from inspections to vegetation, access road, and transmission line maintenance, and include system component upgrades as well.

Project activities are limited to inspections (aerial, ground and climbing) and systems management and maintenance activities. These project activities have been grouped into three distinct categories based on the scope and frequency of the activity under consideration as well as the potential for the covered activity to disturb the surrounding area. WAPA classified the project activities in three separate categories: categories A, B, and C.

Category A covers inspections, including aerial, ground, and climbing surveys, and minor maintenance activities such as installation of cut-out fuses and clearing vegetation by hand within the property boundary of a fenced substation, as well as some minor repairs to existing structures. Aerial, ground and climbing inspections will involve visual inspections of transmission lines by helicopter or aerial plane, vehicles on access roads and/or by bucket trucks when necessary. Category A activities are not expected to occur in aquatic habitat, which would include areas with active flowing water. Category A is intended to capture all activities that would cause nominal effects to listed species as long as SOPs and PCM W002 are followed.

Category B refers to routine maintenance activities along WAPA's existing ROW. Category B activities are: manual, mechanical, and herbicidal methods of vegetation management (except for vegetation by hand within the property boundary of a fenced substation, which is within Category A), heavy equipment use that may result in minor amounts of ground disturbance, culvert maintenance, grading and fill of existing access roads, placement of rock around existing towers and structures, or other similar activities that are moderate in scope and frequency. This is based on the need for these measures to be done on an annual basis. Category B activities will involve the incorporation of SOPs and all PCMs identified for listed species in the work area in order to avoid any significant disturbances or adverse effects to sensitive resources. Having routine projects allow for more familiarity with the maintenance activities, thus reducing the incidents that could potentially harm listed species.

Category C activities refer to the development of new infrastructure, such as access roads, culverts, foundations for storage buildings, erosion control projects, tower relocation,

realignment, or replacement, and other activities that are more likely to disturb a large area or require the incorporation of specific conservation measures in order to avoid significant disturbances or adverse effects to sensitive resources. The construction of new infrastructure (Category C projects) could cause adverse effects to listed species if PCMs were not implemented appropriately as well as SOPs.

In order to address the potential for any of the project activities to adversely impact listed species, WAPA has incorporated two levels of protective measures. The first level is the application of SOPs, which will be implemented in all cases for all project activities, regardless of whether any listed species are present. PCMs, the second level of protective measures, will be applied in a focused manner to protect a specific listed species that is known to occur within the immediate area of the activity under consideration.

WAPA has stated that vehicle access (except on existing access and maintenance roads), dumping, stockpiling, or burying of any material, mixing of pesticides, herbicides, or other potentially toxic chemicals, and open petroleum products will be prohibited at all times within 100 feet of a river, stream, or marsh, and their associated habitats. As part of this PCM, rip rap placement may occur within the 100 foot buffer as required for specific O&M activities, but will not be placed on the banks or in the channel of rivers, streams, or marshes. Another specific PCM is the incorporation of geographic seasonal work windows (discussed above and below) that will help serve to avoid exposing listed fish to program related activities.

All of the activities, categories, SOPs, PCMs and listed species that have been proposed and considered have been described in sufficient detail in the EAs, BA the BDR and the aforementioned communications between WAPA and NMFS. These associated materials allow for a comprehensive analysis to assess the potential of the inclusions of the San Joaquin Valley Program and the Sacramento Valley into the North Area ROW O&M to cause adverse effects to listed species and their habitats.

Endangered Species Act (ESA) Section 7 Consultation

NMFS has received the information necessary to initiate consultation on federally listed anadromous fish species and their designated critical habitat within the action area. Based on our review of the material provided and the best scientific and commercial information currently available, NMFS has determined that including the San Joaquin Valley Program and the Sacramento Valley Program in the North Area ROW O&M may affect, but is not likely to adversely affect, endangered Sacramento River winter-run Chinook salmon, threatened Central Valley spring-run Chinook Salmon, threatened Central Valley steelhead, and the threatened Southern DPS of North American green sturgeon, or any of their respective designated critical habitats. This concurrence is based on WAPA implementing all of the PCMs and SOPs in order to avoid or minimize adverse effects to fish and fish habitat as identified in the August 2005 EA for the Sacramento Valley, the October 2010 EA for the San Joaquin Valley, the BA for the North Area Right-of-Way Maintenance Program, the San Joaquin BDR, and the communications received from WAPA on July 19, August 9, September 1, 2011, and October 5 and 11, 2011.

O&M activities may impact listed species due to changes in water quality or alteration of existing conditions. Specifically, listed species may be affected by unnaturally high levels of

turbidity, loss of shading and associated temperature increases, changes to the predator density and/or prey availability, impaired access to or loss of spawning and rearing habitat, and exposure to hazardous substances. Fish habitats are susceptible to erosion and compaction from heavy machinery. Removal of vegetation in uplands and access road maintenance activities can increase surface runoff, causing turbidity and sedimentation into fish habitats.

The potential for adverse effects to occur has been reduced to an insignificant or discountable level based on the following reasons:

- (1) Equipment will be stored, fueled, and maintained in a vehicle staging area at least 300 feet or the maximum distance possible, whichever is greater, from any seep, spring, pond, lake, river, stream, marsh, or their associated habitats. Vehicles will be inspected daily for fluid leaks before leaving the staging area.
- (2) For vegetation management or maintenance within 100 feet of any seep, spring, pond, lake, river, stream, or marsh, or any of their associated habitats, only manual-clearing of vegetation will be permitted and foliar application of herbicides will be prohibited. Within the 100 foot buffer, only cut-stump treatments of target vegetation will be allowed using herbicide approved for aquatic use by the EPA and in coordination with the appropriate Federal land manager. In addition, WAPA will observe an additional no-use buffer for the ground application of any of the chemicals named in the salmon injunction that is in effect at the time of its application.
- (3) For ground-disturbing activities, a 100-foot buffer zone will be maintained from the edge of the seep, spring, pond, lake, river, stream, marsh, or their associated habitats for protection from siltation and runoff of contaminants by use of erosion-control measures.
- (4) Trees will not be felled into anadromous streams in a way that will obstruct or impair the flow of water, unless authorized by NMFS. Tree removal that could cause stream bank erosion or result in increased water temperatures will not be conducted. Tree removal in riparian or wetland areas will be done only by manual methods.
- (5) In-stream work will be performed only in perennial or intermittent streams in which NMFS listed species and/or critical habitat does not occur. In-stream work will be conducted between June 1 and October 15 during no-flow or low-flow conditions. Work will be conducted at least 1,000 feet from the nearest body of water that may contain listed species and/or critical habitat. *Caspar Creek Ecology Project* (DeWitt, 1968) indicates that between 700 and 1000 feet downstream, effects from turbidity and sedimentation were the same above the construction site as below. The project evaluated in *Caspar Creek Ecology Project* was of a larger size and greater intensity than the projects that will be undertaken under WAPA's maintenance programs. If low-flow conditions are present, a temporary berm and/or silt screen will be used to further reduce the possibility of turbidity and sedimentation having an effect on listed species and/or critical habitat that potentially may be downstream.

- (6) WAPA will adhere to seasonal work windows for Category B and C activities. The seasonal work windows for the Delta, Mainstem Sacramento River (North and South), Butte, Mill, Deer, Battle Creek, and the North State Tributary Area are discussed on page 4 above. For all other areas, the work window for near stream work will be June 1 through September 1 for Category B and C activities proposed within listed fish habitat, including critical habitat, unless otherwise authorized by NMFS. When considering whether to authorize work outside of the work window, NMFS will consider, among other things, whether listed species are present in the work area. This measure would avoid near stream work during the periods when steelhead and salmon are most likely to be migrating and spawning. Rearing juvenile salmonids may be present in the action area year around but with the use of SOPs and PCMs they should avoid any adverse effects from nearby maintenance activities. Green sturgeon may occur within the action area during the stated construction season, since juveniles, sub-adults, and adults utilize the waters of the various geographic locations described above year-round. Their presence in the waterways is unpredictable. Even if green sturgeon are present, the effect on green sturgeon will be insignificant because water temperatures are expected to be higher during the work window, thus causing green sturgeon to seek greater depths for cooler water. Since no work will affect depths that might be occupied by green sturgeon during this period (per email sent to NMFS August 9, 2011), these fish will avoid any adverse effects from nearby maintenance work.

Taking into account the nature of the work involved in Category A inspection activities and Category A maintenance activities (*e.g.*, some minor repairs that would not cause substantial soil disturbance), the locations in which they will be carried out (such as upland areas away from aquatic habitat), and WAPA's adherence to 17 different SOP's and PCM W002 (which includes a 100 foot barrier between aquatic habitat and vehicles, materials, open petroleum products and mixing of herbicides as well as at least a 300 foot barrier between aquatic habitats from where equipment will be stored, fueled and/or maintained and when feasible, all activities will be routed around wet areas), any effects from Category A activities would be insignificant or discountable regardless of timing; therefore, a seasonal work window is not needed for Category A activities.

- (7) WAPA will initiate consultation again whenever in-stream work (including the use of cofferdams or temporary berms) must be performed in areas in which NMFS listed species and/or critical habitat may occur.
- (8) SOPs and species and habitat specific PCMs have been developed and incorporated for the express purpose of avoiding adverse effects to listed species throughout the action area.
- (9) SOPs and PCMs, along with environmental laws and regulations and applicable agency requirements, would be included in an annual training program for WAPA's O&M personnel so that they would fully understand species and critical habitat that could possibly be affected.

- (10) Over time, a low-growth vegetated ROW would be established and maintained, thereby reducing the frequency of O&M activities required and allowing for non-disrupted streams and riparian habitats.
- (11) WAPA has developed a GIS database accessible on laptop computers that maps and catalogues sensitive biological resources span by span throughout the action area and cross references the appropriate PCM that must be followed for the type of activity proposed (i.e., Category A, B or C) with the type of species and/or habitat that may be present so that WAPA personnel and subcontractors will now at a glance exactly what PCMs need to be implemented in every location where work is proposed.
- (12) All covered Program activities, including the installation of new facilities such as cell towers and fiber optic cable (i.e., Category C activities), will take place within existing ROWs and any larger actions will trigger the necessity to consult on a case by case basis.

In addition, section 7(a)(1) of the ESA directs Federal agencies to utilize their authorities to further the purposes of the ESA by carrying out conservation programs for the conservation of threatened and endangered species. Conservation recommendations are the suggestions of NMFS regarding discretionary measures to minimize or avoid adverse effects of a proposed action on listed species or critical habitat, or to develop information. In order to fulfill the requirement of section 7(a)(1), NMFS recommends that WAPA purchase credits from an anadromous fish conservation bank to further conservation of the species.

This concludes informal consultation for the proposed inclusion of the San Joaquin Valley Program and the Sacramento Valley Program into the North Area ROW O&M. Re-initiation of the consultation is required where discretionary Federal agency involvement or control over the proposed project has been retained (or is authorized by law), and if: (1) new information reveals effects of the action that may affect listed species or critical habitat in a manner or to an extent not previously considered; (2) the identified action is subsequently modified in a manner that causes an effect to listed species or critical habitat that was not previously considered; or (3) a new species is listed or critical habitat designated that may be affected by the identified action.

Essential Fish Habitat (EFH) Consultation


With regard to EFH consultation, the action area has been identified as EFH for Chinook salmon in Amendment 14 of the Pacific Salmon Fishery Management Plan pursuant to the MSA. Federal action agencies are mandated by the MSA (section 305(b)(2)) to consult with NMFS on all actions that may adversely affect EFH and NMFS must provide EFH conservation recommendations to those agencies (section 305(b)(4)(A)). Because the proposed project has incorporated specific measures (described above) to avoid adverse effects to the habitat that supports Chinook salmon, NMFS concurs with WAPA that the proposed project will not adversely affect EFH. As a result, additional EFH conservation recommendations are not being provided at this time. However, if there are substantial revisions to the proposed project that may adversely affect EFH, the lead Federal agency will need to re-initiate EFH consultation.

Fish and Wildlife Coordination Act (FWCA) Consultation

The purpose of the FWCA is to ensure that wildlife conservation receives equal consideration, and is coordinated with other aspects of water resources development (16 U.S.C. § 661). The FWCA establishes a consultation requirement for Federal departments and agencies that undertake any action that proposes to modify any stream or other body of water for any purpose, including navigation and drainage (16 § U.S.C. 662(a)). Consistent with this consultation requirement, NMFS provides recommendations and comments to Federal action agencies for the purpose of conserving fish and wildlife resources. The FWCA provides the opportunity to offer recommendations for the conservation of species and habitats beyond those currently managed under the ESA and MSA. Because the proposed project is designed to avoid environmental impacts to aquatic habitat within the action area, NMFS has no additional FWCA comments to provide.

Please contact Sierra Franks at (916) 930-3720, or via e-mail at Sierra.Franks@noaa.gov, if you have any questions or require additional information concerning this project.

Sincerely,


Rodney R. McInnis
Regional Administrator

cc: Copy to File ARN # 151422SWR2011SA00092
NMFS-PRD, Long Beach, CA

References:

Dewitt, John W. 1968. Casper Creek Ecology Project Annual Report. Conducted by Humboldt State College Foundation under contract with Pacific Southwest Forest and Experimental Station, U.S. Forest Service, Berkeley, California. 20 pgs.

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