



Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
North Central Region
1701 Nimbus Road, Suite A
Rancho Cordova, CA 95670-4599
916-358-2900
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



August 27, 2020

Ms. Kimberly Bose, Secretary
Federal Energy Regulatory Commission
888 First Street, NE
Washington, DC 20426

Subject: Response to Notice of Application Ready for Environmental Analysis and Soliciting COMMENTS, RECOMMENDATIONS, TERMS and CONDITIONS, and PRESCRIPTIONS and FEDERAL POWER ACT SECTION 10(j) RECOMMENDATIONS for Pacific Gas and Electric Company's Camp Far West Transmission Line Project (FERC No. 10821-005)

Dear Ms. Bose:

The California Department of Fish and Wildlife (Department) has reviewed the Federal Energy Regulatory Commission's (FERC) Notice of Application Ready for Environmental Analysis and Soliciting Comments, Recommendations, Terms and Conditions, and Prescriptions (Notice) filed on July 29, 2020, for Pacific Gas and Electric Company's (PG&E, Licensee) Camp Far West Transmission Line Project (Project, FERC No. 10821-005). The Notice provides a 60-day deadline (September 28, 2020) for filing comments, recommendations, terms and conditions, and prescriptions. The Department filed a timely Notice of Intervention for the Project pursuant to Rule 214 of FERC's Rules of Practice and Procedure (18 CFR § 385.214(a)(2)) on October 2, 2019. With this letter, the Department is filing Federal Power Act (FPA) Section 10(j) Recommendations for the Project.

The Department is the appropriate State fish and wildlife agency for resource consultation and FPA Section 10(j) (16 USC § 803(j)) purposes. The fish and wildlife resources of the State of California are held in trust for the people of the State by and through the Department (Fish & G. Code § 711.7). The Department has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and the habitat necessary for biologically sustainable populations of those species (Fish & G. Code § 1802). The mission of the Department is to manage California's diverse fish, wildlife, and plant resources, and the habitats on which they depend, for their ecological values and for their use and enjoyment by the public. It is the goal of the Department to preserve, protect, and as needed, to restore habitat necessary to support native fish, wildlife, and plant species within the FERC-designated boundaries of the Project, as well as the areas adjacent to the Project in which resources are affected by the ongoing Project operations and maintenance activities.

Conserving California's Wildlife Since 1870

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As a trustee agency for the State's fish, wildlife, and native plant species, the Department has prepared and hereby submits recommended¹ Protection, Mitigation, and Enhancement (PM&E) measures for the federal subsequent licensing of the Project. The PM&E measures are filed as FPA Section 10(j) Recommended Conditions, in response to FERC's Notice and consistent with the Fish and Wildlife Coordination Act (16 USC § 661 et seq.). The Department's Section 10(j) Recommended Conditions reflect the resource protection needs identified by this State fish and wildlife agency. Final conditions may be revised to include supplemental information and plans, revisions, and/or refinements.

PROJECT DESCRIPTION

FERC issued an Order Issuing Transmission Line License for the Project to the Licensee on April 19, 1990, for a term ending June 30, 2021. PG&E is the existing Licensee, and current owner and operator of the Project. The Camp Far West Transmission Line is the primary transmission line that delivers project power for South Sutter Water District's (SSWD) Camp Far West Hydroelectric Project No. 2997. Licensed Project facilities include a 1.9-mile-long, three phase, 60 kilovolt (kV), wood pole transmission line extending from SSWD's Camp Far West Project switchyard (part of FERC Project No. 2997) in Placer County, California, to a switch connected to PG&E's integrated transmission and distribution system. At the time the current license was issued, the integrated transmission line was referred to as PG&E's Smartville-Pleasant Grove 60 kV transmission line. This line included a segment that extended south from the switch to PG&E's Pleasant Grove substation and a segment that extended north from the switch to a switch on the Smartville-Nicholas No. 160 kV line located on Beale Air Force Base. The entire Smartville-Pleasant Grove 60 kV line (subsequently renamed the Smartville-Lincoln 60 kV transmission line) was an integrated part of PG&E's transmission system and, therefore, was not a primary line that was part of a "project" as defined in Section 3(11) of the FPA, 16 USC § 796(11).

In preparing for the relicensing of the Project, the Licensee determined that the portion of the Smartville-Lincoln 60 kV transmission line extending south from the switch at the terminus of the 1.9-milelong primary line is no longer operational as a transmission line and is no longer directly connected to the switch. As a result, when Project power reaches the switch at the terminus of the 1.9-mile long primary line, the northbound segment of the Smartville-Lincoln 60kV line is the only source for electrons traveling from the SSWD Camp Far West Project switchyard (FERC No. 2997) to a switch on the Smartville-Nicholas No. 160 kV line at Beale Air Force Base, where the electrons are commingled with electrons from other sources. Therefore, the Licensee believes the 9-mile-long northern section of the Smartville-Lincoln 60 kV line is a primary line necessary to deliver the SSWD Camp Far West Project's power to PG&E's integrated transmission system.

Accordingly, the Licensee is proposing in this application to add the 9-mile-long northbound segment of the Smartville-Lincoln 60 kV to the 1.9-mile-long primary line described in the existing license, which together are referred to in the final license application (FLA) as the Camp Far West Transmission Line, or the "Project". This would result in a primary line with a

¹ The Commission is required under Section 10(j) of the FPA to include in any license fish and wildlife measures for the protection, mitigation of damages to, and enhancement of fish and wildlife resources potentially affected by the project based on recommendations from the National Marine Fisheries Service, the U.S. Fish and Wildlife Service, and state fish and wildlife agencies.

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total length of 10.9 miles. As described more fully in the application, because both segments of the line existed as part of the Licensee's integrated transmission system since before the Project was licensed in 1990, the Licensee has all rights necessary to operate and maintain the Camp Far West Transmission Line in perpetuity and for all purposes that may be required by a new license. The Project is a Transmission Line-Only Project. The Project is located at an elevation ranging from 130 feet (ft) to 525 ft originating on private land in Placer County and extending onto county, private and tribal lands in Placer County, and private and federal lands managed by the U.S. Department of Defense (DOD) on Beale Air Force Base in Yuba County, California.

Project facilities include a 10.9-mile-long three-phase, 60 kV, wood and steel pole transmission line extending from SSWD's Project Powerhouse (part of FERC Project No. 2997) in Placer County to a switch on the Smartville-Nicholas No. 160 kV transmission line near the Beale Air Force Base meter station in Yuba County. There are 189 wooden structures and 2 steel structures. The majority of the transmission line right-of-way (ROW) is 40 ft in width with two small sections that are 10 ft and 20 ft in width in Placer County, near the Camp Far West Powerhouse; the ROW represents the proposed FERC Project Boundary as described in the FLA.

The Project comprises a total of 52.3 acres (ac) within the ROW, including 13.2 acres of Federal land, 10.9 ac of which are managed by the DOD and 2.3 ac of which are administered by the U.S. Department of the Interior, Bureau of Indian Affairs. Additionally, 2.5 ac are managed by Placer County, 6.1 ac are managed by SSWD, and 30.5 ac fall on privately-owned lands.

In addition to delivery of project power from the SSWD Project No. 2297, Project operations include operation and maintenance (O&M) procedures required to ensure continued Project operations. These procedures consist of periodic facility inspections and equipment repairs and vegetation management required for compliance with California Public Resources Code (CPRC) Sections 4292 and 4293. CPRC Section 4292 requires the removal of vegetation around non-exempt structures (e.g., switch structures) and CPRC Section 4293 requires the removal of hazard trees and specifies minimum clearances between Project structures and adjacent vegetation.

BACKGROUND

The Department reviewed the FLA filed with FERC by Licensee on June 27, 2019, and provides the following background on potential natural resource impacts within the Project.

State Protection and Designation of Birds

Approximately 650 bird species inhabit California during all or some point in their life cycle (CDFW 2015). These birds, whether resident or transient to the State, are afforded protection through the Fish and Game Code. Pursuant to Fish and Game Code Section 3503, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. "Take" is defined in Fish and Game Code Section 86 as hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill. Raptors are afforded protection under Fish and

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Game Code Section 3503.5, which makes it unlawful to take, possess, or destroy these birds or their nests or eggs. Additionally, Fish and Game Code Section 3513 makes it unlawful to take or possess any migratory nongame bird designated in the federal Migratory Bird Treaty Act. Nongame birds are afforded additional protection from take under Fish and Game Code Section 3800. Bird species listed as State threatened or endangered, or candidates for these listings under the California Endangered Species Act (CESA, Fish & G. Code §§ 2050-2085), are protected under Fish and Game Code Section 2080, which prohibits the take of these species without a permit. Bird species (or parts thereof) listed as State fully protected pursuant to Fish and Game Code 3511 may not be taken at any time, except for specific circumstances that do not apply to this Project.

The Department has designated certain bird species in California as “species of special concern” with the intent to focus attention on species at conservation risk, stimulate research on poorly known species, and achieve conservation and recovery of species before they meet CESA criteria for listing as threatened or endangered. Bird species of special concern are designated as those species, subspecies, or distinct populations of native birds that satisfy one or more of the following criteria: 1) are extirpated from the State totally or in their primary seasonal or breeding role and were never listed as state threatened or endangered; 2) are listed federally under the Endangered Species Act, but not listed as State threatened or endangered under CESA; 3) meet the State definition of threatened or endangered but have not formally been listed; 4) are experiencing, or formerly experienced, serious (nonscyclical) population declines or range retractions (not reversed) that, if continued or resumed, could qualify them for State threatened or endangered status; and/or 5) have naturally small populations exhibiting high susceptibility to risk from any factor(s) that if realized could lead to declines that would qualify them for State threatened or endangered species status (Shuford and Gardali 2008).

Bird Species in the Project Vicinity

As described in Section 3.6.1.2, Exhibit E of the FLA, Licensee performed a relicensing study utilizing the California Wildlife Habitats Relationships System database (CWHR) to determine “the presence and distribution” of special status wildlife species in the FERC Project boundary within 5 miles of the Project. The Department would like to note that CWHR is an information system operated and maintained by the Department which predicts the occurrence of and habitat suitability for terrestrial vertebrates in California based on geographic distribution, relationships to habitats and stages, seasonal use patterns, and presence of habitat elements. CWHR cannot be used to determine the actual presence or spatial or temporal distribution of species in a given area. Based on the CWHR analysis, Licensee identified 22 special status bird species that have the potential to occur in the study area. These species include; State fully protected golden eagle (*Aquila chrysaetos*), white-tailed kite (*Elanus leucurus*), and American peregrine falcon (*Falco peregrinus*); State endangered and fully protected bald eagle (*Haliaeetus leucocephalus*) and Tricolored Blackbird (*Agelaius tricolor-nesting colony*); State threatened and fully protected greater sandhill crane (*Grus canadensis tabida*) and California black rail (*Laterallus jamaicensis coturniculus*); State threatened Swainson’s hawk (*Buteo swainsoni*) and bank swallow (*Riparia riparia*); and several Species of Special Concern including the Northern Harrier (*Circus cyaneus*), Common loon (*Gavia immer*), Long-eared owl (*Asio otus*), Short-eared owl (*Asio flammeus*), Burrowing owl (*Athene cunicularia*), Redhead (*Aythya americana*), Black swift (*Cypseloides niger*), Loggerhead shrike (*Lanius ludovicianus*),

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Purple martin (*Progne subis*), Yellow-breasted chat (*Icteria virens*), Yellow warbler (*Setophaga petechia*), Grasshopper sparrow (*Ammodramus savannarum*, nesting), and Yellow-headed blackbird (*Xanthocephalus xanthocephalus*).

Section 3.6.1.2.1, Exhibit E of the FLA provides life history descriptions for each of the 22 CWHR-predicted special status bird species as well as occurrence and distribution data.

Potential Project Impacts to Birds

Below are potential Project impacts to birds based on proposed Project activities in the FLA.

Nesting Bird Impacts

Pursuant to Fish and Game Code Section 3503, it is unlawful to take, possess, or needlessly destroy the nest or eggs of any bird. Fish and Game Code Section 3503.3 provides additional protection of raptor nests and eggs. Different species of birds have varying tolerances to project-related disturbances while nesting. These disturbances may include project activities such as construction, operations, maintenance, and repairs. Potential Project impacts to nesting birds as a result of these disturbances may include: damage to or destruction of nests and/or foraging habitat during ground-disturbing and vegetation clearing or reduction activities, removal of a nest site used by the same nesting pair of birds over a number of years resulting in the loss of a nest site, and abandonment or failure of an active nest as a result of noise or other activities occurring in the vicinity of the nest site.

Bird Electrocution and Collision with Transmission Lines

Utility structures such as transmission lines pose electrocution and collision risks to raptors and other birds (APLIC and USFWS 2005). Powerlines may kill hundreds of thousands of birds annually due to electrocution (Manville 2005). Electrocution has been documented as the cause of death of many raptor species in the United States, with eagles and hawks (of the Genus *Buteo*) typically at greatest risk (APLIC and USFWS 2005). Raptors such as golden eagles (*Aquila chrysaetos*), red-tailed hawks (*Buteo jamaicensis*), osprey (*Pandion haliaetus*), and great-horned owls (*Bubo virginianus*) are especially at risk for electrocution due to their large wingspans (APLIC and USFWS 2005). These species are also found within the Project area. Eagles are the most commonly reported electrocuted birds, with golden eagles reported by Harness (1997) to be 2.3 times more frequently electrocuted than bald eagles in the western United States (Manville 2005). Red-tailed hawks and great-horned owls are the most commonly reported electrocuted hawk and owl species as reported by Harness (1997) and Harness and Wilson (2001) (Manville 2005). Additionally, birds other than raptors, such as corvids, small flocking birds, and wading birds, can also be electrocuted (APLIC and USFWS 2005). As many as 175 million birds may be killed annually due to collisions with powerlines (Manville 2005). Some studies have shown that waterbirds (e.g., waterfowl, gulls, shorebirds, etc.) are most susceptible to collisions near wetlands and raptors and passerines are most susceptible to collisions in upland habitats away from wetlands. All the aforementioned species or types of birds were predicted to occur by CWHR, and/or observations of these birds have been reported, in the Project vicinity (CDFW 2018; eBird 2018).

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Avian Protection Plan

The Licensee has developed an Avian Protection Plan (APP) that addresses avian electrocutions, collisions, and nesting birds during operations and maintenance activities. As part of the Plan, the Licensee manages electrical facilities proactively and retroactively to prevent avian electrocutions and collisions by working to minimize and reduce avian mortality in accordance with the APP. The Licensee's APP is based on APLIC Guidelines (APLIC 2006, 2012). The APP is updated on a regular basis by the Licensee and is guided by APLIC principals. The Licensee's implementation of the APP includes an Avian Task Force, made up of a Program Manager in charge of APP implementation; biological and environmental staff who provide regulatory direction and advise on technical issues; engineers advising on design, maintenance, and operations; and legal staff. In addition, the Licensee has an Avian Reporting System; a database maintained by the APP program manager of all reported avian mortalities and concerns.

Though PG&E relies on the APP to manage infrastructure in an avian-safe way, the Department is not a signatory party to this document. To supplement the APP and better prevent possible impacts to birds, the Department recommends additional Conditions below.

RECOMMENDED CONDITIONS

The Department believes that Project maintenance and repair activities have the potential to impact nesting birds, even with APP implementation, and has proposed the following conditions to help avoid or minimize impacts. The Department submits the following Recommended Conditions under authority granted through the FPA (16 USC § 803). This State fish and wildlife agency files Recommended Conditions pursuant to FPA Section 10(j)(1).

Condition 1: WIL-1 – Avian Protection Measure

The Licensee shall follow its internal APP (Public Version included in Appendix E1 of the FLA), which includes construction design standards that meet or exceed APLIC guidelines (APLIC 2006, 2012). The APP also includes measures to reduce bird electrocution and collisions and to avoid take of protected birds. If and when the Licensee receives their permit under the Bald and Golden Eagle Protection Act, the Licensee shall follow all of the provisions of the issued permit. Within the first full year of FERC license issuance, the Licensee shall reframe pole 6/134 to meet APLIC Guidelines. Currently, the pole does not meet APLIC Guidelines because the Flat Pin Arm construction has a 58 inch horizontal phase to phase spacing, compared to APLIC's recommended 62 inch spacing for this voltage. Additionally, within the first full year of FERC license issuance, the Licensee shall install PG&E approved bird flight diverters at the river crossing span between poles 12/245 and 12/246, and provide Global Positioning System coordinates of the poles, and approximate Global Positioning System locations of the bird flight diverters. This span of line was chosen to include additional bird flight diversion mitigation measures as it spans the Bear River and is in the most direct flight path for most birds in the project vicinity. The Licensee shall develop the specific implementation schedule for line markers between September 1 and December 31 in the first full year after license issuance. The diverters will be spaced between conductors at intervals approximately 50-ft apart.

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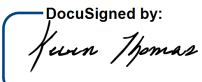
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Condition 2: WIL-2 – Nesting Bird Measure

To protect nesting bird species, the Licensee shall avoid ground-disturbing Project O&M activities during the general nesting bird season of February 1 through August 31. If activities cannot be avoided during this time period, a qualified biologist will conduct a focused survey for active bird nests within the area of the Project, plus a 500-ft (raptors) and 250-ft (non-raptors) survey area, within 5 days before O&M activity commencement. Surveys shall be conducted during an appropriate time of day when conditions provide good visibility, with the most likelihood of determining presence of adults or nestlings at the nest (e.g., during mid-day). Surveys will not be conducted during inclement weather (e.g., rain or strong wind). If no active bird nests are found within the survey areas, project work may proceed. If active bird nests are found within the survey areas described above, the qualified biologist will determine an appropriate no-work buffer. The buffer distance will be determined by a qualified biologist based on site-specific conditions including observations of the nesting pairs' and nestlings' behavior and sensitivity to human activity, proximity to existing human activity or development (e.g., roads, structures), the current site conditions (e.g., screening vegetation, terrain, etc.), and the site-specific work-related activities. As warranted, buffers may be adjusted in accordance with monitoring observations. For active nests, monitoring may be performed to confirm nest status, during O&M activities. A 500-ft buffer will be instituted for any heron rookeries within that distance from the ROW. The Licensee shall consult with the Department and/or the US Fish and Wildlife Service (USFWS) for special-status nesting species, as appropriate, prior to commencing ground-disturbing Project O&M activities. A summary of nesting bird survey results shall be provided annually no later than January 31 to the Department and USFWS based on the Licensee's records within the Avian Reporting System database.

The Department appreciates the opportunity to submit these Recommended Conditions. Questions regarding this letter or further coordination should be directed to Sarah Lose, Senior Environmental Scientist at 916-747-5226 or sarah.lose@wildlife.ca.gov.

Sincerely,

DocuSigned by:

A2A0A9C574C3445...
Kevin Thomas
Regional Manager

ec: Briana Seapy, briana.seapy@wildlife.ca.gov
Beth Lawson, beth.lawson@wildlife.ca.gov
Sean Hoobler, sean.hoobler@wildlife.ca.gov
Gabriele Quillman, Gabriele.Quillman@wildlife.ca.gov
Patrick Moeszinger, Patrick.Moeszinger@wildlife.ca.gov
California Department of Fish and Wildlife

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Aondrea "Leigh" Bartoo, aondrea_bartoo@fws.gov
United States Fish and Wildlife Service

Robert Donovan, RJDt@pge.com
Pacific Gas and Electric Company

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