



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION IX

75 Hawthorne Street
San Francisco, CA 94105-3901

March 26, 2020

Eric Tattersall
Sacramento Fish and Wildlife Office
U.S. Fish and Wildlife Service
2800 Cottage Way, W-2605
Sacramento, California 95825

Subject: Draft Environmental Assessment for the Multiple Region Operations and Maintenance Habitat Conservation Plan, 34 California Counties

Dear Mr. Tattersall:

The U.S. Environmental Protection Agency has reviewed the above-referenced document pursuant to the National Environmental Policy Act, Council on Environmental Quality regulations (40 CFR Parts 1500-1508), and our NEPA review authority under Section 309 of the Clean Air Act. The Draft Environmental Assessment analyzes the potential environmental impacts that would result from issuing an Incidental Take Permit to Pacific Gas and Electric to implement activities covered by the Multiple Region Operations and Maintenance Habitat Conservation Plan. The MRHCP spans approximately 565,781 acres in portions of 34 California counties where covered activities would occur, including operations and maintenance in PG&E utility corridors and minor new construction. The EPA appreciates the opportunity to review the Draft Environmental Assessment and has identified areas for additional analysis and disclosure as the U.S. Fish and Wildlife Service is preparing the Final EA and considering preparation of a Finding of No Significant Impact.

Air Quality

The MRHCP is located within 11 air basins, which includes ten areas that are designated nonattainment for either ozone, particulate matter of less than 2.5 microns (PM_{2.5}), and particulate matter of less than 10 microns (PM₁₀) (p. H-2). The Draft EA indicates there would be short-term degradation of air quality during the construction of several covered activities (p. 3-11). As such, we suggest that the Final EA include the following measures to further reduce impacts associated with emissions of PM, nitrogen oxides, volatile organic compounds, and other toxics from covered activities:

Mobile and Stationary Source Controls:

- Maintain and tune engines per manufacturer specifications to perform at the state's and/or EPA certification levels and conduct unscheduled inspections to ensure these measures are followed.
- If practicable, use new, clean equipment meeting the most stringent of applicable federal¹ or state standards.² In general, commit to the best available emissions control technology.
- Consider alternative fuels such as natural gas and electricity (plug-in or battery).
- Utilize best available emission control technologies for aircraft and schedule heavy helicopter usage primarily in the fall and winter months, as applicable, when ozone formation is lowest.

¹ See the EPA's website for nonroad mobile sources at: <http://www.epa.gov/nonroad/>.

² See the CARB's website for nonroad mobile sources at: <http://www.arb.ca.gov/msprog/offroad/offroad.htm>.

Fugitive Dust Source Controls:

- Stabilize open storage piles and disturbed areas by covering and/or applying water or chemical/organic dust palliative where appropriate at active and inactive sites during workdays, weekends, holidays, and windy conditions.
- Install wind fencing and phase grading operations, where appropriate, and operate water trucks for stabilization of surfaces under windy conditions.
- Limit speed of earth-moving equipment to 10 mph.

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Administrative Controls:

- Prepare an inventory of all equipment prior to construction and identify the suitability of add-on emission controls for each piece of equipment before groundbreaking.
- Plan construction to minimize vehicle trips and develop a construction traffic and parking management plan that maintains traffic flow.
- Before a covered activity begins, identify sensitive receptors nearby and specify the means to minimize impacts to these populations (e.g., locate construction equipment and staging zones away from sensitive receptors and building air intakes).

Migratory Birds

Electrocution and collisions with electrical lines are leading causes of migratory bird mortality;³ however, the Draft EA does not provide adequate information to assess the potential impacts to migratory birds from covered activities, including tower and pole replacement and extensions and/or relocations of existing transmission and distribution lines (p. 3-21, 22). The Draft EA also omits activity-specific best practices to avoid, minimize, or mitigate bird mortality. We encourage the USFWS to disclose this information in the Final EA. For example, discuss how the 34,200 poles and 14,040 towers replacements over the term of the MRHCP would impact migratory birds and describe how these replacements would conform to the practices described in the *Suggested Practices for Avian Protection on Power Lines Manual* (p. 3-98) developed by the Avian Power Line Interaction Committee. Also, consider including PG&E’s Avian Protection Plan as an appendix to the Final EA.

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Consultation with Tribal Governments

The EPA recommends that the Final EA describes the outcome of tribal consultation between the USFWS and each of the tribal governments within the project area, issues that were raised (if any), and how those issues were addressed.

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The EPA appreciates the opportunity to review this Draft EA. When the Final EA and FONSI are released for public review, please email one copy to samples.sarah@epa.gov. If you have any questions, please contact me at 415-947-4167, or Sarah Samples at 415-972-3961.

Sincerely,

Jean Prijatel, Manager
Environmental Review Branch

³ U.S. Fish and Wildlife Service. November 2018. Electrocutions. Available at <https://www.fws.gov/birds/bird-enthusiasts/threats-to-birds/electrocutions.php>.