



United States Department of the Interior

BUREAU OF LAND MANAGEMENT
FISH AND WILDLIFE SERVICE
BUREAU OF RECLAMATION



ELECTRONIC SUBMISSION

April 3, 2018

Mr. Curt Russell
PG&E Topock Compressor Station
P.O. Box 337
Needles, CA 92363

Dear Mr. Russell:

Subject: *Approval of PG&E Topock Compressor Station Remediation Site –Basis of Design Report/Final (100%) Design Submittal and Construction/Remedial Action Work Plan for the Final Groundwater Remedy and the Supplemental and Errata Information for the Final (100%) Design for the Final Groundwater Remedy, PG&E Topock Compressor Station, Needles, California*

The Department of the Interior, on behalf of itself, the Bureau of Land Management (BLM), the U.S. Fish and Wildlife Service, and the Bureau of Reclamation (collectively referred to as “DOI”) is pleased to approve the *Pacific Gas & Electric (PG&E) Topock Compressor Station Remediation Site –Basis of Design Report/Final (100%) Design Submittal and Construction/Remedial Action Work Plan for the Final Groundwater Remedy* (submitted on November 18, 2015) and the *Supplemental and Errata Information for the Final (100%) Design for the Final Groundwater Remedy*, submitted November 18, 2016 (100% GW Remedy Design Package). DOI believes that PG&E has been fully responsive to DOI comments on the previous design iterations and to the agreements made during comment resolution. DOI’s approval of the 100% GW Remedy Design Package is subject to Pacific Gas and Electric Company’s compliance with the stipulations identified below.

As lead for Federal Agencies for purposes of Section 106 of the National Historic Preservation Act, the BLM initiated Section 106 consultation with the Arizona and

California State Historic Preservation Offices and the Advisory Council on Historic Preservation. The BLM invited nine Native American Tribes that attach religious and cultural significance to historic properties within the Area of Potential Effect (APE) for the Topock Remediation Project to participate in the Section 106 consultation process which resulted in the development of a Programmatic Agreement (PA). PG&E and affected Federal agencies also participated in the Section 106 consultation.

The PA acknowledges the Tribes' historic and traditional interests in the area, and establishes a process for further consultation on the potential effects to historic properties within the APE resulting from the Topock Remediation Project. The Signatories and Invited Signatories executed the PA in 2010, and amended it in 2017. Among other things, the PA required development of an additional plan to avoid, minimize or mitigate the potential adverse effects on cultural and historic properties in the APE resulting from the Topock Remediation Project. The BLM developed the Cultural and Historic Properties Management Plan (CHPMP) in 2012. In addition, the BLM is currently developing the Historic Properties Treatment Plan (Treatment Plan), which will provide specific measures to avoid, minimize or mitigate adverse effects to the Topock Maze, the Topock Traditional Cultural Property (TCP), and individual sites that have been determined eligible for listing on the National Register of Historic Places (NRHP), such as the trail site (CA-SBR-29943).

PG&E shall comply with the provisions of the PA, the CHPMP and the Treatment Plan throughout remedy construction, including the following:

- PG&E shall honor the Tribal Access Plan (CHPMP Appendix B) to assure the Tribes of continued access to federal lands within the boundary of the APE for religious, spiritual or other cultural purposes during construction and operation of the groundwater remedy. DOI recognizes that portions of the APE may require access control due to health and safety issues.
- In addition to the periodic monitoring of historic and cultural properties to assess site conditions required in the CHPMP, PG&E shall conduct supplemental monitoring during groundwater remedy construction, as directed by BLM or DOI.
- In accordance with the Remedial Design/Remedial Action Consent Decree, the PA, and the Construction Remedial Action Work Plan, *Appendix F – IM-3 Decommissioning, Removal and Restoration Work Plan*, PG&E shall complete removal of the IM-3 facility and appurtenances as soon as practicable. PG&E shall, to the extent practicable, restore the areas affected by the IM-3 facilities to the conditions existing prior its construction.

BLM has determined that portions of Route 66 within the APE are eligible for listing on the NRHP and would be adversely affected by remedy implementation. The APE also encompasses the Topock Maze and the Topock TCP. The Topock TCP within the APE is eligible for inclusion on the NRHP under Criterion A and is part of what the Tribes have identified as a larger area of traditional and cultural importance, whose boundaries

have yet to be defined and will not be defined within the scope of this Undertaking, and will not be subject to any further concurrence regarding this determination of effect. PG&E shall adhere to the conditions specified below in implementing the 100% GW Remedy Design Package.

- The Treatment Plan identifies proposed measures to avoid, minimize or mitigate adverse effects to the maximum extent practicable on the Topock Maze, the TCP, and individual sites that have been determined eligible for listing on the NRHP, such as the trail site (CA-SBR-29943). The Treatment Plan shall be implemented contemporaneously with the construction. All unevaluated sites are treated as eligible for the National Register and shall be avoided to the maximum extent practicable. In accordance with the PA, should unanticipated adverse effects occur as a result of remedy implementation, the Treatment Plan shall be modified to include measures to minimize or mitigate the adverse effects.
- Chemicals that are foreign to the natural environment are a concern to the Tribes, Federal land managing agencies, and the public. PG&E shall notify DOI of any change in the class of chemical additives that will come in contact with the soil or groundwater during construction to allow for sufficient time for consultation to occur in accordance with the PA Appendix B, if necessary.
- PG&E shall notify Interested Tribes and DOI by phone and email if unexpected field conditions are encountered during well installation, drilling cannot continue at the planned location (referred to as “refusal”), and a determination is made in the field that the well must be moved. Work will continue after the notification.

PG&E must notify the BLM Topock Archaeologist and Field Office Manager of proposed changes to the current design requiring a work variance request (WVR) for additional intrusive activities within BLM managed land. If requested by BLM, a field visit will be arranged to discuss the potential impacts to the land and historic, biological and/or cultural resources.

DOI and BLM understand that the Fort Mojave Indian Tribe (FMIT) remains opposed to the siting of monitoring well (MW) MW-X and MW-Y/Y’ in Arizona. Monitoring wells are necessary on the peninsula to detect the potential migration of hexavalent chromium and remedy byproducts into Arizona. These wells are also necessary to gain a better understanding of the hydrogeologic environment in Arizona and analyze potential influences from remedy implementation. The BLM has considered the proximity of the wells to the nearby sites and recognizes that these wells may have an indirect adverse effect on the White Clay site. BLM will consult with Signatories, Tribes, and Invited Signatories regarding ways to minimize or mitigate the potential adverse effect to the White Clay site. PG&E shall delay installation of MW- X and MW-Y/Y’ until consultation has been completed and/or direction to install the wells is given by DOI.

PG&E shall pay strict attention to the conservation measures laid out in the Programmatic Biological Assessment (PBA) during all field activities. PG&E shall

comply with conservation measures adopted as a result of the Endangered Species Act Section 7 consultation process, held with BLM and USFWS, in order to avoid and minimize adverse effects to threatened and endangered species. PG&E shall minimize any new disturbance associated with the construction activities to the greatest extent practicable, as directed by DOI.

In order to comply with the National Wildlife Refuge System Administration Act and the corresponding Appropriate Use Analysis and Compatibility Determination, PG&E must notify the Havasu National Wildlife Refuge (HNWR) Manager of any changes to the current design requiring a WVR and resulting in additional intrusive activities within the HNWR. If requested by the HNWR Manager, a field visit will be arranged to discuss the potential impacts to the land and historic, biological and/or cultural resources.

Additional stipulations required for remedy implementation are as follows:

- A Right-of-Way (ROW) Grant Renewal was issued by BLM in 2008 for the continued use of the wastewater discharge line, access road and four evaporation ponds on public lands. An Amendment to the ROW Grant was issued on January 25, 2018 to allow for disposal of hazardous substances, such as those contained in the groundwater remedy-produced water, to the ponds. Prior to use of the evaporation ponds for remedy produced water, PG&E shall provide baseline conditions regarding constituent concentrations in the evaporation ponds by providing data currently collected for the monitoring reports pursuant to the California Regional Water Quality Control Board, Colorado River Basin, Waste Discharge Requirements for the Ponds
- PG&E shall comply with the Bird Impact Avoidance and Minimization Plan (BIAMP 2013) describing how impacts to special-status bird species will be avoided and minimized during implementation of the Topock Groundwater Remediation Project. General avoidance and minimization measures that address all bird species are provided in Section 6.1 of this document and shall be implemented. PG&E shall verify limited use of the ponds by migratory birds in accordance with the BIAMP. Once the remedy is operational, PG&E shall provide remedy produced water analytical data, collected for the quarterly monitoring reports pursuant to the approved Operations and Maintenance Manual for the Final Groundwater Remedy. PG&E shall conduct additional sampling of remedy produced water, as directed by DOI. PG&E shall work with the DOI to determine if additional mitigation measures are necessary.
- PG&E shall provide Construction Quality Assurance (CQA) records, including inspections reports, surveillance reports and audit reports, to the DOI Project Manager upon request.
- Workers shall exercise caution when traveling to and from the project area. To ensure worker safety and minimize the likelihood for vehicle strikes of listed or special status species, speed limits when commuting to project areas on unpaved

access roads shall not exceed 20 miles per hour. Posted speed limits shall be adhered to on public roads.

- Upon completion of the groundwater remedy construction, PG&E shall remove all unused material and equipment from Federal property. This stipulation does not apply to fenced areas.

The implementation of the groundwater remedy and resulting protection of the Colorado River is of significant importance to DOI, tribes and stakeholders. DOI looks forward to a continued collaborative effort in ensuring this occurs.

If you have any questions regarding this, please contact me at (602) 417-9578.

Sincerely,

Handwritten signature of Pamela S. Innis in cursive script.

Pamela S. Innis
DOI Topock Remedial Project Manager

Cc: PG&E Topock Consultative Workgroup (CWG) Members
Topock Administrative Record