



**CH2MHILL**

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December 3, 2009

382914

Mr. Craig Hoffman  
Project Manager  
California Energy Commission  
1516 Ninth Street, MS 15  
Sacramento, CA 95814-5512

<b>DOCKET</b>	
<b>09-AFC-3</b>	
DATE	DEC 03 2009
RECD	DEC 03 2009

Subject: Mariposa Energy Project (09-AFC-03)  
USACE Wetland Delineation Amendment for the Mariposa Energy Project - Field  
Verification Including the Alternative Water Supply Pipeline Route

Dear Mr. Hoffman:

Attached please find 1 hard copy of the USACE Wetland Delineation Amendment for the Mariposa Energy Project - Field Verification Including the Alternative Water Supply Pipeline Route. This Technical Memorandum was prepared for the United States Army Corps of Engineers as a follow up to the wetlands field verification held on November 19, 2009.

If you have any questions about this matter, please contact me at (916) 286-0348.

Sincerely,

CH2M HILL

Doug Urry  
AFC Project Manager

Attachment

cc: J. Salamy, CH2M HILL  
B. Buchynsky, Mariposa Energy, LLC.

## Wetland Delineation Amendment for the for the Mariposa Energy Project – Field Verification Including the Alternative Water Supply Pipeline Route (File # SPK-2009-01261)

PREPARED FOR: Mark Fugler  
U.S. Army Corps of Engineers  
Regulatory Branch

PREPARED BY: Russ Huddleston

COPIES: Doug Urry/CH2M HILL  
Todd Elwood/CH2M HILL  
Bo Buchynsky/Mariposa Energy  
Craig Hoffman/California Energy Commission

DATE: November 30, 2009

A wetland delineation report for the Mariposa Energy Project (MEP) in unincorporated Alameda County, California was submitted to the U.S. Army Corps of Engineers for review and on September 24, 2009. Since that time an alternative water supply pipeline route extending from the project site to the Mountain House Waste Water Treatment Plant (WWTP) has been added to the study area. The alternate water line would extend to the northeast across the project parcel and continue approximately 2.5 miles east along Kelso Road to the Byron Highway. The alignment would then continue to the southeast along the highway for 2.3 miles to Wicklund Road where it would then continue directly north to the WWTP facility. The survey area for the water line alignment included approximately 75 acres consisting of a 100-foot corridor along the proposed alignment. For those sections where the water supply pipeline would be located within or immediately adjacent to an existing roadway, in which case only the areas adjacent to the excavation were included in the analysis as it was assumed areas on the opposite side of the roadway would not be affected. The total survey area for the MEP and associated linear features is provided in Table 1.

Seven water features and one seasonal wetland area were identified within the survey area for the alternate water supply pipeline. These features included:

- A small section of the Byron-Bethany Irrigation District's Canal 70 along Kelso Road (Figure 2-2, Map 2)
- A small drainage ditch along the south side of Kelso Road, just east of Canal 70
- A seasonal wetland associated with an agricultural drainage ditch system on the south side of Kelso Road, east of Mountain House Road (Figure 2-2, Map 4)
- A drainage ditch on the south side of Kelso Road west of Patterson Park Road (Figure 2-2, Map 5)

- A routinely maintained agricultural ditch on the south side of Kelso Road, east of Patterson Park Road (Figure 2-2, Map 6)
- Mountain House Creek along west Byron Road (Figure 2-2, Map 8)
- Finally a small portion of a diversion canal W1D from the Old River is included in the study near the terminus of the alignment at the Mountain House WWTP (Figure 2-2, Map 11)

**TABLE 1.**  
Project Study Areas Included in the Wetland Delineation

<b>Project Features</b>	<b>Acreage</b>
Study area for Project Site and Laydown Area	41.0
Natural Gas Supply Pipeline	1.3
Transmission Line	8.5
Water Supply Pipeline	21.8
Alternate Water Supply Pipeline	75.0
<b>Total Wetland Delineation Survey Area</b>	<b>147.6</b>

Table 2 presents the acreages of each of these features within the Alternate Water Supply Pipeline delineation boundary study area.

**TABLE 2.**  
Water Features and Wetlands Observed within the Alternate Water Supply Alignment Survey Area

<b>Feature</b>	<b>Feature ID</b>	<b>Acreage</b>
Drainage Ditch	Ditch -2	0.01
BBID Canal 70	Canal 70	0.04
Seasonal Wetland	SWL-3	0.25
Drainage Ditch	Ditch -3	0.05
Drainage Ditch	Ditch-4	0.04
Mountain House Creek	Mt. House Creek	0.18
Diversion Canal from Old River	W1D Canal	0.31
<b>Total</b>		<b>0.88</b>

A field verification of the original MEP wetland delineation study area and the additional alternate water supply pipeline route was conducted on November 19, 2009. Table 3 provides a list of all wetlands and waters included in the 147.6-acre study area as verified during the November 19, 2009 field visit. Figures 2-1 and 2-2 show the locations of all wetland and water features identified in the study area as revised per the November 19, 2009 field verification.

**TABLE 3.**

Summary of all Wetlands and Waters Identified in the 147.6-Acre Study Area for the Mariposa Energy Project

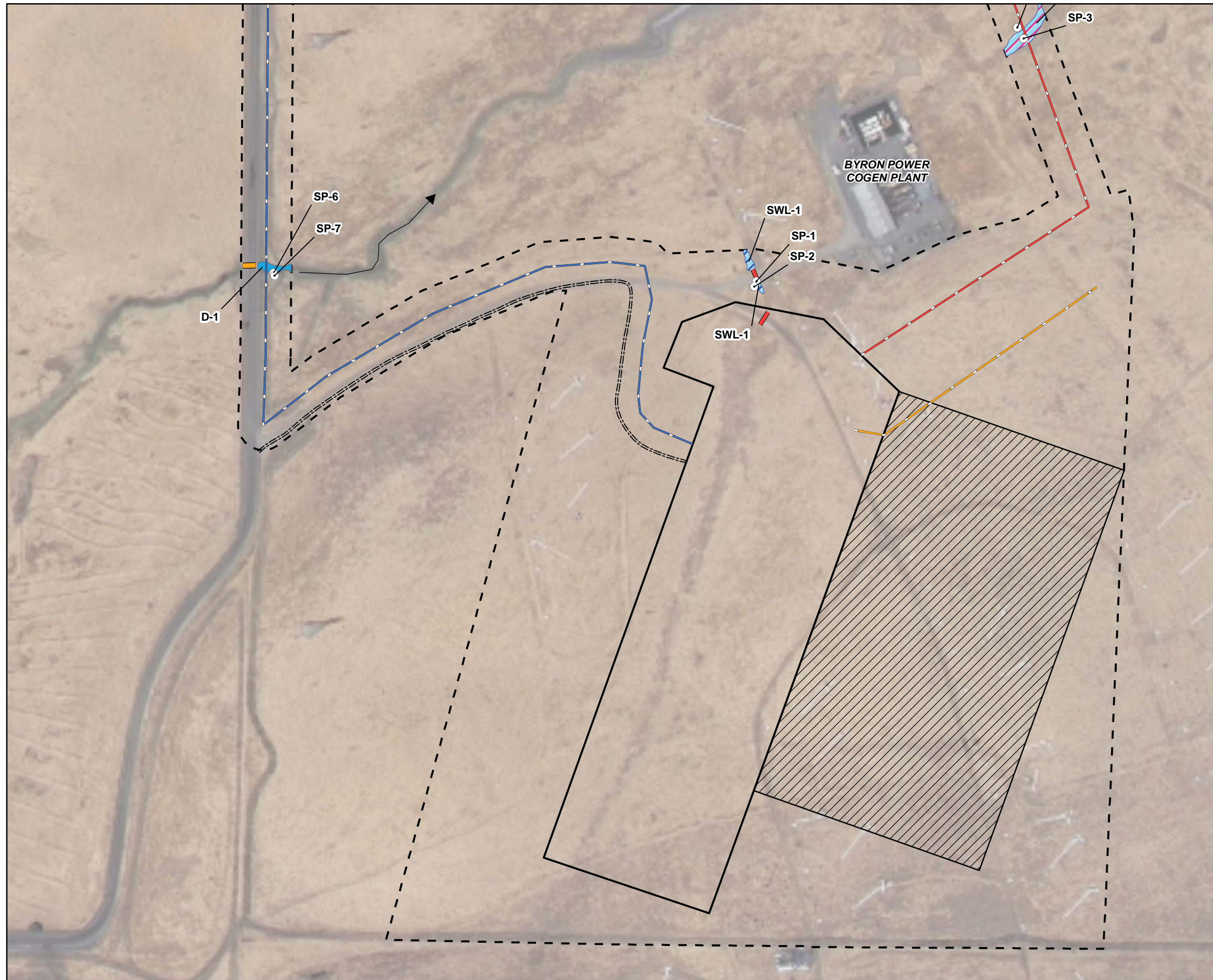
Feature	Acreage	Description	Map Page	Location
Seasonal Wetland (SWL-1)	0.018	Two shallow, well-defined basins along access road to the Byron Power Cogen Plant connected by a corrugated metal pipe; slender popcorn flower ( <i>Plagiobothrys stipitatus</i> ) and other vernal pool plants scattered within the basin	Figure 2-1; Map 1	37° 47' 28.509" -121° 36' 05.353"
Drainage Wetland (D-1)	0.021	Defined drainage channel characterized by saltgrass ( <i>Distichlis spicata</i> ) within the channel; blue line creek on USGS topographic map with apparent hydrologic connection with Italian Slough	Figure 2-1; Map 1	37° 47' 28.259" -121° 36' 17.217"
Drainage Wetland (D-2)	0.032	Small swale-like feature characterized by saltgrass ( <i>Distichlis spicata</i> ), Italian ryegrass ( <i>Lolium multiflorum</i> ), and meadow barley ( <i>Hordeum brachyantherum</i> ) with some scouring evident along the channel; blue line creek on USGS topographic map with apparent hydrologic connection with Italian Slough	Figure 2-1; Map 2	37° 47' 47.880" -121° 36' 17.099"
Swale (SW-1)	0.063	Low topographic swale characterized by Mediterranean barley ( <i>Hordeum marinum</i> ); appears to convey low-volume, short-duration flows in response to storm events but lacks evidence of prolonged inundation; water flows west and ponds in low areas around the Byron Power Cogen Plant	Figure 2-1; Map 2	37° 47' 33.065" -121° 35' 58.534"
Swale (SW-2)	0.045	Low topographic swale characterized by Mediterranean barley ( <i>Hordeum marinum</i> ); appears to convey low-volume, short-duration flows in response to storm events but lacks evidence of prolonged inundation; water flows west and ponds in low areas around the Byron Power Cogen Plant;	Figure 2-1; Map 2	37° 47' 35.505" -121° 35' 59.730"
Drainage Wetland (D1a)	0.006	Weakly expressed drainage swale characterized by saltgrass ( <i>Distichlis spicata</i> ), Mediterranean barley ( <i>Hordeum marinum</i> ), soft chess ( <i>Bromus hordeaceus</i> ), and foxtail barley ( <i>Hordeum murinum</i> ), blue line creek on USGS topographic map with apparent hydrologic connection with Italian Slough	Figure 2-1; Map 2	37° 47' 41.224" -121° 36' 03.221"
Waters of the U.S. Drainage Channel (D-1b)	0.023	Defined channel with steep cut banks, largely devoid of vegetation, continuation of Drainage 1 on the north side of Kelso Road, blue line creek on USGS topographic map with apparent hydrologic connection with Italian Slough	Figure 2-1; Map 2	37° 47' 42.117" -121° 36' 03.016"
Seasonal Wetland (SWL-2)	0.007	Shallow, weakly expressed topographic low area with scattered coyote thistle ( <i>Eryngium vaseyi</i> ) and Italian ryegrass ( <i>Lolium multiflorum</i> ), adjacent to transmission line laydown area	Figure 2-1; Map 2	37° 47' 48.248" -121° 36' 03.328"

**TABLE 3.**  
Summary of all Wetlands and Waters Identified in the 147.6-Acre Study Area for the Mariposa Energy Project

Feature	Acreeage	Description	Map Page	Location
Drainage Ditch -1 and Waters of the U.S. Drainage Channel (D-2a)	0.052	Small, well-defined channel with defined bed and bank, channel is a continuation of Drainage 2, portion of the original channel has been realigned through the PG&E facility to the west; blue line creek on USGS topographic map with apparent hydrologic connection with Italian Slough	Figure 2-1; Maps 2 and 3	37° 47' 51.702" -121° 36' 03.300"
Drainage Wetland (D-3)	0.138	Shallow, well-defined drainage channel characterized by cosmopolitan bulrush ( <i>Bolboschoenus maritimus</i> ) with scattered rabbitsfoot grass ( <i>Polypogon monspeliensis</i> ), curly dock ( <i>Rumex crispus</i> ), and cattail ( <i>Typha</i> spp.). Palustrine Emergent Permanently Flooded wetland on the National Wetland Inventory Map and is a blue line creek on USGS topographic map with apparent hydrologic connection with Italian Slough	Figure 2-1; Map 3	37° 48' 01.203" -121° 36' 17.094"
Swale (SW-3)	0.012	Small, weakly expressed swale from 12-inch-diameter culvert under Kelso Road; characterized by soft chess ( <i>Bromus hordeaceus</i> ), Italian ryegrass ( <i>Lolium multiflorum</i> ), and saltgrass ( <i>Distichlis spicata</i> ); appears to convey low, very-low volume flow for very short durations only in response to heavy rainfall	Figure 2-1; Map 3	37° 48' 02.997" -121° 36' 16.967"
Erosional Channel (E-1)	0.002	Small, weakly expressed erosional rill resulting from direct runoff from the Kelso Substation	Figure 2-1; Map 3	37° 47' 52.507" -121° 36' 06.909"
Erosional Channel (E-2)	0.013	Erosional channel resulting from direct runoff from the Kelso Substation	Figure 2-1; Map 3	37° 47' 52.489" -121° 36' 09.849"
Erosional Channel (E-3)	0.022	Large, deeply scoured erosional channel resulting from direct runoff from the Kelso Substation	Figure 2-1; Map 3	37° 47' 52.478" -121° 36' 11.209"
Drainage Wetland (D-4)	0.053	Shallow, well-defined channel characterized by dense cattails ( <i>Typha</i> spp.) growing in the center of the channel with dense saltgrass ( <i>Distichlis spicata</i> ) growing around the outer edges; Palustrine Emergent Semi-Permanently Flooded wetland on the National Wetland Inventory Map and is a blue line creek on USGS topographic map with apparent hydrologic connection with Italian Slough	Figure 2-1; Map 4	37° 48' 19.799" -121° 36' 17.079"

**TABLE 3.**  
Summary of all Wetlands and Waters Identified in the 147.6-Acre Study Area for the Mariposa Energy Project

Feature	Acreage	Description	Map Page	Location
Alkali Sink Wetland (ASW-1)	0.166	Wetland area is characterized by saltgrass ( <i>Distichlis spicata</i> ) and seepweed ( <i>Suaeda moquinii</i> ) with scattered sand spurry ( <i>Spergularia marina</i> ), alkali heath ( <i>Frankenia salina</i> ), and common spikeweed ( <i>Hemizonia pungens</i> ); strongly alkaline soils; shown as a Palustrine Unconsolidated Shore Seasonally Flooded wetland on the National Wetland Inventory Map	Figure 2-1; Map 4	37° 48' 20.843" -121° 36' 17.045"
Canal 45	0.046	Constructed and routinely maintained irrigation canal	Figure 2-1; Map 5	37° 48' 45.039" -121° 36' 10.150"
Canal 70	0.046	Constructed and routinely maintained irrigation canal	Figure 2-2: Map 2	37° 47' 40.971" -121° 35' 34.754"
Drainage Ditch -2	0.006	Small drainage channel, approximately 3 feet wide, filled with annual grasses ( <i>Lolium</i> spp.) Flows north under Kelso Road through a 14-inch diameter cement culvert	Figure 2-2: Map 2	37° 47' 41.140" -121° 35' 25.688"
Seasonal Wetland (SWL-3)	0.247	Seasonal wetland characterized by dense cattail ( <i>Typha</i> spp.) along agricultural drainage ditch. Flows north through 24-inch diameter culvert under Kelso Road	Figure 2-2; Map 4	37° 47' 40.903" -121° 34' 24.044"
Drainage Ditch -3	0.050	Agricultural drainage ditch characterized by dense patch of giant reed ( <i>Arundo donax</i> ) and patches of Himalayan blackberry ( <i>Rubus discolor</i> ). Flows north through a 24-inch diameter culvert under Kelso Road.	Figure 2-2: Map 5	37° 47' 40.583" -121° 33' 44.585"
Drainage Ditch -4	0.036	Excavated agricultural drainage ditch	Figure 2-2: Map 6	37° 47' 40.583" -121° 33' 44.585"
Mt. House Creek	0.184	Mountain House Creek – channel within the project study area is entirely within existing culverts. Adjacent channel is characterized by emergent vegetation such as <i>Typha</i> spp.	Figure 2-2: Map 8	37° 47' 08.893" -121° 32' 09.950"
Canal W1D	0.309	Large excavated diversion canal off of the Old River, routinely maintained and devoid of vegetation.	Figure 2-2: Map 11	37° 47' 12.533" -121° 31' 03.740"
<b>Total</b>	<b>1.597</b>			

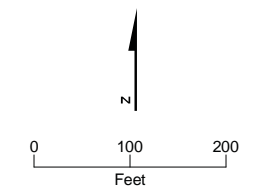


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  - NATURAL GAS PIPELINE ROUTE
  - TRANSMISSION LINE ROUTE
  - WATER SUPPLY PIPELINE ROUTE
  - FLOW DIRECTION
  - ▭ BOX CULVERT
  - ▭ CULVERT
- POTENTIAL JURISDICTIONAL WATERS/WETLANDS**
- ▭ DITCH
  - ▭ ALKALI SINK WETLAND
  - ▭ DRAINAGE WETLAND
  - ▭ WATERS OF THE U.S.
  - ▭ EROSIONAL CHANNEL
  - ▭ CANAL
  - ▭ SEASONAL WETLAND
  - ▭ SWALE
- SITES**
- ▭ CONSTRUCTION LAYDOWN/PARKING AREA
  - ▭ TRANSMISSION LINE LAYDOWN AREA
  - ▭ WATER SUPPLY PIPELINE LAYDOWN AREA
  - ▭ PROJECT SITE
  - ▭ PROJECT STUDY AREA

Delineation:  
R. Huddleston and T. Ellwood  
July, 2006

Revised: November 19, 2009

This map was compiled from various scale source data and maps and is intended for use as only an approximate representation of actual locations.



1 OF 5

**FIGURE 2-1**  
**WETLAND DELINEATION**  
MARIPOSA ENERGY PROJECT  
ALAMEDA COUNTY, CALIFORNIA



**LEGEND**

- DATA POINTS
- == ACCESS ROAD
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- ▭ CULVERT

**POTENTIAL JURISDICTIONAL WATERS/WETLANDS**

- DITCH
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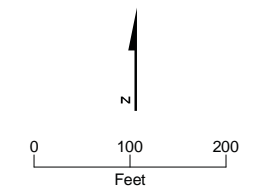
**SITES**

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**FIGURE 2-1**  
**WETLAND DELINEATION**  
MARIPOSA ENERGY PROJECT  
ALAMEDA COUNTY, CALIFORNIA



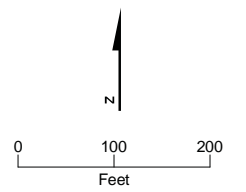


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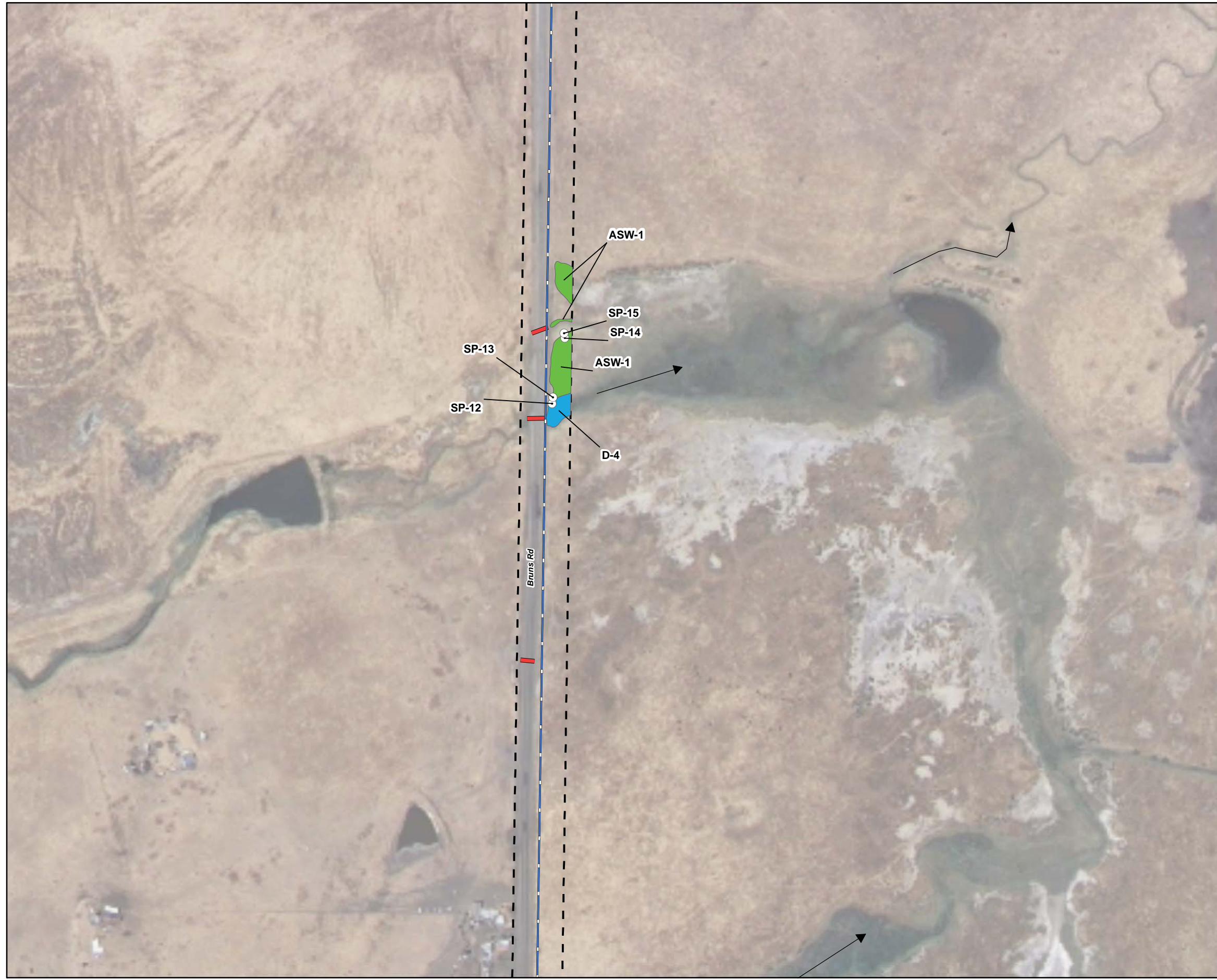
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**FIGURE 2-1**  
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MARIPOSA ENERGY PROJECT  
ALAMEDA COUNTY, CALIFORNIA

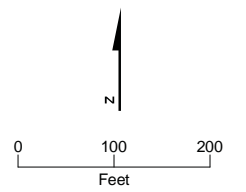


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**FIGURE 2-1**  
**WETLAND DELINEATION**  
MARIPOSA ENERGY PROJECT  
ALAMEDA COUNTY, CALIFORNIA

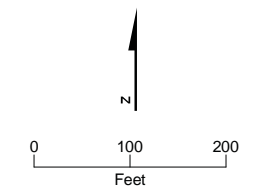


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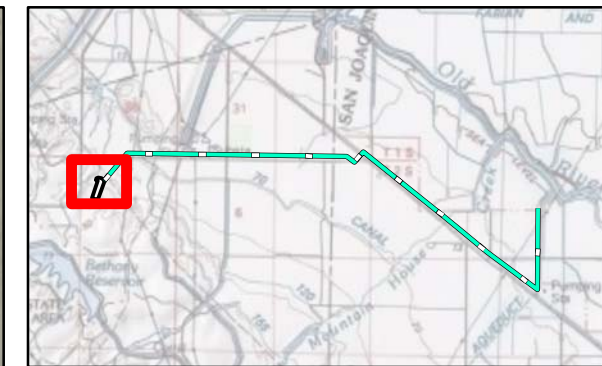
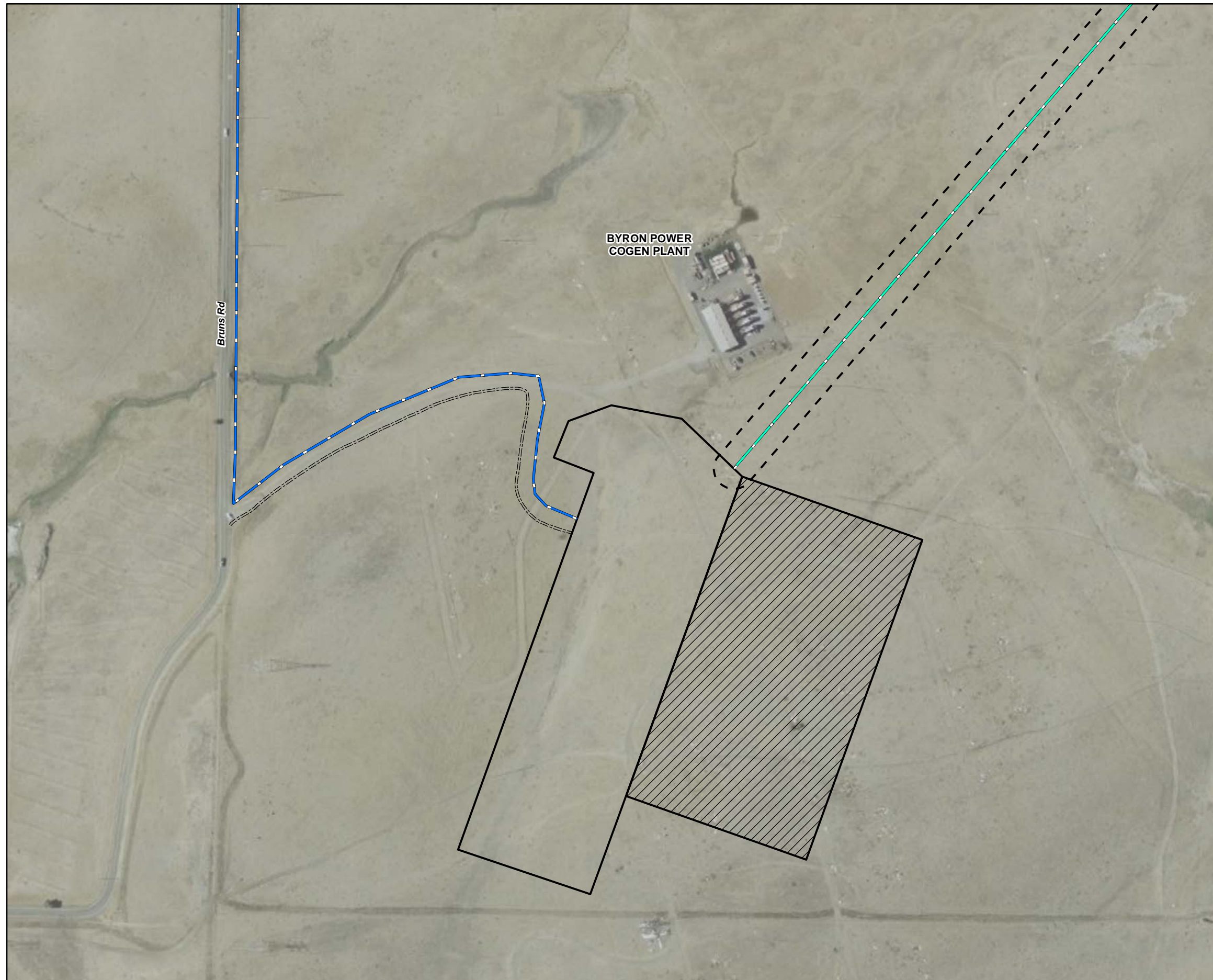
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5 OF 5

**FIGURE 2-1**  
**WETLAND DELINEATION**  
MARIPOSA ENERGY PROJECT  
ALAMEDA COUNTY, CALIFORNIA

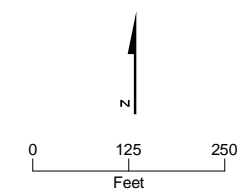


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  - WATER SUPPLY PIPELINE ROUTE
  - CULVERT
  - CONSTRUCTION LAYDOWN/PARKING AREA
  - PROJECT SITE
  - 50 FOOT BUFFER
- POTENTIAL JURISDICTIONAL WATERS/WETLANDS**
- CANAL
  - DITCH
  - SEASONAL WETLAND (SWL)
  - CREEK

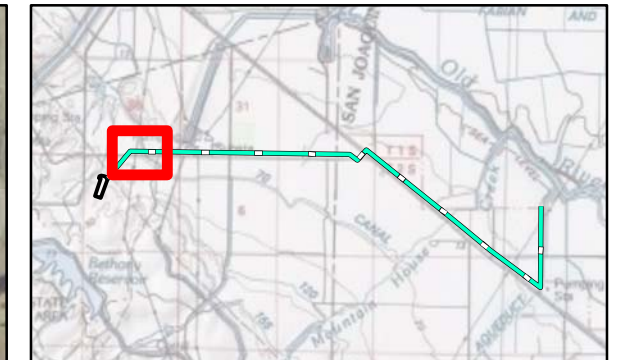
Delineation: T. Ellwood November 2, 2009  
 Revised: November 19, 2009

1 OF 11

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**FIGURE 2-2**  
**WETLAND DELINEATION**  
 MARIPOSA ENERGY PROJECT  
 ALAMEDA COUNTY, CALIFORNIA

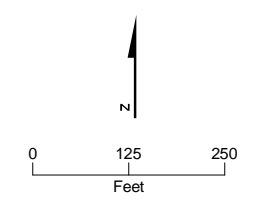


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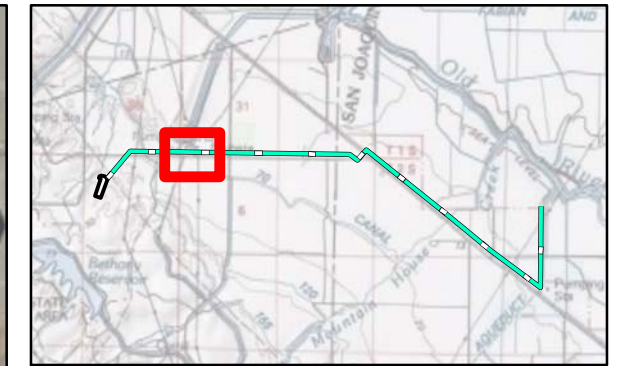
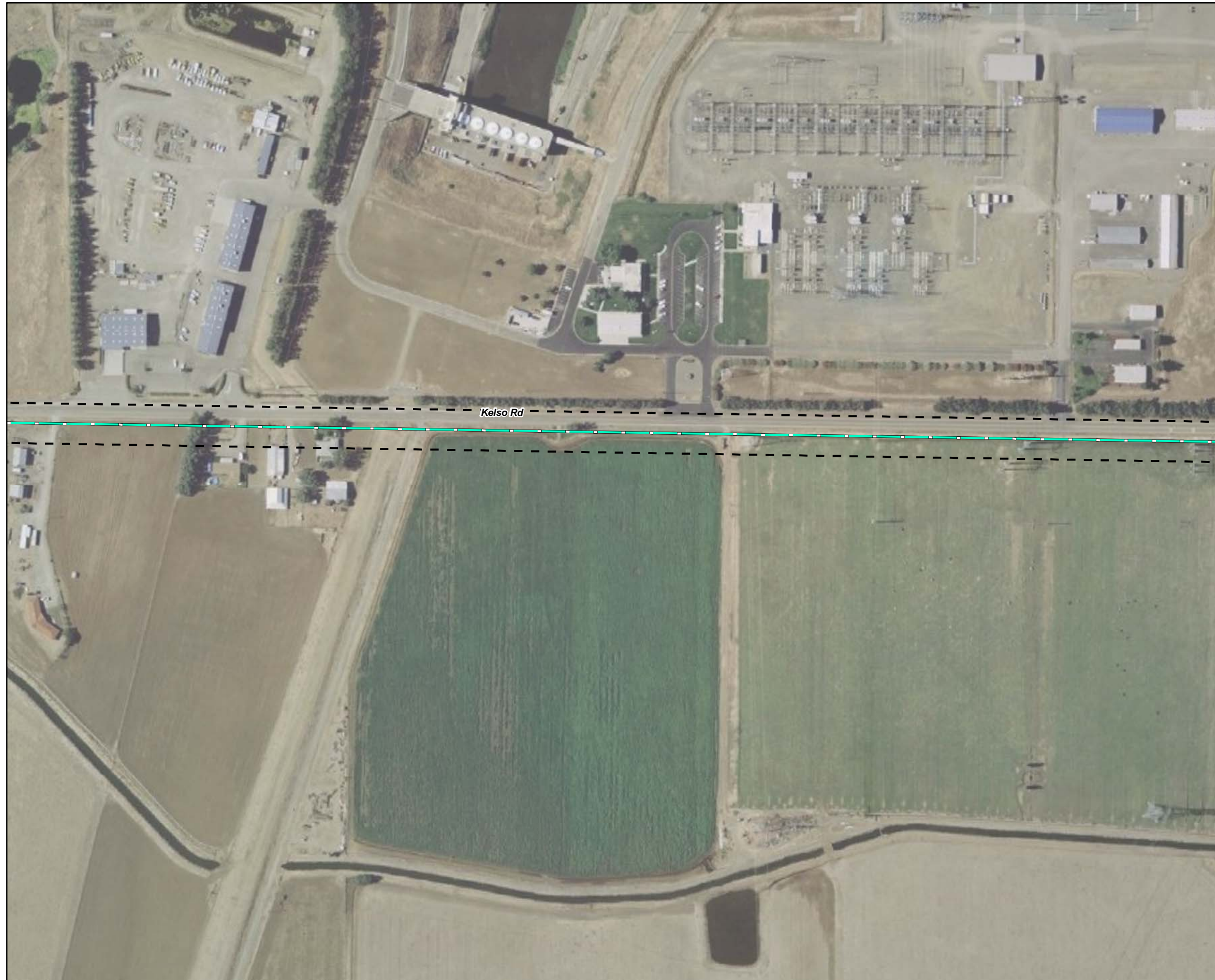
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2 OF 11

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**FIGURE 2-2**  
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 ALAMEDA COUNTY, CALIFORNIA

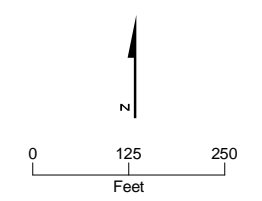


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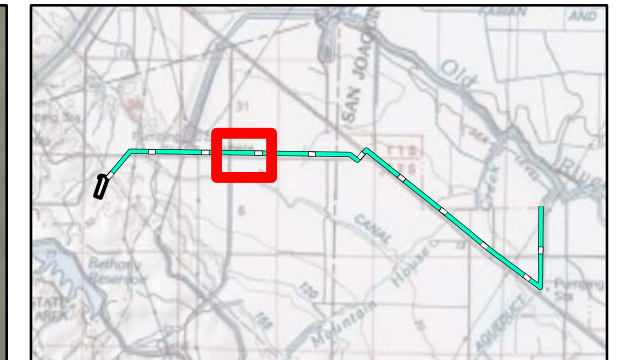
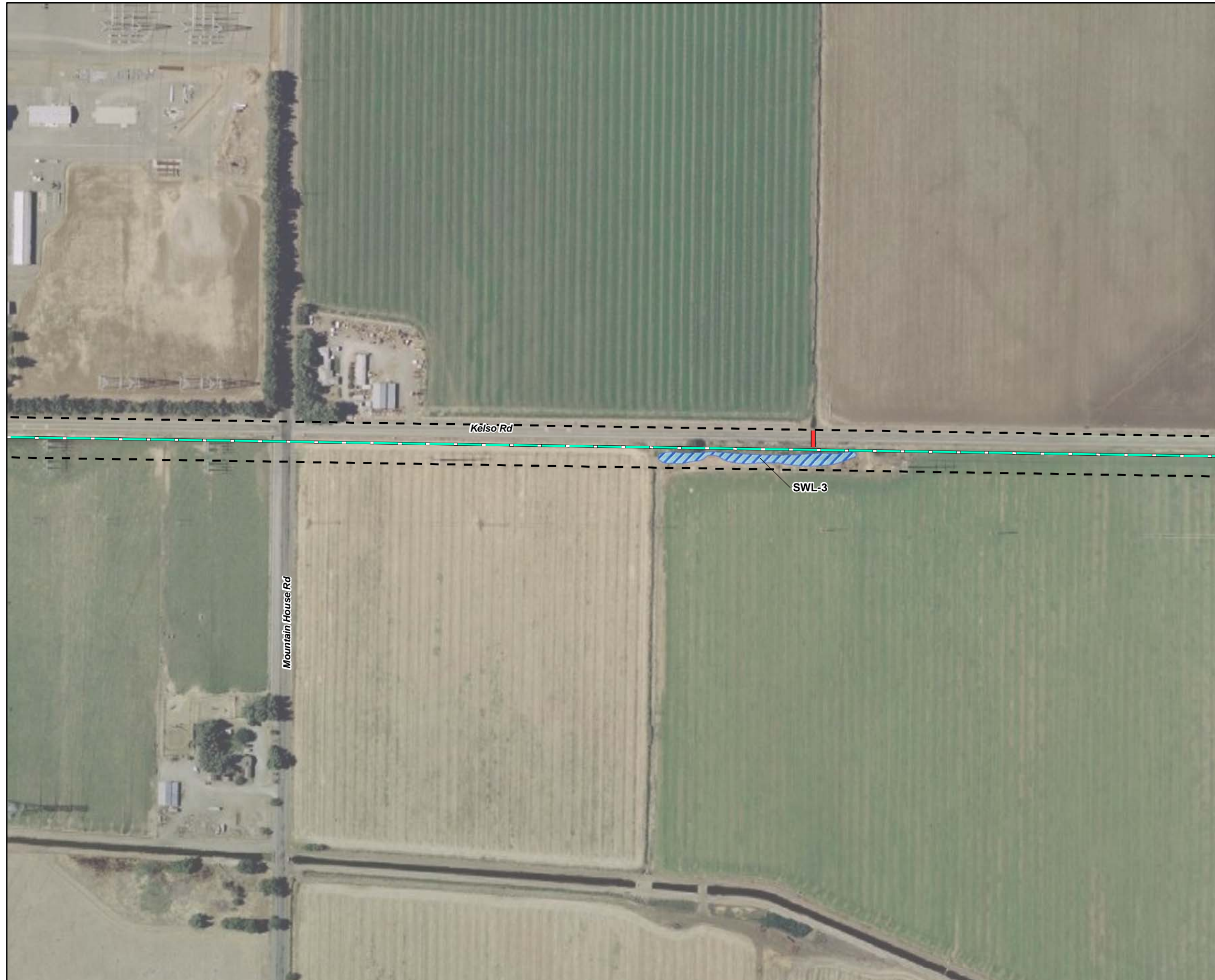
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3 OF 11

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 ALAMEDA COUNTY, CALIFORNIA

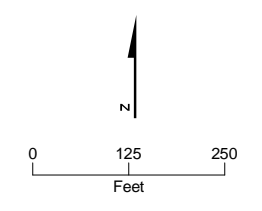


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  - 50 FOOT BUFFER
- POTENTIAL JURISDICTIONAL WATERS/WETLANDS**
- CANAL
  - DITCH
  - SEASONAL WETLAND (SWL)
  - CREEK

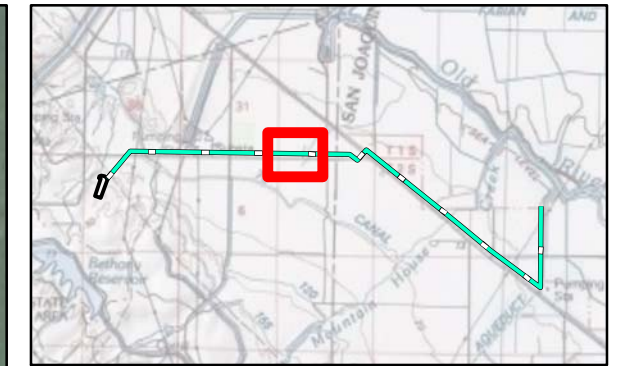
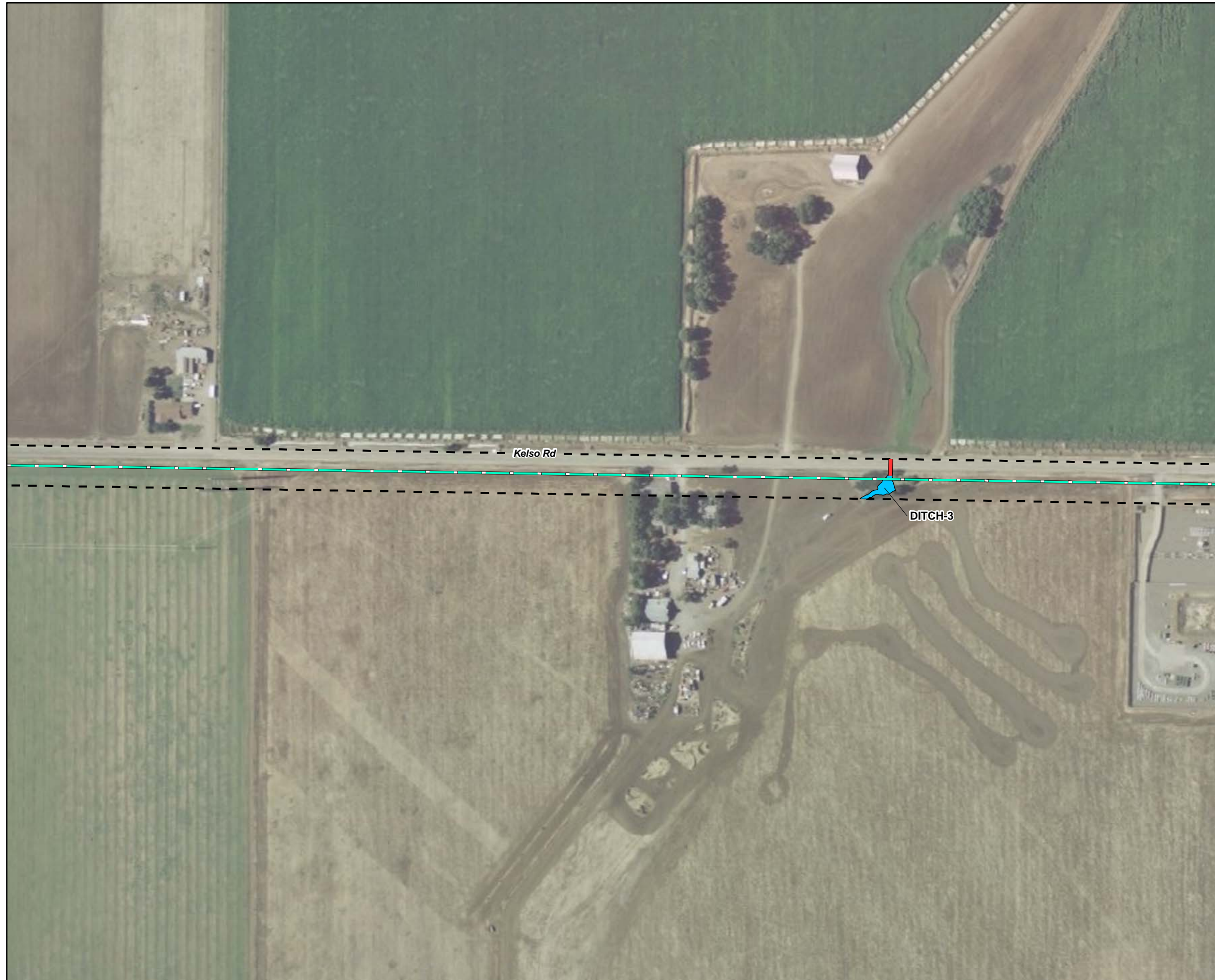
Delineation: T. Ellwood November 2, 2009  
 Revised: November 19, 2009

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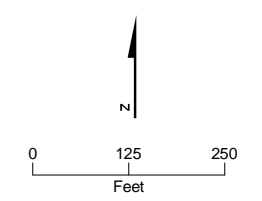
**FIGURE 2-2**  
**WETLAND DELINEATION**  
 MARIPOSA ENERGY PROJECT  
 ALAMEDA COUNTY, CALIFORNIA



- LEGEND**
- ACCESS ROAD
  - ALTERNATE WATER SUPPLY PIPELINE ROUTE
  - WATER SUPPLY PIPELINE ROUTE
  - CULVERT
  - CONSTRUCTION LAYDOWN/PARKING AREA
  - PROJECT SITE
  - 50 FOOT BUFFER
- POTENTIAL JURISDICTIONAL WATERS/WETLANDS**
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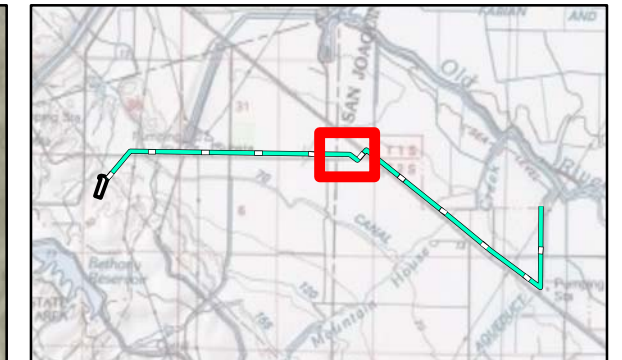
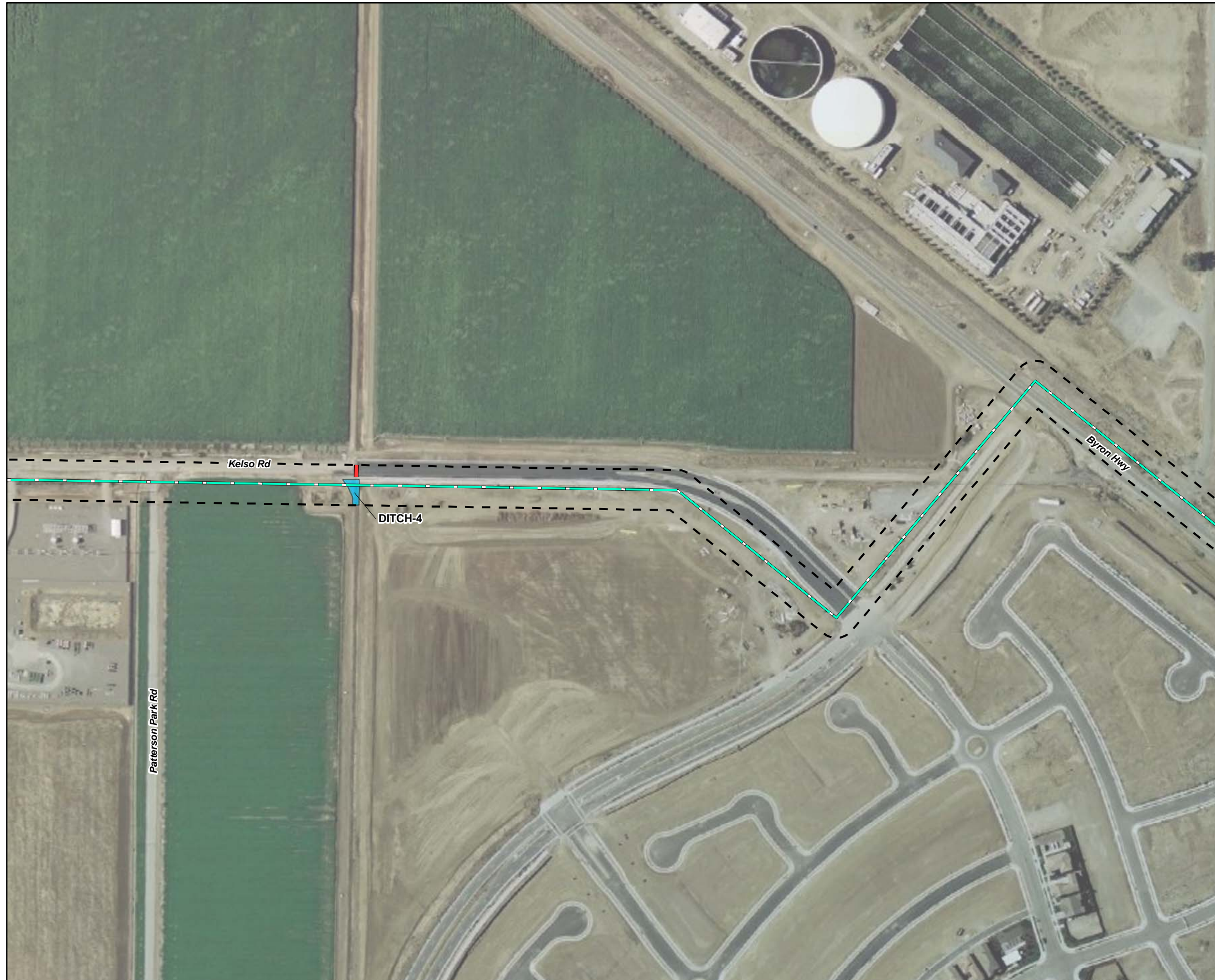
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**FIGURE 2-2**  
**WETLAND DELINEATION**  
 MARIPOSA ENERGY PROJECT  
 ALAMEDA COUNTY, CALIFORNIA



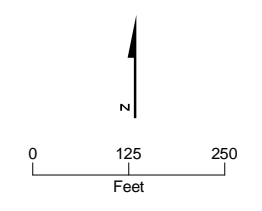


- LEGEND**
- ACCESS ROAD
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  - WATER SUPPLY PIPELINE ROUTE
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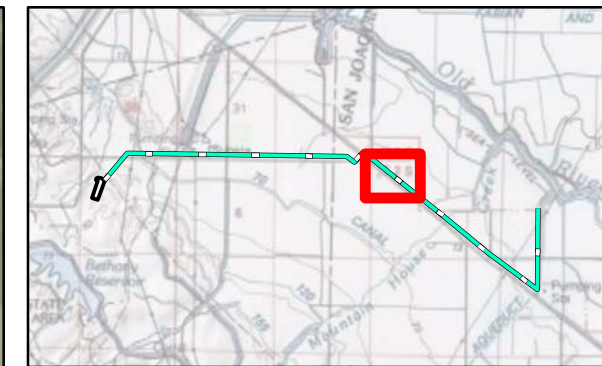
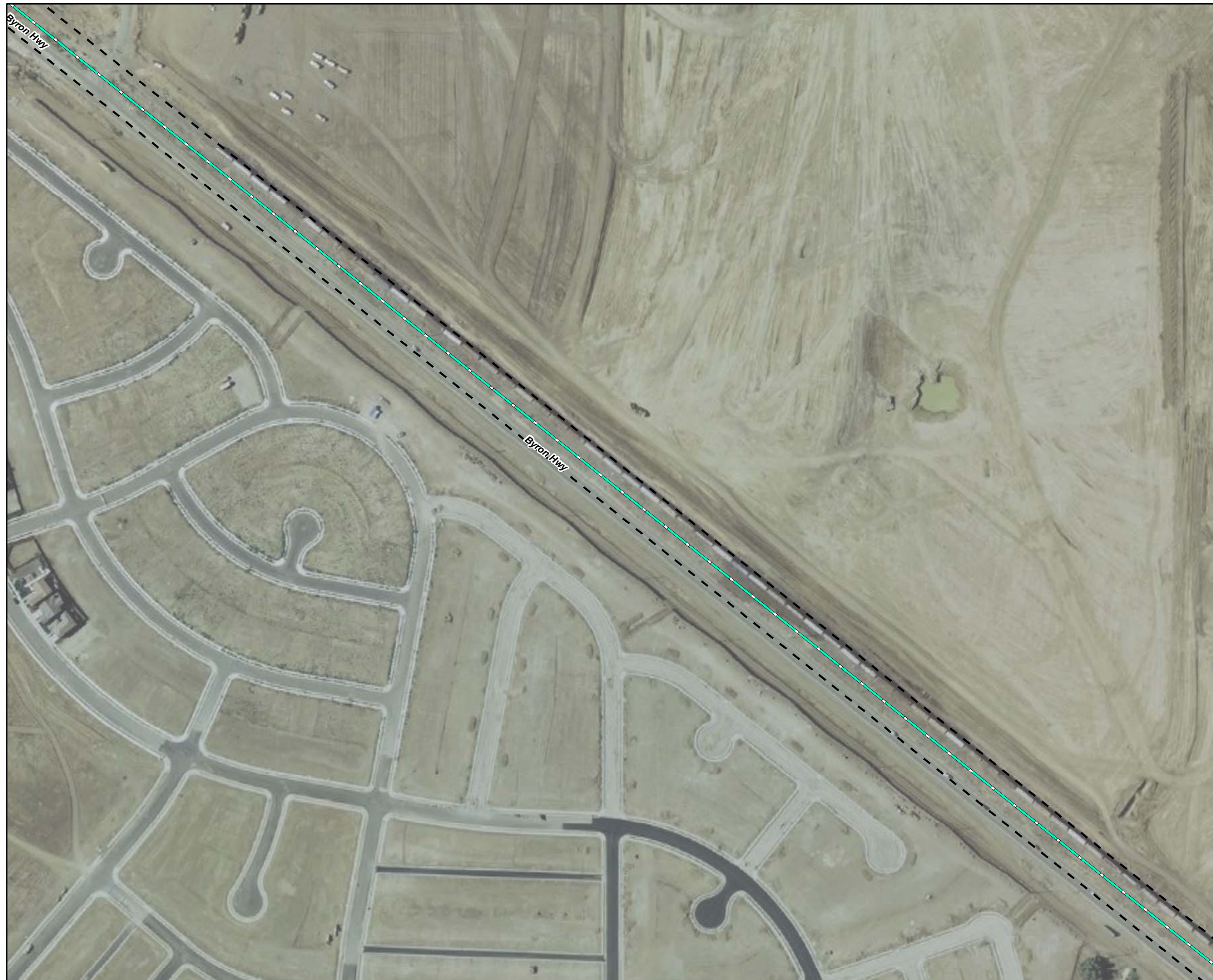
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**FIGURE 2-2**  
**WETLAND DELINEATION**  
 MARIPOSA ENERGY PROJECT  
 ALAMEDA COUNTY, CALIFORNIA

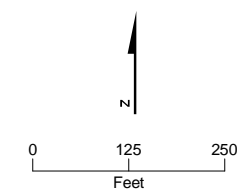


- LEGEND**
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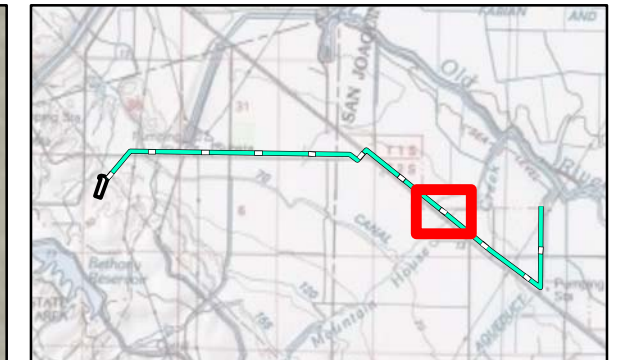
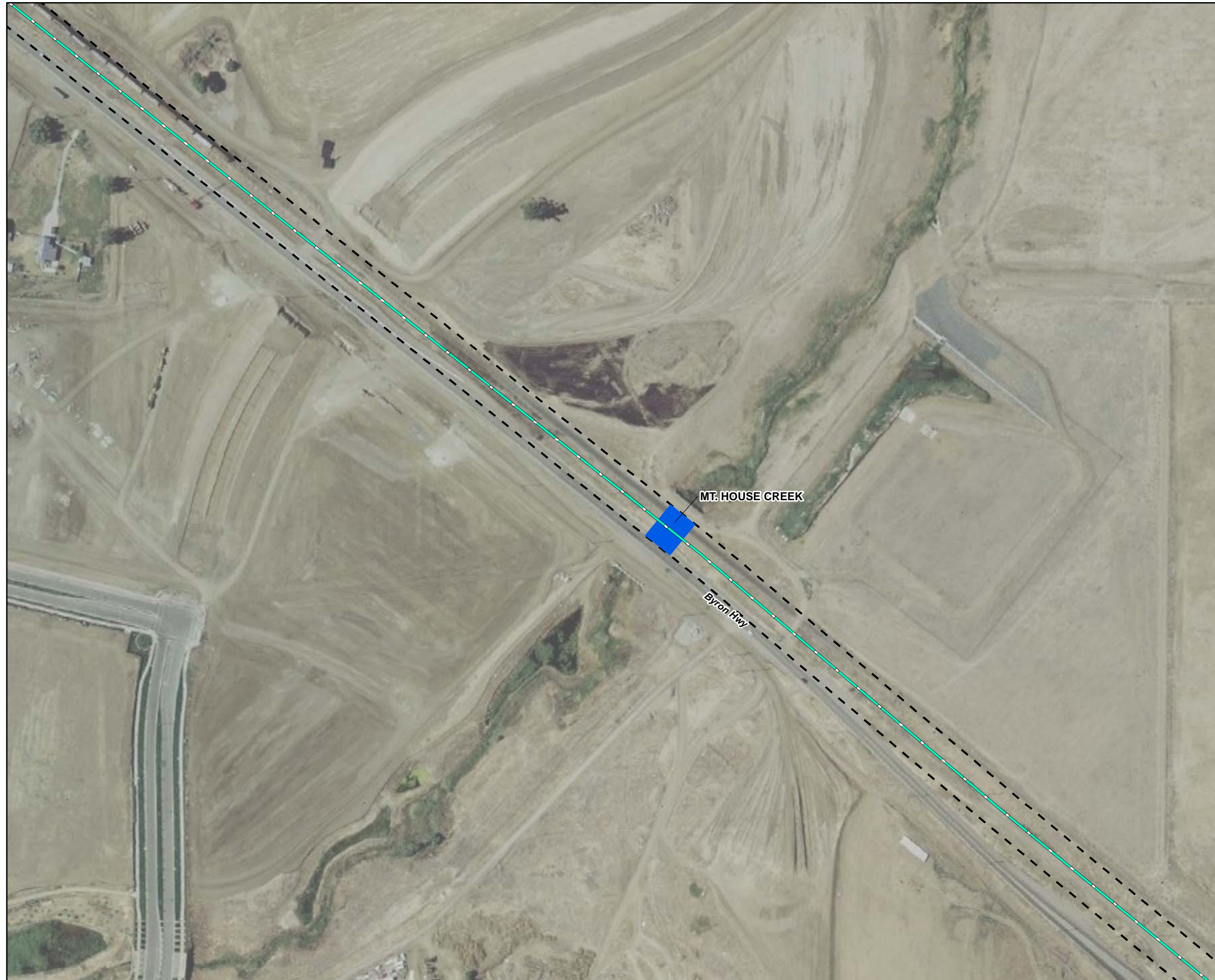
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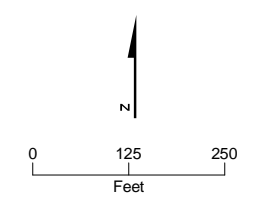
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**WETLAND DELINEATION**  
 MARIPOSA ENERGY PROJECT  
 ALAMEDA COUNTY, CALIFORNIA



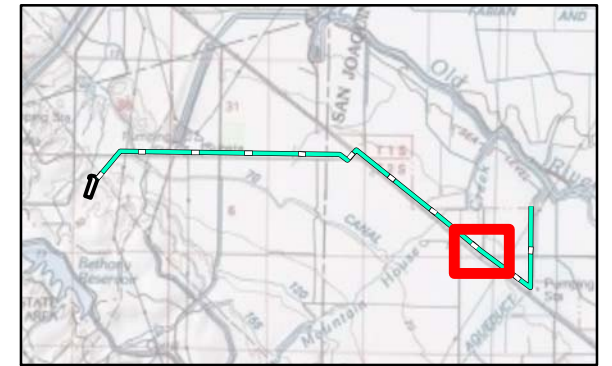
- LEGEND**
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**FIGURE 2-2**  
**WETLAND DELINEATION**  
 MARIPOSA ENERGY PROJECT  
 ALAMEDA COUNTY, CALIFORNIA

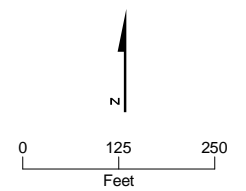


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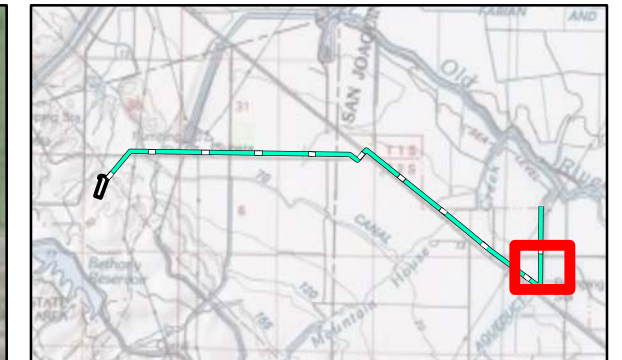
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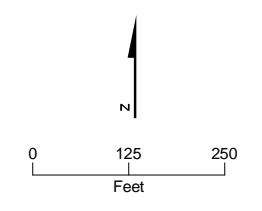
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 MARIPOSA ENERGY PROJECT  
 ALAMEDA COUNTY, CALIFORNIA



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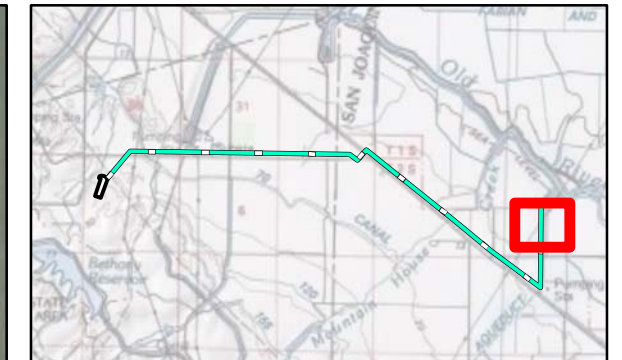


**FIGURE 2-2**  
**WETLAND DELINEATION**  
 MARIPOSA ENERGY PROJECT  
 ALAMEDA COUNTY, CALIFORNIA



MT. HOUSE  
WASTEWATER  
TREATMENT  
PLANT

W1 D CANAL

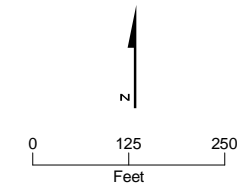


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**FIGURE 2-2**  
**WETLAND DELINEATION**  
MARIPOSA ENERGY PROJECT  
ALAMEDA COUNTY, CALIFORNIA



BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA  
1516 NINTH STREET, SACRAMENTO, CA 95814  
1-800-822-6228 – [WWW.ENERGY.CA.GOV](http://WWW.ENERGY.CA.GOV)

**APPLICATION FOR CERTIFICATION  
FOR THE *MARIPOSA ENERGY PROJECT*  
(MEP)**

***Docket No. 09-AFC-3***

***PROOF OF SERVICE***  
(Revised 10/29/09)

**APPLICANT**

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**APPLICANT'S CONSULTANTS**

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**COUNSEL FOR APPLICANT**

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Ellison, Schneider & Harris L.L.P.  
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**INTERVENORS**

\* Mr. Robert Sarvey  
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**ENERGY COMMISSION**

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Public Adviser's Office  
[publicadviser@energy.state.ca.us](mailto:publicadviser@energy.state.ca.us)

**DECLARATION OF SERVICE**

I, Mary Finn, declare that on December 3, 2009, I served and filed copies of the attached 09-AFC-3 MEP TM Wetland Delineation Amendment dated November 30, 2009. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: [<http://www.energy.ca.gov/sitingcases/mariposa/index.html>]. The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

***(Check all that Apply)***

**For service to all other parties:**

sent electronically to all email addresses on the Proof of Service list;

by personal delivery or by depositing in the United States mail at Sacramento, California, with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

**AND**

**For filing with the Energy Commission:**

sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (preferred method);

**OR**

depositing in the mail an original and 12 paper copies, as follows:

**CALIFORNIA ENERGY COMMISSION**

Attn: Docket No. 09-AFC-3  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

I declare under penalty of perjury that the foregoing is true and correct.



Mary Finn