

California Energy Commission  
Energy Facilities Siting &  
Environmental Protection Division  
REPORT OF CONVERSATION

File:

Project Title: GWF Tracy

(x) TELEPHONE() MEETING LOCATION:

NAME: Anne Wallace

TIME: 1200

DATE: July 22, 2009

WITH: Bob Martin, Civil Engineer, San Luis & Delta-Mendota Water Authority

PHONE: 209.832.6220

ADDRESS: 15990 Kelso Rd, Byron, CA 94514

SUBJECT: Landscaping along Delta-Mendota Canal

In response to the letter from Tracy Hills requesting that GWF Tracy plant trees to shield the power plant from the Tracy Hills development, I contacted Bob Martin to find out what the requirements would be for tree planting along the Delta-Mendota Canal.

Reading from the document entitled *Engineering Requirements for Use of the Delta-Mendota Canal Right-of-Way*, Bob indicated that no plantings of any kind would be allowed within the canal right-of-way. No longitudinal encroachments along the ROW will be allowed. Trees may be planted along the canal as long as they are outside the ROW.

The engineering document named above has been provided to the California Energy Commission.

**DOCKET**

**08-AFC-7**

DATE JUL 22 2009

RECD JUL 29 2009

NAME: Anne Wallace

SIGNATURE:

ENGINEERING REQUIREMENTS  
FOR USE OF THE  
DELTA-MENDOTA CANAL  
RIGHT-OF-WAY



**SAN LUIS & DELTA-MENDOTA  
WATER AUTHORITY  
15990 Kelso Rd  
BYRON, CA 94514-9614  
(209) 833-1040**

The United States, Department of the Interior, through the Regional Director of the U.S. Bureau of Reclamation (Reclamation) owns the Delta-Mendota Canal System (Canal), including the San Luis Drain, Pumping and Generating Plants, structures, appurtenances, and facilities.

The San Luis & Delta Mendota Water Authority (SL&DMWA) under a Transfer Agreement with Reclamation has the responsibility to operate and maintain the Canal. Accordingly, encroachment permits, leases, licenses or easements for use of any portion of the Canal right-of-way are subject to the authorization by Reclamation with review and concurrence by the SL&DMWA.

The following engineering requirements have been established to assure that the integrity of the Canal remains unimpaired by virtue of construction of other facilities and to expedite the processing of applications for use of the Canal right-of-way. Reclamation & SL&DMWA shall review all requested rights-of-use to ensure compliance with applicable federal, state and local laws and regulations.

The review and approval process may take three (3) to six (6) months or longer, depending on completeness of the documents and complexity of the project.

## **ENGINEERING REQUIREMENTS**

Applicant shall meet the requirements listed below during the project design and during the construction process:

1. Completed Right-Of-Use-Application, Form 7-2540
2. Reclamation and the SL&DMWA must approve the plan for the execution of the work prior to entry onto the Canal right-of-way.
3. The applicant must agree to indemnify and hold harmless the Authority and the United States from any loss, claim or liability (minimum \$1,000,000) which may arise by reason of applicant's encroachment, in the Canal right-of-way.
4. A minimum of 48-hour notice must be given to the SL&DMWA before work commences.
5. The SL&DMWA must approve the type and weight of equipment working adjacent to the structures.
6. No permanent structures (i.e., buildings or portions of buildings) shall be constructed on the Canal right-of-way.
7. Road crossings of the right-of-way shall be permanent bridges with a minimum vertical clearance of 3-feet between the top of the concrete lining and the underside of the bridge.

8. Above ground markers shall be constructed by the applicant for underground utilities and structures, at locations satisfactory to the SL&DMWA which will indicate the type, size, depth, and location of the utility.
9. Upon completion of the work, applicant shall furnish to the Authority one (1) set of reproducible "As-Built plans" or sketches, accurately reflecting all approved changes, signed and sealed by the design professional.
10. No pile driving will be allowed within 50 feet of the Canal, pipes, and siphons.
11. Horizontal control is based on the Canal centerline stationing.
12. Throughout the period of construction or related activities, the applicant or his contractor shall maintain in force policies of liability insurance (minimum \$1,000,000), as stated in the Encroachment Permit and shall name the SL&DMWA and the United States as additionally insured.
13. Overhead wires crossing the property shall be a minimum of 25 feet above the ground. Supporting poles and towers shall be located outside the Canal right-of-way. THIS NEEDS TO BE REVISED TO ADDRESS HIGH VOLTAGE TRANSMISSION LINE CROSSINGS.
14. Applicant's encroachment on the right-of-way shall not interfere with SL&DMWA operations, maintenance, or repair of its facilities.
15. Damaged or missing fencing shall be repaired or replaced by the applicant.
16. Land and facilities adjacent to or within the right-of-way area shall be restored to pre-project conditions.
17. All existing storm drains discharging directly into the Canal or Canal right-of-way affected by the development shall be plugged or removed.
18. Earth fill, which may be unstable or may cause excessive soil pressure on the Canal embankments, shall not be placed in the vicinity of the Canal.
19. Fill or structures placed on the Canal Right-of Way must be properly engineered and approved by the SL&DMWA prior to construction. All backfill shall be compacted to not less than 95 percent of maximum dry density per ASTM D-1557. Backfill and asphalt repair shall be completed to the satisfaction of the SL&DMWA or an authorized representative. If trench settlement occurs within one year of the completion of work and found to be a result of improper compaction, applicant shall repair settlement.
20. Drainage ditches shall be provided outside the Canal right-of-way and at the top of the cut or fill slopes, and divert flow away from the Canal.

21. Temporary vehicular parking or storage of equipment or material on Canal right-of-way during the construction of the project shall be approved on a case-by-case basis.
22. Pipeline crossings shall be installed under the Canal and may be installed over siphons. Headwalls, inlets, and other appurtenances shall be located outside the right-of-way. All crossings shall be in welded steel casings and shall be installed perpendicular to the Canal. All pipelines, except storm and sanitary sewers, shall have a shutoff valve on each side of the Canal located outside the right-of-way.
23. No excavation, grading or construction on the Canal right-of-way shall commence without compliance with all applicable environmental requirements of NEPA and CEQA laws. All necessary county or city excavation, grading or construction permits are required.
24. No longitudinal encroachments along the Canal right-of-way will be allowed.
25. All final plans, legal descriptions, exhibits, calculations, specifications and other related documents shall be signed and sealed by the design professional. If preliminary, they should be marked "PRELIMINARY - NOT FOR CONSTRUCTION" in large letters on all pages. A SL&DMWA signature block shall be provided on improvement plans. Only "FINAL" signed and sealed documents will be approved.