

MINUTE ITEM

This Calendar Item No. C23 was approved as Minute Item No. 23 by the California State Lands Commission by a vote of 2 to 0 at its 2/27/96 meeting.

CALENDAR ITEM

C23

A 26

S 12

02/27/96

W 25286

D. Jones

PRC 7874

GENERAL LEASE - PUBLIC AGENCY USE

APPLICANTS:

Merced Irrigation District
744 W. 20th Street
Merced, California 95344

Turlock Irrigation District
333 East Canal Drive
Turlock, California 95381-0949

AREA, TYPE LAND AND LOCATION:

A parcel of submerged land in the bed of the Merced River near Livingston, Merced County.

LAND USE:

Construction, operation, and maintenance of six 115 KV overhead electrical transmission conductors.

PROPOSED LEASE TERMS:

Lease period:
25 years beginning March 1, 1996.

CONSIDERATION:

The public use and benefit, with the State reserving the right at any time to set a monetary rental if the Commission finds such action to be in the State's best interest.

BASIS FOR CONSIDERATION:

Pursuant to 2 Cal. Code Regs. 2003.

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CALENDAR ITEM NO. C23 (CONT'D)

APPLICANT STATUS:

Applicants hold exclusive and perpetual easements to the adjacent uplands.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing Fee and Processing Fee have been received.

STATUTORY AND OTHER REFERENCES:

- A. Public Resources Code: Div. 6, Parts 1 and 2; Div. 13.
- B. Cal. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:

09/8/96

OTHER PERTINENT INFORMATION:

1. The Merced Irrigation District and the Turlock Irrigation District are participating in the Merced-Turlock Intertie Project, a 2.5-mile double circuit transmission line that will connect the proposed Merced Irrigation District Pioneer Substation near the Foster Farms facility in Livingston with the Turlock Irrigation District high-voltage transmission system on the Highline Canal at 2nd Avenue southeast of Delhi. The 115 KV double-circuit facilities will cross the Merced River at a point approximately 390 feet upstream of U.S. Highway 99. Not only will the project enable the Merced Irrigation District to provide water to its water customers with low cost electrical power, it will strengthen the economic performance of several major corporations and businesses and provide benefits for their employees, suppliers and customers in the State. It will also provide marketing opportunities for power producers, brokers, and transmitters throughout the State.

CALENDAR ITEM NO. C23 (CONT'D)

2. A Negative Declaration and Mitigation Monitoring Plan were prepared and adopted for this project by the Merced Irrigation District. The State Lands Commission's staff has reviewed this document.

APPROVALS OBTAINED:

None. No permits from Merced County are required.

FURTHER APPROVALS REQUIRED:

State Lands Commission; United States Army Corps of Engineers; State Reclamation Board.

EXHIBITS:

- A. Site Map.
- B. Location Map.
- C. Notice of Determination/Resolution by Merced Irrigation District.
- D. Mitigation and Monitoring Plan.

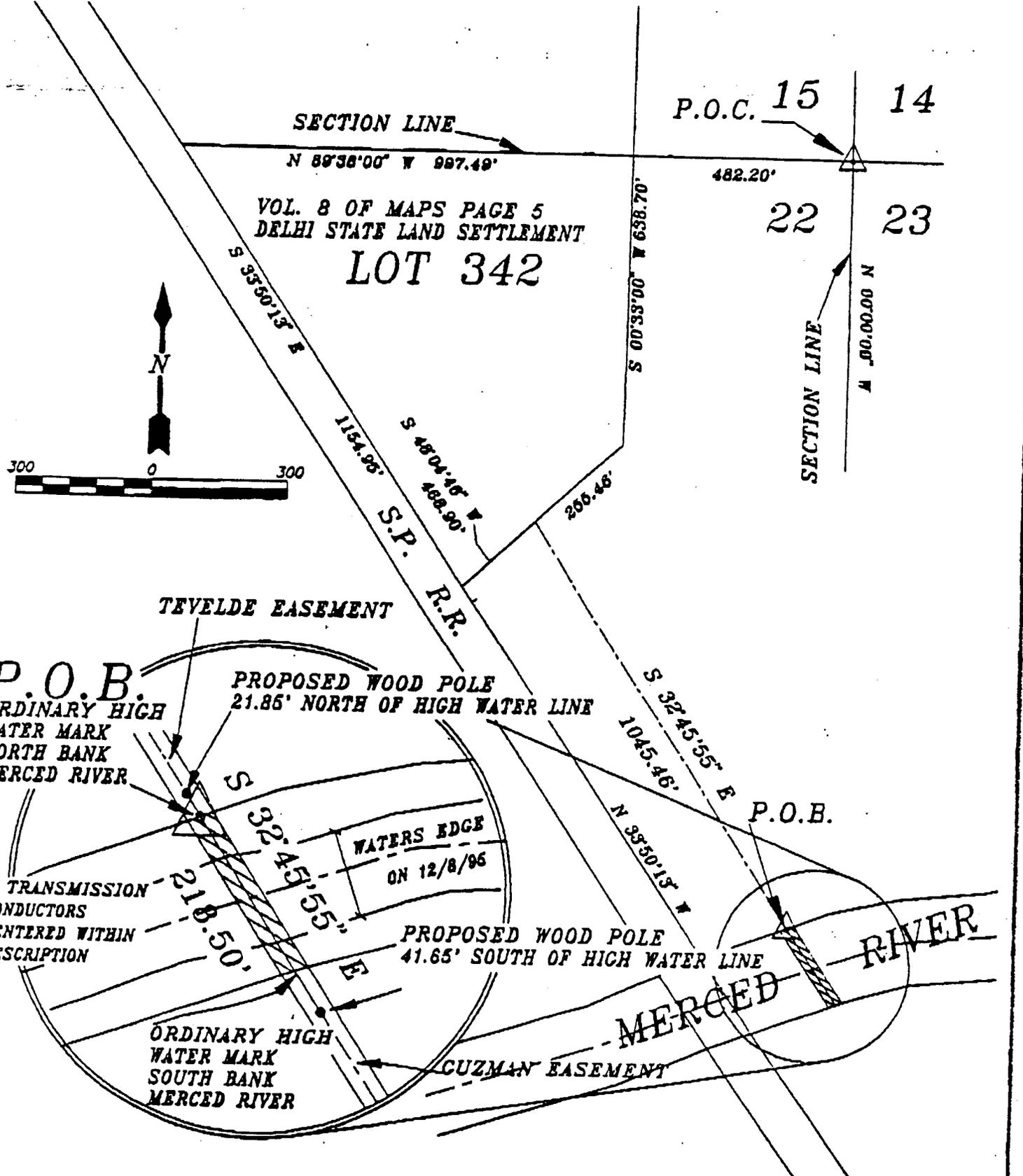
IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT A NEGATIVE DECLARATION AND MITIGATION MONITORING PLAN WERE PREPARED AND ADOPTED FOR THIS PROJECT BY THE MERCED IRRIGATION DISTRICT AND THAT THE COMMISSION HAS REVIEWED AND CONSIDERED THE INFORMATION CONTAINED THEREIN.
2. FIND THAT THIS ACTIVITY IS CONSISTENT WITH THE USE CLASSIFICATION DESIGNATED FOR THE LAND PURSUANT TO PUBLIC RESOURCES CODE SECTIONS 6370, ET SEQ.

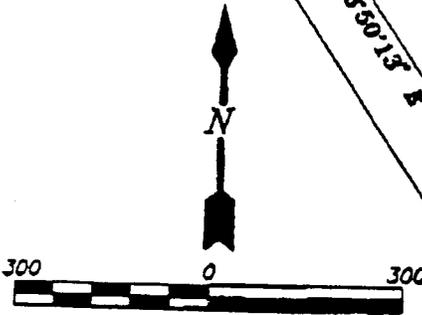
CALENDAR ITEM NO. C23 (CONT'D)

3. AUTHORIZE ISSUANCE TO THE MERCED IRRIGATION DISTRICT AND THE TURLOCK IRRIGATION DISTRICT OF A 25-YEAR GENERAL LEASE - PUBLIC AGENCY USE BEGINNING MARCH 1, 1996; IN CONSIDERATION OF THE PUBLIC USE AND BENEFIT, WITH THE STATE RESERVING THE RIGHT AT ANY TIME TO SET A MONETARY RENTAL IF THE COMMISSION FINDS SUCH ACTION TO BE IN THE STATE'S BEST INTEREST; FOR THE INSTALLATION, OPERATION AND MAINTENANCE OF SIX 115 KV OVERHEAD ELECTRICAL TRANSMISSION CONDUCTORS; ON THE LAND DESCRIBED ON EXHIBIT "A" ATTACHED AND BY REFERENCE MADE A PART HEREOF.

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 DELHI STATE LAND SETTLEMENT
LOT 342



P.O.B.
 ORDINARY HIGH
 WATER MARK
 NORTH BANK
 MERCED RIVER

PROPOSED WOOD POLE
 21.85' NORTH OF HIGH WATER LINE

6 TRANSMISSION
 CONDUCTORS
 CENTERED WITHIN
 DESCRIPTION

WATERS EDGE
 ON 12/8/96

PROPOSED WOOD POLE
 41.65' SOUTH OF HIGH WATER LINE

ORDINARY HIGH
 WATER MARK
 SOUTH BANK
 MERCED RIVER

CUZMAN EASEMENT

PLAT TO ACCOMPANY ATTACHMENT E-4

DATE: 2/1/96
 DRAWN: DAJ
 DESIGN:
 CHECKED: DDN
 APPROVED:

STATE LANDS COMMISSION RIGHT OF WAY

SURVEY FOR MERCED RIVER CROSSING
 LOC: 22-6-11, BK: DN95047, DATE: 11/10/95
 g:\cwl\cod\1995\dn9547rc.dwg

TID TURLOCK
 IRRIGATION
 DISTRICT

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EXHIBIT A

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This Land description is solely for purposes of generally defining the
 ease premises, and is not intended to be, nor shall it be construed as, a
 waiver or limitation of any State interest in the subject or any other
 property.

W 25286

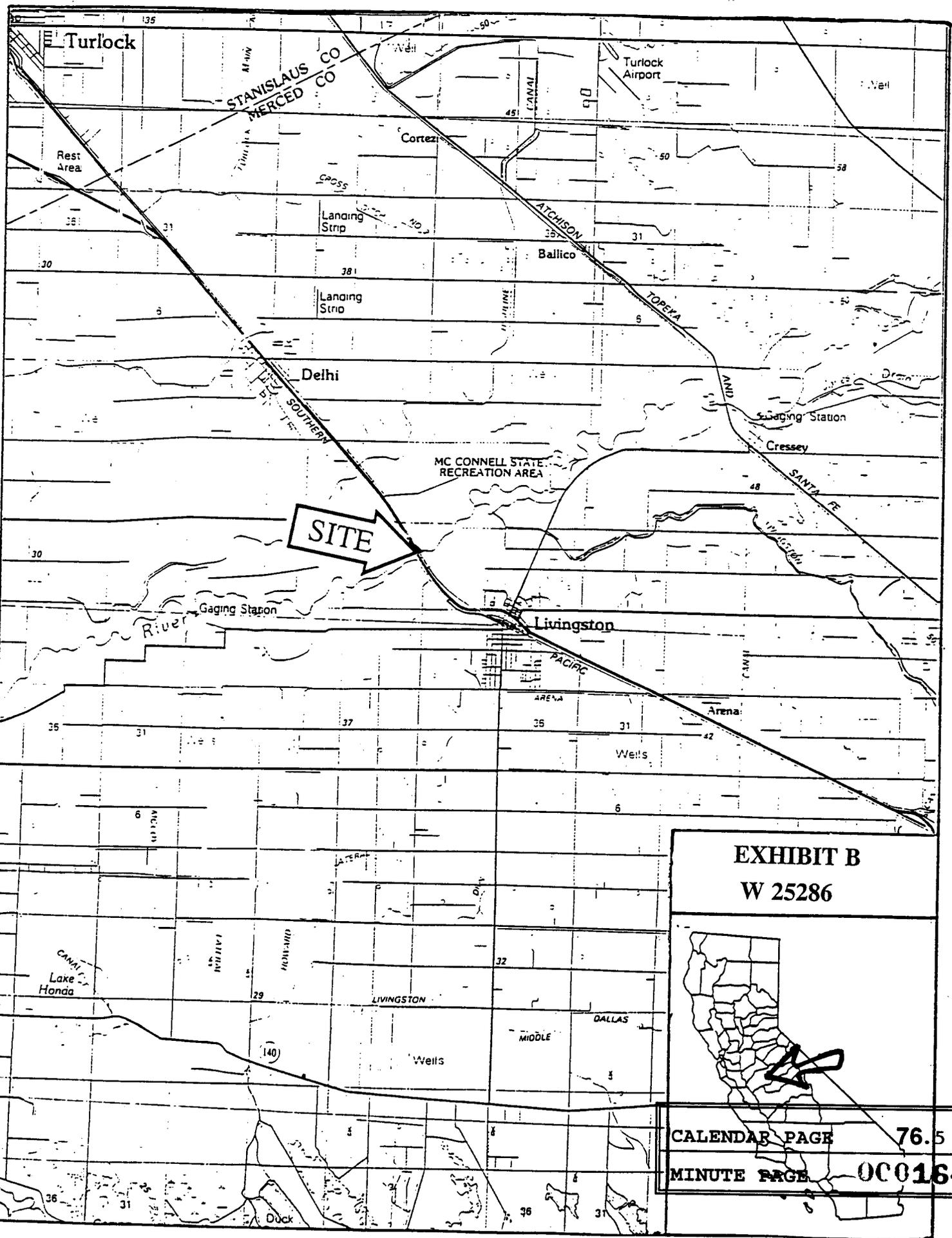


EXHIBIT B
W 25286



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To: X Office of Planning and Research
1400 Tenth Street, Room 121
Sacramento, CA 95814

From: (Public Agency) Merced Irrigation District
744 W. 20th Street
(Address)
Merced, CA 95344-0288

X County Clerk
County of Merced
2222 "M" Street
Merced, CA 95340

Subject:

Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.

Merced-Turlock Intertie Project
Project Title

95112001 State Clearinghouse Number (If submitted to Clearinghouse)
Garith W. Krause Lead Agency Contact Person
(209) 722-3041 Area Code/Telephone/Extension

City of Livingston, Merced County, CA
Project Location (include county)

Project Description:

2.5 to 2.9 miles of 115-kV double-circuit wood and steel pole transmission facilities connecting the Turlock Irrigation District high-voltage system with the Merced Irrigation District 115x69/12.47 kV Pioneer Substation in Livingston, CA.

This is to advise that the Merced Irrigation District has approved the above described project on 12/5/95 and has made the following determinations regarding the above described project:
(Date)
 Lead Agency Responsible Agency

1. The project (will will not) have a significant effect on the environment.
2. An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures (were were not) made a condition of the approval of the project.
4. A statement of Overriding Considerations (was was not) adopted for this project.
5. Findings (were were not) made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval is available to the General Public at:
Merced Irrigation District, 744 W. 20th Street, Merced, CA 95344-0288

[Signature] Signature (Public Agency) 12/5/95 Date General Manager Title

Date received for filing at OPR:

MERCED IRRIGATION DISTRICT

RESOLUTION NO. 22-95

ADOPTING THE MITIGATED NEGATIVE DECLARATION
FOR THE MERCED-TURLOCK INTERTIE
(STATE CLEARINGHOUSE NO. 95112001)
AND APPROVING THE PROJECT

WHEREAS, the Merced-Turlock Intertie Project is an activity undertaken by a public agency that constitutes a project under the terms of the California Environmental Quality Act (Public Resources Code 21000 et seq.); and

WHEREAS, the Merced Irrigation District had an Initial Study prepared to determine if the Merced-Turlock Intertie Project has the potential to produce significant impacts on the environment; and

WHEREAS, the Initial Study identified potentially significant impacts in the areas of land use and planning, geological problems, water air quality, and biological resources; and

WHEREAS, revisions to the Merced-Turlock Intertie Project were made and additional measures proposed that would avoid the potentially significant effects in these areas or mitigate them to the point where no significant impacts would occur, and these revisions and additional mitigation measures were accepted by the Merced Irrigation District before the Initial Study and proposed Mitigated Negative Declaration were released for public review; and

WHEREAS, the Merced Irrigation District has distributed copies of the proposed Mitigated Negative Declaration and Initial study to those public agencies having jurisdiction by law with respect to the project and to other interested persons and has sought comments of such persons and agencies; and

WHEREAS, the Merced Irrigation District has published notice of the proposed Mitigated Negative Declaration in two newspapers in general circulation, posted notice of the project in the office of the County Clerk of the County of Merced, and held a public hearing on the project; and

WHEREAS, the Merced Irrigation District and its agents have responded to all public and agency comments 76.7

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received and, in light of the whole record, finds that there is no substantial evidence that the project, as revised, will have a significant effect on the environment;

NOW, THEREFORE BE IT RESOLVED, that the Merced Irrigation District Board hereby adopts the Mitigated Negative Declaration for the Merced-Turlock Intertie Project (State Clearinghouse No. 95112001);

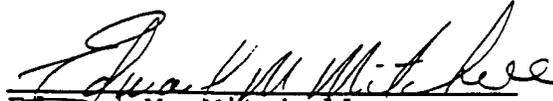
BE IT FURTHER RESOLVED, that the Merced Irrigation District Board approves the construction and operation of the proposed Merced-Turlock Intertie Project transmission and substation facilities at the preferred locations specified in the Mitigated Negative Declaration and Initial Study. The preferred route begins at the Turlock Irrigation District electrical interconnection point on Highline Canal at 2nd Avenue South, heads generally south across the Merced River, and continues easterly up to, and including, the Pioneer Substation on Olive Road, adjacent to the Foster Farms Poultry Processing Plant facilities in Livingston, California;

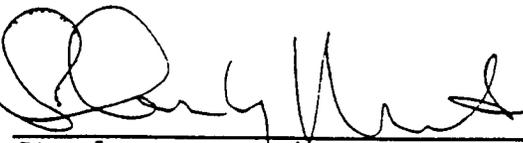
BE IT FURTHER RESOLVED, that the Merced Irrigation District Board adopts the Merced-Turlock Intertie Mitigation Monitoring Plan and finds that this plan ensures that the mitigation measures approved by the Board will be implemented by the District management staff, and its contract agents.

BE IT FURTHER RESOLVED, that the complete record of the proceedings and comments from the public agencies and interested persons shall be maintained in the Merced Irrigation District offices at 744 W. 20th Street, Merced, CA during the entire construction period and for the initial three months of project operation, and these records shall be available to the public.

PASSED AND ADOPTED, by the Board of Directors of the Merced Irrigation District this 5th Day of December, 1995, by the following vote:

Ayes: Directors:
Noes: Directors:
Abstain: Directors:
Absent: Directors:


Edward M. Mitchell
President
Merced Irrigation District


Stanley K. Morimoto
Secretary
Merced Irrigation District

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**MERCED-TURLOCK INTERTIE PROJECT
MITIGATION MONITORING PLAN**

Pursuant to Section 21081.6 of the Public Resources Code, the Merced Irrigation District has developed a program to monitor the implementation of the measures that have been incorporated into the Merced-Turlock Intertie Project in order to mitigate potentially significant environmental impacts identified in the Initial Study and proposed mitigated Negative Declaration for the project (State Clearinghouse No. 95112001). As lead agency, Merced Irrigation District is responsible for the implementation of the mitigation measures for the entire project between the Turlock Irrigation District electrical facilities on Highline Canal and 2nd Street and up to and including the Pioneer Substation, although the portion of the transmission line north of the Merced River will be owned by the Turlock Irrigation District, and the Pioneer Substation and the portion of the transmission line south of the Merced River and into the Pioneer Substation will be owned by the Merced Irrigation District. The Merced Irrigation District has agreed to contract with the Turlock Irrigation District to provide the right-of-way acquisition, design, construction, and maintenance of the Merced portion of the transmission line and maintenance of the Pioneer Substation; Merced has contracted with Modesto Irrigation District to provide design and construction management services for the Pioneer Substation and to oversee the design and construction of its portion of the transmission line. These contracts shall require the Turlock and Modesto districts to designate staff, representatives, or contract agents that will monitor actual compliance or noncompliance with the adopted measures and to provide routine progress reports to the Merced Irrigation District during project design, construction, and maintenance.

If a point of noncompliance is encountered during the monitoring program, the appropriate irrigation district project manager or designee will take the necessary steps to achieve compliance and provide a report to the Merced Irrigation District that describes the reason the measures were not implemented and provides a schedule for when the measure will be implemented. If the district project manager finds that implementation of a measure is no longer feasible, the report will propose feasible corrective action that can be taken to achieve an equivalent reduction of impacts and evaluate the significance of any environmental impacts that have occurred, or will occur, as a result of the failure to implement the mitigation measures adopted by the Merced Irrigation District Board. If there are changes in circumstances that have occurred since the adoption of the mitigation measures that reduce the significance of the potential environmental impacts or if there is new information that was not known at the time of project approval that affects the need or effectiveness of the mitigation measure, these changes and new information shall be included in the project manager's report.

The project manager's report shall be submitted to the Merced Irrigation District Board. If the board finds, based on all the evidence in the record, that no significant impacts have occurred as a result of a change in the approved mitigation measures, it can approve the change. If the change produces a substantial increase in a potentially significant impact

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identified in the Initial Study, the Merced Irrigation District board shall provide notice to the agencies and interested parties that received the Mitigated Negative Declaration and include a description of the impacts that have occurred as the result of failure to implement the adopted mitigation measures. If significant impacts are predicted, but have not yet occurred, as a result of a proposal not to implement an approved mitigation measure and the board concurs with this recommendation, the Merced Irrigation District shall order construction work on the project to cease and begin to prepare an Environmental Impact Report (EIR) to provide a basis for adopting a Statement of Overriding Considerations justifying the need to incur the significant impacts that could have been avoided by the approved mitigation measures. The EIR shall be circulated to the same agencies and interested parties as received the Mitigated Negative Declaration.

The mitigation measures incorporated in the project and listed in the Mitigated Negative Declaration have been divided into two categories: the transmission line and the Pioneer Substation. Each category is further subdivided into planning and engineering, construction contracts, construction management, and operation and maintenance.

1. TRANSMISSION LINE

The following mitigation measures apply to the portion of the transmission line between the Highline Canal and 2nd Street and the Pioneer Substation. Implementation of these measures will be the responsibility of the Turlock Irrigation District. Monthly progress reports will be prepared and submitted to the Merced Irrigation District with copies sent to the Modesto Irrigation District and Henwood Associates, unless otherwise directed.

1.1 Project Planning

The following mitigation measures have been incorporated into the project plans for the transmission line.

1-1. Wherever the proposed route passes through agricultural or privately-held lands, the landowner's consent will be obtained prior to pole placement.

Turlock Irrigation District as project manager will include the progress on this item in its monthly progress reports until all the rights-of-way on agricultural or privately held lands are obtained.

7-2. The facilities west of the Foster Farms chicken ranch on Collier Road will be relocated to avoid the need for trimming the eucalyptus trees that provide rare nesting opportunities for avian species in the area.

No further action needed unless facilities in these areas are relocated so as to interfere with the trees.

9-2. *The preferred transmission line route avoids densely populated areas, further reducing the potential for EMF impacts.*

No further action needed unless facilities are relocated near populated areas.

14-2. *A compliance survey will be performed on the final pole locations on the Te Velde and Guzman properties and the substation site prior to construction, and final pole and substation locations will be adjusted, if necessary, to avoid significant impacts.*

The cultural resources compliance survey on the Te Velde and Guzman properties was completed by Dr. Kyle Napton and submitted on November 9, 1995. No significant cultural resources were identified, and no further action is needed.

The following mitigation measures apply to the alternative routes that are not presently included in the project plans. If the Merced Irrigation District decides to adopt these alternate routes, it must report the change to the board. No significant impacts will occur if the following mitigation measures are implemented.

1-4. *If the alternate routes are used south of the river, the steel poles will be set in locations that have the least impacts on landowner's future plans.*

1-5. *If the alternative route is used, facilities will be placed to allow for maintenance of the City of Livingston well.*

13-1. *To reduce visual impacts near Highway 99, joint pole use with the existing telephone poles will be proposed to the telephone company. If the telephone company provides written evidence that these measures are not feasible given the proposed schedule, joint pole use or undergrounding will not be required.*

1.2 Engineering

The following mitigation measures shall be incorporated into the design specifications of the transmission facilities. The Turlock Irrigation District will assign an individual to review the design specifications and drawings to ensure that these measures have been incorporated and to provide a report of compliance prior to issuing specifications. Any items of noncompliance must be reported to the Merced Irrigation District.

1-2. *Steel poles will not be used within the Te Velde grape field, and, on this property, the poles will be located within a single row of grapes or outside the perimeter of the agricultural service road.*

3-1. *The proposed facilities will be designed to conform to the Uniform Building Code Seismic Zone 3.*

4-1. *The transmission poles will be erected outside of the ordinary high water line of the Merced River, set back more than 75 ft from the water line on the north, and 40 ft on the south.*

5-3. *Building materials will be selected to avoid the need for paints or solvents, when possible.*

7-4. *Along the preferred route, the pole north of the river will be located about 15 ft from the top of the river bank and 75 ft from the waterline, and the steel pole south of the river will be about 25 ft from the top of the bank on the other side of an embankment and 40 ft from the water line.*

9-1. *The horizontal post insulator construction will be in a double-circuit configuration, with unlike phasing orientation, creating lower EMF levels.*

The following measures do not need to be implemented unless the Merced Irrigation District decides to use the alternate routes near the City of Livingston industrial area.

6-2. *If the alternative route near the proposed City of Livingston industrial area is used, pole heights will be designed to allow for the future construction of the Winton Parkway extension.*

7-5. *If the alternate route is used, the steel poles north of the river will be located at least 60 ft from the top of the river bank and on the other side of the agricultural road from the elderberry shrubs. The steel pole south of the river will be 90 ft from the river bank.*

1.3 Construction Contracts

The following mitigation measures will be incorporated into the construction contracts to be issued by Turlock Irrigation District. The Turlock Irrigation District will assign an individual to review the construction contracts to ensure that these measures have been incorporated and to provide a report of compliance prior to beginning construction. The assigned individual will also make at least two field inspections to verify that the measures are being implemented by the construction workers. Any items of noncompliance must be reported to the Merced Irrigation District.

1-3. *Soils currently in agricultural production that are compacted by construction vehicles and laydown activities will be retilled after all construction is completed if requested by the landowner. Retilling will break up the soil and reverse the effects of compaction, and will allow normal percolation of water into the soil. Soil compaction needed for structural support will not be retilled.*

3-2. Excavated soils will be recompacted and scarified to promote revegetation. A silt fence will be installed at locations where siltation may be significant. (See mitigation measure 4-2)

4-2. Potential siltation into the Merced River will be mitigated by using proven erosion control measures. Excavated areas will be compacted to 95% and scarified to promote revegetation. Silt fences will be constructed between the excavated areas north and south of the river and the river banks and wherever terrain and slope could otherwise cause disturbed, water-borne soils to wash into the Merced River. A similar fence will also be constructed below the excavated area on the bluffs overlooking the Te Velde grapes and the Guzman alfalfa field. The silt fences will be constructed and maintained according to the procedures recommended in the California Storm Water Best Management Practice Handbook (Storm Water Quality Task Force, March 1993) and inspected regularly during the balance of the rainy season.

4-3. Where dewatering will occur on slopes within 300 ft of surface waters, discharge will be contained within the construction area and not allowed to enter surface water.

5-1. All internal combustion engine driven equipment will be properly maintained and tuned according to manufacturer's specifications.

5-2. Idling of all internal combustion equipment shall be limited to ten minutes at any given time, where feasible.

5-4. All material excavated, graded or otherwise disturbed will be watered or treated with an approved nonchemical dust stabilizer when these sites are not being actively utilized for construction purposes for a period of seven calendar days or more in order to prevent excessive amounts of dust. Watering will occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. Watering will not be necessary if 0.01 inches of precipitation have occurred within the last 24 hours.

5-5. All clearing, grading, earth moving, and excavation activities will cease when wind speeds are equal to or greater than 20 mph, unless 0.01 inches of precipitation or equivalent watering has occurred within the last 24 hours.

5-6. Temporary construction access roads will not be stripped or bladed, and watering will facilitate regrowth of vegetation.

5-7. On-site vehicle speed on unpaved roads will be limited to 15 mph.

5-8. Construction contractors will leave the ground outside the project area undisturbed to prevent wind erosion.

5-9. *Construction contractors will clean all vehicles leaving the work site as necessary to prevent significant amounts of dirt and mud from reaching adjacent streets.*

7-1. *Construction activities will be located in the agricultural access roads and disturbed areas adjacent to canals and industrial facilities north of the Merced River and south of the river crossing.*

10-1. *Project construction will be kept to between the hours of 7 a.m. and 7 p.m. to keep construction noise disturbance to a minimum.*

1.4 Construction Management

The following mitigation measures need to be implemented during the management of the construction of the transmission line. Turlock Irrigation District will assign an individual to make sure that the following measures are performed on schedule. These measures shall be included in the monthly progress reports until construction of the project is complete.

6-1. *Construction activities within county road rights-of-way will be coordinated with the Merced County Public Works Department, and all required encroachment permits will be obtained.*

The public works department should be contacted 30 days in advance of anticipated activities within public roads. Copies of the encroachment permits should be provided to Merced Irrigation District.

7-3. *All elderberry shrubs within 50 ft of the centerline of the final transmission route will be fenced with protective fencing by a qualified biologist prior to the commencement of construction activities.*

7-6. *During the construction period and throughout the rest of the rainy season, a biologist will periodically inspect the site to confirm that the silt fences are in place and that the elderberry shrubs are unharmed.*

7-7. *Stringing of the conductors in the vicinity of the elderberry shrubs on the bluffs north and south of the river and at the river crossing will be performed by hand in the presence of a qualified biologist with authority to redirect or stop work to avoid impacts to protected species.*

In order to implement the above biology mitigation measures, Turlock Irrigation District needs to contract a qualified biologist two weeks prior to anticipated construction activities and again prior to work on the Te Velde and Guzman properties.

Diane Moore
Simpson Environmental
555 West Benjamin Holt Drive
Suite 414
Stockton, CA 95207
(209) 477-2833

14-1. If, in the unlikely event that previously unidentified subsurface archaeological or paleontological features or deposits are uncovered during construction, work in the vicinity of the discovery will cease immediately, and a qualified archeologist will be contacted to determine if the resource is significant.

If unidentified archaeological or paleontological features are discovered, Turlock Irrigation District will contract a qualified archaeologist.

Dr. Kyle Napton
California State University, Stanislaus
800 W. Monte Vista Avenue
Turlock, CA 95382
(209) 667-3060

1.5 Operations and Maintenance

The following mitigation measures will be implemented by Turlock Irrigation District for its portion of the line and the Merced Irrigation District or its contractor for the Merced portion of the line. Reports will be submitted to Merced Irrigation District whenever these measures need to be implemented.

9-3. The districts will, upon request, monitor the EMF levels at the edge of the right-of-way from the proposed line and at other appropriate points and provide the data to the concerned party.

10-2. Insulators will be washed as needed to reduce corona and arcing noise effects.

During the lifetime operation of the Merced-Turlock Intertie Project facilities, the following measures must be implemented as required by the Merced Irrigation District.

7-8. A biologist will be present during any reconductoring of the lines in these areas that may occur during the lifetime of the facilities.

If reconductoring is anticipated during the lifetime of the project, a qualified biologist will need to be contracted to evaluate current policies regarding construction activities in the vicinity of elderberry bushes. If policies have changed, revised mitigation measured will be proposed, as necessary. If current policies are in place, Merced Irrigation District will contact Simpson Environmental or another qualified biologist at least two weeks before

reconductoring occurs to allow sufficient preparation time for a biologist to be present at the site.

2. Pioneer Substation

The following mitigation measures are applicable to the design and construction management of the Pioneer Substation and will be implemented by the Modesto Irrigation District. Monthly progress reports will be prepared and submitted to the Merced Irrigation District with copies sent to the Turlock Irrigation District and Henwood Associates, unless otherwise directed.

2.1 Engineering

The following mitigation measures shall be incorporated into the design specifications of the substation facilities. The Modesto Irrigation District will assign an individual to review the design specifications and drawings to ensure that these measures have been incorporated and to provide a report of compliance prior to issuing specifications. Any items of noncompliance must be reported to the Merced Irrigation District.

3-1. The proposed facilities will be designed to conform to the Uniform Building Code Seismic Zone 3.

5-3. Building materials will be selected to avoid the need for paints or solvents, when possible.

13-2. Perimeter lighting will be directed inward and downward and shielded to reduce light and glare to neighboring areas.

2.2 Construction Contracts

The following mitigation measures will be incorporated into the construction contracts to be managed by Modesto Irrigation District for the Pioneer Substation. The district will assign an individual to review the construction contracts to ensure that these measures have been incorporated and to provide a report of compliance prior to beginning construction. The assigned individual will also make at least two field inspections to verify that the measures are being implemented by the construction workers. Any items of noncompliance must be reported to the Merced Irrigation District.

1-3. Soils currently in agricultural production that are compacted by construction vehicles and laydown activities will be retilled after all construction is completed if requested by the landowner. Retilling will break up the soil and reverse the effects of compaction, and will allow normal percolation of water into the soil. Soil compaction needed for structural support will not be retilled.

5-1. All internal combustion engine driven equipment will be properly maintained and tuned according to manufacturer's specifications.

5-2. Idling of all internal combustion equipment shall be limited to ten minutes at any given time, where feasible.

5-4. All material excavated, graded or otherwise disturbed will be watered or treated with an approved chemical dust stabilizer when these sites are not being actively utilized for construction purposes for a period of seven calendar days or more in order to prevent excessive amounts of dust. Watering will occur at least twice daily with complete coverage, preferably in the late morning and after work is done for the day. Watering will not be necessary if 0.01 inches of precipitation have occurred within the last 24 hours.

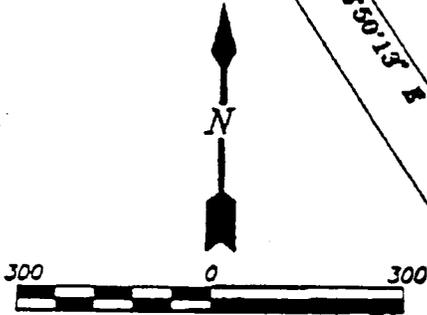
5-5. All clearing, grading, earth moving, and excavation activities will cease when wind speeds are equal to or greater than 20 mph, unless 0.01 inches of precipitation or equivalent watering has occurred within the last 24 hours.

5-7. On-site vehicle speed on unpaved roads will be limited to 15 mph.

5-8. Construction contractors will leave the ground outside the project area undisturbed to prevent wind erosion.

5-9. Construction contractors will clean all vehicles leaving the work site as necessary to prevent significant amounts of dirt and mud from reaching adjacent streets.

10-1. Project construction will be kept to between the hours of 7 a.m. and 7 p.m. to keep construction noise disturbance to a minimum.



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 DELHI STATE LAND SETTLEMENT
LOT 342

P.O.C. 15 14

22 23

SECTION LINE

N 89°38'00" W 987.49'

482.20'

S 33°50'13" E

S 00°33'00" W 638.70'

SECTION LINE

N 00.00.00 N

1151.95' S.P. R.R.
 S 48°04'46" W 468.90'

266.48'

TEVELDE EASEMENT

P.O.B.
 ORDINARY HIGH
 WATER MARK
 NORTH BANK
 MERCED RIVER

PROPOSED WOOD POLE
 21.85' NORTH OF HIGH WATER LINE

WATERS EDGE
 ON 12/8/95

6 TRANSMISSION
 CONDUCTORS
 CENTERED WITHIN
 DESCRIPTION

S 32°45'55" E
 218.50'

PROPOSED WOOD POLE
 41.65' SOUTH OF HIGH WATER LINE

S 32°45'55" E 1045.46'
 N 33°50'13" W

P.O.B.

ORDINARY HIGH
 WATER MARK
 SOUTH BANK
 MERCED RIVER

GUZMAN EASEMENT

MERCED RIVER

PLAT TO ACCOMPANY ATTACHMENT E-4

DATE: 2/1/96
 DRAWN: DAJ
 DESIGN:
 CHECKED: DDN
 APPROVED:

STATE LANDS COMMISSION RIGHT OF WAY

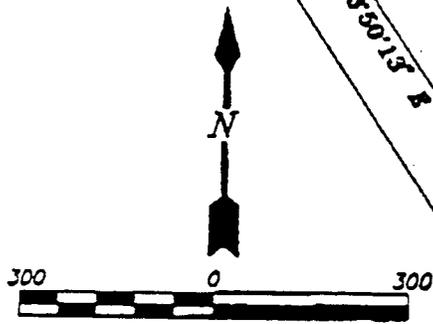
SURVEY FOR MERCED RIVER CROSSING
 LOC: 22-6-11, BK: DN95047, DATE: 11/16/95
 g:\civl\cad\1995\dn9547ra.dwg



TURLOCK
 IRRIGATION
 DISTRICT
 15.18

000177

MINUTE PAGE SECTION 3



SECTION LINE

N 89°38'00" W 987.49'

P.O.C. 15 14

482.20'

VOL. 8 OF MAPS PAGE 5
DELHI STATE LAND SETTLEMENT

22 23

LOT 342

S 33°50'13" E

S 00°33'00" W 638.70'

SECTION LINE

N 00.00.00 N

1154.95'

S 48°04'46" W
488.90'

266.48'

S.P. R.R.

TEVELDE EASEMENT

P.O.B.
ORDINARY HIGH
WATER MARK
NORTH BANK
MERCED RIVER

PROPOSED WOOD POLE
21.85' NORTH OF HIGH WATER LINE

S 32°45'55" E
1045.46'

P.O.B.

6 TRANSMISSION
CONDUCTORS
CENTERED WITHIN
DESCRIPTION

WATERS EDGE
ON 12/8/95

S 32°45'55" E
218.50'

PROPOSED WOOD POLE
41.65' SOUTH OF HIGH WATER LINE

N 38°50'13" W

ORDINARY HIGH
WATER MARK
SOUTH BANK
MERCED RIVER

CUZMAN EASEMENT

MERCED RIVER

PLAT TO ACCOMPANY ATTACHMENT E-4

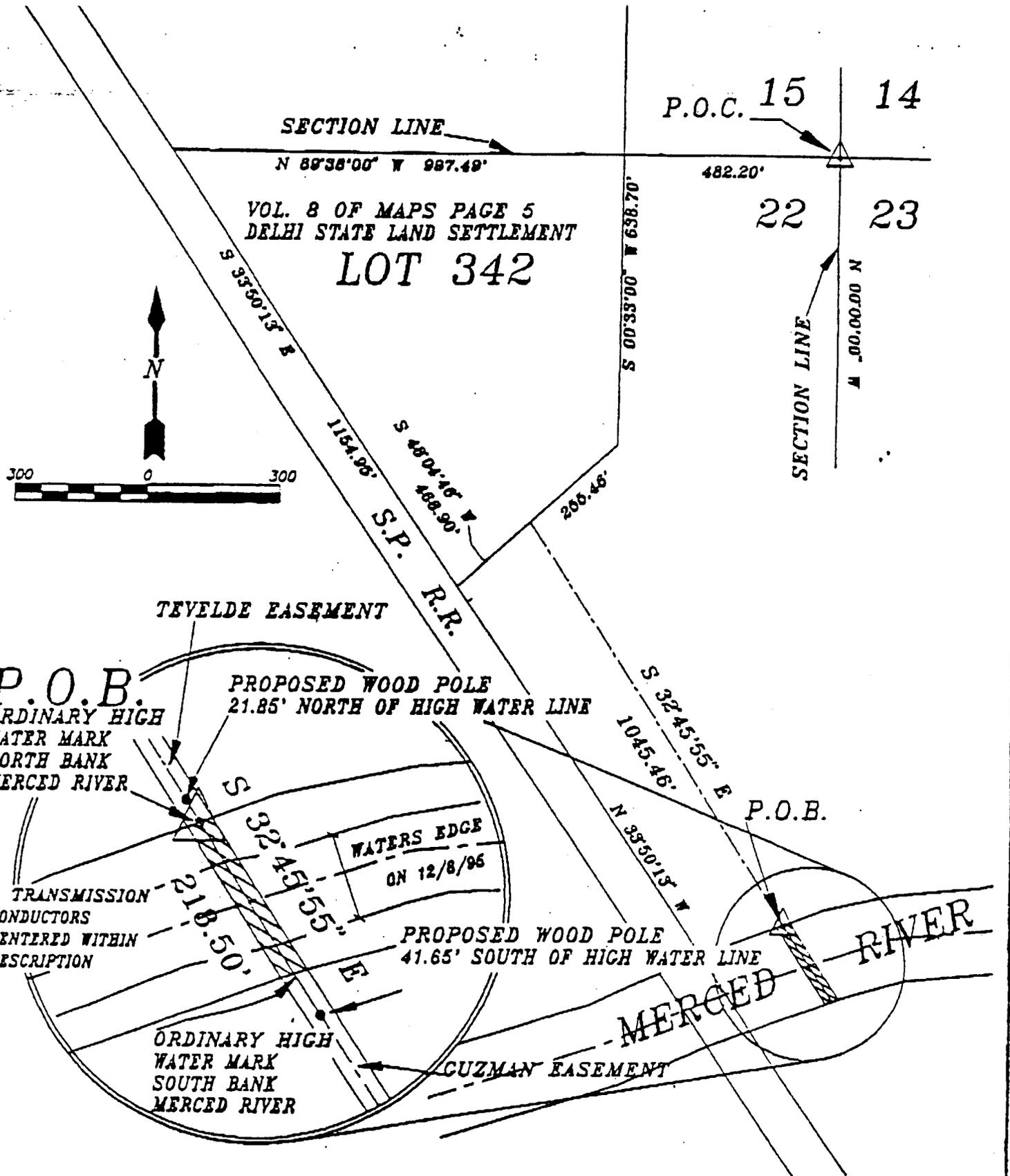
DATE: 2/1/96
DRAWN: DAJ
DESIGN:
CHECKED: DDN
APPROVED:

STATE LANDS COMMISSION RIGHT OF WAY

SURVEY FOR MERCED RIVER CROSSING
LOC: 22-6-11, BK: DN95047, DATE: 11/10/95
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TD TURLOCK IRRIGATION DISTRICT #19
MINUTE PAGE 000178 SECTION 13

This Land description is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other



PLAT TO ACCOMPANY ATTACHMENT E-4

DATE: 2/1/96	STATE LANDS COMMISSION RIGHT OF WAY	TURLOCK IRRIGATION DISTRICT DIST. 76.20
DRAWN: DAJ		
DESIGN:		
CHECKED: DDN		
APPROVED:	SURVEY FOR MERCED RIVER CROSSING LOC: 22-6-11, BK: DN95047, DATE: 11/10/95 <small>g:\civ\l\cod\1995\dn9547rc.dwg</small>	MINUTE PAGE 1 SECTION 22

This Land description is solely for purposes of generally defining the lease premises, and is not intended to be, nor shall it be construed as, a waiver or limitation of any State interest in the subject or any other