

PUBLIC UTILITIES COMMISSION505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

March 19, 2008

Donald Johnson
Project Manager
Southern California Edison
2131 Walnut Grove Ave.
Rosemead, C 911770RE: SCE Antelope-Pardee 500 kV Transmission Project, Segment 1 - Notice to Proceed (NTP #5),
Modification #1

Dear Mr. Johnson,

On February 15, Southern Californian Edison (SCE) requested authorization from the California Public Utilities Commission (CPUC) to construct the Shoofly portion of Section 1, Segment 1. The request was approved February 28, 2008, as Notice to Proceed (NTP) #5. On March 12, SCE requested modification to NTP #5 for authorization to access and use private land to dispose of project soils.

The SCE Antelope-Pardee 500 kV Transmission Project was evaluated in accordance with the California Environmental Quality Act and a Certification of Public Convenience and Necessity (CPCN) was granted by CPUC Docket #A.04-12-007, SCH #2005061161 on March 1, 2007. The Forest Service is the federal Lead Agency for the preparation of the Project's EIR/EIS in compliance with NEPA. The proposed work locations do not occur in Forest Service land; thus, no approval from the Forest Service is required. **NTP #5 Modification #1 is granted by CPUC for the proposed activities based on the following factors:**

- Per the Request:
 1. Since the issuance of NTP #5, the owner of the land where the disposal site was to have been located has since retracted the offer. Subsequently, the contractor has identified a second proposed site for disposal immediately north of the proposed Blue Cloud Marshalling Yard off of Blue Cloud Road in unincorporated Los Angeles County.
 2. The property owner (Rene Veluzat) wishes to have the soil, an estimated 13,000 cubic yards, piled along an existing earthen berm used to establish a visual barrier between the movie ranch and the area now known as the Blue Cloud Yard and the trailer park to the south. Most of the area is disturbed grassland interspersed with a mosaic of chamise chaparral and sage scrub vegetation communities on steeply rolling hills.
 3. The proposed disposal site is approximately 1.0 acre, along with several hundred feet of dirt access road extending east off of Blue Cloud Road, and approximately 2,000 thousand feet of access road extending west from Blue Cloud Road across a Los Angeles County retention basin (eastern) to a second retention basin (western) at the end of Kathleen Street and the bottom of the hill where shoofly structure 25 is located. An intermittent channel enters the eastern retention basin parallel to one of the proposed access roads. This channel conveys water during heavy rainfall events and has no flowing or ponded water. The access road into the disposal site crosses a dry channel that flows south through the proposed Blue Cloud Marshalling Yard, into a concrete channel, and into Bouquet Canyon Creek. The drainage is intermittent, carrying only storm flow, and has been disturbed by the owner's excavation and creation of berms along both sides. The berms are about six feet high and comprised of soil with chunks of concrete, and were

constructed well in advance of this project for the purpose of screening the owner's movie sets from view. New material from the shoofly ROW will be deposited in the area directly behind this berm and will not reach the stream channel. There is enough room in the yard that the soil can be kept to the level of the existing berm so it won't overtop. CDFG has not reviewed the stream crossing at the new site, only the area 200 feet south in Blue Cloud. However, the road into the dump site itself will not be modified, only those sections of the road west of Blue Cloud. From Blue Cloud across the creek to the dump site, the road is in sufficient shape it will not require any manner of improvement; it is completely level with no ruts or other flaws. The crossing itself is well-designed with two 4-foot culverts under compact fill. It was built by the Veluzat's for the purpose of allowing access by locals to the site so that they could dump their dirt in there. Straw logs will be placed on either side of the crossing to prevent material from being incidentally kicked into the channel. Access road A has not been used recently and will require some grading to smooth out ruts. Grading will not impact the channel, and side cast material will be kept away from the banks. The other road includes portions of a well-traveled powerline access road.

4. Focused biological surveys for special interest plant species, sensitive reptiles and amphibians, small rodent burrow concentrations, burrowing owls, and American badgers at the proposed soil disposal site for shoofly Tower 25. On March 6, 2008 a survey was conducted by walking 10–25 ft parallel belt transects across the area subject to disturbance. In steep areas, the mapped disturbance areas could not be safely walked, so these areas were surveyed using binoculars from either above and/or below the slope. A 300 foot buffer for nesting birds was surveyed, but this area will be expanded to 500 feet for the final pre-construction clearance survey. No target special interest (i.e., rare according to the EIR/EIS) plant or animal species were found with the exception of a small group of Rufous-crowned sparrows (*Aimophila ruficeps*; California Species of Special Concern) observed in an elderberry bush (*Sambucus mexicana*) within 20 feet of the proposed haul road leading into the eastern retention basin. The birds flew upon approach, and an examination of the bush revealed no nests. The intermittent channel entering the eastern-most detention basin was determined to be unlikely to harbor either arroyo toad (*Bufo californicus*) and red-legged frog (*Rana aurora draytonii*). In addition the area surrounding both the access roads and the dirt disposal site is not suitable for the Coastal California gnatcatcher (*Polioptila californica californica*). Active burrows of ground squirrels were observed within berms that the landowner had constructed along the stream channel, but there were no signs of use by owls. A red-tail hawk was observed bringing sticks for nest construction to a tower immediately east of Tower 25 and north of the retention basin at Kathleen Street. The nest is within 300 feet of the construction of the hill next to Tower 25. (Please note that another red-tailed hawk nest was identified as described by the field CPUC monitor immediately adjacent to the haul road proposed for use during soil disposal under this request and is also in close proximity to wire stringing site 14.) California Department of Fish and Game (CDFG) was consulted regarding the resources and special requirements are discussed in a separate bullet below.
5. Pacific Legacy, Inc. conducted a “complete/intensive pedestrian” survey for the proposed use of an open parcel measuring roughly 3.63 acre (13,630 square meters) located at 20000 Blue Cloud Road (the proposed site), as well as a pedestrian survey of two existing entrance and exit access roads that measure a total of 0.77 miles (1,243 m). The parcel designated for soils storage has been previously disturbed with no native soils remaining. The surface of the project area and surrounding vicinity has been heavily disturbed by recent urban development and construction-related grading activities. The survey was conducted to determine the presence of potentially eligible historic cultural resource properties within the Area of Potential Effect (APE) in accordance with current Section 106 guidelines of the National Historic Preservation Act (NHPA 1966 as amended; 36 CFR Part 800), as well as those defined in California Environmental Quality Act (CEQA) and CEQA *Guidelines*. The area falls under the previous archival consultation conducted on 08 October and 28 November 2007 by Compass Rose Archaeological, Inc, and consisted of the consultation and review of site archives, historical maps, and associated

archival documentation on file at the South Central Coastal Information Center located on the campus of California State University, Fullerton, and at the USFS Headquarters, Angeles National Forest in Arcadia. Based on the results of the archival research, no previous cultural resources have been identified within the current study area, nor have any additional cultural resource investigations taken place to date within the project area prior to the current study. No cultural resource evidence at any of these locations was observed. A 10-foot wide margin along either side of the existing 0.77 miles of access roads was also surveyed to determine the likelihood of having been placed through or in the vicinity of historic cultural resources, but no evidence of any such resources were observed.

6. A temporary lease agreement was signed by the landowner and allows use of the proposed space from March 10, 2008 to February 28, 2009.
 - Guidelines and regulations established by the SWPPP will be implemented at all times during all construction. Implementation of all necessary erosion control devices will be properly installed and maintained throughout the duration construction. A copy of the SWPPP will be available on-site for reference. Inspections of BMP placement and function will also be performed.
 - The Fugitive Dust Control Plan addresses specific measures that will be required to control dust during construction.
 - Proper noticing shall occur to residences and businesses where applicable, and documentation of noticing shall be submitted to the CPUC as construction progresses.
 - Prior to construction in any City or County, all applicable encroachments shall be submitted to the CPUC.
 - In a letter dated March 17, 2008, as submitted by CDFG, guidance was provided for expected protocols to be carried out in regard to sensitive resource surveys, reporting, and sensitive resource buffer establishment and handling requirements. All requirements shall be executed by SCE and their contractors. In regard to the prior mentioned red-tailed hawks nests, the letter states “the nest on a tower on the west (later clarifications revealed it was actually east) end of the Shoofly segment should not be moved. The nest, even though it is within the 500 foot buffer is at a distance and position from the construction activities (as proposed under this request) that should allow for successful nesting by the red-tailed hawk pair.” “The red-tailed hawk nest initiation on the east (later clarifications revealed it was actually west) end of the Shoofly segment should be monitored to see if nesting material is being added. If it appears the pair is adding nesting material to the tower, consultation with the Department and USFWS will be necessary to determine the course of action.” Please note that a PDF of the letter was submitted March 19, 2008, as an attachment in an e-mail in which CDFG stated that discussions of the identified red-tailed hawks nests were inadvertently switched in the letter.

The conditions noted below shall be met by SCE and its contractors:

- All project mitigation measures, compliance plans, and permit conditions shall be implemented during construction activities and use of the proposed yard spaces. Some measures are on-going/time-sensitive requirements and shall be implemented prior to and during construction where applicable.
- Copies of all relevant permits, compliance plans, mitigation measures and this Notice to Proceed shall be available on site for the duration of construction activities.

- As identified in APM BIO-5 and Mitigation Measure B-6 in the EIR/EIS, SCE is required to conduct surveys prior to construction of the project. SCE would assign Biological Monitors to the Project. They would be responsible for ensuring that impacts to special-status species, native vegetation, wildlife habitat, or unique resources would be minimized to the fullest extent possible. The Biological Monitor shall be on-site to monitor all work and will conduct sweeps of the approved areas, especially areas with high burrow concentrations which will be impacted. Results shall be submitted to the CPUC EM prior to entering new areas. SCE shall provide the ongoing sweep/survey results with accurate maps. Where appropriate, monitors would flag the boundaries of areas where activities need to be restricted in order to protect wildlife including special-status species. These restricted areas would be monitored to ensure their protection during construction. This will include protecting species covered under the MBTA and CDFG codes regarding the protection of nests and eggs. If breeding birds with active nests are found, a biological monitor shall establish a 300-foot buffer around the nest and no activities will be allowed within the buffer until the young have fledged from the nest or the nest fails. The 300-foot buffer may be adjusted to reflect existing conditions including ambient noise and disturbance with the approval of the CPUC and USFWS (as well as CDFG). The biological monitor shall conduct regular monitoring of the nest to determine success/failure and to ensure that project activities are not conducted within the buffer until the nesting cycle is complete or the nest fails. In regard to the proposed laydown area, if nesting birds move into the work area SCE will monitor the nest to ensure that their activities do not result in the loss or failure of the nest. A preliminary buffer area around the nest will be established and SCE shall coordinate with the CPUC, CDFG and/or USFWS regarding the presence of the nest. It is recognized that the imposition of a 300 foot buffer in a staging yard would likely preclude the use of the site however as some species are well adapted to human disturbance the mitigation provides flexibility in reducing this on a case by case basis. The final determination of the buffer will be made by coordination with the CPUC and wildlife agencies.
- If archaeological remains are discovered in the course of construction activities, construction should be halted and the potential resource evaluated by a qualified archaeologist. The archaeologist will recommend appropriate mitigation measures. If human remains are encountered during construction or any other phase of development, work in the area of the discovery must be halted, the Los Angeles County Coroner notified, and the provisions of Public Resources Code 5097.98-99, Health and Safety Code 7050.5 carried out.
- Prior to the commencement of construction activities, all crew personnel including crane, haul truck and concrete truck drivers shall be appropriately WEAP trained on environmental issues including protocols for air quality, hazardous materials, biological resources, known and unanticipated cultural materials, as well as SWPPP BMPs. A log shall be maintained on-site with the names of all crew personnel trained.
- No movement or staging of construction vehicles or equipment shall be allowed outside of the approved areas. If additional temporary workspace areas or access routes, or changes to construction technique or mitigation implementation to a lesser level are required, a Variance Request shall be submitted for CPUC review and approval.
- If construction debris or spills enter into environmentally sensitive areas, the jurisdictional agencies and CPUC EM shall be notified immediately.

Sincerely,

John Boccio
CPUC Environmental Project Manager

cc: V. Strong, Aspen