

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



October 21, 2021

Thomas Diaz
Regulatory Affairs
Southern California Edison
8631 Rush St, General Office 4 – 235E (2nd Floor)
Rosemead, CA, 91770

RE: ELM Series Capacitor Project: Minor Project Refinement #3

Dear Mr. Diaz,

On October 11, 2021, Southern California Edison (SCE) submitted a request for Minor Project Refinement (MPR) #3 for the use of a previously, temporarily approved water source. The additional water source is located on private property in Ludlow, San Bernardino County. The additional water source would support transmission line activities approved under the California Public Utilities Commission (CPUC) Notices to Proceed (NTP) #3 and #4 for the Eldorado-Lugo-Mohave Upgrade Project in the County of San Bernardino, California.

The CPUC voted on August 27, 2020, to approve SCE's Eldorado-Lugo-Mohave Upgrade Project (Decision D.20-08032) and a Notice of Determination was submitted to the State Clearinghouse (SCH# 2019089033). The CPUC also adopted a Mitigation, Monitoring, Compliance and Reporting Plan (MMCRP) to ensure compliance with all mitigation measures imposed on the Eldorado-Lugo-Mohave Upgrade Project during implementation. The MMCRP also acknowledges that temporary changes to the project, such as final project design and engineering or need for addition workspace, are anticipated and common practice for construction efforts of this scale and that an MPR request would be required for these activities. This letter documents the CPUC's thorough evaluation of all activities covered in this MPR, and that no new impacts or increase in impact severity would result from the requested MPR activities.

MPRs are reviewed for consistency with CEQA requirements and confirmed that they are located within the geographic boundary of the project study area. MPRs do not create new or substantially more severe significant impacts, or conflict with any mitigation measure or applicable law or policy. Also, they do not trigger other permit requirements unless the appropriate agency has approved the change, and clearly and strictly comply with the intent of the mitigation measure or applicable law or policy.

MPR #3 for the previously approved temporary water source to support construction activities (approved under NTPs #3 and #4) is granted by CPUC based on the factors described below.

SCE MPR Request. Excerpts from the SCE MPR request are presented below (indented):

OVERVIEW AND DESCRIPTION

Southern California Edison (SCE) is proposing the use of an additional established water source for the Eldorado-LugoMohave Series Capacitor Project. The water source is located on private property, at 25632 Crucero Road, Ludlow, San Bernardino County, California; approximately 0.25 mile west along the National Trails Highway, northwest of the intersection of Interstate 40 with Crucero Road.

The site is accessible via existing paved and unpaved roads. Because the property is privately-owned, it falls under the CPUC's regulatory jurisdiction for the project.

The site is a well-graded developed/disturbed lot with a residence to the north. The water source consists of an existing well, pump, and above-ground storage tank (i.e., "Baker" tank or frac tank). A water truck will access the site via the aforementioned existing access roads, park adjacent to the storage tank, fill, and depart using the same roads. The water truck and monitor vehicles will be rubber-tired vehicles. No vegetation removal, grading, or excavation is required. Vehicles will remain within existing disturbed areas.

This location was subject to a Temporary Extra Work Space (TEWS) request that was approved by the CPUC on September 15, 2021. It was initially intended to support construction of the fiber optic repeater sites in the Mojave National Preserve for a short duration. To support additional construction activities, including Optical Ground Wire (OPGW) work, SCE wishes to add the water source for the duration of the project, extending beyond the November 14, 2021 expiration date of the TEWS.

CPUC Evaluation of MPR Request

In accordance with the MMCRP, the subject MPR request was reviewed by CPUC to confirm that no new impacts or increase in impact severity would result from the requested MPR activities and that the subject request was within the geographic boundary of the Project study area. Additionally, the CPUC Environmental Monitor (EM) conducted a site visit of the requested work area on September 15, 2021. The following discussion summarizes this analysis for agriculture, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, land use, noise, paleontological resources, traffic and transportation, visual resources, water resources, and wildland fire. A list of bulleted conditions is presented to define additional information and clarifications regarding mitigation requirements. In some cases, these items exceed the requirements of the Mitigation Measures (MMs) and Applicant Proposed Measures (APMs) and are based on specific site conditions and/or are proposed conditions by SCE.

Air Quality: During proposed construction, SCE shall implement the Fugitive Dust Control Plan approved by the CPUC on November 17, 2020. In addition, APMs AIR-2 through AIR -5 requires that off-road diesel construction equipment use engines compliant with Tier 4 standards, idling would be restricted to less than five minutes, engines to be in good working order, and that worker ridesharing is encouraged. No additional impacts to air quality will occur with the implementation of this MPR.

Biological Resources: A desktop analysis of publicly available data (e.g., California Natural Diversity Database) was conducted to determine the potential for special-status species to occur at the water source. In addition, on September 15, 2021 (10:15-11:15), Jose Lopez, an agency-approved Authorized Biologist and Avian Biologist, conducted a pedestrian biological survey of the water source site plus a 300-foot buffer and the access route plus a 50-foot buffer (collectively, the survey area). Survey methods were based on current guidance from the U.S. Fish and Wildlife Service, California Department of Fish and Wildlife, Bureau of Land Management, and/or industry standards. The biologist conducted pedestrian surveys by walking line transects spaced approximately 10 meters apart to ensure 100 percent visual coverage of the survey area, focusing on observations of wildlife, wildlife sign (e.g., burrows, scat, tracks), and behavioral cues, and to assess the potential impacts to biological resources.

Site Description: The water source is positioned on the south side of a quasi-residential property. The land in the immediate vicinity of the water source is developed/disturbed. It is accessible via an approximately 600-foot existing unpaved access road from the National Trails Highway. Some trees and shrubs are present in the vicinity, but the site vicinity is otherwise sparsely vegetated desert scrub, including creosote bush (*Larrea tridentata*) scrub communities.

Desert Tortoise (DETO) and Other Special-Status Herpetofauna: The proposed water source is located on developed/disturbed land surrounded by suitable desert tortoise habitat. However, no desert tortoises or desert tortoise sign were observed. No special-status reptiles nor unique habitats (e.g., sand dunes for Mojave fringe-toed lizards) were identified at the water source. If any special-status terrestrial herpetofauna are found during the preconstruction survey or construction activities, potential impacts will be addressed through implementation of the mitigation measures and biological monitoring.

Burrowing Owl (BUOW): Suitable habitat for burrowing owls was identified in the survey area. However, no burrowing owls, potential burrows, or sign was observed. If burrowing owl is found during the preconstruction survey or construction activities, potential impacts will be addressed according to the Burrowing Owl Management and Passive Relocation Plan.

Nesting Birds: Suitable substrates for nesting birds protected by the Migratory Bird Treaty Act and California Fish and Game Code, including trees, shrubs, man-made structures, and the ground surface, can be found throughout the survey area. However, no nesting birds were detected (survey was conducted outside breeding season). A preconstruction survey for nesting birds will be conducted prior to the initiation/continuation of construction activities at the proposed work area during the avian breeding season (January 1 – August 31). If active nests are identified, avoidance buffers will be established in accordance with the project Nesting Bird Management Plan (NBMP).

Listed Riparian Birds: No suitable habitat for riparian birds (least Bell's vireo or southwestern willow flycatchers) occurs within 500 feet of the proposed work areas. Therefore, no impacts are anticipated.

Golden Eagle (GOEA): Based on a review of aerial imagery, data provided by the USFWS, and project data, no suitable GOEA nesting habitat is located within 1 mile of the water source.

Special-Status Bats: Use of the water source will not result in the grading of rocky outcrops or removal of trees potentially serving as bat roosts

Special-Status Small Mammals: Special-status small mammals such as the American badger (*Taxidea taxus*), desert kit fox (*Vulpes macrotis*), and/or desert bighorn sheep (*Ovis canadensis*) can occur in many parts of the Project area, as suitable habitat is widespread. Based on the existing data reviewed, project-specific survey records, and habitat conditions observed during the survey, the desert kit fox, desert bighorn sheep, and American badger are assumed to be potentially present regionally. Suitable habitat for the ringtail (*Bassariscus astutus*) is present in the region but is limited in extent to riparian areas and some desert mountains. Habitat in the proposed work area is degraded and due to human presence at this location, it is unlikely that these species will inhabit the proposed work area and surrounding vicinity. If any special-status mammals are found during the preconstruction survey or construction activities, potential impacts will be addressed according to the appropriate mitigation measures.

Special-Status Plants: The water source is located on developed/disturbed private property with highly compacted soils. No suitable habitat for special-status plants is present.

Cacti, Yucca, and Trees: No impacts to cactus or yucca species are anticipated.

Jurisdictional Waters: A desktop analysis of publicly available data (National Wetland Inventory and National Hydrography Dataset), was conducted and the September 15 survey served to identify features potentially subject to regulation under Sections 404 and 401 of the Clean Water Act, the Porter-Cologne Water Quality Control Act, and Section 1600 et seq. of California Fish and Game Code in the vicinity of the water source. A historic riverine feature was identified crossing the private property near, but not intersecting the water source work area. Based on the site visit, no features with defined bed and bank,

Ordinary High-Water Mark, or signs of ephemeral flow intersect the water source work area. Two watercourses were mapped around the property, which is slightly upland of the potentially jurisdictional features. No impacts to jurisdictional waters are anticipated.

Cultural and Paleontological Resources: While the site is not located within the Area of Potential Effects (APE) for the project, desktop analysis of publicly available resources was conducted to determine if any known sites of cultural significance or deposits of paleontological significance occur in the water source work area, and/or would be impacted by the use of the water source. The proposed water source is located on a private, fully developed lot. Workers will access the site via an existing unpaved access road, park a water truck near the water source, fill, and exit through the same unpaved access road. The workers and vehicles will not stray outside of the private lot and unpaved access road. No grading, excavation, or ground disturbance will occur on the unpaved access road or within the private lot. Therefore, no impacts to cultural or paleontological resources are anticipated.

Hazards and Hazardous Materials: As required by MM HH-1, SCE prepared a Hazardous Materials and Waste Management Plan which was approved by the CPUC on October 30, 2020. Hazardous materials used and stored on site for the duration of construction activities will be managed according to the Plan. No additional impacts from hazards or hazardous materials will occur with the implementation of this MPR.

Noise: As required by MM N-2, construction notification fliers were distributed to inform property and business owners of the location and duration of construction. The flier includes provisions for public noticing including mailers, newspaper advertisements, public venue notices, and includes the establishment of a public liaison and toll-free information hotline. Monthly logs of public complaints are provided to the CPUC. No additional impacts to land use will occur with the implementation of this MPR.

Traffic and Transportation: Consistent with MM T-1, Traffic Control Plans have been developed and approved by State and local agencies responsible for public roads. The Construction Transportation Plan describes timing of commutes, methods of reducing crew-related traffic, and other methods for reducing construction-generated additional traffic on regional and local roadways. As required by MM T-3, a Helicopter Use Plan was prepared and approved by the CPUC on November 17, 2020 (revised Plan approved September 25, 2021), which identifies flight paths that avoid sensitive receptors. No additional impacts to traffic and transportation will occur with the implementation of this MPR.

Visual Resources: The proposed additional work areas described in this MPR are no different than what was described in NTPs #3 and #4. No additional impacts to visual resources will occur with the implementation of this MPR.

Water Resources: As required by MM HWQ-2, SCE developed and submitted an Erosion Control Plan to the CPUC and BLM. The Erosion Control Plan was incorporated into the SWPPP, which is kept onsite and readily available on request. The Erosion Control Plan was approved by the CPUC on August 24, 2020. Any changes necessitated by this MPR will be incorporated into the SWPPP document. No additional impacts to water resources are anticipated with the implementation of this MPR.

Wildland Fire: SCE prepared a Fire Management Plan to satisfy the conditions of MM WF-1 and the Plan was approved by the CPUC on November 17, 2020. The Fire Plan was also approved by BLM and State and local fire agencies. No additional impacts to wildland fire will occur with the implementation of this MPR.

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

- SCE shall notify the CPUC and provide Collector data for the proposed work areas covered in this MPR prior to the start of construction activities.

- All applicable Project MMs, APMs, compliance plans, and permit conditions shall be implemented. Some measures have on-going/time-sensitive requirements and shall be implemented prior to and during construction where applicable.
- Copies of all relevant permits, compliance plans, and this MPR shall be available on site for the duration of construction activities. All permits and plans shall be made available to the CPUC EM upon request.
- All crew members shall be WEAP trained prior to working on the Project. A log shall be maintained on-site with the names of all crew personnel trained. The WEAP training brochure can be provided in Spanish or other languages if appropriate. All participants will receive a hard-hat sticker for ease of compliance verification.
- 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 in technique and mitigation implementation to a lesser level are required, an MPR request shall be submitted for CPUC review.
- A preconstruction biological survey shall be conducted prior to initiating work in each proposed work area if those sites are no longer active.

Sincerely,



Eric Chiang
CPUC Environmental Project Manager

cc: V. Strong, Aspen