

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



October 15, 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 #5

Dear Mr. Diaz,

On October 13, 2021, Southern California Edison (SCE) submitted a request for Minor Project Refinement (MPR) #5 for a new potable water source and work area for access. The additional work area is located on the road shoulder in the City of Needles, in San Bernardino County. The additional work area 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 #5 for the new water source and work area for access 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):

Proposed Water Source

The proposed water source is an existing potable water hydrant located on a disturbed/developed road shoulder, on a curb adjacent to a paved road, in a light industrial area of Needles, California. The road shoulder is devoid of native habitat. Only occasional short-term filling of water trucks will occur at the hydrant, while allowing access to local land uses. Water trucks will park immediately adjacent to the water source to fill water trucks using equipped hoses and on board pumps. No ground disturbance will occur.

Water trucks will park along the paved road shoulder along Needles Highway to access an existing potable water hydrant located on the curb (disturbed/developed) in front of an existing warehouse facility in a light industrial area of Needles, California, located in front of 3273 Needles Highway. Only occasional short-term filling of water trucks will occur, while allowing access to local land uses. No ground disturbance will occur at the water source location. No impacts to regulated trees, jurisdictional waters, biological, or cultural resources are required for use of the water source. Water will be stored in water trucks in approved yards and parking areas or will be hauled directly to work sites for use as dust control and fire prevention.

CPUC Evaluation of MPR Request

In accordance with the MMRP, 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 October 13, 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: The proposed work area is located within a light industrial area located within the City of Needles, outside of the study area for previous habitat assessments and focused/protocol surveys. A desktop analysis of publicly available data (e.g., CNDDDB) and relevant project data were reviewed to determine the potential for special-status species to occur in the proposed work area, and to assess the potential impacts to biological resources.

Site Description: The water source is not located within habitats that may support special-status plants and terrestrial wildlife. Because no ground-disturbance will occur and water trucks will be positioned on the existing paved road, no impacts to special-status terrestrial wildlife (e.g., burrowing small mammals) or special-status plants are anticipated. The water source is located adjacent to suitable habitats for nesting birds, including trees, shrubs, man-made structures, and the ground surface. However, the water source location is situated such that the proposed work activities would be conducted from existing disturbed/developed areas. In addition, the act of filling water trucks will be of short duration and similar to baseline conditions, which include public traffic associated with the local light industrial businesses, a power distribution substation, and warehouses. Preconstruction surveys will be conducted prior to use of the water source and periodic sweeps will be conducted during the breeding season.

Desert Tortoise (DETO): The proposed work area is not located within suitable desert tortoise habitat, as determined by vegetation types and ground cover. The proposed work area is a disturbed/developed road shoulder and paved road, devoid of native habitat required to support the species. A preconstruction survey will be conducted prior to the initiation of construction activities in the proposed work area. If any desert tortoises are found during the preconstruction survey or construction activities, potential impacts will be addressed through implementation of appropriate mitigation measures and biological monitoring.

Special-Status Terrestrial Herpetofauna: A preconstruction survey will be conducted prior to the initiation of construction activities in the new work area. 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. With the implementation of Project mitigation measures, no impacts to the special-status species are anticipated.

Desert Bighorn Sheep: Suitable habitat for desert bighorn sheep is present on the Project and this species is known to occur. However, no desert bighorn sheep have been previously observed in the vicinity of the proposed work areas. With monitoring, no impacts are anticipated.

Burrowing Owl (BUOW): The entire Project is within the overall range of the BUOW and BUOW habitat is widespread across its footprint, including on/near the proposed work areas. No burrowing owls, burrows, or sign have been observed in or near the proposed work areas during previous surveys for the Project. A preconstruction survey will be conducted prior to the initiation of construction activities in the proposed work areas. If any burrowing owl are found during the preconstruction survey or construction activities, potential impacts will be addressed according to the Burrowing Owl Plan.

Nesting Birds: Suitable substrates for nesting birds protected by the California Fish and Game Code and Migratory Bird Treaty Act, including trees, shrubs, man-made structures, and the ground surface, can be found throughout the Project area. A preconstruction survey for nesting birds will be conducted prior to the initiation of construction activities during the avian breeding season (Jan 1 – Aug 31). If active nests are identified, avoidance buffers will be established in accordance with the project NBMP. With implementation of the NBMP, no impacts are anticipated.

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 USFWS data and both aerial habitat assessments and protocol surveys conducted for the Project, suitable nesting habitat does not exist within 2 miles of the proposed hydrant. Work activities are not proposed to occur during the golden eagle breeding season. Therefore, no active golden eagle nests are expected to occur in the vicinity and no impacts are anticipated.

Special-Status Bats: No rocky outcrops or trees potentially providing suitable roosting habitat for bat species will be affected by the proposed work. Therefore, no impacts are anticipated.

Special-Status Small Mammals: Special-status small mammals such as the American badger, desert kit fox, and/or desert bighorn sheep 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 surveys, the desert kit fox and American badger are assumed to be potentially present regionally, but not adjacent to the developed water source area. Suitable habitat for the ringtail is present in the region but is limited in extent to riparian areas and some desert mountains. If any special-status small mammals are found during the preconstruction survey or construction activities, potential impacts will be addressed according to the Desert Kit Fox, American Badger, and Ringtail Avoidance and Mitigation Plan and mitigation measures.

Special-Status Plants: The new work area is a developed/disturbed road shoulder along a paved road, and as such, is devoid of native plants. No special-status plants have been observed in the vicinity. The work is scheduled to occur outside the growing season for most special-status annuals, and due to drought conditions, many annuals and event perennial herbs are not currently present. Given these conditions

and considering that the activities would occur within an existing roadway shoulder, no impacts to special-status plants are anticipated. In general, if special-status plants are observed, potential impacts to special-status plants will be addressed in accordance with the Special-Status Plant Salvage and Relocation Plan.

Cacti, Yucca, and Trees: The new work area is developed/disturbed road shoulder along a paved road, and as such, is devoid of native cacti, yucca, and trees. A preconstruction survey will be conducted prior to the initiation of construction activities in the proposed work areas. Any cacti and yucca found during the preconstruction survey or construction activities will be avoided to the extent feasible. Unavoidable impacts to cacti and yucca will be addressed in accordance with the Cacti and Yucca Salvage Plan.

Jurisdictional Waters: No wetlands or other jurisdictional waters are present within the proposed work areas associated with the new water source.

Cultural Resources: A desktop analysis was conducted to determine the presence of and potential impacts to cultural resources within and directly surrounding the proposed work area. The proposed water hydrant is located on a previously disturbed/developed road shoulder on a curb adjacent to a paved road. Water trucks will travel on paved roads to access the hydrant, and then enter the Project area of potential effect (APE) along approved project access roads. Since no ground disturbing activities are required, there is little potential for unanticipated discovery of previously unrecorded cultural resources in this developed area. If cultural resources are encountered unexpectedly, a standard work stoppage will be implemented, and a qualified archaeologist contacted. The discovery would then be addressed in accordance with the project's Cultural Resources Management Plan.

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.

Paleontological Resources: Since excavation is not proposed within the scope of work to be conducted at the water source, no impacts to paleontological resources are expected. If earth disturbance is required, further analysis by an approved paleontological monitor will be required to assess impacts and monitoring requirements per the Project's Paleontological Resources Monitoring Plan.

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 area 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