

**PUBLIC UTILITIES COMMISSION**

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



April 4, 2019

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

RE: West of Devers Upgrade Project: Minor Project Refinement #26

Dear Mr. Gutierrez,

On April 2, 2019, Southern California Edison (SCE) submitted a request for Minor Project Refinement (MPR) #26 for the use of two water hydrants in unincorporated Riverside County, Segment 6, and an expanded work area to facilitate construction access into the Segment 2 right-of-way for activities approved under the California Public Utilities Commission (CPUC) Notice to Proceed (NTP) #4, September 5, 2017, in support of the West of Devers Upgrade Project in the City of Colton, San Bernardino County, California.

The CPUC voted on August 18, 2016 to approve SCE's West of Devers Upgrade Project (Decision D.16-08-017) and a Notice of Determination was submitted to the State Clearinghouse (SCH# 2014051041).

The CPUC also adopted a Mitigation, Monitoring, Compliance and Reporting Plan (MMCRP) to ensure compliance with all mitigation measures imposed on the West of Devers 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 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 #26 for two water sources and improved access to support activities (approved under NTP #4) is granted by CPUC based on the factors described below.

**SCE MPR Request.** Excerpts from the SCE MPR request, received April 2, 2019 are presented below (indented):

Proposed Project Water Sources

Rubber tired water trucks will park on the shoulders of existing/public roads adjacent to the two (2) existing water source locations (i.e., hydrants). 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 locations. No impacts to regulated trees, jurisdictional waters, biological, or cultural resources are anticipated for use of the water sources described below:

**Hydrant #1** – Potable hydrant supplied by the Mission Springs Water District, located on the west side of Vernon Road, north of 16th Avenue in unincorporated Riverside County.

**Hydrant #2** – Potable hydrant supplied by the Mission Springs Water District, located on the west side of Diablo Road, near the western entrance to Devers Substation in unincorporated Riverside County.

The total temporary disturbance area associated with the new work area is approximately 0.02 acre of previously disturbed land, owned by Southern California Edison.

All Water Districts/Agencies listed in the FEIR were contacted to determine the availability of non-potable water. Only the City of Redlands provides non-potable water service within the Project Area; however, Redlands' recycled water hydrants are located within the northern portion of Segment 1 where it is not economically or environmentally feasible to haul recycled water to other areas of the West of Devers Project.

Expanded Work Area Off Prado Lane

A 0.10-acre temporary work area located on vacant, previously disturbed land, west of Prado Park and south of Prado Lane, is required to facilitate construction access into the Segment 2 right-of-way, in the City of Colton. The additional work area will be used to safely mobilize and demobilize construction material, equipment, and vehicles into and out of Segment 2. BMPs, including, but not limited to, gravel and shaker plates will be installed at the northern portion of the widened access road, per the Project SWPPP.

The total temporary disturbance area associated with the expanded work area is approximately 0.10 acre of previously disturbed private land.

**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 Monitors (EMs) conducted a site visit of the requested work areas on April 3, 2019. 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.

**Agriculture:** No Important Farmland will be impacted with the implementation of this MPR. The additional work areas associated with this MPR are previously disturbed/developed lands.

**Air Quality:** During proposed construction, SCE shall implement the Fugitive Dust Control Plan approved by the CPUC on May 22, 2017, as well as the Exhaust Emissions Control Plan approved by CPUC on June 8, 2017. In addition, in compliance with MM AQ-1b, off-road equipment with engines larger than 50 horsepower shall have engines that meet or exceed U.S. EPA/CARB Tier 3 Emissions Standards. No additional impacts to air quality will occur with the implementation of this MPR.

**Biological Resources:** SCE submitted biological resource survey information with the MPR request. SCE conducted a desktop analysis of publicly available data and relevant project data to determine the potential for special-status species to occur at the new work areas. The new work areas were included in the study area for previous habitat assessments and focused surveys, as well as recent preconstruction surveys.

### Proposed Project Water Sources

The new water sources are existing hydrants, located within existing disturbed/developed areas. Water trucks will be parked immediately adjacent to the water hydrants, and workers will fill the tanks using equipped hoses and on-board pumps. No additional ground disturbance (i.e., site preparation) will occur. The water sources are located adjacent to habitats that may support special-status plants and wildlife. Because no ground disturbance will occur and water trucks will be positioned on paved/disturbed surfaces, no impacts to special-status terrestrial wildlife (e.g., burrowing small mammals) or special-status plants are anticipated. In addition, the act of filling water trucks will be of short duration and similar to baseline conditions (e.g., public traffic, residences).

Suitable substrates for nesting birds protected by the California Fish and Game Code and Migratory Bird Treaty Act, including trees, shrubs, and the ground surface, are located adjacent to the work areas and in the vicinity. Preconstruction surveys for nesting birds, and ongoing surveys and monitoring for nesting birds, will take place during the nesting season (January 1 – August 31). A non-coastal cactus wren (*Campylorhynchus brunneicapillus*) nest is located approximately 530 feet northwest of Hydrant 1. A second cactus wren nest is located approximately 530 feet southeast of Hydrant 1. Hydrant 1 and the access road to it are located outside of the 300-foot buffers for each nest. If other active nests are found, avoidance buffers will be established and potential impacts will be mitigated through implementation of the Nesting Bird Management Plan.

No western burrowing owl (*Athene cunicularia*) were observed within the survey areas. However, burrowing owls are known to occur in the vicinity. If active burrows are identified later, within 300 feet of construction activities, potential impacts will be addressed according to the Burrowing Owl Management and Passive Relocation Plan. Based on project survey data, desert tortoises (*Gopherus agassizii*) have a low probability of occurring in these locations. No desert tortoise or sign were observed within the survey areas. In addition, no special-status mammals were observed in the survey areas. However, suitable and occupied habitats for the Palm Springs pocket mouse (*Perognathus longimembris bangsi*) occur throughout Segment 6. The Project has been designed to minimize impacts to the extent feasible. Potential impacts will be addressed in accordance with the Special-status Small Mammals Avoidance and Minimization Plan.

A preconstruction survey for each hydrant will be conducted immediately prior to use. With implementation of the mitigation measures and permit conditions, no additional impacts to biological resources are anticipated with the implementation of this MPR.

### Proposed Expanded Work Area

A desktop analysis was conducted for the expanded work area using aerial imagery and project biological data. The proposed expanded work area was covered in previous surveys.

Suitable substrates for nesting birds protected by the California Fish and Game Code and Migratory Bird Treaty Act, including trees, shrubs, and the ground surface, are located adjacent to the work areas and in the vicinity. Preconstruction surveys for nesting birds, and ongoing surveys and monitoring for nesting birds, will take place during the nesting season (January 1 – August 31). No active bird nests have been identified to date. If active bird nests are found, they will be addressed in accordance with the Nesting Bird Management Plan.

Suitable habitat for least Bell's vireo (*Vireo bellii pusillus*; LBVI) and southwest willow flycatcher (*Empidonax traillii extimus*; SWFL) was mapped within 20 feet east of the new work area in Prodo Park and within 30 feet southwest of the new work area. No LBVI or SWFL have been detected in these habitat patches during

multiple years of protocol surveys. In addition, qualified biologists have observed declining habitat quality over the years, such that it is now estimated that the species are unlikely to occur in these particular habitat patches. The proposed work area would not result in direct impact to habitat. In addition, Coastal California gnatcatcher (*Poliophtila californica californica*; CAGN) critical habitat as mapped by USFWS is located within 60 feet of the new work area; however, this mapped habitat area contains no actual suitable habitat within 500 feet of the new work area. The land cover types comprising the proposed work area are not primary constituent elements of gnatcatcher critical habitat and no CAGNs are expected to occur. Also, western burrowing owl (*Athene cunicularia*) habitat is widespread in the Project area; however, burrowing owl has a moderate potential to occur within 500 feet of the new work area analyzed in this MPR. A preconstruction sweep of the new work area will be conducted prior to construction. With the implementation of the mitigation measures, no impacts are anticipated to biological resources.

One non-wetland feature is located approximately 25 feet south of the new work area and a wetland water feature is located approximately 60 feet south of the new work area. Environmentally Sensitive Area and no grading signs are established at the limits of the jurisdictional features and the new work area is situated such that the proposed activities would be conducted from existing disturbed/developed areas. Impact to jurisdictional features will be avoided during Project activities.

**Cultural Resources:** SCE submitted cultural resource information with the MPR request. A Cultural Resources Management Plan (CRMP) has been completed for the West of Devers Upgrade Project and was approved by the CPUC in October 2017.

The hydrants and expanded access area south of Prado Lane are located within the West of Devers Area of Potential Effects (APE) and were covered within the record search data that was conducted during previous WOD cultural surveys and studies; *West of Devers: Cultural Resources Assessment and Class III Inventory* (LSA, 2013) and *Area of Potential Effects for the Engineering Refinements Survey and Recommendation of Eligibility for Cultural Resources with SCE Company's West of Devers Project* (ASM, 2015). The record search and survey results for these areas were negative for cultural resources. In addition, the proposed existing hydrants and additional access area are located within existing disturbed and/or developed areas. Water trucks will park on paved or unpaved roadway areas immediately adjacent to the water sources using rubber-tired water trucks. No ground disturbance will occur other than BMP installation. In the event of unanticipated discoveries, MM CL-1b, MM CL-1c, MM CL-1d and the CRMP requirements would be implemented. No impacts to cultural resources are anticipated with the implementation of this MPR.

**Geology and Soils:** SCE conducted geotechnical studies to evaluate faults, landslides and unstable slopes, and soil characteristics as outlined in MMs G-1a, G-2a, and G-5a. The geotechnical survey reports were reviewed and approved by the CPUC on August 17, 2017. No additional impacts to geology and soils will occur with the implementation of this MPR.

**Hazards and Hazardous Materials:** As required by MM HH-1a, SCE prepared and submitted a Hazardous Materials and Waste Management Plan to the CPUC on September 27, 2017. Hazardous materials used and stored on site for the duration of construction activities will be managed according to the Plan. A Soil Management Plan has been developed consistent with MMs HH-2a and HH-3a to provide guidance for the proper handling, onsite management, and disposal of impacted soil that might be encountered during construction activities, including soil samples to be collected in construction areas where the land has historically or is currently being used for agriculture and would be subject to ground disturbance by the project. SCE's Soil Management Plan was combined with the Hazardous Materials and Waste Management Plan described above. Also, SCE's contractor submitted information including written procedures for fueling and maintenance of construction equipment and an Emergency Response Plan. No additional impacts from hazards or hazardous materials will occur with the implementation of this MPR.

**Land Use:** As required by MM LU-1a, a Construction Notification Plan was prepared by SCE and approved by CPUC on May 22, 2017. The Plan identified the procedures to ensure that SCE will inform property and business owners of the location and duration of construction. The Plan 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. No additional impacts to land use will occur with the implementation of this MPR.

**Noise:** Best Management Practices for construction noise management will be implemented as outlined in MM N-1a to reduce construction noise exposure at noise-sensitive receptors and to avoid possible violations of local rules, standards, and ordinances during construction. Construction noise shall be confined to daytime, weekday hours (7:00 a.m. to 6:00 p.m.) or an alternative schedule developed by SCE based on its coordination with the local jurisdiction(s). Construction traffic and helicopter flights shall be routed away from residences and schools, where feasible. No additional impacts to noise will occur with the implementation of this MPR.

**Paleontological Resources:** A Paleontological Resource Mitigation and Monitoring Plan (PRMMP) has been completed for the West of Devers Upgrade Project and was approved by the CPUC on May 9, 2017. Paleontological sensitivity in the proposed hydrant and access areas is considered a Class 2 (low) and no ground disturbance is proposed; therefore, no monitoring is required as outlined in the PRMMP. In the event of unanticipated discoveries, MM PAL-1d and the PRMMP requirements would be implemented. No additional impacts to paleontological resources will occur with implementation of this MPR.

**Traffic and Transportation:** Consistent with MM T-1a and MM T-1b, Construction Transportation and Traffic Control Plans have been developed and approved. 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. No additional impacts to traffic and transportation will occur with the implementation of this MPR.

**Visual Resources:** The use of an additional work area described in this MPR is no different than what was described in NTP #4 and is temporary. No additional impacts to visual resources will occur with the implementation of this MPR.

**Water Resources:** As required by MM WR-2a, SCE developed and submitted an Erosion Control Plan to the CPUC and BLM. The Erosion Control Plan was incorporated into the Stormwater Pollution Prevention Plan (SWPPP), which will be kept onsite and readily available on request. SCE submitted the SWPPP to the CPUC on May 25, 2017. Any changes necessitated by this MPR will be incorporated into the SWPPP document. No additional impacts to water resources will occur with the implementation of this MPR.

**Wildland Fire:** SCE submitted a Fire Management Plan on February 10, 2017 to satisfy the conditions of MM WF-1a and the Plan was approved by the CPUC on July 18, 2017. A revised Fire Management Plan was submitted by SCE on October 29, 2018, which was approved by the CPUC on October 30, 2018. The revised Plan was also approved by BLM and State and local fire agencies. The work areas in this MPR are located along developed/disturbed areas. 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 provide the CPUC with Collector data for the new 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.

Sincerely,

A handwritten signature in black ink, appearing to read "John Forsythe". The signature is written in a cursive, somewhat stylized font.

John Forsythe  
CPUC Environmental Project Manager

cc: V. Strong, Aspen