
PUBLIC UTILITIES COMMISSION

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May 6, 2020

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 #36

Dear Mr. Gutierrez,

On May 6, 2020, Southern California Edison (SCE) submitted a request for Minor Project Refinement (MPR) #36 for a new work area for the installation of temporary guard structures to safely remove conductor. The new location is located in the community of Whitewater, in Riverside County. The extra work area would support transmission line activities approved under the California Public Utilities Commission (CPUC) Notice to Proceed (NTP) #4, September 5, 2017, for the West of Devers Upgrade Project in the County of Riverside, 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 #36 for a new work area for the installation of temporary guard structures to support transmission line 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 May 6, 2020 are presented below (indented):

SEGMENT 6

GS-6N27-6N28-3: (Expansion of Supersite GS-6N27-6N28-2). A new temporary 1.77-acre work area immediately adjacent to the west side of Supersite GS-6N27-6N28-2 is required to safely remove the existing wire and safely install new conductor between Supersites 6N27 and 6N28. Wooden guard structures will be erected within the new work area, on each side of an existing distribution line, to prevent circuit interruptions on the line in the event of a line drop. The work area will be accessed from a dirt road west of Whitewater Canyon Road.

The new work area will be leveled to facilitate the guard structure construction using digger derrick trucks and other equipment associated with wreck-out activities. To the extent possible, the guards will be positioned on existing disturbed or degraded areas within the delineated work area.

The new work area is privately owned, consists of 1.77-acres of desert scrub, and is located entirely within the SCE transmission right-of-way.

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 May 1, 2020. 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 is located within the proposed MPR work areas.

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 using aerial imagery, publicly available data, and relevant Project data. The new work area was also covered during previous surveys, including FRED Preconstruction Survey ID 000179. A preconstruction survey will be conducted prior to initiating work in the new work area.

Desert Tortoise (DETO): The new work area is located within DETO modeled habitat. No definitive signs of DETO have been observed in the new work area during preconstruction surveys, protocol desert tortoise surveys, or construction monitoring. With monitoring, no impacts are anticipated. To minimize temporal habitat loss, portions of previously approved work areas in DETO habitat, which were determined to no longer be necessary for construction, will be removed from the Project data and avoided to offset mapped habitat impacts to GS-6N27-6N28-3

Special-Status Terrestrial Herpetofauna: No special-status terrestrial herpetofauna have been observed within the new work area during Project-related surveys. However, many species have the potential to occur throughout the Project area. For instance, an adult Chuckwally (*Samuromalus ater*) was observed on September 11, 2019 basking on a rock approximately 550-feet west of the new work area (FRED Species Event 000293). A preconstruction survey of the new work area will be conducted prior to use. With implementation of the mitigation measures and biological monitoring during construction, no significant impacts to special-status terrestrial herpetofauna are anticipated.

Burrowing Owl (BUOW): BUOW habitat in the form of annual and perennial grasslands and scrublands characterized by low-growing vegetation is present throughout the Project area. No occupied burrows or associated buffers currently intersect the proposed work area. Any active BUOW burrows observed during preconstruction surveys and during construction will be mitigated in accordance with the Burrowing Owl Management and Passive Relocation Plan. With implementation of the mitigation measures, including appropriate avoidance buffers and biological monitoring during construction, no impacts to BUOW are anticipated.

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. Preconstruction surveys, including surveys for nesting birds during the avian breeding season (Jan 1 – Aug 31), will be conducted prior to the initiation of construction in each area. If active nests are identified, avoidance buffers will be established in accordance with the Nesting Bird Management Plan.

GS-6N27-6N28-3 is located approximately 540-feet west of an active barn owl (*Tyto alba*) nest (FRED Nest Event 000506). The nest is located in a south-facing cliffside approximately 35 feet above the ground. The nest height and location offers visual and acoustic buffers to the ground sites near the nest. The nest is hidden in a cavity and is best viewed from the southwest. The current buffer does not intersect the proposed work area.Listed Riparian Birds: No suitable habitat for riparian birds (least Bell's vireo [LBVI]/Southwestern willow flycatcher [SWFL]) occurs within 500 feet of the new work area. Therefore, no impacts are anticipated.

Coastal California Gnatcatcher (CAGN): No suitable habitat for CAGN occurs within 500 feet of the new work area. Therefore, no impacts are anticipated.

Golden Eagle (GOEA): Based on habitat assessments and protocol surveys conducted for the Project, limited suitable nesting habitat for GOEA was identified within 2 miles of the survey area in Segment 6. GOEA have been observed foraging north and east of Segment 6. On April 25, 2020 one, first-cycle GOEA was observed flying from the north, over Tower 6N28, then westward and out of sight (FRED Species Event 000477). This is likely the same bird as observed in FRED Species Event 000476. Based on information from the Coachella Valley Conservation Commission, a perennial GOEA nest is located in Big Morongo Canyon, outside the 2-mile survey area. However, no nests have been identified within 1 mile of the work area. Therefore, no impacts are anticipated.

Stephen's Kangaroo Rat (SKR): The new work area is not located within suitable habitat for the range of this species; therefore, no impacts to SKR are anticipated.

Special-Status Bats: No suitable bat roosting habitat or buffers occur within the new work areas; therefore, no impacts to special-status bats are anticipated.

Special-Status Small Mammals: Special-status small mammals such as the pallid San Diego pocket mouse, northwestern San Diego pocket mouse, American badger, desert kit fox, San Diego desert woodrat, and/or San Diego black-tailed jackrabbit can occur in many parts of the Project area. Ringtail and Palm Springs

round-tailed ground squirrel are not anticipated to occur in the new work area. However, if any of these species are found, potential impacts will be addressed according to the Small Mammals Avoidance and Minimization Plan.

The habit events nearest the new work area consist of three desert woodrat (*Neotoma lepida*) middens (FRED Habitat Events 000083-000085) observed approximately 715-feet northeast of the new work area along the access road and a fourth desert woodrat midden observed approximately 70-feet east of the new work area, within adjacent supersite GS6N27-6N28-1 (FRED Habitat Event 000635). The existing 10-foot buffers will be avoided during construction activities associated with the new work area and potential impacts to desert woodrat midden will be addressed in accordance with the Small Mammals Avoidance and Minimization Plan. With implementation of the plan, no significant impacts are anticipated.

Special-Status Plants: GS-6N27-6N28-3 is located within Coachella Valley Milk-vetch (*Astragalus lentiginosus* var. *coachellae* [CVMV]; FE, CRPR 1B.2) Modeled Habitat and approximately 100-feet west of CVMV Critical Habitat. No direct impacts to Critical Habitat are anticipated. To minimize temporal habitat loss, portions of previously approved work areas in CVMV Modeled Habitat, which were determined to no longer be necessary for construction, will be removed from the Project data and avoided to offset mapped habitat impacts to GS-6N27-6N28-3

Previous surveys for CVMV were negative; there are no known locations of CVMV in the project area. If special-status plants are later identified during preconstruction surveys/clearance sweeps/monitoring, they will be avoided to the extent feasible. Unavoidable impacts to special-status plants will be addressed in accordance with the Special-status Plant Salvage and Relocation Plan or, in the case of CVMV, in consultation with the USFWS.

Regulated Trees: No tree trimming, or tree removal is required for construction activities within the new work areas. Therefore, no impacts are anticipated.

Jurisdictional Waters: No jurisdictional waters intersect the new work area; however, three non-wetland jurisdictional features are located near the eastern side of the new work area. Environmentally Sensitive Area signage will be established at the edges of the new work area and BMPs will be implemented in accordance with the SWPPP. No impacts to jurisdictional features are expected to result from use of the new work area

Cultural Resources: The new work area is located within the WOD Project Area of Potential Effect and was covered within the record search data that was conducted during previous WOD surveys and studies. The record search and survey results for the new work area were negative for cultural resources (Williams, 2016)..

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: The WOD Paleontological Resources Mitigation and Monitoring Plan (PRMMP) requires full-time, qualified paleontological construction monitoring in areas determined to have moderate (PFYC 3) to very high (PFYC 5) sensitivity. Sediments of unknown (PFYC U) sensitivity shall be monitored by a qualified paleontological monitor on a part-time basis and geologic units with very low (PFYC 1) or low (PFYC 2) sensitivity may be spot checked to confirm paleontological sensitivity.

The proposed work area is located within areas of low PFYC 2 paleontological sensitivity and unknown (PFYC U) sensitivity, therefore, the site will be monitored by a qualified paleontological monitor on a part-time basis, if grading or excavation are required in accordance with the PRMMP.

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 additional work areas 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 SWPPP, which is 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. 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 new work area covered in this MPR, as well as areas to be removed from Project data for desert tortoise habitat impacts, 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 new work area.
- In accordance with the PRMP, a paleontological monitor shall be on site to monitor ground-disturbing construction activities on a part-time basis.

Sincerely,



John Forsythe
CPUC Environmental Project Manager

cc: V. Strong, Aspen