

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

February 11, 2010

Tracey Alsobrook
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Brea – 6 Pointe Dr. 2nd Floor
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RE: Tehachapi Renewable Transmission Project (Segments 4-11), Notice to Proceed (NTP # 1)

Dear Tracey & Adam,

On January 13, 2010, Southern Californian Edison (SCE) submitted a Notice to Proceed Request seeking authorization from the California Public Utilities Commission (CPUC) to utilize a material and storage yard referred to as the Material Yard 28 located at 7340 Avenue I West, near the City of Lancaster in unincorporated Los Angeles County, California.

The SCE Tehachapi Renewable Transmission Project (Project) was evaluated in accordance with the California Environmental Quality Act and a Certification of Public Convenience and Necessity (CPCN) was granted by CPUC Decision 09-12-044, (Application #07-06-031), SCH #2007081156 on December 17, 2009. **NTP # 1 is granted by CPUC for the proposed activities based on the following factors:**

- SCE submitted the following information:

SCE is requesting to utilize a material and storage yard referred to as the Material Yard 28 located at 7340 Avenue I West, near the City of Lancaster in unincorporated Los Angeles County, California. SCE proposed to use Material Yard 28 as a material and equipment storage yard to support construction activities for TRTP.

The proposed yard is approximately 36.7 acres. The proposed yard will be utilized during construction of Segments 4, 5, and 10 and part of Segments 6 and 11.

Proposed facilities at the yard include the following: contractor equipment and material storage areas, office trailers, potential helicopter landing area, temporary sanitary facilities, roll-off trash containers, fueling areas, spill kit, vehicle parking area, lighting and security.

Proposed activities at the yard include the following: yard development and operation and maintenance; contractor equipment and material receipt, storage, and shipping; potential helicopter operations; equipment, helicopter, and vehicle fueling, vehicle parking, and security patrol.

SCE is not anticipating that helicopter activity will be performed at Yard 28. In the event helicopter activity is needed, SCE will provide supplemental information and appropriate biological survey reports.

Site Work

Site Preparation – A geotechnical investigation will be performed at Yard 28. Three borings will be advanced to approximately 10 feet below ground surface using a truck-mount drill rig. The existing grade of Yard 28 is relatively flat. The yard property will be cleared and grubbed as part of site

preparation. It is anticipated that a 6-inch deep layer of compacted road base material (e.g., gravel) will be placed over the entire site.

Underground Major Activities – Temporary power lines that connect to a nearby distribution power line will be installed in the northwestern portion of Yard 28 for electrical power and communications services. It is anticipated that the power lines will be aboveground, but portions of the power lines may be installed underground, as needed.

Aboveground Major Activities – Six-foot-high, screened chain link fencing will be erected around the perimeter of the yard (approximately 6,500 linear feet) to protect material and equipment. Security lights will be installed at 30- to 90-foot spacing around the perimeter of the yard. These 100-watt lights will be hooded, and will be equipped with daylight sensors for automated turn-off and switches to allow them to be turned off at all times when not required. Temporary power lines will be installed in the northwestern portion of Yard 28. This activity will include the installation of temporary power poles within Yard 28.

- SCE submitted a Biological Review prepared by AMEC Earth & Environmental, Inc. dated January 7, 2010. A literature review identified the potential for special-status biological resources to occur in the vicinity of the Yard. These resources include: seven plants, two reptiles, three birds, one mammal, and two habitat communities. Two species, burrowing owl (*Athene cunicularia*) and ferruginous hawk (*Buteo regalis*), have historical records approximately 0.5 mile from the Yard (CDFG 2009), and one Swainson's hawk (*Buteo swainsoni*) was observed in flight approximately three miles west of the Yard (AMEC 2009). The Yard and adjacent lands surrounding the site are dominated by non-native grassland and ruderal vegetation and contain compacted soils. The site was assessed on October 15, 2009 by AMEC biologist Michael D. Wilcox. All areas and vegetation communities on-site were traversed on foot to search for special-status flora and fauna, bird nests, potential burrowing owl burrows, and jurisdictional wetlands and waters of the U.S. and State. The biologist walked 100-foot transects across the entire property including a 500-foot buffer area. Representative digital photographs were taken. No special-status species were observed at the time of the survey, but there is potential for burrowing owls to establish territories on the site. On December 5, 2009, a burrowing owl assessment was conducted by Bloom Biological, Inc. The biologist conducted the survey by walking 100-foot transects across the entire property including a 500-foot buffer. It was determined that suitable nesting and foraging habitat occurs on-site, but no burrowing owls or sign were observed. Two tamarisk trees on the property will be removed to prevent bird nesting.
- SCE submitted a report by Christopher Doolittle, RPA, of AECOM titled *Cultural Resources Inventory of Material Yard 28, SCE Company, TRTP, Kern County, California*, dated December 2009. Review of site archives, historical maps, and documents relative to the project area, maintained at the South Central Coastal Information Center, California State University, Fullerton, and an intensive surface survey of the project area were conducted. The archival review included all cultural resource locations and investigations recorded within a 0.25 mile radius of the project parcel. One cultural resource was recorded within the 0.25 mile (Tang and Hogan 2006), and no cultural resources have been recorded in the project study area. On September 11, 2009, surface reconnaissance of the project area was conducted by walking a series of parallel transects in no more than 15 meter intervals. Ground visibility varied from excellent to moderate in most cases where vegetation or ground cover was dense. The area was previously disturbed and graded. Several remnant concrete foundations and miscellaneous construction debris were noted in the central portion of the material yard. Based on archival maps these remains do not appear to be older than 50 years and completely lack any integrity. No archaeological or paleontological materials were observed or collected in the project area. The Paleontological Resources Management Plan for TRTP Segments 2 and 3 was prepared by Cogstone Resource Management Inc. (Gust and Scott 2008). No paleontological

localities have been previously discovered in the project vicinity and the surface sediments (Quaternary alluvium) have low sensitivity for paleontological resources. However, recent alluvium may overlie sediments sensitive for paleontological resources (*ibid*:28).

- SCE will be issuing an Authorization to Proceed (ATP) to the yard contractor which will specify the allowed improvements and activities at the yard, and required mitigation prior to occupation and during use of the yard.

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

- A copy of the Lease Agreement between PG&E and the property owner shall be provided to the CPUC prior to occupation of the proposed yard.
- A copy of the Contractor ATP shall be submitted to CPUC prior to occupation of the proposed yard.
- NTPR Table 1 shall be updated to reflect the comments provided on the NTPR Process on January 25th (email from Vida Strong, Aspen, to Susan Nelson, SCE) and submitted for CPUC review and approval prior to occupation of the proposed yard.
- All work boundaries shall be flagged prior to yard occupation.
- Per MM B-23, “SCE shall conduct rare plant surveys, and implement avoidance/minimization/compensation strategies. SCE shall conduct surveys according to established and accepted protocol during the floristic period appropriate for each of the rare plant species identified with the potential to occur within the Project ROW and within 100 feet of all surface-disturbing activities”. The Biological Review survey provided in the Material Yard 28 NTPR (Appendix A) states that the survey was conducted in October, outside of the blooming period(s). SCE shall conduct the survey during the appropriate blooming period(s) or provide documentation that CDFG concurs with the change in the survey protocol (survey timing) prior to yard occupation.
- MM B-1a states that “non-native habitats will be reseeded with a native seed mix. Barren areas will be mitigated at a 1:1 ratio if they are determined to support sensitive wildlife (i.e. burrowing owls, etc.)”. Material Yard 28 shall be included in the project Habitat Restoration and Revegetation Plan required by MM B-1a.
- MM B-19 states that “loss of foraging habitat for Swainson’s hawks shall be mitigated by providing Habitat Management (HM) lands as described in the CDFG’s Staff Report Regarding Mitigation for Impacts to Swainson’s Hawks (*Buteo swainsoni*) in the Central Valley of California (CDFG, 1994) because the site is known foraging habitat for Swainson’s hawks”. Because nesting and foraging Swainson’s hawks are known in the general area of Material Yard 28, this yard should be considered during compensation discussions with CDFG for loss of foraging habitat. CDFG concurrence of SCE’s conclusions regarding nesting and foraging habitat for Swainson’s hawks shall be submitted prior to yard occupation.
- For the TRTP project-wide Fire Management Plan (non-ANF), SCE requested that they be allowed to submit a separate Operations and Maintenance Fire Management Plan 60 days prior to energizing transmission lines rather than prior to construction. The CPUC agreed to this change in the timing of the submittal.

- If helicopters will be using the yard, a biological report shall be submitted regarding potential impacts to sensitive species.
- Prior to fuel storage on the subject site, a Fuel Storage Plan shall be submitted to CPUC for review and approval. The Plan shall specify method and location of fuel storage, volumes, demonstration of compliance with regulatory requirements regarding fuel storage, and spill containment and response measures. All fueling of equipment shall be conducted in approved refueling locations only.
- Copies of all relevant permits, compliance plans, and this Notice to Proceed shall be available on site for the duration of construction activities.
- 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.

Sincerely,

John Boccio
CPUC Environmental Project Manager

cc: V. Strong, Aspen