

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

July 28, 2010

Susan J. Nelson, AIA
Project Manager
Southern California Edison
2244 Walnut Grove Ave.
Rosemead, CA 91770

RE: Tehachapi Renewable Transmission Project (Segments 4-11), Notice to Proceed (NTP #9)

Dear Ms. Nelson,

On July 21, 2010, Southern Californian Edison (SCE) submitted a Notice to Proceed Request (NTPR) seeking authorization from the California Public Utilities Commission (CPUC) to temporarily use two contractor yards during construction of Segments 6 and 7 of the Tehachapi Renewable Transmission Project (TRTP) located in 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 #9 is granted by CPUC for the proposed activities based on the following factors:**

- Following are excerpts from SCE's NTPR::

SCE is requesting to utilize two contractor yards for staging and support areas referred to as Huntington Drive and Strawberry Field Contractor yards located in Los Angeles County.

Site Locations and Conditions**Huntington Drive Contractor Yard**

The Huntington Drive Contractor Yard is owned by SCE and consists of approximately 13.5 acres located in the City of Duarte, Los Angeles County, California. The Huntington Drive Contractor Yard is located at the intersection of East Huntington Drive and Encanto Parkway in the City of Duarte. An existing access gate is located along East Huntington Drive at the northern corner of the yard.

Strawberry Field Contractor Yard

The Strawberry Field Contractor Yard consists of approximately 34.8 acres located in the City of El Monte, Los Angeles County, California. The property is owned by SCE. The Strawberry Field Contractor Yard is located at the intersection of the Interstate 605 and Lower Azusa Road. Two existing gates are located at the yard: one along Lower Azusa Road on the north side of the property, and one along Ramona Parkway on the south side of the yard.

Project Components

The Contractor Yards are planned to serve as the daily operating locations for transmission line construction crews associated with Segments 6 and 7 (Huntington Drive Contractor Yard) and Segment 7 (Strawberry Field Contractor Yard). Operating hours for the Contractor yards are planned to be from 7:00 AM to 7:00 PM. SCE has established a TRTP toll-free information line (877-795-8787) and website (www.sce.com/tehachapi). The information line is the designated public notification contact for the TRTP.

Site Facilities/Activities

Proposed facilities at the yards include the following: contractor equipment parking and repair areas, office trailers, tool storage trailers, shipping containers, trash containers, fire equipment and spill kit storage, potential helicopter landing areas, temporary sanitary facilities (which may include aboveground water and sanitary waste holding tanks), fueling areas, vehicle parking areas, steam cleaners with containment, welders, and lighting and security.

Proposed activities at the yards include the following: yard development and operation and maintenance, contractor equipment and material receipt and storage, vehicle parking, concrete and concrete waste disposal, equipment repair and steam cleaning, welding and cutting, potential helicopter operations, equipment and vehicle fueling and potential helicopter fueling.

Site Work

Site Preparation – The site preparation activities at the Contractor Yards will include clearing and removal of weeds and brush as well as soil compacting. Additional site preparation activities will be performed at the Contractor Yards as follows:

- Huntington Drive Contractor Yard: A new access gate with shaker plates will be installed.
- Strawberry Field Contractor Yard: Shaker plates will be installed at the existing access gates.

Underground Major Activities – No underground major activities are planned at the Contractor Yards.

Aboveground Activities – Fuel storage tanks will be installed at the Contractor Yards, as needed, and spill containment booms will be installed when mobile fuel trucks are parked onsite. Fencing and privacy fence screening will be required at the Contractor Yards as described below.

Huntington Drive Contractor Yard: Repair existing chain link fence and install new fencing.

Strawberry Field Contractor Yard: Install new 6-foot high chain link fence, and repair existing chain link fence posts.

Other Activities

While helicopter use is not currently anticipated at the Contractor Yards, there is a potential that it may be performed in the future. In the event helicopter activity is needed, SCE will coordinate with CPUC, and provide supplemental information and appropriate survey reports.

- **Biological Resources**

Huntington Drive Contractor Yard: Prior to conducting the field survey, focused surveys that have been completed in conjunction with Segment 7 of the TRTP, which include the biological survey area

(BSA) the Project Component and the 500-foot buffer, were reviewed by SCE. The FEIR/DEIS

(Aspen 2009a) vegetation mapping was reviewed where it overlapped the BSA. Finally, the data from completed focused survey efforts (ICF 2010m, 2010n, 2010o) were reviewed for the BSA. Previous focused survey reports prior to the 2010 survey effort that were reviewed included the following: rare plants (AMEC 2007a, AMEC 2009o), burrowing owl (AMEC 2009a, AMEC 2009j), least Bell's vireo (AMEC 2009n), and coastal California gnatcatcher (AMEC 2008d, AMEC 2009m). In addition, the jurisdictional delineation report for Segment 7 (ICF 2010h) was reviewed.

Due to the presence of coastal sage scrub vegetation communities, mesa horkelia and Parry's spineflower were identified as having the potential to occur. Prior focused surveys conducted for rare plants (AMEC 2007a, AMEC 2009o) were negative, and completed 2010 rare plant surveys have confirmed their absence from the Project Component (ICF 2010m). The coastal sage scrub and Riversidean alluvial fan sage scrub vegetation communities within and adjacent to the Project Component are considered suitable for coastal California gnatcatcher; however, previous focused surveys in 2009 for this species were negative (AMEC 2009m) and completed 2010 coastal California gnatcatcher surveys have confirmed their absence from the BSA (ICF 2010n). Riparian

vegetation communities outside the Project Component in the San Gabriel River within the 500-foot

buffer are not considered suitable for riparian birds, including least Bell's vireo, southwestern willow

flycatcher, and yellow-billed cuckoo because there is no dense lower canopy suitable for concealing a

nest and there is no structurally diverse mid to upper canopy that could provide suitable foraging habitat. A burrowing owl habitat assessment and burrow survey in accordance with California Burrowing Owl Consortium (CBOC) 1993 (Phases I and II, respectively) were also conducted for the BSA during the field survey by ICF. The habitat assessment determined that potential burrowing owl habitat was present within the Project Component based on the relatively open landscape, California ground squirrel burrows, and presence of habitat features that could be utilized. Also, potential burrowing owl burrows were identified. Completed 2010 focused burrowing owl surveys (Phase 3 burrowing owl survey per CBOC 1993) have confirmed the absence of burrowing owl (ICF 2010o).

A pedestrian-based field survey of the BSA was conducted on February 11, 2010 by an ICF biologist.

All areas and vegetation communities were traversed in approximately 20-foot increments on foot to search for special-status flora and fauna, bird nests, jurisdictional wetlands, waters of the United States and state streambeds. The site visit also included a habitat assessment for burrowing owl (*Athene cunicularia*). The burrowing owl habitat assessment and burrow survey was conducted within the Yard and within a 500-foot buffer where access was granted. Inaccessible areas were visually inspected using binoculars. Features such as California ground squirrel burrows and debris piles were inspected for the presence of feathers, scat, pellets, tracks or other indications of use by burrowing owl. The general locations of features potentially suitable for burrowing owls were mapped. No burrowing owls were detected and no definitive burrowing owl signs (e.g., feathers, track and pellets) were observed.

The Project Component vegetation communities consist of barren/developed, California annual grassland, and coastal sage scrub. The 500-foot buffer portion of the BSA was composed of the

following vegetation communities: barren/developed, Riversidean alluvial fan sage scrub, mule fat

scrub, coastal sage scrub, nonnative woodland, and water. No state-protected or regulated vegetation communities are supported on the Project Component; no potential jurisdictional features are located on the Project Component; and no special-status plant or animal species were observed on the Project Component.

The Project Component provides potential nesting habitat for bird species that are protected under the Migratory Bird Treaty Act and California Fish and Game Code, including raptors. Preconstruction surveys will be conducted prior to any project-related activities to ensure impacts do not occur on nesting birds during the bird breeding season (Feb 1 – Aug 15) or on any potentially occurring special-status species.

2010 protocol and focused surveys applicable to the Huntington Yard include surveys for the coastal California gnatcatcher (B-16), rare plants (B-23), and burrowing owls (B-29). These reports have yet to be submitted to the CPUC for review and approval.

Strawberry Field Contractor Yard: Previous focused surveys have been completed in areas of the Project Component and a 500-foot buffer (biological survey area [BSA]). Prior focused surveys conducted for rare plants (AMEC 2007a, AMEC 2009o) were negative, and completed 2010 rare plant surveys have confirmed their absence from the Project Component (ICF 2010m). Focused surveys for coastal California gnatcatcher (AMEC 2008d, 2009m, ICF 2010n) where coastal sage scrub and Riversidean alluvial fan sage scrub occurs within the 500-foot buffer have confirmed this species as absent. A burrowing owl (*Athene cunicularia*) habitat assessment and burrow survey in accordance with California Burrowing Owl Consortium (CBOC) 1993 (Phases I and II, respectively) were also conducted for the BSA during the field survey. The habitat assessment determined that potential burrowing owl habitat was present within the 500-foot buffer based on the relatively open landscape, California ground squirrel burrows, and presence of habitat features that could be utilized.

Also, potential burrowing owl burrows were identified. Completed 2010 focused burrowing owl surveys (Phase 3 burrowing owl survey per CBOC 1993) have confirmed the absence of burrowing owl from the BSA (ICF 2010o).

Riparian vegetation communities adjacent to the Project Component within the San Gabriel River are not considered suitable habitat for listed riparian birds including least Bell's vireo (*Vireo bellii*

pusillus), southwestern willow flycatcher (*Empidonax traillii extimus*), and western yellow-billed

cuckoo (*Coccyzus americanus*) because it is patchily distributed, there is no dense lower canopy suitable for concealing a nest, and there is no structurally diverse mid to upper canopy that could provide suitable foraging. Because the area does not contain suitable habitat to support listed riparian bird species, no previous focused surveys for riparian birds have occurred within the BSA. No designated critical habitat for any listed species occurs within the BSA.

The Yard was assessed on January 28, 2010 by an ICF biologist. All areas and vegetation communities within the Yard boundaries were traversed in approximately 20-foot intervals to search for special-status flora and fauna, bird nests, jurisdictional wetlands, waters of the United States and state streambeds. The site visit also included a habitat assessment for burrowing owl. The burrowing owl habitat assessment covered the Yard plus a 500-foot study buffer where access was granted. Areas where access was not granted were visually inspected using binoculars. Features such as California ground squirrel burrows and debris piles were inspected for the presence of feathers, scat, pellets, tracks or other indications of use by burrowing owls. The general locations of habitat features potentially suitable for burrowing owl were mapped and a group of nine burrows were included in the 2010 focused burrowing owl surveys. No burrowing owl or burrowing owl signs (e.g., feathers, track and pellets) were observed within the Yard or 500 foot buffer.

The Project Component supports ruderal grassland and developed areas and was previously used as

an agricultural field. Adjacent lands within the 500-foot buffer of the BSA outside the Project

Component include developed areas, a plant nursery, the San Gabriel River, and a quarry. Due to the

abundance of non-native species, discing of soils, topography, and the magnitude of disturbance from

agricultural practices, no potentially suitable special-status species habitat occurs within the Project

Component. A concrete-lined channel that was determined to be jurisdictional flows into the San

Gabriel River at the southern portion of the Project Component. A concrete bridge and an existing unpaved road allow for foot and vehicular traffic to cross over the channel. No impacts to the

jurisdictional drainage channel will occur because the bridge will not be modified, no work or storage of materials and equipment will occur within 3 feet of the drainage, and the drainage will be fenced.

No state-protected or regulated habitats occur within the project component. No habitat for special-status plants or animals were identified during the field review of the project component. Within the 500-foot buffer, potentially suitable habitat only exists for burrowing owl and coastal California gnatcatcher; however, completed focused surveys have determined these species are absent (ICF 2010n, ICF 2010o). The California gnatcatcher habitat that was included in the 2010 survey area includes a very small patch of coastal sage scrub that occurs 480-feet from the northeastern boundary of the project component, as well as patches of Riversidean alluvial fan sage scrub that occur within the San Gabriel River, approximately 60-feet from the western edge of the project component. A group of nine burrows were included as part of the 2010 focused burrowing owl surveys, which are located 50-feet from the western edge of the project component boundary.

2010 protocol and focused surveys applicable to the Strawberry Field Yard include surveys for coastal California gnatcatcher (B-16) and burrowing owls (B-29). These reports have yet to be submitted to the CPUC for review and approval.

- **Cultural Resources**

Huntington Drive Contractor Yard: SCE submitted the *Huntington Drive Contractor Yard Cultural Resources Report, Segment 7 Contractor Yards, TRTP* with the NTPR on July 21, 2010. The Yard was surveyed as part of a TRTP right-of-way survey in 2007, and an additional literature and records search was conducted at the South Central Coastal Information Center at California State University, Fullerton for the 2010 Cultural Resources Report. The results of the records search indicate that no cultural resources are located within the Yard and no cultural resources have been identified within a one-mile radius. This cultural report is currently under review and subject to ANF and CPUC approval.

A paleontological study (Gust and Scott 2009) was previously conducted for TRTP 4-11 and was reviewed for the current study. A survey of 100 feet around the proposed yard should be conducted as per the Programmatic Agreement; however, no project related activities are planned for the buffer area. There is no indication of prehistoric or historic archaeological resources in the immediate vicinity of the proposed Yard. In addition, surface sediments (Recent Alluvium) on the property are considered low in sensitivity for paleontological resources.

Strawberry Field Contractor Yard: On July 22, 2010, SCE submitted a report titled, *Summary of Cultural and Paleontological Studies conducted at the Strawberry Contractor Yard, Segment 7, Tehachapi Renewable Transmission Project, Irwindale, California*. Pacific Legacy surveyed the Strawberry Contractor Yard in 2007 during an intensive pedestrian surface survey of the TRTP ROW (Pacific Legacy 2007). During a January 2010 field meeting at the Strawberry Yard, Pacific Legacy archaeologists identified two sites, 07- H- 003 and 07- H- 002 (Schrader and Bischoff 2010a and 2010b). In addition, the San Gabriel Levee, a resource known to meet the age requirement for consideration as a property eligible for listing in the NRHP and CRHR, is located adjacent to the yard. For purposes of the TRTP Project, SCE shall assume the levee system is eligible for the CRHR under Criterion 1 and NRHP under Criterion A. The management recommendation during yard activities is to establish an ESA protecting the levee as an unevaluated cultural resource, assume NRHP eligible, and require cultural resources monitoring during fence installation or other earthmoving activities within 50 feet of the levee.

A paleontological study of the area was conducted in 2009 (Gust and Scott 2009) and the results indicate that exposed soils in the area consist of surficial deposits of Recent Alluvium (Qg),

predominantly as fluvial deposits derived from the San Gabriel River (McLeod 2009; Scott 2009). These surficial deposits are Holocene in age (~<11,000 years old) and are typically described as light brown alluvial silty sands (Gust and Scott 2009:44). Recent Alluvium is too young geologically to have potential to yield significant fossil resources and is therefore assigned low paleontologic sensitivity (ibid.:132).

The subject cultural report is currently under review and subject to ANF and CPUC approval.

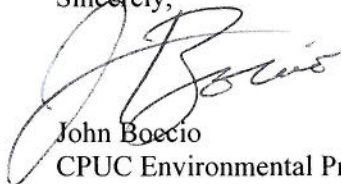
The conditions noted below shall be met by SCE and its contractors:

- All work boundaries shall be flagged and the drainages fenced prior to yard occupation.
- All sensitive resource buffers shall be flagged prior to construction/site occupation. Resource flagging shall be field verified by the CPUC EM prior to site use.
- The Huntington Drive Contractor Yard and the Strawberry Field Contractor Yard shall be included in the project Habitat Restoration and Revegetation Plan required by MM B-1a, subject to review and approval by CPUC.
- If helicopters will be using the yard(s), a biological report shall be submitted to the CPUC regarding potential impacts to sensitive species.
- A biological pre-construction survey, including maps of identified resources, shall be submitted to and approved by the CPUC prior to site occupation/disturbance. All 2010 protocol level survey results and nesting activities shall be included within the biological pre-construction survey and sightings of listed threatened or endangered plants or animals shall be reported to the USFWS and CDFG prior to occupation of each of the sites. Confirmation of listed species notifications with the resource agencies shall be submitted to the CPUC prior to site occupation.
- Because survey data for both yards is more than 6 months old and 2010 protocol surveys for listed riparian birds were not conducted in these locations, current assessment of the riparian bird habitat within the 500-foot buffer of both yards must be provided with the pre-construction survey report if occupation of the yards occur prior to September 15th. Pre-construction surveys shall include surveys for listed riparian birds and shall be conducted by riparian bird authorized biologists. If listed riparian birds are confirmed, all conditions within the Final Biological Opinion and 2081 Incidental Take Permit from the USFWS must be met and verified by the CPUC.
- Use of the Huntington Contractor Yard is not authorized until the protocol surveys for coastal California gnatcatcher and rare plants have been reviewed and approved. If presence of coastal California gnatcatcher is confirmed, all conditions within the Final Biological Opinion from the USFWS must be met and verified by the CPUC.
- Use of the Strawberry Field Contractor Yard is not authorized until the protocol surveys for coastal California gnatcatcher have been reviewed and approved. If presence of coastal California gnatcatcher is confirmed, all conditions with the Final Biological Opinion from the USFWS must be met and verified by the CPUC.
- Focused preconstruction surveys for burrowing owl shall be conducted within 30 days of construction at both Contractor Yards.
- Biological survey sweeps are required to occur immediately preceding and during project area set up and occupation as part of required biological monitoring activities. Sweeps for nesting birds shall

include a 500 foot buffer. If active nests are found, a biological monitor shall establish a required buffer around the nest and no activities will be allowed within the buffer until the young have fledged from the nest or the nest fails. For *listed riparian species*, no work will be authorized within 500 feet of an active nest and all activities will stop immediately within 500 feet of the nest (Mitigation Measure B-15). The biological monitor shall conduct regular monitoring of the nest to determine success/failure and to ensure that project activities are not conducted within the buffer until the nesting cycle is complete or the nest fails. The biological monitor shall be responsible for documenting the results of the surveys and the ongoing monitoring. The buffer may be adjusted with the approval of CDFG and USFWS, and with prior knowledge of the CPUC. If special-status plant or animal species or bird nests are observed within the project area, CDFG and the CPUC EM shall be notified immediately (within 24 hours). After complete sweeps have been submitted and approved by the CPUC EM, site occupation can occur; however, if occupation does not occur within seven calendar days of survey, biological clearance sweeps shall be re-conducted prior to site occupation, including nesting bird surveys during the breeding season.

- SCE submitted the following cultural reports titled: 1) *Summary of Cultural and Paleontological Studies conducted at the Strawberry Contractor Yard, Segment 7, Tehachapi Renewable Transmission Project, Irwindale, California*, and 2) *Huntington Drive Contractor Yard Cultural Resources Report, Segment 7 Contractor Yards, TRTP*. Both of these reports are currently under review by the ANF and CPUC, and are subject to approval prior to the start of construction/site occupation.
- If unanticipated biological, cultural or paleontological resources are detected, the CPUC EM shall be notified immediately.
- Prior to fuel storage on the subject sites, a Fuel Storage Plan shall be submitted to CPUC 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.
- Refueling and fueling locations shall be a minimum of 100-feet away from existing drainages. If construction debris or spills enter into environmentally sensitive areas, the jurisdictional agencies and the CPUC EM shall be notified immediately.
- 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 Boecio
CPUC Environmental Project Manager

cc: V. Strong, Aspen