

PUBLIC UTILITIES COMMISSION

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SAN FRANCISCO, CA 94102-3298



June 21, 2011

Susan J. Nelson, AIA
Southern California Edison
Regulatory Affairs
2244 Walnut Grove Avenue, Quad 3D, GO1
Rosemead, California 91770

RE: Tehachapi Renewable Transmission Project (Segments 4-11), Modification to Notice to Proceed (NTP #15)

Dear Ms. Nelson,

On June 16, 2011, Southern California Edison (SCE) submitted a variance request (Modification to NTP #15) to implement slope stabilization measures for several roadways at tower construction locations, which would require expanded disturbance areas at Towers 35, 45, 47, 48, 51a, 56, and 60; and to revise the roadway alignments at Towers 31 and 49, on Segment 5 Transmission Line (T/L) of the Tehachapi Renewable Transmission Project (TRTP) in Los Angeles County, California.

The SCE Tehachapi Renewable Transmission Project (TRTP) 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. **Modification #2 to NTP #15 is granted by CPUC for the proposed activities based on the following factors:**

- SCE submitted the following information regarding the Modification of the Segment 5 T/L construction:

SCE submitted a variance request (Modification to NTP #15) to implement slope stabilization measures for several roadways at tower construction locations, which would require expanded disturbance areas at Towers 35, 45, 47, 48, 51a, and 60; and to revise the roadway alignments at Towers 31 and 49, on Segment 5 T/L of TRTP in Los Angeles County, California. Subsequent to the approval of the NTPR (NTP #15 dated September 10, 2010) by the CPUC, project site conditions have been further evaluated and slope stabilization measures are needed for several roadways at tower construction locations.

Information for each affected tower location includes the following:

Tower	Approximate Size (Acres)
35	0.1
45	0.1
47	0.2
48	0.2
51a	0.7
56	0.2
60	0.2

At each site, soil would be imported, and grading and compaction activities performed to achieve stabilized slopes for roadways (note that the roadways were previously approved by CPUC). The ground disturbance associated with these slope stabilization areas would comprise a total of approximately 1.7 acres.

In addition to the seven areas described above, slope stabilization activities are also needed at Towers 31 and 49. At these two sites, the roadway alignments need to be revised for constructability purposes. However, the ground disturbance would not extend beyond the CPUC-approved disturbance areas and, as such, no additional disturbance area is requested for these two tower locations.

- **Biological Resources:** SCE submitted a letter regarding the *Proposed Segment 5 Grading Limits Outside Tower Limits*, for Segment 5 Transmission Line, Tehachapi Renewable Transmission Project, Los Angeles County, California, prepared by ICF International dated June 9, 2011. The letter documents the biological conditions at the proposed Segment 5 Additional Wire Setup Sites (Project Component). The Project Component is 1.7 acres over seven sites plus a BSA (Biological Study Area [BSA]).

Work Area near Construct 35

Vegetation communities within the Project Component were mapped as disturbed/developed and California annual grassland. Vegetation communities within the BSA were mapped as disturbed/developed, California annual grassland, California annual grassland-wildflower field, Mojave mixed woody scrub, ruderal grassland, and ruderal wetland (ICF 2010ag, 2011j). The special-status plant, Peirson's morning glory (*Calystegia peirsonii*), were detected within the BSA during the 2009 and 2010 focused surveys (AMEC 2009c; ICF 2010ag), California junipers (*Juniperus californica*), a regulated tree species, were identified within the BSA (ICF 2010bf). No special-status wildlife species were observed within the BSA during previous surveys. Bat preconstruction surveys were conducted and no potential bat roosts were identified within the BSA (ICF 2010bc). The Project Component was partially surveyed during the original jurisdictional delineation for Segments 4, 5 and 10, and was fully surveyed during preconstruction surveys and clearance sweeps. Four jurisdictional features (5-21-S-1, 5-21-S-2, 5-21-S-3, and 5-21-S-100) were identified within the BSA and will be avoided (ICF 2010l). If any potential features are subsequently identified, they will be staked and flagged as Environmental Sensitive Areas (ESAs) for avoidance.

Construction activities associated with Segment 5 are ongoing in the vicinity of the Project Component. A loggerhead shrike (*Lanius ludovicianus*) was observed within the BSA on February 23, 2011 (FRED). No nesting birds have been identified within the BSA. Sweeps of the BSA have been conducted regularly since November 1, 2010.

Work Area near Construct 45

Vegetation communities within the Project Component were mapped as disturbed/developed, California annual grassland, and Mojave mixed woody scrub. Vegetation communities within the BSA were mapped as disturbed/developed, California annual grassland, and Mojave mixed woody scrub (ICF 2010ag, 2011j). Peirson's morning glory was detected in the BSA during 2009 and 2010 focused surveys (AMEC 2009c, ICF 2010ag). No sensitive biological resources were identified within the Project Component or BSA during the 2010 preconstruction surveys (ICF 2010bt). However, although no occupied burrowing owl (*Athene cunicularia*) burrows or burrowing owls were observed during the 2009 and 2010 focused burrowing owl surveys, potential burrowing owl features were identified within the BSA during 2010 focused surveys (AMEC 2009f; ICF 2010cq). Bat preconstruction surveys were conducted and no potential bat roosts were identified within the BSA (ICF 2010bc). The Project Component was partially surveyed during the original jurisdictional delineation for Segments 4, 5 and 10, and was fully surveyed during preconstruction surveys and clearance sweeps. No jurisdictional features were identified within the BSA (ICF 2010l). If any potential features are subsequently identified, they will be staked and flagged as ESAs for avoidance.

Construction activities associated with Segment 5 are ongoing in the vicinity of the Project Component. No ESA-listed or special-status species were noted during sweeps of the BSA; however, nesting birds were

identified within the BSA. One active lark sparrow nest, one active American kestrel nest, and one inactive great horned owl nest were identified within the BSA (FRED). Nest buffers from an active lark sparrow nest and an active rock wren nest overlap the BSA (FRED). Sweeps of the BSA have been conducted regularly since November 1, 2010.

Work Area near Construct 47

Vegetation communities within the Project Component were mapped as disturbed/developed, California annual grassland, and Mojave mixed woody scrub. Vegetation communities within the BSA were mapped as disturbed/developed, California annual grassland, and Mojave mixed woody scrub (ICF 2010ag, 2011j). Pierson's morning glory was observed within the Project Component during the 2010 focused surveys (ICF 2010ag) and within the BSA during 2009 and 2010 focused surveys (AMEC 2009c; ICF 2010ag). No special-status wildlife species were identified within the BSA during previously focused surveys. Bat preconstruction surveys were conducted in 2010 and no potential bat roosts were identified within the BSA (ICF 2010bc). The Project Component was partially surveyed during the original jurisdictional delineation for Segments 4, 5 and 10 and was fully surveyed during preconstruction surveys and clearance sweeps. No jurisdictional features were identified within the BSA (ICF 2010l). If any potential features are subsequently identified, they will be staked and flagged as ESAs for avoidance.

Construction activities associated with Segment 5 are ongoing in the vicinity of the Project Component. No ESA-listed or special-status species were noted during sweeps of the BSA; however, two common raven nests (FRED) are within the BSA. Sweeps of the BSA have been regularly conducted since November 2, 2010.

Work Area near Construct 48

Vegetation communities within the Project Component were mapped as California annual grassland, scrub oak chaparral, and disturbed/developed. Vegetation communities within the BSA were mapped as California annual grassland, scrub oak chaparral, disturbed/developed, and Mojave mixed woody scrub (ICF 2010ag, 2011j). Pierson's morning glory was observed within the Project Component during 2010 focused surveys (ICF 2010ag) and within the BSA during 2009 and 2010 focused surveys (AMEC 2009c; ICF 2010ag). No special-status wildlife species were identified during previous surveys. Bat preconstruction surveys were conducted in 2010 and no potential bat roosts were identified within the BSA (ICF 2010bq). The Project Component was partially surveyed during the original jurisdictional delineation for Segments 4, 5 and 10, and was fully surveyed during preconstruction surveys and clearance sweeps. No jurisdictional features were identified within the BSA (ICF 2010l). If any potential features are subsequently identified, they will be staked and flagged as ESAs for avoidance.

Construction activities associated with Segment 5 are ongoing in the vicinity of the Project Component. No ESA-listed or special-status species were noted during sweeps of the BSA; however, one great horned owl nest, one common raven nest, and one inactive red-tailed hawk nest are within the BSA (FRED). The inactive red-tailed hawk nest has been reoccupied by great horned owl and is now FRED nest 000554. Sweeps of the BSA have been regularly conducted since November 4, 2010.

Work Area near Construct 51A

Vegetation communities within the Project Component were mapped as California annual grassland-burned and mixed chaparral-burned. Vegetation communities within the BSA were mapped as California annual grassland, California annual grassland-burned, disturbed/developed, mixed chaparral, and mixed chaparral-burned (ICF 2010ag, 2011j). No sensitive wildlife species were identified within the BSA during 2010 preconstruction surveys (ICF 2010bs); however, although no occupied burrowing owl burrows or burrowing owls were observed during 2009 or 2010 focused burrowing owl surveys, potential burrowing owl features were identified within the BSA during 2010 focused surveys (AMEC 2009f; ICF 2010cq). Bat preconstruction surveys were conducted in 2010 and no potential bat roosts were identified within the BSA (ICF 2010bq). The Project Component was partially surveyed during the original jurisdictional delineation

for Segments 4, 5 and 10, and was fully surveyed during preconstruction surveys and clearance sweeps. No jurisdictional features were identified within the BSA (ICF 2010l). If any potential features are subsequently identified, they will be staked and flagged as ESAs for avoidance.

Construction activities associated with Segment 5 are ongoing in the vicinity of the Project Component. No ESA-listed or special-status species were noted during sweeps of the BSA; however, one bushtit nest is within the BSA (FRED). Sweeps of the BSA have been regularly conducted since November 15, 2010.

Work Area near Construct 56

Vegetation communities within the Project Component were mapped as disturbed/developed and Mojavean juniper woodland scrub. Vegetation communities within the BSA were mapped as California annual grassland, disturbed/developed, Mojavean juniper woodland scrub, and Mojave mixed woody scrub (ICF 2010ag, 2011j). A desert woodrat midden was observed within the BSA (ICF 2010bs). Clearance sweeps conducted did not identify new special-status species within the BSA. Bat preconstruction surveys were conducted in 2010 and no potential bat roosts were identified within the BSA (ICF 2010bq). The Project Component was partially surveyed during the original jurisdictional delineation for Segments 4, 5 and 10, and was fully surveyed during preconstruction surveys and clearance sweeps. No jurisdictional features were identified within the BSA (ICF 2010l). If any potential features are subsequently identified, they will be staked and flagged as ESAs for avoidance.

Construction activities associated with Segment 5 are ongoing in the vicinity of the Project Component. No ESA-listed or special-status species were noted during sweeps of the BSA; however, one common raven nest is within the BSA (FRED). Sweeps of the BSA have been regularly conducted since November 12, 2010.

Work Area near Construct 60

Vegetation communities within the Project Component were mapped as disturbed/developed and Mojavean juniper woodland scrub. Vegetation communities within the BSA were mapped as disturbed/developed, Mojavean juniper woodland scrub, and Mojave mixed woody scrub (ICF 2010ag, 2011j). Burrowing owl 2009 and 2010 focused surveys within the BSA were negative for potential burrowing owl features and burrowing owl (AMEC 2009f, 2010cq). A golden eagle (*Aquila chrysaetos*) was incidentally observed on July 21, 2010, within the BSA during focused surveys (ICF 2010cq). Bat preconstruction surveys were conducted in 2010 and no potential bat roosts were identified within the BSA (ICF 2010fb). The Project Component was partially surveyed during the original jurisdictional delineation for Segments 4, 5 and 10, and was fully surveyed during preconstruction surveys and clearance sweeps. No jurisdictional features were identified within the BSA (ICF 2010l). If any potential features are subsequently identified, they will be staked and flagged as ESAs for avoidance.

Construction activities associated with Segment 5 are ongoing in the vicinity of the Project Component. No ESA-listed or special-status species were noted during sweeps of the BSA; however, nest buffers from an active cactus wren (non-coastal) nest, and an active common raven nest overlap the BSA (FRED). Sweeps of the BSA have been regularly conducted since November 1, 2010.

A special-status species, short-joint beavertail (*Opuntia basilaris* var. *brachyclada*), was observed during the 2009 focused surveys within the BSA of Constructs 45, 47, 48, 51A, 56, and 60 (AMEC 2009c). However, during the 2010 focused surveys, it had been determined that much of the short-joint beavertail cactus observed in 2009 was likely the more common beavertail cactus (ICF 2010yy; ICF 2010ag). Only four individuals of short-joint beavertail cactus were found during 2010 focused surveys, none of which are located within the described BSAs.

No other biological constraints were observed. No additional impacts to biological resources are anticipated.

Cultural Resources. SCE submitted a Memorandum for the Segment 5 Grading Limit Expansion for Slope Stabilization at 7 Towers dated June 14, 2011, stating that no cultural resources will be impacted by the requested Variance in support of the TRTP. A cultural record search and surveys (ECORP 2006; Pacific Legacy 2007, 2010a, 2010b), and a paleontological literature review (Gust and Scott 2009), have been previously conducted for areas of Segment 5 near CT-35, 45, 47, 48, 56, and 60, and for the majority of the expansion area near CT-51A. Part of the western portion of the grading limit expansion area near CT-51 was surveyed for this Variance (Pacific Legacy 2011). These surveys yielded no cultural resources. A paleontological review has indicated that all seven of the proposed grading limit expansion areas contain soils that have the potential to yield paleontological resources (Gust and Scott 2009). Since there is a possibility that paleontological resources exist, paleontological monitoring is recommended when ground disturbing excavation exceeds a depth of two feet. No additional impacts to cultural or paleontological resources are anticipated.

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

- Paleontological monitoring shall be conducted for all ground disturbing activities that occur to a depth of more than two feet.
- All conditions required by NTP #15 shall apply to the subject area and activities.
- Copies of all relevant permits, compliance plans, NTP #15, and this Modification #2 to NTP #15 shall be available on site for the duration of construction activities where applicable.

Sincerely,



John Boccio
CPUC Environmental Project Manager

cc: V. Strong, Aspen