

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

January 7, 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), Notice to Proceed (NTP #23)

Dear Ms. Nelson,

On December 24, 2010, Southern Californian Edison (SCE) submitted a Notice to Proceed Request (NTPR) seeking authorization from the California Public Utilities Commission (CPUC) to utilize Material Storage Yard 75 South in support of the Tehachapi Renewable Transmission Project (TRTP) located in the City of Irwindale, 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 #23 is granted by CPUC for the proposed activities based on the following factors:**

- SCE submitted the following information:

SCE is requesting a Notice to Proceed for the use of Material Storage Yard (Yard) 75 South in support of the TRTP located in the City of Irwindale, Los Angeles County, California. Yard 75 South is SCE-leased property and consists of approximately 15 acres and is located at the intersection of Live Oak Avenue and Live Oak Lane. The yard is a disturbed site, which is sparsely vegetated and has variable slopes. Portions of the site contain rubble piles which are presently being removed by the owner. These activities may not be completed prior to SCE occupying the site. A new access gate will be installed along Live Oak Lane at the east side of the yard, and an existing access gate is located on Live Oak Avenue on the south side of the yard. An existing wall and fence run along Live Oak Avenue and Live Oak Lane, respectively.

PROJECT COMPONENTS

Yard 75 South will serve as one of the daily operating locations for transmission line construction crews associated with Segments 6 and 11. Operating hours for Yard 75 South are planned to be from 7:00 a.m. to 7:00 p.m. 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

Site facilities that will possibly be present or active at Yard 75 South throughout the duration of the project include: contractor equipment and material storage areas; office trailers; tool storage trailers; roll-off steel disposal container; roll-off trash container; temporary sanitary facilities, which may include aboveground water and sanitary waste holding tanks; fueling areas; fire equipment and spill kit; helicopter landing area; wash station; vehicle parking area; electrical generators; welder; and lighting/security.

Activities that will possibly be present or active at Yard 75 South throughout the duration of the project include: yard development, operation, and maintenance; general office and security activities; contractor equipment and material receipt, storage, and shipping; vehicle parking; equipment repair; welding and torch work; installation of temporary power; steel fabrication and disassembly; helicopter operations; equipment and vehicle washing; equipment, helicopter, and vehicle fueling; and contaminated soil storage.

Site Work

Site Preparation

Site preparation activities at Yard 75 South will include clearing vegetation from existing fencing, clearing and removal of weeds and brush, and soil compaction. Grading of some areas of the yard may occur after initial yard development. High traffic areas of the yard such as the entrance, exit, and parking areas, will be stabilized (e.g., roadbase).

Underground Major Activities – No underground major activities are planned at Yard 75 South.

Aboveground Major Activities

Secondary spill containment will be utilized for a mobile fueling truck that will be kept onsite overnight. Secondary spill containment will also be installed at the onsite fueling area. Electrical power and communication services will be provided to the office trailers. The installation of approximately 3,200 linear feet of new 6-foot high chain link fence and fence screen will be required at Yard 75 South. One access gate will be installed off Live Oak Lane to the east.

- **Biological Resources:** On December 24, 2010, SCE submitted a Biological Review, prepared by ICF International dated December 2010 for the Material Storage Yard 75 South (Project Component). The Yard will be used in support of transmission line construction associated with Segments 6 and 11; however, due to the location of the Yard surveys previously conducted for Segment 7 of TRTP were summarized for the report in addition to a literature review and a pre-construction field survey conducted specifically for the Project Component. Results from the focused surveys completed on the Project Component in 2010 were also reviewed and incorporated into the report. Previous focused surveys completed in the vicinity of the Project Component and the associated 500-foot buffer (biological survey area [BSA]) in support of Segment 7 include surveys for burrowing owl (*Athene cunicularia*), riparian birds, southwestern pond turtle (*Clemmys marmorata pallida*), two-striped garter snake (*Thamnophis hammondi*), and south coast garter snake (*Thamnophis sirtalis ssp.*). However, due to the absence of appropriate habitat on the Project Component or the 500-foot buffer, these areas were excluded from the survey area. The BSA was included in the survey area for focused coastal California gnatcatcher (*Polioptila californica*) surveys; no gnatcatchers were detected. The BSA was included in the survey area for focused surveys for special-status plants.

The Project Component is composed primarily of disturbed ground with scattered ruderal grassland and is currently used for sand mining. Adjacent lands within the 500-foot buffer of the BSA outside the Project Component are comprised primarily of disturbed or developed areas associated with Interstate 605, active sand mining operations, equipment and staging areas. Mulefat scrub and coastal sage scrub also exist within the 500-foot buffer. Due to the abundance of non-native species and the extensive ground disturbance associated with sand mining activities, the Project Component does not support suitable habitat for special-status species. Within the 500-foot buffer; however, coastal sage scrub may provide potentially suitable, but low quality, habitat for coastal California gnatcatcher. Habitat assessments and burrow surveys for burrowing owl and focused surveys for California gnatcatcher have verified the absence of these species from the site.

No jurisdictional features are located within the Project Component. A jurisdictional feature extends from the southeast to the northwest along the western edge of the BSA, north of Live Oak Avenue.

This drainage was dry at the time of the 2010 field survey and was vegetated with sparse/disturbed coastal sage scrub on the south and west banks, and dense coastal sage scrub on the east and north banks. Two shallow man-made settling basins also exist within the BSA to the east of the Project Component. The southern basin was dry at the time of the survey and had previously been determined to not meet the definition of jurisdictional per Clean Water Act (CWA) or CDFG Code Section 1602 permit guidelines. The northern settling basin contained water at the time of the survey and is considered to be a jurisdictional feature. Riparian associated plants, predominantly mule fat, have begun to reestablish on the banks of both basins. The northern basin also supported scattered patches of immature willow, cattail and non-native species such as tamarisk, tree tobacco and castor bean.

- **Cultural Resources.** SCE submitted a letter dated December 7, 2010 from Tria Marie Belcourt, M.A., RPA, Contingent Archaeologist, Cogstone Resource Management, Inc. (supporting SCE Corporate Environment Health and Safety), to Christopher Doolittle, Senior Archaeologist (SCE), regarding the cultural resources assessment for Yard 75 South of the TRTP. The area encompassing Yard 75 South was included in a cultural resources records search for the TRTP right-of-way corridor. No previously recorded cultural resources were identified within the vicinity of the proposed yard (Pacific Legacy 2007). Based on the information available at the time of the investigation, the area comprising the Nu-Way Live Oak Reclamation, Inc. property did not appear to have been previously surveyed for cultural resources. Tria Marie Belcourt, M.A., RPA, visited the property on November 19, 2010, in order to perform a reconnaissance survey. No cultural resources were observed in the vicinity of the proposed yard location. No cultural resources or paleontological deposits will be affected by the construction and use of the proposed Yard 75 South. The area comprising the proposed yard is currently in use as a reclamation facility. The soils present at this facility consist of various fill materials from unknown locations.

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

- All applicable project mitigation measures, 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.
- At least 14 days prior to the start of any construction-related activities, SCE shall provide notification to potentially affected property owners, and copies of the notification and distribution list shall be provided to the CPUC at the time of noticing (Mitigation Measures L-1a and L-1b). In addition, SCE shall provide all affected property owners with quarterly updates on any changes to the information provided in the pre-construction notification (Mitigation Measure L-1c).
- Prior to any earth moving activities and installation of temporary fencing, a Health and Safety Plan addressing methane and landfill gasses shall be submitted to the CPUC for review and approval.
- All sensitive resource buffers shall be flagged prior to site occupation/construction. Resource flagging shall be field verified by the CPUC Environmental Monitor (EM) prior to site use.
- All construction areas and access roads identified in the NTPR submitted by SCE shall be flagged prior to construction. Flagging of construction areas and access roads shall be field verified by the CPUC EM prior to site use.
- 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.

- Prior to commencement of construction activities, all crew personnel including haul truck and concrete truck drivers shall be appropriately trained on environmental issues including protocols for air quality, hazardous materials, biological resources, known and unanticipated cultural materials, as well as SWPPP BMP's. A log shall be maintained on site with the names of all crew personnel trained.
- 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 or water features. If construction debris or spills enter into environmentally sensitive areas, the jurisdictional agencies and the CPUC EM shall be notified immediately.
- Use of the subject site as a helicopter landing zone shall not be allowed until the contractor's Congested Area Flight Plan is approved by the Federal Aviation Administration and additional surveys and/or analysis are submitted and approved by CPUC, including but not limited to the following: 1) Updated flight plan and traffic control plans will be evaluated for impacts to nesting birds to ensure that mitigation measure requirements for required buffers are adhered to (Mitigation Measures B-5, B-14 and B-30), and 2) SCE shall route all construction traffic and helicopter flight away from residences, schools, and recreational facilities to the maximum extent feasible (Mitigation Measure N-1b).
- If unanticipated biological, cultural or paleontological resources are detected, the CPUC EM shall be notified immediately.
- City of Irwindale approval or applicable Municipal Code reference shall be provided to CPUC for all future Sunday work or for work outside of the hours 7:00 AM to 7:00 PM, Monday through Saturday, prior to the commencement of work.
- 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,

A handwritten signature in black ink, appearing to read "J. Boccio". The signature is written in a cursive style with a large initial "J" and "B".

John Boccio
CPUC Environmental Project Manager

cc: V. Strong, Aspen