STATE OF CALIFORNIA Edmund G. Brown Jr., Governor

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

October 21, 2011

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

RE: Tehachapi Renewable Transmission Project (TRTP), Segments 4-11: Modification #1 to Notice to Proceed (NTP) #27

Dear Ms. Nelson,

On October 13, 2011, Southern Californian Edison (SCE) submitted a request for a Modification to Notice to Proceed (NTP) #27 to change the location of Tower 39, on the Segment 10 Transmission Line (T/L) of the Tehachapi Renewable Transmission Project (TRTP) in Kern County, California. **This Modification to NTP #27 is approved by CPUC for the proposed activities based on the following factors:**

- SCE submitted the following information:

  SCE submitted a request for a Modification to NTP #27 to change the location of Tower 39, on Segment 10 T/L of the TRTP in Kern County, California. Subsequent to the approval of the NTPR (NTP #27 dated March 8, 2011) by the CPUC, project site conditions have been further evaluated and the planned location for Tower 39 on Segment 10 needs to be changed. Due to the proximity of the CPUC-approved Tower 39 location to an aqueduct, the tower needs to be moved approximately 440 feet north to provide a sufficient buffer between the tower and the aqueduct. Construction activities at this site would include access road and tower location clearing and grading, foundation installation, and tower erection. The total additional disturbance area associated with this proposed change is approximately 0.66 acres.

- **Biological Resources**: SCE submitted a biological report with the Modification Request from ICF International, dated October 12, 2011, regarding the *Proposed Relocation of Construct 39, Segment 10, TRTP, Kern County*. The report documents the biological conditions at the proposed relocation of Construct 39 (Variance Project Component) and the 500-foot buffer (Biological Study Area [BSA]). Biological resources within the BSA were evaluated during several focused surveys, including 2009, 2010, and 2011 rare plant surveys (AMEC 2009c; ICF 2010ag, 2011cq); 2010 and 2011 tree inventory surveys (ICF 2010bf, 2011cq); 2009 Mohave ground squirrel (*Spermophilus mohavensis*) survey (AMEC 2009d); 2009, 2010, and 2011 Swainson's hawk (*Buteo swainsoni*) surveys (AMEC 2009ah; ICF and Bloom Biological 2010a, 2011c); 2009, 2010, and 2011 desert tortoise (*Gopherus agassizii*) surveys (AMEC 2009e; ICF and ECORP 2010b, 2011); and 2009 and 2010 burrowing owl (*Athene cunicularia*) surveys (AMEC 2009f; ICF 2010cq1). The biological resources within BSA were also evaluated during general preconstruction surveys, burrowing owl preconstruction surveys, and preconstruction bat habitat assessment surveys associated with Constructs 39 (ICF 2011ac, 2011dr, 2011ds). A literature review was also performed as part of the Biological Review for Segment 10 (ICF 2011v). Additionally, clearance sweeps were performed on the Variance Project Component on June 24, 2011, and July 8, 2011. Construction monitoring has been ongoing regularly since the site became active, and species events and nest events are recorded in the SCE Field Reporting Environmental Database (FRED).

Vegetation communities mapped within the Variance Project Component include Mojave creosote bush scrub, Mojave desert wash scrub, and disturbed/developed. Vegetation communities within the 500-foot buffer include Mojave creosote bush scrub, Mojave desert wash scrub, Mojave mixed woody scrub, and disturbed/developed. No special-status plants or regulated trees were identified within the Variance Project Component or the 500-foot buffer. Mojave creosote bush scrub provides potential habitat for desert tortoise, Mohave ground squirrel, and Swainson's hawk. Impacts to desert tortoise, Mohave ground squirrel, and Swainson's hawk habitat associated with the Variance Project Component total 0.662 acre (0.305 acre of permanent and 0.357 acre of temporary impacts).

No special-status wildlife species were detected within the Variance Project Component or the 500-foot buffer. Preconstruction bat assessment surveys performed on January 13 and 14, 2011, by ICF detected no potential bat roosts within the Variance Project Component.

Jurisdictional resources within the Variance Project Component were evaluated during the 2010 jurisdictional delineation for Segments 4, 5, and 10 (ICF 2010l). No drainages occur within the proposed disturbance areas. One potential feature, mapped as Mojave desert wash scrub during the botanical survey (ICF 2010ag), was evaluated and determined to be a non-jurisdictional feature during the original jurisdictional delineation surveys for Segment 10. Any unmapped features will be flagged and avoided.

No additional impacts to biological resources are anticipated with the implementation of this Variance.

Cultural and Paleontological Resources: SCE submitted a memorandum dated September 22, 2011, titled *TRTP Variance Request – Seg 10, CT-39 Tower Move – Cultural Clearance for Moving Tower CT-39 on Segment 10* with the Modification Request. The memorandum states that no cultural resources will be impacted by moving Construction Tower (CT) 39 on Segment 10 as part of this Variance Request in support of the Tehachapi Renewable Transmission Project (TRTP). A cultural record search and surveys (Pacific Legacy 2007, 2010a, 2010b, 2011a, 2011b) and a paleontological literature review (Gust and Scott 2009) have been previously conducted for this area of Segment 10. This research indicates that the requested tower move is within an area previously surveyed for the TRTP and that this area lacks cultural resources. This research does suggest the possibility that paleontological resources may exist in this area. The paleontological review indicated that the requested CT-39 tower move location has the potential to yield paleontological resources (Gust and Scott 2009). Since there is a possibility that paleontological resources exist, paleontological spot-check monitoring is recommended when ground disturbing excavation at these locations exceeds a depth of two feet.

No additional impacts to cultural or paleontological resources are anticipated with the implementation of this Variance.

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

- All tower construction shall be constructed within the guidelines stipulated by the CPUC in the letter of October 19, 2011.

- As proposed, due to the potential for paleontological resources, paleontological spot-check monitoring shall be conducted when ground disturbing excavation exceeds a depth of two feet.

- All conditions required by Notice to Proceed (NTP) #27 shall apply to the subject area and activities.

- Copies of all relevant permits, compliance plans, NTP #27, and this Modification #1 to NTP #27 shall be available on site for the duration of construction activities where applicable.

Sincerely,

John Boccio
CPUC Environmental Project Manager

cc: V. Strong, Aspen