

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



November 9, 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 #2 to Notice to Proceed (NTP) #27

Dear Ms. Nelson,

On November 2, 2011, Southern Californian Edison (SCE) submitted a request for a Modification to Notice to Proceed (NTP) #27 for additional guard pole areas and road modifications, on the Segment 10 Transmission Line (T/L) of the Tehachapi Renewable Transmission Project (TRTP) in Kern County, California. **This Modification #2 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 for additional guard pole areas and road modifications, 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 various changes are needed along Segment 10 for constructability purposes. The proposed changes are described below:

- **East of Construct (CT) 3:** Two (2) new turning radii would be added along the access road leading from 80th Street West to the tower work area. Approximate new disturbance area is <0.1 acre.
- **Southwest of CT 7:** The two (2) CPUC-approved guard pole areas along the railroad (east of 90th Street West) would be slightly reconfigured. Also, the CPUC-approved Minimum Improvement access road leading from 90th Street West to the southern guard pole area would be changed to Heavy Improvement. Approximate new disturbance area is <0.1 acre.
- **Northeast of CT 8:** The CPUC-approved guard pole area along the east side of 90th Street West would be reconfigured (new disturbance area <0.1 acre). Also, a new guard pole area would be added along the west side of 90th Street West (new disturbance area of approximately 0.2 acre). Approximate new disturbance area is 0.3 acre.
- **Southwest of CT 8:** The CPUC-approved guard pole areas would be moved to the northeast and slightly reconfigured. Approximate new disturbance area is 0.3 acre.
- **Northeast of CT 12:** A Wire Setup Site (WSS) would be added between CTs 11 and 12. Approximate new disturbance area is 0.7 acre.

- **Northeast and Southwest of CT 16:** Four Guard Pole areas would be added: two (2) areas northeast of CT 16 along 100th Street West and two (2) areas southwest of CT 16 along Sunset Avenue. Approximate new disturbance area is 0.8 acre.
- **South of CT 16:** A turning radius and an approximate 35-foot-long Minimum Improvement access road would be added south of the tower work area. Approximate new disturbance area is <0.1 acre.
- **West of CT 21:** The CPUC-approved turning radius area on the southeast portion of the intersection of 110th Street West and Europe Avenue would be expanded to the southeast. Approximate new disturbance area is <0.1 acre.
- **South of CT 25:** The two (2) CPUC-approved guard pole areas along the Tehachapi Willow Springs Road would be slightly reconfigured. Approximate new disturbance area is <0.1 acre.
- **North of CT 26:** An additional disturbance area would be added along the access road leading from Tehachapi Willow Springs Road to CT 26. This area is needed to allow grading along this portion of the road. Approximate new disturbance area is 0.1 acre.
- **North of CT 42:** Two (2) turning radii would be added along Backus Road. Approximate new disturbance area is <0.1 acre.
- **West of CT 43:** Two (2) turning radii would be added along 110th Street West. Approximate new disturbance area is 0.2 acre.
- **Southwest of CT 43:** The CPUC-approved guard pole area west of 110th Street West would be slightly reconfigured (new disturbance area <0.1 acre). Also, a new guard pole area would be added along the east side of this approved guard pole area (new disturbance area of approximately 0.2 acre). Approximate new disturbance area is 0.2 acre.
- **Northwest of CT 60:** Two (2) turning radii would be added along the access road leading from General Petroleum Road to CT 60. Approximate new disturbance area is <0.1 acre.
- **North of CT 68:** A turning radius would be added to the southwest portion of the intersection of General Petroleum Road and 140th Street West. Approximate new disturbance area is <0.1 acre.
- **Northeast of CT 68:** The CPUC-approved guard pole area east of 140th Street West would be slightly reconfigured. Approximate new disturbance area is <0.1 acre.
- **West of CT 75:** Two (2) turning radii would be added along the access road leading from General Petroleum Road to CT 75. Approximate new disturbance area is 0.2 acre.
- **Southwest of CT 89:** The CPUC-approved guard pole area along the south side of Rosamond Boulevard would be slightly reconfigured. Approximate new disturbance area is <0.1 acre.
- **Biological Resources:** SCE submitted a biological report with the Modification Request (Variance Request) from ICF International, dated November 1, 2011, regarding the *Proposed Various Additional Disturbance Areas, Segment 10, Tehachapi Renewable Transmission Project, Kern County*. The report documents the biological conditions at the proposed additional disturbance areas (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, 2011ga); 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 Segment 10 Constructs 3, 7, 8, 12, 16, 21, 25, 26, 42, 43, 60, 68, 75, and 89 (ICF 2010cm, 2010cn, 2010db, 2010fa, 2011ac, 2011ci, 2011cj, 2011cz, 2011da, 2011dc, 2011dd, 2011dr, 2011ds, 2011er, 2011es, 2011ey, 2011ez, 2011fa, 2011fc). A literature review was also performed as part of the Biological Review for Segment 10 (ICF 2011v) and Telecom 10 (ICF 2010bm). Additionally, clearance sweeps were performed on the Variance Project Component on November 12, 2010 and December 30, 2010 (CTs 76 – Whirlwind); January 12, 2011, May 18, 2011, May 21, 2011, June 2, 2011, July 8, 2011, and August 13, 2011 (Telecom 10 Rosamond to Windhub); May 3, 2011 (Constructs 61 to 75); June 2, 2011 (Constructs 44 to 60); June 24, 2011 and July 8, 2011 (Constructs 29 to 43); August 1, 2011 and August 10, 2011 (Construct 16 to 28); August 16, 2011 (Windhub to Construct 15); and November 12, 2010, December 30, 2010, January 12, 2011, and August 18, 2011 (Telecom 10 – Windhub to Rosamond). Construction monitoring has been ongoing regularly since the sites became active, and species events and nest events are recorded in the SCE Field Reporting Environmental Database (FRED).

The sites below correspond to the sites listed above:

Site 1 (East of Construct (CT) 3): Vegetation communities within the Variance Project Component include Mojave creosote bush scrub and disturbed/developed. Vegetation communities within the 500-foot buffer include desert bunchgrass grassland, Joshua tree woodland, Mojave creosote bush scrub, and disturbed/developed. Special-status wildlife species observed within the 500-foot buffer include LeConte's thrasher (*Toxostoma lecontei*), Cooper's hawk (*Accipiter cooperii*), and potential desert kit fox (*Vulpes macrotis*) den (ICF 2011cq). Jurisdictional feature 10-3-S-1 (no impact; permitted for maintenance grading) is within the 500-foot buffer.

Site 2 (Southwest of CT 7): Vegetation communities within the Variance Project Component include Joshua tree woodland, Mojave creosote bush scrub, and disturbed/developed. Vegetation communities within the 500-foot buffer include Joshua tree woodland, Mojave creosote bush scrub, rabbitbrush scrub, and disturbed/developed. Special-status wildlife species observed within the 500-foot buffer include burrowing owl, potential burrowing owl feature, burrowing owl nest (Nest ID 000980).

Site 3 (Northeast of CT 8): Vegetation communities within the Variance Project Component include Mojave creosote bush scrub and disturbed/developed. Vegetation communities within the 500-foot buffer include Joshua tree woodland, Mojave creosote bush scrub, rabbitbrush scrub, and disturbed/developed. Special-status wildlife species observed within the 500-foot buffer include potential burrowing owl feature, burrowing owl nest (FRED Nest ID 000980), and desert kit fox den (AMEC 2009f).

Site 4 (Southwest of CT 8): Vegetation communities within the Variance Project Component include Mojave creosote bush scrub. Vegetation communities within the 500-foot buffer include Mojave creosote bush scrub, rabbitbrush scrub, and disturbed/developed. Special-status wildlife species observed within the 500-foot buffer include potential burrowing owl feature, burrowing owl nest (FRED Nest ID 000980), and desert kit fox den (AMEC 2009f).

Site 5 (Northeast of CT 12): Vegetation communities within the Variance Project Component include Mojave creosote bush scrub. Vegetation communities within the 500-foot buffer include Mojave creosote bush scrub and Mojave desert wash scrub. Special-status wildlife species observed within the 500-foot buffer include desert kit fox den (AMEC 2009f). Jurisdictional features 10-6-S-2 (no impact; permitted for new access road) and 10-6-S-3 (no impact; permitted for new access road) are within the 500-foot buffer.

Site 6 (Northeast and Southwest of CT 16): Vegetation communities within the Variance Project Component and the 500-foot buffer include desert bunchgrass grassland, Joshua tree woodland, Mojave creosote bush scrub, and disturbed/developed. Special-status wildlife species LeConte's thrasher and loggerhead shrike (*Lanius ludovicianus*) were observed within the Variance Project Component. Special-

status wildlife species sharp-shinned hawk (*Accipiter striatus*), loggerhead shrike, and potential burrowing owl feature were observed within the 500-foot buffer.

Site 7 (South of CT 16): Vegetation communities within the Variance Project Component and the 500-foot buffer include Joshua tree woodland, Mojave creosote bush scrub, and disturbed/developed. Special-status wildlife species LeConte's thrasher, loggerhead shrike, and sharp-shinned hawk were observed within the 500-foot buffer.

Site 8 (West of CT 21): Vegetation communities within the Variance Project Component and the 500-foot buffer include desert bunchgrass grassland and disturbed/developed. Special-status wildlife species loggerhead shrike was observed within the 500-foot buffer.

Site 9 (South of CT 25): Vegetation communities within the Variance Project Component include Mojave creosote bush scrub and disturbed developed. Vegetation communities within the 500-foot buffer include Joshua tree woodland, Mojave creosote bush scrub, and disturbed/developed. Special-status wildlife species loggerhead shrike was observed within the 500-foot buffer. Jurisdictional features 10-11-S-2 (no impact; avoided), 10-11-S-3 (no impact; permitted for new access road and tower work area), 10-11-S-4 (no impact; permitted for new access road) are within the 500-foot buffer.

Site 10 (North of CT 26): Vegetation communities within the Variance Project Component include Mojave creosote bush scrub. Vegetation communities within the 500-foot buffer include Joshua tree woodland, Mojave creosote bush scrub, and disturbed/developed. Special-status wildlife species loggerhead shrike was observed within the 500-foot buffer. Jurisdictional feature 10-11-S-4 (permitted for new access road) is within the 500-foot buffer.

Site 11 (North of CT 42): Vegetation communities within the Variance Project Component and the 500-foot buffer include Mojave creosote bush scrub and disturbed/developed. Jurisdictional feature 10-18-S-1 (no impact; avoided) is within the 500-foot buffer.

Site 12 (West of CT 43): Vegetation communities within the Variance Project Component include Mojave creosote bush scrub and disturbed/developed. Vegetation communities within the 500-foot buffer include Mojave creosote bush scrub, rabbitbrush scrub, and disturbed/developed. Special-status wildlife species loggerhead shrike, Swainson's hawk (*Buteo swainsoni*), and potential burrowing owl feature were observed within the 500-foot buffer.

Site 13 (Southwest of CT 43): Vegetation communities within the Variance Project Component include Mojave creosote bush scrub and disturbed/developed. Vegetation communities within the 500-foot buffer include Mojave creosote bush scrub, rabbitbrush scrub, and disturbed/developed. Special-status wildlife species loggerhead shrike, Swainson's hawk, and potential burrowing owl feature were observed within the 500-foot buffer.

Site 14 (Northwest of CT 60): Vegetation communities within the Variance Project Component and the 500-foot buffer include Mojave creosote bush scrub and disturbed/developed. Special-status wildlife species LeConte's thrasher, loggerhead shrike, potential burrowing owl feature, and medium potential colonial bat roost were observed within the 500-foot buffer.

Site 15 (North of CT 68): Vegetation communities within the Variance Project Component and the 500-foot buffer include Mojave creosote bush scrub and disturbed/developed. Special-status wildlife species observed within the Variance Project Component include loggerhead shrike. Special-status wildlife species LeConte's thrasher and loggerhead shrike were observed within the 500-foot buffer.

Site 16 (Northeast of CT 68): Vegetation communities within the Variance Project Component and the 500-foot buffer include Mojave creosote bush scrub and disturbed/developed. Special-status wildlife species loggerhead shrike and LeConte's thrasher were observed within the 500-foot buffer.

Site 17 (West of CT 75): Vegetation communities within the Variance Project Component and the 500-foot buffer include Mojave creosote bush scrub and disturbed/developed. Special-status wildlife species loggerhead shrike was observed within the 500-foot buffer.

Site 18 (Southwest of CT 89): Vegetation communities within the Variance Project Component include Mojave mixed woody scrub and disturbed/developed. Vegetation communities within the 500-foot buffer include Mojave creosote bush scrub, Mojave mixed woody scrub, rabbitbrush scrub, and disturbed/developed. Special-status wildlife species ferruginous hawk (*Buteo regalis*), Swainson's hawk, desert kit fox, and burrowing owl were observed within the 500-foot buffer.

Jurisdictional resources within the Variance Project Component were evaluated during the 2010 jurisdictional delineation for Segments 4, 5, and 10 (ICF 2010). No drainages occur within proposed disturbance areas. No mapped jurisdictional features overlap the Variance Project Component, and the mapped features within the 500-foot buffer will be avoided by the Project Component.

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

Cultural and Paleontological Resources: SCE submitted three memorandums with the Modification Request (Variance Request), which are described below.

SCE submitted a memorandum dated October 28, 2011, titled *TRTP Variance Request – Seg 10, Guard Pole Realignment – Cultural Clearance for Guard Pole Realignment and New Locations on Segment 10*. Realignment of guard poles are proposed south of CT-7 (2), east of CT-8 (1), west of CT-8 (2), south of CT-25 (2), west of CT-43 (1), and east of CT-68 (1). New guard pole areas are proposed east of CT-8 (1), east of CT-16 (2), west of CT-16 (2), and west of CT-43 (1). The memorandum states that no cultural resources will be impacted by the requested nine (9) guard pole realignments and six (6) newly proposed guard pole areas on Segment 10 as part of this Variance Request in support of the 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 these areas of Segment 10. This research indicates that all of the proposed Segment 10 guard pole realignments and new guard pole locations are located within areas previously surveyed for the TRTP and that none of the areas overlie cultural resources. This research also suggests the possibility that paleontological resources may exist. The paleontological review indicated that the guard pole realignments and new guard pole locations contain soils that have 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.

SCE submitted a memorandum dated October 5, 2011, titled *TRTP Variance Request – Seg 10, Additional Turning Radii/Disturbance Areas and Wire Stringing Site (WSS) Size Reduction and Relocation – Cultural Clearance for Additional Turning Radii and Disturbance Areas, and Size Reduction and Relocation of WSS on Segment 10*. The nine (9) additional turning radii are located 500 feet west of CT-1, 200 feet north-northeast of CT-6, 200 feet southeast of CT-16, 1,700 feet west of CT-21, 400 feet north-northwest of CT-42, 150 feet west-northwest of CT-43, on the northwest side of CT-60 construction area, 300 feet northeast of CT-68, and on the northwest side of the CT-75 construction area. The two (2) additional disturbance areas are located north of Tehachapi-Willow Springs Road, 400 feet south of CT-25 (less than 2,600 square feet); and on the west side of the CT-43 construction area (less than 2,000 square feet). The five (5) WSS are located 250 feet north of CT-37 (180 x 180 square feet), 250 feet north of CT-52 (180 x 180 square feet), 350 feet southwest of CT-67 (175 x 175 square feet), 300 feet southwest of CT-76 (175 x 175 square

feet), and an area midway between CT-12 and CT-13 that is being moved to a location 400 feet north of CT-12 (180 x 180 square feet). The memorandum states that no cultural resources will be impacted by the addition of nine (9) turning radii and two (2) disturbance areas, reduction in size of five (5) WSS, and movement of one (1) WSS on Segment 10 as part of this Variance Request in support of the TRTP. A cultural record search and surveys (Pacific Legacy 2007, 2010a, 2010b, 2011a, 2011b) was previously conducted for these 16 areas of Segment 10. This research indicates that the proposed turning radius near CT-6 is within cultural resource CA-KER-7218. Pacific Legacy (2011c) conducted an evaluation of the resource and recommended the site to be not significant. SCE received concurrence on this determination from the State Historic Preservation Officer (SHPO) on May 5, 2011 (Donaldson 2011). In addition, the WSS southwest of CT-76 is located 200 feet northeast of the ESA for site SEG10-16H. A paleontological literature review was also conducted for these 16 areas (Gust and Scott 2009). Paleontological research suggests that the 16 requested locations contain soils that have the potential to yield paleontological resources and the possibility that fossil resources may exist. Since there is a possibility that paleontological resources exist at nearly all of the requested locations, paleontological spot-check monitoring is recommended when ground disturbing excavation exceeds a depth of two feet at 15 of the 16 requested locations. Full time paleontological monitoring is recommended at the turning radius west of CT-21 during all project related ground disturbing construction activities.

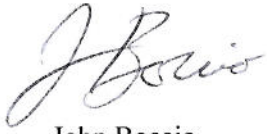
SCE submitted a memorandum dated October 4, 2011, titled *TRTP Variance Request – Seg 10, CT-26 Additional Disturbance Area – Cultural Clearance for an Additional Disturbance Area at CT026 on Segment 10*. The memorandum states that no cultural resources will be impacted by the requested additional disturbance area at CT-26 on Segment 10 as part of this Variance Request in support of the 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 identified no cultural resources, but suggests the possibility that paleontological resources may exist. The paleontological review indicated that the additional disturbance area contains soils that have 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 this location 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:

- Per APM BIO-2 (Minimize Impacts to Vegetation), SCE shall make every effort to minimize vegetation removal and permanent loss at construction sites. If necessary, native vegetation would be flagged for protection.
- As proposed, due to the potential for paleontological resources, paleontological monitoring shall be conducted as described above.
- 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 #2 to NTP #27 shall be available on site for the duration of construction activities where applicable.

Sincerely,

A handwritten signature in cursive script, appearing to read "J Boccio".

John Boccio
CPUC Environmental Project Manager

cc: V. Strong, Aspen