

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



November 16, 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 #3 to Notice to Proceed (NTP) #27

Dear Ms. Nelson,

On November 14, 2011, Southern Californian Edison (SCE) submitted a request for a Modification to Notice to Proceed (NTP) #27 for changes to the access road to Construct 25, on the Segment 10 Transmission Line (T/L) of the Tehachapi Renewable Transmission Project (TRTP) in Kern County, California. **This Modification #3 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 changes to the access road to Construct 25, 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 to the access road to Construct 25 on Segment 10 are needed. Specifically, the tower access road would be moved slightly to the west. Also, a turning radius would be added along the southeastern portion of the road. The revised roadway largely overlaps the CPUC-approved disturbance area at this location. The additional disturbance area associated with the roadway changes is less than 0.1 acre.

- **Biological Resources:** SCE submitted a biological survey report with the Modification Request (Variance Request) from ICF International, dated November 10, 2011, regarding the *Proposed Construct 25 Road Shift and Additional Disturbance Area, Segment 10, Tehachapi Renewable Transmission Project, Kern County*. The report documents the biological conditions at the proposed Construct 25 road shift and additional disturbance area (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, 2011a); 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 Construct 25 (2011ac, 2011er, 2011es). 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 August 1, 2011, and August 10, 2011 (Construct 16 to 28). 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).

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, Mojave desert wash scrub, and disturbed/developed.

No special-status species were observed within the Variance Project Component. Special-status wildlife species, Loggerhead shrike (*Lanius ludovicianus*) was observed within the 500-foot buffer. No potential bat roosts were detected 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 2010I). Two mapped jurisdictional features, 10-11-S-3 and 10-11-S-4, overlap the Variance Project Component, and were previously permitted. Feature 10-11-S-3 was permitted for temporary impacts for a structure work area and permanent impacts related to the construction of a new access road. Feature 10-11-S-4 was permitted for a new access road crossing. Regulatory agencies will be notified of the shift in design of the new access road included in the Variance Project Component, but the impact is covered by existing permits. The remaining mapped feature within the 500-foot buffer, 10-11-S-2, was staked as an Environmentally Sensitive Area (ESA) and avoided by the Project Component.

Mojave creosote bush scrub provides potential habitat for desert tortoise, Mojave 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 0.072 acres (0.069 acre of permanent and 0.002 acres of temporary impacts).

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

- **Cultural and Paleontological Resources:** SCE submitted a memorandum dated November 8, 2011, titled *TRTP Variance Request – Seg 10, CT-25 Turning Radius/Access Road Move – Cultural Clearance for a Turning Radius and Movement of Access Road at CT-25 on Segment 10*. The memorandum states that no cultural resources will be impacted by the addition of a turning radii and movement of the approved access road in the area south of Construct 25 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 indicates that the requested turning radius and access road move is within an area previously surveyed for the TRTP and that this area lacks cultural resources. This research also suggests the possibility that paleontological resources may exist in this area. 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:

- Prior to commencement of construction activities, SCE shall submit to the CPUC documentation of notification to CDFG regarding changes to acreage impacts for species; habitat covered under the Incidental Take Permit and submitted amendments.
- As proposed, due to the potential for paleontological resources, paleontological spot-check monitoring shall be conducted when ground disturbing excavation at this location 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 #3 to NTP #27 shall be available on site for the duration of construction activities where applicable.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Boccio".

John Boccio
CPUC Environmental Project Manager

cc: V. Strong, Aspen