

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



June 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 #30)

Dear Ms. Nelson,

On May 16, 2011, Southern California Edison (SCE) submitted a Notice to Proceed Request (NTPR) seeking authorization from the California Public Utilities Commission (CPUC) for the modification of twelve towers and an addition of three new towers on the existing Midway-Vincent No. 3 500 kV Transmission Line (T/L) of Segments 4 and 5 of the Tehachapi Renewable Transmission Project (TRTP) between the Whirlwind Substation in Kern County and Vincent Substation in Los Angeles County, California. On May 26, 2011, SCE submitted the biological report and additional information regarding the project environmental requirements.

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. **NTP #30 is granted by CPUC for the proposed activities based on the following factors:**

- SCE submitted the following information regarding the modification of the Segments 4 and 5 Midway-Vincent No. 3 500 kV T/L:

SCE is requesting authorization from the CPUC for the modification of twelve towers and an addition of three new towers on the existing Midway-Vincent No. 3 500 kV T/L of Segments 4 and 5 of the TRTP between the Whirlwind Substation in Kern County and Vincent Substation in Los Angeles County, California. The work consists of relocating and raising eleven existing lattice steel towers (LSTs), removing one tower and installing a new tower at a nearby location, and installing three new interset towers on the existing Midway-Vincent No. 3 500 kV T/L. The Final Environmental Impact Report (FEIR) describes the TRTP components and construction activities. These construction activities would occur as defined in the FEIR.

Site Location and Conditions

The construction activities for the Midway-Vincent Tower Modifications would occur within the City of Palmdale, City of Lancaster, and unincorporated Los Angeles County.

The Midway-Vincent Tower Modification activities will include:

- Relocating and raising 11 existing towers near their current locations along Segments 4 (4 towers) and 5 (7 towers)
- Removing one tower and installing a new tower at a nearby location along Segment 5
- Installing three new interset towers on Segments 4 (1 tower) and 5 (2 towers)

Project Components

Construction equipment operating hours for the Midway-Vincent Tower Modifications are planned to be from approximately 6:00 AM to 9:00 PM Monday through Friday, and 8:00 AM to 9:00 PM on Saturday and Sunday. 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 TRTP.

Project Elements/Construction Activities

Project elements that will possibly be present or active throughout the construction of the transmission line include the following: new/improved access roads; transmission foundations and structures; construction equipment and vehicles; and permit requirements (e.g., Best Management Practices).

Construction activities that will possibly be present or active throughout the construction of the transmission line include the following: grading for access roads and site preparation; removal of existing foundations and structures; installation of foundations and tower structures; transferring conductor; operation of construction equipment and vehicles; implementation and installation, maintenance and removal of permit requirements; material assembly, including hot work; and material salvage and disposal.

Site Work

Site work for the removal and installation of the towers will include grading for access roads and site preparation; removal of existing transmission structures/foundations; and installation of new transmission structures/foundations.

Access Roads

Construction of the Midway-Vincent Tower Modifications will involve clearing, grubbing, and grading existing and new access roads. All new roads and planned improvements to existing roads have been designed to be up to a 14-foot-wide roadway. Berms or swales approximately 2 to 3 feet wide will be created on each side of the roadway, as appropriate. Additionally, roadway width will be required to accommodate vehicle turning, vehicle turnouts, sidecast, and backslope. Drainage improvements will be implemented in certain access road locations to deviate water away from access roads to control erosion. As needed, improvements will be implemented for mitigation measures and applicable permits.

Site Preparation

Construction activities associated with the Midway-Vincent Tower Modifications will require grading and other site preparation activities. Some of these activities will be temporary (e.g. construction roads, land disturbance for construction staging areas and crane pads associated with tower assembly and erection). Other construction activities will be permanent and the land will remain in use after construction (e.g. tower footings and access roads).

The staging area for construction activities will generally require an area of approximately 200 by 200 feet at each tower. Typically, in locations of relatively level terrain, only vegetation removal will occur to prepare the site for construction. In more rugged terrain or sloping site conditions, both vegetation removal and grading may be necessary to prepare the staging area for construction.

To support the equipment and vehicle traffic, the graded area will be compacted. Site preparation is necessary to accommodate removal of existing structures and installation of new tower sites, and to perform crane operation during the assembly of tower structures.

All site preparation will be conducted in compliance with all permit requirements and will include installation of Best Management Practices.

Major Underground Activities

Not applicable.

Major Belowgrade Activities

It is anticipated that belowgrade activities such as excavation, drilling and foundation construction will be necessary for construction of the transmission structures. Installation of the structures will require construction of drilled concrete pier foundations. Typically, LSTs will require four excavated holes of approximately 3 to 7 feet in diameter and 15 to 60 feet deep.

For tower removal sites, the existing LST foundation will be excavated and removed to a depth of approximately 2 feet below grade. Any remaining foundation will remain in place, and the excavation filled and compacted to match the surrounding grade.

Major Abovegrade Activities

Planned construction activities for Midway-Vincent Tower Modifications are summarized as follows:

- **Relocate and Raise 11 Towers.** This activity will include the removal of structures and their foundations (approximately 2 feet below grade). The removed structure materials will be relocated to a nearby location where new foundations will be installed and the towers erected. The height of each tower will be increased by using longer tower legs and body extensions. The existing towers heights range from 88 to 170 feet; the new tower heights will range from approximately 105 to 195 feet.
- **Remove and Replace 1 Tower.** This activity would include the removal of the current structure and its foundation. At an adjacent location, new foundations will be installed and a new LST installed.
- **Install 3 New Towers.** Construction at these sites will include the installation of foundations and new LSTs.

The removal and construction activities for each of these transmission structures will require a work area measuring approximately 200 by 200 feet. These areas will be located within the existing right-of-way (ROW) corridor or approved work areas. An area measuring at least 50 feet by 50 feet within the approved work area will be used for a crane pad. A crane will be used to install each structure.

- **Biological Resources:** SCE submitted a biological report titled *SCE TRTP Midway-Vincent Tower Modifications Biological Review* prepared by ICF International dated May 2011. A biological review was conducted for the proposed Midway-Vincent Tower Modifications (Project Component) at multiple locations beginning midway between Whirlwind Substation and Antelope Substation to Vincent Substation along Segments 4 and 5 of TRTP in the cities of Palmdale, Lancaster, and unincorporated Los Angeles County, California. The report summarizes results of literature review and prior surveys conducted for TRTP, as well as a literature review and field surveys conducted on Segments 4 and 5, which included the Project Component.

Previous focused surveys completed in the vicinity of the Project Component and the associated 500-foot buffer (biological survey area [BSA]) in support of Segments 4 and 5 include 2009 and 2010 surveys for vegetation and rare plants (AMEC 2009c; ICF 2010ag), trees (ICF 2010bs), riparian birds (AMEC 2009i, ICF 2010ah), burrowing owl (*Athene cunicularia*) (AMEC 2009a, 2009f; ICF 2010ac, 2010cq), Mojave ground squirrel (*Spermophilus mohavensis*) (AMEC 2009d), Swainson's hawk (*Buteo swainsoni*) (AMEC 2009ah, ICF and Bloom 2010a), desert tortoise (*Gopherus agassizii*) (AMEC 2009e, ICF and ECORP 2010b), and jurisdictional features (ICF 2010l). Additional species were identified during general pre-construction surveys (ICF 2010ai, 2010bk, 2010bs, 2010bt, 2010ch, 2010co, 2010cp, 2010cq, 2010cs, 2010ct, 2010cw, 2010dp, 2011b, 2011d, 2011i, 2011t), burrowing owl preconstruction surveys (ICF 2010bl, 2010ci, 2010cr, 2010ct, 2010cx, 2010dq, 2010fs, 2011c, 2011e, 2011h, 2011u), bat habitat assessment preconstruction surveys (ICF 2010bc, 2010be, 2010bq, 2010bw, 2010fb), clearance sweeps, and construction monitoring in the vicinity of the BSA. 2011 surveys for riparian birds, Swainson's hawk, and rare plants are underway, and the survey results are forthcoming.

The Project Component consists of seven vegetation communities which include: agricultural lands, California annual grassland, California annual grassland-wildflower field, Mojave mixed woody scrub, mixed chaparral, Mojavean juniper woodland scrub, and disturbed/developed areas. The BSA is composed of agricultural land, California annual grassland, California annual grassland-wildflower field, bunchgrass grassland, desert wash, rabbitbrush scrub, Mojave mixed woody scrub, mixed chaparral, Mojavean juniper woodland scrub, southern cottonwood willow riparian forest, desert saltbush scrub, ruderal vegetation, and disturbed/developed. Southern cottonwood willow riparian forest, desert wash, California annual grassland-wildflower field, and bunchgrass grassland are considered special-status natural communities by CDFG

(ICF 2010ag). Vegetation in the BSA at M96-T4, M96-T5, M97-T1, and M97-T4 were fully or partially burned during the Crown Fire in 2010.

The Project Component contains special-status plants including Peirson's morning glory (*Calystegia peirsonii*) and short-joint beavertail (*Opuntia basilaris brachyclada*). The BSA contains special-status plants including Peirson's morning glory, short-joint beavertail, and adobe yampah (*Perideridia pringlei*). Regulated trees identified within the BSA include California juniper (*Juniperus californica*) and interior live oak (*Quercus wislizenii*).

Based upon a literature search, previous surveys in the Project Component and surrounding areas, and observed conditions in the field, suitable habitat exists for special-status wildlife species in the Project Component and BSA. No special-status mammal species were observed within the Project Component. Within the BSA, desert woodrat (*Neotoma lepida intermedia*) middens, potential bat roosts, and a potential kit fox (*Vulpes macrotis arsipus*) den were identified. While several species of special-status terrestrial herpetofauna have the potential to occur within the Project Component, no special-status herpetofauna species have been observed within the BSA (AMEC 2009e, ICF and ECORP 2010b, ICF 2010ai, 2010bk, 2010bt, 2010bs, 2010bt, 2010ch, 2010co, 2010cp, 2010cq, 2010cs, 2010ct, 2010cw, 2010dp, 2011b, 2011d, 2011i, 2011t). Special-status aquatic herpetofauna habitat is not present within the BSA (AMEC 2009b, 2009g, 2009h, ICF and BonTerra 2010a, 2010b, 2010f). Several occupied raptor nests were detected during the 2009 focused surveys, including great horned owl (*Bubo virginianus*), long-eared owl (*Asio otus*), barn owl (*Tyto alba*), and red-tailed hawk (*Buteo jamaicensis*). In 2010, a number of raptor species were observed within the BSA including sharp-shinned hawk (*Accipiter striatus*), ferruginous hawk (*Buteo regalis*), burrowing owl, and red-tailed hawk. Of these, burrowing owl and red-tailed hawk nests have been identified within the BSA. Other nesting birds (non-raptor) were identified within the BSA.

The CDFG 2081 Incidental Take Permit (ITP) was issued November 23, 2010. The ITP is required for a portion of the Segments 4 and 5 Midway-Vincent Tower Modifications for Swainson's hawk; the ITP applies north of Elizabeth Lake Road near Tower 29. Focused surveys conducted in 2009 and 2010 for Swainson's hawk were negative. One Swainson's hawk was observed in flight in the vicinity of the Project Component, but was determined to be a passing migrant. In May 2011, two Swainson's hawks (FRED #001268 and 001270) have been observed within the vicinity, but outside of the BSA. The total Project Component disturbance area is 16.32 acres, of which 5.82 acres is Swainson's hawk habitat. 1.38 acres of the Swainson's hawk habitat will be permanently impacted and 4.44 acres will be temporarily impacted. SCE shall provide documentation that impacts to Swainson's hawk have been reviewed and approved by CDFG, and are consistent with the CDFG ITP.

Previous focused burrowing owl surveys (AMEC 2009f) confirmed the presence of suitable nesting habitat for burrowing owl within the Project Component. Focused surveys in 2010 also identified suitable habitat and the presence of burrowing owls within the Project Component (ICF 2010ac). For burrowing owls, a nesting season buffer of 250 feet will be implemented around occupied burrows per Mitigation Measure B-29, unless modified buffers are approved by CDFG.

For the jurisdictional delineation (ICF 2010l), the Project Component and portions of the BSA were surveyed. Jurisdictional features 5-8-S-1, 5-21-S-2, and 5-21-S-100 are located within the Project Component. Jurisdictional features 4-26-S-2, 4-26-S-10, 5-8-S-1, 5P-20-S-1, 5-20A-S-1, 5-21-S-1, 5-21-S-2, 5-21-S-100, 5-21-S-102, 5-29-S-2, and 5-36-S-1 are located within the BSA. All of these drainage features are jurisdictional waters of the State only, except 5-36-S-1, which is also USACE jurisdictional and was permitted on January 19, 2011. The State Water Resources Control Board (SWRCB) approved SCE's application for a Wetland Delineation Report (WDR) permit for impacts on drainages regulated under the Porter-Cologne Act on December 15, 2010. In addition, the project is subject to regulation under Sections 1600-1616 of the California Department of Fish and Game (CDFG) Code. A Streambed Alteration

Agreement (SAA) was issued by CDFG on December 22, 2010. These permits include avoidance and minimization measures and compensatory mitigation requirements.

- **Cultural Resources.** SCE submitted a Cultural Clearance memorandum dated May 12, 2011 with the Notice to Proceed Request (NTPR), which states that no cultural resources will be impacted by 15 Midway-Vincent Tower Modifications as part of this NTPR in support of the Tehachapi Renewable Transmission Project (TRTP) on Segments 4 and 5. A records search and cultural and paleontological surveys have been previously conducted for these areas (Ahmet et al. 2006; Pacific Legacy 2007, 2008, 2010; Gust and Scott 2009). All of the proposed Midway-Vincent Tower Modification work areas and access roads are located within areas previously surveyed for the TRTP. None of these areas overlies cultural resources. At one location (Tower M96-T5), the 50 foot Environmentally Sensitive Area (ESA) buffer around site CA-LAN-1956 overlaps both the southwest portion of the work area and a short spur access road leading to the work area. SCE will avoid adverse effects to this site by flagging the site boundary for avoidance during the proposed relocation of this tower. Also, an archaeological monitor will be required during all ground disturbing activities associated with this work. The Construction Phase Management Plan (CPMP) will be updated to include the information associated with this NTPR and the updated management recommendations for CA-LAN-1956.

A paleontological review has indicated that the 15 proposed tower modifications are located within 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 activities exceed a depth of two feet.

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

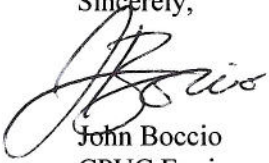
- SCE shall provide documentation that impacts to Swainson's hawk have been reviewed and approved by CDFG for the Midway-Vincent Tower Modification work, and are consistent with the CDFG ITP prior to starting construction in those areas covered by the ITP (the ITP applies north of Elizabeth Lake Road near Tower 29).
- 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.
- All sensitive resource buffers shall be flagged prior to construction/site occupation. Resource flagging shall be field verified by the CPUC 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. 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.

- Per Mitigation Measure (MM) B-29, Implement CDFG Protocol for Burrowing Owls, SCE shall conduct protocol pre-construction surveys in potential burrowing owl habitat.
- Per Applicant Proposed Measure (APM) BIO-3, SCE will submit final design plans and specifications for the project if there are newly identified jurisdictional features. If necessary, SCE shall secure a Streambed Alteration Agreement from the California Department of Fish and Game.
- The Segments 4 and 5 Midway-Vincent Tower Modifications disturbance areas shall be included in the project Habitat Restoration and Revegetation Plan required by MM B-1a, subject to review and approval by CPUC.
- Topsoil salvaging shall be conducted for proposed Midway-Vincent construction activities until such time that additional information is submitted by SCE and approved by CPUC for the treatment of disturbance areas (erosion control, visual scarring, and weed minimization).
- Prior to site occupation and/or construction, SCE shall have all cultural resources reports reviewed and approved by the participating agencies. Conditions noted within the subject reports shall be implemented.
- A paleontological review has indicated that the 15 proposed tower modifications are located within soils that have the potential to yield paleontological resources (Gust and Scott 2009). Since there is a possibility that paleontological resources exist, paleontological monitoring shall be conducted during all ground disturbing activities exceeding a depth of two feet.
- If unanticipated biological, cultural or paleontological resources are detected, the CPUC EM shall be notified immediately.
- 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).
- Los Angeles County approval or applicable Municipal Code reference shall be provided to CPUC for any work outside of the days and hours allowed under the Los Angeles County Noise Ordinance, and any other ordinance or permit.
- Refueling and fueling locations shall be a minimum of 100-feet away from existing drainages. If construction debris or spills enter into environmentally sensitive areas, the jurisdictional agencies and the CPUC EM shall be notified immediately.
- 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.
- SCE shall provide a letter to the CPUC from a California registered geotechnical engineer following the completion date of all of the foundation activities for each segment. The letter will confirm that SCE followed the geotechnical report recommendations and the common engineering practice in southern California at the time of the project.

- For the TRTP project-wide Fire Management Plan (non-ANF), SCE requested that they be allowed to submit a separate Operations and Maintenance Fire Management Plan 60 days prior to energizing transmission lines rather than prior to construction. The CPUC agreed to this change in the timing of the submittal.
- 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,



John Boccio
CPUC Environmental Project Manager

cc: V. Strong, Aspen