STATE OF CALIFORNIA Edmund G. Brown Jr., Governor

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

March 18, 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: Variance Request (VR) #44

Dear Ms. Nelson,

On March 16, 2011, Southern Californian Edison (SCE) submitted a variance request to allow for a shift in the location of Tower M2-T5 and use of its associated access road, as identified during final design, on Segment 8 Transmission Line East (Phase 2) of the Tehachapi Renewable Transmission Project in the City of Ontario, San Bernardino County, California. **This Variance Request is approved by CPUC based on the following factors:**

- SCE submitted the following information:

  SCE requests a Variance to allow for a shift of Tower M2-T5 location and use of its associated access road, as identified during final design, on Segment 8 Transmission Line (T/L) East (Phase 2) of the TRTP in the City of Ontario, San Bernardino County. Subsequent to approval of the NTPR (NTP #13, dated August 24, 2010) by the CPUC, and pursuant to final design, it was determined that because of the close proximity of an adjacent drainage pond (within the right-of-way), Tower M2-T5 needs to be shifted approximately 130-feet (inline, still within the right-of-way), to the east side of Grove Avenue. In addition an access road has been identified to access the new tower location. The access road is off of Grove Avenue and is approximately 450 feet long by 14 feet wide.

- **Biological Resources**: SCE submitted a letter from ICF International to SCE dated March 14, 2011 titled *Biological Survey Report for an Access Road to M2-T5 Variance for Tehachapi Renewable Transmission Project, Segment 8 East (Phase 2) Transmission Line, Los Angeles County, California.* The letter documents the biological conditions at the proposed Variance location (Project Component). The Project Component and a 500-foot buffer (Biological Study Area [BSA]) were included in the analysis. Biological resources within the BSA were evaluated during surveys within and adjacent to the BSA, including focused species surveys (ICF 2010at, 2010xx, 2010av) and preconstruction biological surveys (ICF 2010ak, 2010ax, 2010ce, 2010cd). A literature review was performed as part of the biological review (ICF 2010aw).

  The Project Component was mapped as disturbed/developed. Three vegetation communities were mapped within the BSA and include ruderal grassland, open water, and disturbed/developed habitat. One burrowing owl (*Athene cunicularia*) feature was identified within the BSA during the January 25, 2011, burrow-mapping survey, but no owls were detected. Additionally, due to the construction activity occurring on the site as recently as February 12, 2011, daily morning sweeps have occurred each time there is construction at M2-T5. No burrowing owls have been observed within the Project Component. An active house sparrow (*Passer domesticus*) nest occurs within the BSA, approximately 200 feet south of the Project Component. A 300-foot buffer was established consistent with mitigation measure (MM) BIO-5. This buffer was reduced to 10 feet after blanket approval by CDFG for this species. No special-status plants were observed in the

Project Component during the previous focused (ICF 2010at) and preconstruction surveys (ICF 2010ax). No regulated trees have been recorded for the Project Component (ICF 2010av). No jurisdictional features were mapped within the BSA (ICF 2010h). No additional impacts to biological resources are anticipated.

- **Cultural and Paleontological Resources:** SCE submitted a memorandum with the Variance Request from Matthew Wetherbee, Archaeologist, MSc, RPA, dated February 15, 2011, stating that no cultural resources will be affected by the proposed relocation and associated access road to Tower M2-T5 on Segment 8 East (Phase 2) within the City of Ontario. The proposed tower location and associated access road were included in the previous survey for the TRTP right-of-way corridor and no cultural resources were identified (Pacific Legacy 2007). Work will not extend beyond the right-of-way. In an email dated March 17, 2011, Matthew Wetherbee stated that no paleontological resources will be impacted by the proposed relocation and associated access road to tower M2-T5 on TRTP Segment 8 (Phase 2), San Bernardino County, California. The Paleontological Resources Management Plan (PRMP) Segments 4 through 11 of the TRTP project area was prepared by Cogstone Resource Management Inc. (Gust and Scott 2009). No paleontological localities have been previously discovered in the project vicinity and the surface sediments (Quaternary alluvium) have low sensitivity for paleontological resources. No additional impacts to cultural or paleontological resources are anticipated.

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

- All conditions required by NTP #13 shall apply to the subject area and activities.

- Copies of all relevant permits, compliance plans, NTP #13, and this Variance shall be available on site for the duration of construction activities where applicable.

Sincerely,

John Boccio
CPUC Environmental Project Manager

cc: V. Strong, Aspen