

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



April 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) #54

Dear Ms. Nelson,

On April 14, 2011, Southern Californian Edison (SCE) submitted a variance request to allow the use of an additional disturbance area at the Construct 27 work area on the Segment 5 Transmission Line (T/L) of the Tehachapi Renewable Transmission Project (TRTP) in Los Angeles County, California. **This Variance Request is approved by CPUC based on the following factors:**

- SCE submitted the following information:

SCE submitted a request for a Variance to allow the use of an additional disturbance area at Construct 27 work area on Segment 5 T/L of the TRTP in Los Angeles County. Subsequent to the approval of the NTPR (NTP #15 dated September 10, 2010) by the CPUC, project site conditions have been further evaluated and an additional disturbance area at the Construct 27 work area is needed for the purposes of access road construction.

The CPUC previously approved construction of the new access road at Construct 27 on Segment 5. Due to a steep slope present along the southeast side of the roadway, the access road cannot be completed within the currently-approved disturbance area for Construct 27. Additional space is needed to account for roadway grading soil spoils to fall down the slope and installation of best management practices (BMPs). An expansion of the southeast side of the current Construct 27 work area (currently measures 200 feet by 200 feet) would provide adequate space for these activities. Specifically, the work area would be extended to the southeast approximately 17 feet. This additional disturbance area would measure approximately 17 feet by 200 feet (0.08 acres).

- **Biological Resources:** SCE submitted a biological report by ICF International dated April 11, 2011, regarding the Proposed Segment 5 Construct 27 Work Area Expansion Variance. The report documents the biological conditions at the Proposed Segment 5 Structure 27 Work Area Expansion (Variance Project Component). The results of the preconstruction surveys for Segment 5, Construct 27, as required by the TRTP Final Environmental Impact Report (FEIR; Aspen 2009a) and Final Environmental Impact Statement (FEIS; Aspen 2010) mitigation measures, were performed on November 5, 2010 and November 9, 2010 (ICF 2010cq). Additionally, bat preconstruction surveys were conducted on September 27, 2010 and October 6, 2010 (ICF 2010bq).

No sensitive biological resources were identified within the Project Component or a 500-foot buffer (BSA) during the 2010 preconstruction surveys (ICF 2010cq). Peirson's morning glory (*Calystegia peirsonii*) (CNPS List 4.2) was detected during the 2009 and 2010 focused surveys at locations throughout the 500-foot buffer (AMEC 2009c; ICF 2010ag). Another sensitive species, short-joint beavertail (*Opuntia basilaris*)

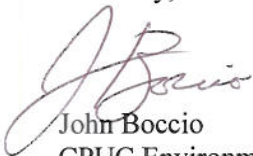
var. brachyclada) (CNPS List 1B.2), was observed during the 2009 focused surveys (AMEC 2009c). Several individuals were observed throughout the BSA. However, during the 2010 focused surveys, it had been determined that much of the short-joint beavertail cactus observed in 2009 was likely the more common beavertail cactus (ICF 2010yy; ICF 2010ag). Only four individuals of short-joint beavertail cactus were found during focused surveys, and none were in the vicinity of Construct 27. Construction activities associated with Segment 5 are ongoing in the vicinity of the Project Component. Clearance sweeps were performed 7 days prior to construction and daily sweeps are conducted where construction is active. No ESA-listed or special-status species were noted during clearance sweeps of the Construct 27 area. The Project Component was surveyed during the original jurisdictional delineation for Segments 4, 5 and 10. While the entire 500-foot buffer around the Project Component was not surveyed, two jurisdictional features, 5-21-S-11 and 5-17-S-1, were identified outside of the Project Component, but within the 500-foot buffer (ICF 2010I). No jurisdictional features are present within the impact areas. Any additional features not previously mapped will be flagged as ESAs and avoided until a permit amendment has been issued, if required. No additional impacts to biological resources are anticipated with the implementation of this Variance.

Cultural and Paleontological Resources: SCE stated in their Variance Request that the Construct 27 additional disturbance area is situated within a previously surveyed area and there are no recorded cultural resources. A paleontological sensitivity review was conducted in 2010 (Paleo Solutions 2010). In accordance with the final version of the Paleontological Resources Management Plan (PRMP) and the paleontological sensitivity report, paleontological resources monitoring is recommended during any earth moving activities associated with the Segment 5 T/L. 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:

- In accordance with the final version of the PRMP and the paleontological sensitivity report, paleontological resource monitoring shall be conducted during any earth moving activities associated with the Segment 5 T/L.
- All conditions required by Notice to Proceed (NTP) #15 shall apply to the subject area and activities.
- Copies of all relevant permits, compliance plans, NTP #15, 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