

## PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



May 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) #62

Dear Ms. Nelson,

On May 12, 2011, Southern Californian Edison (SCE) submitted a variance request for use of a stockpile area for soil that will be removed during the grading operation to build the access road leading to Tower M27-T3 on Segment 7 Transmission Line (T/L) of the Tehachapi Renewable Transmission Project (TRTP), in the City of Duarte, 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 for use of a stockpile area for soil that will be removed during the grading operation to build the access road leading to Structure M27-T3 on Segment 7 T/L of the TRTP, in the City of Duarte, Los Angeles County, California. Wilson Construction (SCE's contractor) has requested the Variance to the NTP (NTP #17 dated September 24, 2010) approved by the CPUC, to use a 0.17 acre area located at the bottom of the access road leading to Structure M27-T3. Use of this proposed area is needed to stockpile earth and to provide a safe work area where dump trucks and other equipment can load and haul away stored/stockpiled earth. Clearing and grubbing will be required for preparation of this site. This site will be used before and during access road grading activities.

- **Biological Resources:** SCE submitted a biological report by ICF International dated May 11, 2011, titled *Biological Survey Report for Stockpile Area Adjacent to M27-T3 Variance for the TRTP, Segment 7, Los Angeles County, California*. The report documents the biological conditions at the proposed stockpile area adjacent to M27-T3 (Variance Project Component) and associated 500-foot buffer (Biological Study Area [BSA]). The biological resources within the Variance Project Component site and 500-foot buffer were evaluated during general preconstruction surveys associated with new Tower M27-T3 and associated access road (ICF 2011ay). Biological resources in the area were also evaluated during several focused surveys including plant (ICF 2010at), tree inventory (ICF 2010av), and a preconstruction special status bat habitat assessment (ICF 2010bg). Finally, a western spadefoot toad and southwestern pond turtle focused habitat assessment was conducted on April 18, 2011 by BonTerra. A literature review was also performed as part of the Biological Review for Segment 7 (ICF 2010ay).

The vegetation communities within the Variance Project Component include: disturbed/developed, coastal sage scrub, and coast live oak woodland. The vegetation communities known to occur within the 500-foot buffer associated with the Variance Project Component include: disturbed developed, coastal sage scrub, coast live oak woodland, and non-native woodland. One San Gabriel Oak (*Quercus durata* var. *gabrielensis*) occurs within the Variance Project Component, and four coast live oak (*Quercus agrifolia*) trees occur within the 500-foot buffer. No other special-status plant species occur in the BSA.

On April 18, 2011, one adult coast range newt (*Taricha torosa torosa*) was identified walking on the spur road adjacent to the Las Lomas Debris Flow Basin. In October 2010, one San Diego desert woodrat



(*Neotoma lepida intermedia*) nest was identified in the Variance Project Component, and another seven San Diego woodrat nests were found within the 500-foot buffer, three of which were adjacent to the Variance Project Component. Coastal California gnatcatcher (*Poliophtila californica*) critical habitat does not overlap the BSA. The coastal sage scrub present within the Variance Project Component has been determined not to support coastal California gnatcatcher and was not included in focused surveys conducted in 2009 and 2010. No other special-status wildlife species have been observed in the BSA.

United States Army Corps of Engineers (USACE) regulated Waters of the U.S., California State Water Resources Control Board (SWRCB) regulated Waters of the State, and California Department of Fish and Game (CDFG) regulated streambed and riparian areas were identified in the Jurisdictional Delineation Report for the TRTP Segments 7 and 8 (ICF 2010h). The Variance Project Component was surveyed and the 500-foot buffer was partially surveyed during previous hydrological delineation surveys (ICF 2010h). Jurisdictional features (7-3-S-1, 7-3-S-2, 7-3-S-6, 7-3-S-7, 7-3-S-8, and 7-3A-S-5) were identified in the BSA and will be avoided during construction and use of the Variance Project Component. Materials to be stockpiled will not include fuel or any other hazardous materials, and will not have the potential to impact Feature 7-3-S-1. The Variance Project Component's SWPPP will include using protection measures such as silt fencing or straw wattles around the stockpile area to avoid any effects on Feature 7-3-S-1. Construction of the access road will impact roadside drainage features. However, these impacts and mitigation have been identified and permitted previously (CDFG 2011a) and are not part of this Variance Project Component. No additional jurisdictional features have been observed during the biological preconstruction survey (ICF 2011ay). Any additional potential jurisdictional resources identified during the clearance sweep will be staked and flagged as ESAs and avoided.

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

**Cultural and Paleontological Resources:** SCE submitted a memorandum dated April 27, 2011 with the Variance Request from Archaeologist Natasha Tabares MA, RPA, stating that no cultural or paleontological resources will be affected by the proposed stockpile area located at the bottom of the access road leading to Tower M27-T3 on the TRTP Segment 7 within the City of Duarte, Los Angeles County, California. The majority of the proposed stockpile area was previously surveyed for the TRTP and no cultural resources were identified (Pacific Legacy 2007). The southernmost portion of the proposed stockpile area has not been surveyed, but it lies within a heavily disturbed area including portions of a paved road. In addition, the proposed stockpile area is located on a geologic formation that is classified as low in sensitivity for yielding paleontological resources (Gust and Scott 2009; Aron 2010). 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:**

- All conditions required by Notice to Proceed (NTP) #17 shall apply to the subject area and activities.
- Copies of all relevant permits, compliance plans, NTP #17, 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