

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



July 7, 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) #72

Dear Ms. Nelson,

On July 1, 2011, Southern Californian Edison (SCE) submitted a variance request for the use of several structure work areas, access roads, a wire setup site, and OPGW splice site, which have been added to facilitate shoofly construction at the Interstate 605 (I-605) crossing, on the Segment 8 Transmission Line (T/L) West (Phase 4) of the Tehachapi Renewable Transmission Project (TRTP), in the City of Pico Rivera and City of Industry, 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 the use of several structure work areas, access roads, a wire setup site, and OPGW splice site, which have been added to facilitate shoofly construction at the I-605 crossing, on the Segment 8 T/L West (Phase 4) of the TRTP, in the City of Pico River and City of Industry, Los Angeles County, California. Subsequent to approval of the NTPR (NTP #24 dated January 12, 2011) by the CPUC, final design was completed and several structure work areas, access roads, a wire setup site, and an OPGW splice site have been added to facilitate shoofly construction at the I-605 crossing. These additions include the following:

Addition of proposed wire setup site adjacent to and west of Structure M42-T5, in the City of Pico Rivera, Los Angeles County.

Addition of proposed structure work areas adjacent to Structures M42-T5 and M42-T5A, adjacent to Structure M9-T3A, adjacent to ESP #8A, #8B, and #8C, adjacent to ESP #7, #7A, and #7C, adjacent to Structures M7-T5 and M7-T6, adjacent to ESP #5, and adjacent to WSS 8-4.14, in the City of Pico Rivera and City of Industry, in Los Angeles County.

Addition of proposed existing access road (no improvement) from the approved M7-T5 Structure work area to the proposed structure work area for the existing M7-T4 Structure. Addition of proposed existing access road (no improvement) from Baybar Road to the proposed structure work area for the existing M7-T3 Structure. The combined length of the proposed existing access roads is approximately 1,235 linear feet. The proposed existing access roads and proposed structure work areas are located in the City of Industry, Los Angeles County. The proposed existing access roads and proposed structure work areas are needed to facilitate grounding of existing Structures M7-T3 and M7-T4, which must take place before and concurrently with construction of the 605 shoofly crossing.

Addition of proposed OPGW splice site at Structure M43-T1 in the City of Industry, Los Angeles County.

- **Biological Resources:** SCE submitted a biological report by ICF International dated June 29, 2011, titled Biological Survey Report for the Proposed 605 Shoofly Additions for Tehachapi Renewable Transmission Project, Segment 8 West (Phase IV), Los Angeles County, California. The report documents the biological conditions for the proposed 605 Shoofly Additions (Variance Project Component) and a 500-foot buffer (Biological Study Area [BSA]) located in the City of Pico River and City of Industry. The Variance Project Component involves the addition of a proposed wire setup site (Variance Project Component 1); the addition of seven proposed structure work areas (Variance Project Component 2); the addition of two access roads (Variance Project Component 3); and the addition of a proposed OPGW splice site (Variance Project Component 4).

Biological resources within the Variance Project Components and corresponding 500-foot buffers were evaluated during general preconstruction surveys, bat habitat assessment preconstruction surveys, and burrowing owl preconstruction surveys associated with the BSA (ICF 2011dh, 2011di, 2011dj, 2011dk, 2011dl). Biological resources in the areas also were evaluated during several focused surveys, including rare plant (AMEC 2009o, ICF 2010at), tree inventory (ICF 2010av), riparian bird (AMEC 2009n, ICF 2010ss), and burrowing owl (*Athene cunicularia*) (AMEC 2008b, 2009a, 2009j; ICF 2010xx). An additional clearance sweep was performed on the Variance Project Components on May 19 and 20, 2011. All construction monitoring observations of biological resources are recorded in the FRED system. In addition, 2011 protocol focused coastal California gnatcatcher (*Poliophtila californica*), focused riparian bird, and focused rare plant surveys are ongoing. A literature review was also performed as part of the Biological Review for Segment 8 West (Phase 4) and Segment 7 and 8 66kV (ICF 2010dw, 2010kk).

Vegetation communities observed within the Variance Project Components include: coastal sage scrub, nonnative woodland, southern arroyo willow riparian forest, ruderal grassland, and disturbed/developed. Vegetation communities observed within the 500-foot buffers include: coastal sage scrub, mule fat scrub, nonnative woodland, southern arroyo willow riparian forest, southern willow scrub, ruderal grassland, and disturbed/developed. California walnut (*Juglans californica*) were identified within Variance Project Components 1, 2, and 4 and the 500-foot buffers (AMEC 2009o; ICF 2010at, 2010av, 2011cq).

While no least Bell's vireo (*Vireo bellii pusillus*), southwestern willow flycatcher (*Empidonax traillii extimus*), or yellow-billed cuckoo (*Coccyzus americanus*) were observed within the BSA during focused surveys (AMEC 2009n, ICF 2010ss), the 500-foot buffer supports suitable habitat (southern arroyo willow riparian forest), and yellow warbler (*Dendroica petechia*) were observed within the 500-foot buffer (FRED Species Event 001371, 001426). Focused riparian bird surveys in 2011 have been negative to date.

Previous coastal California gnatcatcher focused surveys did not include the BSA. However, the Variance Project Component 1 500-foot buffer overlaps an area of suitable coastal California gnatcatcher habitat (coastal sage scrub) that is included in the 2011 coastal California gnatcatcher focused survey area. This coastal sage scrub is not included in coastal California gnatcatcher critical habitat or coastal California gnatcatcher occupied habitat. Coastal California gnatcatcher focused surveys are ongoing in 2011 and have been negative to date. A single dispersing coastal California gnatcatcher juvenile was observed within the riparian area to the north of M43-T1 (FRED Species Event 001422).

Phase I and II surveys for burrowing owl were conducted in 2010 along Segment 8 West according to CBOC (1993) protocol (ICF 2010xx) and determined that potential burrowing owl features exists in Variance Project Component 1 and its associated 500-foot buffer (ICF 2010xx). No burrowing owl or sign were observed within the BSA during 2010 focused surveys (ICF 2010xx) or subsequent burrowing owl preconstruction surveys (ICF 2011dl).

Preconstruction surveys for special-status bat species were conducted in compliance with biological mitigation measures B-33a, according to the biological review of the Segment 8 T/L Phase 4 (West) Project Component (ICF 2011dk) and the 66 kV Project Component (ICF 2011dh). No potential bat roosting habitat was identified within the Variance Project Component and 500-foot buffer (ICF 2011dh, 2011dk).

One active western kingbird (*Tyrannus verticalis*) nest (FRED Nest 001620) was identified within the 500-foot buffer. The current helicopter nest buffer (100 feet) associated with this nest overlaps Variance Project Component 4.

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). Variance Project Components 1, 2, and 4 have been fully surveyed. Variance Project Component 3 has been partially surveyed. The 500-foot buffer has also been partially surveyed. Jurisdictional feature 8-8-W-1 overlaps Variance Project Component 2 and will be staked and flagged as an environmentally sensitive area (ESA) for avoidance. Jurisdictional drainage feature (8-6-R-1) are present within the Variance Project Component 1 and Variance Project Component 2 500-foot buffer and will be avoided (ICF 2010h). An additional jurisdictional delineation will be performed in applicable unsurveyed portions of the BSA prior to construction. The preconstruction surveys conducted within the surveyed portion of the BSA did not identify additional potential jurisdictional features (ICF 2011di, 2011dj). If potential jurisdictional features are identified during sweeps or during construction monitoring, they will be flagged as ESAs and avoided. Jurisdictional features will be avoided where possible, and permits amendments will be required for the features that cannot be avoided; these features will be avoided until the amendment has been issued.

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

- **Cultural and Paleontological Resources:** SCE submitted a memorandum dated June 24, 2011 from Matthew Wetherbee, MSc, RPA, SCE Archaeologist, regarding the TRTP Cultural and Paleontological Resource Guidelines for Segment 8 West (Phase 4) Variance Request for 605 Shoo-fly Additions. The memorandum states that no cultural or paleontological resources will be impacted by the proposed I-605 Shoo-fly additions in support of the TRTP Segment 8 West (Phase 4) located within Los Angeles County. All proposed areas, with the exception of a portion of No. 3 (addition of proposed existing access roads), were included in the previous surveys for the TRTP and no cultural resources were identified (Pacific Legacy 2007, 2010).

The additional access road from Baybar Road to the proposed structure work area to the existing M7-T3 Structure (No. 3) lay outside of the previously surveyed TRTP survey corridor and required a cultural resources survey. The survey report titled Cultural Resources Survey for Proposed Access Road and Structure Work Area for the Existing M7-T3 Structure in Support of the I-605 Shoo-fly Crossing, Segment 8 Phase IV (West), TRTP, Los Angeles County, California (PCF 2011), stated that no cultural resources or historic properties have been previously recorded within the current Project area, and 11 cultural resources have been identified within a one-mile radius. None of these resources will be impacted by the construction of the proposed access road and work area for TRTP project. The field survey yielded no cultural or paleontological resources, or historic properties.

Previous paleontological assessments conducted for the TRTP indicate that the proposed areas are located within Quaternary alluvium (Qa), which has a very low 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) #24 shall apply to the subject area and activities.
- Copies of all relevant permits, compliance plans, NTP #24, 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