

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



August 3, 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) #77

Dear Ms. Nelson,

On July 27, 2011, Southern Californian Edison (SCE) submitted a variance request to expand the wire setup site (WSS) at Tower 35 and relocate the WSS near Tower 51 on Segment 4 Transmission Line (T/L) of the Tehachapi Renewable Transmission Project (TRTP) in Los Angeles County, California. Additional information was provided by SCE on August 2, 2011. **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 expand the WSS at Tower 35 and add a new WSS at Tower 51 on Segment 4 T/L of the TRTP in Los Angeles County, California. Subsequent to the approval of the NTPR (NTP #16 dated September 13, 2010) by the CPUC, project site conditions have been further evaluated and changes to the WSSs associated with Towers 35 and 51 are needed for constructability purposes. The specific requested changes are described below.

- **Tower 35.** The CPUC-approved WSS would be expanded to the northwest approximately 130 feet. The additional disturbance area would comprise approximately 0.6 acres.
- **Tower 51.** A new WSS would be established to the east of Tower 51 and measure approximately 200 by 200 feet (0.9 acres). (Note that this WSS would replace the CPUC-approved WSS located west of Tower 51.)
- **Biological Resources:** SCE submitted a biological report by ICF International dated July 22, 2011, regarding the *Proposed Segment 4 Wire Setup Site Modifications near Construct 35 and Wire Setup Site Relocation near Construct 51, Tehachapi Renewable Transmission Project, Kern County*. The report documents the biological conditions at the proposed Segment 4 wire setup site (WSS) modification near Construct 35 and WSS relocation near Construct 51 Variance (Variance Project Component) and the 500-foot buffer (Biological Study Area [BSA]).

WSS near Construct 35

General preconstruction surveys that partially included the Variance Project Component were completed on August 30, 2010 (ICF 2010bk), November 7, 2010 (ICF 2010ci), December 7, 2010 (ICF 2010cw), and January 6, 2011 (ICF 2011d). Sweeps were performed three to seven days prior to construction. Construction activities associated with Segment 4 are ongoing in the vicinity of the Variance Project Component. Daily sweeps are conducted where construction is active. Burrowing owl (*Athene cunicularia*) preconstruction surveys that partially included the Variance Project Component were completed on

September 2, 2010 (ICF 2010bl), November 11, 2010 (ICF 2010ci), December 14, 2010 (ICF 2010cx), and January 7, 2011 (ICF 2011e). Bat preconstruction surveys were conducted on October 31, 2010 (ICF 2010bw).

Vegetation communities within the Variance Project Component were mapped as California annual grassland and disturbed/developed. Vegetation communities within the 500-foot buffer were mapped as California annual grassland, California annual grassland-wildflower field, and disturbed/developed (ICF 2010ag). No special status plants or regulated trees were observed within the BSA (AMEC 2009; ICF 2010ag, 2010bf).

Potential burrowing owl features were identified within the 500-foot buffer during preconstruction surveys (ICF 2010ci, 2010cx). Potential burrowing owl features were identified on June 16, 17, and 18, 2011 (ICF 2011j); however, no burrowing owl or sign were observed. As of July 19, 2011, no active nests occur within the BSA. Ferruginous hawks (*Buteo regalis*) were observed within the 500-foot buffer on January 22, 2011 and January 24, 2011 (FRED, ICF 2011j). No potential bat roosts were identified within the BSA.

The Variance Project Component was fully surveyed and the 500-foot buffer was almost fully surveyed during the original jurisdictional delineation for Segments 4, 5 and 10 (ICF 2010l). No features were mapped within the BSA. If any additional potential features are subsequently identified, they will also be staked and flagged as Environmentally Sensitive Areas (ESAs) for avoidance.

WSS near Construct 51

General preconstruction surveys that included the Variance Project Component were completed on November 9, 2010 (ICF 2010cp) and January 10, 2011 (ICF 2011f). Sweeps were performed on December 7, 2010. Daily sweeps are conducted where construction is active. Burrowing owl preconstruction surveys that included the Variance Project Component were completed on November 16, 2010 (ICF 2010cr) and January 13, 2011 (ICF 2011g). Bat preconstruction surveys were conducted on October 31, 2010 (ICF 2010bw).

Vegetation communities within the BSA were mapped as California annual grassland and disturbed/developed (ICF 2010ag). No special status plants or regulated trees were identified within the BSA (AMEC 2009c; ICF 2010ag, 2010bf).

No potential burrowing owl features, burrowing owl, or sign were observed within the BSA during the preconstruction surveys (ICF 2011g). No potential bat roosts were identified within the BSA.

The Variance Project Component was fully surveyed and the 500-foot buffer was partially surveyed during the original jurisdictional delineation for Segments 4, 5, and 10 (ICF 2010l). No features were mapped within the BSA. If any additional potential features are subsequently identified, they will also be staked and flagged as ESAs for avoidance.

The Variance Project Component will impact Swainson's hawk habitat. Impacts to California annual grassland are 1.44 acres. These additional impacts will be addressed under the California Department Fish and Game Incidental Take Permit.

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

Cultural and Paleontological Resources: SCE submitted a memorandum dated June 10, 2011, titled *TRTP Variance Request – Seg 4, 2 Additional Wire Stringing Sites (WSS), Cultural Clearance for 2 WSS on Segment 4 near CT-35 and CT-51* with the Variance Request stating that no cultural resources will be impacted by the requested two WSS on Segment 4 near CT-35 and CT-51 as part of this Variance Request in support of the TRTP. A cultural record search and surveys (Pacific Legacy 2007, 2010a, 2010b), and a

paleontological literature review (Gust and Scott 2009), have been previously conducted for Segment 4 at CT-35 and in the southern half of CT-51. The northern half of CT-51 was surveyed for this Variance (Pacific Legacy 2011). These surveys yielded no cultural resources.

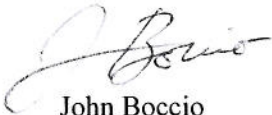
A paleontological review has indicated that the proposed CT-35 and CT-51 WSS are within areas containing soils that have the potential to yield paleontological resources (Gust and Scott 2009). Since there is a possibility that paleontological resources exist, paleontological monitoring is recommended when ground disturbing excavation exceeds a depth of two feet.

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:

- Paleontological monitoring shall be conducted if construction activities disturb soils to a depth greater than two feet.
- All conditions required by Notice to Proceed (NTP) #16 shall apply to the subject area and activities.
- Copies of all relevant permits, compliance plans, NTP #16, 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