

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



August 11, 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) #80

Dear Ms. Nelson,

On August 10, 2011, Southern Californian Edison (SCE) submitted a variance request for a change in road improvement designation and additional improvements of an approved access road near Tower 83 on Segment 10 Transmission Line (T/L) of the Tehachapi Renewable Transmission Project (TRTP) in Kern 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 a change in road improvement designation of an approved access road near Tower 83 on Segment 10 T/L of the TRTP in Kern County, California. Subsequent to the approval of the NTPR (NTP #27 dated March 8, 2011) by the CPUC, project site conditions have been further evaluated and additional improvements are needed to the approved access road including a turning radius near Tower 83. The specific requested changes are described below.

The roadway (Truman Road) between General Petroleum Road and 160th Street West was approved by the CPUC for Minimum Improvement. However, due to the presence of vegetation within the road, vegetation clearance and grading are needed. Therefore, the road is proposed for Heavy Improvement, which will entail widening the road to approximately 14 feet (no berm).

At the eastern end of this road segment (intersection of Truman Road and 160th Street West), the roadway will be widened to allow for vehicle turns (turning radii).

These proposed roadway changes would result in an additional 0.6 acres of disturbance area.

- **Biological Resources:** SCE submitted a biological report by ICF International dated August 9, 2011, regarding the *Proposed Segment 10 Road Modification and Turning Radii near Construct 83, Tehachapi Renewable Transmission Project, Kern County*. The report documents the biological conditions at the proposed Segment 10 access road near Construct 83 Variance (Variance Project Component) and the 500-foot buffer (Biological Study Area [BSA]).

General preconstruction surveys that included the Variance Project Component were performed on February 23 and 24, 2011 (ICF 2011ci). Clearance sweeps were performed seven days prior to construction. Pre-construction bat surveys and focused surveys for special-status plants, desert tortoise, Mohave ground squirrel, and Swainson's hawk have also been conducted.

Construction activities associated with Segment 10 are ongoing in the vicinity of the Variance Project Component. A burrowing owl, a group of desert kit foxes, and several loggerhead shrikes were observed within the 500-foot buffer. The previously active burrowing owl nest identified in the BSA during the burrowing owl preconstruction surveys was confirmed to be inactive for burrowing owl on June 21, 2011 due to evidence of use by desert kit fox. A 33-foot ground buffer was established around the desert kit fox den. Construction has been ongoing in the vicinity with corresponding sweeps of the BSA being conducted regularly since approximately March 3, 2011.

Bat preconstruction surveys were conducted on October 31, 2010 (ICF 2010bw). No potential bat roosts were identified within the BSA.

Focused surveys for desert tortoise, Mohave ground squirrel, and Swainson's hawk have been previously conducted in Segment 10. No desert tortoise, Mohave ground squirrel, or Swainson's hawks were identified in the BSA.

Vegetation communities within the Variance BSA were mapped as disturbed/developed, desert saltbrush scrub, Mojave desert wash scrub, and Mojave creosote bush scrub (ICF 2010ag). Mojave creosote bush scrub, desert saltbrush scrub, and Mojave desert wash scrub provide potential habitat for desert tortoise, Mohave ground squirrel, and Swainson's hawk. The Variance Project Component overlaps Mojave creosote bush scrub, and impacts to Mojave creosote bush scrub habitat associated with the Variance Project Component total 0.244 acre.

Special-status plants were not detected within the 500-foot buffer during the 2009, 2010, or 2011 focused surveys (AMEC 2009c; ICF 2010ag, 2010bf, 2011cq).

The Variance BSA was partially surveyed and the impact area was fully surveyed during the original jurisdictional delineation for Segments 4, 5 and 10 (ICF 2010l). Two mapped jurisdictional features overlap the 500-foot buffer. Both features have been previously permitted for temporary impacts related to maintenance grading; however, there are no impacts to jurisdictional features as a result of the Variance Project Component. The features will be staked and flagged as Environmentally Sensitive Areas (ESAs) for avoidance, and if any unmapped potential features are subsequently identified, they will be staked and flagged for avoidance.

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, titled *TRTP Variance Request – Seg 10, CT-83 Turning Radius, Cultural Clearance for Turning Radius and Road Improvement Changes near CT-83* with the Variance Request stating that no cultural resources will be impacted by the requested road improvement, including turning radius, on Segment 10 near CT-83 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 10. This research identified no cultural resources, but suggested the possibility that paleontological resources may exist.

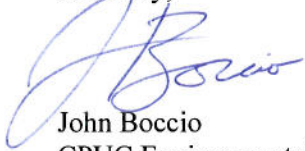
The Segment 10, CT-83 road improvement Variance proposes changes in two areas. The first is an increased turning radius at the intersection of two dirt roads, 160th Street West and Truman Road. This increase will allow large construction vehicles to negotiate the turn at this intersection, which is approximately 400 feet southeast of CT-83. The second is changing 705 feet of Truman Road, between General Petroleum Road and 160th Street West, from minimum to heavy improvement. Changing the road to heavy improvement will allow the contractor to clear vegetation from the road, install desert tortoise fencing, and grade the road to a width of 14 feet. Due to the absence of cultural resources within these two areas, no further cultural studies or monitoring are required at these locations.

The paleontological review indicated that the proposed CT-83 turning radius Variance is within an area 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.

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) #27 shall apply to the subject area and activities.
- Copies of all relevant permits, compliance plans, NTP #27, and this Variance shall be available on site for the duration of construction activities where applicable.

Sincerely,

A handwritten signature in blue ink, appearing to read "J. Boccio", is written over the typed name.

John Boccio
CPUC Environmental Project Manager

cc: V. Strong, Aspen