

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



August 29, 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) #82

Dear Ms. Nelson,

On August 18, 2011, Southern Californian Edison (SCE) submitted a variance request to reposition four Wire Setup Sites (WSSs) and add three new WSSs on Segment 4 Transmission Line (T/L) of the Tehachapi Renewable Transmission Project (TRTP) in Kern and Los Angeles Counties, California. On August 26, 2011, SCE provided additional biological information. **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 reposition four WSSs and add three new WSSs on Segment 4 T/L of the TRTP in Kern and Los Angeles Counties, 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 four WSSs need to be repositioned and three new WSSs need to be added for constructability purposes. The specific requested changes are described below.

- **Southeast of Tower 8.** Add new approximately 200-foot by 200-foot WSS. Approximately 0.9 acres of new disturbance area. Kern County.
- **Northwest of Tower 12.** Add new approximately 100-foot by 100-foot WSS. Approximately 0.5 acres of new disturbance area. Los Angeles County.
- **Southeast of Tower 16.** Reposition CPUC-approved WSS approximately 200 feet northwest. No new additional disturbance area. Los Angeles County.
- **Northwest of Tower 21.** Reposition CPUC-approved WSS approximately 200 feet southeast. No new additional disturbance area. Los Angeles County.
- **Southeast of Tower 29.** Reposition CPUC-approved WSS approximately 200 feet southeast. No new additional disturbance area. Los Angeles County.
- **Northwest of Tower 39.** Rotate CPUC-approved WSS approximately 45 degrees west. WSS will also be extended slightly to the southeast to meet the Tower 39 construction area. Less than 0.1 acres of new disturbance area. Los Angeles County.
- **North of Tower 44.** Add new approximately 200-foot by 200-foot WSS. Approximately 0.9 acres of new disturbance area. Los Angeles County.

For the proposed new WSSs near Towers 8 and 44, new temporary overland travel access roads (approximate lengths of 375 feet and 75 feet, respectively) would be added. At each WSS area, grubbing and light grading would be performed to create a level pad for equipment operation.

- **Biological Resources:** SCE submitted a biological report by ICF International dated August 16, 2011, regarding the *Proposed Repositioning and Addition of Wire Setup Sites along Segment 4, TRTP, Kern and Los Angeles County, California*. The report documents the biological conditions at the proposed sites to

reposition four wire setup sites (WSS) and three new wire setup sites along Segment 4 (Variance Project Component) and the 500-foot buffer (Biological Study Area [BSA]).

Site 1 – WSS southwest of Tower 8

Site 2 – WSS northwest of Tower 12

Site 3 – WSS southeast of Tower 16

Site 4 – WSS northwest of Tower 21

Site 5 – WSS southeast of Tower 29

Site 6 – WSS near Tower 39

Site 7 – WSS north of Tower 44

Biological resources and jurisdictional delineation surveys have been conducted for the entire Segment 4 project alignment, including the BSA, where suitable habitat is present. Surveys conducted within the BSA include focused surveys for special-status plants, burrowing owl (*Athene cunicularia*), desert tortoise (*Gopherus agassizii*), Mohave ground squirrel (*Spermophilus mohavensis*), and Swainson's hawk (*Buteo swainsoni*); preconstruction surveys, including those for bats and burrowing owl; 7-day clearance sweeps; and ongoing monitoring and daily sweeps.

Vegetation communities within the Project Component were mapped as agriculture, rabbitbrush scrub, California annual grassland, California annual grassland – wildflower field, disturbed/developed, and ruderal grassland. Vegetation communities within the BSA were mapped as agriculture, California annual grassland, California annual grassland – wildflower field, disturbed/developed, ruderal grassland, and rabbitbrush scrub (ICF 2010ag). Agriculture, California annual grassland, California annual grassland – wildflower field, and rabbitbrush scrub provides potential habitat for Swainson's hawk. While rabbitbrush scrub provides potential habitat for desert tortoise and Mohave ground squirrel, Site 4 is outside the modeled range for both species. 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).

Focused burrowing owl surveys were completed along Segment 4 by AMEC in 2009 (AMEC 2009f). Potential burrows were identified within the Site 2 and Site 3 500-foot buffer. ICF biologists conducted focused burrowing owl surveys in 2010 along Segment 4. Occupied burrowing owl burrows were identified within the Site 3 500-foot buffer. In addition, potential burrowing owl features were identified within the 500-foot buffers of Site 2, Site 3, Site 4, Site 6, and Site 7 (ICF 2010cq1, 2010cw, 2011d, 2011t)."

Focused Swainson's hawk surveys were conducted in 2009 and 2010 along Segment 4 (AMEC 2009ah; ICF and Bloom 2010a). No Swainson's hawks or active nests were observed within the BSA during the 2009 or 2010 surveys. Swainson's hawk 2011 focused surveys were completed on July 30, 2011. No Swainson's hawk or active nest observations were recorded in the BSA (ICF 2011cq). Impacts to Swainson's hawk habitat from this Variance Request total 5.36 acres.

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

Construction activities associated with Segment 4 are ongoing in the vicinity of the Variance Project Component. Northern harrier (*Circus cyaneus*), loggerhead shrike (*Lanius ludovicianus*), American badger (*Taxidea taxus*) occupied den, burrowing owl, prairie falcon (*Falco mexicanus*), Swainson's hawk, ferruginous hawk (*Buteo regalis*), and peregrine falcon (*Falco peregrinus*) were identified during construction monitoring.

Construction avoids affecting the streambeds and banks of any streams along the route. If construction impacts are necessary, jurisdictional delineations are conducted to support securing wetland permits. Prior to jurisdictional delineation field visits, aerial photographs (1 inch = 200 feet) are used to identify potential

drainage features in the study area based on site characteristics such as changes in vegetation types, topographic changes, or visible drainage patterns. In addition, preconstruction surveys are conducted in part to identify, and flag for avoidance, potential drainage features. The Variance Project Component has not been surveyed for jurisdictional delineations at Sites 1, 3, 4, and 5; was partially surveyed at Site 2; and was fully surveyed at Sites 6 and 7. The 500-foot buffer has been partially surveyed at Sites 1 through 5, and mostly surveyed at Sites 6 and 7. One mapped jurisdictional feature (4-23-S-1) overlaps the 500-foot buffer of Site 7. Impacts are not anticipated to mapped jurisdictional features, including 4-23-S-1, as a result of the Variance Project Component. Maintenance grading for this road has been permitted. Preconstruction surveys will identify potential features at the Variance Project Component sites that have not been surveyed. Any additional potential features that are subsequently identified will also be staked and flagged as Environmentally Sensitive Areas (ESA) 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 July 19, 2011, titled *TRTP Variance Request – Seg 4, Additional 7 Wire Stringing Sites, Cultural Clearance for 7 Wire Stringing Sites on Segment 4* with the Variance Request stating that no cultural resources will be impacted by the requested Wire Stringing Sites (WSS) on Segment 4 as part of this Variance Request in support of the TRTP. A cultural record search and surveys (Ahmet et al. 2006; Pacific Legacy 2007, 2010a, 2010b), and a paleontological literature review (Gust and Scott 2009), have been previously conducted for these areas of Segment 4. This research indicates that all of the proposed Segment 4 WSS are located within areas previously surveyed for the TRTP and that none of the WSS overlie cultural resources. This research also suggests the possibility that paleontological resources may exist.

At the WSS near CT-21, the 50 foot Environmentally Sensitive Area (ESA) buffer around site SEG4-04 overlaps the northern portion of the work area. Normally, a 50 foot extension is added to a site boundary as a protective ESA “buffer”. In this area, although the archaeological site itself does not overlap the proposed WSS construction area, the ESA buffer does. Rather than flagging the ESA buffer area, SCE will avoid adverse effects to this site by flagging the actual site boundary for avoidance during wire stringing activities. The flagged site area will be outside of the WSS area. An archaeological monitor will be required during all ground disturbing activities associated with TRTP work here. The Construction Phase Management Plan (CPMP) will be updated to include the information associated with this Variance and the updated management recommendations for site SEG4-04. Due to the absence of resources at the remaining 6 WSS, no further cultural studies or monitoring is recommended at those locations.

The paleontological review indicated that these 7 WSS contain 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:

- The site boundary for cultural site SEG4-04 shall be flagged prior to any construction activities or wire stringing activities. An archaeological monitor shall be present during all ground disturbing activities within the buffer of this cultural site.
- 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,

A handwritten signature in black ink, appearing to read "J. Boccio", written in a cursive style.

John Boccio
CPUC Environmental Project Manager

cc: V. Strong, Aspen