

PUBLIC UTILITIES COMMISSION

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September 1, 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) #84

Dear Ms. Nelson,

On August 30, 2011, Southern Californian Edison (SCE) submitted a variance request for use of an existing access road and proposed staging area to facilitate access to and construction of Structures M54-T1 and M54-T2 on the Segment 8 Transmission Line (T/L) West (Phase 4) of the Tehachapi Renewable Transmission Project (TRTP), in the City of Rowland Heights, 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 an existing access road and proposed staging area to facilitate access to and construction of Structures M54-T1 and M54-T2 on the Segment 8 Transmission Line (T/L) West (Phase 4) of the TRTP, in the City of Rowland Heights, Los Angeles County, California. Wilson Construction (SCE's contractor) is requesting a Variance to use approximately 4,077 linear feet of existing access roads and an approximately 0.24 acre staging area to facilitate access to and construction of Structures M54-T1 and M54-T2 in Segment 8 Phase 4. The proposed existing access roads, located south of Structures M53-T2 and M53-T3, are needed to facilitate construction by providing better access (i.e., clearance to mobilize heavy equipment) to Structures M54-T1 and M54-T2. The proposed staging area, located off an existing access road between Structures M54-T1 and M54-T2, is needed to provide additional parking for monitors and other field personnel, and to provide parking/staging for heavy equipment. No additional improvements are needed to utilize the proposed road and staging area.

- **Biological Resources:** SCE submitted a biological report by ICF International dated August 25, 2011, titled *Biological Survey Report for the Use of a Staging Area and Existing Access Roads Near Towers M54-T1 and M54-T2 TRTP, Segment 8 West (Phase IV), Los Angeles County, California*. The report documents the biological conditions at the proposed staging area and existing access roads near Towers M54-T1 and M54-T2 (Variance Project Component) and a 500-foot buffer (Biological Study Area [BSA]). Biological resources within the Variance Project Component and 500-foot buffer were evaluated during general preconstruction surveys and bat habitat assessment preconstruction surveys associated with Structures M53-T2, M53-T3, M54-T1, and M54-T2 (ICF 2011fi, 2011fh). Biological resources in the area also were evaluated during several focused surveys, including rare plant (AMEC 2009o, ICF 2010at, 2011cq), tree inventory (ICF 2010av, 2011cq), coastal California gnatcatcher (*Polioptila californica*) (AMEC 2009m; ICF 2010ww, 2011cq), and burrowing owl (*Athene cunicularia*) (AMEC 2008b, 2009a, 2009j; ICF 2010xx, 2011cq). Additionally, a clearance sweep was performed on the Variance Project Component on August 9, 2011. All construction monitoring observations of biological resources are recorded in the FRED system. In addition, 2011 protocol focused coastal California gnatcatcher surveys are ongoing. A literature review was also performed as part of the Biological Review for Segment 8 West (Phase 4) (ICF 2010dw).

Vegetation communities mapped within the Variance Project Component include coastal sage scrub and disturbed/developed. Vegetation communities mapped within the 500-foot buffer are bunchgrass grassland, California annual grassland, California walnut woodland, coastal sage scrub, coast live oak woodland, mixed chaparral, nonnative woodland, ruderal grassland, and disturbed/developed. No special-status plants or trees have been identified within the Variance Project Component. Special-status plants within the 500-foot buffer include intermediate/Plummer mariposa lily hybrid (*Calochortus weedii* var. *intermedius* x *Calochortus plummerae*) identified in 2010 (ICF 2010at), and Catalina mariposa lily (*Calochortus catalinae*) identified in 2011 (ICF 2011cq). Special-status tree California walnut (*Juglans californica*), and Los Angeles County regulated trees coast live oak (*Quercus agrifolia*) and California scrub oak (*Quercus dumosa*) have been identified within the 500-foot buffer (ICF 2010av, 2011cq).

While no coastal California gnatcatchers were observed within the BSA during focused surveys (AMEC 2009m; ICF 2010ww, 2011cq), suitable habitat (coastal sage scrub) is present within the BSA. The BSA does not overlap USFWS Designated Critical Habitat for the coastal California gnatcatcher or coastal California gnatcatcher occupied habitat according to the parameters for the Biological Opinion (coastal sage scrub within 300 feet of a coastal California gnatcatcher observation, or within a coastal sage scrub polygon that is within 300 feet of an observation).

Phase I and II surveys for burrowing owl were conducted in 2010 along Segment 8 West according to CBOC (1993) protocol, and two potential burrowing owl features were identified within the 500-foot buffer between Towers M53-T2 and M53-T3 (ICF 2010xx). No burrowing owl or sign were observed within the BSA during 2010 focused surveys (ICF 2010xx).

One inactive red-tailed hawk nest (FRED Nest 000914) was identified within 2 feet of the 500-foot buffer between Towers M53-T2 and M53-T3.

Preconstruction surveys for special-status bat species were conducted in compliance with biological mitigation measure B-33a (ICF 2010dw). Medium potential colonial bat roosting sites and low potential solitary bat roosting sites were identified within the 500-foot buffer (ICF 2011fh).

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 BSA was partially surveyed during the jurisdictional delineation for Segments 7 and 8. A portion of the existing access road was not surveyed (southern fork); however, no features were mapped in the nearby area that was surveyed (northern fork), and there are no proposed improvements to the existing access road. Therefore, no new features are anticipated within the unsurveyed area. The remainder of the Variance Project Component was previously surveyed, and the 500-foot buffer was partially surveyed. Features are present within the 500-foot buffer and include the following: 8-28-S-2, 8-28-S-4, and 8-29-S-1. The mapped features will be avoided. The preconstruction survey conducted within the entire BSA did not identify additional potential jurisdictional features (ICF 2011fi). If potential jurisdictional features are identified during sweeps or during construction monitoring, they will be flagged as environmentally sensitive areas (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 August 11, 2011 from Matthew Wetherbee, MSc, RPA, SCE Archaeologist, regarding the TRTP Cultural and Paleontological Resource Guidelines for Segment 8 T/L Phase IV Variance Request for Additional Access and Staging Area for M54-T1 and M54-T2. The memorandum states that no cultural or paleontological resources will be impacted by the use of the additional access road and staging area for Structures M54-T1 and M54-T2 on the TRTP, Segment 8 Phase IV. The proposed access road traverses through the remains of the Nike Missile

LA-29 Launch Battery Site built in 1958 and decommissioned in 1971. Several features of the site remain, but mostly consist of demolished buildings with extant concrete foundations that are located away from the existing access road that makes up this variance request. The resource has been recorded on Department of Recreation Forms (DPR) (Ahmet and Wetherbee 2011) and management recommendations for this resource will be updated in the TRTP Construction Phase Management Plan (CPMP). Because no road improvements are required prior and during the use of this road, there will be no impacts/adverse effects to the site as a result of this variance.

Approximately 80 percent of the proposed 0.24 acre staging area was included in the previous survey for the TRTP and no cultural resources were identified (Pacific Legacy 2010). The remaining 20 percent is unsurveyed for cultural resource, but is situated in a previously graded area on the south side of an unnamed unpaved access road.

Previous paleontological assessments conducted for the TRTP indicate that the proposed access road and staging area for Structures M54-T1 and M54-T2 are located within the Miocene Puente Formation, which has a high sensitivity for yielding paleontological resources (Gust and Scott 2009; Aron 2010). However, since no ground disturbance is proposed for the use of the access road and staging area, there will be no impacts to cultural or paleontological resources.

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