

## PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



September 9, 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) #86

Dear Ms. Nelson,

On September 6, 2011, Southern Californian Edison (SCE) submitted a variance request to relocate the guard pole structure disturbance areas near Towers 15 and 43 on Segment 4 Transmission Line (T/L) of the Tehachapi Renewable Transmission Project (TRTP) in 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 to relocate the guard pole structure disturbance areas near Towers 15 and 43 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 guard pole structure disturbance areas near Towers 15 and 43 are needed for constructability purposes. The specific requested changes are described below.

- **Tower 15.** The CPUC-approved guard pole structure area situated south of Avenue B would be relocated to the north, adjacent to Avenue B.
- **Tower 43.** The CPUC-approved guard pole structure area situated north of Avenue I would be relocated to the south, adjacent to Avenue I.

A portion of each of the proposed guard pole areas overlaps with CPUC-approved disturbance areas and, as such, the additional disturbance area would comprise approximately 0.27 acres total (0.12 acres at Tower 15 and 0.15 acres at Tower 43). Within the proposed guard pole structure disturbance areas, 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 September 2, 2011, regarding the *Proposed Relocation of Guard Pole Areas Near Constructs 15 and 43, Segment 4, TRTP, Los Angeles County, California*. The report documents the biological conditions at the proposed relocation of guard pole areas near Constructs 15 and 43 (Variance Project Component) and the 500-foot buffer (Biological Study Area [BSA]). Biological resources within the BSA were evaluated during several focused surveys, including 2009, 2010, and 2011 rare plant surveys (AMEC 2009c, ICF 2010ag, 2011cq); 2010 and 2011 tree inventory surveys (ICF 2010bf, 2011cq); 2009, 2010, and 2011 Swainson's hawk (*Buteo swainsoni*) surveys (AMEC 2009ah, ICF and Bloom Biological 2010a; ICF 2011cq); and 2009 and 2010 burrowing owl (*Athene cunicularia*) surveys (AMEC 2009f; ICF 2010cq1). The biological resources within the BSA were also evaluated during general preconstruction surveys, burrowing owl preconstruction surveys, and bat habitat assessment preconstruction surveys associated with Constructs 15 and 43 (ICF 2010bw, 2010ci, 2010cj, 2010cs, 2010ct, 2010cw, 2010cx, 2011d, 2011e, 2011t, 2011u). A literature review was performed as part of the Biological Review for Segment 4 (ICF 2010ad).

Vegetation communities within the Project Component were mapped as agriculture, California annual grassland – wildflower field, and disturbed/developed. Vegetation communities within the 500-foot buffer were mapped as agriculture, California annual grassland, California annual grassland – wildflower field, and disturbed/developed. No special-status plants or regulated trees were identified within the BSA. Agriculture and California annual grassland-wildflower field provide potential foraging habitat for Swainson's hawk. Impacts to Swainson's hawk habitat associated with the Variance Project Component totals 0.19 acre (agriculture – 0.12 acre, California annual grassland-wildflower field – 0.07 acre).

No special-status species were detected within the Variance Project Component. An occupied burrowing owl burrow, several potential burrows, and a potential desert kit fox (*Vulpes macrotis macrotis*) den have been identified in the 500-foot buffer of the guard pole site near Construct 43 during surveys and monitoring efforts (ICF 2010cq1, 2010ci, 2010cx, 2011e; FRED nest ID 000114). Environmentally sensitive area (ESA) signs and a nest buffer were established for the occupied burrow. The status of the occupied burrow was changed to inactive on July 26, 2011, and the buffer is currently set at 33 feet. Bat assessment surveys performed on October 31, 2010, by ICF detected no potential bat roosts within the Project Component.

No drainages occur within the survey area adjacent to access roads and within proposed disturbance areas.

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

**Cultural and Paleontological Resources:** SCE submitted a memorandum dated August 25, 2011, titled *TRTP Variance Request – Seg 4, Additional Guard Pole Changes, Cultural Clearance for Additional Guard Pole Realignment on Segment 4* with the Variance Request stating that no cultural resources will be impacted by the requested guard pole changes 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 guard pole areas are located within areas previously surveyed for the TRTP and that none of them overlie cultural resources. This research also suggests the possibility that paleontological resources may exist.

The paleontological review indicated that the guard pole areas contain soils that have the potential to yield paleontological resources (Gust and Scott 2009). Since there is a possibility that paleontological resources exist, paleontological spot-check monitoring is recommended when ground disturbing excavation at these locations 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 spot-check 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". The signature is fluid and cursive, with a large initial "J" and "B".

John Boccio  
CPUC Environmental Project Manager

cc: V. Strong, Aspen