

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



October 12, 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) #95

Dear Ms. Nelson,

On September 30, 2011, Southern Californian Edison (SCE) submitted a variance request to allow for additional disturbance areas at Towers 19, 22, and 25, on Segment 5 Transmission Line (T/L) of the Tehachapi Renewable Transmission Project (TRTP) in Los Angeles County, California. Additional biological information was submitted on October 11, 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 allow for additional disturbance areas at Towers 19, 22, and 25, on Segment 5 T/L of the TRTP in Los Angeles County, California. Subsequent to the approval of the NTPR (NTP #15 dated September 10, 2010) by the CPUC, project site conditions have been further evaluated and an additional disturbance area is needed at several work areas along Segment 5. The specific proposed changes are described below:

- At Tower 19, two roadway changes are needed. For the CPUC-approved access road southwest of the tower, the road is steep and additional work areas are needed on both sides of an approximate 60-foot section of the road to perform side slope improvements. The excavated material is planned to be reused on Segment 5 (e.g., Tower 21). In addition, the use of two existing roads situated northeast of Tower 19 is proposed to allow large construction equipment to be maneuvered. Medium improvement would be performed on these two roads. The additional disturbance area associated with these changes would be approximately 0.1 acre.
- At Tower 22, two new roads are needed to enable access to CPUC-approved wire stringing sites (WSSs) that are prohibited by topographic low areas. To the north of Tower 22, a new road would be added to enable access from the CPUC-approved access road to the southern portion of the M5-T4 WSS. In addition, to the southeast of Tower 22, a new road would be added to connect the CPUC-approved access road to the WSS. The additional disturbance area associated with these changes would be approximately 0.2 acre.
- At Tower 25, the existing CPUC-approved minimum improvement road does not provide sufficient space for construction equipment to access the tower site. Therefore, the access road leading to Tower 25 would be changed to heavy improvement. A turning radius will be included to effectively create a wide enough road area to allow construction equipment to access the tower. The additional disturbance area associated with this change would be approximately 0.2 acre.

- **Biological Resources:** SCE submitted a biological resources report from ICF dated September 30, 2011 for the proposed additional work areas at Constructs 19, 22, and 25 on Segment 5 of the TRTP. The report documents the biological conditions at Constructs 19, 22, and 25 (Variance Project Component) plus a 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 survey (AMEC 2009ah; ICF and Bloom 2010a; ICF 2011cq); and 2009 and 2010 burrowing owl surveys (AMEC 2009f; ICF 2010cq1). The biological resources within the BSA were also evaluated during general biological preconstruction surveys, burrowing owl preconstruction surveys, and bat habitat assessment preconstruction surveys within the BSA (ICF 2010bq, 2010bs, 2010cq2, 2011h, 2011i). Additionally, clearance sweeps have been performed in the area at various times. Construction monitoring has been ongoing regularly since the sites in the area became active, and species events and nest events are recorded in the SCE Field Environmental Database (FRED).

Site 1 (Construct 19):

Vegetation communities observed within the Variance Project Component include: Mojavean juniper woodland scrub, Mojave mixed woody scrub, and disturbed/developed. Vegetation communities observed within the 500-foot buffer include: Mojavean juniper woodland scrub, Mojave mixed woody scrub, and disturbed/developed. Special-status plant species, Peirson's morning glory (*Calystegia peirsonii*), was also observed within the 500-foot buffer (AMEC 2009c, ICF 2010ag, 2011cq). No special-status wildlife species have been observed within the BSA. The 500-foot buffer overlaps Swainson's hawk (*Buteo swainsoni*) habitat at Site 1.

Site 2 (Construct 22):

Vegetation communities observed within the Variance Project Component include Mojave mixed woody scrub. Vegetation communities observed within the 500-foot buffer include: Mojavean juniper woodland scrub, Mojave mixed woody scrub, and disturbed/developed. Special-status plant species, Peirson's morning glory was also observed within the 500-foot buffer (AMEC 2009c, ICF 2010ag, 2011cq). Short-joint beavertail (*Opuntia basilaris* var. *brachyclada*) was observed during the 2009 focused surveys within the 500-foot buffer (AMEC 2009c). During the 2010 focused surveys, it was determined that these individuals were the common beavertail cactus (*Opuntia basilaris*) (ICF 2010yy; 2010ag). Regulated tree species, Joshua tree (*Yucca brevifolia*) was also observed within the 500-foot buffer (ICF 2010bf). No special-status wildlife species have been observed within the BSA.

Site 3 (Construct 25):

Vegetation communities observed within the Variance Project Component include Mojavean juniper woodland scrub, Mojave mixed woody scrub, and disturbed/developed. Vegetation communities observed within the 500-foot buffer include: Mojavean juniper woodland scrub, Mojave mixed woody scrub, and disturbed/developed. Special-status plant species, Peirson's morning glory was observed within the 500-foot buffer (AMEC 2009c, ICF 2010ag, 2011cq). Beavertail cactus was also observed within the 500-foot buffer (AMEC 2009c; ICF 2010yy; 2010ag). One red-tailed hawk (*Buteo jamaicensis*) inactive nest (FRED Nest ID 000011) was observed within the 500-foot buffer of Site 3.

Mojavean juniper woodland scrub provides potential habitat for Swainson's hawk. Impacts to Swainson's hawk habitat associated with the Variance Project Component total 0.01 acre.

Jurisdictional resources within the Variance Project Component were evaluated during the 2010 jurisdictional delineation for Segments 4, 5, and 10 (ICF 2010l). Jurisdictional feature 5-15A-S-1 overlaps the 500-foot buffer of Site 3 and will be staked as Environmentally Sensitive Area (ESA) and flagged for avoidance. Any additional potential jurisdictional features will also be staked and flagged for avoidance.

No additional impacts to biological resources are anticipated with the implementation of this Variance and the conditions noted below.

Cultural and Paleontological Resources: SCE submitted a memorandum from SCE dated September 8, 2011 regarding *TRTP Variance Request – Segment 5, CT-19 Access Roads, Cultural Clearance for Additional Access Road and Improvements at CT-19 on Segment 5*; a letter from Pacific Legacy dated August 24, 2011 regarding the *Cultural Resources Survey Letter Report for the CT-19 Access Roads Variance Request, Segment 5, TRTP, Los Angeles County, California*; a memorandum from SCE dated September 2, 2011 regarding *TRTP Variance Request – Segment 5, CT-22 Wire Stringing Site (WSS) Access, Cultural Clearance for an Access Road and a WSS Access Area at CT-22 on Segment 5*; a memorandum from SCE dated July 29, 2011 regarding *TRTP Variance Request – Segment 5, CT-25 Additional Disturbance Areas, Cultural Clearance for Disturbance Area Expansion at CT-25 on Segment 5*.

Construct 19

SCE's memorandum dated September 8, 2011, states that no cultural resources will be impacted by the proposed Additional Access Road and Road Improvements on Segment 5 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 this area on Segment 5. This research showed that the requested additional access road east of the CT-19 construction area was not surveyed. The unsurveyed portion of the requested additional access road was surveyed for this Variance (see below; Pacific Legacy 2011). This research and survey identified no cultural or paleontological resources. The paleontological review indicated that the proposed access road and road improvement area contain soils that have no potential to yield paleontological resources (Gust and Scott 2009).

At the request of SCE, Pacific Legacy Inc. conducted a cultural resources study for Segment 5 CT-19 Access Roads Variance Request for TRTP. A cultural resources records search was previously conducted and updated, for the TRTP project area which encompasses the current study area (Pacific Legacy 2007; Pacific Legacy 2010b). Results of the records search indicated that one (1) prehistoric archaeological site, two (2) historical archaeological sites, and two (2) historical built-environment resources are recorded within one mile of the CT-19 access road disturbance area. None of these resources are located within the proposed access road Area of Direct Effect (ADE) or the Area of Potential Effect (APE) of the variance request. The CT-19 northeastern access road was surveyed for cultural resources by Pacific Legacy archaeologist, Jack Sprague and SCE in-house consulting archaeologist, Ivan Strudwick on August 22, 2011. No cultural resources were identified during the survey of the proposed staging area.

Construct 22

SCE's memorandum dated September 2, 2011, states that no cultural resources will be impacted by a proposed medium improvement access road and a WSS Access Area at CT-22 on Segment 5 as part of this Variance Request in support of the TRTP. A cultural records 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 on Segment 5. This research identified no cultural or paleontological resources. The paleontological review indicated that the proposed access road and WSS access area contain soils that have no potential to yield paleontological resources (Gust and Scott 2009).

Construct 25

SCE's memorandum dated July 29, 2011, states that no cultural resources will be impacted by the requested additional disturbance area at CT-25 on Segment 5 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 on Segment 5 for the additional work space at CT-25. This research and survey identified no cultural resources but suggested the possibility that paleontological resources may exist. The paleontological review indicated that these

expanded work 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 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 and the conditions noted below.

The conditions noted below shall be met by SCE and its contractors:

- As proposed, due to the potential for paleontological resources, paleontological monitoring shall be conducted during all ground disturbing project construction activities that exceed a depth of two feet at Construct 25.
- All conditions required by Notice to Proceed (NTP) #15 shall apply to the subject area and activities.
- Copies of all relevant permits, compliance plans, NTP #15, 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