

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



October 21, 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) #97

Dear Ms. Nelson,

On October 6, 2011, Southern Californian Edison (SCE) submitted a variance request to use seven Wire Setup Sites identified for construction of the Telecom Re-route on Segment 8 Transmission Line (T/L) West (Phase 4) of the Tehachapi Renewable Transmission Project (TRTP), located adjacent to the Rose Hills area, in unincorporated Los Angeles County, California. Additional information was submitted by SCE on October 19th. **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 use seven Wire Setup Sites (WSS) identified for construction of the Telecom Re-route on Segment 8 T/L West (Phase 4) of the TRTP, located adjacent to the Rose Hills area, in unincorporated Los Angeles County, California. The Notice to Proceed Request (NTPR) for Segment 8 T/L West (Phase 4) (NTP #24, dated January 12, 2011) was prepared prior to completion of final design. During final design, seven WSS were identified for construction of the Telecom Re-route that was included in the NTPR. As described in the NTPR, approximately 5,210 linear feet of Fiber Optic Cable (FOC), located adjacent to the Rose Hills area of unincorporated Los Angeles County, will be installed on existing overhead pole lines adjacent to local streets. The seven WSS proposed in this variance request will be used for pulling, tensioning, and splicing of FOC during construction of the Telecom Re-route. Ground disturbance will be limited to the installation of a single anchor, within an approximately 6 foot by 6 foot area and approximately 10 feet deep, which will be located within the proposed WSS that is approximately 600 feet northeast of Structure M43-T2.

- **Biological Resources:** SCE submitted a biological report with the Variance Request from ICF International dated September 28, 2011 titled *Proposed Telecom Re-Route Wire Setup Sites, Segment 8 Phase 4 (West), TRTP, Los Angeles County*. The report documents the biological conditions at the proposed seven WSS (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 2009o; ICF 2010at, 2011cq); 2010 and 2011 tree inventory surveys (ICF 2010av, 2011cq); 2009, 2010, and 2011 coastal California gnatcatcher (*Polioptila californica*) surveys (AMEC 2008d, 2009m; ICF 2010ww, 2011cq); and 2009 and 2010 burrowing owl (*Athene cucicularia*) focused surveys (AMEC 2009j; ICF 2010xx). The biological resources within the BSA were also evaluated during general biological preconstruction surveys and bat habitat assessment preconstruction surveys within the BSA (ICF 2011df, 2011dk). A literature review was also performed as part of the Biological Review for Segment 8 Phase 4 (West) (ICF 2010dw). Additionally, a combined general biological preconstruction survey and clearance sweep was performed on September 26, 2011. Construction monitoring has been ongoing regularly since the sites became active, and species events and nest events are recorded in FRED. For

purposes of discussion in the biological report, the Variance Project Component is split into the following four (4) sites: Site 1 (includes one WSS near M43-T2), Site 2 (includes two WSS northeast of M43-T2), Site 3 (includes two WSS northwest of M43-T3), and Site 4 (includes two WSS northwest of M44-T3).

Site 1

The vegetation communities observed within the Variance Project Component include coastal sage scrub and disturbed/developed. The vegetation communities observed within the 500-foot buffer include California annual grassland, coast live oak woodland, coastal sage scrub, non-native woodland, and disturbed/developed. Regulated tree species, coast live oak (*Quercus agrifolia*), was observed within the 500-foot buffer. San Diego desert woodrat potential middens and a potential solitary bat roost were observed within the 500-foot buffer. Jurisdictional features 8-9-S-1, 8-9-S-2, and 8-9.5-S-3 are within the 500-foot buffer. These features will be staked and flagged as ESAs for avoidance.

Site 2

The vegetation communities observed within the Variance Project Component include coastal sage scrub, ruderal grassland, and disturbed/developed. The vegetation communities observed within the 500-foot buffer include coastal sage scrub, ruderal grassland, and disturbed/developed. Coastal California gnatcatcher was observed within the 500-foot buffer (ICF 2011cq). Jurisdictional feature 8-9.5-S-3 is within the Variance Project Component, but it is expected to be avoided by the WSS and will not require a permit. This jurisdictional feature will be staked and flagged as an ESA for avoidance.

Site 3

The vegetation communities observed within the Variance Project Component include coastal sage scrub and disturbed/developed. The vegetation communities observed within the 500-foot buffer include coastal sage scrub, coast live oak woodland, and disturbed/developed. Coastal California gnatcatcher was observed within the 500-foot buffer (ICF 2011cq). Jurisdictional feature 8-9.5-S-3 is within the 500-foot buffer. This feature will be staked and flagged as an ESA for avoidance.

Site 4

The vegetation communities observed within the Variance Project Component include disturbed/developed. The vegetation communities observed within the 500-foot buffer include coastal sage scrub, ruderal grassland, and disturbed/developed. Regulated tree species, coast live oak, is within the 500-foot buffer. Potential burrowing owl features (ICF 2010xx) and coastal California gnatcatcher (AMEC 2009m; ICF 2010ww, 2011cq) were observed within the 500-foot buffer. One red-tailed hawk (*Buteo jamaicensis*) inactive nest (FRED Nest ID 001046) and one Cooper's hawk (*Accipiter cooperii*) inactive nest (FRED Nest 001112) were observed within the 500-foot buffer. Jurisdictional feature 8-11-S-5 is within the 500-foot buffer. This jurisdictional feature will be staked and flagged as an ESA for avoidance.

Coastal sage scrub provides coastal California gnatcatcher occupied habitat within the Variance Project Component. Additionally, the Variance Project Component overlaps coastal California gnatcatcher critical habitat. Work areas shown in this variance were included in the USFWS Biological Opinion Amendment submitted in August.

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 dated September 8, 2011 regarding the TRTP Cultural and Paleontological Resources Guidelines for Segment 8 T/L Phase IV, Variance Request – Telecom Re-Route Wire Setup Sites. The memorandum states that no cultural or paleontological resources will be impacted by the proposed seven Wire Setup Sites (WSS). All of the WSS were included in previous surveys for the TRTP and no cultural resources were identified (Pacific Legacy

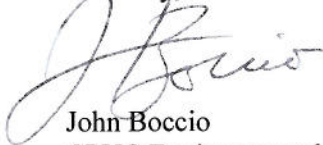
2010a, 2010b). Previous paleontological assessments prepared for the TRTP indicate that paleontological localities have been previously discovered in the project vicinity and the surface sediments are mapped as the Fernando Formation and have a high sensitivity for yielding paleontological resources (Gust and Scott 2009; Aron 2010). In accordance with the Paleontological Resource Management Plan (Gust and Scott 2009), paleontological resources monitoring is required during the installation of the anchor within the WSS approximately 600 feet northeast of Structure M43-T2.

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:

- In accordance with the Paleontological Resource Management Plan (Gust and Scott 2009), paleontological resources monitoring shall be conducted during the installation of the anchor within the WSS approximately 600 feet northeast of Structure M43-T2 or during any ground disturbance.
- 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