

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



October 26, 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) #98

Dear Ms. Nelson,

On October 22, 2011, Southern Californian Edison (SCE) submitted a variance request to change the access road associated with Tower M73-T3AX on Segment 4 Transmission Line (T/L) of the Tehachapi Renewable Transmission Project (TRTP) in Kern 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 change the access road associated with Tower M73-T3AX on Segment 4 T/L of the TRTP in Kern 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 access road associated with Tower M73-T3AX is needed for constructability purposes. Two turning radii would be added to the CPUC-approved tower access road to allow large construction equipment to access the site. Construction activities within these radii areas may include vegetation clearing and trimming, grubbing, and grading. The disturbance area associated with these proposed turning radii is approximately 0.05 acres.

- **Biological Resources:** SCE submitted a biological survey report from ICF International with their Variance Request dated October 21, 2011, titled *Proposed Turning Radii at M73-T3AX and Construct 16, Segment 4, TRTP, Kern County*. SCE's contractor withdrew their variance request for access road changes to Construct 16. The survey report documents the biological conditions at the proposed turning radii at M73-T3AX (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, 2009ae; ICF 2010ag, 2011cq); 2010 and 2011 tree inventory surveys (ICF 2010bf, 2011ga); 2009 Mohave ground squirrel (*Spermophilus mohavensis*) survey (AMEC 2009d, 2009af); 2009, 2010, and 2011 Swainson's hawk (*Buteo swainsoni*) surveys (AMEC 2009ag, 2009ah; ICF and Bloom 2010a, 2010b, 2011c); 2009, 2010, and 2011 desert tortoise (*Gopherus agassizii*) surveys (AMEC 2009e, 2009ac; ICF and ECORP 2010a, 2010b, 2011a); and 2009 and 2010 burrowing owl (*Athene cunicularia*) surveys (AMEC 2009f, 2009ad; ICF 2010am, 2010cq1). The biological resources within the BSA were also evaluated during general preconstruction surveys, burrowing owl preconstruction surveys, and preconstruction bat habitat assessment surveys (ICF 2010an, 2010aq, 2010bp, 2010bw, 2010by, 2010bz, 2010cs, 2010ct, 2010cy, 2010cz, 2011o, 2011p, 2011t, 2011u, 2011ch, 2011cx, 2011cy). A literature review was also performed as part of the Biological Review for Segment 4 (ICF 2010ad) and Segment 9 – Whirlwind (ICF 2010al). Additionally, clearance sweeps were performed on the Variance Project Component on February 7, 16, and 17, 2011, and December 14 and 30, 2010, and January 25 and April 19, 2011. Construction monitoring has been ongoing regularly since the site became active, and species events and nest events are recorded in the SCE Field Reporting Environmental Database (FRED).

Vegetation communities within the Variance Project Component include Mojave creosote bush scrub. Vegetation communities within the 500-foot buffer include Mojave creosote bush scrub and disturbed/developed. No special-status plant species or regulated tree species were observed within the Variance Project Component or the 500-foot buffer.

No special-status wildlife species were observed within the Variance Project Component. Loggerhead shrike (ICF 2010cz) and potential burrowing owl features (AMEC 2009f; ICF 2010cq1) have been observed within the 500-foot buffer. One inactive burrowing owl burrow (FRED Nest ID 002451) and one kit fox den (FRED Nest ID 002443) with 330-foot nest buffers overlap the 500-foot buffer. The preconstruction bat assessment surveys performed on September 27, 2010, by ICF detected no potential bat roosts within the Variance Project Component (ICF 2010bp).

Jurisdictional resources within the Variance Project Component were evaluated during the 2010 jurisdictional delineation for Segments 4, 5, and 10 (ICF 2010l) and Segment 9 – Whirlwind (ICF 2010i). No mapped jurisdictional features are located within the Variance Project Component or 500-foot buffer (ICF 2010i, 2010l). Any additional potential jurisdictional features will be staked as Environmentally Sensitive Areas (ESAs) and flagged for avoidance.

Mojave creosote bush scrub provides potential habitat for desert tortoise, Mohave ground squirrel, and Swainson's hawk.

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

- **Cultural and Paleontological Resources:** SCE submitted a memorandum dated September 22, 2011, titled *TRTP Variance Request – CT-16 and Whirlwind Turning Radii - Cultural Clearance for Two Additional Turning Radii on Segment 4* with the Variance Request. SCE's contractor withdrew their variance request for access road changes to CT-16. The memorandum states that no cultural resources will be impacted by the requested Turning Radii 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 the proposed turning radius area is located within an area previously surveyed for the TRTP and that cultural resources do not exist at this location. The research also suggests the possibility that paleontological resources may exist at this location.

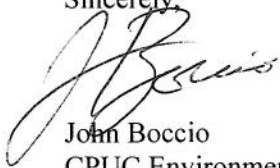
The paleontological review indicated that the turning radius area contains soils that have the potential to yield paleontological resources (Gust and Scott 2009). Since there is a possibility that paleontological resources exist, paleontological spot-check monitoring is recommended when ground disturbing 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 "John Boccio". The signature is written in a cursive style with a large, looping initial "J".

John Boccio
CPUC Environmental Project Manager

cc: V. Strong, Aspen