

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



November 3, 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) #101

Dear Ms. Nelson,

On October 27, 2011, Southern Californian Edison (SCE) submitted a variance request to allow for additional disturbance areas near Construct 30, 45, 51A, and 61, on Segment 5 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 allow for additional disturbance areas at Construct 30, 45, 51A, and 61, 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 several changes to roads and work areas are needed along Segment 5 T/L for constructability purposes. The specific proposed changes are described below:

- **Construct 30.** An expanded work area is needed at the northwestern side of the CPUC-approved tower work area to allow for grading and slope stabilization activities. The additional disturbance area associated with this area would be approximately 0.4 acres.
- **Construct 45.** A turning radius is needed along the access road leading to Construct 45 (radius would be located west of Construct 45). The additional disturbance area associated with this change would be less than 0.1 acre.
- **Construct 51A.** A turning radius is needed along the access road leading to Construct 51A (radius would be located east of Construct 51A). The additional disturbance area associated with this change would be approximately 0.1 acre.
- **Construct 61.** An expansion of the CPUC-approved Wire Setup Site (WSS) situated northwest of Construct 61 is needed. This additional area (comprised of two new disturbance areas) is needed to provide a safety zone between the Los Angeles Department of Water and Power's (LADWP) existing transmission line and the Segment 5 T/L. The additional disturbance area associated with this change would be approximately 0.8 acre.
- **Biological Resources:** SCE submitted a biological resources survey report from ICF dated October 25, 2011 titled *Proposed Construct 30, 45, 51A, 61 Additional Disturbance Areas, Segment 5, Tehachapi Renewable Transmission Project, Los Angeles County*. The report documents the biological conditions at the proposed Construct 30, 45, 51A, and 61 additional disturbance areas (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, 2011ga); 2009, 2010, and 2011 riparian bird surveys (AMEC 2009i; ICF 2010ah, 2011cq); 2009 and 2010 California red-legged frog surveys (AMEC 2009h; ICF and BonTerra 2010f); 2009 and 2010 southwestern pond turtle surveys (AMEC 2009b; ICF and BonTerra 2010b); 2009 and 2010 two-striped garter snake and south coast carter snake (AMEC 2009g; ICF and BonTerra 2010a); and 2009 and 2010 burrowing owl surveys (AMEC 2009f; ICF 2010cq1). The biological resources within the BSA were also evaluated during general preconstruction surveys, burrowing owl preconstruction surveys, and preconstruction bat habitat assessment surveys associated with Constructs 30, 45, 51A, and 61 (ICF 2010ai, 2010bc, 2010bq, 2010bs, 2010bt, 2010fb, 2010fs, 2011cb). A literature review was also performed as part of the Biological Review for Segment 5 (ICF 2010yy). Additionally, a clearance sweep was performed at Construct 30 and Construct 45 on September 29, 2010; at Construct 51A on October 18, 2010, and June 2, 2011; and at Construct 61 on September 14 and 17, 2010 and April 4, 2011. Construction monitoring has been ongoing regularly since the sites became active, and species events and nest events are recorded in the SCE Field Reporting Environmental Database (FRED).

Construct 30

Vegetation communities within the Variance Project Component include mixed chaparral, Mojave mixed woody scrub, and disturbed/developed. Vegetation communities within the 500-foot buffer include mixed chaparral, Mojave desert wash scrub, Mojavean juniper woodland scrub, Mojave mixed woody scrub, southern cottonwood willow riparian forest, and disturbed/developed. Special-status plant species Peirson's morning glory (*Calystegia peirsonii*), beavertail cactus (*Opuntia basilaris*), short-joint beavertail cactus (*Opuntia basilaris* var. *brachyclada*), and California androsace (*Androsace elongate* ssp. *acuta*) were observed within the 500-foot buffer. Loggerhead shrike (*Lanius ludovicianus*) was observed within the 500-foot buffer. An inactive red-tailed hawk (*Buteo jamaicensis*) nest (FRED Nest ID 000117) is located within the 500-foot buffer. Jurisdictional feature 5-18-S-2 (Amargosa Creek) is within the 500-foot buffer and will be avoided.

Construct 45

Vegetation communities within the Variance Project Component include California annual grassland and disturbed/developed. Vegetation communities within the 500-foot buffer include California annual grassland, Mojave mixed woody scrub, and disturbed/developed. Special-status plant species Peirson's morning glory was observed within the Variance Project Component and the 500-foot buffer. Special-status plant species California androsace was observed within the 500-foot buffer. An inactive great-horned owl (*Bubo virginianus*) nest (FRED Nest ID 002169) is located within the 500-foot buffer.

Construct 51A

Vegetation communities within the Variance Project Component include California annual grassland and disturbed/developed. Vegetation communities within the 500-foot buffer include California annual grassland, California annual grassland-burned, scrub oak chaparral, and disturbed/developed. Special-status plant species Peirson's morning glory was observed within the 500-foot buffer. Loggerhead shrike was observed within the 500-foot buffer. Jurisdictional feature 5-29-S-2 is within the 500-foot buffer and will be avoided.

Construct 61

Vegetation communities within the Variance Project Component include Mojavean juniper woodland scrub and disturbed/developed. Vegetation communities within the 500-foot buffer include mixed chaparral, Mojavean juniper woodland scrub, Mojave mixed woody scrub, ruderal grassland, and disturbed/developed. Beavertail cactus was observed within the Variance Project Component and the 500-foot buffer. Golden eagle (*Aquila chrysaetos*) and potential burrowing owl (*Athene cunicularia*) features were observed within the 500-foot buffer. Low potential bat roosts were also observed within the 500-foot buffer.

Jurisdictional resources within the Variance Project Component were evaluated during the 2010 jurisdictional delineation for Segments 4, 5, and 10 (ICF 2010I). Any additional potential jurisdictional features will be staked as Environmentally Sensitive Areas (ESAs) and flagged for avoidance.

There are no impacts to species included in the CDFG Incidental Take Permit (ITP) or their habitats associated with this Variance.

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 October 11, 2011 regarding *TRTP Variance Request – Segment 5, CT-30 Second Disturbance Area, Cultural Clearance for a Second Disturbance Area at CT-30 on Segment 5*; a memorandum from SCE dated September 2, 2011 regarding *TRTP Variance Request – Segment 5, CT-45 and CT-51A Turning Radii Cultural Clearance for 2 Expanded Turning Radii at CT-45 and CT-51A on Segment 5*; and a memorandum from SCE dated August 26, 2011 regarding *TRTP Variance Request – Segment 5, CT-60 Wire Stringing Site (WSS), Cultural Clearance for an Additional Wire Stringing Site Southeast of CT-60 on Segment 5*.

Construct 30

SCE's memorandum dated October 11, 2011, states that no cultural resources will be impacted by a second disturbance area requested at CT-30 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 of Segment 5. This research identified a cultural resource near the disturbance area. This research also suggested the possibility that paleontological resources may exist here. The disturbance area is located approximately 50 feet east of the edge of cultural ESA LAN-3656H. Proposed use of this area will not impact the nearby ESA, and no further cultural studies or monitoring is recommended. The paleontological review indicated that the requested disturbance areas contain soil that has the potential to yield paleontological resources (Gust and Scott 2009). Since there is a possibility that paleontological resources exist, paleontological monitoring is recommended during all ground disturbing project construction activities at this location.

Construct 45 and Construct 51A

SCE's memorandum dated September 2, 2011, states that no cultural resources will be impacted by the additional two proposed expanded turning radii at CT-45 and CT-51A 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 two proposed expanded turning radii areas contain soils that have no potential to yield paleontological resources (Gust and Scott 2009). Since there is little possibility that paleontological resources exist, paleontological monitoring is not recommended during project construction activities.

WSS between Construct 60 and Construct 61

SCE's memorandum dated August 26, 2011, states that no cultural resources will be impacted by the proposed additional wire stringing site between CT-60 and CT-61 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 identified no cultural resources but suggested the possibility that paleontological resources may exist. The paleontological review indicated that the proposed WSS area contains soil that has the potential to yield paleontological resources (Gust and Scott 2009). Since there is a

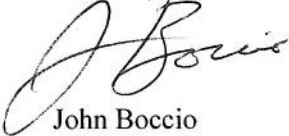
possibility that paleontological resources exist, paleontological spot-check monitoring is recommended when ground disturbing excavation at this location exceeds a depth of two feet.

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 at Construct 30.
- As proposed, due to the potential for paleontological resources, paleontological spot-check monitoring shall be conducted when ground disturbing excavation at the WSS area between Construct 60 and Construct 61 exceeds a depth of two feet.
- 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