

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



November 15, 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) #106

Dear Ms. Nelson,

On November 9, 2011, Southern Californian Edison (SCE) submitted a variance request to allow for an additional disturbance area south of Segment 5 Construct 30, on Segment 5 Transmission Line (T/L) of the Tehachapi Renewable Transmission Project (TRTP) in Los Angeles County, California. On November 10, 2011, SCE submitted another variance request to add an existing Minimum Improvement access road along the north side of Elizabeth Lake Road, northwest of Construct 30, on Segment 5 T/L of the TRTP in Los Angeles County, California. **This Variance Request is approved by CPUC based on the following factors:**

- SCE submitted the following information:

On November 9, 2011, SCE submitted a request for a Variance to allow for an additional disturbance area south of Segment 5 Construct (CT) 30, 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 near Segment 5 CT 30 for constructability purposes. To enable construction of the access road to CT 30, additional disturbance area is needed south of the tower work area. The proposed disturbance area includes space needed for earthwork associated slope stabilization activities. The additional proposed disturbance area measures approximately 0.04 acres, and is unpaved and devoid of vegetation.

On November 10, 2011, SCE submitted a request for a Variance to add an existing Minimum Improvement access road along the north side of Elizabeth Lake Road, northwest of CT 30, 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 existing additional access road along Segment 5 is needed for constructability purposes. An additional existing Minimum Improvement access road is proposed to enable access to guard pole areas along the north side of Elizabeth Lake road, northwest of CT 30. The proposed existing access road is needed because access to the guard pole areas is not possible directly from Elizabeth Lake Road due to the presence of a steep slope. The proposed existing access road measures a total of approximately 181 feet long and would require only minimum improvement.

- **Biological Resources:** SCE submitted biological resources information with their Variance Request that was submitted November 9, 2011, for an additional disturbance area south of Segment 5 Construct 30. The Project Component consists of disturbed/developed land form. Surrounding areas consist of mixed chaparral and Mojave mixed woody scrub. Preconstruction general and bat surveys were completed on September 23 and October 8, 2010, respectively. No burrowing owl (*Athene cunicularia*) preconstruction surveys have been completed within the Project Component since no suitable burrows have been identified. No special-status biological resources were detected near the Project Component. Construction biological monitoring

has been ongoing since October 2010. The Segment 5 Construct 30 sweep was performed by ECORP Consulting, Inc. on November 2, 2011. The sweep included the existing disturbance area and 500 foot buffer.

SCE submitted a biological survey report with their Variance Request of November 10, 2011, to add an existing Minimum Improvement access road along the north side of Elizabeth Lake Road, northwest of Construct 30. The biological survey report dated November 8, 2011 from ICF International titled *Proposed Construct 30 Additional Road, Segment 5, TRTP, Los Angeles County*, documents the biological conditions at the proposed additional access road (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 (*Rana draytonii*) surveys (AMEC 2009h; ICF and BonTerra 2010f); 2009 and 2010 southwestern pond turtle (*Clemmys marmorata*) surveys (AMEC 2009b; ICF and BonTerra 2010b); 2009 and 2010 two-striped garter snake (*Thamnophis hammondi*) and south coast garter snake (*Thamnophis sirtalis infernalis*) (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 Construct 30 (ICF 2010bc, 2010bt). A literature review was also performed as part of the Biological Review for Segment 5 (ICF 2010yy). 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).

The vegetation communities within the Variance Project Component include disturbed/developed. The 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, southern willow scrub, and disturbed/developed. No special-status species were detected within the Variance Project Component. Special-status plant species, Peirson's morning glory (*Calystegia peirsonii*) was observed within the 500-foot buffer. Special-status wildlife species, Loggerhead shrike (*Lanius ludovicianus*) and tricolored blackbird (*Agelaius tricolor*) were 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 2010l). Jurisdictional features 5-18-S-2 (Amargosa Creek) and 5-23-S-10 are located within the 500-foot buffer and will be avoided. Any additional potential jurisdictional features will be staked as Environmentally Sensitive Areas (ESAs) 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 October 31, 2011 regarding the *TRTP Variance Request – Segment 5, CT-30 Additional Disturbance Area – Cultural Clearance for an Additional Disturbance Area at CT-30 on Segment 5*. The proposed disturbance area is located 125 feet southwest of CT-30 and consists of a nearly rectangular area of 1,818 square feet that abuts the Tower M28-T2 wreck-out area. The memorandum states that no cultural resources will be impacted by an additional 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 proposed disturbance area. This area is an open, level area devoid of vegetation that contains an existing dirt road. This area is located two feet west of cultural ESA LAN-3736H. Proposed use of this area will not impact the nearby cultural resources, which is flagged, and no further cultural

studies or monitoring is recommended. The research also suggested the possibility that paleontological resources may exist. 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.

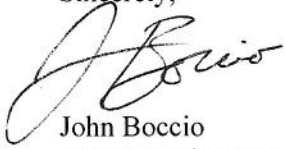
SCE submitted a memorandum from SCE dated October 13, 2011 regarding the *TRTP Variance Request – Segment 5, CT-29 Guard Pole Access – Cultural Clearance for Access to Guard Pole Area near CT-29 on Segment 5*. The requested additional access to the guard pole site near CT-29 consists of two short lengths of dirt road located on the north side of Elizabeth Lake Road. Both roads are existing, well-used, dirt roads that converge. The longer of the roads measures 119 feet and provides access from a previously approved access road to Elizabeth Lake Road. The shorter road measures 62 feet and provides access to the guard pole site on the north side of Elizabeth Lake Road. The memorandum states that no cultural resources will be impacted by the additional access to a guard pole area requested near CT-29 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 directly adjacent to the requested access road. Archaeological site CA-LAN-3655/H is located just north of these roads. The 50-foot Environmentally Sensitive Area (ESA) buffer around the site LAN-3655/H overlaps the requested roads. Normally, a 50-foot extension is added to a site boundary as a protective ESA “buffer”. In this area, although the roads pass through the buffer, they do not pass into the archaeological site itself. A previously approved access road to the northeast also runs through this site buffer outside the actual site boundary. Rather than flagging the ESA buffer area, SCE will avoid adverse effects to this site by flagging the actual site boundary for avoidance while allowing use of the requested access roads. The flagged site area will be outside of the requested Variance area. An archaeological monitor will be required during all ground disturbing activities associated with TRTP work here. The Construction Phase Management Plan (CPMP; Pacific Legacy 2011) will be updated to include the information associated with this Variance area and the updated management recommendations for site LAN-3655/H. The research identified no paleontological resources. The paleontological review indicated that the requested guard pole access roads 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.

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, cultural sites LAN-3736H and LAN-3655/H will be flagged as Environmentally Sensitive Areas for avoidance. An archaeological monitor shall be required during all ground disturbing activities associated with TRTP work near LAN-3655/H.
- As proposed, due to the possibility that paleontological resources exist, paleontological monitoring is recommended during all ground disturbing project construction activities at the proposed disturbance area located 125 feet southwest of CT-30, which consists of a nearly rectangular area of 1,818 square feet that abuts the Tower M28-T2 wreck-out area.
- 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,

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