

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



September 26, 2013

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) #146

Dear Ms. Nelson:

On September 9, 2013, Southern Californian Edison (SCE) submitted a variance request for two temporary additional vehicle pull-out and parking areas near Structure M43-T3 and Structure M44-T3 on the Segment 8 Transmission Line (T/L), Phase 4, of the Tehachapi Renewable Transmission Project (TRTP) in unincorporated Los Angeles County, California. SCE submitted additional information on September 24, 2013. **This Variance Request is approved by CPUC based on the following factors:**

- SCE submitted the following information:

SCE submitted a request for a Variance for two temporary additional vehicle pull-out and parking areas near Structures M43-T3 and M44-T3 on Segment 8 T/L Phase 4 in unincorporated Los Angeles County, California. Subsequent to the approval of the NTPR (NTP #24 dated January 12, 2011) by the CPUC, project site conditions have been further evaluated, and two additional areas for vehicle pull-out/parking purposes in Segment 8 West (Phase IV) are needed for constructability purposes. Due to the limited work space at the CPUC-approved disturbance areas at Structures M43-T3 and M44-T3, two additional disturbance areas are proposed.

The variance request (VR) areas are described below:

- A 0.136-acre area located on the northeast side of the grading area associated with Structure M43-T3 and positioned on the east side of the CPUC-approved access road.
- A 0.191-acre area situated northwest of Structure M44-T3 and positioned on the south side of the CPUC-approved access road.

The proposed disturbance areas would be used for vehicle parking and equipment staging. The additional proposed disturbance areas are unpaved and void of vegetation; no improvements would be made to the area.

- **Biological Resources:** SCE submitted biological resource information with the variance request. The variance consists of two components on Segment 8 T/L Phase 4: pull-out/parking area near Structure M43-T3 and pull-out/parking area near M44-T3 (Project Component).

The proposed pull-out/parking area near Structure M43-T3 is located within previously surveyed portions of the Segment 8 T/L. The site is characterized as developed/disturbed land with some vegetation growing in the middle of this area, which will be avoided. Vegetation communities located within 500 feet of the

Project Component include developed/disturbed, coastal sage scrub, non-native woodland, coast live oak woodland, and ruderal grassland (ICF 2012). The surrounding vegetation communities will not be impacted by the Project Component. The Project Component is not located within occupied habitat for coastal California gnatcatcher (*Poliophtila californica*) or least Bell's vireo (*Vireo bellii pusillus*). The Project Component is located within designated critical habitat for coastal California gnatcatcher. Per the BO Amendment, dated August 20, 2013, use of developed/disturbed land within designated critical habitat will not result in additional impacts under the BO because these areas lack the primary constituent elements for the species. Therefore, no amendment is required. In addition, the Project Component is located within 300 feet of coastal California gnatcatcher occupied habitat; construction and monitoring will be conducted per the conditions in the BO. Jurisdictional resources are not located within and/or adjacent to the Project Component. As of September 6, 2013, no active nests were located in or within 500 feet of the Project Component. Special-status species observed in or within 500 feet of the Project Component include Cooper's hawk (*Accipiter cooperii*). Special-status biological resources are demarcated in the field by Environmentally Sensitive Area staking, where applicable. Construction began in this area in October 2011. Biological preconstruction surveys (P30) were conducted in May and September 2011.

The proposed pull-out/parking area near Structure M44-T4 is also located within previously surveyed portions of the Segment 8 T/L. The site is characterized as developed/disturbed land. Vegetation communities located within 500 feet of the Project Component include developed/disturbed, coastal sage scrub, coast live oak woodland, and ruderal grassland (ICF 2012). These surrounding vegetation communities will not be impacted by the Project Component. The Project Component is not located within occupied habitat for coastal California gnatcatcher or least Bell's vireo. The Project Component is located within designated critical habitat for coastal California gnatcatcher. Per the BO Amendment, dated August 20, 2013, use of developed/disturbed land within designated critical habitat will not result in additional impacts under the BO because these area lack primary constituent elements for the species. Therefore, no amendment is required. In addition, the Project Component is located within 300 feet of occupied coastal California gnatcatcher habitat; construction and monitoring will be conducted per the conditions of the BO. Jurisdictional resources are not located within and/or adjacent to the Project Component. As of September 6, 2013, no active nests were located in or within 500 feet of the Project Component. Special-status species observed in or within 500 feet of the Project Component include California gnatcatcher. Special-status biological resources are demarcated in the field by Environmentally Sensitive Area staking, where applicable. Construction began in this area in October 2011. Biological preconstruction surveys (P30) were conducted in September and December 2011.

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 6, 2013 with the Variance Request titled the *TRTP Cultural and Paleontological Resource Guidelines for Segment 8 T/L Phase IV, Variance Request – M43-T3 and M44-T3 Pull-Out/Parking Areas*. The memorandum states that no cultural or paleontological resources will be impacted by the proposed pull-out/parking areas associated with Structures M43-T3 and M44-T3 in support of the TRTP. The proposed pull-out/parking area northwest of M44-T3 was included in previous surveys for the TRTP and no cultural resources were identified (Pacific Legacy 2007, 2010a, 2010b). Approximately 95 percent of the pull-out/parking area on the northeast side of M43-T3 was included in previous surveys for the TRTP and no cultural resources were identified (Pacific Legacy 2007, 2010a, 2010b). The remaining five percent portion (less than 1 acre) of the pull-out/parking area lies outside previously surveyed TRTP areas, but in a highly disturbed area where there will be no ground disturbances. Therefore, no further cultural resources work is required for this variance request.

Previous paleontological assessments conducted for the TRTP indicate that the proposed permanent access road is located within the Fernando Formation, which has a high sensitivity for yielding paleontological

resources (Gust and Scott 2009; Aron 2010). However, no improvements to these proposed areas are required and both areas are highly disturbed.

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:

- At the site near Structure M43-T3, SCE shall establish fencing or flagging surrounding the vegetated area within the site to be avoided by construction parking and staging. If disturbance to the vegetated area is necessary, SCE will provide documentation from USFWS that this activity is consistent with the Biological Amendment No. 2.
- 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,

A handwritten signature in black ink, appearing to read 'Jason Coontz', with a long horizontal stroke extending to the right.

Jason Coontz
CPUC Environmental Project Manager

cc: V. Strong, Aspen