

PUBLIC UTILITIES COMMISSION

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August 13, 2012

Susan J. Nelson, AIA
Regulatory Affairs
Southern California Edison
2244 Walnut Grove Avenue, Quad 3D, GO1
Rosemead, CA 91770

RE: SCE Antelope Transmission Project (Antelope-Tehachapi 500kV and 220kV Transmission Line), Segment 3B: Final Engineering Concurrence for the Segment 3B Dirt Cover on Access Roads for Gas Pipeline Protection

Dear Ms. Nelson,

On July 20, 2012, Southern California Edison (SCE) submitted a request for Final Engineering Concurrence for installation of a dirt cover at eight access road locations to provide gas pipeline protection on Segment 3B Transmission Line (T/L) of the Antelope Transmission Project (ATP) in unincorporated Kern County, California. **This Concurrence to Final Engineering is approved by the CPUC for the proposed activities based on the following factors:**

- SCE submitted the following information:

SCE requests Final Engineering Concurrence for Dirt Cover on Access Roads for Gas Pipeline Protection on Segment 3B T/L of the ATP in unincorporated Kern County, California. Subsequent to approval of Segment 3B T/L NTPR for Structures 15-78 (NTP #32 dated March 20, 2012) by the CPUC, final design was completed for the pipeline protection facilities required for the El Paso Natural Gas and Pacific Gas & Electric pipelines that are within the vicinity of the Segment 3B T/L. A Request for Final Engineering Concurrence specific to gas pipeline protection facilities was previously submitted and approved by the CPUC. However, in addition to the gas pipeline protection facilities required to be installed, dirt cover is required to be placed on a number of transmission line access roads that cross these natural gas pipelines but that do not currently have adequate fill between the ground surface and the pipeline. The pipeline owners have provided verbal guidance as well as the applicable construction standard documenting the depth of dirt cover needed between the pipeline and the road.

Dirt cover is required to be placed at the following locations:

- Southwest of 3B-28
- Southwest of 3B-31
- East of 3B-41
- Access road to 3B-48
- Access road to 3B-49
- North of 3B-61

- South of 3B-61
- Southeast of 3B-62

The purpose of the protective dirt cover is to provide a minimum of 60 inches of dirt cover above natural gas pipelines to protect these assets from the weight of vehicular traffic. Potholing activities at the above listed locations determined the depth of the pipelines and amount of additional fill needed to meet the 60 inch cover requirement.

Construction of the dirt cover will occur concurrent with ongoing transmission line construction at each location prior to access road use for the Segment 3B T/L. Construction equipment needed for pipeline protection activities include a loader, dump truck, water truck, grader, and a back hoe. Construction equipment will be on site up to 10 hours a day.

The placement of dirt cover will not result in the cover of any drainages or result in any diversions, blockages or disruptions of flows to any swale, drainage or waterway that may be considered jurisdictional with the exception of those locations for which a jurisdictional permit application has already been submitted.

The table below lists the volume of dirt required at each location as well as the source of the fill material. All proposed dirt fill locations are permanent disturbance areas with a 2:1 side slope.

Location	Fill Volume (Cubic Yards)	Fill Material Source
Southwest of 3B-28	191	Excavated dirt from 3B-29
Southwest of 3B-31	365	Class II Road Base
East of 3B-41	705	Class II Road Base
Access Road to 3B-48	1,394	Class II Road Base
Access Road to 3B-49	2,668	Excavated dirt from 3B-15
North of 3B-61	90	Excavated dirt from 3B-62, 3B-63, and 3B-64
South of 3B-61	63	Excavated dirt from 3B-62, 3B-63, and 3B-64
Southeast of 3B-62	75	Excavated dirt from 3B-62

Fill material will be delivered onsite as needed and will be spread and compacted. Water required for soil compaction at each site varies upon the amount of fill needed and how wet the material is when it arrives onsite.

- **Biological Resources:** SCE submitted a biological survey report titled *Biological Survey Report for the Dirt Cover on Access Roads for Gas Pipeline Protection Request for Final Engineering Concurrence, Segment 3B Transmission Line, Antelope Transmission Project, Kern County, California* dated July 12, 2012. The report documents the biological conditions for Segment 3B Dirt Cover on Access Roads for Gas Pipeline Protection Request for Final Engineering Concurrence (Project Component). The Project Component plus the 500-foot buffer are referred to as the Biological Study Area (BSA). Biological resources within and adjacent to the Project Component were evaluated during several focused surveys, including 2010 and 2011 rare plant surveys (LSA 2010e, ICF 2011gt); 2008, 2010, and 2011 Swainson's hawk surveys (LSA 2008b, 2010c; ICF and Bloom 2011e); 2007, 2008 through 2011 desert tortoise surveys (LSA 2007, 2008a, 2009b, 2010a; ICF and ECORP 2011b); 2008, 2010, and 2011 Mohave ground squirrel surveys (Vanherweg 2008, LSA 2010b, ICF and ECORP 2011c); and burrowing owl and American badger burrow surveys in 2010 (LSA 2010d). The Project Component areas were also included in the 2012 focused surveys for special-status plants, including vegetation mapping; desert tortoise; Swainson's hawk; and Mohave ground squirrel. A literature review was also performed as part of the biological review. The biological resources within and adjacent to the Project Component and BSA were also evaluated during

preconstruction surveys for general biological resources and burrowing owl for Segment 3B T/L and Wilderness Line Relocation. As part of the Segment 3B T/L and Wilderness Line Relocation work, biological construction monitoring has been ongoing regularly since the sites became active, and species events and nest events are recorded in the Field Reporting Environmental Database (FRED). As a Biological Opinion or an Incidental Take Permit was not obtained for the ATP, work will avoid impacts to listed plants and wildlife.

Vegetation communities within the Project Component include bunchgrass grassland, California annual grassland, desert bunchgrass grassland, Joshua tree woodland, Mojave desert wash scrub, Mojave mixed woody scrub, Mojavean juniper woodland and scrub, rabbitbrush scrub, and disturbed/developed. Vegetation communities within the 500-foot buffer include bunchgrass grassland, California annual grassland, desert bunchgrass grassland Joshua tree woodland, Mojave desert wash scrub, Mojave mixed woody scrub, Mojavean juniper woodland scrub, rabbitbrush scrub, southern willow scrub, sparsely vegetated streambed, and disturbed/developed. No special-status plants were observed within the Project Component. Bakersfield cactus and Mojave Indian paintbrush were observed within the 500-foot buffer during the 2012 rare plant focused survey. Bakersfield cactus was also observed during the construction monitoring that included the BSA. All previously identified Bakersfield cactus that occur within 50 feet of any work area, overland travel, or access road to improve have been further analyzed to confirm identification. Those individuals confirmed as Bakersfield cactus will be protected with 50-foot ESA buffers. In SCE's response to a July 12, 2012 CPUC Data Request, it was described that the dirt protective covers near Constructs 3B-28, 3B-31, 3B-61, and 3B-62 are not located in areas that support Bakersfield cactus. At the dirt cover location between Constructs 3B-41 and 3B-42 water will drain down into the jurisdictional drainage via a MacCarthy Drain and the Bakersfield cactus to the east will not be impacted. The dirt protective cover area located south of Construct 3B-48 is south of the Bakersfield cactus and will not impact the individual. Along the road at Construct 3B-49, water will flow into the jurisdictional resource that occurs along the southern edge of the road within the dirt protective cover area via a MacCarthy Drain. The Bakersfield cactus that occur east and south of the dirt protective cover will not be impacted.

Previous focused burrowing owl surveys in 2010 for Segment 3B were negative for burrowing owls, sign of the species, and potential burrowing owl features within the Project Component. However, potential burrowing owl burrows were identified within the 500-foot buffer (LSA 2010d). New potential burrows were identified within the 500-foot buffer during 2011 desert tortoise focused surveys, 2012 desert tortoise focused surveys, preconstruction surveys, and burrowing owl preconstruction surveys for the Segment 3B T/L and the Wilderness Line Relocation. None of the burrows from these surveys showed evidence of burrowing owl use.

Focused surveys conducted for desert tortoise, Mojave ground squirrel, and Swainson's hawk in 2010 and 2011 were negative for the species within the Project Component and 500-foot buffer. However, Swainson's hawk were observed in flight over the BSA during the general preconstruction survey. A Class 4 potential desert tortoise burrow was observed within the BSA during the 2012 Segment 3B focused surveys for desert tortoise. Per the 2010 Desert Tortoise guidelines (USFWS 2010d), Class 4 burrows are defined as good condition and possible tortoise burrows. No tracks or scats were present at the burrow to indicate it was actively being used by desert tortoise. Permanent impacts to suitable desert tortoise habitat are expected to be 2.697 acres, while temporary impacts are expected to be 0.961 acres. In an effort to minimize impacts to desert tortoise and their habitat, slopes for the proposed fill areas will be constructed in accordance with the FEIR Mitigation Measure B-27a: Avoid Creating Barriers to Desert Tortoise Movements. All proposed dirt cover areas have raised roadbeds, there are no berms over 12 inches, and any slopes created will be less than 30 degrees. SCE will implement the Southern California Edison Antelope Transmission Project Segment 3B Desert Tortoise Avoidance and Mitigation Plan.

An occupied American badger den, loggerhead shrike, and potential desert kit fox dens were observed within the 500-foot buffer during the 2011 Segment 3B desert tortoise focused survey (ICF and ECORP 2011b). Additionally, loggerhead shrike, prairie falcon, and a potential desert kit fox den were observed within the 500-foot buffer during the 2012 Segment 3B desert tortoise focused survey. Loggerhead shrike, potential American badger dens, and potential desert kit fox dens were also identified during the preconstruction survey. Loggerhead shrike, willow flycatcher, and yellow warbler were observed during construction monitoring. No active nests were observed within the Project Component. Active nests have been observed within the 500-foot buffer as of July 9, 2012.

Jurisdictional resources within the Project Component were evaluated during the 2011 jurisdictional delineation for Segment 3B (LSA 2011) and a separate field visit was conducted on May 16, 2012 to evaluate potential jurisdictional features for additional areas that were not included in the 2011 jurisdictional delineation. Jurisdictional features do occur within the Project Component and jurisdictional resource permits will be required for areas that cannot be avoided by construction. Permits for impacts to jurisdictional resources have been submitted to the regulatory agencies. Jurisdictional features mapped within the BSA will be avoided by the Project Component areas. Until permits are acquired, all features will be marked as ESAs. After permits are acquired, all non-permitted features that will be avoided will be marked as ESAs. If any potential features are subsequently identified, they will be flagged for avoidance or the applicable permits will be obtained if impacts will need to occur.

No additional impacts to biological resources are anticipated.

- **Cultural Resources:** SCE submitted a memorandum titled *Southern California Edison Tehachapi Renewable Transmission Project Cultural and Paleontological Resources Guidelines for Segment 3B – Final Engineering Concurrence for Dirt Cover on Access Roads for Pipeline Protection* dated June 17, 2012. The memorandum states that no cultural or paleontological resources will be impacted by the placement of the eight (8) dirt covers on access roads necessary to protect the existing pipelines as currently designed. All the areas where the proposed covers are located were previously surveyed for cultural resources and assessed for paleontological resources (Ahmet et al 2006, Gust and Scott 2009, Holm 2012a, Holm 2012b, Pacific Legacy 2012a and 2012b). The results of the cultural resources records search, surveys, and testing and evaluations conducted in support of Segment 3B indicate that there are two areas where cultural resources have been documented and mitigated (Panich and Holson 2010; Baloian 2012a, 2012b; Schneider and Jackson 2012) and that require dirt cover protection. The cultural resource associated with Construct 3B-61 was evaluated for significance and found ineligible for the California Register of Historical Resources (CRHR). However, per the approved Construction Phase Management Plan (CPMP, Pacific Legacy 2012a), the portions of the site that will not be impacted during construction will be flagged as Environmentally Sensitive Areas and an archaeological monitor will be present during all ground disturbing activities. The cultural resource associated with Construct 3B-62 was evaluated for significance and found ineligible for the CRHR. Per the approved CPMP, no additional management of the resource is required as the resource has been mitigated and no longer exists.

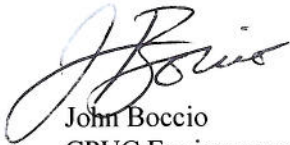
The paleontological literature review (Gust and Scott 2009) indicates that some of the proposed dirt cover pipeline protection areas are within an area that has a low to moderate potential for yielding paleontological resources (Gust and Scott 2009). However, the addition of the protective dirt cover does not require new excavation of native soil and therefore no paleontological resources will be impacted.

No additional impacts to cultural or paleontological resources are anticipated.

The conditions noted below shall be met by SCE and its contractors:

- Per the approved Construction Phase Management Plan, the portions of the site associated with Construct 3B-61 that will not be impacted during construction will be flagged as Environmentally Sensitive Areas and an archaeological monitor will be present during all ground disturbing activities.
- All conditions required by Notice to Proceed (NTP) #32 shall apply to the subject area and activities.
- Copies of all relevant permits, compliance plans, NTP #32, and this Concurrence of Final Engineering 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", written in a cursive style.

John Boccio
CPUC Environmental Project Manager

cc: V. Strong, Aspen