

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

May 22, 2009

Donald Johnson
Project Manager
Southern California Edison
2131 Walnut Grove Ave.
Rosemead, C 911770

RE: SCE Antelope-Pardee 500 kV Transmission Project, Segment 3 – Variance Request #44

Dear Mr. Johnson,

On May 14, 2009, Southern Californian Edison (SCE) submitted a variance requesting that the construction equipment speed limit of ≤ 15 mph as specified by Mitigation Measure A-1a, Implement Construction Fugitive Dust Control Plan, be waived for site preparation activities at the Windhub Substation, Segment 3. **This Variance Request is approved by CPUC for the proposed activity based on the following factors:**

- Mitigation Measure A-1a, Implement Construction Fugitive Dust Control Plan, requires that SCE will *Maintain unpaved road vehicle travel to the lowest practical speeds, and no greater than 15mph, to reduce fugitive dust emissions.*
- As provided in the subject variance request, to operate equipment for grading the substation, the contract needs to exceed the 15 mph speed limit to avoid getting stuck in loose soil.
- The Windhub Substation is located within desert tortoise habitat; the desert tortoise is a Federal and State Threatened Listed Species. Desert tortoise fencing has been installed around the perimeter of the substation site although there are two, un-gated openings for construction vehicle/equipment ingress/egress. Both CDFG and USFWS have agreed to the >15 mph speed limit within the desert tortoise fencing.

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

- Dust abatement measures shall be implemented at the Windhub Substation site at all times when either construction activities or wind generate dust. If dust generation is sufficient in nature to travel offsite and affect biological resource habitat, either construction activities shall cease or additional dust abatement shall be implemented that is sufficient in nature to reduce the dust to on-site only.
- Either fencing shall be installed at all vehicle ingress/egress locations at the Windhub Substation or a full-time biological monitor(s) shall be present to monitor the openings in the desert tortoise fencing.
- Construction equipment usage at the Windhub Substation site shall cease immediately if the desert tortoise fencing surrounding the site is compromised by equipment activity or wind. Work within the substation site shall be allowed to resume once the integrity of the fencing is restored.

- All project mitigation measures, compliance plans, and permit conditions shall be implemented during construction activities. Some measures are on-going/time-sensitive requirements and shall be implemented prior to and during construction where applicable.
- Copies of all relevant permits, compliance plans, and this Variance shall be available on site for the duration of construction activities where applicable.

Sincerely,

A handwritten signature in cursive script, appearing to read "J. Boccio".

John Boccio
CPUC Environmental Project Manager

cc: V. Strong, Aspen