

**PUBLIC UTILITIES COMMISSION**505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298

July 1, 2009

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

RE: SCE Antelope Transmission Project, Segment 3A – Variance Request #48

Dear Mr. Johnson,

On June 26, 2009, Southern Californian Edison (SCE) submitted a variance requesting a realignment to a portion of the currently approved access road to Structures 3A-2 and 3A-3 to avoid an underground utility, Segment 3A of the Antelope Transmission Project in unincorporated Kern County, California. **This Variance Request is approved by CPUC for the proposed activities based on the following factors:**

- Under Variance Request #48, SCE is requesting to use a temporary access road to divert construction traffic on 80<sup>th</sup> Street West around an AT&T underground fiber optic utility vault. The temporary access road is approximately 100 linear feet in length and will avoid the vault by approximately 10 feet. The realignment will not require any grading.
- **Biological Resources:** A biological field survey was conducted for the proposed realignment on May 22, 2009. The survey focused on biological issues as described in the mitigation measures of the Final EIR (Aspen 2006), including special-status plants and wildlife. No sign of sensitive plant or wildlife species was observed along the proposed access road realignment. This general area is characterized by creosote bush scrub vegetation dominated by creosote (*Larrea tridentate*), with highly scattered Joshua trees (*Yucca brevifolia*) and Mormon tea (*Ephedra* sp.). Wildlife observed included desert spiny lizard (*Sceloporus magister*), cactus wren (*Campylorhynchus brunneicapillus*), sage thrasher (*Oreoscoptes montanus*), common raven (*Corvus corax*), and mariposa lily (*Calochortus kennedyi*). In mid-May, desert tortoises (*Gopherus agassizii*) were observed within 2 miles north of this location. Desert tortoises may occur along the existing access road and proposed realignment, but no sign of tortoise was observed during the survey. One inactive stick nest was found in a Joshua tree 470 feet northwest of the utility vault. No significant impacts to biological resources are anticipated with the implementation of the conditions noted below.
- **Cultural & Paleontological Resources:** A search for archeological and historic records for Segment 3A of the Tehachapi Renewable Transmission Project was conducted by ECORP Consulting, Inc. (Ahmet et al. 2006). ECORP consulted the South Central Coastal Information Center, the Angeles National Forest Heritage Resources Section, the National Register of Historic Places, the California Inventory of Historic Resources, California Points of Historical Interest, and the California Historical Landmarks. The proposed project area falls within the one-mile search radius and no cultural resources are known.

The Paleontological Resources Management Plan Segments 2 and 3 of the Tehachapi Renewable Transmission Project was prepared by Cogstone Resource Management Inc. (Gust and Scott 2008). No paleontological localities have been previously discovered in the project vicinity and the sediments (recent Quaternary alluvium) are low in sensitivity for paleontological resources.

Cogstone Resource Management conducted the survey of the proposed realignment area on April 16, 2009. No archaeological or paleontological resources were observed. No significant impacts are anticipated.

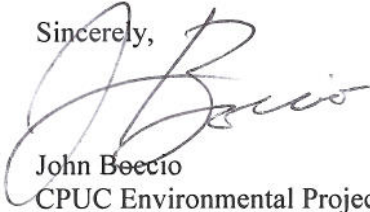
**The conditions noted below shall be met by SCE and its contractors:**

- Biological survey sweeps shall be conducted and results submitted to the CPUC for review and approval prior to use of the proposed realignment. After complete surveys have been submitted and approved by the CPUC, site occupation can occur; however, if occupation does not occur within seven calendar days of survey submittals, biological clearance sweeps shall be re-conducted prior to site occupation, including nesting bird surveys during the breeding season.
- SCE has assigned Biological Monitors to the Project. They are responsible for ensuring that impacts to special-status species, native vegetation, wildlife habitat, or unique resources are minimized to the fullest extent possible. The Biological Monitor shall be on-site to monitor all work and shall conduct sweeps of the approved areas which will be impacted. If breeding birds with active nests are found, a biological monitor shall establish a 300-foot buffer around the nest and no activities will be allowed within the buffer until the young have fledged from the nest or the nest fails. The 300-foot buffer may be adjusted to reflect existing conditions including ambient noise and disturbance only with the approval of the CDFG and/or USFWS (Please note that the CPUC must be notified prior to the onset of construction). The biological monitor shall conduct regular monitoring of the nest to determine success/failure and to ensure that project activities are not conducted within the buffer until the nesting cycle is complete or the nest fails. If nesting birds move into the work area SCE will monitor the nest to ensure that their activities do not result in the loss or failure of the nest. A preliminary 300-foot buffer area around the nest will be established and SCE shall coordinate with the CPUC, CDFG and/or USFWS.
- Per Mitigation Measure B-4b, CDFG and CPUC shall field verify temporary and permanent impacts to Joshua tree woodland habitat. SCE shall coordinate with CDFG and CPUC to acquire and ensure permanent protection of mitigation lands.
- If special-status plant or animal species are observed within the project area, the CPUC EM and CDFG shall be notified immediately.
- If unanticipated cultural discoveries occur, work must halt in the immediate vicinity until the find can be evaluated by a qualified archaeologist to determine if it meets significance criteria under CEQA.
- 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.
- Prior to the commencement of construction activities, all crew personnel including haul truck and concrete truck drivers shall be appropriately WEAP trained on environmental issues including protocols for air quality, hazardous materials, biological resources, known and unanticipated cultural

materials, as well as SWPPP BMPs. A log shall be maintained on-site with the names of all crew personnel trained.

- If construction debris or spills enter into environmentally sensitive areas, the jurisdictional agencies and CPUC EM shall be notified immediately.
- 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 black ink, appearing to read "John Beccio". The signature is written in a cursive style with a large, looping initial "J".

John Beccio  
CPUC Environmental Project Manager

cc: V. Strong, Aspen