STATE OF CALIFORNIA ARNOLD SCHWARZENEGGER, Governor
PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

July 20, 2009

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

RE: SCE Antelope Transmission Project, Segment 2 – Variance Request #49

Dear Mr. Johnson,

On July 17, 2009, Southern Californian Edison (SCE) submitted a variance requesting two additional disturbance areas for wire splice sites between Const 6 and Const 8 and between Const 15 and Const 16 in Segment 2 of the Antelope Transmission Project in Los Angeles County, California. **This Variance Request is approved by CPUC for the proposed activities based on the following factors:**

- SCE submitted the following information:

Southern California Edison (SCE) is requesting a variance for two additional disturbance areas for wire splice sites in Segment 2. A 2.07 acre (180' x 500') disturbance area is proposed between Const 6 and Const 8 (wire splice site "1") and a 2.07 acre (180' x 500') disturbance area is proposed between Const 15 and Const 16 (wire splice site "2"). The two areas are necessary to support the splice site activities. This variance request seeks authorization for disturbance to approximately 4.14 additional acres of land.

The contractor has re-evaluated wire sleeving needs for the entirety of Segment 2. Splice Sites 1 and 2 are needed for wire pulling operations from structures 0 to 22. Splice Sites 1 and 2 are both located on relatively flat, already disturbed areas. The remainder of the wire splice sites needed for Segment 2 operations will be submitted as a second variance package in anticipation of the potentially longer evaluation process. The work activity will not require utilizing the entire area as depicted in the maps of the splice sites since these sites will only be used as wire splice locations. Due to the difficulty of determining the exact location of the splice sites, a larger area of 180' x 500' is being requested to capture the range of potential locations within which the splice site may fall. The availability of each space will ensure proper placement of the equipment necessary to complete the splices. As a result, only 0.31 acres or 180' x 75' of the depicted area in the maps will be actually utilized. The exact location will be determined upon the completion of the wire pull. No grading and minimal clearing – if any – is anticipated for these activities. Drive-and crush access will be necessary from existing roads. The new disturbance areas were surveyed for both biological and cultural sensitivities.

Biological Resources: On July 13, 2009, a biological resource survey was performed by Patrick Martin and Eric Scott of BioResource Consultants for Splice Sites between Const 6 and Const 8, and between Const 15 and Const 16. The mapped disturbance area for the Splice Sites with a 500-foot buffer was surveyed for biological resources. In addition, all juniper and Joshua trees within the Splice Sites and a surrounding 15-foot buffer were counted and documented for possible mitigation as required by the EIR.

The Splice Site between Const 6 and Const 8 resulted in no juniper or Joshua trees within the disturbance area or within the 15-foot survey area. No active bird nests or sensitive resources were found within the

disturbance area or the surrounding 500-foot buffer. No short-joint beavertail (*Opuntia basilaris* var. *brachyclada*), San Gabriel oak (*Quercas durata* var. *gabrielensis*), or other sensitive plant species were observed. One large rodent burrow was found. This rodent burrow showed no signs of burrowing owl habitation (white wash, feathers, and pellets). No potential American badger (*Taxidea taxus*) or burrowing owl (*Athene cunicularia*) burrows were observed. Habitat appropriate for desert tortoise (*Gopherus agassizii*) or Swainson's hawk (*Buteo swainsoni*) was not observed in the survey area.

The Splice Site between Const 15 and Const 16 resulted in identification of one juniper tree within the disturbance area and the 15-foot buffer. A Joshua tree woodland was located south of the disturbance area and within the 500-foot survey area. No short-joint beavertail, San Gabriel oak, or other sensitive plant species were observed. Twelve rodent burrows were found, four within the disturbance area and eight within the 500-foot survey area. None of the rodent burrows showed signs of burrowing owl habitation. One woodrat midden of either the San Diego desert woodrat (*Neotoma lepida intermedia*), a California Species of Special Concern (CSC), or big-eared woodrat (*N. macrotis*) was found. No active bird nests or other sensitive resources were found. No potential for American badger or burrowing owl burrows were observed. Habitat appropriate for Mohave ground squirrel, desert tortoise, or Swainson's hawk was not observed in the survey area.

In November and December of 2008, Brian Arnold of Burns & McDonnell conducted Preconstruction Burrowing Owl Surveys from Const 1 through Const 16. These surveys produced no evidence of burrowing owl along this section of Segment 2.

Cultural & Paleontological Resources: The proposed locations for Splice Site 1 between Const 6 and 8 were investigated for paleontological resources by Cogstone in 2008 and for cultural resources by Ecorps in 2006. No resources were identified during the paleontological and cultural resources investigations. No further study is recommended at this time for Splice Site 1. The proposed location for Splice Site 2 between Const 15 and 16 was investigated for cultural resources by Ecorps in 2006. One cultural resource was identified at Splice Site 2 as the Valley View Ranch property (19-003385). Proposed activities at Splice Site 2 will not impact ranch structures. In addition, Valley View Ranch was evaluated in 2003 and determined to have no historical significance. As a result, no further study is recommended at Valley View Ranch prior to splicing activities at Splice Site 2. In addition to the Ecorps investigation, the proposed location for Splice Site 2 was investigated for paleontological resources by Cogstone in 2008. The Cogstone study found that the area contains Quaternary Older Alluvium (Qoa), a geologic formation known to produce significant vertebrate and invertebrate fossil resources. As a result of paleontological sensitivity, a Cogstone monitor is recommended during all ground disturbing activities at Splice Site 2.

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 equipment and vehicles mobilizing into an area. 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.

- The woodrat midden(s) will be flagged for avoidance, if feasible. If avoidance of the woodrat midden is not feasible, it can be raked out by the monitoring biologist to minimize impacts to woodrats, following consultation with California Department of Fish and Game (CDFG).

- Per Mitigation Measures B-4b and B-13d, CDFG and CPUC shall field verify temporary and permanent impacts to Juniper 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.

- The Cogstone study found that the area contains Quaternary Older Alluvium (Qoa), a geologic formation known to produce significant vertebrate and invertebrate fossil resources. As a result of paleontological sensitivity, a Cogstone monitor shall be present during all ground disturbing activities at Splice Site 2 between Const 15 and Const 16.

- 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.

- All work boundaries shall be flagged prior to occupation. In addition, all approved access roads, spur roads and overland travel routes to be used shall be flagged prior to construction.

- 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, including the variance request and maps.

Sincerely,

John Boccio
CPUC Environmental Project Manager

cc: V. Strong, Aspen