

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

September 17, 2009

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

RE: SCE Antelope Transmission Project, Segment 3A – Variance Request #57

Dear Mr. Johnson,

On September 14, 2009, Southern Californian Edison (SCE) submitted a variance for the installation of a temporary transmission line bypass for the Windhub Substation and a new temporary access road near the Windhub Substation in Segment 3A of the Antelope Transmission Project in Kern 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 to install a temporary line Bypass for the Windhub Substation. The Bypass will connect the Segment 3A 500 kV Transmission line, initially energized at 220 kV, with the 220 kV switchyard. This variance is being requested because the original orientation and layout of the substation has rotated from east-west to north-south. Due to the change in orientation of the substation, this temporary Bypass is necessary until the 500 kV switchyard of the Windhub Substation facility is built and the Segment 3A transmission line is energized at 500 kV. The previous orientation of the Windhub Substation allowed the Segment 3A transmission line to connect directly with the 220 kV switchyard, however, the rotation of the substation has caused the Bypass to become necessary.

In order to construct the Windhub Bypass, SCE is also requesting a new temporary access road. A new temporary access road will need to be constructed in order to access Bypass Structure #1. This access road will run northeast from Construct 3A-2 to Bypass Structure #1 for approximately 590 feet. However, the Contractor (PAR) will use a substation constructed road for access to Bypass Structure #2 from Oak Creek Road and Bypass Structure #3 will be accessed via the substation entrance from Oak Creek Road.

The Contractor will ensure that the substation concrete drainage channel on the outside perimeter of the substation's south wall is not damaged during construction. In addition, the extent of work areas for construction of Bypass Structure #1 will be limited to the substation property and a 160-foot easement that will be available between Construct 3A-2 and Bypass Structure #1. Two 12-foot temporary gates are required in the fenced area currently installed between Bypass Structure #1 and Construct 3A-2. As for the construction of Bypass Structure #2, two additional wire setup site disturbance areas are being requested by the Contractor directly north and southeast of this structure.

Wire pulling will be performed from the existing Construct 3A-2 disturbance area to the Windhub Substation Rack within the substation disturbance area. This area inside the substation wall was recently graded and is considered to be an authorized disturbance area for work involved with the Windhub Bypass.

- **Biological Resources:** Burns & McDonnell submitted a report dated September 9, 2009 for the *Biological Clearance Survey for the temporary line Bypass for the Windhub Substation in Kern County, California*. On September 8, 2009, biological clearance surveys for the temporary line Bypass for the Windhub Substation and the temporary access road were conducted. The mapped disturbance areas for the Bypass structures, Wire Stringing Sites (WSS), and the temporary access road with a 500-foot buffer were surveyed for biological resources. In addition, the presence of Joshua trees within the bypass structures, WSS, and the temporary access road and the surrounding buffer were noted for mitigation as required by the EIR.

Bypass Structure #1 and Temporary Access Road from Const 3A-2 to Bypass Structure #1

The survey found two potential desert tortoise burrows (*Gopherus agassizii*) and a potential burrowing owl burrow (*Athene cunicularia*) within the 500-foot buffer survey area for Bypass Structure #1 and temporary access road from Const 3A-2 to Bypass Structure #1. There was no sign indicating that the tortoise burrows are being used by desert tortoises. There was no sign present indicating that the burrows area being used by burrowing owls. No other sensitive resources were found. Joshua trees were located within the disturbance area and the 500-foot buffer area.

Bypass Structure #2 and WSS

No sensitive resources were found in this area. Joshua trees are located within the disturbance area of the bypass structure and the WSS and the 500-foot buffer area. There is a concrete drainage channel located between Bypass Structures #1 and #2. This channel will not be affected by the construction work.

Bypass Structure #3

Bypass Structure #3 is located within the Windhub Substation site which has been previously graded as part of substation preparation.

No significant impacts to biological resources are anticipated with the implementation of the conditions noted below.

- **Cultural & Paleontological Resources:**

The proposed disturbance areas for the Windhub Bypass were investigated for archaeological and paleontological resources by ECORP Consulting, Inc. (Ahmet, Mason, and Bholat 2006), Pacific Legacy Inc. (Way, et. al 2008, Way and Jackson 2008) and Cogstone Resources Management (Scott and Gust 2008). Nineteen archaeological sites and isolated artifacts have been identified within a ½ mile radius of the proposed Windhub bypass disturbance area. One prehistoric archaeological site, identified as CA-KER-7040, is located adjacent to the new Windhub bypass road and will be impacted by project activities. Site CA-KER-7040 was evaluated and found not eligible for the California Register of Historical Resources (Way and Jackson 2008). No other cultural resources or paleontological resources have been identified within or directly adjacent to the Windhub bypass disturbance area. Because there are nineteen archaeological sites and isolated artifacts within a ½ mile radius of the proposed Windhub bypass disturbance area, archaeological and Native American monitoring during initial ground disturbing activities is recommended – initial ground disturbing activities include grading, trenching, and drilling in native soils.

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.
- Two potential desert tortoise burrows (*Gopherus agassizii*) were found within the 500-foot buffer survey area of Bypass Structure #1 and the temporary access road from Const 3A-2 to Bypass Structure #1. A qualified biological monitor familiar with desert tortoise monitoring shall be on site during construction of the new temporary access road.
- 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.
- Due to the archaeological sensitivity in this area, the presence of an archaeological monitor and a Native American monitor is required during earth moving activities. Earth moving activities include grading, trenching, and drilling.
- 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. In addition, all disturbed areas shall be restored in accordance with approved restoration plans and permit conditions.
- 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,

A handwritten signature in dark ink, appearing to read 'J. Boccio', written over the printed name.

John Boccio
CPUC Environmental Project Manager

cc: V. Strong, Aspen