

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

October 13, 2009

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

RE: SCE Antelope Transmission Project, Segment 3A – Variance Request #59

Dear Mr. Johnson,

On October 8, 2009, Southern Californian Edison (SCE) submitted a variance requesting additional wire setup sites at Construct 48 on Segment 3A of the Antelope Transmission Project in Kern and Los Angeles counties, 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 additional wire setup sites (WSS) at Construct 48 on Segment 3A. These two locations are requested to comply with Los Angeles Department of Water and Power (LADWP) crossing requirements and also to safely conduct wire stringing operations over transmission lines located between Constructs 48 and 49. The two additional wire setup sites located at Construct 48 will measure 200 feet by 250 feet on the north side of the structure, and 200 feet by 600 feet on the southeast side of the structure – the 600 foot length request is due to the height of Constructs 48 and 49.

- **Biological Resources:** Burns & McDonnell submitted a report dated October 8, 2009 for the *Biological Survey for the Newly Proposed Additional Disturbance Areas Near Construct 48 for the Antelope Transmission Project, Segment 3A in Kern County, California*. LSA conducted preconstruction surveys of the right-of-way corridor in 2007 and 2008 (LSA 2007a-k, 2008a-e). Burns & McDonnell conducted a preconstruction burrowing owl survey in 2009 (B&McD 2009). Occupied burrowing owl burrows were detected south of Rosemond Avenue. On October 7, 2009, biological surveys for these two newly proposed disturbance areas were also conducted. The mapped disturbance area for the wire setup sites with a 500-foot buffer was surveyed for biological resources. These sites were not flagged in the field, so the biologists surveyed an approximate size and location. In addition, the presence of Joshua trees within the WSS and the surrounding buffer were surveyed for mitigation as required by the EIR. At the proposed WSS north of Construct 48 and the proposed WSS southeast of Construct 48, no new sensitive resources were found. No Joshua trees were located within the disturbance areas or the 500-foot buffer area.
- **Cultural & Paleontological Resources:** The proposed disturbance areas for the WSS at Construct 48 are located within the TRTP right-of-way for Segment 3A. The right-of-way was surveyed for cultural resources by Ecorps Consulting, Inc. (Ahmet et al. 2006) and Pacific Legacy (Ross et al. 2008) and investigated for paleontological resources by Cogstone Resources Management (Scott and Gust 2008). No cultural or paleontological resources were identified within the proposed disturbance areas for wire setup sites at Construct 48.

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.
- CDFG and USFWS consultation shall be conducted regarding required desert tortoise fencing prior to entry into any WSS within potential desert tortoise habitat. A qualified biological monitor familiar with desert tortoise monitoring shall be on site during WSS activities.
- 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. 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 cursive script, appearing to read "J. Boccio".

John Boccio
CPUC Environmental Project Manager

cc: V. Strong, Aspen