

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

June 18, 2008

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

RE: SCE Antelope-Pardee 500 kV Transmission Project, Segment 1 Project - Notice to Proceed (NTP) #9

Dear Mr. Johnson,

On March 18, Southern Californian Edison (SCE) requested authorization from the California Public Utilities Commission (CPUC) for use of three contractor laydown yards as named Pumpkin Yard No. 3, Blue Cloud Yard and the Rodeo Yard. Due to additional review requirements concerning the Rodeo Yard, on March 27, SCE asked the CPUC to proceed with the processing of the Pumpkin Yard No. 3 and Blue Cloud yards; the Rodeo Yard would be addressed under a future NTP. On June 4, SCE resubmitted the Rodeo Yard request which is addressed under this letter. Please note that in the request the yard use is proposed to extend through the duration on not only the Antelope-Pardee 500 kV Project Segment 1 work, but also the Antelope-Pardee 500 kV Segments 2 & 3 work as well.

The SCE Antelope-Pardee 500 kV Transmission Project was evaluated in accordance with the California Environmental Quality Act and a Certification of Public Convenience and Necessity (CPCN) was granted by CPUC, Docket #A.04-12-007, SCH #2005061161, on March 1, 2007. The Forest Service is the federal Lead Agency for the preparation of the Project's EIR/EIS in compliance with NEPA. The proposed yard location does not occur on Forest Service land; therefore, no approval from the Forest Service is required. The SCE Antelope Project, Segments 2&3 was evaluated in accordance with the California Environmental Quality Act and a Certification of Public Convenience and Necessity (CPCN) was granted by CPUC, Docket #A.04-12-008, on March 15, 2007.

NTP #9 is granted by CPUC for the proposed activities based on the following factors:

The following information was provided in the NTP request:

The Rodeo yard consists of 4.35 acres located at 700 W. Sierra Highway, off Highway 14, in unincorporated Los Angeles County, and lies 0.87 mile north of Vincent Substation. The yard consists of a 0.74 acre section to the south, and a 3.6 acre section to the north. The two sections are separated by an unoccupied rodeo arena. Soils are loamy and granitic, and have been partially compacted by grading and driving. **The yard may be used as-is, with no grading necessary.**

The Rodeo Yard will serve as a material and equipment storage yard, along with supporting any construction activities in progress. Activities and items that will possibly be present or active at this yard site throughout the duration of the project include: office trailers, vehicle parking, equipment storage, spill kit storage, fire equipment storage, wire storage, roll-off trash container, portable toilets, steel stub angle, rebar and rebar cages, form cans and associated foundation items, fueling from saddle tanks and fuel trucks.

The yard will be active from June 2008 until December 2009, and intended for use throughout the entirety of the project (Segments 1-3).

An initial biological survey was performed January 12, 2008 followed by two additional surveys on April 4 and May 5, and a site review on April 25 of raptor nests by BMcD Project Environmental Manager and California Department of Fish and Game (CDFG) Biologist Daniel Blankenship. Only two target species were observed on the southern yard. There, an active owl nest and an active raven nest were observed on a billboard. At the April 25 meeting, the CDFG biologist agreed to the establishment of a buffer of 30-35 feet away from the base of the billboard. The sides would also be marked, and no equipment, material or activity would be allowed behind the billboard where the nests are. Once the owls and ravens have fledged their young, the area on the back side of the billboard can be used for equipment and material storage. A CDFG biologist will give concurrence to use the area before any equipment or materials are allowed to be stored in this area. (Please see the attached buffer diagram as provided with the request).

The yard and its environs are highly disturbed and no sensitive plant species were found. Aside from a dry, man-made drainage ditch to the north side of the north yard, there are no aquatic habitats on or in the vicinity of the yard and therefore no habitat for sensitive amphibians and reptiles, or riparian-nesting birds. The location of the yard within the foothills of the northern San Gabriel mountains and away from the creosote-Joshua tree habitat of the floor of the Antelope Valley excludes it from consideration as habitat for desert tortoise or Mojave ground squirrel. None of the ground squirrel burrows observed either on or off of the yard showed evidence of burrowing owls (whitewash, feathers, tracks), and no other bird nests were observed (please note that Burrowing Owl Surveys must still be conducted within 30 days of construction).

There are a few scattered native shrubs (including *Eriogonum fasciculatum* and *Crysothamnus naseosum*, which are disturbance-associated species) on the north yard that may require removal. The rest of this area is comprised of compacted soil with low-growing ruderal vegetation that appears to have undergone some type of ground disturbance within the past few years. There is only a very small amount of grasses and forbs on the south yard, which is comprised of compact soil and gravel. Vegetation removed from the site will therefore be minimal, but will be disposed of in a manner consistent with the Vegetation Removal Plan (please note that prior to any vegetation removal a biologist shall sweep the area).

A Class III pedestrian survey for the proposed use of yard was conducted in January 2008. The study included a review of site archives, historical maps, and documents relative to the project area, maintained at the South Central Coastal Information Center, California State University, Fullerton. No cultural resources were observed at or near the proposed south yard, or within the confines of its immediate approach corridor. However, historical materials were observed towards the southwest one-quarter of the north yard and may be a locus of CA-LAN-3536, the recorded historic dump to the east, and/or may represent dispersed refuse deposits associated with railroad activities. The deposit recorded in the north yard area does not represent a significant historic resource under Section 106 of the National Historic Preservation Act (NHPA). However, there is a potential that significant, intact subsurface remains may be present in this area. Therefore, it is recommended that a qualified archaeologist be present during any earth altering activities in the north yard (Please note that in the request no grading activities are required). An area of the southeast corner of the North yard sufficient to encompass all subsurface artifacts with a buffer has been established and fenced for avoidance. (Please see attached avoidance buffer diagram as provided with the request).

The property is currently for lease and is not occupied. Since the owner has consented to the use of the property, no conflicts with recreational or economic uses of this property are anticipated. The land in question is not zoned as agricultural. There are also no recreational uses on or near the property that would be affected by its use as a marshalling yard.

There are no residences within 300 feet of the property but there are businesses between Highway 14 and Sierra Highway, including a restaurant and an RV storage yard which would require pre-construction notification in advance of occupying the yard.

Use of the Rodeo Yard will result in short-term increases in construction traffic along Sierra Highway. The anticipated increase in traffic can be accommodated due to the current low volume of traffic on this roadway in the vicinity of the yard. Should larger, slower trucks that may block traffic need to enter or leave the yard, trained 'flaggers' will be stationed on the highway to slow or stop oncoming traffic as required. In case emergency vehicles approach the truck while making the turn into or out of the yard, the turn will either be stopped or completed, depending upon which maneuver requires less time to complete, and an open passage will be created to allow the emergency vehicle through. No encroachment permits or other traffic permits are necessary for the use of this yard.

The only light receptor in the vicinity of the yard is the restaurant across Sierra Highway. To avoid disturbing patrons, any lights to be used on the yard shall be shielded from directing glare towards the road, or residences within view. In addition, to reduce visibility from the road, site fencing, not to exceed 6 feet in height, will be installed as needed.

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

- All project mitigation measures, compliance plans, and permit conditions shall be implemented during construction activities and use of the proposed yard space. 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 Notice to Proceed shall be available on site for the duration of construction activities.
- Biological surveys including those for burrowing owl (within 30 day protocol survey timeframes) shall be re-conducted and results submitted to the CPUC prior to occupation of the yard. After complete surveys are provided, site occupation can occur; however, if occupation does not occur within seven calendar days of survey submittals, biological clearance sweeps shall be conducted prior to occupation, including nest surveys.
- As identified in APM BIO-5 and Mitigation Measure B-6 in the EIR/EIS, SCE is required to assign Biological Monitors to the Project. They would be responsible for ensuring that impacts to special-status species, native vegetation, wildlife habitat, or unique resources would be minimized to the fullest extent possible. Where appropriate, monitors would flag the boundaries of areas where activities need to be restricted in order to protect native plants and wildlife, or special-status species. These restricted areas would be monitored to ensure their protection during construction. This will include protecting species covered under the MBTA and CDFG codes regarding the protection of nests and eggs. 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 with the approval of the CPUC and USFWS (as well as CDFG). 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. In regard to the proposed laydown areas if a bird decides to move into a yard (i.e. the barn owls in the old structure) SCE will have to monitor the nest to ensure that their activities do not result in the loss or failure of the nest. A preliminary buffer area around the nest will be established and SCE shall coordinate with the CPUC, CDFG and/or USFWS regarding the presence of the nest. Obviously a 300 foot buffer in a staging yard would likely preclude the use of the site but the mitigation provides flexibility in reducing this on a case by case basis. This will be made by coordination with the agencies.
- During the April 25 meeting, CDFG agreed to the establishment of a buffer of 30-35 feet away from the base of the billboard in the southern yard space. The sides will be marked and no equipment, material or activity will be allowed behind the billboard where the nests are. Once the owls and ravens have fledged their young, the area on the back side of the billboard can be used for equipment and material storage. CDFG will give concurrence to use the area before any equipment or materials are allowed to be stored in this area. (Please see the attached buffer diagram as provided with the request.)
- Prior to the commencement of construction activities, all crew personnel including haul truck and concrete truck drivers shall be appropriately 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 yard boundaries and exclusion zones shall be flagged prior to occupation.
- No movement or staging of construction vehicles or equipment shall be allowed outside of the approved areas. If additional temporary workspace areas or access routes, or changes to construction technique or mitigation implementation to a lesser level are required, a Variance Request shall be submitted for CPUC review and approval.
- If construction debris or spills enter into environmentally sensitive areas, the jurisdictional agencies and CPUC EM shall be notified immediately.
- If not already provided, copies of all landowner agreements/lease agreements shall be submitted to the CPUC prior to use.
- Yard use shall adhere to County noise regulations. If nearby resident complaints arise, SCE shall implement noise reduction technologies and noise monitoring shall be conducted to verify the functioning of said mitigation.
- As provided in the request, the Fugitive Dust Control Plan (Mitigation Measure A-1a) shall be implemented at all of the yard locations. Equipment on site will not be idled for more than 10 minutes. Use of equipment will be conducted according to the air quality mitigation measures specified in the Final EIR/EIS. If track out occurs, it will be removed before the end of the day per the guidelines established in the Fugitive Dust Emissions Control Plan.
- As provided in the request, welding and torch work activities will be limited to emergency and mechanical needs only. Open flame activities that may be performed on this property will have a water truck and fire watch present at all times, and will be undertaken consistent with the project Fire Plan.
- Fuel will not be stored on site. The Storm Water Pollution Prevention Plan (SWPPP) will be implemented at all times during the use and occupation of the yard, as will Best Management Practices. Implementation of all necessary erosion control devices will be properly installed and maintained throughout the duration of yard use. A copy of the SWPPP will be available on-site for reference. A Hazardous Substance Control and Emergency Response Plan and a Waste Characterization Plan have been prepared that includes conditions pertaining to this yard. Fueling will take place from saddle tanks or fuel trucks with appropriate containment measures take to avoid spills. Fuel trucks will not be parked overnight nor will more than 1,320 gallons of fuel or oil be stored on site.
- There are no residences within 300 feet of the property, but there are businesses between Highway 14 and Sierra Highway, including a restaurant and an RV storage yard which would require pre-construction notification in advance of occupying the yard. Documentation of notifications shall be submitted to the CPUC prior to construction.

Sincerely,

John Boccio
CPUC Environmental Project Manager

cc: V. Strong, Aspen

