

PUBLIC UTILITIES COMMISSION

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January 26, 2022

Thomas Diaz
Regulatory Affairs
Southern California Edison
8631 Rush St, General Office 4 – 235E (2nd Floor)
Rosemead, CA, 91770

RE: ELM Series Capacitor Project: Minor Project Refinement #7

Dear Mr. Diaz,

On January 20, 2022, Southern California Edison (SCE) submitted a request for Minor Project Refinement (MPR) #7 for long term use of an established water source formerly approved for short term use under the Temporary Extra Work Space (TEWS) process. Additional information was provided on January 21, 2022. The water source is located at 35501 National Trails Highway in Daggett, San Bernardino County. The water source would support transmission line activities approved under the California Public Utilities Commission (CPUC) Notices to Proceed (NTP) #3 and #4 for the Eldorado-Lugo-Mohave Upgrade Project in the County of San Bernardino, California.

The CPUC voted on August 27, 2020, to approve SCE's Eldorado-Lugo-Mohave Upgrade Project (Decision D.20-08032) and a Notice of Determination was submitted to the State Clearinghouse (SCH# 2019089033). The CPUC also adopted a Mitigation, Monitoring, Compliance and Reporting Plan (MMCRP) to ensure compliance with all mitigation measures imposed on the Eldorado-Lugo-Mohave Upgrade Project during implementation. The MMCRP also acknowledges that temporary changes to the project, such as final project design and engineering or need for addition workspace, are anticipated and common practice for construction efforts of this scale and that an MPR request would be required for these activities. This letter documents the CPUC's thorough evaluation of all activities covered in this MPR, and that no new impacts or increase in impact severity would result from the requested MPR activities.

MPRs are reviewed for consistency with CEQA requirements and confirmed that they are located within the geographic boundary of the project study area. MPRs do not create new or substantially more severe significant impacts, or conflict with any mitigation measure or applicable law or policy. Also, they do not trigger other permit requirements unless the appropriate agency has approved the change, and clearly and strictly comply with the intent of the mitigation measure or applicable law or policy.

MPR #7 for the continued use of the Daggett water source to support construction activities (approved under NTPs #3 and #4) is granted by CPUC based on the factors described below.

SCE MPR Request. Excerpts from the SCE MPR request are presented below (indented):

Proposed Water Source

Overview

Southern California Edison (SCE) is proposing the use of an additional established water source for the Eldorado-Lugo-Mohave Series Capacitor Project. The water source is located on private property, at 35501 National Trails Highway, Daggett, San Bernardino County. The hydrant is surrounded by paved areas in the parking lot area of a defunct fuel station. The hydrant is bordered on the west and north sides by paved, high

traffic roads and the BNSF railroad passes within the 300ft buffer to the north. Since this property is privately-owned, it falls under the CPUC's regulatory jurisdiction for the project.

The site is a developed/disturbed lot. A single residence is located approximately 150 ft. west of the hydrant across a high traffic road. A collection of mobile home residences is located approximately 200ft to the southeast of the hydrant. Up to two water trucks per day will access the site via the aforementioned existing access roads, park, fill, and depart using the same roads as needed. The water truck and monitor vehicles will be rubber-tired vehicles. No vegetation removal, grading, or excavation is required. Vehicles will remain within existing disturbed areas.

This location was subject to a Temporary Extra Work Space (TEWS) request that was approved by the CPUC on November 18, 2021. The TEWS request included three maps that show the location of the water source at different scales. Additionally, the maps show land jurisdiction and a 300ft biological pre-construction survey buffer. This water source was initially intended to support construction at the ELM Mid-Line Series Capacitors as a secondary water source when needed. To support construction and ensure an adequate water supply for dust suppression, SCE wishes to add the water source for the duration of the project, extending beyond the January 18, 2022 expiration date of the TEWS. SCE and its contractors currently estimate that construction activity would be complete near the end of June 2022.

Site Description

The hydrant is bordered on the west and north sides by paved, high traffic roads. The BNSF railroad passes within the 300ft buffer to the north. The parking lot and defunct fuel station parking lot, building, and pumps occupy the immediate areas to the east and south. Beyond the pumps and building to the east is a small residential area and beyond the area to the south is a sparsely vegetated road shoulder. Little native vegetation exists within the 300-ft buffer and no suitable habitat for desert tortoise or other sensitive species is present.

CPUC Evaluation of MPR Request

In accordance with the MMRP, the subject MPR request was reviewed by CPUC to confirm that no new impacts or increase in impact severity would result from the requested MPR activities and that the subject request was within the geographic boundary of the Project study area. Additionally, the CPUC Environmental Monitor (EM) conducted a site visit of the requested work area in November 2021. The following discussion summarizes this analysis for agriculture, air quality, biological resources, cultural resources, geology and soils, hazards and hazardous materials, land use, noise, paleontological resources, traffic and transportation, visual resources, water resources, and wildland fire. A list of bulleted conditions is presented to define additional information and clarifications regarding mitigation requirements. In some cases, these items exceed the requirements of the Mitigation Measures (MMs) and Applicant Proposed Measures (APMs) and are based on specific site conditions and/or are proposed conditions by SCE.

Air Quality: During proposed construction, SCE shall implement the Fugitive Dust Control Plan approved by the CPUC on November 17, 2020. In addition, APMs AIR-2 through AIR -5 requires that off-road diesel construction equipment use engines compliant with Tier 4 standards, idling would be restricted to less than five minutes, engines to be in good working order, and that worker ridesharing is encouraged. No additional impacts to air quality will occur with the implementation of this MPR.

Biological Resources: The location of the water source features no suitable habitat for special-status plants or animals. There is a potential for nesting birds with a high tolerance for human activity to occur within the proposed work area.

Desert Tortoise (DETO): The proposed work area is not located within suitable desert tortoise habitat, as determined by vegetation types and ground cover. The proposed work area is a disturbed/developed road shoulder and fuel station parking lot, devoid of native habitat required to support the species. No desert tortoise sign was observed during the TEWS site survey conducted on November 9, 2021. A preconstruction survey will be conducted within 7 days prior to the initiation of construction activities in the proposed work area and biological sweeps will be conducted according to protocol during continuous work activities. If any desert tortoises are found during the preconstruction survey or construction activities, potential impacts will be addressed through implementation of appropriate mitigation measures and biological monitoring.

Special-Status Terrestrial Herpetofauna: No evidence of special-status terrestrial herpetofauna was observed during the TEWS biological survey conducted on 11/09/2021. A preconstruction survey will be conducted within 7 days prior to the initiation of construction activities in the proposed work area and biological sweeps will be conducted according to protocol during continuous work activities. If any special-status terrestrial herpetofauna are found during the preconstruction survey or construction activities, potential impacts will be addressed through implementation of the mitigation measures. With the implementation of Project mitigation measures, no impacts to the special-status species are anticipated.

Desert Bighorn Sheep: Suitable habitat for desert bighorn sheep is present on the Project and this species is known to occur. However, no desert bighorn sheep have been previously observed in the vicinity of the proposed work area. The water source does not include habitat that supports the species. With monitoring, no impacts to the species are anticipated.

Burrowing Owl (BUOW): The entire Project is located within the overall range of the burrowing owl and burrowing owl habitat is widespread across its footprint, including on/near the proposed work area. No burrowing owls, burrows, or sign were observed in or near the proposed work area during the TEWS survey conducted on November 9, 2021. A preconstruction survey will be conducted prior to the initiation of construction activities in the proposed work area. If any burrowing owl are found during the preconstruction survey or construction activities, potential impacts will be addressed according to the Burrowing Owl Passive Relocation Plan. With the implementation of Project mitigation measures, no impacts to the species are anticipated.

Nesting Birds: Suitable substrates for nesting birds protected by the California Fish and Game Code and Migratory Bird Treaty Act, including trees, shrubs, man-made structures, and the ground surface, can be found within the proposed work area. A preconstruction survey for nesting birds will be conducted prior to the initiation of construction activities during the avian breeding season (Jan 1 – Aug 31). If active nests are identified, avoidance buffers will be established in accordance with the project Nesting Bird Management Plan (NBMP). With implementation of the NBMP, no impacts are anticipated.

Listed Riparian Birds: No suitable habitat for riparian birds (least Bell's vireo or southwestern willow flycatchers) occurs within 500 feet of the proposed work area. Therefore, no impacts are anticipated.

Golden Eagle (GOEA): Based on a review of USFWS data and both aerial habitat assessments and protocol surveys conducted for the Project, suitable nesting habitat for golden eagles does not exist within 2 miles of the proposed hydrant. Therefore, no active golden eagle nests are expected to occur in the vicinity and no impacts are anticipated.

Special-Status Bats: No rocky outcrops or trees potentially providing suitable roosting habitat for bat species will be affected by the proposed work. Therefore, no impacts are anticipated.

Special-Status Small Mammals: Special-status small mammals such as the American badger, desert kit fox, and/or ringtail can occur in many parts of the Project area, as suitable habitat is widespread. Based on the existing data reviewed and habitat conditions observed, the desert kit fox and American badger are assumed to be potentially present regionally, but not adjacent to the developed water source area. Suitable habitat for the ringtail is present in the region but is limited in extent to riparian areas and some desert mountains, and not adjacent to the developed water source area. No evidence of special-status small mammals was detected during the TEWS survey conducted on November 9, 2021. A preconstruction survey will be conducted within 7 days prior to the initiation of construction activities in the proposed work area and biological sweeps will be conducted according to protocol during continuous work activities. A If any special-status small mammals are found during the preconstruction survey or construction activities, potential impacts will be addressed according to the Desert Kit Fox, American Badger, and Ringtail Avoidance and Mitigation Plan and mitigation measures. With the implementation of Project mitigation measures, no impacts to the species are anticipated.

Special-Status Plants: The proposed work area is a developed/disturbed road shoulder and paved parking lot, and as such, is devoid of native plants. No special-status plants have been observed in the vicinity. Due to drought conditions and the timing of the TEWS survey on November 9, 2021, no annuals or event perennial herbs were present. Given these conditions and considering that the activities involve driving only on pavement, no impacts to special-status plants are anticipated by the use of this water source. In general, if special-status plants are observed, potential impacts to special-status plants will be addressed in accordance with the Special-Status Plant Salvage and Relocation Plan.

Cacti, Yucca, and Trees: No cactus or yucca species will be impacted by the use of this water source. The new work area is a developed/disturbed road shoulder and paved parking lot. No native cacti, yucca, or trees were identified during the TEWS biological survey conducted on 11/09/2021. Any cacti and yucca found during future preconstruction surveys or construction activities will be avoided to the extent feasible. Unavoidable impacts to cacti and yucca will be addressed in accordance with the Cacti and Yucca Salvage and Relocation Plan.

Jurisdictional Waters: No jurisdictional waterways were observed in the survey area. The proposed work area and access roads are paved and no impacts to any jurisdictional waterways that may be outside the survey area are anticipated.

Cultural Resources: While the site is not located within the Area of Potential Effects (APE) for the project, desktop analysis was conducted by the EPG project permitted archeologist and the EPG lead paleontologist. The analysis of publicly available maps and satellite imagery was conducted to determine if any known sites of cultural significance or deposits of paleontological significance occur in the water source work area, and/or would be impacted by the use of the water source. The proposed water source is located on a private, fully developed lot. Workers will access the site via an existing paved access road, park a water truck near the water source, fill, and exit through the same paved access road. The workers and vehicles will not stray outside of the private lot and paved access road. No grading, excavation, or ground disturbance will occur on the paved access road or within the private lot. Therefore, no impacts to cultural or paleontological resources are anticipated.

Hazards and Hazardous Materials: As required by MM HH-1, SCE prepared a Hazardous Materials and Waste Management Plan which was approved by the CPUC on October 30, 2020. Hazardous materials used and stored on site for the duration of construction activities will be managed according to the Plan. No additional impacts from hazards or hazardous materials will occur with the implementation of this MPR.

Noise: As required by MM N-2, construction notification fliers were distributed to inform property and business owners of the location and duration of construction. The flier includes provisions for public noticing including mailers, newspaper advertisements, public venue notices, and includes the establishment of a public liaison and toll-free information hotline. Monthly logs of public complaints are provided to the CPUC. No additional impacts to land use will occur with the implementation of this MPR.

Paleontological Resources: Since excavation is not proposed within the scope of work to be conducted at the water source, no impacts to paleontological resources are expected. If earth disturbance is required, further analysis by an approved paleontological monitor will be required to assess impacts and monitoring requirements per the Project's Paleontological Resources Monitoring Plan.

Traffic and Transportation: Consistent with MM T-1, Traffic Control Plans have been developed and approved by State and local agencies responsible for public roads. The Construction Transportation Plan describes timing of commutes, methods of reducing crew-related traffic, and other methods for reducing construction-generated additional traffic on regional and local roadways. As required by MM T-3, a Helicopter Use Plan was prepared and approved by the CPUC on November 17, 2020 (revised Plan approved September 25, 2021), which identifies flight paths that avoid sensitive receptors. No additional impacts to traffic and transportation will occur with the implementation of this MPR.

Visual Resources: The proposed additional work areas described in this MPR are no different than what was described in NTPs #3 and #4. No additional impacts to visual resources will occur with the implementation of this MPR.

Water Resources: As required by MM HWQ-2, SCE developed and submitted an Erosion Control Plan to the CPUC and BLM. The Erosion Control Plan was incorporated into the SWPPP, which is kept onsite and readily available on request. The Erosion Control Plan was approved by the CPUC on August 24, 2020. Any changes necessitated by this MPR will be incorporated into the SWPPP document. No additional impacts to water resources are anticipated with the implementation of this MPR.

Wildland Fire: SCE prepared a Fire Management Plan to satisfy the conditions of MM WF-1 and the Plan was approved by the CPUC on November 17, 2020. The Fire Plan was also approved by BLM and State and local fire agencies. No additional impacts to wildland fire will occur with the implementation of this MPR.

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

- SCE shall notify the CPUC and provide Collector data for the proposed work area covered in this MPR prior to the start of construction activities.
- All applicable Project MMs, APMs, compliance plans, and permit conditions shall be implemented. Some measures have 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 MPR shall be available on site for the duration of construction activities. All permits and plans shall be made available to the CPUC EM upon request.
- All crew members shall be WEAP trained prior to working on the Project. A log shall be maintained on-site with the names of all crew personnel trained. The WEAP training brochure can be provided in Spanish or other languages if appropriate. All participants will receive a hard-hat sticker for ease of compliance verification.
- 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 in technique and mitigation implementation to a lesser level are required, an MPR request shall be submitted for CPUC review.

- A preconstruction biological survey shall be conducted prior to initiating work in each proposed work area if those sites are no longer active.

Sincerely,

Eric Chiang

Eric Chiang
CPUC Environmental Project Manager

cc: V. Strong, Aspen