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**PUBLIC UTILITIES COMMISSION**

505 VAN NESS AVENUE  
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December 11, 2025

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 #9

Dear Mr. Diaz,

This letter documents the CPUC's thorough evaluation of all activities covered in this Minor Project Refinement (MPR), and that no new impacts or increase in impact severity would result from the requested MPR activities.

On December 10, 2025, Southern California Edison (SCE) submitted a request for MPR #9 for long term use of an existing well that would be utilized as a water source for the Alternating Current (AC) Mitigation work associated with the ELM Series Capacitor (ELM) Project. The well was formerly approved for short term use under the Temporary Extra Work Space (TEWS) process. The well is located on private property at 45401 National Trails Highway in the unincorporated community of Newberry Springs in San Bernardino County. The well is within a graded lot and would be accessed via National Trails Highway. The site is surrounded by agricultural uses. No ground disturbance would occur at the water source location. Water will be stored in approved yards or will be hauled directly to work sites for use as dust control and fire prevention.

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 (ELM) 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.

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 #9 for the continued use of the Eagle Drilling water source to AC Mitigation work construction activities (approved under NTPs #5) is granted by CPUC based on the factors described below.

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

## OVERVIEW AND DESCRIPTION

The water source is positioned in the middle of an agricultural property. The land in the immediate vicinity of the water source is developed/disturbed with a mix of landscaped, non-native, and native plant species, consisting mainly of oleander, eucalyptus, mesquite, nonnative grasses, various weed species, and pistachio orchards along the access road.

### 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 October 2025. 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.

### Environmental Analysis

To ensure consistency with the ELM IS/MND, a desktop analysis of publicly available data (e.g., California Natural Diversity Database, aerial imagery) was conducted to determine the potential for special-status species to occur at the water source. In addition, on October 1, 2025 a pedestrian biological survey of the water source work area was conducted of the site plus a 300-foot buffer and the access route plus a 50-foot buffer (collectively, the survey area). The biologist focused on observations of wildlife, wildlife sign (e.g., burrows, scat, tracks), and behavioral cues, as well as to assess the potential impacts to biological resources.

Nesting Birds: Suitable substrates for nesting birds protected by the Migratory Bird Treaty Act and California Fish and Game Code, including trees, shrubs, and man-made structures is found throughout the work area. A preconstruction survey for nesting birds will be conducted prior to the initiation/continuation of activities at the proposed work area during the avian breeding season (January 1 – August 31). If active nests are identified, avoidance buffers will be established in accordance with the project's Nesting Bird Management Plan (NBMP).

Golden Eagle (*Aquila chrysaetos*): Based on a review of aerial imagery, data provided by the USFWS, and project data, no known or historic GOEA nests are located within one mile of the water source.

Burrowing Owl (*Athene cunicularia*): No burrowing owls, potential burrows, or sign was observed during reconnaissance surveys. If burrowing owl is found during activities, potential impacts will be addressed according to the Burrowing Owl Management and Passive Relocation Plan.

Special-Status Bats: Use of the water source will not result in the grading of rocky outcrops or removal of trees potentially serving as bat roosts.

Special-Status Mammals: Special-status small mammals such as the American badger (*Taxidea taxus*), desert kit fox (*Vulpes macrotis*), and/or desert bighorn sheep (*Ovis canadensis*) can occur in many parts of the project area, as suitable habitat is widespread. Based on the existing data reviewed, project-specific survey records, and habitat conditions observed during the survey, desert kit fox, desert bighorn sheep,

and American badger are assumed to be present regionally. Suitable habitat for the ringtail (*Bassariscus astutus*) is present in the region, but is limited in extent to riparian areas and some desert mountains, not the project area. Habitat in the proposed work area is degraded and not suitable for special-status mammal species. In addition, human presence is constant at this location, further reducing suitability. It is unlikely that these species are present in the proposed work area and surrounding vicinity. If any special-status mammals are found during the preconstruction survey or construction activities, potential impacts will be addressed according to the project's mitigation measures.

Desert Tortoise (*Gopherus agassizii*) and Other Special-Status Terrestrial Herpetofauna: The proposed water source is located on developed/disturbed land in the vicinity of suitable desert tortoise habitat. However, no desert tortoises or desert tortoise sign were observed. No special-status reptiles nor unique habitats (e.g., sand dunes for Mojave fringe-toed lizards) were identified at the water source. If any special-status terrestrial herpetofauna are found during the preconstruction survey or construction activities, potential impacts will be addressed through implementation of mitigation measures and biological monitoring.

Special-Status Plants: The water source is located on developed/disturbed private property with highly compacted soils. No suitable habitat for special-status plants is present.

Cacti, Yucca, and Trees: No impacts to cactus or yucca species are anticipated.

Jurisdictional Waters: A desktop analysis of publicly-available data (National Wetland Inventory [NWI] and National Hydrography Dataset), was conducted and the October 1 survey served to identify features potentially subject to regulation under Sections 404 and 401 of the Clean Water Act, the Porter-Cologne Water Quality Control Act, and Section 1600 et seq. of California Fish and Game Code in the vicinity of the water source. As shown in the attached figure, one NWI-mapped feature, a freshwater pond, is located northwest of the water well. Activities described in this MPR will avoid direct and indirect impacts to the feature.

Cultural and Paleontological Resources: Cultural Resources Monitor (Brianna Rotella, Rincon) conducted a reconnaissance survey of the site on September 18, 2025, and Paleontologist (Brooke Slagle-Boyd, Rincon) performed a desktop review of the site. While the site is not located within the Area of Potential Effects (APE) for the project, desktop analysis of publicly available resources 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 using the water source.

Per the geologic map of Phelps et al. (2012), the area is underlain by active playa deposits and are considered to have Potential Fossil Yield Classification (PFYC) Class 4 (High) paleontological sensitivity. However, the location is graded and previously disturbed by human development. The proposed water source is located on a private, developed lot. Workers will access the site via an existing unpaved access road, park a water truck near the water source, fill, and exit through the same unpaved access road. The workers and vehicles will not stray outside of the private lot and unpaved access road. No grading, excavation, or ground disturbance will occur on the unpaved 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: The nearest noise sensitive receptors are a small group of occupied residential dwellings approximately 375 feet (ft.) south of the well location. While these receptors are located near the well,

the noise of the nearby National Trails Highway (immediately north of the well location), and the street noise of the intersection of Newberry Road and Interstate-40 (northwest of the well location) create ambient noise in the area and no additional noise impacts to the noise sensitive receptors are expected to result from Project use of the well.

Newberry Springs, as an incorporated community, does not have a municipal code; therefore, is subject to the San Bernardino County Noise Ordinance which exempts construction activities from the operational noise standards between the hours of 7:00 a.m. and 7:00 p.m., except Sundays and Federal holidays.

Traffic and Transportation: Parking would not be eliminated and the increased traffic would not result in impacts. The well is located approximately 375 ft. north of a residential area and there is adequate space to maneuver and stage vehicles within the TEWS. No impacts to residential parking are anticipated.

Visual Resources: The proposed additional work areas described in this MPR are no different than what was described in NTPs #5. 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.

**Conclusion:** No environmental constraints that would preclude the use of the proposed water source were identified. Regular sweeps will be continue under MPR #9. With implementation of the project MMs, no impacts to sensitive biological, cultural, paleontological, or jurisdictional waters resources are anticipated.

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

- 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.
- 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.

Sincerely,



Narissa Jimenez-Petchumrus  
CPUC Environmental Project Manager

cc: V. Strong, Aspen