

**PUBLIC UTILITIES COMMISSION**

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



June 13, 2018

Ryan Stevenson  
Principal Advisor  
Regulatory Affairs  
Southern California Edison  
8631 Rush St, General Office 4 – 235E (2nd Floor)  
Rosemead, CA, 91770

RE: West of Devers Upgrade Project: Minor Project Refinement #16

Dear Mr. Stevenson,

On June 11, 2018, Southern California Edison (SCE) submitted a request for Minor Project Refinement (MPR) #16 for the relocation of the Horizontal Directional Drill (HDD) alignment of the Devers-Valley Telecommunications Route at Smith Creek and new access paths required for Devers-Valley OPGW stringing along Coyote Trail approved under the California Public Utilities Commission (CPUC) Notice to Proceed (NTP) #3, August 10, 2017, in support of the West of Devers Upgrade Project in the City of Banning, Riverside County, California.

The CPUC voted on August 18, 2016 to approve SCE's West of Devers Upgrade Project (Decision D.16-08-017) and a Notice of Determination was submitted to the State Clearinghouse (SCH# 2014051041).

The CPUC also adopted a Mitigation, Monitoring, Compliance and Reporting Plan (MMCRP) to ensure compliance with all mitigation measures imposed on the West of Devers 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 a 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 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 #16 for the relocation of the HDD alignment of the Devers-Valley Telecommunications Route at Smith Creek and new access paths required for Devers-Valley OPGW stringing along Coyote Trail approved under NTP #3, is granted by CPUC based on the factors described below.

**SCE MPR Request.** Excerpts from the SCE MPR request, received June 11, 2018 is presented below (indented) [brackets for clarification]:

SCE is requesting approval for modification to NTP #3 work area mapping at Smith Creek Crossing at Old Banning Idyllwild Road and access paths along the Coyote Trail, in the City of Banning and Riverside County.

### HDD Realignment at Smith Creek

The HDD alignment of the Devers-Valley Telecommunications Route at Smith Creek has been relocated primarily to follow Old Banning Idyllwild Road and reduce impacts to jurisdictional waters and suitable habitat for Los Angeles Pocket Mouse (LAPM).

The first HDD run will begin west of existing riser pole 256815S, and extend approximately 363-feet west along Old Banning Idyllwild Road under Smith Creek, then approximately 120-feet of underground cable will be installed via open cut trench along Old Banning Idyllwild Road to the bore pit for a second HDD run, approximately 190-feet in length, in a southeasterly direction to DPV2 Tower M21T1.

The temporary disturbance impacts associated with the realignment total 0.49 acre, as described below:

<u>Vegetation Type</u>	<u>Acres</u>
Alluvial Scrub	0.23
Coastal Sage Scrub	0.20
Grassland/Forbland	0.06
<b>Total</b>	<b>0.49</b>

Of the 0.49-acre disturbance impact, the temporary disturbance impacts to Jurisdictional Waters total 0.14 acre.

### New Access Paths Required for Devers-Valley OPGW Stringing along the Coyote Trail

From pole 256815S, approximately 4,120 feet of new fiber optic cable will be installed to the east on existing distribution poles (combination of public and private lands) along the unpaved ROW to distribution pole 1589126E to the northeast. Along the route, four new access paths are required along the Coyote Trail, to access stringing locations from the previously approved access paths.

The temporary disturbance impacts associated with the new access paths total 0.09 [acre], as described below:

<u>Vegetation Type</u>	<u>Acres</u>
Coastal Sage Scrub	0.07
Grassland/Forbland	0.02
<b>Total</b>	<b>0.09</b>

### **CPUC Evaluation of MPR Request**

In accordance with the MMCRP, 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 areas on June 12, 2018. 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.

**Agriculture:** No Important Farmland will be impacted with the implementation of this MPR.

**Air Quality:** During proposed construction, SCE shall implement the Fugitive Dust Control Plan approved by the CPUC on May 22, 2017, as well as the Exhaust Emissions Control Plan approved by CPUC on June 8, 2017. In addition, in compliance with MM AQ-1b, off-road equipment with engines larger than 50 horsepower shall have engines that meet or exceed U.S. EPA/CARB Tier 3 Emissions Standards. No additional impacts to air quality will occur with the implementation of MPR.

**Biological Resources:** SCE submitted biological resource survey information with the MPR #16 request. The majority of the Devers-Valley Telecommunications Route is located along developed, disturbed, and compacted portions of Old Banning Idyllwild Road. The adjacent habitats are classified as alluvial scrub, coastal sage scrub, and grassland/forbland for most of the alignment. No trees have been identified for trimming or removal; however, if it is determined that tree trimming or removal is needed, SCE will obtain required permits and approvals.

A jurisdictional water is located east of existing pole 1589126E and runs south to approximately 60 feet east of existing pole 256809S. Existing poles 256814S and 256815S are located along Old Banning Idyllwild Road near a jurisdictional tributary connecting to Smith Creek. Work at the existing poles consists of overhead stringing, with no ground disturbing activities. Impacts to jurisdictional waters will be avoided by using rubber-tired work trucks to transport crew members along Old Idyllwild Road and the approved private driveways on the existing trails to the distribution pole line easement. Crew members will carry pole arms and hardware from their vehicle to each distribution pole on foot. Work at Smith Creek will be conducted via HDD to minimize impacts to the jurisdictional waters. Work will be conducted in compliance with the West of Devers 1602 Streambed Alteration Agreement, 404 Nationwide Permit, 401 Water Quality Certification, and Stormwater Pollution Prevention Plan.

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, are located within the vicinity. Preconstruction surveys for nesting birds, and ongoing surveys and monitoring for nesting birds, will take place during the nesting season (January 1 – August 31).

A known perennial golden eagle nest is located within 2 miles of the telecom alignment. A 1-mile buffer from the nest was established in accordance with the Nesting Bird Management Plan (FRED Bird Nest Event 000002) and the nest has been monitored by avian biologists to document productivity. Follow-up surveys will continue to be conducted by an avian approved biologist to determine nest status. It is anticipated that the nest will fledge around June 15, 2018. No construction will occur within the 1-mile buffer until the nest fledges.

Based on historic occurrences and project survey data, burrowing owls have a moderate potential to occur within 500 feet of the telecom work area; however, no burrowing owl or sign has been observed within the previous survey area.

Suitable habitat for LAPM is located within some of the work areas covered under this MPR. Where habitat is suitable for LAPM along the telecom alignment, SCE assumes presence and will implement the *Los Angeles Pocket Mouse Avoidance and Minimization Plan*. LAPM qualified biologists, Stephen Myers, led a preconstruction planning site visit in preparation for this MPR. Based on the nature of the planned work activities and the locations of habitat patches, Mr. Myers and the construction managers determined that impacts to LAPM can be avoided, provided a qualified biologist successfully completes trapping in the areas identified, monitors the maintenance and effectiveness of the wildlife barrier, and is present to assist the contractor by “micrositing” rubber tired trucks and equipment as the work takes place, and implementing the use of load spreading devices, as necessary and consistent with the *Los Angeles Pocket Mouse Avoidance and Minimization Plan*.

No additional impacts to biological resources are anticipated with the implementation of this MPR.

**Cultural Resources:** SCE submitted cultural resource information with the MPR #16 request. A Cultural Resources Management Plan (CRMP) has been completed for the West of Devers Upgrade Project and was approved by the CPUC in October 2017. The new work areas are located within the Project Area of Potential Affect (APE) and were covered within the record search data that was conducted during previous surveys and studies. The record search and survey results for the area were negative for cultural resources (SCE 2016). In the event of unanticipated discoveries, MM CL-1b, MM CL-1c, MM CL-1d and the CRMP requirements would be implemented. No impacts to cultural resources are anticipated with the implementation of this MPR.

**Geology and Soils:** SCE conducted geotechnical studies to evaluate faults, landslides and unstable slopes, and soil characteristics as outlined in MMs G-1a, G-2a, and G-5a. The geotechnical survey reports were reviewed and approved by the CPUC on August 17, 2017. No additional impacts to geology and soils will occur with the implementation of this MPR.

**Hazards and Hazardous Materials:** As required by MM HH-1a, SCE prepared and submitted a Hazardous Materials and Waste Management Plan to the CPUC on September 27, 2017. Hazardous materials used and stored on site for the duration of construction activities will be managed according to the Plan. A Soil Management Plan has been developed consistent with MMs HH-2a and HH-3a to provide guidance for the proper handling, onsite management, and disposal of impacted soil that might be encountered during construction activities, including soil samples to be collected in construction areas where the land has historically or is currently being used for agriculture and would be subject to ground disturbance by the project. SCE's Soil Management Plan was combined with the Hazardous Materials and Waste Management Plan described above. Also, SCE's contractor submitted information including written procedures for fueling and maintenance of construction equipment and an Emergency Response Plan. No additional impacts from hazards or hazardous materials will occur with the implementation of this MPR.

**Land Use:** As required by MM LU-1a, a Construction Notification Plan was prepared by SCE and approved by CPUC on May 22, 2017. The Plan identified the procedures to ensure that SCE will inform property and business owners of the location and duration of construction. The Plan 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. No additional impacts to land use will occur with the implementation of this MPR.

**Noise:** Best Management Practices for construction noise management will be implemented as outlined in MM N-1a to reduce construction noise exposure at noise-sensitive receptors and to avoid possible violations of local rules, standards, and ordinances during construction. Construction noise shall be confined to daytime, weekday hours (7:00 a.m. to 6:00 p.m.) or an alternative schedule developed by SCE based on its coordination with local jurisdiction. Construction traffic and helicopter flights shall be routed away from residences and schools, where feasible. No additional impacts to noise will occur with the implementation of this MPR.

**Paleontological Resources:** A Paleontological Resource Mitigation and Monitoring Plan (PRMMP) has been completed for the West of Devers Upgrade Project and was approved by the CPUC on May 9, 2017. The use of additional work areas described in this MPR #16 are no different than what was described in NTP #3. In the event of unanticipated discoveries, MM PAL-1d and the PRMMP requirements would be implemented. No additional impacts to paleontological resources will occur with implementation of this MPR.

**Traffic and Transportation:** Consistent with MM T-1a and MM T-1b, Construction Transportation and Traffic Control Plans have been developed and approved. 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. No additional impacts to traffic and transportation will occur with the implementation of this MPR.

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

**Water Resources:** As required by MM WR-2a, SCE developed and submitted an Erosion Control Plan to the CPUC and BLM. The Erosion Control Plan was incorporated into the Stormwater Pollution Prevention Plan (SWPPP), which will be kept onsite and readily available on request. SCE submitted the SWPPP to the CPUC on May 25, 2017. Any changes necessitated by this MPR will be incorporated into the SWPPP document. No additional impacts to water resources will occur with the implementation of this MPR. Under this MPR, impacts to jurisdictional water would be reduced.

**Wildland Fire:** SCE submitted a Fire Management Plan on February 10, 2017 to satisfy the conditions of MM WF-1a and the Plan was approved by the CPUC on July 18, 2017. This Fire Management Plan has been submitted to local fire departments. The majority of the Devers-Valley Telecommunications Route is located along developed, disturbed, and compacted portions of Old Banning Idyllwild Road. 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 provide the SWQCB approved HDD Plan to the CPUC prior to the start of drilling activities.
- SCE shall provide to the CPUC proof of coordination and approvals with the County for any road closure/detours associated with the open trench activities along the Smith Creek access road prior to any of those activities commencing.
- SCE shall provide the CPUC with updated GIS data of the new work areas.
- 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.
- SCE will conduct pre-construction surveys prior to construction, including surveys for nesting birds from January 1 to August 31. If special-status resources are identified, SCE will implement the applicable mitigation measures and/or permit conditions, as determined in coordination with the CPUC, BLM, CDFW, USFWS, or other applicable regulatory agencies. In addition, a Biological Monitor will conduct spot check sweeps weekly thereafter.
- 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, a MPR request shall be submitted for CPUC review.

Sincerely,

A handwritten signature in blue ink that reads "Billie Blanchard". The signature is written in a cursive, flowing style.

Billie Blanchard  
CPUC Environmental Project Manager

cc: V. Strong, Aspen