

**PUBLIC UTILITIES COMMISSION**

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



December 21, 2018

Alex Gutierrez  
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 #23

Dear Mr. Gutierrez,

On December 11, 2018, Southern California Edison (SCE) submitted a request for Minor Project Refinement (MPR) #23 for additional work areas to support activities approved under the California Public Utilities Commission (CPUC) Notice to Proceed (NTP) #4, September 5, 2017, in support of the West of Devers Upgrade Project in the Cities of Colton and Redlands, San Bernardino County, and the City of Calimesa, 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 to confirm 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 #23 for additional work areas to support activities (approved under NTP #4) is granted by CPUC based on the factors described below.

**SCE MPR Request.** Excerpts from the SCE MPR request, received December 11, 2018, are presented below (indented):

#### 2N32-Parking Lot Work Area

A 0.32-acre work area is required north of Supersite 2N32 and west of 2N31 for material and equipment staging/storage, to facilitate construction activities at the adjacent supersites.

The total temporary work area associated with the new work area consists of approximately 0.32 acres of privately owned, developed/disturbed asphalt commercial parking lot in Colton.

#### 3X29-WSS Wire Stringing Site

An additional 4.2-acre work area is required to support wire stringing activities associated with Supersites 3X29 and 3X31.

The total temporary work area associated with the new wire stringing set-up area consists of approximately 4.2 acres of privately owned, grassland/forbland in Redlands.

#### M37-T3-CP Wreck-out Work Area

An additional 0.03-acre work area is required to support wreck-out activities associated with Supersite M37-T3 east of Refuse Road.

The total temporary work area associated with the expanded work area consists of approximately 0.03 acre of publicly owned developed/disturbed land in Redlands.

#### 3X08-CP-N and 3X08-CP-S Wreck-out Work Area

An additional 0.02-acre of work area is required to support wreck-out activities associated with Supersite 3X08.

The total temporary work area associated with the expanded work area consists of approximately 0.02 acre of publicly owned land including grassland/forbland (0.01 acre) and coastal sage scrub (0.01 acre) in Calimesa.

#### Guard Structures GS-3-3X59 and GS-3-3X59E

An additional 0.17-acre work area is required on the south side of Cypress Way and an additional 0.28-acre work area is required to the south for the installation of guard structures required to facilitate wire stringing activities associated with Supersites 3X57 and 3X59.

The total temporary work areas associated with the new guard structure work areas consists of approximately 0.45 acre of privately owned developed/disturbed land in San Bernardino County.

#### Guard Structure GS-3-3X55-3X53 Location Adjustment

The approved guard structure work area at Refuse Road requires adjustment slightly to the east to facilitate wire stringing activities associated with Supersites 3X55 and 3X53.

The total additional temporary work space associated with the expanded guard structure work area consists of approximately 0.1 acre of publicly owned land including coastal sage scrub (0.07 acre), developed/disturbed (0.02) and grassland/forbland (0.01 acre) in San Bernardino County.

#### Guard Structure GS-3-3X35-3X33 Location Adjustment

The approved guard structure work area at Redlands Blvd requires adjustment slightly to the west to facilitate wire stringing activities associated with Supersites 3X35 and 3X33.

The total additional temporary work space associated with the expanded guard structure work area consists of approximately 0.20 acre of publicly owned grassland/forbland in Riverside County.

#### Guard Structures GS-3-3X27 and GS-3-3X27E

An additional 0.11-acre work area is required on the west side of 3X27 and a 0.15-acre work area is required on the east side of 3X27 for the installation of guard structures to facilitate wire stringing activities associated with Supersite 3X27.

The total temporary work areas associated with the new guard structure work areas consists of approximately 0.26 acre of privately owned developed/disturbed (0.17 acre) and coastal sage scrub (0.09 acre) in Riverside County.

### **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 December 20, 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. The additional work areas associated with this MPR are mostly previously disturbed/developed.

**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 this MPR.

**Biological Resources:** SCE submitted biological resource survey information with the MPR request. SCE conducted a desktop analysis of publicly available data and relevant project data to determine the potential for special-status species to occur at the new work areas. These new work areas were included in the study area for previous habitat assessments and protocol surveys, as well as recent preconstruction surveys.

In all of the new work areas analyzed in this MPR, 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).

Western burrowing owl (*Athene cunicularia*) habitat is widespread in the project area; however, burrowing owls only have a moderate potential to occur within 500 feet of the new work areas analyzed in this MPR. No burrowing owl or burrowing owl sign were observed within the new work areas during previous surveys and preconstruction surveys will be conducted prior to the start of construction.

#### 2NE32-Parking Lot Work Area

The new work area was covered within active preconstruction surveys (FRED Survey ID 000064). The paved work area is isolated from native habitats. Mapped coastal California gnatcatcher critical habitat is located within the work area of Tower 2N32, but it does not intersect the paved parking lot work area to the north. No suitable breeding habitat is located within 500 feet of the work area.

### 3X29-WSS Wire Stringing Site

The new work was covered within active preconstruction surveys (FRED Survey ID 000046). One non-wetland feature is located along the access road to the east of the new work area. Impacts to the jurisdictional feature will be avoided during use of the new work area.

A Paniculate tarplant (*Deinandra paniculate*; CRPR 4.2) plant was identified along the existing access road 230 feet north of Towers 3N29/3S29 during 2017 focused plant surveys. Plummer's mariposa lily (*Calochortus plummerae*; CRPR 4.2) plants were identified along the existing access road between Towers 3S28 and 3N29/3S29. The plants will be avoided to the extent feasible. Because these are CRPR 4 ranked species and not species subject to a Determination of Biologically Equivalent or Superior Preservation (DBESP) in the Western Riverside Multiple Species Habitat Conservation Plan (WR-MSHCP), no mitigation is required if impacts occur.

The new work area is located within mapped suitable habitat for Stephens' kangaroo rat (*Dipodomys stephensi*; SKR). A habitat assessment, pedestrian surveys, and trapping surveys were conducted in Segment 3 during the 2018 trapping season, and several years before. Habitat quality is generally poor in the project area and the project area is distant from extant populations. No SKR have been identified in the project area. SKR is a covered species un the WR-MSHCP. Based on a lack of historic data, habitat conditions, and negative results over several years of surveys, SKR are not expected in the new work area.

Special-status small mammals, such as the pallid San Diego pocket mouse (*Chaetodipus fallax pallidus*), northwestern San Diego pocket mouse (*Chaetodipus fallax fallax*), and other mammals, such as American badger, desert kit fox, and/or black-tailed jackrabbit (*Lepus californicus*), can occur in many parts of the project area, however no sign of the subject mammal species was observed during previous surveys of the new work site. If any of these species are found, potential impacts will be addressed according to the mitigation measures for these species.

### M37-T3-CP Supersite Expansion for Wreck-out Activities

The new work area was covered within active preconstruction surveys (FRED Survey ID 000057). A small patch of suitable habitat for riparian birds (least Bell's vireo [*Vireo bellii pusillus*] LBVI), and Southwestern willow flycatcher [*Empidonax traillii extimus*] SWFL) is mapped approximately 90 feet north of the new work areas. Protocol surveys were conducted in 2016, 2017, and 2018. No SWFL were confirmed during previous surveys in the area; however, LBVI were observed defending a territory, and presumably a nest, in 2018. If work occurs during the breeding season, buffers will be established in accordance with the USFWS Biological Opinion and the CDFW Incidental Take Permit. Buffer reductions, if needed, will be coordinated with the USFWS and CDFW.

Suitable habitat for coastal California gnatcatcher (*Polioptila californica californica*; CAGN) is mapped southwest of the new work area. Protocol surveys for CAGN were conducted in 2016, 2017, and 2018. No CAGN were detected in Segment 3.

Emergence surveys for special-status bats was conducted on July 25, 2018 focusing on the trees associated with a water feature approximately 100 feet northwest of wreckout 123234, 150 feet northwest of Tower M37-T3, and 275 feet northwest of Tower M97-T3. Silver-haired bats (*Lasionycteris noctivagans*) and big brown bats (*Eptesicus fuscus*) were documented as using these trees as a daytime and potential maternal roost site. Several other bat species, including canyon bat (*Pipistrellus hesperus*) and western yellow bat (*Lasiurus xanthinus*) were observed and recorded using the vegetated area and vicinity as a forage site. Silver-

haired bats and big brown bats are non-special-status; thus, the current 165 feet buffer will remain in place. The buffer limits were staked with Environmentally Sensitive Area (ESA) signs in the field and the new work areas are located outside the bat buffer.

#### 3X08-CP-N and 3X08-CP-S Expansion Areas for Wreck-out Activities

No new work areas were covered within active preconstruction surveys. Special-status small mammals, such as pallid San Diego pocket mouse, northwestern San Diego pocket mouse, and other mammals, such as American badger, desert kit fox, and/or black-tailed jackrabbit can occur in many parts of the project area. Required preconstruction surveys will confirm species presence. If any of these species are found, potential impacts will be addressed according to the mitigation measures for these species.

A historic Plummer's mariposa lily point was located along the access road between Towers 3X08 and 3X10 and was revisited during the preconstruction survey. The location likely still supports this species; however, none were visible at the time of the survey. The plant is not located within any planned disturbance area.

#### Guard Structures GS-3-3X59 and GS-3-3X59E

The two new guard site areas were covered within active preconstruction surveys (FRED Survey ID 000085). One guard structure site is located completely outside of suitable habitat for Stephens' kangaroo rat (SKR), and the other guard site overlaps a portion of mapped SKR suitable habitat. For project disturbances to suitable SKR habitat, Mitigation Measure VEG-1d: Restore or revegetate temporary disturbance areas, along with other agency take authorizations, will apply.

Special-status small mammals, such as the pallid San Diego pocket mouse, northwestern San Diego pocket mouse, and other mammals, such as American badger, desert kit fox, and/or black-tailed jackrabbit, can occur in many parts of the project area; however, no sign of the subject mammal species was observed during previous surveys of the new work site. Historic San Diego pocket mouse occurrences are located approximately 245 feet northeast of Tower 3X59 and 305 feet northeast of Tower 3X59. If any of these species are found, potential impacts will be addressed according to the mitigation measures for these species.

One non-wetland ephemeral jurisdictional feature is located outside the work areas on the north side of Cypress Way. The feature does not intersect the work areas and will be protected during ground disturbing activities.

#### Guard Structure GS-3-3X53-3X55 Adjustment

The new work area was covered within active preconstruction surveys (FRED Survey IDs 00112 and 000118). A historic western spadefoot toad (*Spea hammondi*) occurrence is located approximately 160 feet west of the adjusted work area; however, no special-status herpetofauna were observed with the adjusted work area during previous surveys.

A small patch of suitable habitat for riparian birds (LBVI/SFWL) is mapped southeast of Refuse Road. No additional impacts to riparian birds are expected as a result of construction in the adjusted work area on the opposite side of the road.

Suitable habitat for CAGN is mapped southeast of the new work area, within 500 feet. Focused surveys for CAGN were conducted in March and April 2018; no CAGN were detected in Segment 3.

Suitable habitat for SKR is mapped outside the adjusted work area on the opposite side of Refuse Road. Trapping surveys were conducted in Segment 3 in 2016, 2017, and 2018. No SKR were captured and so sign of SKR was observed during pedestrian surveys.

Approximately 230 feet east of the new work area, a cluster of trees associated with a water feature within the San Bernardino County Landfill was identified as potentially suitable for roosting bats during a bat habitat assessment conducted in May 2018. Emergence surveys were conducted in July 2018 and determined the presence of roosting silver-haired bats and big brown bats. Both species are non-special-status; therefore, a 165-foot buffer has been established in FRED and in the field. This buffer does not intersect the work limits. Additional emergence surveys will be conducted during the breeding season (March 1 to July 31) and within 14 days prior to the start of construction to determine whether species composition has changed. The buffer radius may change prior to the commencement of work in the event that a special-status species takes residence or if bats no longer inhabit this roost feature at that time.

Special-status small mammals, such as the pallid San Diego pocket mouse, northwestern San Diego pocket mouse, and other mammals, such as American badger, desert kit fox, and/or black-tailed jackrabbit, can occur in many parts of the project area; however, no sign of the subject mammal species was observed during previous surveys of the new work site. A historic San Diego pocket mouse occurrence are located approximately 475 feet west of the new work area. If any of these species are found, potential impacts will be addressed according to the mitigation measures for these species.

#### Guard Structure GS-3-3X35-3X33 Adjustment on Redlands Boulevard

The new work area was covered within preconstruction surveys (FRED Survey ID 00117). Suitable habitat for SKR is mapped in the adjusted work area. Based on a lack of historic data, habitat conditions, and negative results over several years of surveys, SKR are not expected. SKR is a covered species in the WR-MSHCP.

Special-status small mammals, such as the pallid San Diego pocket mouse, northwestern San Diego pocket mouse, and other mammals, such as American badger, desert kit fox, and/or black-tailed jackrabbit, can occur in many parts of the project area; however, no sign of the subject mammal species was observed during previous surveys of the new work site. If any of these species are found, potential impacts will be addressed according to the mitigation measures for these species.

One non-wetland water feature is located along Redlands Boulevard east of Supersite GS-3X33-3X35 and west of Supersite 3X33-3X35-2. This water feature does not intersect the work area for these supersites.

#### Guard Structures GS-3-3X27 and GS-3-3X27E

The new work areas were covered within active preconstruction surveys (FRED Survey ID 000046). The new work areas are located at least 420 feet east of mapped suitable habitat for SKR; therefore, no impacts are anticipated.

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

**Cultural Resources:** SCE submitted cultural resource information with the MPR 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 areas covered during previous cultural surveys for the *West of Devers: Cultural Resources Assessment and Class III Inventory* (LSA, 2013) and *Area of Potential Effects for the*

*Engineering Refinements Survey and Recommendation of Eligibility for Cultural Resources with SCE Company's West of Devers Project* (ASM, 2015). No cultural resources were identified within the additional work areas.

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 an additional work area and water hydrant described in this MPR 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 an additional work areas described in this MPR are no different than what was described in NTP #4 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.

**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. A revised Fire Management Plan was submitted by SCE on October 29, 2018, which was approved by the CPUC on October 30, 2018. The revised Plan was also approved by BLM and State and local fire agencies. The work areas in this MPR are located along developed and disturbed areas in the Cities of Loma Linda and Beaumont. 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 CPUC with Collector data for the new work areas 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.
- 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