

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



January 28, 2019

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 #24

Dear Mr. Gutierrez,

On January 15, 2019, Southern California Edison (SCE) submitted a request for Minor Project Refinement (MPR) #24 for a new wire stringing site at the San Bernardino Junction 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 City of Loma Linda, San Bernardino County, California. SCE submitted additional information on January 24, 2019.

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 #24 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 January 15, 2019, and additional information received January 24, 2019, are presented below (indented):

New Wire Stringing Site at the San Bernardino Junction

An additional 0.47-acre work area is required to support wire stringing activities associated with construction activities at the San Bernardino Junction.

The total temporary work area associated with the new wire stringing set-up area consists of approximately 0.11 acre of developed/disturbed land, 0.34 acre coastal sage scrub, and 0.02 acre of grassland/forbland in the City of Loma Linda, San Bernardino 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 Monitors (EMs) conducted a site visit of the requested work areas on January 16, 2019. 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 previously disturbed/developed and grassland/forbland.

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 area. The new work area was included in the study area for previous habitat assessments and focused surveys, as well as recent preconstruction surveys.

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 new work area and 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*) has a moderate potential to occur within 500 feet of the new work area analyzed in this MPR. No burrowing owl or burrowing owl sign were observed within the new work area during previous surveys; however, preconstruction clearance surveys and sweeps will be conducted prior to the start of construction.

An adult San Diegan tiger (coastal) whiptail (*Aspidoscelis tigris stejnegeri*) was observed climbing a barren sunny-side slope approximately 280 feet northwest of the new work area in October 2018. Clearance sweeps will be conducted prior to construction. If special-status herpetofauna are observed within the work areas, they will be allowed to vacate on their own power and/or qualified biologists will move them out of harm's way.

The new work area is located within previously mapped suitable habitat for Stephen's kangaroo rat (*Dipodomys stephensi*; SKR). The habitat mapping was conducted using mapping units that allowed for small areas of habitat, not suitable for SKR, to be mapped within the habitat polygons. A microsite field review of the new MPR work area identified land cover types (coastal sage scrub and developed/disturbed land), that do not support SKR, dominate the area. Trapping surveys were conducted in the project area in 2016, 2017, and 2018. No SKR were captured during the surveys. Based on a lack of historic data, degraded habitat conditions, and negative results over several years of surveys, no impacts to SKR are expected under this MPR.

Special-status small mammals such as the pallid San Diego pocket mouse (*Chaetodipus fallax pallidus*), northwestern San Diego pocket mouse (*Chaetodipus fallax fallax*), American badger (*Taxidea taxus*), desert kit fox (*Vulpes macrotis*), and/or San Diego black-tailed jackrabbit (*Lepus californicus bennettii*) can occur in many parts of the project area. Historic San Diego pocket mouse occurrences are located approximately 470 feet northwest of the new MPR work area. Clearance sweeps will be conducted prior to construction. If any of these species are found, potential impacts will be addressed according to the Small Mammals Avoidance and Minimization Plan.

A California walnut (*Juglans californica*; CRPR 4.2) tree is located approximately 270 feet northwest of the new work area. Since the tree is not located within the new work area, no impacts will occur.

SCE is in the process of coordinating with the City of Loma Linda to determine whether the removal of four trees (2 holly leaf cherry and 2 elderberry) located within the new MPR work area is covered under the existing encroachment permits. If tree removal permits are required, they will be provided to the CPUC prior to removal.

One non-wetland ephemeral jurisdictional feature surrounds the work area on three sides. The feature does not intersect the new work area and will be protected during ground disturbing activities with the installation and maintenance of wire backed silt fence and 8-inch ERETEC S-fence along the adjacent perimeter of the new work site. The fencing will provide a visual barrier to prevent vehicles and equipment from impacting the waterway.

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 area is located within the West of Devers Area of Potential Effects (APE) and was covered within the record search data that was conducted during previous WOD cultural surveys and studies; *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). The record search and survey results for the area were negative for cultural resources.

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 the local jurisdiction(s). 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. Paleontological sensitivity in the area is considered a Class 5 (very high), and full-time monitoring is required during qualifying excavations outlined in the PRMMP. The use of the additional work area described in this MPR is no different than what was described in NTP #4. 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 area described in this MPR is no different than what was described in NTP #4 and is 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 area in this MPR is located along

developed/disturbed and grassland/forbland areas in the City of Loma Linda. 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.
- Staking verification by the CPUC EM is required prior to use of the new wire stringing site requested under this MPR.
- SCE shall provide confirmation that any necessary tree removals are covered under the existing encroachment permits with the City of Loma Linda or provide additional approvals for tree removal from the City.
- Due to the paleontological sensitivity in the area (Class 5, very high), full-time paleontological monitoring shall occur during qualifying excavations outlined in the PRMMP.
- 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 shall conduct an updated pre-construction survey 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, an MPR request shall be submitted for CPUC review.

Sincerely,



Billie Blanchard
CPUC Environmental Project Manager

cc: V. Strong, Aspen