

PUBLIC UTILITIES COMMISSION

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March 14, 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 #25

Dear Mr. Gutierrez,

On March 11, 2019, Southern California Edison (SCE) submitted a request for Minor Project Refinement (MPR) #25 for an additional temporary work area west of Supersite 3X55 to facilitate tower construction and stringing 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 Colton, San Bernardino 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 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 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 #25 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 March 11, 2019, are presented below (indented):

Expansion of Supersite 3X55

An additional 0.36-acre work area is required west of Supersite 3X55 to facilitate tower construction and stringing activities associated with site 3X55.

The temporary work area consists of approximately 0.11-acre developed/disturbed land, 0.24-acre grassland/forbland, and 0.01-acre coastal sage scrub in the City of Colton, in 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 March 12, 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, grassland/forbland, and coastal sage scrub vegetation communities.

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, 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). If active nests are found, potential impacts will be mitigated through implementation of the Nesting Bird Management Plan.

A small patch of occupied habitat for riparian birds, least Bell's vireo (*Vireo bellii pusillus*) and Southwestern willow flycatcher (*Empidonax traillii extimus*) is mapped east of Refuse Road, approximately 840 feet southeast of the new work area. No impacts to riparian birds are expected as a result of construction in the new work area located on the opposite side of Refuse Road.

Suitable habitat for coastal California gnatcatcher (CAGN; *Poliophtila californica californica*) is mapped south of the new work area, on the opposite side of Refuse Road. Focused surveys for CAGN were conducted in March and April 2018. No CAGN were detected in Segment 3. Preconstruction clearance surveys will be conducted prior to the start of work and no impacts to CAGN are expected as a result of construction in the new work area.

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.

A historic western spadefoot toad (*Spea hammondi*) occurrence is located approximately 530-feet southeast of the new work area. Tadpoles were found in a vernal pool in the spillway near Refuse Road and south of Site 3X55. The new work area is located upland of the habitat feature. No special-status herpetofauna were observed within the new work area during previous preconstruction surveys. The drainage pond associated with the landfill has the potential to house special-status herpetofauna; however, a chain-link fence and large berm separates the pond from the work area and no impacts are anticipated.

The new work area is located in mapped suitable habitat for Stephens' kangaroo rat (SKR). Trapping surveys were conducted in Segment 3 in 2016, 2017, and 2018. No SKR were captured. No sign of SKR has been observed during previous pedestrian surveys. Based on a lack of historic data, habitat conditions, and negative results over several years of surveys, SKR are not expected. Nonetheless, preconstruction surveys will be conducted prior to the start of work. Therefore, no impacts are anticipated. However, for the purpose of mitigation tracking, an equal portion of mapped suitable SKR habitat in Supersite 3X59 will not be impacted by construction to offset impacts to mapped suitable SKR habitat 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*), 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. A historic San Diego pocket mouse occurrence is located approximately 190 feet west of the new MPR work area; however, no special-status small mammals were observed within the new work area during previous surveys. 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.

Approximately 840 feet southeast 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. Silver-haired bat (*Lasiorycteris noctivagans*) and big brown bat (*Eptesicus fuscus*) were documented using these trees as a daytime and potential maternal roost site during the emergence survey conducted at Habitat Event 000006 on July 25, 2018. An ESA has been established around this roost site in FRED and in the field. Given the high-volume of dump-truck traffic that occurs along Refuse Road between the work area and the bat buffer during regular work hours, project-related ingress/egress and construction in the new work area are not expected to impact roosting bats at Habitat Event 000006.

Paniculate tarplant (*Deinandra paniculate*; CRPR 4.2) plants have been mapped approximately 380 feet northwest of the new work area. The previously mapped areas will be avoided to the extent possible. Care will be taken to limit work in the approved work area. Because these are CRPR 4 ranked species, no further mitigation action is required. Areas where Paniculate tarplant were identified during past survey efforts were revisited. No Paniculate tarplant or other special-status plants were observed within the new work area during previous surveys. The new work area and surrounding area experience a very high degree of grazing by feral donkeys; therefore, no impacts to special-status plants are anticipated.

One non-wetland jurisdictional waterway is located south of the new work area and is separated from the project by a chain-link fence and raised berms, and the new work area does not intersect jurisdictional waters; therefore, no impacts to jurisdictional features 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 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 3 (moderate), and full-time monitoring is required during qualifying excavations outlined in the PRMMP. Qualifying excavations include grading, drilling (if drill bit is greater than two feet in diameter), excavation for retaining walls, and excavation of construction areas. 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, grassland/forbland, and coastal sage scrub areas in the City of Colton. 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.
- Due to the paleontological sensitivity in the area (Class 3, moderate), 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.
- 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,

A handwritten signature in black ink that reads "John Forsythe". The signature is fluid and cursive, with the first name "John" and last name "Forsythe" clearly legible.

John Forsythe
CPUC Environmental Project Manager

cc: V. Strong, Aspen