PUBLIC UTILITIES COMMISSION
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July 2, 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 #29

Dear Mr. Gutierrez,

On June 27, 2019, Southern California Edison (SCE) submitted a request for Minor Project Refinement (MPR) #29 for additional workspace in seven locations located in Riverside County within Whitewater, the City of Cabazon, BLM lands, and Riverside County Regional Park & Open Space District. The areas include the expansion of Supersites 6S39 and GS-6X15-6S16-4 for material and equipment staging and wire stringing activities; new wire stringing sites near Construction Areas 6S34, 6S35, 6S26, 6X24, and 6S21; and new telecom work areas outside of El Casco Substation for 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 Counties of San Bernardino and Riverside, 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 #29 for the work described below 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 June 27, 2019 are presented below (indented):

Expansion of 6S39 Supersite for Material and Equipment Staging and Wire Stringing Activities (Segment 6):

Supersite 6S39 will be expanded to the east within the SCE transmission line corridor to provide adequate work space for material and equipment staging during tower construction, wire stringing activities, and wire wreck-out,

The new work area consists of approximately 0.59-acres of developed/disturbed land. The land is privately-owned and is located within the SCE transmission line right-of-way in Whitewater, Riverside County.

6S34 and 6S35 Wire Stringing Sites (Segment 6):

Two new temporary work areas are required west and east of Supersites 6S34 and 6S35, respectively, to facilitate wire stringing activities associated with the tower sites. The new work areas will be lightly graded to level the existing terrain.

The total temporary disturbance area associated with the new work areas consists of approximately 2.27 acres of developed/disturbed (.39 acre) and desert scrub (1.87 acre). The land is privately owned and is located within the existing SCE transmission line right-of-way in Whitewater, Riverside County.

6X26 Wire Stringing Sites (Segment 6)

Two new temporary work areas are required east and west of Supersite 6S26 to facilitate wire stringing activities associated with the tower site. The new work areas will be lightly graded to level the existing terrain.

The total temporary disturbance area associated with the new work areas consists of approximately 1.79 acres of developed/disturbed land (0.29 acre) and desert scrub (01.5 acres). The land is privately owned and is located within the existing SCE transmission line right-of-way in the City of Cabazon.

Expansion Area west of 6X24 (Segment 6)

Supersite 6X24 will be expanded to the west within the SCE transmission line corridor to provide adequate work space for material and equipment staging during tower construction, wire stringing, and wire wreck-out activities.

The new work area consists of approximately 0.47-acres of developed/disturbed land (0.16 acre) and desert scrub (0.31 acre). The land is owned by the Bureau of Land Management but is located within the SCE transmission line right-of-way in Cabazon, Riverside County.

Work Area east of 6S21 (Segment 6)

A new work area is required east of 6S21, within the SCE transmission line corridor to provide adequate work space for material and equipment staging during tower construction, wire stringing, and wire wreck-out activities.

The new work area consists of approximately 0.23-acre of developed/disturbed land (0.05 acre) and desert scrub (0.18 acre). The land is privately owned and is located within the SCE transmission line right-of-way in Cabazon, Riverside County.

Expansion Area east of GS-6X15-6S16-4 (west of 6S15) (Segment 6)
Supersite GS-6X15-6S16-4 will be expanded to the east within the SCE transmission line corridor, to provide adequate work space for material and equipment staging during tower construction, wire stringing, and wire wreck-out activities, associated with 6S15.

The new work area consists of approximately 0.41-acres of desert scrub. The land is owned by Southern California Edison in Cabazon, Riverside County.

New Telecom Work Areas Outside of El Casco Substation

Two new work areas are required north and east of El Casco Substation to facilitate telecommunication tie-ins from structures 3N02 and 4N64 into the El Casco Substation. The new work areas will receive drive and crush impacts and the installation of two new telecom manholes.

The new work areas consist of approximately 1.27 acre of previously developed/disturbed land (0.95 acre) and coastal sage (0.32 acre), owned by the Riverside County Regional Park & Open Space District.

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 28, 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 is located within the proposed MPR work areas.

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. The MPR work areas were also included in the study area for previous habitat assessments and focused surveys, as well as recent preconstruction surveys.

Nesting Birds: 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, can be found throughout the Project area. No active nest buffers intersect the proposed MPRr work areas at this time. Preconstruction surveys, including surveys for nesting birds during the avian breeding season (Jan 1 – Aug 31) will be conducted prior to the initiation of construction use in each MPR area. If active nests are identified, avoidance buffers will be established in accordance with the Nesting Bird Management Plan (NBMP). With implementation of the NBMP, no impacts are anticipated.

Listed Riparian Birds: Suitable habitat for riparian bird (least Bell's vireo [LBVI] or southwestern willow flycatchers [SWFL]) breeding associated with San Timoteo Creek is located adjacent to the eastern edge of the proposed MPR work areas for Tower 4N64 and the telecom manhole. LBVI are known to occur in the riparian habitats associated with San Timoteo Creek and several LBVI nests were identified within the survey area this

breeding season. Multiple LBVI observations have been made in the vicinity of the work area (FRED Species Events 000013, 000014, 000015, 000016, 000038 and 000054). Approved LBVI/SWFL biologists conducted six rounds of protocol surveys in suitable riparian bird habitat within 500 feet of construction between April 13, 2018 and June 14, 2018 in the survey area. No currently active LBVI nest buffers are located within the proposed MPR work areas. The breeding season for this species is trending toward completion. No new nests are anticipated. With implementation of the MMs, including preconstruction surveys, sweeps, and biological monitoring during construction, no impacts to listed riparian birds are anticipated. No suitable habitat for LBVI or SWFL occurs within 500 feet of the other requested MPR work areas. Therefore, no impacts are anticipated.

Golden Eagle: Based on aerial habitat assessments and protocol surveys conducted for the Project, no suitable nesting habitat for golden eagles is located within 2 miles of the proposed MPR work areas. Therefore, no impacts are anticipated.

Burrowing Owl (*Athene cunicularia*): Burrowing owl (BUOW) habitat is widespread in the Project area. A BUOW and a burrow with whitewash and pellets were previously observed approximately 290 feet southwest of Supersite 6S35. Active BUOW burrows will be mitigated for in accordance with the Burrowing Owl Management and Passive Relocation Plan; therefore, no impacts are anticipated.

Special-Status Bats: Areas of suitable bat habitat were previously mapped along the Project. Yuma myotis, big brown bat, silver-haired bat, hoary bat, California myotis and canyon bat have all been documented by the approved Bat Specialist as using the riparian area associated with San Timoteo Creek north of the work area and access road as a daytime roost site (Habitat Event 000031). Additionally, a large eucalyptus stand south of the El Casco access road has been identified as a potential daytime and/or maternal roost site (Habitat Event 000012). 165-foot buffers have been established around the suitable roost features within this corridor and the access road to 4N64 passes through the buffer established for Habitat Event 000031. However, the potential risk of using the access road was evaluated and it was determined that ingress/egress of construction vehicles and equipment is unlikely to result in adverse impacts to the roosting bats. Signage indicating no stopping, idling, or loitering has been established in the field and construction personnel have been instructed to respect those instructions and to avoid using horns or making other loud noises within the buffers. In addition, buffers established around the potential roost sites do not intersect the proposed MPR work areas. With implementation of the MMs, including preconstruction surveys, sweeps, and biological monitoring during construction, no impacts to special-status bats are anticipated.

No suitable bat roosting habitat or buffers occur within the other requested MPR work areas; therefore, no impacts are anticipated.

Special-Status Small Mammals: Special-status small mammals such as the pallid San Diego pocket mouse, northwestern San Diego pocket mouse, American badger, desert kit fox, San Diego desert woodrat, and/or San Diego black-tailed jackrabbit can occur in many parts of the Project area. Ringtail and Palm Springs round-tailed ground squirrel are not expected. Little pocket mouse (including Los Angeles pocket mouse [LAPM] and Palm Springs pocket mouse [PSPM] subspecies) occupied habitat is widespread throughout Segment 6. There is also mapped suitable habitat for the LAPM located approximately 50 feet east of the proposed MPR work areas at El Casco Substation; however, no suitable habitat for LAPM is located within the work areas. San Diego pocket mouse have been observed in Segment 6, approximately 400-feet north of the proposed MPR work areas on either side of 6S26. If special-status small mammals are identified during preconstruction surveys, sweeps, or monitoring, the Special Status Small Mammal Avoidance and Minimization Plan will be implemented; therefore, no impacts are anticipated.

Desert woodrat middens have been identified near the proposed MPR work areas at tower sites 6S39, 6S34, T238, 6S35, 6N21, 6N15, 6S15, and 6S16, and San Diego desert woodrat middens have been identified near the new work areas of tower sites 6N15, 6S15, and 6S16. A 10-foot no-entry buffer was established around the middens using Environmentally Sensitive Area (ESA) signs and will also be implemented if other middens are found in the new work areas. If construction determines avoidance of these buffers is not possible, a qualified biologist will relocate the midden in accordance with the Special Status Small Mammal Avoidance and Minimization Plan; therefore, no impacts are expected.

Stephen's Kangaroo Rat (*Dipodomys stephensi*): Mapped suitable habitat for Stephens' kangaroo rat (SKR) is located adjacent to both sides of the El Casco access road and approximately 200 feet west of the proposed MPR work area associated with Tower 3N02. A habitat assessment, pedestrian surveys, and trapping surveys were conducted as recent as last trapping season 2018. No SKR were captured. Based on a lack of historic data, habitat conditions, and negative results over several years of surveys, SKR are not expected. The other new work areas are not located within suitable habitat for the species; therefore, no impacts are anticipated.

Desert Tortoise (*Gopherus agassizii*): The new MPR work areas west and east of sites 6S34 and 6S35, east and west of 6S26, west of 6X24, east of 6S21, and east of GS-6X15-6S16-4 are all located within desert tortoise (DETO) modeled habitat. No definitive signs of DETO were observed during the 2019 preconstruction surveys for surrounding Project sites. With the implementation of MM requirements, including preconstruction surveys of MPR work areas, sweeps, and monitoring during construction, no impacts to desert tortoise are anticipated. The work areas near El Casco Substation are not located within the range of the DETO; therefore, no impacts to desert tortoise are anticipated at these locations.

Special-Status Terrestrial Herpetofauna: One red-diamond rattlesnake (Crotalus ruber) occurrence was recorded approximately 260 feet southwest of the proposed MPR work area associated with Tower 3N02. No special-status terrestrial herpetofauna were observed within the other proposed MPR work areas; however, many species have the potential to occur throughout the Project area. With implementation of the MMs, including preconstruction surveys, sweeps, and biological monitoring during construction, no impacts to special-status terrestrial herpetofauna are anticipated.

Special-Status Plants: Coachella Valley milk-vetch (*Astragalus lentiginosus var. coachellae* [CVMV]; FE, CRPR 1B.2) modeled habitat overlaps some of the proposed MPR work areas. Previous comprehensive surveys have been negative for the species. If milk-vetch plants are identified during future surveys or clearance sweeps/monitoring, ESA buffers will be established, and the special-status plants will be avoided to the extent feasible. Since a federally listed species, unavoidable impacts will be addressed in coordination with the USFWS.

Chaparral sand verbena (Abronia villosa var. aurita; CRPR 1B.1) occupied habitat overlaps some of the proposed MPR work areas. Individual chaparral sand verbena plants have also been identified within 6S26 and the MPR work area east of 6S21, and 320 feet north east of the MPR work area adjacent to 6S24. The boundaries of the occupied habitat were staked with ESA signs along the access roads. If additional special-status plants are later identified during clearance sweeps/monitoring, ESA buffers will be established and special-status plants will be avoided to the extent feasible. Unavoidable impacts to State-listed special-status plants will be addressed in accordance with the Special-Status Plant Salvage and Relocation Plan. Many of the work areas along Segment 6 have been staked with a 3-foot offset from the approved work limits, which will serve to minimize impacts to occupied habitat. Seed was collected from these populations in 2019 and will be planted during the restoration phase of the Project.

Smooth tarplant (Centromadia pungens ssp. laevis; CRPR 1B.1, WR-MSHCP Criteria Area Plant Species) occurs throughout the habitat immediately north of the El Casco paved access road. Plants have not been previously identified within the new work areas; therefore, no impacts to smooth tarplant are anticipated. Current polygons accurately delineate the locations of these plants where they occur. ESA signs have been established in the field. With implementation of the MMs and biological monitoring during construction, no impacts to special-status plants are anticipated.

Regulated Trees: No tree removal or trimming is required for construction activities within the MPR work areas.

Jurisdictional Waters: Wetland and non-wetland jurisdictional features are located throughout the Project area. No jurisdictional features intersect the proposed MPR work areas, although a jurisdictional feature exists immediately west of the MPR work area near 6S35. BMPs will be implemented in accordance with the Project SWPPP. A preconstruction survey of the work areas will be conducted prior to use. Therefore, no unpermitted impacts to jurisdictional waters are anticipated.

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 the WOD area of potential effect and were covered within the record search data that was conducted during previous WOD surveys and studies. The record search and survey results for the new work areas were negative for cultural resources (Williams, Audry. 2016. Cultural Resources Management Plan for Southern California Edison Company's West of Devers Transmission Line Upgrade Project, Riverside and San Bernardino Counties, California).

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. The MPR work areas east of 6S39; west and east of 6S34 and 6S35, respectively; east of 6S21; east of GS-6X15-6S16-4, and adjacent to El Casco Substation are located in areas of low PFYC 2 paleontological sensitivity; therefore, the sites may initially be spot checked by a qualified paleontological monitor to confirm the PFYC 2 classification. The new work areas east and west of 6S26 and west of 6X24 are in areas of unknown PFYC U paleontological sensitivity) and will be monitored by a qualified paleontological monitor on a part-time basis. 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 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 is 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. 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 BLM approval for use of the requested site located on BLM lands to the CPUC prior to use of the subject site.
- SCE shall provide Riverside County Regional Park & Open Space District approval for use of the requested sites located on District lands to the CPUC prior to use of the subject sites.

- 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.
- 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,

John Forsythe
CPUC Environmental Project Manager

cc: V. Strong, Aspen