

**PUBLIC UTILITIES COMMISSION**

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



August 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 #30

Dear Mr. Gutierrez,

On August 1, 2019, Southern California Edison (SCE) submitted a request for Minor Project Refinement (MPR) #30 for additional workspace to facilitate underground and overhead cable removal in several locations located in Riverside County and the City of Beaumont. The areas include two temporary work areas surrounding existing manhole locations along Oak View Drive and an existing access road from tower M1T1 east to Diablo Road for telecommunication activities 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 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 #30 for the work described below to support telecommunication activities (approved under NTP #3) is granted by CPUC based on the factors described below.

**SCE MPR Request.** Excerpts from the SCE MPR request, received August 1, 2019 are presented below (indented):

#### Maraschino Tap – Existing Underground Cable Removal (Segment 4):

Two temporary work areas are required on the west side of Oak View Drive, north of Oak Valley Parkway and south of Fairview Drive in Beaumont, to facilitate the removal of existing underground telecommunication cable from two existing manhole locations. The new work areas will be used to park construction vehicles along the concrete curb on the paved street and stage material and equipment adjacent to the existing manhole locations on the sidewalk and remove existing cable. No ground disturbance is required in the new work areas.

The temporary work areas each consist of approximately 0.03 acre of developed/disturbed land located in the public right-of-way in Beaumont, Riverside County.

#### Devers Tap – Existing Overhead Cable Removal (Segment 6):

The existing access road from tower M1T1 east to Diablo Road is required to remove existing overhead telecommunication cable from existing poles along the access road. The new work area will be used to stage construction vehicles, material, and equipment along the existing access road, adjacent to the existing distribution poles and remove the overhead cable. No ground disturbance is required to improve the existing access road in the new work locations.

The work area associated with the cable removal consists of approximately 5,380 linear feet of developed/disturbed access road. The land is located within the existing SCE transmission line right-of-way 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 August 2, 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 MPR 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: No suitable habitat for riparian birds (least Bell's vireo [LBVI] or southwestern willow flycatchers [SWFL]) occurs within 500 feet of the new 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, including near the proposed Segment 6 access road and work site. Adult burrowing owl (FRED Species Event 000121) and four fledgling burrowing owls (FRED Species Event 000212, 000302) have been previously observed in 2019. Active burrows (with sign) were also previously detected. The buffer for FRED Nest Event 000302, which currently intersects the Segment 6 work area, will be managed in accordance with the Burrowing Owl Management and Passive Relocation Plan; therefore, no impacts are anticipated. No BUOW have been previously identified in the area of the requested Segment 4 sites.

Special-Status Bats: No suitable bat roosting habitat or buffers occur within the new 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. Palm Springs pocket mouse was previously observed approximately 200 feet west of supersite 6X11. Palm Springs pocket mouse was also previously observed approximately 200 feet north and approximately 300 feet northwest of supersite 6X12. Since the work activities will occur within existing disturbed areas, however, no impacts to Palm Springs pocket mice are anticipated.

The project has been designed to minimize impacts to the extent feasible. Impacts will be further mitigated through implementation of the Special-status Small Mammals Avoidance and Minimization Plan and subsequent coordination with the CDFW. If any other special-status small mammal species are found during construction activities, potential impacts will also be addressed according to the Plan.

San Diego Desert Woodrat – Numerous active woodrat middens have been observed within the supersites and access roads adjacent to the new Segment 6 road work area (FRED Habitat Events 000381-000410; 000054-000058; 00020-000203, 000060; 000172-000173, 000114, and 000058; 000354, 000356, 000339, and 000263; 000081-000082, and 000056). A 10-foot no-entry buffer was established around the midden using ESA signage and will also be implemented if other midden are found near the new work area. 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. Since the active access road is not suitable habitat for woodrat, no impacts are expected.

The Oak View Drive work areas are not suitable habitat for special-status small mammals; therefore, no impacts are anticipated at those locations.

Stephen's Kangaroo Rat (*Dipodomys stephensi*): The new work areas are not located within suitable habitat for the species; therefore, no impacts are anticipated.

Desert Tortoise (*Gopherus agassizii*): The new work area along the Segment 6 access road associated with the Devers Tap overhead telecommunication cable removal is located within desert tortoise (DETO) modeled habitat. No DETO sign was observed in the area during preconstruction surveys. With clearance sweeps, mitigation measures, and monitoring, no impacts to DETO are anticipated in this area. The Oak View Drive work areas are not located within the range of the DETO; therefore, no impacts to DETO are anticipated at those locations.

Special-Status Terrestrial Herpetofauna: No special-status terrestrial herpetofauna were observed within the new work areas. However, many species have the potential to occur throughout the Project area. Therefore, a preconstruction survey of each work area will be conducted prior to use. With implementation of the mitigation measures and biological monitoring during construction, no impacts to special-status terrestrial herpetofauna are anticipated.

Special-Status Plants: No special-status plants were observed within the survey areas. If special-status plants are later identified during clearance sweeps/monitoring, they will be avoided to the extent feasible. Unavoidable impacts to special-status plants will be addressed in accordance with the Special-status Plant Salvage and Relocation Plan.

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 new work areas. 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 (APE) 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, except for one ineligible prehistoric site of lithic scatter located north of the Segment 6 access road between M0-T5(1) and M0-T4(1). ESA signage has been posted at the site in accordance with the CRMP; therefore, the site will be protected in place

**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. No ground disturbance will occur in the new work areas during the removal of existing telecommunication cable, therefore no paleontological monitoring is required in the new work areas.

**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 #3 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 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