

PUBLIC UTILITIES COMMISSION

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October 7, 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 #31

Dear Mr. Gutierrez,

On October 2, 2019, Southern California Edison (SCE) submitted a request for Minor Project Refinement (MPR) #31 for additional workspace to facilitate underground and overhead cable removal in several locations located in the City of Banning and the City of Loma Linda, Segments 2 and 4. The areas include one temporary work area west of Construction Area WSS-2-2N12; an existing access road east of 4X17; and two temporary work areas surrounding 2N14 for transmission line 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. Additional information was provided on October 7, 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 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 #31 for the additional Segment 2 and 4 work areas to support transmission line 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 October 2, 2019 are presented below (indented):

Wire Stringing Site WSS-2-2N12-MPR-31

A new temporary work area is required west of WSS-2-2N12 to facilitate wire stringing activities associated with tower 2N12. The new work area will be lightly graded to level the existing terrain.

The total temporary disturbance area associated with the new work area consists of approximately 0.49 acre of developed/disturbed land (0.08 acre) and grassland/forbland (0.41 acre). The land is privately owned and located within the City of Loma Linda.

Access Road East of 4X17

Use of an existing access road, located east of 4X17, is required to connect two approved access roads and reduce construction travel between work sites. The access road would provide more direct access between PP #123333, 4X16 and other nearby work areas.

The existing access road is approximately 90 feet in length and 20 feet in width, orientated in a north-south direction on previously disturbed land (33.947165 N, -116.929554 W). The land is privately owned by Pardee Homes and is located within the existing SCE transmission line right-of-way, in the City of Banning.

Work Areas WA-2-2N14-1-MPR-31 and WA-2-2N14-2-MPR-31

Two new temporary work areas are required east and west of 2N14 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 0.69 acre of developed/disturbed land (0.30 acre) and grassland/forbland (0.39 acre). The land is privately owned and located within the SCE transmission line right-of-way in the City of Loma Linda.

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 October 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 or access road 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 or access road. Therefore, no impacts are anticipated.

Golden Eagle: WSS-2-2N12-MPR-31, WA-2-2N14-1-MPR-31, and WA-2-2N14-2-MPR-31: 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. With monitoring and implementation of mitigation measures, no impacts are anticipated.

4X17 Access Road: One historical observation of a golden eagle (FRED Species Event 000078) was observed within the work area of supersite 4X18 on September 26, 2018, and one historical observation of a golden eagle (FRED Species Event 000177) was observed within the work area of supersite 4X18 on May 21, 2019. However, 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 existing access road. Therefore, no impacts are anticipated.

Coastal California Gnatcatcher: WSS-2-2N12-MPR-31, WA-2-2N14-1-MPR-31, and WA-2-2N14-2-MPR-31: The new work areas are located within USFWS-designated Critical Habitat Unit 10 for coastal California gnatcatcher (CAGN). Suitable CAGN habitat is located approximately 407 feet northeast of supersite 2X12. No CAGN birds or nests were observed within the survey area during the active preconstruction survey, nor any previous protocol surveys. Due to a history of negative CAGN survey results in the area, San Bernardino County is considered unoccupied by CAGN at this time. Since the new work area is comprised of grassland/forbland and developed/disturbed land, which is not breeding habitat for the species, and preconstruction surveys will be conducted, no impacts to the species are anticipated. However, to offset additional impacts to Critical Habitat subject to mitigation, an unused approved disturbance area, also located in CAGN critical habitat in supersite WSS-2-2N21-2N22, will be removed from the project data upon approval of this MPR. The final impact calculations for the project will account for these changes.

4X17 Access Road: No suitable habitat for CAGN is located in the vicinity of the access road. Therefore, no impacts are anticipated.

Burrowing Owl (*Athene cunicularia*): Burrowing owl (BUOW) habitat is widespread in the Project area. Although marginal habitat is present, burrowing owls have the potential to occur in the vicinity of the new work areas and access road. During 2012-2013 surveys, a burrow with burrowing owl sign in the form of whitewash was observed approximately 43 feet south of supersite 2X14; however, no burrows with burrowing owl sign have been observed since. No burrowing owl were observed within the new work areas or access road surveys and future preconstruction surveys will be conducted prior to use of any of the subject MPR sites. If active burrowing owl burrows are observed during preconstruction surveys, they will be mitigated in accordance with the Burrowing Owl Management and Passive Relocation Plan. With implementation of the mitigation measures, including appropriate avoidance buffers, and biological monitoring during construction, no impacts to burrowing owls are anticipated.

Special-Status Bats: No suitable bat roosting habitat or buffers occur within the new work areas or access road; 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, Los Angeles 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 and Palm Springs pocket mouse are not expected to occur in the Project vicinity. Surveys were conducted for the MPR sites that addressed all special-status mammals. No special-status mammals or suitable habitat were observed during these previous surveys and future preconstruction surveys of the sites will also address all special-status mammals. No impacts to special-status small mammals are anticipated. However, if any of these species are found, potential impacts will be addressed according to the Small Mammals Avoidance and Minimization Plan.

Stephen's Kangaroo Rat (*Dipodomys stephensi*): WSS-2-2N12-MPR-31, WA-2-2N14-1-MPR-31, and WA-2-2N14-2-MPR-31: No suitable habitat for Stephens' kangaroo rat (SKR) occurs within the new work areas; therefore, no impacts are anticipated.

4X17 Access Road: The area surrounding the existing access road is mapped suitable SKR Habitat. However, the existing access road is comprised of developed/disturbed compacted soils. Further, a habitat assessment, pedestrian surveys, and trapping surveys were conducted in Segment 4 in 2018 and 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. Therefore, no impacts are anticipated.

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 have been previously documented within the new work areas or access road; therefore, no impacts are anticipated.

Regulated Trees: No tree removal or trimming is required for construction activities within the MPR work areas or access road; therefore, no impacts are anticipated.

Jurisdictional Waters: Non-wetland jurisdictional features are located in the general vicinity. However, no jurisdictional features intersect the new work areas or access road. A preconstruction survey of the work areas will be conducted prior to use. Therefore, no unpermitted impacts to jurisdictional waters are anticipated.

Cultural Resources: 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.

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 WOD Paleontological Resources Mitigation and Monitoring Plan (PRMMP) requires full-time, qualified paleontological construction monitoring in areas determined to have moderate (PFYC 3) to very high (PFYC 5) sensitivity. Sediments of unknown (PFYC U) sensitivity shall be monitored by a qualified paleontological

monitor on a part-time basis and geologic units with very low (PFYC 1) or low (PFYC 2) sensitivity may be spot checked to confirm paleontological sensitivity.

WSS-2-2N12-MPR-31 and WA-2-2N14-2-MPR-31: The proposed work areas are located in an area of very high (PFYC 5) paleontological sensitivity and require full time monitoring during ground-disturbing construction activities.

4X17 Access Road and WA-2-2N14-1-MPR-31: The existing access road and work area are located in an area of low (PFYC2) paleontological sensitivity. WA-2-2N14-1-MPR-31 may be spot checked during excavation to confirm paleontological sensitivity. No excavation is anticipated on the access road; therefore, no monitoring will be required.

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 the CPUC with Collector data for the new work areas covered (and also for areas to be removed from project data to offset California gnatcatcher habitat impacts) 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.
- A full-time paleontological monitor shall be on site to monitor ground-disturbing construction activities at WSS-2-2N12-MPR-31 and WA-2-2N14-2-MPR-31. WA-2-2N14-1-MPR-31 shall be spot-checked during excavation to confirm paleontological sensitivity.

Sincerely,



John Forsythe
CPUC Environmental Project Manager

cc: V. Strong, Aspen