

PUBLIC UTILITIES COMMISSION

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July 2, 2020

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 #38

Dear Mr. Gutierrez,

On June 30, 2020, Southern California Edison (SCE) submitted a request for Minor Project Refinement (MPR) #38 for additional work areas for material and equipment staging, the installation of McCarthy drains, and for erosion repairs. The additional work areas are located in Segments 2, 3, and 4 located on private lands in SCE transmission line right-of-way in the Cities of Loma Linda and Beaumont, in San Bernardino and Riverside Counties. The additional work areas would support transmission line activities approved under the California Public Utilities Commission (CPUC) Notice to Proceed (NTP) #4, September 5, 2017, for the West of Devers Upgrade Project in the County of 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 #38 for additional work areas for material and equipment staging, the installation of McCarthy drains, and for erosion repairs (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 30, 2020 are presented below (indented):

WA_3_3N64_MPR-38

As a result of heavy rains, a 1.24-acre temporary work area located north of Tower Site 3N64, requires erosion repairs to maintain slope stability. Drainage improvements including McCarthy drains, water bars, re-contouring, and rip-rap are required to repair existing erosional rills and features caused by offsite discharge to the upland area. Prior to riprap installation, loose or yielding soil will be over-excavated and re-compacted. A geotextile may be used for layer separation and the middle and upper section of major erosion features will be repaired with an engineered fill slope. The new work area is located outside of the existing transmission line right-of-way, in area owned by the City of Loma Linda, consisting of approximately 1.23-acres of grassland/forbland and 0.01-acre of developed/disturbed land.

WA-2-2N14-MPR-38

An additional 0.07-acre of temporary work space located immediately adjacent to the south side of SWA-2-2N14 is required to safely stage material and equipment associated with foundation wreck-out at M3-T2(2). The work area will be accessed from the existing access road in SWA-2-2N14. The new work area may be leveled to facilitate the wreck-out using digger derrick trucks and other equipment associated with wreck-out activities. The new work area is privately owned, consists of approximately 0.07-acres of grassland/forbland, and is located entirely within the SCE transmission line right-of-way in Loma Linda, San Bernardino County.

WA-2-2N16-MPR-38

An additional 0.25-acre of temporary work space located immediately adjacent to the south side of SWA-2-2N16 is required to safely stage material and equipment associated with wreck-out activities at M2-T5(2). The work area will be accessed from the existing access road and SWA-2-2N16, as shown on. The new work area may be leveled to facilitate the wreck-out using digger derrick trucks and other equipment associated with wreck-out activities. The new work area is privately owned, consists of approximately 0.15-acre Coastal Sage Scrub, 0.01-acre developed disturbed, and 0.09-acres of grassland/forbland, and is located entirely within the SCE transmission line right-of-way in Loma Linda, San Bernardino County.

MAC-4-4S50-MPR-38

The installation of 2 McCarthy drains is required off the access roads in previously approved work area SWA-4-4X50. The McCarthy drains are required to capture and divert storm flow off the access roads downstream to uplands. The total new permanent disturbance area of 0.004-acre is located within the previously approved and disturbed tower work area, in land that is privately owned within the SCE transmission line right-of-way, in the City of Beaumont.

GS-4-4X25-MPR-38

A new temporary 0.17-acre work area is required east and adjacent to Supersite 4X25 to provide adequate work space for material and equipment staging during construction, including wire activities associated with Supersites 4X25 and 4X24. The total temporary disturbance area consists of approximately 0.17-acre of developed/disturbed land (dirt access road) located within the SCE transmission line right-of-way in the City of Beaumont.

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 area on July 1, 2020. 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 using aerial imagery, publicly available data, and project biological data. The proposed work areas were covered during previous surveys, including FRED Preconstruction Survey IDs 000060; 000206, 000126; 000070; 000042; and 000178.

Desert Tortoise (DETO): The proposed work areas are not located within the range of DETO, therefore no impacts to the species are anticipated.

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

Burrowing Owl (BUOW): BUOW habitat in the form of annual and perennial grasslands and scrublands characterized by low-growing vegetation is present throughout the Project area. No occupied burrows or associated buffers currently intersect the proposed work areas. Active owl burrows observed during preconstruction surveys and during construction would be mitigated in accordance with the Burrowing Owl Management and Passive Relocation Plan. With implementation of mitigation measures, including appropriate avoidance buffers and biological monitoring during construction, no impacts to burrowing owls are anticipated.

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. For instance, Common Raven (*Corvus corax*) nest 000743 is located approximately 285-feet west of GS-4-4X25-MPR38 approximately 100-feet above the ground, in the southeast corner of the middle arm in Tower M22- T1. The nesting substrate and the nest height provide partial visual and acoustic buffers from work sites below the nest. None of the proposed work areas currently intersect nesting bird buffers. 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 in the proposed work areas. If active nests are identified, avoidance buffers will be established in accordance with the Nesting Bird Management Plan. With implementation of mitigation measures, including appropriate avoidance buffers and biological monitoring during construction, no impacts to nesting birds are anticipated.

Listed Riparian Birds: No suitable habitat for riparian birds (least Bell's vireo [LBVI]/Southwestern willow flycatcher [SWFL]) occurs within 500 feet of the the proposed work areas. Therefore, no impacts are anticipated.

Coastal California Gnatcatcher (CAGN): WA-2-2N14-MPR-38 and WA-2-2N16-MPR-38 are located within USFWS-designated Critical Habitat Unit 10 for coastal CAGN. Suitable CAGN habitat is located approximately 1,400-feet west of WA-2-2N14-MPR-38 and 100-feet north of WA-2-2N16-MPR-38; however, no CAGN birds or nests have been observed within the proposed work areas during previous preconstruction surveys or protocol surveys. Due to a history of negative CAGN survey results within the Project area, San Bernardino County is considered unoccupied by CAGN at this time. Since the proposed work areas are comprised of grassland/forbland and developed/disturbed land, which are not breeding habitat for the species, and preconstruction surveys will be conducted prior to use, no impacts to the species are anticipated.

To offset additional impacts to Critical Habitat subject to mitigation, unused portions of approved disturbance areas also located in CAGN critical habitat, within SWA-2-2N32 and GS-2-W-2N32, will be removed from the Project data upon approval of this MPR. The final impact calculations for the Project will account for these changes.

Golden Eagle (GOEA): 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 work areas. Therefore, no impacts are anticipated.

Stephen's Kangaroo Rat (SKR): 0.97-acre of WA_3_3N64_MPR-38 is located within SKR Suitable Habitat. Suitable SKR habitat also exists to the east of MAC-4-4S50-MPR-38 and to the east of GS-4-4X25-MPR-38 but does not intersect these work areas. A habitat assessment, pedestrian surveys, and several consecutive years of trapping surveys have been conducted within SKR suitable habitat areas of the Project. 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.

To minimize temporal habitat loss, a portion of previously approved work area WSS-3-SBD-2, which was determined to no longer be necessary for construction, will be removed from the Project data and avoided to offset mapped habitat impacts to WA_3_3N64_MPR-38.

Special-Status Bats: No suitable bat roosting habitat or buffers occur within the proposed work areas; therefore, no impacts to special-status bats 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 anticipated to occur within the Project area. Two desert woodrat (*Neotoma lepida*) middens (FRED Habitat Events 00946 and 00947) were observed on May 29, 2020 approximately 670-feet west of MAC-4-4S50-MPR-38. The existing 10-foot buffers will be avoided during construction activities associated with the work area and potential impacts to desert woodrat midden will be addressed in accordance with the Small Mammals Avoidance and Minimization Plan. With implementation of the plan, no significant impacts are anticipated.

An American badger (FRED Species Event 000242) was observed leaving the access road between Construction Areas 2X15 and 2X16 on July 11, 2019, approximately 550-feet east of WA-2-2N16-MPR-38. A preconstruction survey of the proposed work area will be conducted prior to use. With implementation of mitigation measures and biological monitoring during construction, no significant impacts to special-status mammals are anticipated.

Special-Status Plants: Two Yucaipa onions were observed approximately 140 feet northwest of tower 4N50 in May 2018, in proximity to proposed work area MAC-4-4S50-MPR-38. Yucaipa onions have been mapped for several of the past years at the peak of the blooming period. The cumulative data from many

years of surveys has provided a reliable layer of occupied habitat for special-status plants. Yucaipa onion is addressed in the Narrow Endemic/Criteria Area Plant DBESP. If encountered, the plants will be flagged for avoidance and as a contingency, seed will be collected. If impacts are not avoidable, the bulbs will be salvaged.

No special-status plants have been identified in proximity to the proposed work areas. If special-status plants are identified during preconstruction surveys/clearance sweeps/monitoring, they will also 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 trimming or tree removal is required for construction activities within the proposed work areas. Therefore, no impacts are anticipated.

Jurisdictional Waters: Wetland and non-wetland jurisdictional features are located throughout the Project area. No jurisdictional features intersect the proposed work areas. Environmentally Sensitive Area signs will be established at the edges of jurisdictional waters located outside the work areas and BMPs will be implemented in accordance with the SWPPP. No impacts to jurisdictional features are expected to result from use of the proposed work areas. **Cultural Resources:** The proposed 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 proposed work area were negative for cultural resources (Williams, 2016).

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: 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.

Proposed work area GS-4-4X25-MPR-38 is located within an area of low PFYC 2 paleontological sensitivity; therefore, spot check monitoring of the site to confirm paleontological sensitivity will be conducted if a hole larger than 2-feet in diameter is drilled or if grading is required.

Proposed work area MAC-4-4S50-MPR-38 is located within an area of moderate PFYC 3 paleontological sensitivity; therefore, the site requires full-time, qualified paleontological construction monitoring if holes larger than 2-feet in diameter are drilled or if grading is required:

Proposed work areas WA-3-3N64-MPR-38, WA-2-2N14-MPR-38, and WA-2-2N16-MPR-38 are located within areas of very high PFYC 5 paleontological sensitivity; therefore, the sites require full-time, qualified paleontological construction monitoring if holes larger than 2-feet in diameter are drilled or if grading is 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 proposed additional work areas described in this MPR are no different than what was described in NTP #4. 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 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 notify the CPUC and provide Collector data for the proposed work areas covered in this MPR prior to the start of construction activities. Additionally, habitat give back areas will be removed from Project GIS data upon approval of this MPR.
- 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 preconstruction biological survey shall be conducted prior to initiating work in each proposed work area if those sites are no longer active.
- In accordance with the PRMMP, a paleontological monitor shall be on site to monitor ground-disturbing construction activities.

Sincerely,

A handwritten signature in black ink that reads "John Forsythe". The signature is written in a cursive, flowing style.

John Forsythe
CPUC Environmental Project Manager

cc: V. Strong, Aspen