



January 9, 2022

David LeBlond
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
#52

Dear Mr. LeBlond ,

On December 23, 2021, Southern California Edison (SCE) submitted a request for Minor Project Refinement (MPR) #52 for additional work areas to conduct erosion repairs at three locations. The additional work areas are located in Segments 3 and 4 in unincorporated Riverside County, and within the Cities of Redlands and Beaumont, in Riverside County. The additional work area 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 #52 for additional work areas to conduct erosion repairs at three locations to support construction activities (approved under NTP #4) is granted by CPUC based on the factors described below.

SCE MPR Request. Excerpts from the SCE MPR request are presented below (indented):

WA-3-3N03-MPR-52

A new permanent impact area (0.005-acre) is required along the north side of supersite 3N03, inside the previously approved supersite, for the installation of 20' x 10' x 12" rip-rap apron to control erosion along the flow line, as shown in Figure 1, page 1. In addition, a water bar, swale and gabion baskets will be installed within the previously approved work area to divert run-off from the pad to the rip rap apron and existing McCarthy drain while controlling erosion.

The new permanent disturbance area consists of 0.005-acre of chaparral vegetation located within the previously approved temporary work area, on public property within the SCE ROW utility corridor.

WA-3-3X35-MPR-52

A new temporary work area (0.07 acre) is required along the existing east access road to 3X35, extending outside of the previously approved supersite, for the installation of 20' x 10' x 12" rip-rap apron to control erosion along the flowline from the existing McCarthy Drain, as shown in Figure 1, page 2. The rip rap installation will be a at least 12-inches thick consisting of 6 to 8-inch river rock placed along the flowline at a width of approximately 5-foot minimum.

The new disturbance area consists of 0.021-acre of Coastal Sage Scrub and 0.051-acre grassland/forbland, located on private property within the SCE ROW utility corridor.

WA-4-4N34-MPR-52

A new temporary work area (0.03 acre) is required from the north side of the 4N34 tower pad, extending outside of the previously approved supersite, to repair existing erosion and install a new McCarthy Drain to control erosion along the flowline, in the area shown in Figure 1, page 3. In addition, repairs within the approved work area will be completed to divert run-off from the pad to the new McCarthy drain installation.

The new disturbance area consists of 0.024-acre of Coastal Sage Scrub, 0.001-acre grassland/forbland, and 0.003-acre developed disturbed land, located on private property within the SCE ROW utility corridor.

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, a site visit was conducted by the CPUC EM on December 27, 2021. 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 area.

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: A desktop analysis of publicly available data and relevant project data was conducted to determine the potential for special-status species to occur in the new work areas. The MPR 52 work areas were included within the study area for previous biological surveys (e.g., habitat assessments, protocol, and focused surveys).

The MPR 52 work areas were also covered during the following project preconstruction surveys: FRED Survey ID #000075, #000051, #000177.

Desert Tortoise (DETO): The new work areas are not located within the range of desert tortoise; therefore, no impacts to DETO are anticipated.

Special-Status Terrestrial Herpetofauna: No special-status terrestrial herpetofauna have been observed within the new work areas during project related surveys. With biological monitoring and implementation of project mitigation measures, no impacts are anticipated.

Burrowing Owl (BUOW): Burrowing owl habitat is widespread in the Project area. Burrowing owls only have a moderate potential to occur within 500 feet of the proposed work areas. No owl buffers currently intersect the work areas. Active owl burrows observed during preconstruction surveys and during construction will 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 Migratory Bird Treaty Act and California Fish and Game Code, including transmission structures, trees, shrubs, and the ground surface, are located throughout the Project right-of-way. Preconstruction surveys, including surveys for nesting birds will be conducted during the avian breeding season (Jan 1 – Aug 31) prior to the initiation of construction in the new work area. 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: The new work areas are not located within 500-feet of listed riparian bird habitat. With implementation of nesting bird surveys during nesting season and project mitigation measures, no impacts are anticipated.

Coastal California Gnatcatcher (CAGN): WA-4-4N34-MPR-52 is located within mapped suitable habitat for Coastal California gnatcatcher (CAGN). Protocol surveys in this area occurred in March, April and May of 2018. No CAGN were observed within this area during 2018 protocol surveys. Furthermore, no CAGN were detected within CAGN habitat during the July 2019 survey. Due to a history of subsequently negative CAGN survey results in the area, no impacts to CAGN are anticipated and the Project area in San Bernardino County is considered unoccupied by CAGN at this time. If active CAGN nests or breeding territories are later identified within 500 feet of construction activities, avoidance buffers will be established, and the nests will be monitored in accordance with the Wildlife Noise Monitoring Plan. Therefore, no impacts are anticipated.

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. Protocol aerial surveys conducted for the Project in 2019 also showed no golden eagle nests within 2 miles of the new work areas. Therefore, no impacts are anticipated.

Stephen's Kangaroo Rat (SKR): Areas of suitable habitat for Stephens' kangaroo rat (SKR) are mapped approximately 300 feet northeast of QA-3-3N03-MPR-52 and within WA-4-4N43-MPR-52. A habitat assessment, pedestrian surveys, and trapping surveys were conducted in Segment 3 during the last trapping season in 2018. No SKR were captured. Based on a lack of historic data, habitat conditions, and negative survey results over several years of surveys, SKR are not expected. With implementation of mitigation measures, preconstruction surveys, clearance sweeps, and biological monitoring during construction, no impacts to SKR are anticipated.

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, and/or black-tailed jackrabbit can occur in many parts of the project area; however, Ringtail and Palm Springs round-tailed ground squirrel are not expected.

Los Angeles Pocket Mouse (LAPM) suitable habitat is not located within 500 feet of the work areas. However, a deceased LAPM was identified at 4N34 approximately 90 feet southeast of WA-4-4N34-MPR-52 (FRED Species Event 000260, FRED Mortality Event 000069; Figure 1, page 3). With implementation of mitigation measures and biological monitoring during construction, no impacts to LAPM or other special-status small mammals are anticipated. If any special-status small mammals are found, potential impacts will be addressed in accordance with the Small Mammals Avoidance and Minimization Plan.

Special-Status Plants: The proposed work areas do not intersect special-status plant habitat and no observations of special-status plants have been observed in the proposed work locations over several years of surveys; therefore, no impacts to special-status plants are anticipated. If special-status plants are later identified during clearance sweeps/survey/monitoring, they will be avoided to the extent feasible. Unavoidable impacts 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 the proposed activities.

Jurisdictional Waters: The MPR 52 work areas do not intersect jurisdictional waters. Therefore, no additional non-permitted impacts to jurisdictional features are anticipated.

Cultural Resources:

The proposed work area and project components are located within the WOD APE and were covered within the record search data that was conducted during previous WOD 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 Southern California Edison Company's West of Devers Project* (ASM, 2015). The record search and survey results for the area 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: BMPs 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.

WA-3-3N03-MPR-52, WA-3-3X35-MPR-52, and WA-4-4N34-MPR-52 are located within an area of very high PFYC 5 and PFYC 3 paleontological sensitivity; therefore, the sites require fulltime qualified paleontological construction monitoring 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.
- 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,



John Forsythe
CPUC Environmental Project Manager

cc: V. Strong, Aspen