
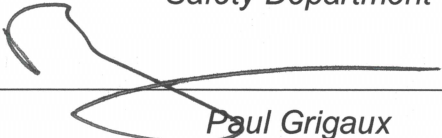


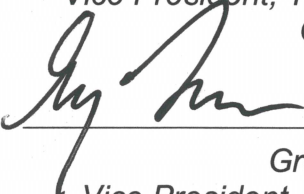
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<h1>Avian Protection Plan</h1>						


Corporate Environmental, Health and Safety Corporate Plan

SCE-EHS-ENVIRO-PL-1

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1. Introduction

1.1 Purpose

The Southern California Edison (SCE) Avian Protection Plan (APP) details SCE processes for managing avian issues. The requirements explained in the APP are applicable to all SCE facilities and shall be implemented by SCE Employees and Contractors.

1.2 Scope

The APP incorporates relevant guidelines published by the Avian Power Line Interaction Committee (APLIC) and the U.S. Fish and Wildlife Service (USFWS) in 2005. SCE's APP incorporates the following eight key elements:

- Corporate Policy
- Training
- Permit Compliance
- Construction Standards
- Nest Management
- Reporting System
- Mortality Reduction Measures
- Quality Control

SCE's environmental corporate policy can be found on the SCE Portal [here](#). Construction Standards are addressed in other company documents, but referenced in this document.

SCE Corporate Environmental, Health and Safety (CEHS) is expected to oversee the implementation of the APP in affected SCE organizations. CEHS is expected to solicit input from the affected SCE organizations and perform annual review of the APP.

2. Definitions

2.1 Authorized SCE Employee

CEHS Director, SCE Avian Protection Specialist, Patrolmen, Troublemens, Foremen, Transmission System Operators, or other personnel as authorized by the T&D Director.

2.2 Imminent Danger (Alteration of Active Nest)

Impending circumstances likely to result in the electrocution of a bird or in a fire, or pose an immediate threat to the stability of the bulk electric system, human health, or public and/or employee safety.

2.3 Incidental Take

See the definition of Take in [Section 2.10](#) below. An Incidental Take is incidental to, and not the purpose of, carrying out of an otherwise lawful activity per the Endangered Species Act (ESA) and the Bald and Golden Eagle Protection Act (BGEPA). 50 C.F.R. § 22.3 (2013).

2.4 Major Projects

Projects that have specific avian protection measures defined during California Public Utilities Commission (CPUC) proceedings and associated project-specific resource agency permitting actions.

2.5 Migratory Bird

Any bird, whatever its origin and whether or not raised in captivity, which belongs to a species listed in 50 C.F.R. Section 10.13 (2013), or which is a mutation or a hybrid of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or part, of any such bird or any part, nest, or egg thereof. 50 C.F.R. § 10.12 (2013). Most bird species in the U. S. are considered to be migratory birds and are protected under the Migratory Bird Treaty Act (MBTA), except for introduced species, such as the house sparrow, European starling, rock pigeon, monk parakeet, and some game species, such as the ring-necked pheasant. The MBTA is discussed further in [Section 3.1.2](#).

2.6 Nest

The definitions of Nest, Active Nest, and Inactive Nest vary across species and between Federal and California laws and agency interpretation.

2.6.1 USFWS Definition (USFWS Federal Fish & Wildlife Permit; 50 C.F.R. § 22.3):

Active Nest: Nest with eggs, young, or incubating adults present.

Inactive Nest (non-eagle): Nest without eggs, young, or incubating adults present.

Inactive Nest (eagle): Inactive nest means a bald eagle or golden eagle nest that is not currently being used by eagles as determined by the continuing absence of any adult, egg, or dependent young at the nest for at least 10 consecutive days immediately prior to, and including, at present.

2.6.2 California Department of Fish and Wildlife (CDFW) Definition

Active Nest: CDFW has not provided a written definition of an active nest.

Inactive Nest: Nest no longer in use; without viable eggs, nestlings, or juveniles. Determined by an avian biologist.

2.7 Possession

Possession means detention and control of a Protected Species. 50 C.F.R. § 10.12 (2013). This includes picking up or handling of any Migratory Bird. This may also include moving or transporting Migratory Birds or Nests.

2.8 Protected Species

Any bird listed under federal or state laws and regulations, such as the federal and state Endangered Species Acts, BGEPA, the MBTA, and California Fish & Game Code.

2.9 Special Purpose Permit

A permit issued by the USFWS that must be acquired before any person may lawfully Take, salvage, otherwise acquire, transport, or possess Migratory Birds, their parts, Nests, or eggs for any purpose not covered by the standard form permits of 50 C.F.R. Section 21 (2013).

2.10 Take

2.10.1 Federal Definitions of Take

The definition of “take” is different under the three relevant federal laws: the BGEPA, ESA, and MBTA.

2.10.1.1. BGEPA

The BGEPA defines Take as: To pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect destroy, molest or disturb, or to attempt to engage in such conduct. 16 U.S.C. § 668c; 50 C.F.R. § 22.3 (2013). The BGEPA is discussed further in [Section 3.1.3](#). “Disturb” means to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, (1) injury to an eagle; (2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or (3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior. 50 C.F.R. § 22.3 (2013).

2.10.1.2. ESA

The federal Endangered Species Act defines Take as: To harass, harm, pursue, hunt, shoot, wound, kill, trap, capture, or collect, or to attempt to engage in any such conduct in regards to a listed species. 16 U.S.C. § 1532 (19). “Harm” may include significant habitat modification or degradation where it actually kills or injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding, or sheltering. 50 C.F.R. § 22.3 (2013). “Harass” is defined as “an intentional or negligent act or omission which creates the likelihood of injury to wildlife by annoying it to such an extent as to significantly disrupt normal behavioral patterns which include, but are not limited to, breeding, feeding, or sheltering.” 50 C.F.R. § 17.3 (2013).

2.10.1.3. MBTA

To pursue, hunt, shoot, wound, kill, trap, capture, or collect (alive or dead), or to attempt to engage in such conduct. 50 C.F.R. § 10.12 (2013). See additional discussion of the MBTA in [Section 3.1.2](#).

2.10.2 California Definition of Take (California Fish & Game Code)

To hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill. Cal. Fish & Game Code § 86.

2.11 Threatened and/or Endangered (T&E)

Any species subject to the protection of the federal and California Endangered Species Acts. 16 U.S.C. §§ 1531 to 1544; Fish & Game Code §§ 2050-2115.5.

3. Regulatory Background

In addition to the federal and state laws protecting birds discussed below, the National Environmental Policy Act (NEPA) and the California Environmental Quality Act (CEQA) require projects subject to these regulations to evaluate potential impacts of these projects on Protected Species.

If project impacts are potentially significant, further investigation will be required to determine whether and which Applicant Proposed Measures (APMs) are necessary to demonstrate that impacts can be reduced to below-significant levels. For further discussion of this issue, see [6.1: Applicant Proposed Measures](#).

3.1 Federal Requirements

The three primary federal laws protecting birds are:

- ESA
- MBTA
- BGEPA

All three laws make it unlawful to Take birds without the proper permits. It is important to note the definition of Take differs among the three laws. For example, Take under the ESA includes habitat degradation and harassment. The definition of Take under each law can be found in the Definitions section. Each of these federal laws is discussed in detail below.

3.1.1 ESA

Special protection is afforded to T&E bird species under the ESA. 16 U.S.C. §§ 1531 to 1544. The ESA and its companion regulations make it unlawful to import, export, Take, transport, possess, sell, purchase, or receive in interstate or foreign commerce any species of fish or wildlife (including birds) listed as endangered or threatened. 16 U.S.C. § 1538.

The ESA has provisions for permitted Incidental Take. Incidental Take authorization can be obtained through ESA Section 7 for projects with a federal nexus (e.g., involving federal money, lands, or interconnection) or through Section 10 for projects with no federal nexus. Such authorization allows for otherwise prohibited Take of a species, so long as the Take is incidental to, and not the purpose of, the carrying out of an otherwise lawful activity.

3.1.2 MBTA

The MBTA applies to the vast majority of birds in the United States with the exception of a few species, such as the house sparrow, European starling, and rock pigeon. 16 U.S.C. §§ 703-712. 50 C.F.R. § 10.13 (2013).

The purpose of the MBTA is to afford protection to migratory birds, their parts, Nests, and eggs. The MBTA states that, unless permitted by regulation, it is unlawful to “pursue, hunt, take, capture, kill, attempt to take, capture, or kill, possess, offer for sale, sell, offer to barter, barter, offer to purchase, purchase, deliver for shipment, ship, export, or import ... any migratory bird, any part, nest, or egg of any such bird, or any product, whether or not manufactured, which consists, or is composed in whole or part, of any such bird or any part, nest, or egg thereof...” 16 U.S.C. § 703.

The USFWS defined Active Nest in the permit issued to SCE. (See [Section 2.6.1](#) above for the USFWS definitions of Active Nest and Inactive Nest.) In circumstances such as public safety concerns, the USFWS can issue a permit for removal of an Active Nest. Inactive Nests are not protected from destruction, but are only protected from possession.

Currently, there are no provisions to allow for Incidental Take under the MBTA. Special Purpose Permits are available for transporting bird carcasses and nest management.

3.1.3 BGEPA

Bald and golden eagles, their eggs, and their Nests receive additional protection under the BGEPA. 16 U.S.C. §§ 668 to 668d. It is a crime for a person or entity who lacks the required permit to “take, possess, sell, purchase, barter, offer to sell, purchase or barter, transport, export, or import ... any bald eagle... or any golden eagle, alive or dead, or any part, nest or egg thereof” 16 U.S.C. § 668(a).

The BGEPA has provisions for permitted Incidental Take under 50 C.F.R. Section 22 (2013). SCE holds a permit for exhibition purposes and has a mounted golden eagle on display at Camp Edison. Permits can also be approved for the Take of eagles during otherwise lawful activities or to remove a nest that poses a safety hazard.¹

3.2 State Requirements

The following Fish and Game Code sections protect birds:

- California Endangered Species Act (CESA) (§§ 2050-2115.5)
- All birds (§ 3503)
- Birds in the orders Falconiformes or Strigiformes (i.e., birds-of-prey) (§3503.5)
- Aigrette or egret, osprey (*Pandion haliaetus*), bird of paradise, goura, numidi, or any part of such a bird (§3505)
- Fully protected birds (§3511)
- Migratory nongame bird as designated in the MBTA, or any part of such migratory nongame bird, except as provided by rules and regulations adopted by the Secretary of the Interior under provisions of the MBTA (§3513).

The CDFW may issue permits to allow Incidental Take of state-listed species pursuant to CESA.

¹ Under California law, however, bald and golden eagles have additional protection. See Fish & Game Code Sections 2081 and 3511.

4. Responsibilities

4.1 CEHS Director

- Maintains strategic oversight and establishes policies and standard to ensure that SCE complies with applicable requirements related to avian protection.
- Designates SCE Avian Protection Specialists and SCE Biologists.

4.2 SCE Avian Protection Specialist

- Oversee the implementation of the APP. Solicits input from the affected SCE organizations and performs an annual review of the APP.
- Only the Avian Protection Specialist is authorized to apply for Take permits under BGEPA and MBTA.
- Receives and processes SCE's Wildlife Mortality/Bird Nesting Reports.
- Contacts a federal agent when a dead eagle or T&E species is discovered.
- Contacts CDFW if a dead or injured state-listed species is discovered.
- Maintains a record of bird fatalities and submits the record as required to the appropriate agencies.
- Contacts the USFWS and/or CDFW (depending on the species) to request a permit when an eagle or T&E nest needs to be removed.
- Enters information in the Geographic Information System (GIS) on avian mortality, nesting, and injury.
- Maintains an APP document library and provides access as necessary.
- Chairs the Eagle Zone Review Team.
- Provides advice on biological considerations for implementation of Transmission and Distribution (T&D) Construction Standards for avian-safe line construction or retrofits.
- Provides avian expertise to the SCE Biologist.
- Coordinates annual review and updates to the APP working with T&D Personnel and Major Projects Organization Personnel.

4.3 SCE Biologist

- Determines species of bird carcass when others cannot.
- Collects eagle and T&E bird carcasses.
- Sends eagle carcasses to the National Eagle Repository.
- Coordinates with a wildlife rehabilitator for transport of injured birds to rehabilitation facilities.
- Provides avian support and recommendations to the project team on capital licensing projects.
- Evaluates potential impacts to birds for SCE projects.

4.4 SCE Personnel

- Work with the SCE Avian Protection Specialist to review replacement or modification of a structure.
- Participate in the Eagle Zone Review Team.
- Provide project information to the SCE Biologist necessary for evaluating potential impacts to birds.
- Work with the SCE Biologist to ensure efficient and effective implementation of the avian mitigation requirements during project execution.
- Participate in the retrofit program per [Section 5.3.7](#).

4.5 Major Projects Organization Personnel

- Provide project information to the SCE Biologist necessary for evaluating potential impacts to birds.
- Work with the SCE Biologist to ensure implementation of avian mitigation requirements.

5. Procedures

Note: Several factors contribute to avian collisions and electrocutions, including but not limited to habitat, prey abundance, body size, weather, wind direction relative to electric facilities, season, age of the bird, and behavior. For additional information on avian interactions, including nesting on structures, see [Birds and Power Lines](#) and [Nest Management Guidelines](#) on the SCE Portal at: [Org Units>Corporate Environmental, Health & Safety>Standards & Data Management>Environmental Standards & Manuals>Avian Protection Plan](#).

5.1 SCE Vehicles and USFWS Permit

5.1.1 All SCE vehicles that may be used to transport birds shall be equipped with SCE's [USFWS Special Purpose Permit](#). The SCE Avian Protection Specialist provides the current permit to Transportation Services for placement in vehicles.

5.2 Reporting

Note: The reporting requirement does not apply to major projects that have reporting requirements specified in a Nesting Bird Management Plan and/or project-specific reporting requirements (see [Section 6](#) for Major Projects). However, the project biologist shall report electrocutions and line collisions to the SCE Avian Protection Specialist for tracking.

5.2.1 SCE Employees are expected to report dead birds and Active Nests that pose problems near (e.g., on an overhanging tree branch) or on SCE equipment and facilities (e.g., poles, towers, substations) to the SCE Biologist within 24 hours of discovery. (As explained in Section 5.5, Employees and/or Contractors who discover injured birds must contact the SCE Biologist on call immediately.) For reporting procedures regarding eagle Nests, see [Section 5.4](#). This report may be made via telephone or email. A [Wildlife Mortality/Bird Nesting Report](#) must be submitted within five (5) business days of the discovery. This deadline may be extended upon approval from the SCE Avian Protection Specialist or designee.

5.2.2 Contractors are expected to report dead birds and Active Nests that pose problems near or on SCE equipment and facilities within 24 hours of discovery. (As explained in Section 5.5, Employees and/or Contractors who discover injured birds must contact the SCE Biologist on call immediately.) For reporting procedures regarding eagle Nests, see [Section 5.4](#). Reports must be made to the SCE Representative (SCE personnel responsible for managing the contract). The SCE Representative shall submit the SCE [Wildlife Mortality/Bird Nesting Report](#) form within five (5) business days of the discovery. This deadline may be extended upon approval from the SCE Avian Protection Specialist or designee.

Note: The SCE [Endangered Species Alert Program \(ESAP\) Manual](#) contains information that may facilitate the identification of sensitive bird species found in SCE's service territory. It can aid in completing the [Wildlife Mortality/Bird Nesting Report](#).

5.3 Avian Mortality

Note: Any questions should be directed to the SCE Biologist on call, who can be reached through the SCE operator 24 hours a day, 7 days a week for reporting and/or support. Avian mortalities can also be reported via email to: BiologicalResources@sce.com.

WARNING

Diseases can be transmitted by contact with wildlife; therefore, employees shall wear safety glasses and nitrile gloves and/or use an inverted plastic bag to pick up carcasses (refer to Section 5.10). Contractors are expected to provide the same level of protection to their employees and subcontractors.

Figure 1, Avian Mortality Procedure Flowchart, shows an overview of the process described in this section.

- 5.3.1 The SCE Employee is expected to take digital photographs of the bird, the structure, and surrounding areas to provide a context for the find and to document the species, and attach the photographs to the [Wildlife Mortality/Bird Nesting Report](#). If no camera is available, the SCE Employee is expected to provide a written description of the bird (basic dimensions and colors) and of the avian-safe status of the structure within the Report.
- 5.3.2 The SCE Employee is expected to remove any tag or band from the bird and mail the tag or band to the SCE Avian Protection Specialist along with the Wildlife Mortality/Bird Nesting Report. Contact the SCE Avian Protection Specialist at BiologicalResources@sce.com for the current pony location. If the tag or band cannot be removed, the tag or band information should be recorded on the Wildlife Mortality/Bird Nesting Report.
- 5.3.3 The SCE Employee should attempt to determine whether the bird is an eagle, T&E, or California fully protected species. See the [ESAP Manual](#) if needed. If the species of bird cannot be determined, the SCE Employee is expected to contact a SCE Biologist.
- Note:** Both bald and golden eagles occur within SCE's service territory. It is important to initially determine if the bird is an eagle or another bird of prey (i.e., raptor). Adult bald and golden eagles range anywhere from 30 to 40 inches long and have a 79- to 80-inch wingspan, while other raptors, such as red-tailed hawks, are considerably smaller, measuring about 19 inches long and with a 49-inch wingspan. When in doubt, contact the SCE Biologist for guidance.
- 5.3.4 If the bird is not an eagle or T&E species, the SCE Employee shall bag and transport the carcass to the closest SCE facility and dispose of it in a dumpster at the SCE facility.
- 5.3.5 If the bird is an eagle or T&E species:
- 5.3.5.1. The SCE Employee is expected to notify the on-call SCE Biologist at the earliest reasonable opportunity.
 - 5.3.5.2. The SCE Employee shall place the bird in a plastic bag using either nitrile gloves or an inverted plastic bag.
 - 5.3.5.3. The SCE Employee shall arrange to keep the carcass frozen until collected by a SCE Biologist. This can be accomplished by placing the

bagged bird in a cooler full of ice or by filling a plastic bag with ice and placing the bagged bird inside.

- 5.3.5.4. The SCE Biologist is expected to verify the species identity at the earliest reasonable opportunity and, if confirmed that the carcass is an eagle or T&E species, promptly notify the SCE Avian Protection Specialist. If the bird is an eagle or a federally listed T&E species, the SCE Biologist is expected to contact a USFWS law enforcement agent for coordination. If the bird is a state-listed species, the SCE Biologist is expected to notify the CDFW before the end of the next business day.
- 5.3.5.5. If the SCE Biologist determines that the bird is **not** an eagle or T&E species, the SCE Biologist shall instruct the SCE Employee to dispose of the bird. The SCE Employee shall bag and transport the carcass to the closest SCE facility and dispose of it in a dumpster at the SCE facility.
- 5.3.5.6. If the carcass is an eagle, the SCE Avian Protection Specialist shall report to the appropriate agencies and send the carcass to the National Eagle Repository. The carcass must be shipped on Monday, Tuesday, or Wednesday only, for delivery no later than Friday (unless Friday is a holiday). The eagle should be sent to:

U.S. Fish & Wildlife Service
National Eagle Repository
Rocky Mountain Arsenal, Building 128
Commerce City, CO 80022

- 5.3.5.7. If the carcass is a T&E species, the SCE Avian Protection Specialist shall follow directions from USFWS and/or CDFW regarding disposition of the carcass.

5.3.6 The SCE Employee is expected to submit a completed Wildlife Mortality/Bird Nesting Report within five (5) business days of the discovery date. This deadline may be extended upon approval of the SCE Avian Protection Specialist.

Note: If the bird is **not** an eagle, non-eagle raptor, or T&E species, only the following fields are required: name; work location; date; pole or tower number; and photographs.

5.3.7 If the bird is an Eagle, non-eagle raptor, or T&E species:

- 5.3.7.1. Within five (5) business days of the discovery, the SCE Employee is expected to create a work request (or notify the appropriate organization within SCE's T&D to create a work request) to retrofit the pole to comply with SCE's current design specifications for avian protection (refer to SCE DOH DC-535). This time frame may be extended upon approval of the SCE Avian Protection Specialist.
- 5.3.7.2. A Priority 2-150 notification is expected to be initiated for reactive post-fatality retrofits (not including pole replacement) with a completion date of 90 days for the installation of covers or other protective devices pursuant to Distribution Overhead Construction Standards (DOH) DC 535 - Avian Safe Power Line Construction; and Transmission Overhead

Construction Standards (TOH). 5.3.5.3. Variances may be authorized by the appropriate District or Grid Manager (T&D) and the Biology Manager (NCR) in consultation with the Avian Protection Specialist and shall be documented in a confirmatory email from each and tracked by the SCE Avian Protection Specialist. In the event that a consensus date cannot be established, the authorized T&D Director, in consultation with the Director of CEHS, shall make the final decision.

5.3.8 If the bird is an eagle, two structures in each direction from the incident pole are expected to be evaluated for similar configurations and retrofits as a part of the work request.

5.3.9 For non-eagle raptors, only the incident pole is to be reviewed for retrofit.

5.3.10 For all other bird species, retrofits are expected to be scheduled as determined by the responsible T&D group, but normally not to exceed two (2) years from receipt of the Priority 2 notification.

Note: Variances to the timeline above may be authorized by a joint decision made by the authorized T&D Director and the Director of CEHS. Such variances must be documented in the Priority 2 notification and tracked by the SCE Avian Protection Specialist.

5.4 Proactive Retrofits

5.4.1 During non-emergent repairs, planned maintenance, and/or scheduled construction, T&D field personnel will ensure that construction at the working level and below is in compliance with avian protection standards, if practical. If, for any reason, the avian protection standards cannot be implemented at the working level and below, a priority 2-150 notification will be initiated, triggering a return to the structure to complete avian compliance requirements. See DOH DC 535 for approved avian protection materials.

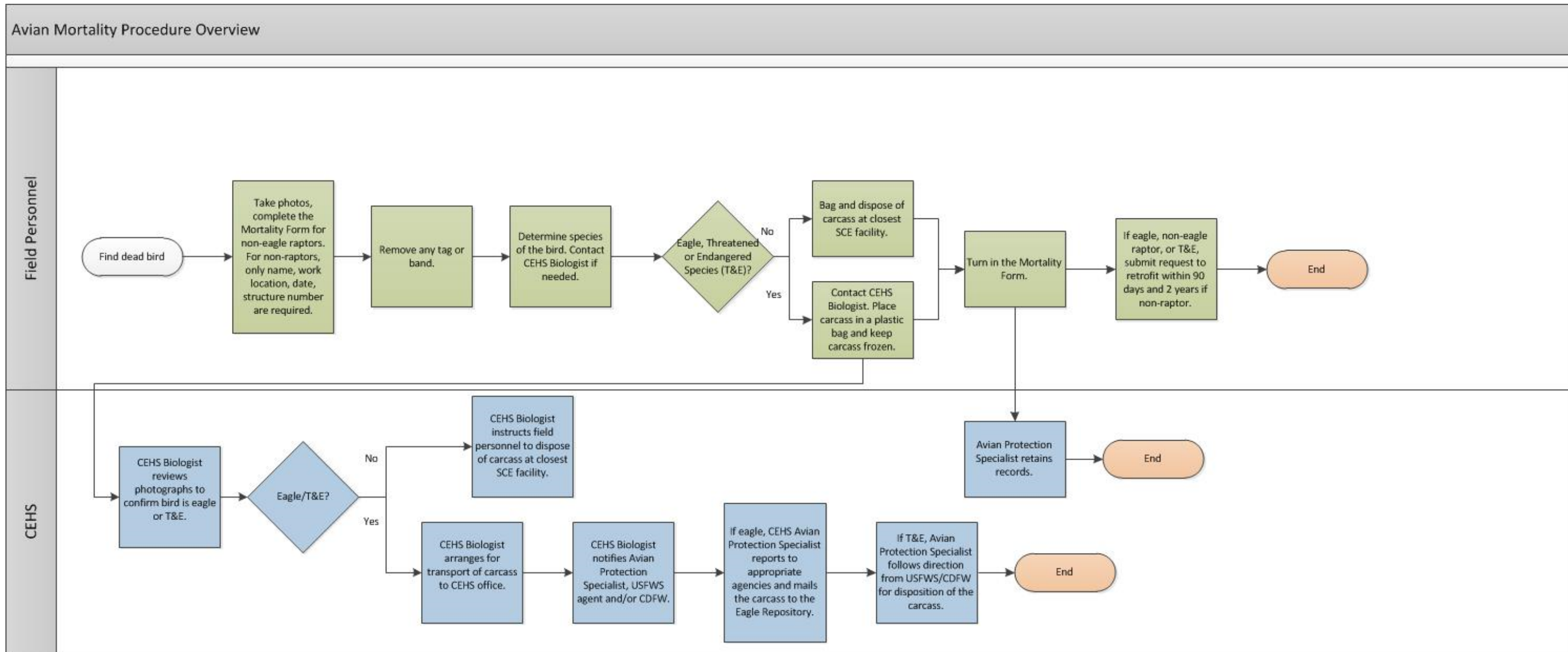


Figure 1. Avian Mortality Procedure Flowchart

5.5 Bird Nest Removal

WARNING

Diseases can be transmitted by contact with Bird Nests. Section 5.9 contains safety requirements to implement before any contact with Nests.

This section applies to all SCE facilities and projects. Contact the SCE Avian Protection Specialist or the CEHS project biologist for guidance on the definition of an Active Nest under CDFW ([See also 2.6, Nest](#)).

Figure 2, Nest Issues Procedure Flowchart, shows an overview of the process described in this section.

- 5.5.1 Bird Nests (active and inactive) may be disturbed or removed only under the following circumstances:
- For all Active Nests, and Inactive Nests of Eagles or T&E species; only if the Nest poses an Imminent Danger that threatens system reliability (e.g. risk of causing outages or fires, or downed equipment) or safety (of the public or SCE Employees or Contractors);
 - For Inactive Nests that are not Eagle or T&E species, but only if the Nest:
 - Threatens system reliability;
 - Is on vegetation or structures to be trimmed or removed during course of normal system maintenance; or
 - Is within an SCE work area and may be impacted by work activities.
- 5.5.2 Should a nest fulfill the requirements of 5.5.1, SCE Employees or Contractors shall report Active and Inactive Eagle and T&E Nests, and Active Nests of all other species, to the SCE Biologist within 24 hours of discovery via telephone or email and submit the Wildlife Mortality/Bird Nesting Report within five (5) business days of the discovery.
- 5.5.3 The SCE Employee or Contractor should determine whether the Nest belongs to an Eagle or T&E species and whether the Nest is Active or Inactive (USFWS definition). The SCE Employee or Contractor is expected to contact the on-call SCE Biologist if this determination cannot be made.
- 5.5.4 If the Nest belongs to an Eagle or T&E species, the SCE Employee or Contractor shall not alter the Nest (unless the Nest poses an imminent danger to the birds, public safety, or property) and shall immediately notify the on-call SCE Biologist. Imminent Danger circumstances are required for Take of a Nest.
- Note:** Only an Authorized SCE Employee shall determine if there is an Imminent Danger.
- 5.5.5 If the Nest belongs to an Eagle or T&E species, the SCE Biologist shall request a permit from USFWS to remove the Nest, and/or contact CDFW for further direction. The SCE Biologist shall direct the SCE Employee or Contractor regarding the appropriate actions to take related to the Nest.
- 5.5.6 If the nest does **not** belong to an Eagle or T&E species, but is Active, the SCE Employee or Contractor shall not alter the Nest (unless the nest poses an Imminent

Danger to the birds, public safety, or property) and shall immediately notify the on-call SCE Biologist. Imminent Danger circumstances are required for Take of a Nest.

Note: Only an Authorized SCE Employee shall determine if there is an Imminent Danger.

- 5.5.6.1. If the Nest requires removal or relocation, the SCE Biologist shall promptly contact USFWS, and/or CDFW, and the SCE Project Biologist if it is known to be near a Major Project.
 - 5.5.6.2. If the nest does **not** need to be removed, CEHS shall provide instruction to the SCE Employee or Contractor regarding working near an Active Nest and/or provide a biological monitor during work activities.
 - 5.5.6.3. The SCE Biologist shall provide the SCE Employee or Contractor with oral instructions to be followed up with written instructions as well as copies of any permits issued by USFWS or CDFW related to removing or relocating the Nest.
- 5.5.7 If the nest does **not** belong to an Eagle or T&E species and is **Inactive**, it may be trimmed, removed, or relocated (see 5.4.6.1).

For guidance on managing nests on SCE facilities, refer to the Nest Management Guidelines on the SCE Portal at: [Org Units>Corporate Environmental, Health & Safety>Standards & Data Management>Environmental Standards & Manuals>Avian Protection Plan](#).

Nest Issues Procedure Overview

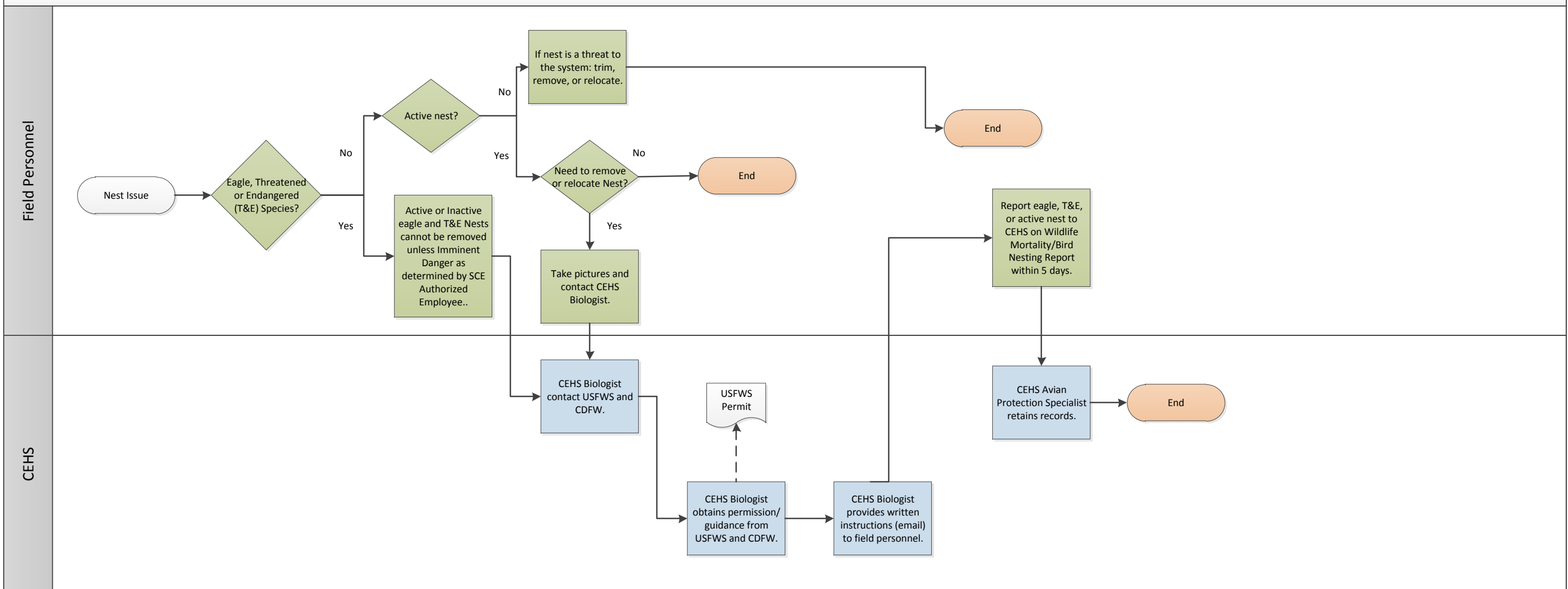


Figure 2. Nest Issues Procedure Flowchart

5.6 Injured Birds

- 5.6.1 Unless they are qualified, SCE Employees and Contractors shall not handle injured birds. Refer to [Section 5.9 - Safety Procedures](#). Qualified personnel are determined by the SCE Avian Protection Specialist through an interview.
- 5.6.2 If an SCE Employee or Contractor encounters a bird injured due to contact with a SCE facility, the SCE Employee or Contractor is expected to immediately contact the on-call SCE Biologist, who will identify a licensed wildlife rehabilitator.
- 5.6.3 The on-call SCE Biologist (or a CEHS-hired biological contractor with avian expertise) is expected to recover the injured bird and transport it to the wildlife rehabilitator.
- 5.6.4 The on-call SCE Biologist is expected to notify the SCE Avian Protection Specialist, who is expected to follow up with the wildlife rehabilitator for the final disposition of the bird. The SCE Avian Protection Specialist is expected to include the disposition information on the injured bird in the annual report to USFWS in compliance with the Special Purpose Permit.

5.7 Information Management

- 5.7.1 All completed forms are expected to be sent to the CEHS Biological Resources Group via email at BiologicalResources@sce.com.
- 5.7.2 Records kept for compliance with the USFWS Special Purpose Permit shall be maintained for five (5) years from the date of expiration of the permit pursuant to 50 C.F.R. Section 13.46. Per company policy, CEHS shall maintain all records related to this APP for 10 years after expiration of the USFWS Special Purpose Permit.

5.8 Construction Standards

SCE will apply avian-safe design principles where feasible and with appropriate consideration to effectiveness, cost, and biological resource significance.

- 5.8.1 SCE avian-safe construction standards are expected to be maintained in the following standards: Distribution Overhead Construction Standards ([DOH](#)) DC 535 - Avian Safe Power Line Construction; Transmission Overhead Construction Standards ([TOH](#)); and Electrical Construction Station ([ECS](#)) Section 57 – Animal Protection (Substations).
 - 5.8.1.1. Changes to the SCE avian-safe construction standards are expected to be sponsored by a T&D Director and initiated through the T&D Standards Request/Q&A Submittal Form.
 - 5.8.1.2. Substations do not pose a threat to eagles and therefore will follow standard construction guidelines.
- 5.8.2 At the recommendation of T&D or the SCE Avian Protection Specialist, certain poles may be fitted with covers to mitigate the potential for electrocution of protected bird species using standard SCE materials and hardware.
- 5.8.3 SCE has designated Eagle Zones within which additional phase-to-phase and phase-to-ground clearances are expected to be maintained on new and rebuilt facilities, unless such efforts would compromise public or worker safety. Refer to T&D Standards & Publications for process to deviate from SCE standards as well as the DOH for documentation required for submittal to the SCE Avian Protection Specialist.
 - 5.8.3.1. Current maps and information on Eagle Zones can be found on the SCE Portal within the T&D Standards & Publications section (*click here to access Eagle Zone Maps*).
 - 5.8.3.2. The SCE Avian Protection Specialist chairs the Eagle Zone Review Team. The team shall be comprised of representatives of T&D and other SCE personnel as specified by the SCE Avian Protection Specialist and the authorized T&D Director or designee. The team is expected to review the Eagle Zone boundaries every two years. The team is expected to establish criteria for expanding or contracting Eagle Zones and include these criteria in a report produced every two years, which is expected to be posted to the APP document library maintained by the SCE Avian Protection Specialist.
 - 5.8.3.3. To change Eagle Zone boundaries, the Eagle Zone Review Team is expected to submit a [T&D Standards Request/Q&A Submittal Form](#). Standards & Publications is expected to update the Distribution Design Standards ([DDS](#)) manual with any approved changes to the Eagle Zones.

5.9 Ground-Disturbing Activities

Ground-disturbing activities include the following, but are not limited to,: pole replacements, line extensions, staging or laydown areas, vegetation clearing, undergrounding circuits, access road grading, and driving off existing access roads constitute ground disturbance.

- 5.9.1 Prior to the start of ground-disturbing activities, an [Environmental Screening Form](#) must be completed. Among other topics, the Environmental Screening Form covers bird Nests, woodpecker-damaged poles, and projects within an Eagle Zone. The review of each project submitted to CEHS includes impacts to avian species.

5.10 Avian-Specific Safety Requirements

- 5.10.1 Prior to climbing any structure to inspect or remove a nest, SCE Employees and Contractors shall evaluate safety hazards and, if conditions warrant, take an outage on the line before climbing the structure.
- 5.10.2 When removing a Nest, the following personal protective equipment (PPE) shall be used:
- 5.10.2.1. Goggles
 - 5.10.2.2. Face Shield
 - 5.10.2.3. Hardhat
 - 5.10.2.4. Gloves appropriate for the work performed
 - 5.10.2.5. Fire-retardant coveralls (as required); fire-retardant shirt sleeves must be rolled down
 - 5.10.2.6. A N95 or P100 filtering facepiece (dust mask) may be used if the SCE Employee voluntarily elects to wear one. **Note:** The supervisor will provide the SCE Employee with a copy of Appendix D from the respiratory standard as specified in SCE's Respiratory Protection Program.
- 5.10.3 If the removal of a Nest could release airborne dust containing dried fecal matter and/or nesting materials, protective measures such as wetting the nesting material and working upwind shall be employed to avoid inhalation of nest material. A pre-job tailboard or job hazard analysis shall be conducted to address such issues.
- 5.10.4 While removing or trimming a nest, do not eat, drink, or smoke. Clean tools such as hot sticks if they contact the nest. Upon completion of the job, wash hands and any other exposed areas with soap and water. If potable water is unavailable, use hand sanitizer.
- 5.10.5 If handling a bird carcass, wear protective clothing, including coveralls, nitrile gloves, and safety glasses. Wear nitrile gloves and/or use an inverted plastic bag to pick up carcasses. Do not eat, drink, or smoke while handling carcasses. Wash hands and any other exposed area with soap and water after disposing of a carcass. If potable water is unavailable, use hand sanitizer.

5.11 Training

SCE conducts avian protection training for SCE Employees and Contractors with APP responsibilities. CEHS is expected to develop and maintain training programs under the APP. Operational units are expected to determine which employees require training. Training is provided by or with input from the SCE Avian Protection Specialist. CEHS is expected to determine when updated training is needed for employees not receiving annual training.

5.11.1 *Operational Personnel*

The annual training program educates those SCE Employees who maintain the SCE T&D system regarding the APP and their responsibilities. Training topics include avian construction standards and mitigation products, reporting and carcass disposal, Nest management procedures, and injured bird procedures.

5.11.2 *CEHS and T&D Environmental Employees*

CEHS and T&D Environmental employees are expected to receive initial instruction on the SCE responsibilities under the USFWS Special Purpose Permit. Designated employees, such as Safety and Environmental Specialists, biologists, and archaeologists, are expected to receive initial instruction on how to implement and manage the SCE Wildlife Mortality/Bird Nesting Report.

5.11.3 *SCE Contractors*

SCE Contractors working on T&D systems are expected to receive initial training from CEHS on environmental matters, including avian protection. On Major Projects, all contractors are required to receive environmental training prior to entering the project area.

5.12 Quality Control

5.12.1 Inspections

See the [Distribution Inspection and Maintenance Program \(DIMP\)](#) manual and the [Transmission Operations and Maintenance Policies and Procedures \(TOM\)](#) for additional information.

5.12.1.1. SCE inspects wood poles and equipment according to California Public Utilities Commission (CPUC) General Order 165 (GO 165). These inspections include examination of the pole for avian safety and Nests that could impact reliability or safety, or create high fire risk.

5.12.1.2. The Oversight & Quality Assurance group in T&D inspects distribution capital work orders for compliance with SCE standards including the avian protection standard DOH DC 535.

5.12.2 CEHS is expected to maintain the Avian Information Management System (AIMS), a Geographic Information System (GIS) database for tracking avian interaction data.

6. Major Projects

Major Projects are generally subject to requirements imposed by the CPUC and resource agencies that address the specific issues associated with wildlife and habitat impacts within the project area.

6.1 Applicant-Proposed Measures

Several federally and state listed bird species occur in SCE's territory (see [Attachment 9.2, Bird Dimensions and Listing Status in SCE Territory](#)).

- 6.1.1 SCE has standardized APMs for reducing potentially significant impacts to protected bird species to less than significant levels. Contact the Environmental Projects Principal Manager for the most recent version of the APMs. If impacts to Protected Species are expected to be less than significant, avian species APMs may not be necessary. The SCE Biologist assigned to the project initially determines whether biological APMs are required and which to include in the Proponent's Environmental Assessment (PEA).
- 6.1.2 SCE's Major Projects Organization (MPO) maintains processes for updating APMs and reviewing PEAs. Those processes apply to this subsection.

6.2 Nesting Bird Management Plan

- 6.2.1 CEHS, MPO, and the Law Department are expected to determine whether a Nesting Bird Management Plan (NBMP) is appropriate for a Major Project considering recommendations by the project SCE Biologist. In addition, a NBMP may be required or requested by an agency.
- 6.2.2 CEHS maintains a NBMP template (see Attachment [9.1](#) for link).
- 6.2.3 Modifications to the NBMP template must be approved by the CEHS Director or designee.
- 6.2.4 *Guidance on Preparation*

The habitat assessment and initial biological surveys for the project will determine whether a NBMP should be developed. The information from these surveys should be used to guide the development of appropriate buffers based on conditions specific to the project. In addition, these surveys will determine which portions of the NBMP template are necessary for management of nests within the project area.

6.3 Projects without an NBMP

If a NBMP is not developed, the project follows the APMs and/or mitigation measures in the final environmental document. This likely means that buffers are defined in the document, and buffer reductions would be obtained by a request to the resource agencies or the CPUC, depending on the mitigation measures.

6.4 Avian-Safe Design

CEHS is expected to review Major Project designs to ensure compliance with any CPUC mitigation measures that require compliance with APLIC's [Suggested Practices for Avian Protection on Power Lines: the State of the Art in 2006](#) (APLIC 2006).

6.4.1 Review of Design

- 6.4.1.1. The SCE Biologist places a request with the MPO Project Manager to obtain project design components for transmission, distribution, and substation(s), as appropriate to the project.
- 6.4.1.2. The designs should refer to particular standards within T&D construction manuals, for example, DOH DC 535 Section 2.2, 4/12/16kV, 3-Wire or 4-Wire, Straight Line Post-Suspension Construction.
- 6.4.1.3. For substations, only the animal protection covers applied on equipment within the substation require CEHS review, not the substation design itself.
- 6.4.1.4. Any designs not in compliance with the relevant CPUC mitigation measure(s) are expected to be documented and reported to MPO for correction and subsequent approval by the SCE Biologist.

6.4.2 Documentation for the CPUC

- 6.4.2.1. The SCE Avian Protection Specialist drafts the documentation of the avian-safe design. The documentation is expected to include separate analysis of each project component (transmission, distribution, and substation) and each pole and/or tower design.
- 6.4.2.2. The SCE Biologist obtains approval from MPO for the documentation.
- 6.4.2.3. The documentation is submitted to the CPUC by SCE's Regulatory Policy and Affairs (RP&A) representative.

6.5 Reporting

Each project will require procedures for reporting information such as avian mortality or nesting, both internally within SCE and externally to the appropriate agencies. Reporting should be based on project requirements laid out in the environmental documents and permits. A link to the templates for reporting procedures flowcharts can be found in [Attachment 9.3](#).

7. References

7.1 Federal

- 50 C.F.R. § 10.13 (2013)
- 50 C.F.R. §§ 17.11-17.12 (2013)
- 50 C.F.R. § 17.31 (2013)
- 50 C.F.R. Part 21, Migratory Bird Permits (2013)
- 50 C.F.R. § 22 (2013)
- Endangered Species Act, 16 U.S.C. §§ 1531-1544
- Bald and Golden Eagle Protection Act, 16 U.S.C. §§ 668-668d
- Migratory Bird Treaty Act, 16 U.S.C. §§ 703-712

7.2 State

- California Endangered Species Act, Cal. Fish & Game Code §§ 2050-2069
- Cal. Fish & Game Code §§ 2081.7, 2835, 3503, 3503.5, 3503, 3511, 3513
- CPUC General Order 165 (GO 165)

7.3 SCE

- Avian Power Line Interaction Committee (APLIC) 2006
- Distribution Overhead Construction Standards DOH DC-535 – Avian Safe Power Line Construction.
- Transmission Overhead Construction Standards (TOH)
- Electrical Construction Station (ECS) Section 57 – Animal Protection (Substations)
- Distribution Design Standards (DDS) manual
- Eagle Zone Maps
- SCE's Respiratory Protection Program, Appendix D
- Endangered Species Alert Program (ESAP) Manual
- Birds and Power Lines
- Respiratory Protection Program
- Distribution Inspection and Maintenance Program (DIMP)
- Ground-Disturbing Activities
- Avian Information Management System (AIMS)

Other

- California Natural Diversity Database (CNDDDB) 2008
- Birds of North America Online 2008
- Catalina Island Conservancy 2009

7.4 Hyperlinks

- SCE's Environmental Corporate Policy
<https://edisonintl.sharepoint.com/ssc/Pages/myenvironment.aspx>
- SCE's Avian Protection Plan
<https://edisonintl.sharepoint.com/ssc/Pages/Document%20Library%20Pages/environmentalstandardsmanuals.aspx?RootFolder=%2Fssc%2FEnvironmental%20Standards%20%20Manuals%2FAvian%20Protection%20Plan&FolderCTID=0x01200006EC5D54ADCBB747B43E6E25BC6E3278&View=%7B05CC3848%2DD1C1%2D4FBD%2DB52A%2D80CDBBE1B0B0%7D>
- USFWS Special Purpose Permit
<https://edisonintl.sharepoint.com/ssc/Corporate%20Environmental/USFWS%20Special%20Purpose%20Permit%202012.pdf#search=usfws%20permit>
- Wildlife Mortality/Bird Nest Report
<https://edisonintl.sharepoint.com/ssc/Environmental%20Standards%20%20Manuals/Biological%20Resources/Wildlife%20Mortality%20Bird%20Nesting%20Report%2011-19-2012.pdf#search=wildlife%20mortality>
- Endangered Species Alert Program (ESAP) Manual
<https://edisonintl.sharepoint.com/ssc/Pages/Document%20Library%20Pages/environmentalstandardsmanuals.aspx?RootFolder=%2Fssc%2FEnvironmental%20Standards%20%20Manuals%2FBiological%20Resources&FolderCTID=0x01200006EC5D54ADCBB747B43E6E25BC6E3278&View=%7B05CC3848%2DD1C1%2D4FBD%2DB52A%2D80CDBBE1B0B0%7D>
- Nest Management Guidelines
<https://edisonintl.sharepoint.com/ssc/Pages/Document%20Library%20Pages/environmentalstandardsmanuals.aspx?RootFolder=%2Fssc%2FEnvironmental%20Standards%20%20Manuals%2FAvian%20Protection%20Plan&FolderCTID=0x01200006EC5D54ADCBB747B43E6E25BC6E3278&View=%7B05CC3848%2DD1C1%2D4FBD%2DB52A%2D80CDBBE1B0B0%7D>
- DOH
[https://edisonintl.sharepoint.com/sites/TD/org/Standards%20%20Publications/Distribution%20Overhead%20Construction%20Standards%20\(DOH\).pdf](https://edisonintl.sharepoint.com/sites/TD/org/Standards%20%20Publications/Distribution%20Overhead%20Construction%20Standards%20(DOH).pdf)
- TOH
[https://edisonintl.sharepoint.com/sites/TD/org/Standards%20%20Publications/Transmission%20Overhead%20Construction%20Standards%20\(TOH\).pdf](https://edisonintl.sharepoint.com/sites/TD/org/Standards%20%20Publications/Transmission%20Overhead%20Construction%20Standards%20(TOH).pdf)
- ECS
[https://edisonintl.sharepoint.com/sites/TD/org/Standards%20%20Publications/Electrical%20Construction%20Station%20\(ECS%203-C\).pdf](https://edisonintl.sharepoint.com/sites/TD/org/Standards%20%20Publications/Electrical%20Construction%20Station%20(ECS%203-C).pdf)
- T&D Standards Request/Q&A Submittal Form
<https://edisonintl.sharepoint.com/sites/TD/org/Standards%20%20Publications/Standards%20Change%20Request%20Form.pdf#search=standards%20request>
- DDS
[https://edisonintl.sharepoint.com/sites/TD/org/Standards%20%20Publications/Distribution%20Design%20Standards%20\(DDS\).pdf](https://edisonintl.sharepoint.com/sites/TD/org/Standards%20%20Publications/Distribution%20Design%20Standards%20(DDS).pdf)

- Environmental Screening Form
https://sapportal.edisonintl.com/irj/portal/interop?NavigationTarget=pcd:portal_content/SCE/com.sce.Operations_Support/com.sce.My_Company/com.sce.ivIEWS/com.sce.EnvironmentHealthandSafety/forms/com.sce.ivu.esf&NavMode=3
- DIMP
[https://edisonintl.sharepoint.com/sites/TD/org/Standards%20%20Publications/Distribution%20Inspection%20and%20Maintenance%20Program%20\(DIMP\).pdf](https://edisonintl.sharepoint.com/sites/TD/org/Standards%20%20Publications/Distribution%20Inspection%20and%20Maintenance%20Program%20(DIMP).pdf)
- TOM
[https://edisonintl.sharepoint.com/sites/TD/org/Standards%20%20Publications/Transmission%20Operations%20and%20Maintenance%20Policies%20and%20Procedures%20\(TOM\).pdf](https://edisonintl.sharepoint.com/sites/TD/org/Standards%20%20Publications/Transmission%20Operations%20and%20Maintenance%20Policies%20and%20Procedures%20(TOM).pdf)

Rev.	Date	Description of Revision	Contact
0	04/30/14	Approved APP	K. Donohue
1	07/15/15	Revised APP Language changes that improve the accuracy and readability of the document, but do not change implementation are throughout the APP. Section 5.3.7 Reactive retrofit have been given timeframes of 90 days for raptors, eagles and T&E species and 2 years for all other protected bird species. Section 5.4 has been added for Proactive Retrofits when opportunities arise.	K. Donohue

8. Attachments

- 9.1 Nesting Bird Management Plan Template
- 9.2 Bird Dimensions and Listing Status in SCE Territory
- 9.3 Reporting Procedures Flowchart Templates

8.1 Nesting Bird Management Plan Template

The Nesting Bird Management Plan Templates can be found [here](#).

8.2 Bird Dimensions and Listing Status in SCE Territory

Listing Status of Avian Species Susceptible to Collision or Electrocutation Risks in SCE's Service Territory

Common Name	Scientific Name	Federal Status ¹	California Listing ¹	Risk ²	SJV	SN	D	CZ	SCI	CR	IV
American White Pelican	<i>Pelecanus erythrorhynchos</i>	MBTA	SSC	C ³	•	•	•	•		•	•
California Brown Pelican	<i>Pelecanus occidentalis californicus</i>	MBTA	CFP	C ³				•	•		
Great Blue Heron	<i>Ardea herodias</i>	MBTA		C & E	•	•		•		•	•
Great Egret	<i>Ardea alba</i>	MBTA		C & E	•			•		•	•
Turkey Vulture	<i>Cathartes aura</i>	MBTA		E	•	•	•	•		•	•
California Condor	<i>Gymnogyps californianus</i>	FE	SE, CFP	C ³ & E	•	•		•			
Osprey	<i>Pandion haliaetus</i>	MBTA		E				•	•	•	
Bald Eagle	<i>Haliaeetus leucocephalus</i>	MBTA, BGEPA	SE, CFP	C & E	•	•	•	•	•	•	
Red-shouldered Hawk	<i>Buteo lineatus</i>	MBTA		E	•	•		•		•	
Swainson's Hawk	<i>Buteo swainsoni</i>	MBTA	ST	E	•		•	•		•	
Red-tailed Hawk	<i>Buteo jamaicensis</i>	MBTA		E	•	•	•	•	•	•	•
Ferruginous Hawk	<i>Buteo regalis</i>	MBTA		E			•			•	•
Rough-legged Hawk	<i>Buteo lagopus</i>	MBTA		E		•	•			•	
Golden Eagle	<i>Aquila chrysaetos</i>	MBTA, BGEPA	CFP	C ³ & E	•	•	•	•		•	•
American Peregrine Falcon	<i>Falco peregrinus anatum</i>	MBTA	CFP	C & E	•	•	•	•		•	•

Common Name	Scientific Name	Federal Status ¹	California Listing ¹	Risk ²	SJV	SN	D	CZ	SCI	CR	IV
Prairie Falcon	<i>Falco mexicanus</i>	MBTA		C & E	•		•	•		•	•
Greater Sandhill Crane	<i>Grus canadensis tabida</i>	MBTA	ST, CFP	C	•		•				•
Barn Owl	<i>Tyto alba</i>	MBTA		C & E	•	•	•	•	•	•	•
Great Horned Owl	<i>Bubo virginianus</i>	MBTA		E	•	•	•	•		•	•
Yellow-billed Magpie	<i>Pica nuttalli</i>	MBTA		E	•			•		•	
American Crow	<i>Corvus brachyrhynchos</i>	MBTA		E	•	•	•	•		•	•
Common Raven	<i>Corvus corax</i>	MBTA		E	•	•	•	•	•	•	

Sources: California Natural Diversity Database (CNDDDB) (2012), Birds of North America Online (2012), Catalina Island Conservancy (2009)

¹Status: FE/SE=federal/state endangered; FT/ST=federal/state threatened; CFP=California fully protected species, SSC=species of special concern; MBTA=Migratory Bird Treaty Act; BGEPA=Bald and Golden Eagle Protection Act

²Typical Risk: C=Collision, E=Electrocution

SJV=San Joaquin Valley, SN=Sierra Nevada, D=Desert, CZ=Coastal Zone, SCI=San Clemente Island, CR=Coastal Ranges, IV=Imperial Valley

³Typically midspan electrocution on distribution voltage lines

8.3 Reporting Procedures Flowchart Templates

The Reporting Procedures Flowchart Templates can be found on the SCE Portal at: Org Units>Corporate Environmental, Health & Safety>Standards & Data Management>Environmental Standards & Manuals>Avian Protection Plan