

PUBLIC UTILITIES COMMISSION505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

July 27, 2009

Donald Johnson
Project Manager
Southern California Edison
2131 Walnut Grove Ave.
Rosemead, C 911770

RE: SCE Antelope Transmission Project, Segment 3A – Variance Request #52

Dear Mr. Johnson,

On July 27, 2009, Southern Californian Edison (SCE) submitted a variance requesting to be allowed to cut vegetation along the overland travel route to Const 43 in Segment 3A of the Antelope Transmission Project in unincorporated Los Angeles County, California. **This Variance Request is approved by CPUC for the proposed activities based on the following factors:**

- SCE submitted the following information:

SCE is requesting to be allowed to cut vegetation along the overland travel route to Const 43 in Segment 3A. SCE's contractor (PAR) is concerned that branches and stems from the shrubs in the area may pose a hazard to rubber tired vehicles and may snag and break hoses on the equipment. Because of the cultural sensitivities in the area, SCE wants to minimize the potential for fluid leak and a clean-up of stained soil that would require ground disturbance and soil removal. Also, to minimize ground disturbance in this area, tracked equipment will not be used. PAR requests that a rubber tracked mower be brought into the area to take the vegetation down to within 2-inches of bare mineral soil within the approved overland route and structure disturbance area. Once the vegetation cutting is completed a roller will ensure vegetation is laid down sufficiently so that equipment may be brought into the area.

- **Biological Resources:** Preconstruction biological surveys for the Project were conducted in 2008 (LSA). A combined biological clearance survey and pre-construction burrowing owl survey was conducted on July 22, 2009 by biologists with ECORP and LSA for the tower disturbance area, crane pad and the road specifically pertaining to Const 43. The survey provided a particular focus for desert tortoise, active bird nests, burrowing owls, and American badgers. Joshua tree woodland and creosote bush scrub are the dominant habitat communities in the Project site. Findings from the clearance survey include eight inactive bird nests and one large animal den that did not show signs of recent use. Joshua trees will be quantified in the field by biological monitors prior to the start of construction activities. Monitors will record the number of each in the associated disturbance area, the number of each removed, and the number of each that were avoided (Mitigation Measure B-4 Avoid Joshua Tree Woodland Habitat, B-5 Preserve Off-site Joshua Tree Woodland Habitat). Temporary impacts to creosote bush scrub habitat will be revegetated accordingly (APM BIO-2 Habitat Restoration and Revegetation Plan).
- **Cultural & Paleontological Resources:** Construction 43 is located within the Bean Springs Archaeological site (CA-KER-2821/H). A Phase II cultural resources evaluation/Phase III data

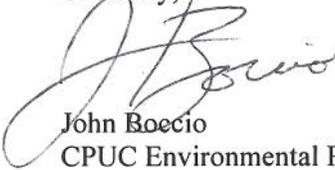
recovery program was conducted at Bean Springs by Pacific Legacy, Inc. on behalf of SCE in April 2009. The overland route to Const 43 did not reveal any archaeological deposit beyond 10 centimeters below surface. Data recovery was not warranted within the routes due to the lack of material recovered in the test excavations. SCE states that, given the nominal amount of cultural material found, it is unlikely that vegetation cutting activities will affect archaeologically significant remains. A cultural resources monitor and a Native American monitor are required for all construction work conducted within the Bean Springs ESA, including any vegetation cutting activities along the overland route and access roads. No grading is permitted.

The conditions noted below shall be met by SCE and its contractors:

- Biological survey sweeps shall be conducted and results submitted to the CPUC for review and approval prior to equipment and vehicles mobilizing into an area. After complete surveys have been submitted and approved by the CPUC, site occupation can occur; however, if occupation does not occur within seven calendar days of survey submittals, biological clearance sweeps shall be re-conducted prior to site occupation, including nesting bird surveys during the breeding season.
- SCE has assigned Biological Monitors to the Project. They are responsible for ensuring that impacts to special-status species, native vegetation, wildlife habitat, or unique resources are minimized to the fullest extent possible. The Biological Monitor shall be on-site to monitor all work and shall conduct sweeps of the approved areas which will be impacted. If breeding birds with active nests are found, a biological monitor shall establish a 300-foot buffer around the nest and no activities will be allowed within the buffer until the young have fledged from the nest or the nest fails. The 300-foot buffer may be adjusted to reflect existing conditions including ambient noise and disturbance only with the approval of the CDFG and/or USFWS (Please note that the CPUC must be notified prior to the onset of construction). The biological monitor shall conduct regular monitoring of the nest to determine success/failure and to ensure that project activities are not conducted within the buffer until the nesting cycle is complete or the nest fails. If nesting birds move into the work area SCE will monitor the nest to ensure that their activities do not result in the loss or failure of the nest. A preliminary 300-foot buffer area around the nest will be established and SCE shall coordinate with the CPUC, CDFG and/or USFWS.
- Per Mitigation Measure B-4b, CDFG and CPUC shall field verify temporary and permanent impacts to Joshua tree woodland habitat. SCE shall coordinate with CDFG and CPUC to acquire and ensure permanent protection of mitigation lands.
- If special-status plant or animal species are observed within the project area, the CPUC EM and CDFG shall be notified immediately.
- A cultural resources monitor and a Native American monitor are required for all construction work conducted within the Bean Springs ESA, including any vegetation cutting activities along the overland route and access roads.
- To minimize ground disturbance in this area, tracked equipment shall not be used and no grading shall be permitted.
- If unanticipated cultural discoveries occur, work must halt in the immediate vicinity until the find can be evaluated by a qualified archaeologist to determine if it meets significance criteria under CEQA.

- All project mitigation measures, compliance plans, and permit conditions shall be implemented during construction activities. Some measures are on-going/time-sensitive requirements and shall be implemented prior to and during construction where applicable.
- Prior to the commencement of construction activities, all crew personnel including haul truck and concrete truck drivers shall be appropriately WEAP trained on environmental issues including protocols for air quality, hazardous materials, biological resources, known and unanticipated cultural materials, as well as SWPPP BMPs. A log shall be maintained on-site with the names of all crew personnel trained.
- All work boundaries shall be flagged prior to occupation. In addition, all approved access roads, spur roads and overland travel routes to be used shall be flagged prior to construction.
- If construction debris or spills enter into environmentally sensitive areas, the jurisdictional agencies and CPUC EM shall be notified immediately.
- Copies of all relevant permits, compliance plans, and this Variance shall be available on site for the duration of construction activities where applicable.

Sincerely,



John Boecio
CPUC Environmental Project Manager

cc: V. Strong, Aspen