

PUBLIC UTILITIES COMMISSION

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August 31, 2012

Susan J. Nelson, AIA
Regulatory Affairs
Southern California Edison
2244 Walnut Grove Avenue, Quad 3D, GO1
Rosemead, CA 91770

RE: SCE Antelope Transmission Project (Antelope-Tehachapi 500kV and 220kV Transmission Line), Segment 3B: Final Engineering Concurrence for the Segment 3B Road/Grading Changes and Storm Drain Installation Locations

Dear Ms. Nelson,

On August 3, 2012, Southern California Edison (SCE) submitted a request for Final Engineering Concurrence for road grade changes and storm drain installations on the Segment 3B Transmission Line (T/L) of the Antelope Transmission Project (ATP) in unincorporated Kern County, California. SCE submitted additional information on August 30, 2012. **This Concurrence to Final Engineering is approved by the CPUC for the proposed activities based on the following factors:**

- SCE submitted the following information:

SCE requests Final Engineering Concurrence for Road/Grading Changes and Storm Drain Installation Locations throughout Segment 3B T/L of the ATP in unincorporated Kern County, California. Subsequent to approval of Segment 3B T/L NTPRs (NTP # 30 dated February 21, 2012, and NTP #32 dated March 20, 2012) by the CPUC, final design was completed, resulting in modifications to permanent access roads and permanent grading limits, relocation of three temporary crane pads, a new turning radius, and the installation of thirty storm water drains throughout Segment 3B T/L.

Impacts associated with this Final Engineering Concurrence includes: 2.035 acres of additional temporary impacts, and 3.259 acres of permanent impacts.

The following changes are proposed for Segment 3B T/L (note that all measurements are approximate):

1. A new permanent access road and permanent grading limit at structure 3B-13. The new permanent access road is 622 feet long. The permanent grading limit is 850 feet long and ranges between 65 feet and 255 feet wide, and has a total disturbance area of 2.933 acres (of this, 1.554 acres is new disturbance not previously approved in NTP #30).
2. A grading area with a 20-foot temporary contractor work limit outside the grading area on the access road between structures 3B-17 and 3B-18. The permanent grading area has a total disturbance area of 0.14 acre, and the contractor work limits have a total temporary disturbance area of 0.186 acre (of this, 0.165 acre is new disturbance not approved in NTP #32).
3. Permanent road boundaries for the access road at structure 3B-40. This spur road edge is 165 feet long, and has a total disturbance area of 0.15 acre (of this, 0.027 acre is new disturbance not approved in NTP #32).

4. A shift of the permanent access road at structure 3B-41 and the addition of permanent road boundaries. This spur road edge is 138 feet long and has a total disturbance area of 0.131 acre (of this, 0.02 acre is new disturbance not approved in NTP #32).
5. A grading area with a 20-foot temporary contractor work limit outside the grading area on the access road southwest of structure 3B-42. The permanent grading area has a total disturbance area of 0.032 acre, and the contractor work limits have a total disturbance of 0.125 acre (of this, 0.062 acre is new disturbance not approved in NTP #32).
6. A grading area with a 20-foot temporary contractor work limit outside the grading area on the access road southwest of structure 3B-44. The permanent grading area has a total disturbance area of 0.127 acre, and the contractor work limits have a total temporary disturbance of 0.21 acre (of this, 0.21 acre is new disturbance and not approved in NTP #32).
7. A grading area with a 20-foot temporary contractor work limit outside the grading area on the access road northeast of structure 3B-44. The permanent grading area has a total disturbance area of 0.218 acre, and the contractor work limits have a total temporary disturbance of 0.332 acre (of this, 0.2 acre is new disturbance not approved in NTP #32).
8. A grading area with a 20-foot temporary contractor work limit outside the grading area on the access road between structures 3B-45 and 3B-46. The permanent grading area has a total disturbance area of 0.441 acre, and the contractor work limits have a total temporary disturbance of 0.541 acre (of this, 0.26 acre is new disturbance not approved in NTP #32).
9. A new permanent access road, permanent and temporary grading limits, and relocation of the temporary crane pad at structure 3B-46. The new permanent access road is 300 feet long. The permanent grading limit is 260 feet long and ranges between 32 feet and 113 feet wide, and has a total disturbance area of 0.354 acre. The temporary grading limit is 70 feet long and ranges between 47 and 72 feet wide, and has a total disturbance area of 0.085 acre. The combined total new disturbance (not previously approved in NTP #32) of these features is 0.005 acre.
10. A new permanent access road and permanent and temporary grading limits at structure 3B-49. The new permanent access road is 630 feet long. The permanent grading limit is 630 feet long and ranges between 14 feet and 81 feet wide, and has a total disturbance area of 0.457 acre. The temporary grading limit is 48 feet wide and 62 feet long, and has a total disturbance area of 0.069 acre. The combined total new disturbance (not previously approved in NTP #32) of these features is 0.126 acre.
11. A grading area with a 20-foot temporary contractor work limit outside the grading area on the access road between structures 3B-56 and 3B-57. The permanent grading area has a total disturbance area of 0.172 acre, and the contractor work limits have a total temporary disturbance of 0.236 acre (of this, 0.266 acre is new disturbance not approved in NTP #32).
12. A new permanent access road, temporary grading limit, and relocation of the temporary crane pad at structure 3B-58. The new permanent access road is 385 feet long and has a total disturbance area of 0.281 acre. The temporary grading limit is 62 feet long and ranges between 50 feet and 76 feet wide, and has at total disturbance area of 0.085 acre. The combined total new disturbance (not previously approved in NTP #32) of these features is 0.026 acre.
13. A shift of the permanent access road at structure 3B-69. The new access road is 163 feet long, and has a total disturbance area of 0.106 acre (none of which is new disturbance not approved in NTP#32). Only surface blading and clearing is needed, no grading is necessary for this new access road.
14. A shift of the permanent access road at structure 3B-72. The new access road is 245 feet long, and has a total disturbance area of 0.129 acre (of this, 0.003 acres is new disturbance not

previously approved in NTP #32). Only surface blading and clearing is needed, no grading is necessary for this new access road.

15. A shift of the permanent access road at structure 3B-73. The new access road is 210 feet long, and has a total disturbance area of 0.119 acre (none of which is new disturbance not approved in NTP #32). Only surface blading and clearing is needed, no grading is necessary for this new access road.

The above-described access road and grading limit modifications will conform to the approved Kern County grading plans.

In addition to the above, the Request for Final Engineering Concurrence also includes an additional turning radius and installation of storm water drains, as described below:

16. An additional turning radius between structures 3B-28 and 3B-29 is required, resulting in an additional disturbance area of 0.014 acre.
17. Thirty storm water drains (flume/gabion systems) are proposed to be installed throughout the 3B transmission line alignment. The drains are needed to control and divert storm water from various access roads, thereby reducing soil erosion potential. The storm water drains are, on average, 53 feet by 12 feet, for approximately 648 square feet (0.015 acres) of permanent disturbance for each. Additionally, a work area buffer between 13 and 17 feet would be required around the storm water drains, for an average of 2,197 square feet (0.05 acres) of temporary disturbance for each.

- **Biological Resources:** SCE submitted a biological survey report titled *Biological Survey Report for the Access Road and Grading Updates for 14 Structures and Installation of Storm Water Drains Request for Final Engineering Concurrence, Segment 3B Transmission Line, Antelope Transmission Project, Kern County, California* dated July 31, 2012. The report documents the biological conditions for Segment 3B Access Road and Grading Updates for 14 Structures and Installation of Storm Water Drains Pipeline Mitigation Request for Final Engineering Concurrence (Project Component). The Project Component plus the 500-foot buffer are referred to as the Biological Study Area (BSA). Biological resources within and adjacent to the Project Component were evaluated during several focused surveys, including 2010 and 2011 rare plant surveys (LSA 2010e, ICF 2011gt); 2008, 2010, and 2011 Swainson's hawk surveys (LSA 2008b, 2010c; ICF and Bloom 2011e); 2007, 2008 through 2011 desert tortoise surveys (LSA 2007, 2008a, 2009b, 2010a; ICF and ECORP 2011b); 2008, 2010, and 2011 Mohave ground squirrel surveys (Vanherweg 2008, LSA 2010b, ICF and ECORP 2011c); and burrowing owl and American badger burrow surveys in 2010 (LSA 2010d). The Project Component areas were also included in the 2012 focused surveys for special-status plants, including vegetation mapping; desert tortoise; Swainson's hawk; and Mohave ground squirrel. The biological resources within and adjacent to the Project Component and BSA were also evaluated during preconstruction surveys for general biological resources and burrowing owl for Segment 3B T/L. As part of the Segment 3B T/L and Wilderness Line Relocation work, biological construction monitoring has been ongoing regularly since the sites became active, and species events and nest events are recorded in the Field Reporting Environmental Database (FRED). As a Biological Opinion or an Incidental Take Permit was not obtained for the ATP, work will avoid impacts to listed plants and wildlife.

Vegetation communities within the Project Component include California annual grassland, desert bunchgrass grassland, Joshua tree woodland, Mojave desert wash scrub, Mojave mixed woody scrub, Mojavean juniper woodland and scrub, rabbitbrush scrub, southern willow scrub, sparsely vegetated streambed, and disturbed/developed. Vegetation communities within the 500-foot buffer include bunchgrass grassland, California annual grassland, desert bunchgrass grassland, Joshua tree woodland, Mojave creosote bush scrub, Mojave desert wash scrub, Mojave mixed woody scrub, Mojavean juniper woodland scrub, rabbitbrush scrub, southern willow scrub, rabbitbrush scrub, Southern willow scrub, sparsely vegetated streambed, valley oak woodland, and disturbed/developed. No special-status plants were observed within

the Project Component. Adobe yampah, Bakersfield cactus and Mojave Indian paintbrush were observed within the 500-foot buffer during the 2011 and 2012 special status plant focused surveys. Bakersfield cactus was also observed during the construction monitoring that included the BSA. All previously identified Bakersfield cactus that occur within 50 feet of any work area, overland travel, or access road to improve have been further analyzed to confirm identification.

Previous focused burrowing owl surveys in 2010 for Segment 3B were negative for burrowing owls, sign of the species, and potential burrowing owl features within the Project Component. However, sign of the species and potential burrowing owl burrows were identified within the 500-foot buffer. A new potential burrowing owl burrow was identified within the Project Component during the 2011 general and focused burrowing owl preconstruction surveys for Segment 3B, during 2011 desert tortoise focused surveys, 2012 desert tortoise focused surveys, preconstruction surveys, and burrowing owl preconstruction surveys for the Segment 3B T/L and the Wilderness Line Relocation. None of the burrows from these surveys showed evidence of burrowing owl use.

Focused surveys conducted for desert tortoise in 2010, 2011, and 2012 were negative for the species within the Project Component and 500-foot buffer. A Class 4 potential desert tortoise burrow was observed within the BSA during the 2012 Segment 3B focused surveys for desert tortoise. Per the 2010 Desert Tortoise guidelines (USFWS 2010d), Class 4 burrows are defined as good condition and possible tortoise burrows. No tracks or scats were present at the burrow to indicate it was actively being used by desert tortoise. Impacts to desert tortoise habitat from construction activities described in this Final Engineering Request include: 1.075 acres of temporary impact, and 0.648 acre of permanent impact.

Focused surveys conducted for Mojave ground squirrel, and Swainson's hawk in 2010, 2011, and 2012 were negative for the species within the Project Component and 500-foot buffer. However, Swainson's hawk were observed in flight over the BSA during the general preconstruction survey. Desert kit fox, LeConte's thrasher, an occupied American badger den, and loggerhead shrike, and potential desert kit fox dens were observed within the 500-foot buffer during the 2011 Segment 3B desert tortoise focused survey (ICF and ECORP 2011b). Additionally, loggerhead shrike, prairie falcon, and a potential desert kit fox den were observed within the 500-foot buffer during the 2012 Segment 3B desert tortoise focused survey. Cooper's hawk and Northern harrier were observed within the 500-foot buffer during 2011 preconstruction surveys. Additionally, loggerhead shrike and potential American badger dens were observed within the 500-foot buffer during 2012 preconstruction surveys. Ferruginous hawk was identified during the construction monitoring. Ferruginous hawk, loggerhead shrike, prairie falcon, and willow flycatcher were observed within the 500-foot buffer during construction monitoring. No active nests were observed within the Project Component. Active nests have been observed within the 500-foot buffer as of July 24, 2012.

Jurisdictional resources do occur within the Project Component and jurisdictional resources permits will be required for areas that cannot be avoided by construction. The sites within the Project Component that will impact jurisdictional features and are included in the permits include the following: the access road to Ground Rod Disturbance Area PGE-B_GR02, the two Zinc Ribbon Disturbance Areas, and the access road disturbance area northeast of transmission line structure 3B-45. Permits for impacts to jurisdictional resources have been submitted to the regulatory agencies. SCE will submit approved permits to the CPUC prior to proceeding with construction at the identified locations. Jurisdictional features mapped within the BSA will be avoided by the Variance Project Component areas. Until permits are acquired, all features will be marked as ESAs. If any potential features are subsequently identified, they will be flagged for avoidance or the applicable permits will be obtained.

Impacts associated with this Final Engineering Concurrence includes: 3.259 acres of additional permanent impacts and 2.035 acres of temporary impacts. Permanent impacts to special-status vegetation communities and special-status species habitat will be mitigated per off-site per agreements with CDFG and USFWS, and Applicant Proposed Mitigation (APM) BIO-7. Temporary impacts will be mitigated on-site per the

Habitat Restoration and Revegetation Plan (HRRP) and APM BIO-2, which include SWPPP requirements, weed control (Mitigation Measure [MM] B-27b), and visual resources (MM V-1c and MM V-9).

No additional impacts to biological resources are anticipated.

- **Cultural Resources:** SCE submitted a memorandum titled *Southern California Edison Tehachapi Renewable Transmission Project Cultural and Paleontological Resources Guidelines for Segment 3B – Final Engineering Concurrence for Additional Grading Limits, Turning Radius, and Installation of Storm Drains* dated June 31, 2012. The memorandum states that three (3) areas where cultural resources have been documented (Proposed Changes #6, #7, and #8) may require additional measures to minimize impacts (Baloian 2012, Holm and Jackson 2012, Jackson 2012, Pacific Legacy 2012b; and Way et al 2009). The paleontological literature review (Gust and Scott 2009) indicates that some of the proposed activities are located within areas that have the potential to yield paleontological resources; and therefore a paleontological monitor will be required at certain locations.

The proposed grading area, Proposed Change #6 and MacCarthy Drain SD19, are located within a cultural resource that has been determined eligible for the California Register of Historical Resources (CRHR). Holm and Jackson (2012) conducted an assessment of potential impacts along the areas of the site that were proposed for modification in the original engineering design (roads and vehicular pull out areas). The results of the investigation concluded that although the site was eligible for listing in the CRHR the areas scheduled for modification were not contributing elements to the site. Approximately 50 percent of the area encompassed by Proposed Change #6 was covered during the previous research and is in a previously disturbed area of the site. The remaining disturbance areas should be reduced to the maximum extent possible to avoid impacts along intact areas of the resource. If reduction of the construction area is not feasible, testing for potential impacts will be necessary. The testing program and results will require CPUC approval prior to conducting any ground disturbing activities at this location.

The disturbance area associated with the Proposed Change #7 is located within the buffer and adjacent to the boundary of a significant resource eligible for the CRHR (Way et al 2009 and Pacific Legacy 2012b). In order to avoid any potential impacts to the resource, the easternmost portion of the proposed grading area and contractor work limit areas should be reduced to the maximum extent possible to avoid uncovering the resource. If reduction of the construction area is not feasible, testing along the edge of the site to assess potential impacts will be necessary. The testing program and results will require CPUC approval prior to conducting any ground disturbing activities at this location.

A portion of the Proposed Change #8 grading area and contractor work limits are located in an area where a cultural feature exists (Pacific Legacy 2012c). This feature has not been evaluated for significance. In order to avoid any potential impacts to the feature, the portion of the area where the feature is located should be eliminated as a proposed grading area and the feature will be flagged as an ESA. If avoidance is not possible, an evaluation of potential eligibility for the resource will be necessary. The results of this evaluation will require CPUC approval prior to conducting any ground disturbing activities at this location.

The Paleontological Resources Management Plan (PRMP) indicates that some of the proposed areas associated with this Request for Final Engineering Concurrence have a low to high potential for yielding paleontological resources (Gust and Scott 2009). Monitoring requirements during ground disturbing activities are as follows:

- Paleontological Monitor Required at the following Proposed Change Sites: 3, 4, 5, 10, 12, and 13.
- Paleontological Monitor Required only if excavations exceed 2 feet in depth at the following Proposed Change Sites: 1, 6, 7, 8, 9, 14, 15, and 16.
- No Paleontological Monitor is required at Proposed Change Sites 2 and 17.

No additional impacts to cultural or paleontological resources are anticipated.

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

- Approximately 50 percent of the area encompassed by Proposed Change #6 was covered during the previous cultural resources research and is in a previously disturbed area of the site. The remaining disturbance areas should be reduced to the maximum extent possible to avoid impacts along intact areas of the resource. If reduction of the construction area is not feasible, testing for potential impacts to cultural resources will be necessary. The CPUC shall review and approve the testing program and results prior to conducting any ground disturbing activities at this location.
- In order to avoid any potential impacts to the cultural resource associated with the Proposed Change #7, the easternmost portion of the proposed grading area and contractor work limit areas should be reduced to the maximum extent possible to avoid uncovering the resource. If reduction of the construction area is not feasible, testing along the edge of the site to assess potential impacts will be necessary. The CPUC shall review and approve the testing program and results prior to conducting any ground disturbing activities at this location.
- In order to avoid any potential impacts to the cultural resource feature associated with the Proposed Change #8, the portion of the area where the feature is located should be eliminated as a proposed grading area and the feature will be flagged as an ESA. If avoidance is not possible, an evaluation of potential eligibility for the resource will be necessary. The CPUC shall review and approve the results of this evaluation prior to conducting any ground disturbing activities at this location.
- Per the Paleontological Resources Management Plan (PRMP), a paleontological monitor is required at the following Proposed Change Sites: 3, 4, 5, 10, 12, and 13.
- Per the PRMP, a paleontological monitor is required if excavations exceed 2 feet in depth at the following Proposed Change Sites: 1, 6, 7, 8, 9, 14, 15, and 16.
- All conditions required by Notice to Proceed (NTP) #30 and #32 shall apply to the subject area and activities.
- Copies of all relevant permits, compliance plans, NTP #30 and #32, and this Concurrence of Final Engineering shall be available on site for the duration of construction activities where applicable.

Sincerely,



Lon Payne
CPUC Environmental Project Manager

cc: V. Strong, Aspen
Mary Jo Borak