

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

May 8, 2009

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

RE: SCE Antelope-Pardee 500 kV Transmission Project, Segment 1 – Variance Request #43

Dear Mr. Johnson,

On May 1, 2009, Southern Californian Edison (SCE) submitted a variance requesting that mitigation requiring capping of roadways at three known cultural sites, as specified in the Supplemental Cultural Resources Report for Segment 3A, not be implemented. In addition, under Variance Request #43, SCE is requesting the incorporation of the relocation of Structure 71 into the Supplemental Cultural Resources Report for Segment 3A. **This Variance Request is approved by CPUC for the proposed activities based on the following factors:**

- SCE submitted the following information:

CA-KER-6341H: CA-KER-6341 is south of the guard pole locations adjacent to Construction Location 15. A recent field visit to CA-KER-6341H found no cultural material within the road prism. The road segment at this location is a public road used by Kern County residents. Since the road lacks cultural material and is susceptible to public use, SCE recommends leaving this road as unimproved and not capping the road segment associated with CA-KER-6341H.

CA-KER-6343: CA-KER-6343 is east of Construction Location 25 adjacent to Backus Road—which is a public road frequented by Kern County residents. A field visit to CA-KER-6343 found no cultural material in the road prism. Since the disturbed road area lacks cultural material and is susceptible to frequent public traffic, SCE recommends leaving this road as unimproved and not capping the road segment associated with CA-KER-6343.

CA-KER-7037: CA-KER-7037 is between Construction Locations 31 and 32. The results of an investigation into the feasibility to realign the road to avoid this site was a better alternative to capping. SCE recommends shifting the road alignment 25-50 feet to the west—within the Right of Way—to avoid the site boundary of the cultural resource. CA-KER-7037 will be flagged, monitored, and subsequently avoided during construction activities.

CA-LAN-3725: CA-LAN-3725 is located at Construction 71. To avoid impacts to this site, Construction 71 was moved 50 feet south. This relocation was already approved as part of the current road story for TRTP Segment 3A, but was not reflected on Figure 2B and Figure 10 of the supplemental archaeological survey report. This shift was incorporated into the disturbance area maps, and has already been environmentally surveyed and cleared. SCE is only asking for a variance to be able to incorporate these changes into the Supplemental Cultural Resources Report for TRTP Segment 3A.

- **Biological Resources.**

CA-KER-6341H: Using the existing road as is, without capping material is not expected to impact biological resources.

CA-KER-6343: Using the existing road as is, without capping material is not expected to impact biological resources.

CA-KER-7037: The disturbance areas, crane pads, and roads related to 500kV structures 31 and 32 were surveyed for biological resources on April 14-15, 2009. LSA biologists surveyed the target areas for special status plants, reptiles, amphibians, bird nests, raptors, burrowing owls, and American badgers utilizing a 500 foot buffer. No special status plant or wildlife species or bird nests were identified during the biological surveys. A single burrow with no fresh sign was identified west of the transmission corridor along 103rd St W; however, this burrow would not be affected by the roadway re-route around CA-KER-7037.

CA-LAN-3725: CA-LAN-3725 will be avoided given the relocation of Construction 71 which has already been environmentally surveyed and cleared.

Paleontological Resources. Under Variance Request #43, no ground excavation would occur within soils with potential for paleontological resources; therefore, no impacts to paleontological resources are anticipated.

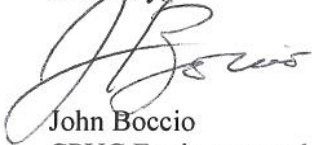
The conditions noted below shall be met by SCE and its contractors:

- Errata sheets shall be issued for the Supplemental Cultural Resources Report for Segment 3A that address the Plan changes approved under this variance.
- 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.
- Biological surveys shall be re-conducted and results submitted to the CPUC for review and approval prior to equipment and vehicles mobilizing to the project 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 conducted prior to site occupation, including nesting bird surveys.
- 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.

- CA-KER-7037: In accordance with the approved Procedures for Managing and Protecting Potential and Active Burrowing Owl Burrows, "burrows considered to be beyond the disturbance distance will not be closed, will be flagged for avoidance and will be monitored for use during construction."
- 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.
- After use, all areas proposed under this Variance shall be completely restored to preexisting conditions in accordance with approved project restoration plans.
- If construction debris or spills enter into environmentally sensitive areas, the jurisdictional agencies and CPUC EM shall be notified immediately.
- Prior to the commencement of construction activities, all crew personnel including crane, 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 construction. No movement or staging of construction vehicles or equipment shall be allowed outside of the approved areas.
- Storm Water Pollution Prevention Plan (SWPPP) will be implemented at all times during the use of the project area, as will Best Management Practices. Implementation of all necessary erosion control devices will be properly installed and maintained throughout the duration of project area use. A copy of the SWPPP will be available on-site for reference.
- 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 Boccio
CPUC Environmental Project Manager

cc: V. Strong, Aspen