

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

December 7, 2009

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

RE: SCE Antelope Transmission Project, Segment 2 – Variance Request #64

Dear Mr. Johnson,

On December 1, 2009, Southern Californian Edison (SCE) submitted a variance requesting to cut the stub angles of two footers and cut the remaining two footers to ground level at a wreck-out structure adjacent to Construct 34A in Segment 2 of the Antelope Transmission Project in 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:

Southern California Edison (SCE) is requesting a variance to cut the stub angles of two footers and cut the remaining two footers to ground level at a wreck-out structure adjacent to Construct 34A on Segment 2 instead of removing the footers below ground level. Cutting the stub angles and footers to ground level, rather than removing the footers below ground level, is requested to avoid impacts to a California Register of Historic Resources (CRHR) eligible historical resource located adjacent to Construct 34A. The cultural resource was identified adjacent to Construct 34A by Cogstone Resources Management (Drought and Knight 2009). Based on the resource's integrity and its archaeological data potential, the site is considered a historical resource under CEQA. Historical resources are resources that are listed, or eligible for listing, in the CRHR. The resource is eligible for listing in the CRHR under Criterion 4 because of its potential to yield information important in prehistory. Pacific Legacy, Inc. conducted a field evaluation of the resource on November 2 through November 7, 2009. Lab analysis is being conducted by Pacific Legacy, Inc. and a complete evaluation report is expected on or before December 31, 2009. The cultural resource is located adjacent to an existing access road. A 125-foot long spur road located southeast of the access road, within the Construct 34A tower site disturbance area, crosses the resource. Crews will need to use the spur road to access the southeastern footers. Temporary use of the existing access road and spur road will not impact the resource. To protect the integrity of the cultural resource, no grading or excavation will be permitted. In order to prevent impacts to the site, vehicles are not permitted to drive or park off the existing access road and spur road while within the cultural resource. A cultural resource monitor is required while work is conducted within the ESA. In addition to cutting the stub angles, the Contractor will remove all loose and broken concrete and cut footers B and D down to, and not below, ground level. No digging will be permitted at or around the tower footers.

- **Biological Resources:** The site is located within an existing disturbance area that has been previously surveyed for biological resources. Woodrat (*Neotoma sp.*) middens have been discovered in the past within the vicinity of this site; however, no impacts to biological resources are expected to occur by cutting the stub angles and leaving the concrete footers in place. A biological survey will be repeated prior to cutting the stub angles and any new sensitive resources observed during this survey will be mapped and flagged for avoidance.

No significant impacts to biological resources are anticipated with the implementation of the mitigation measures noted below.

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.
- The woodrat midden(s) will be flagged for avoidance, if feasible. If avoidance of the woodrat midden is not feasible, it can be raked out by the monitoring biologist to minimize impacts to woodrats, following consultation with California Department of Fish and Game (CDFG).
- If special-status plant or animal species are observed within the project area, the CPUC EM and CDFG shall be notified immediately.
- As proposed by SCE, to protect the integrity of the cultural resource, no grading or excavation will be permitted. In order to prevent impacts to the site, vehicles are not permitted to drive or park off the existing access road and spur road while within the cultural resource. In addition to cutting the stub angles, the Contractor will remove all loose and broken steel and concrete, and cut footers B and D down to, and not below, ground level. No digging will be permitted at or around the tower footers. A cultural resource monitor is required while work is conducted within the ESA.
- A Treatment Plan shall be developed to address future recontouring and restoration of the subject area. Specific measures to avoid erosion within the cultural site and surrounding areas shall be identified. The Plan shall be submitted to the CPUC for review and approval prior to implementation.
- 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. The CPUC EM shall be notified immediately.

- 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. In addition, all disturbed areas shall be restored in accordance with approved restoration plans and permit conditions.
- 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, including the variance request and maps.

Sincerely,

A handwritten signature in cursive script, appearing to read "J. Boccio".

John Boccio
CPUC Environmental Project Manager

cc: V. Strong, Aspen