UNITED STATES DEPARTMENT OF THE INTERIOR

BUREAU OF LAND MANAGEMENT

AND

UNITED STATES DEPARTMENT OF AGRICULTURE

FOREST SERVICE

RECORD OF DECISION
FOR
DEVERS-PALO VERDE NO. 2 TRANSMISSION LINE PROJECT

Prepared by

Department of the Interior
Bureau of Land Management
California Desert District
Palm Springs-South Coast Field Office

In Cooperation with

Department of Agriculture
Forest Service
Pacific Southwest Region
San Bernardino National Forest

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LIST OF ABBREVIATIONS

AC	alternating current
ACC	Arizona Corporation Commission
ACEC	Area of Critical Environmental Concern
ACOE	U.S. Army Corps of Engineers
APMs	Applicant Proposed Measures
BLM	Bureau of Land Management
BO	Biological Opinion
BSPP	Blythe Solar Power Project
CAISO	California Independent System Operator
CDCA Plan	California Desert Conservation Area Plan of 1980, as amended
CEQ	Council on Environmental Quality
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CPCN	Certificate of Public Convenience and Necessity
CPUC	California Public Utilities Commission
CRS	Colorado River Substation
CWA	Clean Water Act
DG	Distributed Generation
DNA	Determination of NEPA Adequacy
DOI	Department of the Interior
DPV1	Devers-Palo Verde No. 1 500kV Transmission Line (Built)
DPV2	Devers-Palo Verde No. 2 500kV Transmission Line Project (As Proposed by SCE)
DSW	Desert Southwest
DSWTP	Desert Southwest Transmission Line Project
D-V Alternative	Devers-Valley No. 2 Project Alternative Segment (Devers Substation to Valley Substation)
D-V1	Devers-Valley No. 1 (Existing Segment for the Devers-Palo Verde No.1 Line from Devers Substation to Valley Substation)
EIR/EIS	Environmental Impact Report/Environmental Impact Statement
EMF	electromagnetic field
FERC	Federal Energy Regulatory Commission
FLPMA	Federal Land Policy and Management Act

FS	Forest Service
GSEP	Genesis Solar Energy Project
HGC	Harquahala Generating Company
HPTP	Historic Properties Treatment Plan
HVDC	high-voltage direct-current
I-10	Interstate 10
kV	kilovolt
LGIA	Large Generator Interconnection Agreement
LMP	Land Management Plan
MDAB	Mojave Desert Air Basin
MDAQMD	Mojave Desert Air Quality Management District
MFTL	Mojave fringe-toed lizard
MMCRP	Mitigation Monitoring, Compliance, and Reporting Program
MSHCP	Multiple Species Habitat Conservation Plan
MUC	Multiple Use Classes
MW	megawatt
NCCP	Natural Community Conservation Plan
NEPA	National Environmental Policy Act
NHPA	National Historic Preservation Act
NOA	Notice of Availability
NOx	nitrogen oxide
NPDES	National Pollutant Discharge Elimination System
NTP	Notice to Proceed
OPGW	Optical Ground Wire
PA	Programmatic Agreement
PEA	Proponent's Environmental Assessment
PFM	Petition for Modification
PM_{10}	particulate matter, less than 10 micrometers in diameter
Project	The Selected Alternative of the Devers-Palo Verde No. 2 Transmission Line Project (A combination of the Proposed Project and other Alternatives, not inclusive of the Arizona portion of the Proposed Project)
PV	photovoltaic
PVNGS	Palo Verde Nuclear Generating Station

ROD	Record of Decision
ROW	right-of-way
SCAB	South Coast Air Basin
SCAQMD	South Coast Air Quality Management District
SCE	Southern California Edison
SHPO	State Historic Preservation Office
SIP	State Implementation Plan
SPS	special protection scheme
SSAB	Salton Sea Air Basin
SVC	Static VAR Compensator
USDA	United States Department of Agriculture
USFWS	United States Fish and Wildlife Service
VOC	volatile organic compound
VRM	Visual Resource Management

EXECUTIVE SUMMARY

This document constitutes the joint Record of Decision (ROD) of the Department of the Interior (DOI) Bureau of Land Management (BLM) and the United States Department of Agriculture (USDA) Forest Service (FS) for the Devers-Palo Verde No. 2 Transmission Line Project (DPV2) as analyzed in the Final Environmental Impact Report/Environmental Impact Statement (EIR/EIS), released October 24, 2006. This ROD is prepared in accordance with the National Environmental Policy Act (NEPA) and the Federal Land Policy and Management Act (FLPMA). The BLM decision, under Title 43 CFR Part 2800, applies only to BLM-administered lands; and the FS decision, under Title 36 CFR Part 251, applies only to National Forest System lands. For the purposes of this ROD, the project as proposed by the Applicant, Southern California Edison (SCE) shall be referred to as the Devers-Palo Verde No. 2 500 kV Transmission Line Project, or"DPV2." The project as the Selected Alternative and as authorized in this ROD shall be referred to as the "Project," which consists of a combination of the proposed project and alternatives analyzed in the Final EIR/EIS. The Project as authorized in this ROD only contains portions of the DPV2 project in California; those portions in Arizona have been eliminated.

The Final EIR/EIS is a joint document prepared by the State of California Public Utilities Commission and the BLM. The Final EIR/EIS is available online at: http://www.cpuc.ca.gov/Environment/info/aspen/Devers-Valley No. 2 /Devers-Valley No. 2 .htm. The California Public Utilities Commission (CPUC) granted an application for a Certificate of Public Convenience and Necessity (CPCN) in proceedings related to the DPV2 transmission line in Decision #D.07-01-040, dated January 25, 2007, for two major transmission lines:

- The first transmission line was a 500 kilovolt (kV) transmission line from the existing Harquahala Generating Station switchyard in southern Arizona, near the Palo Verde nuclear generating plant, to SCE's existing Devers substation located in North Palm Springs in Riverside County, California. This transmission line was referred to as the "Devers-Harquahala" transmission line in the Final EIR/EIS. Approximately 102 miles of this line was proposed in Arizona, and 128 miles in California, totaling approximately 230 miles.

- The second transmission line was a 500 kV transmission line between the Devers substation and SCE's existing Valley substation located in the unincorporated community of Romoland in Riverside County. This transmission line was referred to as the Devers-Valley No. 2 [D-V Alternative] transmission line in the Final EIR/EIS. This line was proposed to allow power to reach SCE's load centers. This line spanned approximately 48.2 miles. [This varies from the proposed action in the Final EIR/EIS]

The Commission granted the CPCN on the basis that the DPV2 transmission line would generate significant economic benefits to California ratepayers, and preconditioned construction of the California portion of the Project upon approval for construction of the Arizona portion of the originally proposed project. The Arizona Corporation Commission (ACC) denied SCE's request for a Certificate of Environmental Compatibility for the Arizona portion of the transmission line on June 6, 2007. SCE appealed the ACC's Devers-Valley No. 2 decision and began pursuing

action under the authority Congress granted the Federal Energy Regulatory Commission (FERC) to site transmission facilities under the siting provisions of the Energy Policy Act of 2005. However, in May 2009, SCE ceased its pre-filing activities for the transmission line at FERC because SCE did not pursue a re-filing with the ACC for the authorization of the Arizona-only portion of the transmission line at the time.

Instead, SCE filed a Petition for Modification (PFM) with the CPUC on May 14, 2008. SCE requested that the CPUC authorize SCE to construct DPV2 facilities in only the California portion of the originally proposed DPV2 project. The CPUC approved SCE's PFM on November 20, 2009, in Decision D.09-11-007 and authorized construction of the California-only portion of the originally proposed project.

After the CPUC's 2009 Decision regarding the PFM, several large solar power projects were proposed in the Blythe area. Two of these projects, the Blythe Solar Power Project and the Genesis Solar Energy Project, requested interconnection to the electricity grid at the Desert Southwest–Midpoint Substation (its location is detailed under the Desert Southwest Transmission Project Alternative in the Final EIR/EIS). As a result, the solar developers and SCE developed a plan to expand the Midpoint Substation, now known as the Colorado River Substation (CRS), to allow the required space for generation tie lines to be interconnected with the SCE 500 kV transmission system. SCE will file a Permit to Construct application addressing the substation expansion. This expansion was not covered in the original EIR/EIS because the solar power projects had not yet been proposed.

During 2009 to 2010, the Blythe Solar Power Project and the Genesis Solar Energy Project have been evaluated under CEQA and NEPA by the BLM and the California Energy Commission. The environmental review documents addressed the CRS expansion but they did not adequately cover all issues that the CPUC requires to be addressed in accordance with CEQA. Therefore, the CPUC prepared Focused Supplemental EIR to address only the specific issues not yet covered for its purposes by the previous environmental review.

A Notice of Preparation (NOP) was sent to interested agencies and members of the public in October 2010. The CPUC held a 30-day scoping period soliciting information regarding the topics that should be included in the Focused Supplemental EIR for the Colorado River Substation expansion. The Draft Focused Supplemental EIR was released on February 22, 2011, with a comment period ending on April 8, 2011. The Final Focused Supplemental EIR was released on April 29, 2011. The new information is discussed in further detail in Section 1.2.2.11 of this ROD.

The Project

The selected alternative in this ROD, herein known as the "Project," is a combination of the Agency Preferred Alternative, the project as proposed by the applicant, and other transmission line segments of other alternatives analyzed in the Final EIR/EIS. The Project consists of three main transmission line segments:

Segment 1: Colorado River Substation (CRS) to Cactus City Rest Area

- The Project will start at the CRS and will extend west to the Cactus City Rest Area. (see Map 1).

Segment 2: Cactus City to Devers Substation

- The Project will extend west from the Cactus City Rest Area to the Devers Substation in Palm Springs. This segment incorporates the alignment through Alligator Rock ACEC, paralleling the existing DPV1 500 kV transmission line. (See Map 2).

Segment 3: Devers to Valley (D-V)

- The Project will extend south and west from the Devers Substation to the Valley Substation in unincorporated Romoland, California. (see Map 3)

Additionally, the Project includes the following components:

- Installation of a 500 kV Static VAR Compensator (SVC) at the existing Valley Substation.
- Modifications to the existing Devers Substation.
- Other transmission line structures.
- Hardware (conductors, insulators, overhead ground-wires, and other associated hardware).
- Private ROW acquisitions within the Palo Verde Valley by SCE.
- Spur roads between existing access roads and new tower sites.
- Installation of series capacitor banks at MP E163.7 in California.
- Installation of special protection scheme (SPS) at Devers, Padua, Walnut, San Bernardino, Villa Park, Viejo, Johanna, Ellis and Vista Substations in California.
- Telecommunications system: Blythe optical repeater site; installation of SONET and channel equipment within the existing Devers Substation and the California series capacitor bank; installation of new Alcatel MDR-8000 microwave terminals and two new 10-foot microwave antennas on the existing microwave towers at the Blythe Service Center.
- The CRS

Section 4 of this ROD, and Appendix D, detail the various alternatives analyzed in the Final EIR/EIS and decision rationale for selection or non-selection of alternatives.

Summary of Decision Rationale

Granting a right-of-way (ROW) contributes to the public interest by providing significant upgrades (in the form of redundancy and new capacity) to the existing transmission infrastructure which will promote a reliable electricity supply, including the transmission of renewable energy from Riverside County meant to meet state and federal renewable energy goals. The stipulations of this ROW grant and special use easement ensure that authorization of the Project will protect environmental resources and comply with environmental standards. These decisions reflect careful balancing of many competing interests on public lands. These decisions are based on comprehensive environmental analysis and full public involvement.

After extensive environmental analysis, consideration of public comments, and application of pertinent federal laws and policies, it is the decision of the BLM and FS to authorize an amended ROW grant and FS special use easement for the construction, operation, maintenance and decommissioning of a transmission line on an alignment which begins at the CRS located near Blythe, California, and extends to the Devers Substation in Palm Springs, California, spanning 115 miles; and a portion of which continues from the Devers Substation to the Valley Substation, located in unincorporated Romoland in Riverside County, spanning 41.6 miles. The final project selected includes a substation and various alternative segments in order to reduce environmental impacts inclusive of biological resources, visual resources, and environmental justice concerns, as well as engineering feasibility and constraints. The Project will cross 57 miles of public land managed by BLM, and approximately 2 miles of National Forest System lands managed by the San Bernardino National Forest.

1. DECISIONS AND AUTHORITY

1.1 Background

This Record of Decision (ROD) approves the construction, operation, maintenance, and decommissioning of the California-only portion of the project analyzed in the DPV2 Transmission Line Project Final Environmental Impact Report/Environmental Impact Statement (EIR/EIS), released October 24, 2006, and as noticed in the November 3, 2006, Federal Register (71 Fed. Reg. 213) on Bureau of Land Management (BLM)- and United States Forest Service (FS)-administered lands in Riverside County, California. This decision approves a combination of the Agency Preferred Alternative, the project as proposed by the applicant, and other segments of other alternatives analyzed in the Final EIR/EIS (see Figures 1 through 3 in this ROD).

BLM's approval will take the form of a Federal Land Policy and Management Act (FLPMA) amended right-of-way (ROW) grant issued in conformance with Title V of FLPMA and implementing regulations found at 43 Code of Federal Regulations (CFR) Part 2800. The FS approval will take the form of a special use easement, issued in conformance with Title V of FLPMA and 36 CFR Part 251. The decisions contained herein apply only to the BLM- and FS-administered lands within the selected alternative.

An amended ROW grant will be issued to Southern California Edison (SCE) by BLM for a term of 30 years with a right of renewal so long as the holder is complying with the lease/grant and applicable laws and regulations. The ROW grant will allow SCE the right to use, occupy, and develop the described public lands to construct, operate, maintain, and decommission a 500 kV transmission line, substation, telecommunications system, and associated facilities. The special use easement will be issued to SCE by the FS for a term of 50 years. The special use easement does not provide for renewal; however a new easement may be issued at the end of the term at the discretion of the authorized officer. The special use easement will authorize SCE to occupy and use National Forest System lands for electric transmission lines and associated facilities.

The ROW grant is conditioned on implementation of mitigation measures and monitoring programs as identified in the Final EIR/EIS, the Biological Opinion (BO) issued by the United States Fish and Wildlife Service (USFWS) on January 11, 2011, the National Historic Preservation Act (NHPA) Section 106 Programmatic Agreement (PA), the California Public Utilities Commission (CPUC) Conditions of Certification, and the issuance of all necessary local, state, and federal approvals, authorizations, and permits.

Once federal, state, and local approvals, permits, and authorizations are obtained by SCE, a Notice To Proceed (NTP) may be issued by BLM and FS.

1.1.1 Application/Applicant

The original ROW grant for the DPV2 project was issued in 1989, but was never constructed. (See Section 1.2 *Project Description* and Section 1.2.1 *History of Project Permitting/Project Description* for further clarification). In May of 2005, SCE filed an application with the BLM to

amend the existing ROW grant for the DPV2 project (CACA-17905a) to include only the California portion of the DPV2 project. In 2010, SCE filed an application with the BLM to also amend the existing ROW grant for the D-V segment of the DPV2 project (CACA- 4909).

1.1.2 Purpose and Need for the Proposed Action

BLM's and FS's purpose and need for the original proposed DPV2 project was to respond to SCE's application under Title V of the Federal Land Policy Management Act (FLPMA) for a ROW grant amendment and special use easement, respectively, to construct, operate, maintain, and decommission a 500 kV transmission line and associated facilities on public lands in compliance with FLPMA, BLM ROW regulations, FS regulations, and other applicable federal laws.

As described in Section 1.2 *Project Description* of this ROD, the DPV2 project description has changed since the issuance of the Final EIR/EIS in 2006; however, the purpose and need for the Project are still applicable. While the Project will no longer transport electricity produced at generation sites in western Arizona to the SCE service area, the Project will transport energy from the Blythe area to population centers in southern California as originally envisioned.

Since the issuance of the DPV2 Final EIR/EIS in 2006, several large solar power projects have been proposed in the Blythe area. Two of these projects, the Blythe Solar Power Project (BSPP) and the Genesis Solar Energy Project (GSEP), requested interconnection to the California Independent System Operator (CAISO) grid through the Large Generation Interconnection Procedure at the CRS. The Project would transport approximately 250 megawatts (MW) from GSEP and up to 1,000 MW from BSPP.

1.1.3 EIS Availability, 30 Day Review, Protests

1.1.3.1 Environmental Review Process

BLM must comply with the planning provisions of FLPMA. The DPV2 transmission line was analyzed in a jointly prepared EIR/EIS in compliance with the California Environmental Quality Act (CEQA) and NEPA requirements, respectively. The CPUC served as the lead state agency pursuant to CEQA. While BLM acted as the lead federal agency responsible for compliance with the requirements of NEPA, the Bureau of Indian Affairs and FS were cooperating federal agencies, providing information, analysis, and comment. The NEPA process included public scoping, a Draft EIR/EIS and a Final EIR/EIS; and these procedural and documentary steps were the basis of the environmental review that informed the decisions contained within this ROD.

1.1.3.2 Public Involvement

Public review and comment on the Project were extensive. Public scoping, including eight

public meetings and numerous agency meetings, initiated the public review process. The combined comment periods on the Draft EIR/EIS totaled over three months. BLM and CPUC held six public meetings and received approximately 65 comments on the Draft EIR/EIS. All public comments received were carefully analyzed and agency responses are included in the Final EIR/EIS.

1.1.3.3 Consultation with Other Agencies

Over 40 federal, State, and local agencies were contacted by phone to provide information on the Project and to determine interest in face-to-face meetings to discuss the Project. Of those agencies, BLM and CPUC coordinated and consulted in person with the USFWS; California Department of Fish and Game; Cities of Banning, Cathedral City and Blythe; and both the Morongo Band of Mission Indians and Agua Caliente Band of Cahuilla Indians.

1.1.4 Authority under FLPMA and NEPA

1.1.4.1 Federal Land Policy and Management Act (FLPMA)

FLPMA establishes policies and procedures for management of public lands. In section 102(a)(8), Congress declared that it is the policy of the United States that:

> the public lands be managed in a manner that will protect the quality of scientific, scenic, historical, ecological, environmental, air and atmospheric, water resource, and archeological values; that, where appropriate, will preserve and protect certain public lands in their natural condition; that will provide food and habitat for fish and wildlife and domestic animals; and that will provide for outdoor recreation and human occupancy and use (43 U.S.C. 1701(a)(8)).

FLPMA Section 501(a)(4) also establishes the BLM and FS authority to issue ROW grants or permits for transmission lines crossing their respective jurisdictions.

1.1.4.2 National Environmental Policy Act (NEPA)

Section 102(C) of the NEPA (42 USC 4321 et seq.), the Council on Environmental Quality (CEQ) regulations that provide basic NEPA implementation provisions (40 CFR Parts 1500 – 1508), DOI-specific NEPA implementing regulations (43 CFR Part 46), and U.S. Department of Agriculture (USDA) FS-specific NEPA implementing regulations (36 CFR Part 220) provide for the integration of NEPA into agency planning to ensure appropriate consideration of NEPA's policies and to eliminate delay.

When taking actions such as approving ROW lease/grants, the BLM and FS must comply with

NEPA and the CEQ regulations implementing NEPA. Compliance with NEPA assists federal officials in making decisions about projects and planning that are based on an understanding of the environmental consequences of the decision, and identifying actions that protect, restore, and enhance the environment. The Draft EIR/EIS, Final EIR/EIS and this ROD demonstrate BLM and FS's compliance with the requirements of NEPA for the Project.

1.2 Project Description

Numerous changes to the project description have occurred over the history of the Project, which was originally granted in 1989. This section describes the history of the permitting of the DPV2 project followed by a history of the changes to the project description and a discussion of the Project.

1.2.1 History of Project Permitting/Project Description

This section is organized chronologically from the initial ROW grant by the BLM for the DPV2 500 kV Transmission Line project through the present.

1.2.1.1 DPV2 1989 Right-of-Way Grant

In 1989, BLM issued a ROW grant to SCE for the construction, operation, and maintenance of the DPV2 500 kV transmission line and appurtenances (Grant CA 17905 and AZ 23805 [one document]). This ROW was 130 feet wide from the center line and contained 57.2 miles of public land in California and 92.7 miles of public land in Arizona. The purpose of the transmission line was designed to carry power from the Palo Verde Nuclear Generating Station in Arizona (starting at the Harquahala Substation in Arizona) to Southern California (going though Devers Substation in Palm Springs and ending at the Valley Substation in Romoland, California). The transmission line was never constructed.

1.2.1.2 Desert Southwest Transmission Line Project

The Desert Southwest Transmission Line Project (DSWTP) Final EIS/EIR, published by the Imperial Irrigation District and BLM in October 2005, analyzed a proposed new 118-mile 500 kV line that would be constructed parallel to SCE's DPV1 and Devers-Harquahala 500 kV lines from Blythe, California, to Devers Substation. The BLM issued a Record of Decision for the DSWTP on September 15, 2006. Additional details for the DSW Midpoint Substation site are provided in the 2005 Final EIS/EIR for the DSWTP (Imperial Irrigation District, 2005). This line has not been constructed.

1.2.1.3 Amendment of the 1989 Right-of-Way Grant

SCE filed an application for a Certificate of Public Convenience and Necessity (CPCN) with the CPUC for the proposed DPV2 500 kV Transmission Line Project in April 2005. The application was determined to be complete and in compliance with CPUC requirements on September 30, 2005.

SCE filed an application with the BLM to amend the existing 1989 ROW grant for the DPV2 transmission line in May 2005, which would commence a new environmental review by BLM, USFS and CPUC. The amendment was to include five revisions:

1. Construction of a new series capacitor site in Arizona (ultimately denied);
2. Construction of a new series capacitor site in California;
3. Construction of a 500 kV switchyard called the Midpoint Substation;
4. Addition of a land parcel upon which SCE would construct the 500 kV transmission line in Arizona to a new termination point at the Harquahala Generating Station switchyard (subsequently denied);
5. Revision to one of the mitigation measures (Visual Mitigation Measure 2) to allow DPV2 tower heights and spacing to be different than the existing Devers-Palo Verde No. 1 (DPV1) tower heights and spacing.

As described in the Proposed DPV2 Transmission Project Proponent's Environmental Assessment (PEA) (CPUC, 2005), although the CPUC granted a CPCN for the 1989 project, SCE advised the CPUC in October 1989 that SCE was unable to comply with some of the CPUC's conditions. Although the CPUC granted SCE additional time to comply with the conditions, SCE again advised the CPUC in 1991 that it was unable to do so and that SCE considered the DPV2 project essentially inactive. In 1996, great uncertainty surrounding SCE's ability to recover costs in a new, unproven market, and uncertainty in SCE's consumer base led SCE to request that the CPUC allow SCE to abandon the 1989 project. In 1997, the CPUC allowed SCE to abandon construction of the 1989 Project due to electrical industry restructuring.

According to the PEA (CPUC, 2005), in 2005 SCE requested that the CPUC approve the DPV2 project for four reasons:

1. DPV2 is cost-effective for California electricity customers;
2. DPV2 will enhance competition among the generating companies that supply energy to California;
3. DPV2 will provide additional transmission infrastructure to support and induce the development of future energy suppliers selling energy into the California market;
4. DPV2 will provide resource reliability benefits, flexibility in operating California's transmission grid, and additional import capacity that may be urgently needed during a major outage or emergency event or during periods of unanticipated high energy demand.

The following revisions to the original 1989 project were proposed in the 2005 PEA (CPUC, 2005):

Construction of the Midpoint Substation

SCE received an interconnection request from Desert Southwest Power, LLC, the proponent of the DSWTP. SCE and Desert Southwest Power, LLC agreed to integrate the proposed DSWTP and the DPV2 transmission line projects. The joint project would include the construction of a 500 kV switchyard called the Midpoint Substation that would provide connections for the DPV1 and Devers-Harquahala 500 kV lines, and the DSWTP. The DSWTP has not been constructed to date.

Revision to Visual Mitigation Measure 2 to Allow DPV2 Tower Heights and Spacing to be Different than the Existing DPV1 Tower Heights and Spacing

As stated in the 2005 PEA (CPUC, 2005), the CAISO specified that the capacity of the line be 2700 amps under normal conditions and 3600 amps under emergency conditions. This capacity rating was an increase from the 1988 DPV2 capacity rating. This capacity rating necessitated that the heights of some of the proposed Devers-Harquahala towers be slightly taller than originally engineered, and in some locations tower spacing may not correspond to the adjacent DPV1 structures, to provide adequate ground clearance.

The following Arizona revisions in the 2005 PEA are omitted from this ROD:

Construction of the 500 kV Transmission Line in Arizona to a New Termination Point at the Harquahala Generating Station Switchyard;

Construction of New Series Capacitor Sites in Arizona.

1.2.1.4 DPV2 NEPA and CEQA Requirements

SCE's 2005 filing of the application for a CPCN and amendment to the existing ROW grant triggered the need for the CPUC, BLM, and USFS to conduct their respective environmental analysis for the transmission line. The CPUC and BLM prepared a joint Draft EIR/EIS in May 2006 and a Final EIR/EIS in October 2006. The Project originally proposed and described in the Draft and Final EIR/EIS was a 230-mile, 500 kV electric transmission line between SCE's existing Devers Substation in California and Harquahala Generating Substation in Arizona (referred to as "Devers-Harquahala" or D-H) and included the replacement of an approximately 48-mile 230 kV transmission line in California (referred to as "West of Devers" upgrades). The proposed project included the two transmission line elements, a new Midpoint Substation (now called Colorado River Substation [CRS]), several substation upgrades, other ancillary facilities, and a telecommunications system.

The Selected Alternative, the "Project," is described in the Section below. However, additional environmental analysis has occurred since the 2006 Final EIR/EIS for the Project, as discussed in the Executive Summary of this ROD. Please see Section 1.2.2.11 and Appendix D for a discussion of new environmental analysis since the Final EIR/EIS.

1.2.2 Selected Alternative (the "Project")

Segment 1: CRS to the Cactus City Rest Area (DSWTP Alternative in the 2006 Final EIR/EIS for the Devers-Palo Verde II project)

- The Project will start at the CRS and will extend west to the Cactus City Rest Area. (see Map 1)

Segment 2: Cactus City Rest Area to Devers Substation (Action as proposed by the Applicant)

- The Project will extend west from the Cactus City Rest Area to the Devers Substation in Palm Springs. This segment incorporates the alignment through Alligator Rock ACEC, paralleling the existing DPV1 500kV transmission line. (See Map 2)

Segment 3: Devers to Valley (D-V) (Devers-Valley No. 2 in Final EIR/EIS)

- The Project will extend south and west from the Devers Substation to the Valley Substation in Romoland, California. (see Map 3)

Additionally, the Project includes the following components:

- Installation of a 500 kV Static VAR Compensator (SVC) at the existing Valley Substation.
- Modifications to the existing Devers Substation.
- Other transmission line structures.
- Hardware (conductors, insulators, overhead ground-wires, and other associated hardware).
- Private ROW acquisitions within the Palo Verde Valley by SCE.
- Spur roads between existing access roads and new tower sites.
- Installation of series capacitor banks at MP E163.7 in California.
- Installation of special protection scheme (SPS) at Devers, Padua, Walnut, San Bernardino, Villa Park, Viejo, Johanna, Ellis and Vista Substations in California.
- Telecommunications system: Blythe optical repeater site; installation of SONET and channel equipment within the existing Devers Substation and the California series capacitor bank; installation of new Alcatel MDR-8000 microwave terminals and two new 10-foot microwave antennas on the existing microwave towers at the Blythe Service Center.

The subsequent sections of this ROD (Sections 1.2.2.1- 1.2.2.11) summarize the components of the selected alternative presented in the Final EIR/EIS.

1.2.2.1 Proposed Project – Midpoint Substation (CRS) to Cactus City Rest Area and Cactus City Rest Area to Devers Substation transmission line segments

The Proposed Project – Midpoint Substation to Cactus City Rest Area and Cactus City Rest Area to Devers Substation transmission line segments are described in the DPV2 Final EIR/EIS in Section C.4.4.1 Desert Southwest Transmission Project Alternative.

The DSWTP Alternative would parallel the authorized (not yet constructed) DSW Transmission Line, and is a 118-mile 500 kV line from the Keim Substation/Switching Station in Blythe to Devers Substation. The DSWTP alternative in the DPV Final EIR/EIR, however, omits the route that connects Keim to (CRS).

1.2.2.2 Colorado River Substation

The CRS was named the Midpoint Substation/Switching Station in the DSW Transmission Line Final EIR/EIS (BLM, 2005), was approved through the DSW Transmission Line ROD on September 15, 2006, and by CPUC as part of SCE's Petition for Modification (Decision 09-11-007; CPUC, 2009).

The CRS Midpoint Substation was identified in the DPV2 Final EIR/EIS as part of the DSW Transmission Project Alternative, and will now serve as the eastern-most terminus of the Project.

1.2.2.3 Devers -Valley No. 2 Alternative Transmission Line Segment

The D-V Alternative 500 kV transmission line segment is described in the DPV2 Final EIR/EIS in Section C.4.3.1 Devers-Valley No. 2 Alternative.

Under the D-V alternative, BLM will approve the Option 2 routing, which, as described in Section C.4.3.1 Devers-Valley No. 2 Alternative, will require SCE to move the existing Devers-Valley No. 1 (D-V1) tower (Tower DV-59, located at the southern end of Orange Street) approximately 500 feet to the north in the Cabazon Area segment.

The change within the Cabazon Segment was analyzed by the CPUC in the Supplemental EIR for the minor relocation to route D-V1 through land owned by SCE in the Cabazon area.

1.2.2.4 Modifications to Devers Substation

Modifications to the Devers Substation are described in Section B.3.4.1 Devers Substation of the DPV2 Final EIR/EIS and will be authorized with the exception of the electrical equipment associated with the new 500 kV Devers-Harquahala transmission line, which will not be constructed.

1.2.2.5 Structures

The transmission line structures are described in Section B.3.1 Structures of the DPV2 Final EIR/EIS.

The structures as proposed and analyzed in the Final EIR/EIS will be authorized, with the exception of the following:

- The Proposed Project paralleling the existing Harquahala-Hassayampa 500 kV line,
- The proposed 230 kV transmission system modifications west of Devers Substation, or
- The heights of the Devers-Harquahala towers as described in the Final EIR/EIS,

which are no longer parts of the Project.

Additionally, the CPUC Supplemental EIR included an analysis of modifications to tower heights to accommodate terrain and meet current conductor clearance requirements.

1.2.2.6 Hardware

The conductors, insulators, and overhead ground wires are described in the subsections of Section B.3.2 Hardware of the DPV2 Final EIR/EIS.

The ROW requirements are described in Sections B.3.3.1 ROW of the DPV2 Final EIR/EIS.

The hardware as proposed and analyzed in the Final EIR/EIS will be authorized, with the exception of the following:

- Five miles of the Harquahala-Hassayampa 500 kV ROW,
- Additional ROW needed for existing series capacitor banks at MP E52.9 in Arizona and MP E163.7 in California,
- Additional ROW needed for the Devers-Harquahala segment of the DPV2 Transmission Line, or

- The 230 kV double-circuit line between Devers Substation and San Bernardino Junction as described in the Final EIR/EIS,

which are no longer parts of the Project.

1.2.2.7 Access Roads

The access roads are described in Section B.3.3.2 Access and Spur Roads of the DPV2 Final EIR/EIS.

The access roads as proposed and analyzed in the Final EIR/EIS will be authorized, with the exception of the following:

- Access road proposed to be constructed north of and adjacent to the part of the existing Harquahala-Hassayampa 500 kV transmission line, or

- The West of Devers transmission line segment spur roads,

which are no longer parts of the Project.

1.2.2.8 Series Capacitor Banks

The series capacitor banks are described in Section B.3.4.6 Series Capacitor Banks of the DPV2 Final EIR/EIS.

The series capacitor banks as proposed and analyzed in the Final EIR/EIS will be authorized with the exception of the proposed Arizona series capacitor site, which is no longer part of the Project.

1.2.2.9 Special Protection Scheme (SPS)

The SPS is described in Section B.3.5 Special Protection Scheme of the DPV2 Final EIR/EIS.

The SPS as proposed and analyzed in the Final EIR/EIS will be authorized with the exception of the SPSs in the Arizona switchyards (PVNGS, Hassayampa, and Harquahala Switchyards), which are no longer part of the Project.

1.2.2.10 Telecommunications System

The telecommunications system is described in Section B.3.6 Telecommunications System of the DPV2 Final EIR/EIS.

The telecommunication systems as proposed and analyzed in the Final EIR/EIS will be authorized with the exception of the following:

- Harquahala Mountain telecommunications facility,
- SONET and channel equipment to be installed within the existing Mirage and Harquahala Substations and the Arizona Series Capacitor Banks and the 5-inch conduits to be installed from the telecommunications rooms of these facilities to the Optical Ground Wire (OPGW) termination point on the Devers-Harquahala 500 kV transmission tower; new telecommunications facility to be constructed within the Midpoint Substation,
- Upgrades to APS' existing microwave equipment and antennas at the Black Peak and Smith Peak Communication Sites,
- Replacement of SCE's existing analog microwave system at Smith Peak with a new digital microwave system between the Smith Peak and Harquahala Mountain Communications Site,
- Installation of new Alcatel MDR-8000 microwave terminals and two new 10-foot microwave antennas on the existing microwave towers at the Chuckwalla Communications Site, or the
- West of Devers 230 kV upgrade,

which are no longer parts of the Project.

1.2.2.11 New Information since the Issuance of the DPV2 Final EIR/EIS

As previously described in Section 1.2.1 *History of Project Permitting/Project Description* of this ROD, in addition to the removal of the Arizona portion of the proposed project, prioritization of renewable energy generation resulted in minor project refinements to the proposed project since the publication in October 2006 of the DPV2 Final EIR/EIS, the main change being transmission interconnection needs for solar projects.

A few minor refinements were driven by final engineering designs, recent changes from newly approved solar energy projects along the I-10 Corridor, and compliance with mitigation measures requiring resource avoidance to minimize or avoid environmental impacts. The refinements include minor changes to substation locations/size, finalized construction yard locations, helicopter assembly yards, and telecommunication and transmission line locations. These refinements were reviewed by BLM for consistency with the standards set forth in

regulations of the Council on Environmental Quality (CEQ) at 40 CFR 1502.9(c) and BLM's National Environmental Policy Handbook H-1790-1 at sections 5.1 and 5.3.

In accordance with 40 CFR 1502.9(c), BLM has reviewed all relevant information on the minor refinements and the previous analysis provided in the DPV 2 Draft and Final EIS/EIR. This information was further reviewed along with the information provided in the Supplemental EIR produced by the CPUC specifically for the minor refinements. Specific background information on previous relevant analysis and BLM's findings of the adequacy of that analysis follows.

From 2009 to 2010, the Solar Millennium Blythe Solar Power Project (BSPP) and the NextEra Genesis Solar Energy Project (GSEP) were evaluated under NEPA and CEQA by the BLM and the California Energy Commission. A joint Staff Assessment/Draft EIS was released for each of these projects in March 2010. BLM issued its Final EISs on the BSPP and the GSEP in August 2010, and the RODs for the BSPP and the GSEP were released in October 2010 and November 2010, respectively. These environmental documents identified a need to expand the proposed (but as yet unbuilt) Colorado River Substation (CRS) to facilitate solar energy interconnection to the larger transmission grid. The impacts of expanding the proposed CRS were assessed in the GSEP FEIS in the Executive Summary (ES-5), Proposed Action (pp. 2-2 and 2-10) and Environmental Impacts (pp. 4.1-17, 4.17-11 through 4.17-16, and section 4.21.4).

In response to the need to expand the proposed CRS, SCE proposed to CPUC several modifications to the CRS and other temporary construction disturbances associated with the Project, within the study area of the utility corridor. CPUC, with BLM as a participating agency, developed a focused Supplemental EIR (SEIR) for these proposed minor refinements (see bullet list, below). BLM participated in the scoping/screening process, alternatives development, impact analysis, and review of public comments (CPUC, Final SEIR, App. 1-3, April 2011).

The Final SEIR was published on April 29, 2011. Five alternative locations for the CRS were identified in an effort to reduce impacts associated with Mojave fringe-toed lizard habitat and the sand transport corridor. The new data included in the SEIR yielded recommendations favoring two locations: a substation immediately to the south of the originally proposed CRS substation, located on public lands; and a substation to the immediate south and east of the originally proposed CRS substation, located on private lands. The CPUC determined that if the construction of the private parcel alternative was infeasible due to timing issues associated with securing private surface rights, the public land alternative would be equally environmentally superior under CEQA. Both alternatives would avoid the sand transport corridor and avoid impacts to sand dune-dependent species, eliminating over 90 acres of direct impact and 1,365 acres of indirect impact to habitat than in the originally proposed CRS location. BLM concurred with this analysis.

The BLM has reviewed the data in the SEIR for DPV2 addressing refinements to the CRS and the temporary construction disturbances. It has also reviewed the analysis in the BSPP Final EIS, the GSEP Final EIS, and compared these sources of information to the 2006 DPV2 Final EIR/EIS.

In addition to the CRS expansion, after the DPV2 project was approved by CPUC in November

2009, SCE began the process of completing final project design and engineering. As is common, some project components were refined as engineering was completed due to engineering requirements, changes resulting from nearby approved projects, and compliance with mitigation measures. Information regarding final project design was provided by SCE to the CPUC and BLM in two Project Refinements Reports, dated August 2010 and October 2010. In addition to the refinements outlined in the reports, SCE proposed two additional construction yards in April 2011 (see bullet list, below) which were addressed in the CPUC's May 2011 Mitigation Consistency Determination.

The DPV2 Final EIR/EIS Project Description (Section B.3, *Project Construction*, pp. B-23-24 and B-40-42) acknowledged the potential for the refinements listed below to be revised prior to construction. As proposed, the refinements (slight changes in acreage disturbance or location, tower height, etc.) are relatively minor and are consistent with the EIR/EIS Project Description (DPV2 Final EIR/EIS at section B). In addition to the BLM's review, the refinements have been reviewed in the CEQA context by the CPUC to ensure they would not result in a new significant impact or a substantial increase in the severity of an existing impact. A CEQA Mitigation Consistency Determination on SCE's proposed project refinements was published in May 2011.

The Project Refinements Reports also included information relevant to the DPV2 Transmission Line Project Colorado River Substation (CRS) Expansion and Telecommunication System Details, which were analyzed in the focused SEIR prepared for the CRS expansion.

Each of these refinements was reviewed by the CPUC in its Mitigation Consistency Determination (May 2011) or in its SEIR. Through these documents the CPUC has determined that the changes would not increase the level of environmental impact or create new significant impacts. In addition, the refinements are consistent with and/or validate the existing environmental analysis. BLM has reached similar conclusions independently. BLM finds that the resources and effects thereto caused by the refinements identified in this section are within the range of effects analyzed in the DPV2 Draft and Final EIR/EIS. As a result, no need exists for the agency to prepare a supplemental EIS. This conclusion is in accordance with agency guidance set forth in the BLM NEPA Handbook H-1790-1 at section 5.3. The Handbook addresses regulations issued by the Council on Environmental Quality at 40 CFR 1502.9(c), which call for agencies to prepare supplements to either a draft or final EIS if (i) the agency makes substantial changes in the proposed action that are relevant to environmental concerns or (ii) there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts.

The most notable difference in impacts would be the complete elimination of approximately 90 acres of direct adverse impact and over 1,300 acres of indirect adverse impact to the Mojave fringe-toed lizard as a result of relocation of the CRS. This reduction of impacts is considered to be within the scope of analysis provided in the DPV 2 Draft and Final EIS/EIR as well as the analysis provided in the Blythe and Genesis Draft and Final EISs. In summary, considering that the project refinements seek to provide additional protection to public land resources, further reduce project impacts, and do not propose any additional adverse impacts not already analyzed in the DPV2 EIR/EIS, the GSEP Final EIS, and the BSPP Final EIS, the BLM has determined that no further environmental analysis under NEPA is required. As mentioned just above,

Council on Environmental Quality regulations at 40 CFR 1502.9(c) require an agency to prepare a supplemental EIS if there are "substantial changes in the proposed action that are relevant to environmental concerns" or there are "significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts." The project refinements described in this section of the ROD represent the results of final engineering adjustments, are not substantial changes, and do not represent significant new circumstances or information, and in many cases, represent no new impacts or *reduced* impacts over those identified in the DPV2 Final EIS, GSEP Final EIS, and BSPP Final EIS.

The refinements were addressed by the CPUC through its Final SEIR and/or its CEQA Mitigation Consistency Determination and were succinctly listed as follows:

- Valley Substation upgrades (addressed in the CEQA Mitigation Consistency Determination);
- Construction yards (anticipated in the EIS/EIR, p. B-41, and addressed in the CEQA Mitigation Consistency Determination);
- Helicopter Assembly Yards (addressed in the CEQA Mitigation Consistency Determination);
- Telecommunication system details (included in the Final SEIR);
- Tower heights (addressed in the CEQA Mitigation Consistency Determination);
- Minor D-V1 relocation in the Cabazon area (addressed in the CEQA Mitigation Consistency Determination); and
- CRS Expansion (included in the Final SEIR)

These refinements are described in detail below, including the rationale for how BLM reviewed the refinements resulting in the finding that no further NEPA analysis is needed.

Valley Substation

The DPV2 DEIS (section B.3.3.4) described the Valley Substation upgrades. The Valley Substation was analyzed in the FEIS (section C.4.3.1) as part of the Devers-Valley No. 2 Alternative. Through this analysis, BLM assessed the environmental impacts associated with use of this substation, including the impacts to the area around the substation location (e.g., visual (pp. D.3-105-111), cultural (pp. D.7-114-126), and biological (pp. D.2-253-269)).

The CPUC provided a helpful description in its Mitigation Consistency Determination of a change in the substation's western boundary:

> *The Draft EIR/EIS included a fence and western property line relocation, which would no longer be required for the upgrades. This is because the western boundary of the substation*

was previously expanded to the west within the existing SCE–owned property line between 2006 and 2007 as part of an upgrade to install two new 500–kV shunt capacitor banks not required for the DPV2 project. Because the fence would not be relocated, the upgrades would occur entirely on existing disturbed Valley Substation land.

Overall, there are no adverse impacts associated with the Valley Substation or its western boundary that were not addressed in the BLM's original EIS analysis; therefore further analysis of these upgrades is not warranted. CEQ regulations at 40 CFR 1502.9(c) and BLM's NEPA Handbook H-1790-1 at Section 5.3 require supplementation when changes are substantial (or significant new circumstances or information exist) and their effects are no longer within the range of effects analyzed in the EIS. The changes described above do not meet the standards requiring additional analysis.

Construction Yards

As a result of the final engineering, all construction yard locations have been identified.

- Palm Springs (Devers) Yard. An approximately 11.5-acre area on the east side of Devers Substation on existing SCE property. The site is currently undeveloped.

- Desert Center Yard 1. An approximately 5.5-acre site located northwest of the intersection of Rice Road and Ragsdale Road. This site is currently vacant, fenced, and has been previously covered with gravel and used for storage.

- Desert Center Yard 2. An approximately 11.5-acre site located east of the intersection of Rice Road and Ragsdale Road (between Ragsdale Road and the I-10 freeway) which could be used for material storage and to accommodate a batch plant. This is described as Desert Center Yard in Section B.3.7.2 *Siting and Construction Yards* of the DPV2 Final EIR/EIS, but the total acreage of this yard described in the Final EIR/EIS is less than the acreage identified here. The site is currently undeveloped.

- Chiriaco Summit Yard. An approximately 11.4-acre yard located on the south side of the Chiriaco Summit Airport and north of I-10 in central Riverside County, California (see Figure 3c of the Project Refinements Report; August, 2010). The site is currently undeveloped. The Chiriaco Summit Yard will replace the approved Indio Yard, which consisted of 3.2 acres on the east side of Dillon Road north of Fargo Canyon Road.

- Blythe Yard. An approximately 10-acre yard located north of Hobson Way and south of Blythe Airport. This is described as Blythe Yard in Section B.3.7.2 *Siting and Construction Yards* of the DPV2 Final EIR/EIS, but the total acreage of this yard described in the Final EIR/EIS is less than the acreage described here. However, the site is vacant and has been previously disturbed/graveled.

- Highland Springs Yard. An approximately 6-acre yard located along Highland Springs Avenue. The site is currently used for cattle grazing. Road base would be applied to the existing access road, which is outside of the yard.

- Beaumont Yard. An approximately 3.8-acre privately-owned property located at the northeast corner of North California Avenue and East 3rd Street, immediately south of railroad tracks and I-10, in the City of Beaumont, California. The eastern portion of the site is fenced and paved, and is currently being used as a storage area for transportation maintenance equipment and materials. The western portion of the site consists of fill materials with gravel. The Assessor Parcel Numbers are 418-200-003, 418-200-004, and 418-200-005. See Figure 4 in Attachment A of SCE's draft Notice to Proceed Request for Material Yards (submitted April 28, 2011).

- Menifee Yard. An approximately 4.7-acre yard located on vacant, graded privately-owned land with existing partial fencing, electrical distribution, and light fixtures. The site is located on Antelope Road just south of Ethanac Road in the City of Menifee, California, approximately one mile west of the existing Valley substation. The Assessor Parcel Number is 331-150-039. See Figure 7 in Attachment A of SCE's draft Notice to Proceed Request for Material Yards (submitted April 28, 2011).

- Perris Construction Yard. Perris Construction Yard is approximately 4.2 acres and is located north of Case Road and west of South G Street, in Perris, California (see Perris Yard Figure; November 2010).

In summary, construction yards (approximately 60 acres) were described in the Final EIR/EIS (section B.3.7.2) with an understanding that size would range from 3 to 10 acres and final location would be determined during final engineering and any new sites would be on previously disturbed lands. These locations have been finalized and no new impacts have been identified that have not been addressed in the previous NEPA analysis.

No additional resource related impacts have been identified associated with the use of existing disturbed areas, and additional analysis is not required. CEQ regulations at 40 CFR 1502.9(c) and BLM's NEPA Handbook H-1790-1 at Section 5.3 require supplementation when changes are substantial (or significant new circumstances or information exist) and their effects are no longer within the range of effects analyzed in the EIS. The changes described above do not meet the standards requiring additional analysis.

Helicopter Assembly Yards

Helicopter use for construction was addressed in the Project Description of the Final EIR/EIS and included in the transmission line equipment requirements (see Table B-6, page B-38) and as part of Applicant Proposed Measure (APM) G-7 (see Table B-15, page B-55). APM G-7 stated that SCE would provide a list of sites where helicopter construction is recommended. APM G-7 further stated that the Authorized Officer may require, on a site-specific basis, helicopter assisted construction in sensitive areas (CEQA Mitigation Consistency Determination, p. 19).

Approximately seven yards are currently planned to support helicopter assembly of towers where tower sites have no road access and are restricted by terrain. These landing zones have been reviewed by the CPUC (through their May 2011 Mitigation Consistency Determination),

including biological and cultural surveys, and BLM concurs with CPUC's determination that the locations would not result in new significant impacts or in a substantial increase in severity of previously identified impacts for the following reasons: The landing zones were chosen specifically to reduce impacts resulting from erosion and/or slope instability because these impacts could not be successfully mitigated through implementation of accepted engineering practices. Implementation of mitigation measures identified in the Final EIR/EIS as a result of ground disturbance and noise would be required for the landing zones and would reduce the impacts to the extent feasible. BLM would review all such final proposals to determine if any additional site specific NEPA would be warranted.

No additional resource related impacts have been identified associated with the helicopter yards, and additional analysis is not required. CEQ regulations at 40 CFR 1502.9(c) and BLM's NEPA Handbook H-1790-1 at Section 5.3 require supplementation when changes are substantial (or significant new circumstances or information exist) and their effects are no longer within the range of effects analyzed in the EIS. The changes described above do not meet the standards requiring additional analysis.

Telecommunication System Details

Two telecommunication lines would extend from the CRS, one to the southeast and the second to the north and east. Although consistent with the DPV2 Final EIR/EIS, the refinements described in this section provide more detailed information than was included in the DPV2 Final EIR/EIS. These routes are preliminary and may change as field surveys occur and the design of the telecommunication system progresses. When these locations are finalized, BLM will determine if additional NEPA analysis is indicated or if the location and impacts are within the range of effects described in the DPV2 EIS/EIR.

The southeast telecommunication line would extend from the CRS for about 5.5 miles along the existing DPV1 transmission line towers to approximately Tower M123-T1 where it would transition to new and existing poles located along an existing east-west patrol road. It would then be routed to the bottom of the mesa and along existing streets in the Palo Verde Valley to the Blythe Service Center (approximately 14 miles).

The portion of the southeast telecommunication line along the existing DPV1 towers would be OPGW, and the remaining line to be installed on wood poles (new and existing) would be fiber optic cable. The OPGW would be installed utilizing pulling/splicing sites along the DPV1 ROW. For the portion of the southeast telecommunication line east of the DPV1 ROW, wood poles would be installed from the DPV1 ROW (about five miles southeast of the CRS) to the point where existing poles can be utilized. The detailed alignment of the southeastern telecommunication line will be defined during more detailed engineering. The total disturbance area is not expected to exceed about 0.06 acre (approximately 100 poles at 25 square feet each).

The northern telecommunication line from the CRS would connect with the Buck Substation located to the northeast of the CRS. Two options are available for this telecommunication line. Under Option 1, the fiber optic line would be installed on the same poles as the 33 kV line extension (distribution power line extension) that would be extended to the CRS from the north.

The telecommunication line would then be installed on existing poles (along an existing access road, Blythe Way, north across I-10 to Hobson Way) to the Buck Substation. Several locations would be installed in underground conduit along the existing roadways. This option would not require new poles or additional ground disturbances to undisturbed areas. This is the preferred option for the northern telecommunication line from the CRS.

Under Option 2, the telecommunication line would extend from the CRS as OPGW along the existing DPV1 towers to Wiley Wells Road, as fiber optic line on existing poles along Wiley Wells Road to the north, and eastward on existing poles along the existing east-west access road (Blythe Way extended). The fiber optic line would then follow the same route east and north to the Buck Substation, as described for Option 1. For installation of the OPGW, approximately two pulling/splicing sites would be required along the existing ROW between CRS and Wiley Wells Road. A minor underground conduit would be installed between the OPGW tower and the existing wood poles along Wiley Wells Road.

Overall, the installation of OPGW and fiber optics on existing or new structures would result in no new impacts or surface disturbance that has not been previously considered in the EIR/EIS (sections B.2.2.2, 2.3.2, 3.4.2, 3.6, 3.6.3, and 3.6.5), and further NEPA analysis is not warranted. CEQ regulations at 40 CFR 1502.9(c) and BLM's NEPA Handbook H-1790-1 at Section 5.3 require supplementation when changes are substantial (or significant new circumstances or information exist) and their effects are no longer within the range of effects analyzed in the EIS. The changes described above do not meet the standards requiring additional analysis.

Tower Heights

Tower height was addressed in the DPV2 FEIS (pp. B-4-7, B-23). This assessment was further supported in the CPUC's Decision Granting a Certificate of Public Convenience and Necessity for the DPV2 project (CPUC 2007), where the CPUC addressed the use of slightly taller towers to reduce the electromagnetic field (EMF) near the ROW where residences are located nearby. Specifically, the CPUC examined increasing tower and conductor heights by an estimated 20 feet to reduce magnetic fields (consistent with the CPUC's guidance in D.06-01-042 for low-cost EMF mitigation). The CPUC determined that the increase in tower and conductor heights (by approximately 20 feet on a 150-foot tower) would be unnoticeable to most observers (CPUC 2007, page 88).

The new towers would generally be aligned horizontally with the existing towers where feasible. SCE has made changes to the tower heights to reflect current GO95 conductor clearance requirements at the higher ISO conductor temperature (275 degrees instead of the former 215 degrees). As a consequence, the heights of some towers will be slightly taller than the adjacent DPV1 towers (some will also be lower than existing DPV1 towers due to terrain or other considerations). Also, the tower spacing may not correspond to the DPV1 structures to provide adequate conductor ground clearance. The minimum conductor height would be at least 35 feet above the ground for the 500 kV lines.

Based on in-field tower walks (for detailed tower siting) and recent engineering design of the towers (including conductor clearance based on higher ISO conductor temperature), the new

DSWTP Alternative transmission line segment towers are projected at an average height of 152 feet, and range from 89 feet to 236 feet tall. For comparison, the existing DPV1 towers are an average of 136 feet tall and range from 84 feet to 236 feet tall.

The new D-V Alternative transmission line segment towers are projected to average approximately 148 feet tall, and range in height from 85 feet to 278 feet, as compared to the existing D-V1 towers, which average 132 feet tall, and range in height from 79 feet to 278 feet. While there is an overall increase in average tower height, each tower height differs from existing tower heights based on engineering requirements, tower site constraints, terrain/topography, and current clearance requirements based on higher ISO conductor temperature requirements.

Overall, an average increase of approximately 20 feet in tower height is considered a minor change - one not substantially noticeable compared with the tower heights addressed in the analysis in the Final EIS/EIR (Section D.3 *Visual Resources*). These towers on average would still be shorter than other immediately adjacent power lines and would not alter previous analysis as depicted in the DPV2 Draft EIS/EIR or the DPV2 Final EIS/EIR. The CPUC's Mitigation Consistency Determination (p. 5) found that "The tower refinements do not substantially increase the severity of this impact and are consistent with the conclusions of the Final EIR/EIS."

No additional resource related impacts have been identified associated with changed tower heights, and additional analysis is not required. CEQ regulations at 40 CFR 1502.9(c) and BLM's NEPA Handbook H-1790-1 at Section 5.3 require supplementation when changes are substantial (or significant new circumstances or information exist) and their effects are no longer within the range of effects analyzed in the EIS. The changes described above do not meet the standards requiring additional analysis.

Minor D-V1 Relocation in the Cabazon Area

The D-V Alternative transmission line segment will be routed to the north of the NW ¼ of NE ¼ of Section 20 to land owned by SCE, consistent with Option 2 described in Section C.4.3.1 *Devers-Valley No. 2 Alternative* of the DPV2 Final EIR/EIS. Because the D-V Alternative transmission line segment is located to the south of the existing D-V1 transmission line, the routing of the D-V Alternative transmission line segment north of and around this property would require crossing the existing D-V1 line. Due to clearance requirements, the existing D-V1 line will therefore also be rerouted north around this property to other property owned by SCE.

The rerouting of D-V1 in this area would require the removal of three existing towers along the D-V1 line (instead of the one tower described in Section C.4.3.1 *Devers-Valley No. 2 Alternative* of the DPV2 Final EIR/EIS) and installation of four new dead-end structures. Associated pulling stations would also be required.

This action was analyzed in the DPV2 Final EIR/EIS (Section C.4.3.1) but was not inclusive of the engineering restraints associated with the crossing of the D-V1 line. The overall effect is the addition of one pole that was not previously recognized. The removal of three poles would be mitigated by reclamation actions while the four dead-end structures would be placed on

previously disturbed land owned by SCE. This action is within the range of impacts previously analyzed in part because the new dead-end structures would be placed on privately owned, previously disturbed land. No additional sensitive resources would be impacted, and additional environmental analysis is not warranted.

The CPUC's Mitigation Consistency Determination (May 2011) found that "Impacts in these issue areas would not result in new significant effects not discussed in the Final EIR/EIS, and they would not result in a substantial increase in the severity of a significant impact previously examined in the Final EIR/EIS."

No additional resource related impacts have been identified as associated with the slight change in alignment of D-V1, and additional analysis is not required. CEQ regulations at 40 CFR 1502.9(c) and BLM's NEPA Handbook at Section 5.3 require supplementation when changes are substantial (or significant new circumstances or information exist) and their effects are no longer within the range of effects analyzed in the EIS. The changes described above do not meet the standards requiring additional analysis.

CRS Expansion

The location of the CRS substation would be shifted approximately 900' south of the location described in the DPV2 Final EIR/EIS (Desert Southwest Alternative, Midpoint Substation, section C.4.4.1, p. C-21). The size of the substation would be increased from approximately 45 acres (approved but not yet built) to approximately 90 acres of land, which includes approximately 77 acres of new, permanent disturbance within the substation perimeter wall and approximately 13 acres of enhancements (e.g., flood protection berm and stormwater detention basin) outside of the perimeter wall.

Although the CPUC decided that changes to the CRS required additional analysis under the CEQA, BLM evaluated the need for a supplement to its EIS based upon the standards for supplementation provided under NEPA. After reviewing the CRS relocation and expansion proposal pursuant to Council on Environmental Quality (CEQ) regulatory standards, BLM determined that no supplementation was required. Supplementation is required if the agency makes substantial changes to the proposed action that are relevant to environmental concerns, or there are significant new circumstances or information relevant to environmental concerns and bearing on the proposed action or its impacts (CEQ regulations at 40 CFR 1502.9(c)). The BLM NEPA Handbook, Section 5.3, is to like effect. This relocation proposal will result in an overall reduction of impact to the Mojave fringe-toed lizard due to the relocation of CRS construction outside of sand flow habitat: 90 fewer acres of direct impact and 1,365 fewer acres of indirect impact to habitat than in the originally proposed CRS location. The expanded size of the substation will result in approximately 45 acres of minor additional ground disturbance but no measurable increase in impacts to species analyzed in the Final EIR/EIS (section D.2.7.4, p. D.2-202). These changes would not substantially increase the level of overall environmental impact or create new significant impacts that have not already been considered in the DPV 2 Draft and Final EIS/EIRs, the GSEP Draft and Final EISs, and the BSPP Draft and Final EISs. Therefore further NEPA analysis is not required.

No additional resource related impacts have been identified associated with the shift and expansion of the CRS, and additional analysis is not required. CEQ regulations at 40 CFR 1502.9(c) and BLM's NEPA Handbook at Section 5.3 require supplementation when changes are substantial (or significant new circumstances or information exist) and their effects are no longer within the range of effects analyzed in the EIS. The changes described above do not meet the standards requiring additional analysis.

Upon submission of the final POD for the DPV 2 project, BLM will review all final modifications described above to determine if any of the above changes result in modifications that result in a departure from previously analyzed impacts or actions. Any such departure would be reviewed to determine if additional site specific NEPA would be required.

2. Mitigation and Monitoring

2.1 Required Mitigation

The Mitigation Monitoring, Compliance, and Reporting Program (MMCRP) for this Project is located in Appendix C. The BLM is a lead agency, along with the CPUC, in ensuring compliance with all adopted mitigation measures. The BLM and FS will incorporate this mitigation into the amended ROW grant and easement as terms and conditions. Failure on the part of the grant holder to adhere to these terms and conditions could result in various administrative actions up to and including a termination of the grant. Additionally, the holder will be required to remove any installed facilities and restore any disturbances to preconstruction condition. In accordance with 40 CFR 1505.2(c), all practicable means to avoid or minimize environmental harm have been adopted under this decision. Appendix C contains the full list of Mitigation Measures and Terms and Conditions applicable to the construction, operation, maintenance, and decommissioning of the Project. All of which will be included in the amended ROW grant and Plan of Development (POD) for construction. The Measures included in the BO (Appendix B) and PA (Appendix A) will also be incorporated in the Grant and the POD.

2.2 Monitoring, Mitigation and Enforcement

Federal regulations (40 CFR 1505.3) require the BLM, FS, or other appropriate consenting agency to implement mitigation (40 CFR 1505.2(c)) and other conditions established in the Final EIR/EIS or during its review and committed as part of the decision. The agency may also provide for monitoring to assure that its decisions are carried out and should do so in important cases. The BLM and FS must adopt a monitoring and enforcement program where applicable for any identified mitigation (40 CFR 1505.2(c)). The BLM and FS shall:

- Include appropriate conditions in lease/grants, permits, or other approvals;
- Condition funding of actions on mitigation;
- Upon request, inform cooperating or commenting agencies on progress in carrying out

mitigation measures they have proposed and that were adopted by the agency making the decision; and

- Upon request, make publicly available the results of the relevant monitoring (40 CFR 1505.3).

At various times throughout the project, the need for extra workspace or additional access roads may be identified. Similarly, changes to the project requirements (e.g., mitigation measures, specifications, etc.) may be needed to facilitate construction or provide more effective protection of resources. The BLM, FS, and SCE should work together to find solutions when adjustments are necessary for specific field situations to avoid conflicts with adopted mitigation measures or specifications.

The BLM or FS Compliance Project Manager and Compliance Monitors will ensure that any deviation from the procedures identified under the monitoring program is consistent with right of way grant requirements. No project adjustment or modifications will be approved if the action results in new significant impacts. Adjustments will be limited to minor project changes, that do not increase the severity of an impact or create a new impact, and that clearly and strictly complies with the intent of the mitigation measure.

A proposed project change that has the potential for creating significant environmental effects will be evaluated to determine whether supplemental NEPA reviews are required. Any proposed deviation from the approved project, adopted mitigation measures, APMs, and correction of such deviation will be reported immediately to the BLM or FS for their review. The BLM or FS will review the request to ensure that all of the information required to process the adjustment has been included. The BLM or FS Compliance Project Manager may request a site visit or need additional information to process the request. In some cases, an adjustment may also require approval by jurisdictional agencies. In general, an adjustment request must include the following information:

- Detailed description of the location, including maps, photos, and/or other supporting documents;
- How the adjustment request deviates from a project requirement;
- Biological resource surveys or verification that no biological resources would be significantly impacted;
- Cultural resource surveys or verification that no cultural resources would be significantly impacted;
- Landowner approval if the location is not within SCE's ROW or property;
- Agency approval (if necessary).

2.3 Statement of All Practicable Mitigation Adopted

In accordance with the BLM NEPA Handbook H-1790-1 and 40 CFR 1505.2(c), all practicable mitigation measures that are necessary to fully mitigate the effects of the Project according to laws, rules, policies, and regulations have been adopted by this ROD.

3. Management Considerations

3.1 Decisions Being Made

The decision to authorize a BLM ROW grant and issue a FS special use easement fulfills legal requirements for managing public lands. Granting the ROW and special use easement to SCE for construction, operation, maintenance, and decommissioning of the selected alternative contributes to the public interest by providing significant upgrades (in the form of redundancy and new capacity) to the existing transmission infrastructure that will be able to deliver a reliable electricity supply, including the transmission of renewable energy from Riverside County to meet state and federal renewable energy goals. The stipulations in the BLM grant and FS permit ensure that authorization of the selected alternative will protect environmental resources and comply with environmental standards to the maximum extent practical. These decisions reflect the careful balancing of the many competing public interests in managing the public and forest lands for public benefit. These decisions are based on comprehensive environmental analysis and full public involvement.

The BLM engaged highly qualified technical experts to analyze the environmental effects of the Project. In addition, BLM sought out numerous other agencies with jurisdictional expertise. During the scoping process and following the publication of the Draft EIR/EIS, members of the public have submitted comments that have enhanced consideration by the BLM and FS of many environmental issues germane to the authorization of the Project. The BLM, FS, CPUC, and other consulted agencies used their expertise and existing technology to address the important issues of environmental resource protection. The BLM and FS have determined that the mitigation measures contained in the Final EIR/EIS, the PA regarding the management of cultural resources, and the BO integrate all practicable means to avoid or minimize environmental harm.

3.2 Decision Rationale

As analyzed in the Final EIR/EIS, this decision authorizes SCE to use certain described public lands to construct, operate, maintain, and decommission a 500 kV electrical transmission line, beginning at CRS located near Blythe, California, extending to the Devers Substation in Palm Springs, California (this segment spans 115 miles), and having a final segment extending from the Devers Substation to the Valley Substation, located in unincorporated Romoland in Riverside County (this segment spans 41.6 miles).

All activities within the selected alternative (the Project), either on their own or with the inclusion of mitigation, are in conformance with the following land use factors:

- BLM policy and guidance for issuing Rights of Way including BLM Manual 2801.11;
- California Desert Conservation Area Plan of 1980, as amended ("CDCA Plan");
- Coachella Valley Multiple Species Habitat Conservation Plan (MSHCP) and Natural Community Conservation Plan (NCCP), 2004;
- Northern and Eastern Colorado Desert Coordinated Management Plan (2002);
- South Coast Resource Management Plan (1994);
- Santa Rosa and San Jacinto Mountains National Monument Proposed Management Plan, Final Environmental Impact Statement, and Record of Decision, October 2003;
- Forest Service, San Bernardino Land Management Plan: Part 1, Southern California National Forests Vision;
- Forest Service, San Bernardino Land Management Plan: Part 2, San Bernardino National Forest Strategy;
- Forest Service, San Bernardino Land Management Plan: Part 3, Design Criteria for the Southern California National Forests.

The BLM and FS decisions to authorize these activities are based on the following NEPA considerations:

3.2.1 Respond to Purpose and Need

Approval of the ROW grant and special use easement for the Project responds to BLM's and USFS's purpose and need for the DPV2 Transmission Line Project which was to address SCE's application under Title V of FLPMA for a ROW grant to construct, operate, maintain, and decommission a 500 kV transmission line on public lands in compliance with FLPMA, BLM ROW regulations, USFS regulations, and other applicable federal laws.

3.2.2 Achieve Goals and Objectives

The Project accomplishes the objectives of the purpose and need, including meeting power demand, providing additional transmission infrastructure, providing increased reliability, as well as federal and state objectives for renewable energy development. The Project provides for the best balance between providing transmission capacity while reducing adverse impacts as compared to the other action alternatives. This Project complies with objectives of applicable

land use factors as listed in Section 3.2 Decision Rationale of this ROD.

3.3 Required Actions

The following federal statutes require that specific actions be completed prior to issuance of a ROD:

3.3.1 Endangered Species Act of 1973

Under Section 7 of the Endangered Species Act, a federal agency that authorizes, funds, or carries out a project that "may affect" a listed species or its critical habitat must formally consult with USFWS, unless the provisions of 50 CFR 402.14 are satisfied. The BLM has prepared a Biological Assessment for the USFWS in accordance with Section 7 of the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 et seq.). USFWS has issued a BO determining that the proposed action is not likely to jeopardize the continued existence of the species identified in the Biological Assessment, and is not likely to destroy or adversely modify designated critical habitat for the Mojave fringe-toed lizard or desert tortoise and has established mitigation measures to reduce any anticipated impacts (Appendix B).

Southern California Edison prepared a Biological Assessment/Biological Evaluation (BA/BE), wildlife and botany reports, and Management Indicator Species Evaluation for the approximately 2 mile D-V 2 alternative on National Forest System lands. The Forest Service approved the document on June 3, 2009. Based on the BA/BE, the project with design criteria and mitigation measures (Appendix G) on National Forest System lands will not affect threatened, endangered, or proposed species or designated or proposed critical habitat. No formal consultation with the FWS is required for the portion of the D-V 2 alternative on National Forest System lands.

3.3.2 National Historic Preservation Act

In accordance with regulations at 36 CFR §800.14(b)(3) implementing Section 106 of the NHPA, BLM has consulted with the California State Historic Preservation Officers according to 36 CFR §800.6(a), and notified and invited the Advisory Council on Historic Preservation per 36 CFR §800.6(a)(1)(C). As a result, a PA for the Project has been developed (Appendix A). The *Programmatic Agreement among the Bureau of Land Management, the Advisory Council on Historic Preservation, and the National Conference of State Historic Preservation Officers regarding the Manner in which BLM will meet its Responsibilities under the National Historic Preservation Act* (BLM et al 2010) was developed to facilitate participation in consultation to resolve the potential effects of the Undertaking, as that term is defined in 36 CFR 800.16(y) of the Advisory Council on Historic Preservation regulations (August 5, 2004). The PA for the Project establishes a process for further consultation, review, and compliance with historic preservation mandates. It also describes the actions that will be taken by the parties in order to meet their compliance responsibilities.

The Forest Service submitted a report entitled *Final Cultural Resource Inventory of the*

Proposed SCE Devers to Valley Substation Project, Riverside County, California prepared by ICF Jones and Stokes (September 2009) to the California State Historic Preservation Officer (SHPO) on September 29, 2009. Based on the analysis summarized in the report, the Forest Service made a "No Historic Properties Affected" finding for the project on National Forest System lands. The SHPO concurred with this finding by letter on October 30, 2009. The Section 106 process is complete for the portion of the D-V 2 project on National Forest System lands.

3.3.3 Clean Air Act, as Amended in 1990

The Project is subject to the General Conformity regulation (40 CFR Part 93 Subpart B). This regulation, which implements Section 176(c) of the Clean Air Act Amendments (CAAA) of 1990, ensures that federal actions conform to State and local plans for attainment of air quality standards. The BLM and FS must complete a State Implementation Plan (SIP) conformity determination for the selected alternative within their respective jurisdictions prior to issuance of this ROD. The General Conformity rule prohibits federal agency approval of activities that conflict with an applicable implementation plan.

The General Conformity rule applies to project-related activities in the South Coast Air Basin (SCAB) and Salton Sea Air Basin (SSAB) areas, but not to project-related activity in the Mojave Desert Air Basin (MDAB). The applicable pollutants are ozone precursors (volatile organic compounds [VOC] and nitrogen oxide [NOx]) and particulate matter, less than 10 micrometers in diameter (PM_{10}) in both the SCAB and SSAB areas, plus carbon monoxide (CO) and Particulate Matter less than 2.5 microns in diameter ($PM_{2.5}$) in the SCAB only. See Table D.11-10 (page D.11-22) in the Final EIR/EIS.

The CAAA de minimis threshold for the SCAB has changed due to the change in ozone nonattainment classification from severe to extreme. The classification change occurred after the Final EIS/EIR was approved in 2006. With the reclassification of the SCAB, the current ozone precursor de minimis thresholds are reduced to 10 tons per year for each ozone precursor category (VOC and NOx). SCE is responsible for obtaining compensatory offset for these impacts.

The EIR/EIS emissions analysis can be found in Appendix 9 of the Final EIR/EIS. See Table D.11-19 (page D.11-33) in the Final EIR/EIS for annual construction emissions by air basin and Table D.11-15 (page D.11-27) for annual operational emissions by air basin.

Conformity Determination for the Mojave Desert Air Quality Management District (MDAQMD)

Annual construction emissions would be potentially significant for NO_x and PM_{10} within the MDAQMD jurisdiction. Implementation of Mitigation Measures AQ-1a through AQ-1g would reduce construction impacts to air quality to the extent feasible. Applicant Proposed Measures (APMs) A-1 and A-5 through A-7 will be implemented, and APMs A-2 through A-4 have been replaced with more specific and enforceable requirements in Mitigation Measure AQ-1a.

Mitigation Measures AQ-1b through AQ-1g are necessary to mitigate equipment exhaust emissions to the extent feasible. Although the construction emissions from the selected alternative would remain above the MDAQMD annual significance threshold values, the MDAQMD states that the construction impact will be less than significant after mitigation, and therefore is in conformance with the SIP.

With the implementation, to the extent feasible, of all mitigation measures in accordance with MDAQMD guidance, the regional construction impact for the MDAQMD would be reduced to a less than significant level after mitigation (Class II - significant, can be mitigated to a level that is less than significant, as identified in Section 11.3.3 of the DPV2 Final EIR/EIS). While construction impacts are significant, they are of short-term duration. Long-term operations impacts are less than significant and are in conformance with the SIP.

Conformity Determination for the South Coast Air Quality Management District (SCAQMD)

The maximum annual emissions of ozone precursors and PM_{10} would be less than the general conformity de minimis threshold for the SCAB for all construction years and for all operational years. The maximum annual emissions of VOC, CO, PM_{10}, and $PM_{2.5}$ would be less than the general conformity de minimis threshold for the SCAB for all construction years and for all operational years. The maximum annual emissions of NOx would be less than the general conformity de minimis threshold for the SCAB for all operational years. The maximum annual emissions of NOx would be above the general conformity de minimis threshold for the SCAB in both construction years.

Implementation of Mitigation Measures AQ-1a through AQ-1i would reduce construction impacts to air quality in the SCAQMD to the extent feasible but would not eliminate all potentially significant impacts. The selected alternative's NOx and PM_{10} emissions, even after implementation of these mitigation measures, would remain above the SCAQMD annual significance threshold values. Therefore, the annual NOx emissions from the selected alternative during construction would result in significant and unavoidable impacts in the SCAQMD (Class I – significant, cannot be mitigated to a level that is less than significant, as identified in Section 11.3.3 of the DPV2 Final EIR/EIS).

Mitigation Measure AQ-1i is a partial offset of construction-related NO_x emissions. SCE will acquire NOx offsets in the SCAB to achieve the "no net emission increase" requirement for each construction year, which the BLM will include as a condition of the ROW grant.

3.3.4 Clean Water Act

The Project is expected to meet the requirements of the Clean Water Act (CWA). The CWA requires states to set standards to protect, maintain, and restore water quality through the regulation of point source and certain non-point source discharges to surface water. Point source discharges are regulated by the National Pollutant Discharge Elimination System (NPDES) permit process, outlined in CWA Section 402. NPDES permitting authority is delegated to, and

administered by, California's nine Regional Water Quality Control Boards. California's State Water Resources Control Board regulates the NPDES storm water program. In addition, Section 404 of the CWA authorizes the U.S. Army Corps of Engineers (ACOE) to regulate the discharge of dredged or fill materials into navigable waters of the U.S., including certain wetlands and other waters of the United States. The ACOE issues individual site-specific or general (nationwide) permits for such discharges.

Under Section 401 of the CWA, States and Tribes can review and approve, condition, or deny all Federal permits or licenses that might result in a discharge to State or Tribal waters, including wetlands. As discussed in the various sections of Chapter D.12 of the Final EIR/EIS, construction of the selected alternative may result in discharges to surface water and may require the construction of new access roads through streambeds that would require filling for access purposes. These and other potential impacts will require SCE to obtain approvals from the ACOE and the State Water Resources Control Board under the CWA, including certification (or a waiver) under Section 401 from the State that the proposed discharge complies with water quality standards. Construction cannot be authorized until a Section 401 certificate is issued or waived by the State.

3.3.5 Environmental Justice (Executive Order 12898)

On February 11, 1994, President Clinton issued an "Executive Order on Federal Actions to Address Environmental Justice in Minority Populations and Low-Income Populations" (Executive Order 12898). It requires each Federal agency to the greatest extent practicable and permitted by law to identify and address, as appropriate, disproportionately high and adverse human health or environmental effects of its programs on minority populations and low-income populations. The Order is further intended to promote nondiscrimination in Federal Programs substantially affecting human health and the environment and to provide for information access and public participation relating to such matters.

The approach in the Draft EIR/EIS was to achieve compliance with the letter and spirit of the President's Executive Order by addressing the question of whether and how the impacts of the Proposed Project and alternatives may disproportionately affect minority populations and low-income populations.

The Draft EIR/EIS, as well as the Final EIR/EIS, did analyze the distributional patterns of minority populations and low-income populations on a regional basis and characterized the distribution of such populations adjacent to the proposed and alternative corridors. No specific environmental justice issues were raised by any member of the public or Tribes during the environmental impact assessment process. However, in the Final EIR/EIS at Section C.4.3.1., BLM, at the request of the Morongo Band of Mission Indians, analyzed an alternative transmission route (D-V Alternative) that avoided lands within the Reservation , and was ultimately selected in coordination with the Tribe.

Despite avoiding Reservation, the D-V Alternative segment on public lands would have a disproportionately high, albeit short-term, adverse human health impact on low income

populations. This D-V Alternative would be constructed almost exclusively within a previously disturbed 330-foot- wide transmission corridor where an existing 500 kV line has been constructed.

The screening analysis as described in Section G.1.2 Environmental Justice Analysis of the Final EIR/EIS identified the Morongo Indian Reservation and Romoland for environmental justice analysis for the D-V Alternative. The D-V Alternative has a total of two census block groups that lie within one-half mile of the alternative route in Romoland. One of the block groups is classified as a medium-minority block group and the other is a low-minority block group. One is classified as a high income block group and the other is a medium-income block group. As no low-income or high-minority block groups would be affected by this alternative, no environmental justice impacts would occur in Romoland as a result of the D-V Alternative.

The D-V Alternative has a total of three census block groups that lie within one-half mile of the route within the Morongo Indian Reservation. Of the three total block groups, one is classified as a high minority block group, one is classified as medium minority block group, and one is classified as a low minority block group. As there would be as many medium and low minority block groups affected as high minority block groups, no disproportionate impacts would occur to high minority populations within the Morongo Indian Reservation. No environmental justice impacts would occur to minority populations as a result of the D-V Alternative.

Of the three Morongo Indian Reservation census block groups identified that lie within one-half mile of the D-V Alternative route, two are classified as low-income block groups. None of the three block groups are classified as medium-income block groups, and one is classified as a high-income block group. Because more low-income block groups would be affected by the D-V Alternative than medium or high-income block groups, low-income populations within the Morongo Indian Reservation would be disproportionately impacted by this alternative.

While other impacts to the population in this area could be mitigated to be less than significant, one significant and unmitigable impact (Class I) would occur within the Morongo Indian Reservation. Section D.1 (Air Quality) of the Final EIR/EIS identified a significant and unmitigable impact (Class I) associated with the generation of dust and exhaust emissions that could be a nuisance and hazard to populations on the Morongo Indian Reservation during construction of the selected alternative (Impact AQ-1). Although only two low-income block groups would be affected by the Project, because there is only one medium-income block group and no high-income block groups affected, this would constitute a significant and unmitigable environmental justice impact (Class I) in this location.

Air quality impacts associated with the D-V Alternative are described in Section D.11.6.1 Devers-Valley No. 2 Alternative of the Final EIR/EIS. Air quality impacts would occur during the construction period of approximately 24 to 28 months as described in Section B.3.7 Construction Activities of the Final EIR/EIS. Table 10 of the MMCRP (Appendix C) contains mitigation measures regarding fugitive dust that will be followed during construction.

As described in Section G.1.2 of the Final EIR/EIS, no adverse environmental effects, or effects on human health as they pertain to environmental justice were identified with the selected

alternative on National Forest System lands. As described in Section G.1.2.3 Alternatives of the Final EIR/EIS, no environmental justice impacts would occur to minority or low-income populations as a result of the DSWTP Alternative segments of the selected alternative.

The CEQ published Environmental Justice Guidance Under the NEPA (CEQ, 1997) that states "Under NEPA, the identification of a disproportionately high and adverse human health or environmental effect on a low income population, minority population, or Indian tribe does not preclude a proposed agency action from going forward, nor does it necessarily compel a conclusion that a proposed action is environmentally unsatisfactory. Rather, the identification of such an effect should heighten agency attention to alternatives (including alternative sites), mitigation strategies, monitoring needs, and preferences expressed by the affected community or population."

3.4 Relationship to BLM and other Agency Plans, Programs, and Policies

3.4.1 Government to Tribal Government Consultation under Section 106

BLM consulted with 60 representatives of 27 Tribal Governments potentially affected by the proposed project and the representatives of 26 Tribal Governments potentially affected by the D-V Alternative, a portion of which passed through Reservation Lands (ultimately not selected). Appendix 8 of Volume 3 of the Draft EIR/EIS describes this consultation as well as the responses received.

BLM invited the Agua Caliente Band of Cahuilla Indians, Ak-Chin Indian Community, Augustine Band of Cahuilla Indians, Cabazon Band of Mission Indians, Cahuilla Band of Mission Indians, Campo Band of Kumeyaay Indians, Chemehuevi Indian Tribe, Cocopah Indian Tribe, Colorado River Indian Tribes, Fort Mc Dowell Yavapai Nation, Fort Mojave Indian Tribe, Fort Yuma Quechan Tribe, Gila River Indian Community, Havasupai Tribe, Hopi Indian Tribe, Hualapai Tribe, Kaibab Paiute Tribe, Manzanita Band of Mission Indians, Morongo Band of Mission Indians, Pechanga Band of Mission Indians, Pauma-Yuima Band of Mission Indians, Ramona Band of Mission Indians, Rincon Band of Mission Indians, Salt River Pima-Maricopa Indian Community, San Manuel Band of Mission Indians, Santa Rosa Band of Cahuilla Indians, Soboba Band of Luiseno Indians, Tohono O'odham Nation, Torres-Martinez Desert Cahuilla Indians, Twenty-Nine Palms Band of Mission Indians, Yavapai-Apache Nation, and the Yavapai-Prescott Indian Tribe (Tribes) to consult on this Undertaking, and has invited those Tribes expressing an interest in the Undertaking to concur in the PA (Appendix A), with the further understanding that, notwithstanding any decision by these Tribes to decline concurrence, BLM will continue to consult with these Tribes throughout the implementation of this PA. The Pechanga Band of Mission Indians, the San Manuel Band of Mission Indians, and the Soboba Band of Luiseno Indians are concurring parties to the PA.

3.4.2 U.S. Fish and Wildlife Service

Consultation under Section 7 of the Endangered Species Act

The Endangered Species Act (16 U.S.C. 1531-1543) and subsequent amendments set forth requirements for the conservation of endangered and threatened species and the ecosystems upon which they depend. Section 7 requires federal agencies, in consultation with and with the assistance of the Secretary of the Interior or the Secretary of Commerce, as appropriate, to ensure that actions they authorize, fund, or carry out are not likely to jeopardize the continued existence of threatened or endangered species or result in the destruction or adverse modification of critical habitat for these species. The USFWS and National Marine Fisheries Service share responsibilities for administering the Act. Regulations governing interagency cooperation under Section 7 are found at 50 CFR Part 402.

The BO was issued at the conclusion of consultation (January 11, 2011) and included a statement authorizing a take that may occur incidental to an otherwise legal activity, with the exception of the milk-vetch, and that the levels of anticipated take are not likely to result in jeopardy or adversely affect the recovery of the Stephens' kangaroo rat, Coachella Valley fringe-toed lizard, flat-tailed horned lizard, or desert tortoise (Appendix B).

Right-of-Way Grant – Crossing Coachella Valley NWR

The 3,709-acre Coachella Valley National Wildlife Refuge was established by the USFWS in 1985 to protect the threatened Coachella Valley fringe-toed lizard.

In 1989, the BLM granted a ROW to SCE for the DPV2 transmission line proposed at that time. This ROW includes land managed by the BLM and USFWS. The USFWS recognized that SCE acquired a ROW through the Coachella Valley National Wildlife Refuge in1979, which pre-dated the creation of the Refuge, which occurred in 1985.

Habitat Conservation Plans – Riverside County

Several of the applicant proposed measures for biological resources listed in the Final EIR/EIS (see Table D.2-6. Applicant Proposed Measures – Biological Resources) state that SCE should participate in habitat banking programs and provide funding for monitoring programs that may be undertaken through the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Implementation of Mitigation Measures B-13a (Demonstrate compliance with the Western Riverside County MSHCP) and B-13b (Implement the Best Management Practices required by the Western Riverside County MSHCP) would result in compliance with the provisions of the Western Riverside County MSHCP (see Appendix C).

3.4.3 National Historic Preservation Act Section 106 Consultation

In the context of a federally permitted undertaking, such as the Project, the "significance" of

cultural resources must be determined by the Federal Lead Agency in consultation with the State Historic Preservation Office (SHPO) and other interested parties. Any action, as part of an undertaking, that could affect a "significant" cultural resource is subject to review and comment under Section 106 of the NHPA (36 CFR 60.6). Cultural resources that retain integrity and meet one or more of the criteria of significance (36 CFR 60.4) qualify as significant and are eligible for listing on the National Register of Historic Places (NRHP); such resources must be managed in compliance with the Advisory Council on Historic Preservation's regulations (36 CFR Part 800).

The BLM has coordinated studies and documents prepared under Section 106 of the NHPA with those completed under NEPA.

In accordance with Mitigation Measure C-1c (Appendix C), SCE will prepare a Historic Properties Treatment Plan (HPTP) for NRHP-eligible cultural resources to mitigate or avoid identified impacts. Treatment of cultural resources shall follow the procedures established by the Advisory Council on Historic Preservation for compliance with Section 106 of the NHPA and other appropriate State and local regulations. Avoidance, recordation, and data recovery will be used as mitigation alternatives (BLM B-9.4). The HPTP shall be submitted to the BLM for review and approval as identified in the Programmatic Agreement.

In accordance with Mitigation Measure C-3a (Appendix C), BLM, in coordination with SCE, has completed consultation with Native American and other Traditional Groups. SCE shall provide assistance to the BLM, as requested by the BLM, to complete required government-to-government consultation with interested Native American tribes and coordination with interested Tribal individuals (Executive Memorandum of April 29, 1994, and Section 106 of the NHPA) and other Traditional Groups to assess the impact of the Project on Traditional Cultural Properties or other resources of Native American concern.

3.5 U.S. Army Corps of Engineers Section 401/404 Permit

Section 404 of the CWA (CWA, 33 U.S.C. Section 1344) authorizes the ACOE to regulate the discharge of dredged or fill material to the waters of the U.S. and adjacent wetlands. It is likely that construction of transmission towers would occur under Nationwide Permit 12 (Utility Line Activities), issued by ACOE for categories of activities resulting in minimal adverse effects on the aquatic ecosystem on an individual and cumulative basis (see Section D.12.4 Applicable Regulations, Plans, and Standards of the Final EIR/EIS).

3.6 Consultation with other Agencies

Several other State and federal agencies will rely on information in the DPV2 Final EIR/EIS to inform their decisions to issue (or not) specific permits related to construction or operation of the selected alternative. The permits or other actions required prior to construction are included in Table A.4, Section A.3.5 Permits Required for the DPV2 Project of the DPV2 Final EIR/EIS. The consultation required for the selected alternative is described in the subsequent sections of this document.

3.6.1 Consultation with other Federal Agencies

Additional federal agencies with potential reviewing and/or permitting authority include the U.S. Environmental Protection Agency, U.S. Department of Defense – Army, Federal Aviation Administration, U.S. Bureau of Reclamation, Federal Communications Commission, and Federal Energy Regulatory Commission. Table A-4 of the DPV2 Final EIR/EIS describes these permitting requirements.

3.6.2 Consultation with State, Regional, and Local Agencies

In addition to the CPUC, State agencies such as the CAISO, Department of Transportation, Department of Fish and Game, Department of Water Resources, Regional Water Quality Control Board, State Lands Commission, Department of Toxic Substances Control, Air Resources Board, and SHPO would be involved in reviewing and/or approving the Project. Table A-4 of the Final EIR/EIS describes these permitting requirements.

Within the State of California there are also provisions in CEQA, State CEQA Guidelines, and the California Public Resources Code for the protection and preservation of significant cultural resources (i.e., "historical resources" and "unique archaeological resources"). California guidelines for assessing significant cultural resources parallel the federal criteria (Section 15064.5(a)(3) of the CEQA Guidelines (as amended)). The State CEQA Guidelines also require consideration of unique archaeological sites (Section 15064.5) (see also Public Resources Code Section 21083.2[h]).

Section 401 of the CWA requires that any activity, including river or stream crossings during transmission line construction that may result in a discharge into a State waterbody, must be certified by the applicable Regional Water Quality Control Board in California. This certification ensures that the proposed activity does not violate State and/or federal water quality standards.

No local discretionary (e.g., use) permits are required, since the CPUC has preemptive jurisdiction over the construction, maintenance, and operation of SCE facilities in California. SCE would still have to obtain all ministerial building and encroachment permits from local jurisdictions, and the CPUC's General Order 131-D requires SCE to comply with local building, design, and safety standards to the greatest degree feasible to minimize Project conflicts with local conditions. The CPUC's authority does not preempt special districts, such as the SCAQMD, or other State agencies or the federal government.

3.7 Land Use Plan Conformance and Consistency

The selected alternative of the Project would traverse federal, State, and local agency jurisdictions that have adopted land use plans and regulations that guide the type and intensity of land use. To determine the Project's consistency with these government plans and policies, a

thorough review of all applicable policies was conducted. The Policy Screening Report (Appendix 2 of the Final EIR/EIS) lists all applicable federal, State, and local government policies that were identified for the Project. The applicable land use regulations, plans, and policies that apply to the approval of the Project's selected alternative include:

- BLM California Desert Conservation Area Plan as Amended;
- Coachella Valley Multiple Species Habitat Conservation Plan and Natural Community Conservation Plan, Public Draft, Volumes 1–4, October 15, 2004;
- BLM Northern and Eastern Colorado Desert Coordinated Management Plan, 2002;
- Santa Rosa and San Jacinto Mountains National Monument Proposed Management Plan, Final Environmental Impact Statement, and Record of Decision, October 2003;
- Riverside County, California:
    - Riverside County Comprehensive General Plan, 2003;
    - Pass Area Plan, 2003;
    - Western Coachella Valley Area Plan, 2003;
    - Eastern Coachella Valley Area Plan, 2003;
    - Desert Center Area Plan, 2003;
    - Lakeview/Nuevo Area Plan, 2003;
    - San Jacinto Valley Area Plan, 2003;
    - Harvest Valley/Winchester Area Plan, 2003.
- Western Riverside County Multiple Species Habitat Conservation Plan, 2003;
- City of Banning Draft General Plan, 2005;
- City of Beaumont General Plan, November 2000;
- City of Cathedral City Comprehensive General Plan, 2002;
- City of Coachella General Plan, 2002;
- City of Desert Hot Springs Comprehensive General Plan, 2000;
- Forest Service, Pacific Southwest Region:

- Land Management Plan: Part 1 Southern California National Forests Vision, September 2005;
- Land Management Plan: Part 2 San Bernardino National Forest Strategy, September 2005;
- Land Management Plan: Part 3 Design Criteria for the Southern California National Forests, September 2005.

- City of Palm Springs General Plan, March 1993;
- City of San Jacinto Draft General Plan, 2000.

These policies are discussed in detail in Appendix 2 of the Final EIR/EIS.

3.7.1 Utility Corridors

The Project is located almost entirely within an existing utility corridor, Corridor K in the CDCA Land Use Plan, 1980, as amended, on federally managed lands and a de facto utility corridor on private lands. The D-V Segment of the Project would be constructed within an existing 330-foot-wide transmission corridor where an existing 500 kV line has been constructed and within a utility corridor designated by the San Bernardino National Forest Land Management Plan. The D-V Alternative would result in minimal temporary and permanent ground disturbance in the Santa Rosa San Jacinto Mountains National Monument and the San Bernardino National Forest areas.

The CRS to Cactus City and Cactus City to Devers Segment would be adjacent to the existing DPV1 transmission line, within Corridor K.

The location of the selected alternative in close proximity to other proposed and existing electrical transmission lines within existing utility corridors allows the BLM and FS to most effectively manage existing and future utility usage within the corridor and to minimize conflicts with other existing and proposed utility facilities. In addition, placement of the selected alternative within existing utility corridors minimizes surface disturbances by allowing for sharing of access and spur roads between facilities. Although all of the other alternatives would generally follow existing utility corridors, many would diverge from existing utility corridors and would be inconsistent with current land use plans.

3.8 Resources Specific Rationale

3.8.1 Visual Resource Management Considerations

Guidance for management of visual resources is typically included in land use plans through

designation of visual resource management (VRM) classes. The CDCA Plan does not include VRM classifications but does include Multiple Use Classes (MUCs), which determine the level of use and development for lands managed under the CDCA Plan. In addition, the Recreation Element of the CDCA Plan specifies that VRM objectives and the contrast rating procedure be used to manage visual resources. The Recreation Element of the CDCA Plan states that since most management activities involve alteration of the natural character of the landscape to some degree, the BLM would take the following actions in order to effectively manage for these activities:

1. identify the appropriate levels of management, protection, and rehabilitation on all public lands in the CDCA, commensurate with VRM objectives in the multiple-use class guidelines; and
2. evaluate proposed activities to determine the extent of change created in any given landscape and to specify appropriate design or mitigation measures using the BLM's contrast rating process.

The contrast rating process is a tool used to determine the extent of visual impact that proposed resource management activities would create in a landscape. It serves as a guide for reducing visual impacts to acceptable levels as defined by the visual management objectives and multiple use class guidelines.

Lands along the selected alternative were inventoried and assigned Interim VRM Classes for the purpose of contrast analysis in the EIR/EIS. The designation and adoption of Interim VRM classes conducted in support of a specific project is a BLM Field Office Manager decision. The Interim VRM Classes, in conjunction with the management objectives for MUC L and MUC M lands were used in this analysis to assess both the visual values, as well as the management objectives for the overall Project, including the selected alternative.

The selected alternative best meets resource management objectives for MUC L and M lands and interim VRM classes II and III. That portion of the Project within the South Coast Planning area does conform to VRM III Class Management Objectives.

All BLM lands covered by the CDCA Plan have been designated geographically into four MUCs based on the sensitivity of resources and types of uses for each geographic area (BLM 1980, as amended). The selected alternative is located on land in both the MUC Category L and M. These are defined as follows:

- Multiple-Use Class L (Limited Use) protects sensitive, natural, scenic, ecological, and cultural resource values. Public lands designated as Class L are managed to provide for generally lower-intensity, carefully controlled multiple use of resources, while ensuring that sensitive values are not significantly diminished.

- Multiple-Use Class M (Moderate Use) is based upon a controlled balance between higher intensity use and protection of public lands. This class provides for a wide variety of present and future uses such as mining, livestock grazing, recreation, energy, and utility

development. Class M management is also designed to conserve desert resources and to mitigate damage to those resources which permitted uses may cause.

The CDCA Plan specifies that new gas, electric, and water transmission facilities and cables for interstate communication be allowed only within designated corridors. The Project falls within the Designated Utility Corridor K up to the Devers Substation in Palm Springs.

The San Bernardino Land Management Plan (LMP) was corrected on September 8, 2006, to include the Devers-Valley utility corridor and to remap the Scenic Integrity Objective as High. Based on this correction, implementation of the D-V Alternative transmission line with mitigation (Final EIR/EIS Mitigation measure V-40b and V-40c) would not conflict with the LMP standards for aesthetics management (Final EIR/EIS Table D.3-10).

3.8.2 Threatened and Endangered Species

All adverse impacts to federally listed, threatened, or endangered plant or animal species as identified in the Final EIR/EIS will be mitigated to the extent practical in order to avoid or minimize impacts. In addition, an approved BO was issued by the USFWS on January 11, 2011 (Appendix B). The provisions of the BO will be implemented as part of the Terms and Conditions of the amended ROW Grant. The BO concluded:

> *After reviewing the current status, environmental baseline for the action area, effects of the proposed action, and cumulative effects of the proposed project on the kangaroo rat, milk-vetch, fringe-toed and horned lizards, and tortoise, it is the Service's biological/conference opinion that the proposed action is not likely to jeopardize the continued existence of these species, and is not likely to destroy or adversely modify designated critical habitat for fringe-toed lizard or tortoise.*
>
> *We base this decision on the following reasons:*
>
> *1. The direct and indirect effects of the proposed project would be effectively minimized through implementation of the proposed Conservation Measures.*
>
> *2. The action area constitutes a small portion of each species' range, and permanent and temporary habitat losses would be offset by the permanent conservation of a like or greater amount of equivalent or better quality habitat.*
>
> *3. Most adult kangaroo rats and tortoise, some adult fringe-toed and horned lizards, and most milk-vetch plants within the disturbance area would be captured/salvaged and relocated to suitable habitat outside of the disturbance area. Given that no fringe-toed lizards, two horned lizards, and small numbers of kangaroo rats and tortoises were detected in the project footprint, we anticipate that small numbers of these species may need to be moved out of harm's way during construction and O&M activities. In addition, since these individuals would be moved relatively short distances from where*

they are found, we do not anticipate additional significant impacts to other resident individuals or populations of these species in the project footprint.

4. With implementation of the Conservation Measures, the impacts of the proposed action are expected to be effectively minimized and offset, and are not likely to appreciably diminish the conservation role and function of designated critical habitat for fringe-toed lizard or tortoise in the action area or these species' ranges.

3.8.3 Cultural Resources

All adverse impacts to cultural resources as identified in the Final EIR/EIS will be mitigated to the extent practical in order to avoid or minimize impacts. Prior to issuance of a NTP on this Project, the BLM will require preparation, review, BLM approval, and implementation of a comprehensive HPTP for avoiding and mitigating direct adverse effects on resources eligible for listing in the NRHP. In addition, a PA between BLM, the Agua Caliente Tribal Historic Preservation Officer, the California SHPO, and SCE was effective as of July 6, 2010 (Appendix A). The PA contains stipulations to be implemented by BLM to take into account the effects of the undertaking on Historic Properties (defined as the Colorado River Switchyard [Midpoint Substation] to Devers Substation Component and the Devers Substation to Valley Substation Component; see Appendix A for additional details). The mitigation monitoring table for Cultural and Paleontological Resources is included in the MMCRP (Appendix C).

The Project route avoids impacts to cultural resources with the exception of the segment that traverses Alligator Rock, which includes one National Register District and several other potentially NRHP-eligible sites. The construction of this route may also result in indirect impacts to cultural resources, but it would avoid the specific effects on the N. Chuckwalla Mountains NRHP Quarry District.

The D-V segment of the Project would avoid crossing the more highly developed area of the Morongo Reservation north of I-10, reducing impacts to tribal values and associated cultural resources.

3.9 Summary of Conclusions

The selected alternative for the DPV2 Transmission Line Project is the action alternative that provides the most public benefits while reducing impacts to biological, visual, and cultural resources and the human environment for the following reasons:

- The project provides significant conformance with existing land use plans from a variety of agencies. Placement of large transmission lines within existing corridors, and in close proximity to existing lines, further diminishes impacts associated with indiscriminate proliferation of lines and associated construction throughout the desert and mountain environments.

- The Project (D-V segment, specifically) would avoid impacts associated with traversing high-density residential areas and tribal lands, thereby reducing Environmental Justice concerns to the extent possible. The Project incorporates the maximum mitigation possible to eliminate short-term adverse dust-related impacts during construction activities.

- Throughout the EIR/EIS process, the BLM consulted with the USFWS and CDFG in order to develop the maximum mitigation for biological resources in order to minimize impacts to the extent practical, including, but not limited to Habitat Restoration and Compensation Plans, Monitoring Programs, Best Management Practices, Worker Training and Environmental Awareness Plans, Translocation Plans for Desert Tortoise, Weed Management Plans, Avian and Bat Protection Plans, and Preconstruction Surveys. Development of the mitigation measures above resulted in the issuance of a BO on January 11, 2011, mandating implementation of these measures and plans.

- Throughout the EIR/EIS process, the BLM sought to involve tribes and SHPO in the development of mitigation measures that would minimize or avoid cultural resources to the extent possible. Over 30 mitigating measures were developed including but not limited to extensive inventory, monitoring, site evaluation, development of a PA and HPTP, worker and environmental awareness programs, further consultation with Native Americans and other Traditional Groups, and development of long term plans to protect NRHP eligible sites from direct impacts of project operation and maintenance.

- Amending the ROW Grant and issuing a special use easement to SCE for construction, operation, maintenance, and decommissioning of the Project contributes to the public interest by providing significant upgrades (in the form of redundancy and new capacity) to the existing transmission infrastructure that will be able to deliver a reliable electricity supply including the transmission of renewable energy from Riverside County to meet state and federal renewable energy goals.

4. Alternatives

4.1 Alternatives Fully Analyzed

The DPV2 500 kV Transmission Line Project Final EIR/EIS Appendix 1, Tables Ap. 1-2 and Ap. 1-3, contain the alternatives fully analyzed in the EIR/EIS and the alternatives eliminated from EIR/EIS consideration after detailed screening, respectively. The following sections contain a summary of the proposed action, the selected alternative, the no action alternative, the environmentally preferred alternative, and the alternatives not fully analyzed. For a complete description of the alternative evaluation process, the full range of alternatives considered in the Final EIR/EIS, and the alternatives eliminated from Final EIR/EIS consideration, see Appendix 1 of the Final EIR/EIS.

4.1.1 Proposed Action

As part of the 2006 DPV2 EIR/EIS, SCE proposed to construct a new 230-mile, 500 kilovolt (kV) electric transmission line between Devers Substation in California and Harquahala Generating Substation in Arizona and to upgrade 48.2 miles of 230 kV transmission line in California. The upgraded lines would connect directly to the new line. The entire project would span 278 miles, with approximately 176 miles in California and 102 miles in Arizona.

The proposed transmission line and facility upgrades are known collectively as the Devers–Palo Verde 500 kV No. 2 Transmission Project, or DPV2. The location of the proposed project was illustrated in Figures B-1 and B-2 (Devers-Harquahala portion) and Figure B-3 (West of Devers portion) in the Draft EIR/EIS. The Proposed Project had two major components: a new 500 kV line between Devers Substation and the Harquahala Generating Station (referred to as "Devers-Harquahala" or D-H), and the upgrade of a 230 kV line west of the Devers Substation (referred to as "West of Devers" or WOD).

Other system upgrades would occur in certain locations along the route, ultimately terminating at Vista Substation in San Bernardino.

4.1.2 Selected Alternative (The "Project")

The selected alternative is described in Section 1.2.2 *Selected Alternative* of this ROD.

4.1.3 No Action Alternative

The No Action Alternative required under NEPA (40 C.F.R. 1502.14(c)) primarily serves as a basis for comparison. The definition of the No Action Alternative depends on the nature of the project and in the case of the proposed DPV2 Project the No Action Alternative describes what would occur without the federal agencies' (BLM and FS) approval. The Final EIR/EIS uses the CEQA term No Project Alternative to describe the No Action Alternative required by NEPA.

The No Project Alternative has been studied by SCE and the CAISO as part of the economic evaluation of DPV2 (CAISO, 2005). The economic studies demonstrated that there were sufficient economic and transmission system reliability benefits to pursue the Project over the No Project Alternative. In choosing the Project over the No Project Alternative, the CAISO showed that in addition to some reliability benefits as well as substantial economic benefits could occur for California ratepayers with DPV2.

The economic studies done by CAISO for DPV2 show that by generally improving the efficiency of the transmission grid, the power supplied to California customers would come from different generators as a result of the Project (CAISO, 2005). Reducing generation from older and less efficient power plants in California and increasing generation from renewable energy facilities in California would provide an air emissions decrease in California. This shift in

energy production will result in a net annual reduction of NOx emissions. Under the No Project Alternative, these power supply changes and emission benefits would not occur.

Under the No Project Alternative, construction and operation of DPV2 would not occur. The baseline environmental conditions for the No Project Alternatives are the same as for the Project. These conditions are described in the Final EIR/EIS for each environmental discipline as the "environmental baseline" or "setting" in Section D. The baseline conditions would continue to occur into the future, undisturbed, in the absence of Project-related construction activities.

The objectives and purpose and need of the Project would remain unfulfilled under the No Project Alternative. This means that the projected economic benefits of the Project would not occur, which could result in additional demand-side and supply-side actions becoming more viable. Additional demand response and energy conservation may occur, and supply-side actions could include accelerated development of low- cost generation or other new transmission projects. For example, additional transmission import capability would not be added, and the additional market competition and improved system reliability and operating flexibility associated with the Project would not occur.

Demand-side management (e.g., conservation) and small-scale, localized generation (i.e., distributed generation or DG) could play an increased role in the SCE service territory under the No Project Alternative. Normally, demand-side management is fully pursued where technically and economically feasible. Under the No Project Alternative, the costs of developing the Project could be diverted to subsidize or improve the economic feasibility of some demand-side projects, although 1,200 MW of peak load reduction would not be achievable for the cost of the Project. Because reductions in the cost of energy supplies enabled by the Project would not occur, the access to low-cost energy provided by the Project would not occur and the enhanced competition among generating companies would not occur. This means that under the No Project Alternative, a greater level of demand-side control could become economically feasible.

Providing new power supply to meet California's growing demand occasionally involves development of generation, such as conventional, renewable, and DG, or other major transmission projects. The No Project Alternative could, however, accelerate development of alternate facilities. The specific configuration of alternate facilities would vary depending on a number of uncontrollable factors (e.g., energy cost, need, market forces). Since the primary objectives of the Project are economic, new alternate facilities under any scenario would need to be economically competitive for developers to pursue. Such new facilities would probably be installed in locations with convenient and economical access to fuel supplies, existing transmission facilities, and load centers. Construction and operation of new generation and transmission projects would be subject to separate permitting processes that would need to be completed in the future. Because the Project has been a subject of the planning and permitting processes for many years, it is doubtful that any major new generation or transmission projects would be able to come online any earlier than the expected DPV2 500 kV Transmission Line Project in service date.

4.1.3.1 Environmentally Preferred Alternative

The conclusions in Sections E.2.1 and E.2.2 of the Final EIR/EIS for various alternatives result in the following environmentally superior alternatives and the BLM agency preferred alternatives:

- Harquahala Junction Switchyard (no longer part of the project);
- Proposed Project route from Harquahala Switchyard to east of Alligator Rock (no longer part of the project);
- Alligator Rock–North of Desert Center Alternative to west of Alligator Rock (not selected);
- Route from west of Alligator Rock to Devers Substation (selected);
- The SCE Midpoint Substation and the DSW-Midpoint Substation (CRS) are equally environmentally superior/preferred (CRS selected, subject to the focused Final Supplemental EIR, CPUC, April 29, 2011);
- Proposed West of Devers upgrades unless determined to be infeasible, in which case the D-V Alternative would be constructed. (D-V segment selected).

The Environmentally Superior/Preferred transmission line route is illustrated in Figures ES-4a and ES-4b in the Executive Summary of the Final EIR/EIS.

4.2 Alternatives Not Fully Analyzed

4.2.1 Other Project Alternatives

4.2.1.1 Convert DPV1 from Alternating Current to High-Voltage Direct-Current Transmission Line

This alternative would modify the existing DPV1 500 kV transmission line to convert DPV1 from an alternating current (AC) line to a high-voltage direct-current (HVDC) line. Converting DPV1 from AC to HVDC would increase California's transmission import capability from the Southwest and would enhance and support the competitive energy market in the Southwest. The conversion to HVDC would add sufficient transmission capability to satisfy Project objectives, but the cost of this alternative would exceed the cost of the Project. Combining the capacity of DPV1 and DPV2 into a single HVDC line, as would occur under this alternative, would decrease the reliability and flexibility of the transmission network.

4.2.1.2 Underground Alternative

In order to construct an underground 500 kV transmission line, insulated power cables would be placed underground along specific high-impact segments or the entire transmission line alignment from Harquahala Substation (now not applicable) to Devers Substation. Undergrounding a 230 kV line for the West of Devers segment would be feasible and has been completed by SCE and Pacific Gas and Electric; however, each circuit would require a 3-foot continuous trench creating much greater construction and habitat disturbance impacts than with the overhead selected alternative.

There are four underground technologies for 500 kV that are commercially available: High-Pressure Fluid Cables; Self-Contained Fluid-Filled; Solid Dielectric Transmission Cables; and Compressed Gas Insulated Transmission Lines. All of the four potential undergrounding technologies would be legal and feasible under regulations. However, none of the technologies have been implemented at 500 kV in the United States close to the length of even a portion of the selected alternative and there has only been limited implementation in other countries. Therefore, as discussed in more detail in Section 4.4.3 of Appendix 1 of the Final EIR/EIS, the reliability of underground 500 kV technologies for use in the Underground Alternative has not been fully demonstrated.

4.2.1.3 Conservation and Demand-Side Management

As presented in the Final EIR/EIS, for the past 30 years, while per capita electricity consumption in the United States has increased by nearly 50 percent, California electricity use per capita has been relatively flat. This achievement is the result of continued progress in cost-effective building and appliance standards and ongoing enhancements to efficiency programs implemented by investor-owned utilities, customer-owned utilities, and other entities. Since the mid-1970s, California has regularly increased the energy efficiency requirements for new appliances sold and new buildings constructed here. In addition, in a creative and precedent-setting move, the CPUC in the 1980s de-coupled the utilities' financial results from their direct energy sales, facilitating utility support for efficiency programs. These efforts have reduced peak capacity needs by more than 12,000 MW and continue to save about 40,000 gigawatt hours per year of electricity (CPUC & CEC, 2005). SCE's 2005 Energy Efficiency Annual Report states that the 2004 results from all of SCE's 2004-2005 energy efficiency programs provided nearly 950 million kilowatt hours of net annualized energy savings, 175 MW of net peak demand reduction, and over $570 million of resource benefits (SCE, 2005).

Rationale for Elimination

As presented in the Final EIR/EIS, the Conservation and Demand-Side Management Alternative would not increase California's transmission import capability from the Southwest; nor would it enhance and support the competitive energy market in the Southwest. Therefore, this alternative would not meet most of the stated objectives of the Project.

Demand response programs are the most promising and cost-effective options for reducing peak

demand on California's electricity system. Although the CPUC adopted demand reduction targets for investor-owned utilities in 2003, such as SCE, demand response programs have failed to deliver their savings targets for each of the last three years and appear unlikely to meet their targets for next year (CEC, 2006).

4.2.1.4 Distributed Generation

As presented in the Final EIR/EIS, DG is generally considered to be generation, storage, or demand-side management devices, measures, and/or technologies connected to the distribution level of the transportation and distribution grid, usually located at or near the intended place of use. There are many DG technologies, including microturbines, internal combustion engines, combined heat and power applications, fuel cells, PVs and other solar energy systems, wind, landfill gas, digester gas and geothermal power generation technologies. Distributed power units may be owned by electric or gas utilities, by industrial, commercial, institutional or residential energy consumers, or by independent energy producers. DG is the generation of electricity from facilities that are smaller than 50 MW in net generating capacity. Local jurisdictions — cities, counties and air districts — conduct all environmental reviews and issue all required approvals or permits for these facilities. Most DG facilities are very small; for example, a fuel cell can provide power in peak demand periods for a single hotel building.

While DG technologies are recognized as important resources to the region's ability to meet its long-term energy needs, DG does not provide a means for SCE to meet its objectives for the Project because of the comparatively small capacity of DG systems and the relatively high cost.

As presented in the Final EIR/EIS, in addition, since it is usually located at or near the intended place of use, the DG Alternative would not increase California's transmission import capability from the Southwest and nor would it enhance and support the competitive energy market in the Southwest. Therefore, this alternative would not meet most of the stated objectives of the Project.

5. Agency and Public Involvement

5.1 Scoping

A Notice of Intent was published in the Federal Register, December 7, 2005, announcing the preparation of a joint EIR/EIS for the DPV2 Transmission Line Project. Public scoping meetings were held on:

- November 1, 2005, at 6:00 p.m. in Blythe, California;
- November 2, 2005, at 3:00 p.m. and 7:00 p.m. in Beaumont, California;
- November 3, 2005, at 3:00 p.m. and 7:00 p.m. in Palm Desert, California;

- January 18, 2006, at 2:00 p.m. in Avondale, Arizona;
- January 18, 2006, at 6:30 p.m. in Tonopah, Arizona; and
- January 18, 2006, at 2:00 p.m. in Quartzsite, Arizona.

The scoping process for the Project was designed to solicit input from the public, from federal, State, and local agencies, and from other interested parties on the range of issues that should be addressed in the Draft EIR/EIS. The scoping process was also intended to identify significant issues related to the Project. The Project and alternatives were revised to address comments and concerns raised during the scoping process.

5.2 Draft EIS Public Comment Period

A Notice of Availability (NOA) of the Draft EIR/EIS was published in the Federal Register on July 28, 2006. This initiated a 90-day public comment period. The NOA was mailed to over 4,347 interested parties, agencies, county and city departments, special districts, property owners, and occupants on or adjacent to the proposed DPV2 Transmission Line Project and alternative routes. A second NOA was mailed to 5,191 people to correct a mailing error, to announce that the D-V Alternative had become SCE's preferred route, and to announce an additional Informational Workshop and Public Participation Hearing on July 24, 2006. Informational Workshops on the Draft EIR/EIS were held on:

- June 6, 2006, at 2:00 p.m. and 7:00 p.m. in Tonopah, Arizona;
- June 7, 2006, at 2:00 p.m. and 5:00 p.m. in Beaumont, California;
- June 8, 2006, at 3:00 p.m. in Palm Desert, California; and
- July 24, 2006, at 4:00 p.m. in Beaumont California.

Public Participation Hearings on the Draft EIR/EIS were conducted on:

- June 6, 2006, at 7:00 p.m. in Beaumont, California;
- June 7, 2006, at 7:00 p.m. in Palm Desert, California; and
- July 24, 2006, at 7:00 p.m. in Beaumont, California.

5.3 Final EIS Public Comment Period

The Final EIR/EIS was distributed to a variety of federal, State, and local government agencies, elected officials, environmental organizations, Native American tribes, and other interested

parties for review. A NOA for the Final EIR/EIS was published in the Federal Register on October 24, 2006. This started a 30-day public review period for the Final EIR/EIS. The BLM has considered all comments received on the Final EIR/EIS in the development of this ROD. In addition, the BLM and FS will:

1. distribute a news release about the ROD in the local and regional media;

2. send the ROD to all those on the distribution list; and

3. make the ROD available on the BLM website and to all who request a copy.

5.4 Summary of Consultation with Other Agencies

The Final EIR/EIS contains all comments on the Draft EIR/EIS and responses thereto. Responses to comments focused on significant environmental issues as raised in the comments, as specified by Section 15088(b) of the State CEQA Guidelines and 40 CFR 1503.4 under CEQ regulations.

Comments were received from 18 public agencies or their representatives, one Native American Tribe, 10 organizations, nonprofits, and private companies, 29 private citizens, three speakers at public meetings, and from the applicant.

Many comments alleged either a deficiency in analysis or wrongful methodology, but did not provide any specific data or information that would cause BLM to reach alternative conclusions outlined in the Final EIR/EIS, or would mandate supplemental analysis.

The comments in their entirety and the BLM and CPUC's responses to comments can be found in the Scoping Report at the following address:

http://www.cpuc.ca.gov/Environment/info/aspen/dpv2/dpv2.htm

6. Final Agency Action

6.1 BLM Decision

6.1.1 ROW Authorization

The BLM uses SF-2800-14 BLM (ROW Grant) to authorize a ROW for the selected alternative for the DPV2 Transmission Line Project. The grant includes the POD and all terms, conditions, stipulations, and measures required as part of the grant authorization. Consistent with BLM policy, the DPV2 Transmission Line Project ROW grant will include a diligent development and performance bonding requirement for installation of facilities consistent with the approved POD. Construction of the 500 kV transmission line and facilities must commence within two years of the effective date of the ROW grant. SCE must obtain a NTP from BLM and FS before it can commence construction.

In accordance with section 102(c) of the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.), the regulations of the Council on Environmental Quality that implement NEPA (40 CFR parts 1500-1508), it is my decision to approve issuance of:

> **a right-of-way grant to SCE for construction, operation, maintenance, and decommissioning of a transmission line, ancillary facilities, and access roads for the selected alternative (the "Project") for the Devers-Palo Verde No. 2 Transmission Line Project, as described in the selected alternative herein, across public lands administered by the BLM.**

The originally proposed DPV2 transmission line ran from Arizona through California and was analyzed in the DPV2 Transmission Line Project Final EIR/EIS, issued October 24, 2006. This decision approves as the Project only those transmission line segments within California and described as the selected alternative, and such decision will take the form of a BLM ROW Grant amendment to the 1989 ROW (CACA-17905/A) issued under 43 CFR Part 2800 regulations. This decision approves issuance of a 130-foot wide ROW to accommodate a 500 kV single-circuit transmission line, helicopter pads, and access roads where the transmission line would be adjacent to DPV1. In some locations, the presence of utility or canal structures may require that the new 500 kV ROW be separated from the DPV1 ROW. In these locations where a separate ROW will be required, the grant is for a 160-foot-wide ROW on BLM lands. Use of the ROW will be subject to the terms and conditions contained in the ROW grant and POD; MMCRP Tables (Appendix C); BO (Appendix B); and PA (Appendix A). The grant will expire 30 years from issuance, unless, prior thereto, it is relinquished, abandoned, terminated, or modified pursuant to the terms and conditions of the grant or of any applicable federal law or regulation. The grant is renewable in accordance with 43 CFR 2807.22(a). If renewed, the ROW grant shall be subject to the laws and regulations existing at the time of renewal and any other terms and conditions that the federal authorized officer deems necessary to protect the public interest. Additionally, SCE may, in accordance with BLM's ROW grant regulations, assign the ROW grant to another party with BLM's approval. Construction may be phased, and the BLM requires the initiation of construction within two years of the effective date of the ROW grant. In addition, initiation of construction will be conditioned upon final BLM approval of the construction plans. This approval will take the form of an official NTP.

This amendment will authorize SCE to use public lands described in Section 1.2.2 Selected Alternative to construct, operate, maintain, and decommission a 500 kV electrical transmission line from the CRS located near Blythe, California, to the Devers Substation in Palm Springs, California, a distance of approximately 115 miles; and from Devers Substation to the Valley Substation located in Romoland, Riverside County, a distance of 41.6 miles. The selected alternative is shown in Figures 1 through 3. This decision is conditioned, however, upon implementation of mitigation measures and monitoring programs as identified in the Final EIR/EIS and attached as Appendix C of this ROD. All mitigation measures, listed in Appendix C of this ROD, shall be incorporated into the ROW grant as terms and conditions. SCE shall comply with:

- all terms, conditions, and stipulations set forth in the ROW grant;

- the POD;
- the BO issued by the FWS; and
- the PA regarding the management of the cultural resources.

Any party to the case who is adversely affected by this decision has the right of appeal to the Interior Board of Land Appeals, Office of the Secretary, in accordance with the regulations at Title 43, Code of Federal Regulations, sec. 4.411 (see Appendix E). If a decision is published in the Federal Register, a person not served with the decision must transmit a notice of appeal in time for it to be received in the appropriate office no later than 30 days after the date of publication.

It is my decision to approve a 500 kV transmission line right-of-way grant to Southern California Edison subject to the terms, conditions, stipulations, Plan of Development, and environmental protection measures developed by the Department of the Interior and reflected in this Record of Decision. This decision is effective on the date this Record of Decision is signed.

Approved by:

John R Kalish

7/13/2011

John R. Kalish
Palm Springs-South Coast Field Manager
Bureau of Land Management

Date

6.2 Forest Service Decision

6.2.1 Decision to Authorize Devers-Valley No. 2

Based on my review of the analysis as documented in the Final EIR/EIS, and a subsequent evaluation of the biological and archeological/heritage resources on National Forest System lands, I have decided to authorize the construction, operation, and maintenance of the Devers-Valley No. 2 (D-V 2) project on National Forest System lands under my jurisdiction.

The approved route as described in the Final EIR/EIS crosses approximately 2 miles of National Forest System lands. Authorization of this project will be implemented by issuing a 50 year special use easement that incorporates the existing D-V 1 transmission line, while authorizing the construction, operation, and maintenance of project facilities associated with the D-V 2 transmission line, including any necessary fiber optic lines. This decision does not change the location or dimensions of the existing D-V 1 easement, and all authorized activities are limited to the existing 330 foot wide easement area. No roads are authorized by this decision. Although the D-V Alternative corridor crosses through a designated wilderness area, the corridor itself was specifically excluded from wilderness by Congress (see Section 2.2.2 Transmission Line Route Alternatives: West of Devers of the Final EIR/EIS). No activities within designated wilderness are authorized by this decision.

The FS uses FS-2700-31 (easement) to authorize the special use easement for the Project; it includes the Project description and all other terms, conditions, stipulations, and measures required as part of the special use easement authorization. FS approval of location, design and plans (or standards, if appropriate) of all developments within the authorized area will be required prior to construction. SCE must obtain a NTP from the FS before it can commence construction on National Forest System lands.

The Forest Service cannot issue a special use authorization to SCE without ensuring its consistency with the San Bernardino National Forest Land Management Plan (LMP) and the Santa Rosa and San Jacinto National Monument Management Plan (Monument Plan). I have determined that issuance of a special use authorization for the Devers-Valley No. 2 Transmission Line is consistent with the LMP (2006) and the FS portion of the Monument Plan.

The Biological Assessment /Biological Evaluation (BA/BE) for the project on National Forest System lands determined that with mitigation, there would be no effect on any Threatened, Endangered, Proposed or Candidate plant or wildlife species or designated or proposed critical habitat on the National Forest.

Implementation of the proposed action as described may affect individual plants and animals, but is not likely to result in a trend toward federal listing or loss of viability for any species.

The analysis of effects on MIS species does not indicate a significant concern for any MIS potentially affected by the DPV2 project. The conservation measures incorporated into project design will effectively reduce potential impacts to the MIS present in the Project Area. The scope of this project is too small relative to the landscape setting across the San Bernardino

National Forest to have a measureable effect on MIS populations or their habitats at the Forest or Province level.

This decision applies only to National Forest System lands. This decision is conditioned on the terms of the Special Use Easement and implementation of mitigation measures and monitoring programs as identified in the Final EIR/EIS and the FS BE/BA, Wildlife and Botany Reports, and Management Indicator Species Evaluations (2009) as described this ROD. Mitigation Measures and Monitoring requirements for the Forest Service Portion of the project that are in addition to the general monitoring and mitigation measures in the Final EIR/EIS are included in Appendix G.

Construction of the Project may be phased. As required by the standard terms of the Special Use Easement, initiation of construction is conditioned upon final FS approval of the construction plans. This approval will take the form of a NTP for each phase of construction.

The Forest Service participated as a cooperating agency for the NEPA process for the selected alternative for the DPV2 Transmission Line Project. The regulations promulgated to implement NEPA (40 CFR 1506.3) provide that a cooperating agency may adopt, without recirculating, the environmental impact statement of a lead agency when, after an independent review of the statement, the cooperating agency concludes that its comments and suggestions have been satisfied. Based on my independent review of the statement, I have concluded that the Forest Service comments, suggestions, and requirements have been satisfied and I am adopting the Final EIR/EIS and associated record to support my decision.

In accordance with Forest Service regulations for processing special use applications (36 CFR 251.54(g)(2)(iii)), I am deferring to the CPUC and BLM determination of the overall purpose and need for the Project as described in the Project record, including CPUC Decision D.07-01-040, as modified by D.09-11-007. Based on their findings, I have concluded occupancy of National Forest System lands is appropriate and the Project is in the public interest.

6.2.2 Administrative Review (Appeal) Opportunities

This decision is subject to administrative review (appeal) pursuant to 36 CFR Part 215. In accordance with 36 CFR 215.11, for decisions made in conjunction with other Federal agencies, only that portion of the decision made by the Forest Service affecting National Forest System lands is subject to appeal under this part. The appeal must be filed (regular mail, fax, email, hand-delivery, or express delivery) with the Appeal Deciding Officer at:

Regular Mail:
Appeal Deciding Officer
Tom Tidwell, Chief
USDA Forest Service
Attn: EMC Appeals
Mailstop: 1104
1400 Independence Ave., SW
Washington, D.C. 20250-1104

Private Carrier or Hand Delivery*:
Appeal Deciding Officer
Tom Tidwell, Chief
USDA Forest Service
Ecosystem Management Coordination
Attn: Appeals
Yates BLDG., 3CEN
201 14th Street, SW
Washington, DC 20250

*Appeals may be hand delivered to this address between the hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, excluding federal holidays. The main phone line which can be used for carrier deliveries is 202-205-0895. That number is staffed during regular business hours. Forest Service Headquarters Contacts for Appeals is on the web at:

http://www.fs.fed.us/emc/applit/wo_contacts.htm.

Electronic appeals must be submitted in a format such as an email message, plain text (.txt), rich text format (.rtf), portable document format (.pdf) or Word (.doc) to appeals-chief@fs.fed.us or fax to (202) 205-1012. In cases where no identifiable name is attached to an electronic message, a verification of identity will be required. A scanned signature is one way to provide verification.

Appeals, including attachments, must be filed within 45 days from the publication date of the legal notice for the ROD in the Sacramento Bee, the newspaper of record. Appeals and attachments received after the 45 day appeal filing period will not be considered. The publication date in the Sacramento Bee is the exclusive means for calculating the close of the appeal filing period. Those wishing to appeal this decision should not rely upon dates or timeframe information provided by any other source.

Individuals or organizations who submitted comments or other expression of interest during the 45-day comment period for the draft environmental impact statement may appeal this decision as described in 36 CFR 215.11(a). The notice of appeal must meet the appeal content requirements at 36 CFR 215.14.

6.2.3 Implementation Date

If no appeals are filed within the 45-day time period, implementation of the decision may occur on, but not before, 5 business days from the close of the appeal filing period. When appeals are filed, implementation may occur on, but not before, the 15th business day following the date of the appeal decision (if the Forest Service is affirmed).

Approved by:

FOR _____ 7/13/11

Randy Moore, Regional Forester — Date
Pacific Southwest Region
Forest Service

7. References

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8. Appendices

APPENDIX A
PROGRAMMATIC AGREEMENT

APPENDIX B
BIOLOGICAL OPINION

APPENDIX C
MITIGATION MEASURES

APPENDIX D
ALTERNATIVES

APPENDIX E
COLORADO RIVER ALTERNATIVES AS IDENTIFIED IN THE FINAL SUPPLEMENTAL EIR, CPUC, APRIL 2011

APPENDIX F
INFORMATION ON FILING APPEALS

APPENDIX G
FOREST SERVICE ADDITIONAL MITIGATION MEASURES

Table Ap. 1-2. Alternatives Fully Analyzed in EIR/EIS

Alternative	Project Objectives, Purpose and Need	Feasible	Avoid/Reduce Environmental Effects
~~SCE Harquahala-West Alternative~~	~~Meets all project objectives.~~	~~Meets legal, regulatory, and technical feasibility criteria. Located in designated BLM Utility Corridor. Approval of TS-5 would not affect this route.~~	~~Meets environmental criteria. 14 miles shorter than the proposed route, eliminates 2 crossings of I-10, and reduces visual, biological, and recreation impacts in the areas of Big Horn Mountains Wilderness Area and Burnt Mountain.~~
~~SCE Palo Verde Alternative~~	~~Meets all project objectives.~~	~~Meets legal, regulatory, and technical feasibility criteria. Would serve as a back-up if SCE's con-tract to use Harquahala Generating Station as the termination point and acquire the Harquahala-Hassayampa 500 kV line falls through.~~	~~Meets environmental criteria. Similar environmental impacts to the Proposed Project and would reduce impacts to agricultural resources and biological impacts to the burrowing owl.~~
~~Harquahala Junction Switchyard Alternative~~	~~SCE would need to enter into an agreement with Harquahala Generating Company and Arizona Public Service (APS) in order to ac-quire the portion of the existing Harquahala- Hassayampa transmission line between the proposed Harquahala Junction Switchyard and Hassayampa Switchyard in order to complete DPV2. If a successful agreement can be established, this alternative would meet all objectives.~~	~~Meets legal, regulatory, and technical feasibility criteria. Arizona Corporation Commission's (ACC) approval of TS-5 Project, including an option to build the Harquahala Junction Switch-yard indicates that if APS chooses not to build the switching station, that this alternative would be regulatorily feasible. If it is not built by APS then SCE could pursue construction of the switchyard by seeking a similar ACC approval.~~	~~Meets environmental criteria. Eliminates or defers the need for ~18 total miles of new 500 kV transmission line and would lessen impacts to wildlife and habitat, vegetation, noxious weeds, and agriculture in comparison to the Proposed Project.~~
Alligator Rock–North of Desert Center Alternative	Meets all project objectives.	Meets legal, regulatory, and technical feasibility criteria.	Meets environmental criteria. Eliminates impacts to the highly sensitive biological and cultural area of Alligator Rock ACEC and would be located in a less sensitive area in terms of biological and cultural resources.
Alligator Rock–Blythe Energy Transmission Line Route Alternative	Meets all project objectives.	Meets legal, regulatory, and technical feasibility criteria.	Meets environmental criteria. Reduces biological and cultural impacts in the Alligator Rock ACEC in comparison to the proposed route.
Alligator Rock–South of I-10 Frontage Alternative	Meets all project objectives.	Meets legal, regulatory, and technical feasibility criteria. If DSWTP were built prior to DPV2, then there could be space constraints.	Meets environmental criteria. Reduces biological and cultural impacts in the Alligator Rock ACEC and avoids steeper rocky terrain farther south at the base of the mountains in comparison to the proposed route.
Devers-Valley No. 2 Alternative	Meets all project objectives.	Meets legal, regulatory, and technical feasibility criteria.	Meets environmental criteria. Eliminates the need for the WOD upgrades and avoids impacts associated with traversing high-density residential areas and tribal lands.
Desert Southwest Transmission Line Project Alternatives	Meets all project objectives.	Meets legal, regulatory, and technical feasibility criteria.	Meets environmental criteria. Similar impacts, but would require construction of 2 additional 25-acre substations and a double-circuit or two parallel 8.8-mile 500 kV lines from Keim to Midpoint Substations. Reduces impacts to biological and cultural resources in the vicinity of Alligator Rock ACEC.

Table Ap. 1-3.	Alternatives Eliminated from EIR/EIS Consideration After Detailed Screening			
Alternative	**Project Objectives, Purpose, and Need**	**Feasible**	**Avoid/Reduce Environmental Effects**	**Conclusions**
~~SCE North of Kofa NWR – South of I-10 Alternative~~	~~Meets all project objectives.~~	~~Meets legal, regulatory, and technical feasibility criteria. Eliminates policy issues associated with construction of a new line on protected refuge land, but would be outside of an established BLM Utility Corridor, so it would require BLM approval for creation of a new utility corridor. This requirement would not make the alternative infeasible, but adds to its regulatory complexity.~~	~~Avoids impacts to biological and recreational resources within Kofa NWR, but results in similar/greater impacts to these resources outside of Kofa NWR due to more permanent ground disturbance, habitat loss, and the creation of a new corridor. Greater recreational and visual impacts through the La Posa Recreation Areas and along I-10.~~	~~**Not analyzed due to greater significant impacts on resources.**~~
~~SCE North of Kofa NWR- North of I-10 Alternative~~	~~Meets all project objectives.~~	~~Meets legal and technical feasibility criteria. Eliminates policy issues associated with construction of a new line on protected refuge land, but may not be regulatorily feasible to obtain the required amendment to the Lower Gila South Resource Management Plan (RMP), which currently prohibits overhead transmission lines.~~	~~Avoids impacts to biological and recreational resources within Kofa NWR, but results in similar/greater impacts to these resources outside of Kofa NWR due to more permanent ground disturbance, habitat loss, and the creation of a new corridor. Greater recreational and visual impacts through the La Posa Recreation Areas and along I-10.~~	~~**Not analyzed due to greater significant impacts on resources and the challenges in obtaining regulatory approval.**~~
~~North of Kofa NWR Alternative~~	~~Meets all project objectives.~~	~~Meets legal, regulatory, and technical feasibility criteria. Eliminates policy inconsistencies associated with construction of a new transmission line on protected refuge land.~~	~~Avoids impacts to resources within Kofa NWR and reduces cultural resources impacts, but creates a new corridor with associated ground disturbance and habitat loss.~~	~~**Not analyzed due to substantially greater impacts to bighorn sheep, currently undisturbed biological resources, and to significant visual resources through previously undisturbed land.**~~
SCE North of Blythe Alternative	Meets all project objectives.	Meets technical feasibility criteria. Would be legally feasible only if the CRIT agrees to the lines being placed on its land. Regulatory feasibility of the route is questionable, because BLM approval of an RMP amendment would be required.	Eliminates biological, recreation, and visual impacts to Kofa NWR and reduces impacts to agricultural land, but greater impacts to biological resources and substantially greater impacts to visual and cultural resources, especially across the CRIT Reservation.	**Not analyzed due to greater significant impacts on resources and potential legal and/or regulatory infeasibility.**
SCE South of Blythe Alternative	Meets all project objectives.	Meets legal, regulatory, and technical feasibility criteria.	Reduces impacts to agricultural land, but greater ground disturbance with creation of a new transmission corridor. Greater visual and biological resources impacts by Colorado River and Cibola Wildlife Refuge. Higher cultural sensitivity in the Ripley Intaglio and 2 other major intaglio groups and in the Colorado River terraces, Mule Mountain ACEC, and the Palo Verde Mesa.	**Not analyzed due to much greater visual, land use, biological resources, recreation, and cultural resources impacts.**

Table Ap. 1-3.	Alternatives Eliminated from EIR/EIS Consideration After Detailed Screening			
Alternative	**Project Objectives, Purpose, and Need**	**Feasible**	**Avoid/Reduce Environmental Effects**	**Conclusions**
Paradise Valley Alternative	Meets all project objectives.	Meets technical feasibility criteria. The Paradise Valley Development and the movement of the utility corridor would not be regulatorily feasible if the suggested land exchange is not approved by BLM. Movement of the entire utility corridor (including DPV1) could not legally be pursued under CEQA/ NEPA	If the DPV1 line remains it its current location, the construction of the DPV2 line farther to the south creates greater construction impacts and permanent impacts, such as visual impacts in a new corridor. The Paradise Valley project area is bounded on the south by the Congressionally designated Mecca Hills and Orocopia Mountains Wilderness Areas, and on the north by the Joshua Tree National Park and contains valuable desert tortoise habitat.	**Not analyzed due to greater significant impacts on resources and potential legal and/or regulatory infeasibility.**
Mesa Verde Substation Alternative	Meets all project objectives.	Meets legal, regulatory, and technical feasibility criteria.	Would require longer access road construction and greater impacts to visual resources, biological resources, and land use.	**Not analyzed due to longer access road construction and greater impacts to visual resources, biological resources, and land use with no overall impact reduction.**
Wiley Well Substation Alternative	Meets all project objectives.	Meets legal, regulatory, and technical feasibility criteria.	Closer to an existing paved roadway and preferred for cultural resources, but greater visibility, recreational impacts due to its proximity to Chuckwalla Valley Dune Thicket ACEC, and biological impacts to sensitive species, such as Mojave fringed-toed lizard and desert tortoise.	**Not analyzed due to greater significant impacts on resources.**
North of Existing Morongo Corridor Alternative	Meets all project objectives.	Legal feasibility hinges on approval by the Morongo Tribe of the removal and rebuilding of the lines within the Morongo Indian Reservation. Technical feasibility issues exist with siting the four circuits in or at the base of the San Bernardino Mountains.	Reduces visual resources and land use impacts, but far greater impacts to biological and cultural resources and greater construction time and ground disturbance.	**Not analyzed due to feasibility concerns, the Morongo Tribe's consultation statements during the scoping period, and biological and cultural resources impacts.**
Composite Conductor Alternative	Use of the outmoded existing structures would leave the WOD corridor incapable of meeting the basic project objective of adding 1,200 MW of transmission import capability. Higher costs would make the economic objectives of the Proposed Project less likely to be achieved.	Meets legal, regulatory, and technical feasibility criteria.	The visual benefit of reducing the number of tower lines in the corridor would not be achieved. Structures could require slightly more frequent maintenance than new towers.	**Not analyzed due to failure to meet basic project objectives.**

Table Ap. 1-3.	Alternatives Eliminated from EIR/EIS Consideration After Detailed Screening			
Alternative	**Project Objectives, Purpose, and Need**	**Feasible**	**Avoid/Reduce Environmental Effects**	**Conclusions**
Convert DPV1 from AC to HVDC Trans-mission Line	Would not meet 2 of 4 project objectives. Outage of HVDC line would force SCE to impose SPS or RAS measures, which would conflict with Project Objectives of increased reliability, insurance value against extreme events, and flexibility in operating the grid. There would also be reduced likelihood of achieving the economic objectives.	Meets legal, regulatory, and technical feasibility criteria.	Requires permanent disruption of 20-40 acres and the introduction of a new industrial land use for each converter station, near Devers and the eastern termination point. Less flexibility for interconnections with other existing or proposed AC transmission lines in the CAISO system, which could lead to construction of additional AC facilities parallel to the HVDC line, such as DSWTP and/or BEPTL.	**Not analyzed due to failure to meet basic project objectives.**
Underground Alternative	Meets all project objectives. If a short segment were considered (e.g., to avoid a specific high impact area), these technologies may not be cost prohibitive to construct.	Meets legal, regulatory, and technical feasibility criteria. Reliability of underground 500 kV technologies has not been fully demonstrated.	Requires a continuous trench creating significant impacts to soils/erosion, cultural resources, biological resources as well as a longer construction time and the need for transition structures. Operational impacts would also be greater associated with maintenance, access to the lines, and longer repair times.	**Not analyzed due to significant environmental impacts, the unproven reliability for long-distance underground 500 kV trans-mission lines, the reliability concerns associated with the steep slopes and the active fault crossing, and the high cost of these technologies.**
New Conventional Generation	Would not meet the following project objectives of: adding transmission import capability into CA, pro-viding access to low-cost energy, or providing additional transmission infrastructure and improving the reliability and flexibility of the region's transmission system.	Meets legal, regulatory, and technical feasibility criteria.	The long-term operational environmental impacts of power plants (i.e., air emissions, water usage) can be balanced against the impacts of long transmission lines.	**Not analyzed due to failure to meet basic project objectives.**
Renewable Generation Resources	Would not meet the project objectives of increasing California's transmission import capability from the Southwest and enhance and support the competitive energy market in the Southwest.	Meets legal feasibility criteria. Each would not be able to produce 1,200 MW as is required for the DPV2 Project, but several different technologies could be combined. However, the permitting and construction of the various projects within the project timeline would be unlikely and each of the projects would still require the construction of transmission lines to bring the power into the Los Angeles area.	Avoids the specific impacts associated with the construction and operation of the Proposed Project, but new transmission would still be required from the renewable generation locations, creating impacts similar to those of the Proposed Project, which is proposed to transmit power from an already *existing* generation source.	**Not analyzed due to greater significant impacts on resources.**

Table Ap. 1-3. Alternatives Eliminated from EIR/EIS Consideration After Detailed Screening				
Alternative	**Project Objectives, Purpose, and Need**	**Feasible**	**Avoid/Reduce Environmental Effects**	**Conclusions**
Conservation and Demand-Side Management	DSM and conservation represent a small fraction of the total capacity requirement needed to meet SCE's import and supply reliability objectives. Would not meet project objectives.	Meets legal, regulatory, and technical feasibility criteria.	Reduces energy consumption, thus would reduce the need for power generation and new transmission lines. Avoids all effects of the Proposed Project.	**Not analyzed due to failure to meet basic project objectives.**
Distributed Generation	Most DG facilities are very small and it does not appear to be feasible to construct and operate a distributed generation alternative in sufficient quantity to meet projected demand growth that can be served by the large-scale generation in the Palo Verde area. Would not meet project objectives.	Would not be feasible to construct and operate a distributed generation alternative in quantity sufficient to meet projected demand growth that can be served by the large-scale generation in the Palo Verde area and no single entity has proposed implementing a substantial DG program.	Reduces linear construction impacts of transmission lines, because the source of energy generation would be in close proximity to the location of demand. Other environmental effects would depend on the type of generation used.	**Not analyzed due to failure to meet basic project objectives.**