

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



October 16, 2012

Ms. Suzan Benz
Environmental Project Manager
Devers-Palo Verde No. 2 Transmission Project
6 Point Drive, 1st Floor
Brea, CA 92821-6320

RE: SCE Devers-Palo Verde No. 2 Transmission Line Project – Variance Request #47

Dear Ms. Benz,

On October 4, 2012, Southern California Edison (SCE) submitted a variance request to the California Public Utilities Commission (CPUC) to relocate guard structure CRD-GS53B and to add a new access road to service CRD-GS53B and CRD-GS53C at Tower 2208 due to a constructability review completed along the Devers-Red Bluff segment of the Devers-Palo Verde No. 2 (DPV2) Transmission Project.

The CPUC voted on January 25, 2007 to approve the SCE DPV2 Transmission Line Project ([Decision D.07-01-040](#)). On May 14, 2008, SCE filed a Petition for Modification (PFM) of the existing Certificate for Public Convenience and Necessity (CPCN) approved per Decision D.07-01-040. SCE requested that the CPUC authorize SCE to construct DPV2 facilities in only the California portion of DPV2 and the Midpoint Substation (now called the Colorado River Substation) near Blythe, California. The CPUC approved SCE's PFM on November 20, 2009 in [Decision D.09-11-007](#).

After the CPUC's 2009 Decision regarding the PFM, several large solar power projects were proposed in the Blythe and Desert Center areas. SCE filed Permit to Construct applications addressing expansion of the Colorado River Substation and construction of a new Red Bluff Substation. These components were not covered in the original DPV2 Final EIR/EIS, because the solar power projects had not yet been proposed, and supplemental environmental review has been conducted. The Colorado River Substation Expansion and the Red Bluff Substation were both approved by the CPUC on July 14, 2011 in Decisions D.11-07-011 and D.11-07-020, respectively.

The BLM issued a Record of Decision approving the Project on July 19, 2011 and approved exclusionary fencing activities on August 23, 2011. The Project also crosses lands under jurisdiction of the U.S. Department of Agriculture Forest Service on the San Bernardino National Forest within an existing Forest Service-issued easement. The Forest Service will issue a revised easement signed by the Forest Supervisor. The area requested under this variance does not fall under Forest Service jurisdiction.

The CPUC also adopted a Mitigation, Monitoring, Compliance and Reporting Program (MMCRP) to ensure compliance with all mitigation measures imposed on the DPV2 Project during implementation. The MMCRP also acknowledges that minor project refinements as a result of final engineering are anticipated and common practice for construction efforts of this scale and that a Variance Request would be required for these activities. This letter documents the CPUC's thorough evaluation of all activities covered in this variance. The CPUC has concluded that the activities under this variance are located within the geographic boundary of the study area of the Final EIR/EIS and Supplemental EIR, and do not, without mitigation, result in a new significant impact or a substantial increase in the severity of a

previously identified significant impact based on the criteria used in the environmental documents; conflict with any mitigation measure or applicable law or policy; or trigger an additional permit requirement.

Variance #47, which approves relocating guard structure CRD-GS53B and adding a new access road to service CRD-GS53B and CRD-GS53C, is granted by CPUC for the proposed activities based on the factors described below.

SCE Variance Request. SCE has requested a variance under NTP #9 along the Devers-Red Bluff Transmission Line segment for relocation of the guard structure and addition of an access road to guard structures GS53B and GS53C. Excerpts from the SCE Variance Request, received on September 24, 2012, are presented below (indented):

Engineering changes of the Notice To Proceed Request (NTPR) baseline data (baseline) have been proposed for guard structure CRD-GS53B (GS53B) of Southern California Edison's (SCE's) Devers to Palo Verde No. 2 (DPV2) transmission line project. Proposed revisions include relocating the guard structure and adding a new access road to service GS53B and CRD- GS53C (GS53C).

The reason for the variance request is a constructability review that included review of conductor reel lengths, tower heights, major road crossings, existing transmission line crossings, access points and NTP approved guard pole/reel sites. Several changes to temporary disturbance areas for conductor stringing were identified as being needed as well as numerous locations were identified as not being required for construction.

CPUC Evaluation of Variance Request

In accordance with the MMCRP, the subject variance request was reviewed by CPUC to confirm that the proposed request was within the geographical context of the Final EIR/S and that no new impacts or increase in impact severity would result from the requested variance activities. The following discussion summarizes this analysis for biological resources, cultural resources, paleontological resources, noise/sensitive receptors, and other issue areas. A list of mitigation compliance conditions is presented below to define additional information and clarifications regarding mitigation requirements.

Biological Resources. The variance request is to relocate guard structure CRD-GS53B and add a new access road associated with CRD-GS53B and CRD-GS53C at Tower 2208. According to SCE's NTPR, these revisions have the potential to impact special-status species' habitats under this variance.

The variance will result in a net increase in temporary impacts (0.052 acres) to critical Coachella Valley fringe-toed lizard habitat. These disturbance impacts have been incorporated into the compensatory mitigation acreages addressed in SCE's Habitat Acquisition Proposal developed by Wildlands, Inc. and approved by the regulatory agencies in April 2012. Habitat restoration activities for temporary disturbance areas are described in the DPV2 Habitat Restoration and Compensation Plan, which is in the process of being revised and finalized (CH2M HILL, 2012b).

As conditioned below, SCE shall stake and provide updated maps showing the revised guard structure and access road disturbance areas to the CPUC EMs and all monitors in the field prior to construction activities. All mitigation measures, APMs, and conditions of the Biological Opinion (BO), shall be implemented at the subject disturbance areas. This includes, but is not limited to, providing a qualified USFWS, CPUC, and BLM approved biologist, pre-construction clearance sweeps, and maintaining speed limits.

Cultural Resources. The Final Historic Properties Management Plan (HPMP) for the Devers-Palo Verde No. 2 Project was accepted on October 20, 2011. No cultural resources were identified within or

immediately adjacent to the identified guard structure and access road revisions at Tower 2208. No NTP conditions are recommended.

Paleontological Resources. Based on the Paleontological Monitoring and Treatment Plan, submitted to the CPUC on April 20, 2011, the potential to encounter paleontological resources within the identified guard structure and access road revisions at Tower 2208 is low. Therefore, in accordance with the Plan, low sensitivity units must be monitored intermittently, to verify the low sensitivity classification, as determined by the Paleontological Resource Specialist.

Noise/Sensitive Receptors. There are no sensitive receptors in the vicinity of the revised guard structure and access road, and their use would have similar noise-generating activities to those occurring at Tower 2208. Appropriate noise and land use mitigation measures would apply. The overall scope and duration of construction activities has not changed as a result of the variance.

Other Issue Areas. No concerns noted under this variance.

Mitigation Compliance Conditions of Variance Approval.

The mitigation compliance conditions presented below shall be met by SCE and its contractors:

1. SCE shall provide updated maps showing the revised guard structure sites to the CPUC EMs and all monitors in the field prior to use.
2. Prior to use, SCE shall stake the limits of the revised guard structure disturbance areas to prevent off-road impacts. Any access roads that require improvements must be staked to the disturbance limits and validated by the CPUC Environmental Monitor prior to construction.
3. Surveys for CVFTL shall be conducted during the appropriate seasons (May 1 through the end of summer) and conditions for species identification. The duration of the surveys shall coincide with the duration of construction activities in potential habitat for this species that occurs during the active season. For any areas of suitable habitat, this measure shall apply. A Qualified Biologist will conduct preconstruction clearance surveys immediately prior to the initiation of ground disturbing activities during the active season, between April and October (inclusive of both months), in modeled/blow sand habitat and be present during all construction activities in these areas. The name and qualifications of the Qualified Biologist will be submitted to the BLM, Service, and CDFG for approval at least 30 days prior to project construction in modeled/blow sand habitat.
4. To the extent possible, all construction activities within modeled/blow sand habitat will be conducted during the active season, between April and October (inclusive of both months). Construction activities in modeled/blow sand habitat may be extended beyond the active season if exclusionary fencing is installed during the active season.
5. SCE shall conduct pre-construction surveys for special-status reptiles within 48 hours prior to initiation of construction activities. If special-status reptiles are identified in the Project area during construction, all activities adjacent to the identified location shall be halted and the animal will be allowed to move away from the construction site. If the individual is not moving, a qualified biologist will relocate it to nearby suitable habitat (in the shade of a shrub) outside of the construction area.
6. The CPUC EM shall be notified immediately of any unanticipated cultural, paleontological, or biological resource discoveries.
7. All crew members shall be Safe Worker and Environmental Awareness Program (SWEAP) trained prior to working on the project. A log shall be maintained on-site with the names of all crew personnel trained. For any crew members with limited English, a translator shall be on-site to ensure

understanding of the training program. In place of a translator, the SWEAP training brochure can be provided in Spanish or other languages as appropriate. All participants will receive a hard-hat sticker for ease of compliance verification.

Please contact me if you have any questions or concerns.

Sincerely,

Billie Blanchard

Billie Blanchard
CPUC Environmental Project Manager
DPV2 Transmission Project

cc: Kelly Pell, Southern California Edison
Patty Nevins, Southern California Edison
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