

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



February 3, 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 (DPV2) Transmission Line Project - Notice to Proceed (NTP #12)

Dear Ms. Benz:

On January 20, 2012, Southern California Edison (SCE) requested authorization from the California Public Utilities Commission (CPUC) to commence with construction and occupation of the Desert Center 3 Construction Yard to support construction of the Devers-Palo Verde No. 2 Transmission Line Project. The Desert Center 3 Yard would be located within the community of Desert Center located in eastern Riverside California.

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. The BLM issued NTPs for construction of the Red Bluff and Colorado River Substations and the overhead transmission line on its lands in September 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 Notice to Proceed (NTP) does not fall under Forest Service or BLM jurisdiction.

The Devers-Palo Verde No. 2 Transmission Project will be constructed in eight work packages, as defined on the CPUC's project website (<http://www.cpuc.ca.gov/Environment/info/aspen/dpv2/dpv2.htm>). It is anticipated that, even within the eight work packages, SCE will submit multiple separate requests for NTPs during the construction process. This is a typical process for transmission line projects. Given that the DPV2 Project has been approved by the CPUC and BLM, as described above, this segmented

construction review process allows SCE to proceed with individual project components where compliance with all applicable mitigation measures and conditions can be documented.

This letter documents the CPUC's thorough evaluation of all activities covered in this NTP, including the mitigation compliance table provided with the subject NTPR. The evaluation process ensures that all mitigation measures and Biological Opinion Conditions applicable to the location and activities covered in the NTP are implemented, as required in the CPUC's Decision and in BLM's Record of Decision (where applicable).

NTP #12 for the use of the Desert Center 3 Construction Yard is granted by CPUC based on the factors described below.

SCE NTP Request

The CPUC has carefully reviewed the NTP request (NTPR) submitted by SCE, and verified that it incorporates compliance with all applicable mitigation measures. Excerpts from the SCE NTPR dated January 20, 2012 are presented as follows (indented).

Construction equipment operating hours are planned to be from approximately 7:00 a.m. to 6:00 p.m. on weekdays or in accordance with an alternative schedule in compliance with the local jurisdiction. SCE has dedicated a DPV2 toll-free information line ([866] 602-3782) and website (www.sce.com/dpv2) for this Project. The information line is the designated public notification contact for DPV2, as described in the Project Wide Construction Notification Plan.

3.1 Construction Activities/Project Elements

Following is a list of activities and elements that will possibly be present or active throughout the construction and operation of the Desert Center 3 Yard include:

Construction Activities

- Installation of fencing, gates, screening and lighting
- Implementation, installation, maintenance, and removal of permit requirements (for example, Stormwater Pollution Prevention Plan [SWPPP] and Water Quality Management Plan [WQMP])
- Operation of construction equipment and vehicles
- Installation of temporary power
- Installation of paved driveways and driveway approaches
- Installation of trailers, restrooms and guard shacks
- Installation of gravel rock on the yard surface

Project Elements

- Marshaling location/vehicle parking
- Office trailers and portable toilets
- Welding and torch activities
- Security lighting
- Screening
- Material storage
- Shipping containers
- Fire equipment storage
- Fuel trucks and fuel storage tanks (less than 1,000 gallons)
- General office and security activities
- Roll-off trash containers

- Waste materials for recycling and disposal
- Vehicle refueling

4.0 SITE WORK AND ACTIVITIES

4.1 Access Routes

Access to the Desert Center 3 Yard will be via the proposed driveway entrance from Ragsdale Road, south of the yard.

4.2 Site Preparation

Site preparation work will include installation of BMPs. The site is currently flat and disturbed, and no grubbing or clearing of vegetation is required.

4.3 Underground and Belowground Activities

4.3.1 Major Underground Activities

Not applicable to this NTPR. No underground activities are planned for the construction yard.

4.3.2 Major Belowgrade Activities

Temporary power poles may be installed to provide power to trailers and other equipment at the yards.

4.3.3 Major Abovegrade Activities

Major abovegrade activities will include installation of fencing, gates, screening, lighting, trailers, portable restrooms, and gravel on the ground surface.

4.4 Parking/Staging

To support construction activities, parking and temporary staging is proposed along existing established roads adjacent to the yard boundary. All parking and staging will occur outside of any Environmentally Sensitive Area (ESA).

5.0 ACTIVITY SCHEDULE

Construction activities for the Desert Center 3 Yard is planned to commence February 2012.

CPUC Evaluation of Pre-Construction Mitigation Implementation

All applicable project mitigation measures, APMs, compliance plans, and permit conditions shall be implemented. Some measures have on-going/time-sensitive requirements and are required to be implemented prior to and during construction where applicable. For biological resources, those additional conditions are discussed and defined in this section. The Compliance Status Table in SCE's NTPR provides pre-construction compliance information for the other issue areas addressed by the DPV2 EIR/EIS.

Following the discussion of biological resources, cultural resources, paleontological resources, and land use/sensitive receptors, a list of numbered conditions is presented to define additional information and clarifications regarding outstanding requirements. In some cases, these items exceed the requirements of the Mitigation Measures and Applicant Proposed Measures, and are based on specific site conditions. In these cases, the conditions will not also appear in the NTPR mitigation compliance table.

Biological Resources

This section presents a background for biological resources that could occur at the Project area associated with the construction of the Desert Center #3 Construction Yard. This summary of biological issues is based on information provided in SCE's *Notice to Proceed Request for Desert Center 3 Construction Yard* (NTPR) (January, 2012) and a field verification study conducted on January 30, 2012 by Aspen Environmental Group (Aspen).

According to SCE's NTPR, construction activities associated with development of the Desert Center 3 Construction Yard would occur on two parcel lots that are currently situated on disturbed lands with compacted soils that support less than a one-percent cover of non-native vegetation. The proposed site is composed of a disturbed gravel lot which is commonly used for public parking. The area surrounding the site includes a paved public road (Ragsdale Road) and an abandoned building to the south, an active construction yard (SCE Desert Center 1 Construction Yard) and an existing storage yard (Desert Center Company Equipment Yard) to the north, ironwood (*Olneya tesota*) woodland to the west, and a paved public road (Rice Road/CA-177) to the east.

The USFWS Biological Opinion (BO), which includes all activities associated with the components of this NTP, was issued on January 11, 2011 for the DPV2 Project. Subsequently, the CDFG issued a 2080.1 Consistency Determination for the DPV2 Project on April 27, 2011. In accordance with the USFWS BO, the CDFG Consistency Determination, Mitigation Measures presented in the DPV2 Final EIR/EIS, and APMs included as part of project development, a Qualified Biologist(s) shall conduct the appropriate pre-construction clearance surveys for special-status species prior to any ground disturbing activities and shall be present throughout the duration of all construction activities associated with the components of the NTP. Additionally, SCE shall implement all other applicable conditions of the USFWS BO, CDFG Consistency Determination, Final EIR/EIS Mitigation Measures, and APMs for biological resources that occur, or could occur, in all areas subject to disturbance.

Special-Status Species. No special-status plant or wildlife species were detected in the Project area, including a 500-foot buffer, during pre-construction surveys conducted by SCE's biological resource subcontractor, Garcia and Associates (GANDA), on January 13, 2012. Additionally, due to the lack of suitable habitat, existing land uses, and surrounding development, none are expected to occur according to SCE's NTPR. Due to the level of disturbance that currently exists, the site is dominated by barren ground with small, sparse patches of ruderal vegetation, which provides very little habitat value for most plant and wildlife species. Some areas within the 500-foot buffer may support potential nesting habitat for avian species.

As required by Mitigation Measures and APMs provided in the DPV2 Final EIR/EIS, a Qualified Biologist will conduct pre-construction surveys for biological resources, including special-status plants and nesting birds, prior to the initiation of any activities associated with construction at the site. Additionally, SCE will provide qualified Biological Monitors throughout the duration of all construction activities. In the event that sensitive biological resources are discovered prior to or during construction activities, the Biological Monitor will establish appropriate buffers to avoid and/or minimize impacts. SCE will implement all other applicable Mitigation Measures of the Final EIR/EIS and APMs for biological resources that could occur in the project areas.

Jurisdictional Drainages. SCE reports that the Desert Center 3 Construction Yard site does not support any potential federal or State jurisdictional waters. However, one drainage ditch does occur in the 500-foot buffer area and is located to the southeast of Rice Road/CA-177 and Ragsdale Road. SCE shall obtain the appropriate agency permits prior to any construction activities that result in impacts to federal or State

jurisdictional waters. Additionally, SCE shall implement all applicable Final EIR/EIS Mitigation Measures, conditions of the USFWS BO and CDFG Consistency Determination, and APMs to avoid and/or minimize impacts to these areas. Any areas that would meet the criteria for federal and/or State jurisdiction that are disturbed during construction activities shall be mapped and the disturbance acreages shall be reported to the USFWS, CDFG, and CPUC to include in final mitigation/compensation requirements. Impacts to any area considered as federal wetlands shall be avoided throughout the duration of all construction activities.

Vegetation Management. Due to the levels of disturbance and development at the site, no native vegetation communities occur. Therefore, any activities associated with vegetation clearing are not expected to result in impacts to native vegetation communities and would be limited to ruderal plant species that currently sparsely occupy the site.

In order to ensure that ground disturbance is limited to overall areas defined in the NTPR, SCE shall clearly flag, stake, or mark all impact boundaries prior to any ground-disturbing activities associated with the components of this NTP. All work shall be strictly limited to defined boundaries.

A Noxious Weed Control Plan has been approved by the CPUC for the overall DPV2 Project. The purpose of this plan is to control the introduction and spread of non-native and invasive plant species in the project area or into adjacent undisturbed habitats during the project activity period. SCE shall implement all the conditions of this plan during project construction.

Cultural Resources

Based on background research and a site visit, no cultural resources were identified within the Desert Center 3 Construction Yard (DeCarlo and Eckhardt 2012). However, one previously recorded resource (Desert Center Post Office, a country store, and a former community church; P-33-005718) is located within the 200-foot buffer area of the proposed Yard. While these structures will not be impacted by construction of the Yard, it is recommended that a barrier be erected to establish this area as an Environmentally Sensitive Area (ESA). Therefore, in accordance with the Final Historic Properties Management Plan (HPMP), prior to construction of the Desert Center 3 Construction Yard, ESA flagging/fencing will be established around the resource to separate the northernmost building from construction activity.

In the event that an unanticipated discovery of cultural materials is made during construction of the Desert Center 3 Construction Yard, the find shall be managed in compliance with the following procedures provided in *Section 4.4 - Plan of Discovery of Cultural Resources* of the approved HPMP as itemized below:

- All work within 200 feet of the discovery will be halted and the onsite Archaeological Field Monitor will evaluate the discovery.
- The Environmental Monitor will notify the Lead Archaeological Monitor, Consultant Project Manager (CPM), Work Package Archaeologist(s) (WPA), or SCE Archaeologist (in that order) immediately.
- Activities within 200 feet of the discovery will not resume until the discovery has been assessed by a member of the Cultural Resources Team.

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 Desert Center 3 Construction Yard is

low. Furthermore, the proposed construction activities (i.e., fencing, lighting, trailers, portable restrooms, etc.) will require minimal ground disturbance and will occur entirely within the previously disturbed and graded lot. No NTP conditions are recommended.

In the event that a paleontological resource discovery is made during site development, all construction activities in the area of the discovery must cease, and the Discovery of Fossils protocol, as specified in the Plan must be followed (1-Notification, 2-Avoidance and Continued Construction Activities, and 3-Determining Significance of a Discovered Paleontological Resource).

Land Use and Sensitive Receptors

According to the NTPR, the proposed 2.6-acre site is situated on disturbed land with compacted soils that no longer support natural vegetation. The site is bordered to the south by Ragsdale Road and to the north by the Desert Center 1 Construction Yard. There are scattered rural residences in the area; however, the Desert Center 3 site is currently vacant and would be located adjacent to the existing Desert Center 1 Yard.

Conditions of NTP Approval

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

1. All applicable project mitigation measures, APMs, compliance plans, and permit conditions shall be implemented. Some measures have on-going/time-sensitive requirements and shall be implemented prior to and during construction where applicable. Please see the table of pre-construction requirements in SCE's NTPR. Bulleted items can be found below which provide additional information and clarifications to outstanding requirements.
2. Copies of all relevant permits, compliance plans, and this Notice to Proceed shall be available on site for the duration of construction activities.
3. Verification of noticing mailings including address lists, postings and newspaper postings, as required under Mitigation Measures L-1a, L-1e, WR-1a, and WR-1b shall be submitted to the CPUC prior to construction.
4. All crew members shall be trained through a Worker Environmental Awareness Program (WEAP) prior to working on the project. A log shall be maintained onsite with the names of all crew personnel trained. For any crew members with limited English, a translator shall be onsite to ensure understanding of the training program. In place of a translator, the WEAP 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.
5. Prior to the initiation of any ground-disturbing activities, all work area boundaries associated with temporary and permanent disturbance shall be clearly staked, flagged, or marked. All workers shall strictly limit access and vehicles to the designated work limits. Removal of any perennial, native vegetation in work areas shall be avoided to the maximum extent practicable.
6. SCE shall implement all conditions of the Final Noxious Weed Control Plan which specifies the locations of existing weed populations and provides appropriate measures to control the introduction and spread of noxious weeds into the Project area, worker training, specifications, and inspection procedures for construction materials and equipment used in the Project area.
7. Prior to entering the work area for the first time, all ground-disturbing equipment shall be thoroughly cleaned at an approved wash station, or other location with CPUC approval.

8. All seeds, straw wattles, gravel and fill material used during construction shall be certified weed free by the local County Agricultural Commissioner's Office.
9. SCE shall conduct pre-construction surveys for special-status plants within fourteen (14) days prior to construction activities within 100 feet of ground disturbing activities. If listed and/or sensitive plants are identified and cannot be avoided, SCE shall be responsible for the translocation of plants and/or collection of seeds from existing populations that would be impacted and the planting/reseeding of these plants in adjacent suitable habitat that would not be affected by construction activities. Prior to any ground-disturbing activities, the CPUC EM shall review and approve the survey results, and avoidance and disturbance flagging.
10. SCE shall conduct pre-construction surveys for sensitive wildlife in accordance with specific conditions provided in Final EIS/EIR Mitigation Measures. The location of sensitive species identified during the pre-construction surveys shall be provided to the CPUC on updated project maps.
11. Pre-construction surveys for breeding birds shall be conducted within 500 feet of disturbance limits by a CPUC-approved biologist at least fourteen (14) days prior to construction during the appropriate season. If federally or State listed birds with active nests are identified, a qualified biological monitor shall establish a 500-foot buffer around the nest and no activities will be allowed within the buffer until the young have fledged from the nest or the nest fails. A 300-foot buffer shall be implemented in the event that raptors or other species protected under the Migratory Bird Treaty Act (MBTA) are located. The biological monitor shall conduct regular monitoring of any identified nest to determine success/failure and to ensure that construction activities do not occur within established buffers until the nesting cycle is complete or the nest fails. There may be a reduction of these buffer zones depending on site-specific conditions or the existing ambient level of activity. SCE shall coordinate with CDFG and USFWS to determine the appropriate buffer zone.
12. 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.
13. SCE shall conduct biological monitoring in all areas of disturbance during construction activities. The biological monitor shall look for special-status wildlife that may be located within or immediately adjacent to construction areas. If special-status species are found, the biological monitor shall avoid or relocate in accordance to the appropriate Final EIR/EIS Mitigation Measures, APMs, and conditions of the USFWS BO.
14. Removal of perennial, native vegetation in work areas will be avoided to the maximum extent practicable.
15. Project personnel will not be allowed to bring pets into any work areas.
16. Road-killed animals or other carcasses detected within the project area will be picked up and disposed of immediately (e.g. removal to a landfill or disposal at SCE facility). For any special-status species road-kill, the qualified Biologist or FCR will contact CDFG and USFWS within 1 working day of receipt of the carcass for guidance on disposal or storage.
17. In the event that an unanticipated discovery of cultural materials is made during construction of the Desert Center 3 Yard, the find shall be managed in compliance with the following procedures provided in Section 4.4 - Plan of Discovery of Cultural Resources of the approved HPMP as itemized below:

- All work within 200 feet of the discovery shall be halted and the onsite Archaeological Field Monitor shall evaluate the discovery.
 - The Environmental Monitor shall notify the Lead Archaeological Monitor, Consultant Project Manager (CPM), Work Package Archaeologist(s) (WPA), or SCE Archaeologist (in that order) immediately.
 - Activities within 200 feet of the discovery shall not resume until the discovery has been assessed by a member of the Cultural Resources Team.
18. In the event that a paleontological resource discovery is made during site development, all construction activities in the area of the discovery must cease, and the Discovery of Fossils protocol, as specified in the Paleontological Monitoring and Treatment Plan will be followed (1-Notification, 2-Avoidance and Continued Construction Activities, and 3-Determining Significance of a Discovered Paleontological Resource).
 19. The CPUC Environmental Monitor (EM) shall be notified immediately of any unanticipated cultural, paleontological, or biological resource discoveries.
 20. SCE shall obtain required haul and ingress/egress and permits for any temporary lane closures from the County of Riverside or other jurisdictions as necessary. Copies of permits shall be submitted to the CPUC. If temporary lane closures are needed, SCE shall coordinate in advance with emergency service providers and shall provide documentation to the CPUC.
 21. In regard to the Hazardous Substance Control and Emergency Response Plan, to fully satisfy the intent of Mitigation Measure P-1b, documentation of training for personnel who would be working near or handling hazardous materials shall be submitted to the CPUC for review after completion of these training activities. Only trained personnel shall be allowed to work near or to handle hazardous materials.
 22. In accordance with Mitigation Measure P-1a, prior to project construction, documents prepared by the construction contractors should be submitted to the CPUC along with an acknowledgment that the SCE Certified Industrial Hygienist has reviewed and approved the documents to complete the submittals required for these measures. Documents that the construction contractor would be responsible for would include a hazardous materials inventory that will be used to prepare and/or modify the Hazardous Material Business Plan, documents providing SCE with the names and telephone numbers of persons responsible for the hazardous waste management, an Emergency Response Procedures document that follows SCE's emergency response procedures for the Project.
 23. No movement or staging of construction vehicles or equipment shall be allowed outside of the approved areas. If additional temporary workspace areas or access routes, or changes in technique and mitigation implementation to a lesser level are required, a Variance Request, as defined in the Mitigation Monitoring, Compliance and Reporting Plan for this project shall be submitted for CPUC review.
 24. No clearing or disturbance to vegetation shall occur outside of approved work areas.
 25. If construction debris or spills enter into environmentally sensitive areas, appropriate jurisdictional agencies and the CPUC EM shall be notified immediately.

DPV2 Project Notice to Proceed #11

December 9, 2011

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Please contact me if you have any questions or concerns.

Sincerely,

Billie Blanchard

Billie Blanchard

CPUC Environmental Project Manager

Devers-Palo Verde No. 2 Transmission Project

cc: Mary Jo Borak, CPUC Supervisor
Holly Roberts, BLM Palm Springs South Coast Field Office
Ysmael Wariner, BLM Palm Springs South Coast Field Office
Vida Strong, Aspen Environmental Group
Jamie Miner, Aspen Environmental Group
Rosina Gallego, Aspen Environmental Group
Jenny Slaughter, Aspen Environmental Group
Hedy Koczwarra, Aspen Environmental Group
Ryann Loomis, Aspen Environmental Group
Ryana Parker, Southern California Edison Company