

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



November 14, 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 #51

Dear Ms. Benz,

On October 24, 2012, Southern California Edison (SCE) submitted a variance request to the California Public Utilities Commission (CPUC) for addition of two temporary helicopter landing platforms, including walking paths at two platform locations, and the conversion of a tower from conventional construction to helicopter construction along the Devers-Red Bluff segment of the Devers-Palo Verde No. 2 (DPV2) Transmission Project. Additional information was provided on November 13.

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 #51, which approves the subject temporary landing platforms, including walking paths, and to convert a conventional tower construction site to helicopter construction, 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 segment for two temporary landing platforms, including walking paths at two platform locations, and to convert a conventional tower construction site to helicopter construction. Tower site 2413 which is located on BLM-administered land, will be approved separately by BLM, and thus, has been removed from this CPUC variance approval. Excerpts from the SCE Variance Request, received on October 24, 2012 are presented below (indented):

Reason for Variance. SCE requests a modification to the Devers to Red Bluff Transmission Line NTPR (NTP #9 dated December 2, 2011) by the CPUC, to include temporary landing platforms and to add additional helicopter construction sites.

Commercially available temporary platforms will be utilized at 3 tower sites, 2308, 2413 [on BLM-administered land] and 2423. The aluminum platforms will be utilized by the Contractor on a temporary basis in support of construction activities and removed upon completion. The aluminum platforms will be installed at grade and will be temporarily fixed in place to the surrounding terrain with conventional masonry fasteners. An example picture is included of the platform [in SCE's variance request]. These temporary platforms are currently utilized along the Devers-Valley transmission line. The three platforms are required to assist with personnel transport to the structure sites. The nearest approved access roads to towers 2308 and 2423 are at a great distance from the tower sites, in steep rugged terrain. Tower 2413 [under review by BLM] has a low conductor near the access road, which creates a safety concern.

The platforms will increase safety by allowing crews closer access to the tower sites and providing safer access to the site, will aid in quick evacuation in potential emergency situations, and will also limit the time that the crew members will be required to hike in hot weather conditions. To help minimize disturbance, landing platforms will not require grading but will require vegetation clearing to create a safe space for the helicopter to land where the rotor blades will not come into contact with foreign objects, such as vegetation. Walking paths are also proposed for sites where the platform is outside of the tower disturbance area.

The tower location proposed for conversion from conventional construction to helicopter construction, tower site 2421, included in this variance request is located in areas that present significant constructability issues due to topography and safety concerns. Conventional tower construction at these sites requires the use of spur roads and crane pads. Utilizing helicopter construction at the sites will eliminate the need for spur road construction in steep, mountainous and rocky areas, and will greatly reduce the temporary and permanent disturbances associated with conventional construction. Below is a summary of the proposed changes:

Site*	Tower	Proposed Change	Ownership
1	2308	Addition of temporary platform and walking path outside of temporary disturbance area	Private, SCE-owned land
3	2421	Change of conventional to helicopter construction	Private
4	2423	Addition of temporary platform inside the temporary disturbance area	Private

[*Note that Site #2 at Tower 2413 is located on BLM-administered lands and is not considered under this CPUC variance approval.]

CPUC Evaluation of Variance Request

In accordance with the MMCRP, the subject variance request was reviewed by CPUC to confirm that no new impacts or increase in impact severity would result from the requested variance activities. The following discussion summarizes this analysis for air quality, 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.

Air Quality. The necessity for additional helicopter construction is to increase safety by allowing crews closer access to the tower sites and providing safer access to the site, while avoiding the construction of access roads and crane pads. The temporary platforms will also aid in quick evacuation in potential emergency situations, and will limit the time that the crew members will be required to hike in hot weather conditions. Emissions associated with access road and crane pad construction would be avoided and existing air quality mitigation would be implemented. The overall scope and duration of construction activities has not changed as a result of the variance. There are no additional air quality concerns associated with this variance.

Biological Resources. The proposed change of using helicopter construction, rather than conventional construction, at Tower 2421 would not result in changes in impacts to desert tortoise habitat. However, implementation of the proposed temporary helicopter landing platforms for Towers 2308 and 2423 would result in 0.1925 acres of additional temporary impacts to modeled desert tortoise habitat, and 0.0817 acres of additional temporary impacts to critical desert tortoise habitat. No jurisdictional waters or special-status vegetation communities would be impacted by the proposed helicopter revisions at Towers 2308 and 2423.

Pre-construction surveys and field validation will still be required for any site that has not yet been released to SCE. Pre-construction desert tortoise clearance surveys shall be conducted by an Authorized Biologist immediately prior to construction activities within a 100 percent coverage area of all desert tortoise habitat (modeled, critical, and/or occupied) that will be subject to temporary and permanent disturbance.

Any 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 provide updated construction and biological resources constraints maps showing the helicopter platform sites and walking paths to the CPUC EMs and all monitors in the field prior to their installation/use. All mitigation measures, APMs, and conditions of the Biological Opinion (BO), should be implemented. This includes, but is not limited to, providing a qualified USFWS, CPUC, and BLM approved tortoise biologist and pre-construction clearance sweeps.

Cultural Resources. Based on background research and survey, no cultural resources were identified within the temporary helicopter landing platforms near Towers 2308 and 2423 and the associated walking paths. Therefore, there are no specific cultural resources conditions applicable to this variance.

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 temporary helicopter landing platforms near Towers 2308 and 2423 is low. Additionally, installation of the temporary platforms will require minimal ground disturbance. Therefore, there are no specific paleontological resources conditions applicable to this variance.

Noise/Sensitive Receptors. There are no sensitive receptors in the vicinity of the temporary helicopter platform sites. Use of the temporary sites would have similar noise-generating activities to those that will occur along the existing access and at the tower sites. Construction activities, including noise associated with helicopter usage, was addressed in the DPV2 Final EIR/EIS. Appropriate noise and land

use mitigation measures would apply. Any additional helicopter usage beyond this variance will be limited to the extent feasible in accordance with Mitigation Measure AQ-1g. 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. All applicable project mitigation measures, APMs, conditions of the Biological Opinion, compliance plans, permit conditions and NTP conditions shall be implemented. Some measures have on-going/time-sensitive requirements and shall be implemented prior to and during construction where applicable.
2. Copies of all relevant permits, compliance plans, and this Variance approval shall be available on site for the duration of construction activities.
3. Pre-construction surveys and CPUC/Aspen field validation shall still be required for any site that has not yet been released to SCE.
4. Pre-construction desert tortoise clearance surveys shall be conducted by an Authorized Biologist immediately prior to construction activities within a 100 percent coverage area of all desert tortoise habitat (modeled, critical, and/or occupied) that will be subject to temporary and permanent disturbance.
5. SCE shall provide updated maps showing the temporary platform sites and walking paths to the CPUC EMs and all monitors in the field prior to installation/use.
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
Vida Strong, Aspen Environmental Group
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