

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



September 19, 2011

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 #3)

Dear Ms. Benz:

On August 26, 2011, Southern California Edison (SCE) requested authorization from the California Public Utilities Commission (CPUC) to commence with occupation of the Beaumont 2 Construction Yard, located in the City of Beaumont to support construction along the Devers-to-Valley 500 kV transmission line segment of the Devers-Palo Verde No. 2 Transmission Line 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. 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 and the attached Compliance Status Table document the CPUC's thorough evaluation of all activities covered in this NTP. 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 #3 for the use of the Beaumont 2 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 NTP request dated August 26, 2011 are presented as follows (indented).

The Beaumont 2 Yard will serve as a material and equipment storage yard to support construction activities associated with DPV2. This section describes the Project components, including site facilities, operations, and site work associated with the proposed construction yard. Operating hours for the construction yard are planned to be from approximately 7:00 a.m. to 6:00 p.m. weekdays, or in accordance with an alternative schedule established by 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 and Operation Components/Activities

Following is a list of components and activities that will possibly be present or occurring throughout the operation of the yard:

Construction Activities

- None Required

Operation components and activities

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

3.1.1 Site Preparation

None required.

3.1.2 Access Routes

Access to the Beaumont 2 Yard is from the east on 3rd Street using an existing driveway in front of the yard, as shown on Figure 2. No improvements are required.

3.1.3 Underground and Aboveground Activities

Electrical service is currently in place; no underground or aboveground activities are planned for the construction yard.

3.1.4 Activity Schedule

Operation of the yard would commence in September 2011.

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 attached Compliance Status Table provides pre-construction compliance information for the other issue areas addressed by the DPV2 EIR/EIS.

Please see also the attached Compliance Status Table documenting pre-construction requirements identified in the Final EIR/EIS. Note that entries shaded in yellow must be completed prior to the start of construction. Entries shaded in green are to be conducted during construction and entries shaded in red are to be conducted post construction.

Following the discussion of biological, cultural, land use, and paleontological resources, a list of bulleted 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 Compliance Status Table.

Biological Resources

This section presents a background for biological resources that occur, or could potentially occur, at the Beaumont #2 Construction Yard project area. This summary of biological issues is based on information provided in the *Beaumont 2 Construction Yard Biological Review* (August, 2011) and a field verification study conducted on September 15, 2011 by Aspen Environmental Group (Aspen).

Activities associated with preparation of the construction yard would occur within a property that is currently enclosed by a block wall and metal gates. There are no native vegetation communities remaining on the property due to previous development, including installation of gravel base. The property is bordered by tilled agricultural fields, developed lots, a paved road, and ornamental vegetation.

No jurisdictional waters or special-status plant or wildlife species were identified during the most recent habitat assessments, site surveys, and field verifications. Due to the level of disturbance that exists at the property, only ruderal vegetation is supported, which provides little value for wildlife. However, the property does support limited nesting habitat on the ground and a killdeer nest was identified during an initial round of nesting bird surveys. The nest location was observed during the most recent studies and is no longer active. Additionally, some nesting habitat occurs within trees located just outside the property boundary.

In accordance with Mitigation Measure provided in the Final EIR/EIS and APMs, a Qualified Biologist will conduct pre-construction nesting bird and clearance surveys preceding initiation of any activities and Biological Monitoring will occur throughout all yard preparation activities. Additionally, SCE will implement all other applicable Mitigation Measures of the Final EIR/EIS and APMs for special-status species that could occur in the project area.

Mitigation Measure (MM) B-13a requires that Southern California Edison (SCE) demonstrate compliance with the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP). Although the Beaumont 2 Yard is located in Western Riverside County, MM B-13a does not apply because it is located on previously developed land and outside of the San Gorgonio River/San Bernardino-San Jacinto Mountains Linkage of the Western Riverside County MSHCP (refer to Variance # 6).

Vegetation Management. No activities resulting in ground-disturbance shall occur. Due to the lack of native vegetation, activities associated with preparation of the construction yard would not include vegetation clearing, with the exception of removal of ruderal plants.

A Weed Control Plan under Mitigation Measure B-2a is currently being prepared by SCE to control the introduction and spread of non-native and invasive plant species in the project area or into adjacent habitats during the project activity period. Yard preparation activities may commence prior to the final approval of this plan by the CPUC and BLM provided SCE has completed preliminary baseline invasive and noxious weed inventories and implements standard weed control measures throughout the duration of activities.

Cultural Resources

Based on background research and a site visit, there is no potential to encounter cultural resources at the Beaumont 2 Construction Yard site.¹ Furthermore, the proposed usage is consistent with the activities currently underway in the existing yard (material and equipment storage) and there will be no ground disturbance. No NTP conditions are recommended with respect to cultural resources.

Paleontological Resources

Based on the Paleontological Monitoring and Treatment Plan, submitted to the California Public Utilities Commission on April 20, 2011, the potential to encounter paleontological resources within the Beaumont 2 Construction Yard is low. In addition, no ground disturbing activities will take place within the yard. Therefore, no NTP conditions are recommended with respect to known paleontological resources.

Land Use and Sensitive Receptors

The Beaumont 2 Yard is an approximate 5-acre, privately-owned property located approximately 1,200 feet west of the intersection of East 3rd Street and Pennsylvania Avenue, on the south side of 3rd Street, in the City of Beaumont. The 5-acre site is fenced with a block wall, gated, completely paved, and has a modern, double-wide office trailer with restroom facilities. This site has previously been used as a material storage and office facility by the owner. The site is located in an area with industrial land uses and has been used for a similar level activity in the past.

¹ DeCarlo, Matthew M. and Williams T. Eckhardt. 2011. Cultural Resources Inventory of Three Alternate Construction Yards and the Desert Center DC-2 Yard Distribution Alignment for the Southern California Edison (SCE) Devers-Palo Verde 2 (DPV2) Project, Riverside County, California.

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 attached table of pre-construction requirements. Note that entries shaded in yellow shall be completed prior to the start of construction. Green entries shall be conducted during construction and red entries shall be conducted post-construction. 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, 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. The CPUC Environmental Monitor (EM) shall be notified immediately of any unanticipated cultural, paleontological, or biological resource discoveries.
6. SCE shall prepare a Noxious Weed Control Plan that will specify the location of existing weed populations, measures to control introduction and spread of noxious weeds in the project area, worker training, specifications, and inspection procedures for construction materials and equipment used in the project area. Yard preparation activities may commence prior to final approval of this plan by the CPUC and BLM provided SCE demonstrates documentation of baseline noxious weed inventories and implements standard weed control measures, as identified in Mitigation Measure B-2b.
7. SCE shall conduct biological monitoring during all yard preparation activities. The biological monitor shall look for sensitive wildlife that may be located within or immediately adjacent to the project area. If sensitive species are found, the biological monitor shall relocate in accordance to the appropriate Final EIR/EIR Mitigation Measures and APMs.
8. In compliance with Mitigation Measure B-5a, pre-construction surveys for breeding birds shall be conducted by a CPUC/BLM approved biologist at least ten (10) days prior to construction (during nesting season) in areas within 500 feet of project limits. 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.

9. "Survey sweeps", including those for nesting birds, will occur for biological resources immediately preceding and during project activities as part of required biological monitoring activities. Appropriate buffers shall be established as defined under Condition #8, above.
10. 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.
11. 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.
12. 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.
13. No clearing or disturbance to vegetation shall occur outside of approved work areas.

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
John Kalish, BLM Palm Spring South Coast Field Office
Vida Strong, Aspen Environmental Group
Jamie Miner, Aspen Environmental Group
Hedy Koczwarra, Aspen Environmental Group
Ryana Parker, Southern California Edison Company
Sheree James, Southern California Edison Company