

**PUBLIC UTILITIES COMMISSION**

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



November 28, 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 Transmission Line Project – Variance Request #14

Dear Ms. Benz,

On November 11, 2011, Southern California Edison (SCE) submitted a variance request to the California Public Utilities Commission (CPUC) for increased daily water usage for civil work at the Colorado River Substation, including access road improvements that cross through non-BLM lands for 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. 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 variance does not fall under Forest Service jurisdiction. Although the CRS well is located on BLM land, the CPUC is issuing this variance, because some water usage would support civil work on non-BLM lands.

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 temporary changes to the project 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, and that no new impacts or increase in impact severity would result from the requested variance activities.

Variance #14, which approves increased well water usage at the Colorado River Substation is granted by CPUC for the proposed activities based on the factors described below.

**SCE Variance Request.** SCE has requested a variance for the CRS, authorized under BLM's Notices to Proceed for the Colorado River Substation and the DPV2 overhead transmission line issued in September 2011. Excerpts from the SCE Variance Request, received November 11, 2011, are presented below (indented):

SCE is in the process of planning for the civil construction work at the Colorado River Substation (CRS). The civil work would include access road improvements that cross through non-BLM lands; therefore, SCE is requesting a variance from the CPUC for increased well pumping to support the civil work. More water is required to support construction than was analyzed in the Supplemental EIR (SEIR) for the CRS Expansion.

The SEIR stated that up to 300,000 gallons per day (gpd) would be needed for the civil work; however, up to double that amount could be required. Based on actual site conditions, SCE estimates that up to 600,000 gpd could be pumped from the CRS well to support the civil work. The SEIR also stated that the rate of groundwater pumping would be between 208 gallons per minute (gpm) for 24-hour pumping, and 500 gpm for 10-hour pumping.

Table D.4.3 in the SEIR provides an estimate of the construction water demand at the CRS. That table has been reproduced below and revised to include the new water use estimate. Revisions to the table to reflect the increased water usage are included in bold and italics.

<b>Table D.4.3: Estimate Construction Water Demand at CRS</b>			
Gallons/Day	Duration (months)	Total Gallons	Total Acre-feet
300,000	4-6	36,000,000 – 54,000,000	110.5 – 165.7
<b>600,000</b>	<b>4-6</b>	<b>72,000,000 – 108,000,000</b>	<b>221 – 331.4</b>
120,000	18	64,800,000	198.9
Total	22-24	100,800,000 – 118,800,000	309.3 – 364.6
<b>Revised Total</b>	<b>22-24</b>	<b>136,800,000 – 172,800,000</b>	<b>419.4 – 530.3</b>

The increase in daily water usage and groundwater pumping would not result in new impacts. To address the potential for groundwater pumping to adversely affect groundwater levels at two distant wells (located approximately 4,800 feet and 17,950 feet from the CRS well), the SEIR applied Mitigation Measure H-7b, which requires monitoring of the static water level at two privately-owned wells. This measure also requires SCE to compensate the owners of the wells if groundwater drawdown at the CRS well causes the groundwater level at the private wells to fall by 5 feet or more. Because the pumping rate with increased water usage (approximately 417 gpm) would be consistent with the flow rate discussed in the Supplemental EIR, the increase in daily water usage and groundwater pumping would not result in new impacts that could change Mitigation Measure H-7b, which would still apply.

No impacts to other resources are anticipated as no new physical improvements or disturbance areas would occur through increased groundwater withdrawals.

## CPUC Evaluation of Variance Request

In accordance with the MMCPRP, 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 water resources and other issue areas. A list of conditions is presented below to define additional information and clarifications regarding mitigation requirements. In some cases, these items exceed the requirements of the Mitigation Measures and Applicant Proposed Measures, and are based on specific site conditions and/or are proposed conditions by SCE.

**Water Resources.** The CPUC reviewed Variance Request #14 regarding increased well water usage at the Colorado River Substation. Mitigation measures that were identified in the SEIR and are applicable to this variance request include the following: MM H-7a (Groundwater Well Contingency Plan), MM H-7b (Groundwater Monitoring and Reporting), and MM H-7c (Water Supply Plan for Use of Colorado River Water). The increased groundwater usage described in this variance request would increase the potential for the project to cause or contribute to overdraft and/or drawdown conditions in the Chuckwalla Valley Groundwater Basin.

As described in Table D.4-1 of the SEIR, an estimate of safe yield in this groundwater basin is approximately 2,608 acre-feet per year (afy), which would accommodate the water usage of 221 to 331.4 acre-feet over 4 to 6 months proposed in this variance request. However, the increased pumping intensity included in this variance request would increase the potential for local drawdown conditions to occur, and associated potential for water to be drawn from below the Colorado River Accounting Surface of 234 feet below ground surface (bgs). Therefore, the

frequency of submittal of groundwater monitoring reports by the Applicant to the CPUC during construction, as required by Mitigation Measure H-7b, should be increased to a monthly schedule.

In accordance with Mitigation Measure H-7b, each groundwater monitoring report shall include water level and water quality monitoring data. If groundwater drawdown of 5 feet or more occurs at off-site wells, the CPUC shall require the Applicant to reduce groundwater pumping until water levels stabilize, and/or to provide compensation to the affected well owner(s), as determined appropriate by the CPUC. In addition, the CPUC shall require the Applicant to implement Mitigation Measure H-7c if the monthly groundwater monitoring reports during construction indicate that any project-related groundwater pumping draws water from below 234 feet bgs. Monthly review and approval of groundwater monitoring reports will allow the CPUC to more closely track groundwater usage at the CRS site, and to ensure that the measures identified in Mitigation Measures H-7a through H-7c are effectively implemented.

**Other Issue Areas.** No concerns noted under this variance.

**Conditions of Variance Approval.**

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

1. All applicable project mitigation measures, APMs, 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. The groundwater monitoring reports required per Mitigation Measure H-7b shall be submitted by the Applicant to the CPUC for review and approval on a monthly schedule during the construction period, as opposed to the quarterly schedule described in the CRS Expansion Final Supplemental EIR.
4. 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: Ryana Parker, Southern California Edison  
Sheree James, Southern California Edison  
Vida Strong, Aspen Environmental Group  
Hedy Koczwar, Aspen Environmental Group  
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