

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



March 21, 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 – Modification to Variance Request #21

Dear Ms. Benz,

On March 15, 2012, Southern California Edison (SCE) submitted a modification to Variance #21 (issued on January 31, 2012) to the California Public Utilities Commission (CPUC) for installation of two driveways and an underground water line adjacent to the approved stand tank locations at the Lake Tamarisk Resort water source for transmission line construction needs along the Colorado River-Devers 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 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 modification, and that no new impacts or increase in impact severity would result from the requested variance activities.

Modification to Variance #21, which approves the subject driveways and underground water line, is granted by CPUC for the proposed activities based on the factors described below.

SCE Variance Request. SCE has requested a Modification to Variance #21 for two 30-foot driveways and an underground water line at the water location at the Lake Tamarisk Desert Resort along the Colorado River-Devers segment. Excerpts from the SCE Variance Request, received March 15, 2012, are presented below (indented):

On 1/31/12, the CPUC issued Variance #21 for the use of a proposed fire hydrant and stand-tanks (three) to be utilized as the primary location for water on the Devers-Colorado River section of DPV2. Since that time, the County of Riverside has required as part of the encroachment permit, installation of two paved egress access points, as preventative measures against road egress degradation caused by project related access. The two driveway egresses, one off Oasis Road and one off of Parkview Drive, will be installed at the Lake Tamarisk Desert Resort. Driveways will be 30ft long, 20ft wide, and will have shaker plates and rock installed where the driveways meet the dirt lot.

Additionally, the Riverside County Development Agency is requiring an underground waterline between the hydrant and stand tanks to be buried to a depth of 6-8 inches or at a depth that is considered enough to provide adequate ground cover.

CPUC Evaluation of Variance Request

In accordance with the MMCRP, the subject variance request modification 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 biological resources, cultural resources, paleontological resources, noise/sensitive receptors, water resources, 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 Modification to Variance #21 (Lake Tamarisk Water Source) has been reviewed in the field and there are no biological resources concerns. However, the biological survey information included with the variance modification request was dated January 13, 2012 (prior to nesting season). Therefore, as a condition of the modification approval, SCE shall be required to conduct nesting bird surveys prior to initiating any construction activities.

All mitigation measures, APMs, and conditions of the Biological Opinion (BO) should be implemented at the water tanks location and along the water haul routes. This includes, but is not limited to, providing a qualified USFWS, CPUC, and BLM approved tortoise biologist, pre-construction clearance sweeps, and maintaining speed limits.

Cultural Resources. Based on background research and a site visit, no known cultural resources were identified within the vicinity of the existing hydrant and three stand-tanks. In addition, the proposed construction activities (i.e., installation of two paved egress access points and trenching to a depth of less than one-foot to bury a water line) are located within a formerly graded area and adjacent to an existing road and will be accessed via truck. All trucks will remain on existing roads. No cultural resource impacts are anticipated.

In the event of an unanticipated discovery of cultural materials within the work area for the offsite water sources, 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 Historic Properties Management Plan (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 (Plan), submitted to the California Public Utilities Commission on April 20, 2011, the potential to encounter paleontological resources within the identified offsite water sources is low. Furthermore, the proposed construction activities (i.e., installation of two paved egress access points and trenching to a depth of less than one-foot to bury a water line) will require minimal ground disturbance and will occur entirely within a previously disturbed area.

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).

Noise/Sensitive Receptors. The approved hydrant and stand tanks, and the proposed driveways and underground water line are located at Lake Tamarisk Desert Golf Resort off of Oasis Drive and Parkview Drive in the City of Chuckwalla. Lake Tamarisk Desert Golf Resort to the north and west is composed of manicured landscaping with date palm trees, paved roads, and small buildings to the south and east. Installation of the two 30-foot driveways and underground water line would be short-term and would have similar noise-generating activities to those that will occur for use at the construction yards and transmission line work areas. Appropriate noise and land use mitigation measures would apply. Specifically, unnecessary idling time would be minimized in the parking area with implementation of Mitigation Measure N-1a (Implement best management practices for construction noise) and AQ-1c (Restrict engine idling). In addition, the contractors would be accessing the already-approved existing fire hydrants and the overall scope and duration of construction activities has not changed as a result of the variance.

Water Resources. Under this variance, overall water usage would not change from the approved hydrant with the addition of the two driveways and underground water line. The hydrants would be equipped with a meter and water would be obtained from Riverside County Service Area 51. No additional groundwater would be utilized. Therefore, there are no specific water resources conditions applicable to this variance.

Other Issue Areas. No concerns noted under this variance.

Mitigation Compliance Conditions of Variance Approval.

The 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. SCE shall conduct nesting bird surveys, which shall be submitted to the CPUC EM, prior to initiating any construction activities.

4. In the event of an unanticipated discovery of cultural materials within the work area for the offsite water sources, 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 Historic Properties Management Plan (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.
5. 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).
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: Ryana Parker, Southern California Edison
Patty Nevins, Southern California Edison
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