

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 Transmission Line Project – Variance Request #22

Dear Ms. Benz,

On January 25, 2012, Southern California Edison (SCE) submitted a variance request to the California Public Utilities Commission (CPUC) for use of three water stand-tanks 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, and that no new impacts or increase in impact severity would result from the requested variance activities.

Variance #22, which approves the use of the three subject water stand-tanks, is granted by CPUC for the proposed activities based on the factors described below.

SCE Variance Request. SCE has requested a variance under NTPs #8 and #9 for a water tanks along the Colorado River-Devers segment. Excerpts from the SCE Variance Request, received January 25, 2012, are presented below (indented):

Southern California Edison (SCE) requests a variance for the CRS to Red Bluff and Red Bluff to Devers Transmission Line, identified in NTPs #8 and #9 for offsite water locations identified by the contractors needed for dust suppression.

NTPs #8 and #9 include requirements as part of the Fugitive Dust Emission Control Plan and Storm Water Pollution Prevention Plan (SWPPP) to water the site at least three times a day. In order to meet this requirement, the contractor has identified several locations for stand tanks in order to support construction activities in the surrounding area, as described below.

Stand-Tank Locations

Site Location	City	Latitude	Longitude
Desert Center Rice Rd/ Aztec Ave	Chuckwalla	N33.70864	W115.40017
Chuckwalla Valley Rd/ Corn Springs Rd	Chuckwalla	N33.68153	W115.24503
Wiley's Well Rd	Blythe	N33.590037	W114.89983

Potential activities to occur on stand-tank sites include:

- Parking and storage of a 10,000 gallon stand-tank (9ft wide by 35ft long)
- Driving of water trucks, as long as 60 feet to fill stand-tanks
- Parking of additional support vehicles and equipment during project hours

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 biological resources, cultural resources, paleontological resources, noise/sensitive receptors, 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.

Biological Resources. The three locations are located within critical habitat for the desert tortoise, but no special-status plant or wildlife species, or nesting birds were observed during SCE's surveys. The three water locations have been reviewed in the field by the CPUC EM and there are no biological resources concerns associated with this variance.

All mitigation measures, APMs, and conditions of the Biological Opinion (BO) should be implemented along the water tank 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, one resource, an existing paved road segment (P-33-017766; Chuckwalla Road/US Route 60/70), is within one of the three proposed stand tank areas. The Final Historic Properties Management Plan (HPMP) for the Devers-Palo Verde No. 2 Project was accepted on October 20, 2011. Per the HPMP, P-33-017766 has no management measures

and Chuckwalla Road is to be used to access existing access roads to the transmission centerline. In addition, all vehicles will remain on existing roads and no subsurface ground disturbing activities will be required. 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 California Public Utilities Commission on April 20, 2011, the potential to encounter paleontological resources within the three proposed stand tank areas is low. In addition, no subsurface ground disturbing activities will be required. Therefore, there are no specific paleontological resources conditions applicable to this variance.

Noise/Sensitive Receptors. The stand-tank areas are located in rural areas with no sensitive receptors nearby. Regardless, 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, use of the three stand-tanks would not change the overall scope and duration of construction activities as a result of the variance.

Water Resources. Under this variance, SCE would fill the stand-tanks utilizing already-approved existing fire hydrants with a metering device and overall water usage would not change. Water would be stored in the stand-tanks for use for dust suppression so 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.

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. The CPUC EM shall be notified immediately of any unanticipated cultural, paleontological, or biological resource discoveries.
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
Patty Nevins, Southern California Edison
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Vida Strong, Aspen Environmental Group
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