

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



February 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 – Variance Request #23

Dear Ms. Benz,

On January 27, 2012, Southern California Edison (SCE) submitted a variance request to the California Public Utilities Commission (CPUC) for 12 additional helicopter construction sites for transmission line construction needs 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 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 #23, which approves the additional 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 NTPs #10 for 12 additional helicopter construction sites. Excerpts from the SCE Variance Request, received January 27, 2012, are presented below (indented):

Southern California Edison (SCE) requests a variance from NTP#10 and MM AQ-1g for additional DPV2 transmission line helicopter construction. The proposed additional helicopter construction includes:

- A variance from NTP#10 and MM AQ-1g to convert 12 tower locations from conventional construction to helicopter construction for the Devers-Valley Transmission Line (Construction Numbers 1067, 1068, 1069, 1070, 1072, 1074, 1075, 1092, 1102, 1103, 1112 and 1113).
- A variance from MM AQ-1g for the use of helicopters to provide crew transport and facilitate hardware installation for DPV2 transmission line construction.

The 12 additional proposed helicopter construction sites included in this variance request are located in areas where the spur roads approved in NTP#10 present significant constructability issues due to topography. 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 spur road grading and crane pads.

Use of helicopters for crew transport and hardware installation for all DPV2 transmission line construction will decrease the number of trucks, cranes and other project equipment traveling along the 153 mile project alignment, which will result in fewer truck emissions, less vehicle track out, watering, and construction impacts at each site.

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. Site visits of the subject locations were also conducted by the CPUC EMs. The following discussion summarizes this analysis for air quality, biological resources, cultural resources, paleontological resources, noise/sensitive receptors, geological resources/soils, visual resources, and other issue areas. A list of conditions is presented below to define additional information and clarifications regarding compliance with previously-approved 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.

Air Quality. Mitigation Measure AQ-1g (Reduce helicopter use during construction) was developed in the DPV2 Final EIR/EIS based on the description of construction activities at the time of project approval, which did not include helicopter-based tower construction and did not include helicopter-based construction activities in the emissions impact analysis. Additionally, it was developed to ensure that helicopter emissions were reduced to the extent feasible by requiring use of the smallest practical helicopter.

SCE's variance request explains the need for helicopter construction to provide crew transport and facilitate hardware installation, noting remote tower locations, topography, and reduction in other impacts. Likewise there will be a corresponding reduction in some air quality emissions since construction of access roads would be avoided and tower site grading would be minimized due to micropile foundation installations. Additionally, the issue of regional impacts has been partially addressed by SCE's re-analysis of NOx emissions and obtaining appropriate emissions offsets to address Mitigation Measure AQ-1i (Obtain NOx emission offsets) requirements. However, Mitigation Measure AQ-1g is also meant to reduce other pollutant emissions that could result from high-emitting helicopter operations and to protect against emissions that could create local impacts. A few of the already-approved helicopter landing zones (HLZs) are located in the vicinity of residences. With the increase in

helicopter usage and support requirements under this variance (especially for use of large Skycrane helicopters), the potential concern of local impacts remains.

Additionally, Mitigation Measure AQ-1g (Reduce helicopter use during construction) states that SCE shall use helicopters of the smallest practical size for crew and material transport. In a response dated February 21, 2012, SCE stated that the lightest aircraft that will accomplish the mission safely is always used with variables factored in. Aircraft choice is typically made by the field "Airboss" according to load weight and site elevations, temperature and wind conditions with the lightest capable Aircraft chosen. The following types of helicopters would be required to cover the spectrum of missions required by the project:

- *KMAX* will be used for micropile drills and stands, portable batch plants, compressors, tower starter leg sections, anchors dead-end boards, long-line loads under 6,000 lbs.
- *500D* will be used for Human External Cargo (HEC), ladders, polymer insulators, light tools and rigging, spacers and carts, OPGW and phase conductor hardware, clipping materials, travelers, 1-3 crew transport, long-line loads under 1,000 lbs.
- *ASTAR* will be used for concrete buckets, compressors, dead-end boards, up to 5 crew transport, long-line loads under 3,000 lbs.
- *Skycrane* will be used for heavy lifts, steel, equipment under 20,000 lbs.
- *500F* will be used for sockline/strawline pulls, center phase needle pulls, HEC, ladders, polymer insulators, light tools and rigging, markerballs, spacers and carts, OPGW and phase conductor hardware, clipping materials, travelers, 1-3 crew transport, long-line loads under 1,500 lbs.

There are no additional air quality concerns associated with this variance.

Biological Resources. The proposed helicopter construction tower sites are located within tower survey areas that have been previously surveyed, were analyzed in the DPV2 Final EIR/EIS, and were field validated as part of NTP #10 for the Devers-Valley segment. No disturbance areas have changed. As stated in the variance request, utilizing helicopter construction instead of conventional construction will reduce road construction and site grading. Because no road improvements would be required and tower site grading would be minimized with the use of micropile construction, potential impacts from erosion and to biological resources would be minimized.

All appropriate mitigation measures, APMs, conditions in the Biological Opinion, and conditions in NTP #10 should be implemented. There are no additional biological resources concerns associated with this variance.

Cultural Resources. The Final Historic Properties Management Plan (HPMP) for the Devers-Palo Verde No. 2 Project was accepted on October 20, 2011. Two cultural resources sites were identified (P-33-001395; prehistoric rock ring and P-33-005066; prehistoric trail) within 50 feet of the work limit for towers proposed for helicopter construction. Therefore, in accordance with the Final Historic Properties Management Plan (HPMP), prior to construction of Tower No. 1067 and 1102, P-33-001395 and P-33-005066 will be fenced as Environmentally Sensitive Areas (ESAs) and monitored for avoidance.

In the event of an unanticipated discovery of cultural materials within the work limit for the towers proposed for helicopter construction, 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 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 CPUC on April 20, 2011, the potential to encounter paleontological resources near the 12 tower locations proposed for helicopter construction varies from low to high. However, the use of helicopters to deliver materials and equipment to these 12 tower locations will not cause any ground disturbing activities. Therefore, there are no specific paleontological resources conditions applicable to this variance.

Noise/Sensitive Receptors. There are no sensitive receptors in the immediate vicinity of the 12 proposed helicopter construction sites, although a few of the already-approved helicopter landing zones (HLZs) are located in the vicinity of residences. Construction activities, including noise associated with helicopter usage, was addressed in the DPV2 Final EIR/EIS. Additional helicopter usage beyond this variance will be limited to the extent feasible in accordance with Mitigation Measure AQ-1g (see also the discussion under Air Quality). Any affected residences will be notified of construction per the approved Construction Notification Plan as required in Mitigation Measure L-1a (Prepare Construction Notification Plan). There are no additional concerns noted for noise/sensitive receptors.

Geologic Resources/Soils. Based on field verification, the new access/spur roads that would need to be built absent helicopter construction would be of considerable length due to the remote nature of the sites and would require extensive grading due to rough terrain. Use of helicopter construction at the 12 sites will eliminate construction of the associated new access/spur roads, extensive travel on these dirt roads, as well as all associated erosion impacts.

Visual Resources. Use of helicopters instead of overland travel to access the 12 sites will eliminate all land scarring and visual impacts of the construction new access roads in these areas.

Other Issue Areas. No concerns noted under this variance.

Variance Approval - Compliance with Previously-Approved Measures

The conditions presented below shall be met by SCE and its contractors to ensure compliance with previously-approved measures:

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. In the event of an unanticipated discovery of cultural materials within the work limit for the towers proposed for helicopter construction, 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 HPMP as itemized below:

- All work within 200 feet of the discovery shall be halted and the onsite Archaeological Field Monitor shall evaluate the discovery.
 - The Environmental Monitor shall 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 shall not resume until the discovery has been assessed by a member of the Cultural Resources Team.
4. The CPUC EM shall be notified immediately of any unanticipated cultural, paleontological, or biological resource discoveries.
 5. 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
Sylvia Granados, Southern California Edison
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