

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



March 16, 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 #26

Dear Ms. Benz,

On March 9, 2012, Southern California Edison (SCE) submitted a variance request to the California Public Utilities Commission (CPUC) for use of a water source located at a private date farm north of Interstate 10, Corn Springs Road exits, for construction needs at the Red Bluff Substation 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 #26, which approves the subject water source, is granted by CPUC for the proposed activities based on the factors described below.

SCE Variance Request. SCE has requested a variance for a water location at a private date farm to enable SCE to have adequate water available for fugitive dust control activities to support grading activities at Red Bluff Substation. Excerpts from the SCE Variance Request, received March 9, 2012, are presented below (indented):

To authorize the use of a supplemental water source outside of the Red Bluff Substation, to enable SCE to have adequate water available for fugitive dust control activities to support grading activities.

The Red Bluff Substation Fugitive Dust Emission Control Plan, Storm Water Pollution Prevention Plan (SWPPP), and SCAQMD Rule 403, require the Contractor to water the site to prevent fugitive dust during construction activities. In order to meet this requirement, the Contractor has identified a supplemental offsite water source, located at a private date farm, north of the Interstate 10 Corn Springs Road exit. (Please see the attached map.)

SCE requests a variance to obtain supplemental water from the offsite water well, located at a private date farm, north of the Interstate 10 Corn Springs Road exit, shown on the attached map. The Contractor has obtained written approval from the owner of the private date farm, Cocopah Nursery. (Please see the attached documentation.)

Implementation of the Red Bluff mitigation measures and the Project FDECP (including SCAQMD Rule 403 measures) will ensure that there are no additional impacts associated with the transport of water from the date farm well to the Project site.

SCE has implemented all applicable surveys required under the project mitigation measures and BO conditions on the BLM portion of the access road leading to the private date farm. In addition, SCE will perform daily biological sweeps of the access road and water source location, prior to use. All activities associated with daily water transport to and from the water source will occur within the existing access road and water source location.

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.

Biological Resources. The access road and water source have been reviewed in the field. The access road leading to the water source is primarily located on BLM lands and the date farm is located on private property and is currently operational. Consequently, suitable habitat for special-status species is considerably reduced in this area. At the request of the property owner, no activities conducted on the date farm property would occur outside of existing access roads.

Additionally, SCE has stated that it will perform daily biological sweeps of the immediate road and water source location on private property prior to use, and that all activities will occur within the existing access road and water source location. Therefore, there are no biological resources concerns associated with this variance. However, to ensure that activities remain within the access road, the route to the water source shall be clearly identified with signs.

All mitigation measures, APMs, and conditions of the Biological Opinion (BO) should be implemented 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, no significant cultural resources were identified within the portion of the access road previously surveyed for cultural resources. In addition, the supplemental water source is located adjacent to an existing road and will be accessed via truck. All trucks will remain on existing roads. In the event that an unanticipated discovery of archaeological materials is made during use of the supplemental water source, all ground-disturbing work within the immediate area of the discovery will be suspended. Any new discoveries shall be managed in compliance with the following Plan of Discovery Procedures outlined in Section 8.6.3 Cultural Resources Unanticipated Discovery Procedures set forth in the Final Historic Properties Treatment Plan (HPTP) for the Desert Sunlight Solar Farm (DSSF) (Chandler and Mason 2011):

- Construction is halted within 200' of the discovery, and the Cultural Resources Monitor (CRM) will inspect the area for additional resources and notify the Project Archaeologist.
- If the find qualifies as an isolate that requires no avoidance, the discovery will be documented and reported in the DSSF Cultural Resources Monitoring Report.
- The Project Archaeologist notifies the BLM of the find within 24 hours. Construction work may resume in the area when the BLM receives notification of the discovery and approves the accompanying required information.
- If the discovery has the potential to be an historic property, and/or potentially significant, the Project Archaeologist will provide sufficient information regarding the find, to the BLM, and project owner. The prohibition on construction in the vicinity of the resource shall remain in force until the Project Archaeologist and BLM Archaeologist have consulted with respect to treatment of the discovery. Tribal monitors may suggest options for treatment of finds for consideration by BLM. BLM shall have ultimate authority over the treatment of new finds.

Paleontological Resources. Based on the Paleontological Monitoring and Treatment Plan (Plan; CH2M Hill 2011), submitted to the CPUC on April 20, 2011, the potential to encounter paleontological resources within or near the proposed supplemental water source for the Red Bluff Substation is low. In addition, no ground disturbing activities will take place within the identified areas. In the unlikely event that a paleontological resource discovery is made during use of the supplemental water source, all construction activities in the area of the discovery must cease, and the Discovery of Fossils protocol, as specified in the Plan will be followed (1-Notification, 2-Avoidance and Continued Construction Activities, and 3-Determining Significance of a Discovered Paleontological Resource).

Noise/Sensitive Receptors. The water source is an existing well located at an operational date farm. Use of the water source would have similar noise-generating activities to those that will occur for use at the Red Bluff Substation well. The overall scope and duration of construction activities has not changed as a result of the variance.

Water Resources. Under this variance, SCE would utilize an existing well. No additional groundwater would be utilized, because this well would supplement or replace the second/supplemental well at the Red Bluff Substation site and overall water usage would not change. 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 mitigation compliance 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 travel route to and from the water source shall be clearly identified with signs.
4. In the event that an unanticipated discovery of archaeological materials is made during use of the supplemental water source, all ground-disturbing work within the immediate area of the discovery will be suspended. Any new discoveries shall be managed in compliance with the following Plan of Discovery Procedures outlined in Section 8.6.3 Cultural Resources Unanticipated Discovery Procedures set forth in the Final Historic Properties Treatment Plan (HPTP) for the Desert Sunlight Solar Farm (DSSF) (Chandler and Mason 2011):
 - Construction is halted within 200' of the discovery, and the Cultural Resources Monitor (CRM) will inspect the area for additional resources and notify the Project Archaeologist.
 - If the find qualifies as an isolate that requires no avoidance, the discovery will be documented and reported in the DSSF Cultural Resources Monitoring Report.
 - The Project Archaeologist notifies the BLM of the find within 24 hours. Construction work may resume in the area when the BLM receives notification of the discovery and approves the accompanying required information.
 - If the discovery has the potential to be an historic property, and/or potentially significant, the Project Archaeologist will provide sufficient information regarding the find, to the BLM, and project owner. The prohibition on construction in the vicinity of the resource shall remain in force until the Project Archaeologist and BLM Archaeologist have consulted with respect to treatment of the discovery. Tribal monitors may suggest options for treatment of finds for consideration by BLM. BLM shall have ultimate authority over the treatment of new finds.
5. In the unlikely event that a paleontological resource discovery is made during use of the supplemental water source, all construction activities in the area of the discovery shall cease, and the Discovery of Fossils protocol, as specified in the Paleontological Monitoring and Treatment Plan shall 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.

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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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