

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



April 9, 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 #30

Dear Ms. Benz,

On March 23, 2012, Southern California Edison (SCE) submitted a variance request to the California Public Utilities Commission (CPUC) for several modifications to temporary disturbance areas for conductor stringing along the Colorado River Substation to Devers Substation 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 #30 for temporary disturbance area changes for conductor stringing along the Colorado River-Devers transmission line on private lands is granted by CPUC for the proposed activities based on the factors described below. The modifications covered under this variance that would be located on public (BLM) land would occur within the approved BLM right-of-way for the Project. As such, BLM has determined that these changes are within the scope of what was analyzed previously and are therefore approved.

SCE Variance Request. Due to final engineering, SCE has requested a variance for temporary changes to the areas of disturbance at tower sites along the DPV2 transmission line. Excerpts from the SCE Variance Request, received March 23, 2012, are presented below (indented) and the portion of the variance request located on private land is ***bolded and italicized***:

Subsequent to approval of the CRS to Red Bluff Transmission Line NTPR (NTP #8 dated December 1, 2011) by the California Public Utilities Commission (CPUC), a constructability review was completed and several changes to temporary disturbance areas for conductor stringing were identified as being needed to support the outage work planned for March-April 2012, as described below and shown in the attached map. For the disturbance areas listed below, the following information applies:

- Minor grading may be necessary in the requested areas.
 - Vegetation crushing or clearing and grubbing may occur.
 - Some vegetation trimming or minor clearing may be required to avoid contact between vegetation and conductor wires or winch lines, or for safety clearances.
1. Site M127-T2: A temporary disturbance area is needed just to the southeast of the base of tower CR1-5E to incorporate wire stringing and snubbing activities associated with tower M127-T2. Tower M127-T3 is currently proposed to be retired.
 2. Site CR1-4E: A temporary disturbance area is needed just to the southwest of the base of tower CR1-5E to incorporate wire stringing and snubbing activities associated with tower CR1-4E, within the existing ROW.
 3. Site CR1-2E: The NTP approved temporary work area (CRD-REEL105) originally allocated for conductor stringing through Construction No. CR1-2E is not needed for stringing of the DPV2 due to a change in PAR's pulling plan through this tower location.
 4. Site CR1-5W: The NTP approved temporary work area (CRD-REEL104) originally allocated for conductor stringing through Construction No. CR1-5W is not needed for stringing of the DPV2 due to a change in PAR's pulling plan through this tower location.
 5. Site 2651: The NTP approved temporary work areas (CRD-REEL97 and CRDREEL99) originally allocated for conductor stringing through Construction No. 2651 are not needed for stringing of the DPV2 due to a change in PAR's pulling plan through this tower location.
 6. Site CR1-4W: The NTP approved temporary work areas (CRD-REEL98 and CRD-REEL100) originally allocated for conductor stringing through Construction No. CR1-4W are not needed for stringing of the DPV2 due to a change in PAR's pulling plan through this tower location. A wire sleeve site and access road to the sleeve site is needed between towers CR1-2W and CR1-3W in order to string the DPV1 reroute section through the Colorado River Substation.
 7. Site 2648: A temporary disturbance area is needed just to the southeast of the base of tower 2648 to incorporate wire stringing and snubbing activities associated with tower 2649. Tower M129-T1 is currently proposed to be retired.
 8. Site CR1-2W: A temporary disturbance area is needed just to the south of the base of tower CR1-1W to incorporate wire stringing and snubbing activities associated with tower CR1-2W.
 9. Potential wire snub installation locations, located on the attached figure, are within the wire snub site disturbance areas. A snub site is an area used to anchor and hold power lines "conductors" to the ground to allow for the logistics of wire stringing activities. A conductor snub consists of a set of steel loop anchors imbedded in a concrete block, 4-6 feet (wide) by 2 feet (long) by 4 feet (deep), buried to a depth of approximately 10 feet. One set of steel loops is buried in a one-foot-wide sloped trench that extends perpendicularly from the concrete block towards the tower the snubbed conductor is strung through, while another set extends upward. Conductors are anchored to the steel loops.

All disturbance areas described above are within BLM land, except for the southwest pull site of Tower CR1-5E which is in private land.

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, and other issue areas. A list of mitigation compliance conditions is presented below to define additional information and clarifications regarding mitigation requirements.

Biological Resources. Based on field validation, previous biological surveys and SCE's biological memorandum, the disturbance area modifications (on both BLM and private land) would result in a net decrease of 3.47 acres of impact to occupied desert tortoise habitat (0.65 acres), and an increase in 2.92 acres of impact to Mojave fringe-toed lizard habitat. All of the modification sites fall within areas previously surveyed for the project; however, biological pre-construction surveys would still be required prior to use and results would be submitted to the CPUC's Environmental Monitor (EM) for validation.

As described in the mitigation compliance conditions below, all disturbance areas shall be clearly delineated and marked prior to any ground disturbance associated with the modified disturbance areas. All other areas have already been clearly flagged. Additionally, SCE shall provide updated maps showing the new disturbance limits to the CPUC EMs and all monitors in the field prior to construction in the revised areas at the affected tower sites.

All mitigation measures, APMs, and conditions of the Biological Opinion (BO) should be implemented at the sites. 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. There are no other biological resources concerns noted under 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. Three cultural resources sites were identified (P-33-012278; prehistoric bedrock milling site, P-33-017763; historic refuse scatter, and P-33-014943; prehistoric petroglyphs and rock shelter) within 50 feet of the proposed shift in disturbance area to towers (on both BLM and private land). However, the new disturbance areas do not affect the management measures that are required at these towers per the DPV2 HPMP. Therefore, the conditions provided in NTP #8, NTP #9, and NTP#10 will apply to this variance request and the following cultural resources management measures are required during construction activities:

Site Number	NRHP ¹ Eligibility	Proposed Mitigation
P-33-014943	Not Evaluated	ESA ² fencing and monitor avoidance
P-33-012278	Not Evaluated	No Grading signs and monitor avoidance
P-33-017763	Recommended ineligible; site was evaluated during testing for DPV2	Monitor construction

¹ NRHP = National Register of Historic Places, ² ESA = Environmentally Sensitive Area

Paleontological Resources. Based on the Paleontological Monitoring and Treatment Plan, submitted to the CPUC on April 20, 2011, the potential to encounter paleontological resources near the areas defined in this variance request varies from low to high. However, the movement of the disturbance area does not affect the level of sensitivity for paleontological resources. The conditions provided in NTP #8, NTP #9, and NTP #10 would apply to this variance and no other mitigation compliance conditions are recommended.

Noise/Sensitive Receptors. The minor changes to disturbance areas along the transmission line alignments would not be in the vicinity of sensitive receptors. Although there are existing residences nearby, the modified disturbance areas would have similar noise-generating activities to those that will occur at the tower sites already and the movement of the disturbance area within the right-of-way would not change the level of noise. The overall scope and duration of construction activities has not changed as a result of the 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. Pre-construction surveys shall be conducted, as applicable, and all disturbance areas shall be clearly delineated and marked prior to any ground disturbance associated with the use of the temporary modified disturbance areas and results would be submitted to the CPUC's EM for validation.
4. The modified disturbance areas shall be clearly delineated and marked prior to any ground disturbance associated with the structures/sites.
5. SCE shall provide updated maps showing the new disturbance limits to the CPUC EMs and all monitors in the field prior to construction in the revised areas at the affected tower sites. Updated maps can be provided prior to construction by tower location (s).
6. In accordance with the Final Historic Properties Management Plan (HPMP), prior to ground-disturbing activities, Site P-33-014943 will be fenced as an Environmentally Sensitive Area (ESA) and monitored for avoidance; Site P-33-012278 will have no grading signs installed and be monitored for avoidance; and Site P-33-017763 will be monitored during construction.
7. The CPUC EM shall be notified immediately of any unanticipated cultural, paleontological, or biological resource discoveries.
8. 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
Sheree James, Southern California Edison
Vida Strong, Aspen Environmental Group
Hedy Koczwara, Aspen Environmental Group
Jamison Miner, Aspen Environmental Group
Rosina Gallego, Aspen Environmental Group
Ryann Loomis, Aspen Environmental Group