

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



May 14, 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 #35

Dear Ms. Benz,

On May 11, 2012, Southern California Edison (SCE) submitted a variance request to the California Public Utilities Commission (CPUC) for Mitigation Measure V-1a to eliminate construction screening of the Devers Substation expansion area 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 #35, which eliminates construction screening of the Devers Substation expansion area, is granted by CPUC for the proposed activities based on the factors described below.

SCE Variance Request. SCE has requested a variance to Mitigation Measure V-1a to eliminate construction screening of the Devers Substation expansion area. The Devers Substation expansion area was approved for construction by the CPUC under Notice to Proceed #13 (dated May 9, 2012). Excerpts from the SCE Variance Request, received May 11, 2012, are presented below (indented):

MM V-1a requires the installation of screened construction fencing at Substation construction sites to reduce the visibility of construction activities and equipment from areas of high public visibility.

SCE requests a variance to eliminate the installation of screened construction fencing in the Devers Substation Expansion area, because the installation would not serve the purpose intended by the mitigation measure.

Construction activities in the Devers Substation Expansion area will not adversely impact sensitive receptors. The expansion area is setback from Powerline Road, approximately one half mile to the north, as shown in the attached figure and photographs. Powerline Road currently functions as an access road to and from the Devers Construction Yard. Construction vehicles traveling to and from the yard will not be adversely impacted by similar construction activity setback approximately one half mile to the north of the road, in the expansion area.

Within approximately 1 month of the start of construction, the expansion area will be filled approximately 15 feet above the current ground elevation, to meet the finished grade of the existing substation pad. If construction fencing is installed prior to construction, it will function to screen the dirt slope rather than construction activities, contrary to the intent of the mitigation measure. If the fence is raised to meet finish grade, the screening will serve no visual purpose, because the existing Substation is not visually enclosed by a perimeter wall. Construction activity to and from the expansion area as well as inside of the expansion area, will be visible through the existing chain link fence surrounding the Substation.

The area surrounding the Devers Substation is primarily characterized by industrial use with extensive development of wind energy and transmission infrastructure. Multiple energy power plants have recently been constructed in close proximity to the Substation, in order to connect to the SCE transmission system and minimize environmental impacts. Therefore visual impacts as a result of the limited expansion area construction are insignificant to the surrounding visual receptors.

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

Visual Resources. As stated in SCE's variance request, the area surrounding the Devers Substation is primarily characterized by industrial use with extensive development of wind energy and transmission infrastructure. The closest sensitive receptor is approximately one mile to the southeast of the project with no view of the expansion area. Given the surrounding land uses and that construction activities would be visible above the fence line shortly after the start of construction, there are no visual resources concerns associated with elimination of the construction screening fence and approval of this variance under Mitigation Measure V-1a. Once the grade is finished, the area would have a chain link fence similar to what is installed at the existing Devers Substation.

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 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
CPUC Environmental Project Manager
DPV2 Transmission Project

cc: Ryana Parker, Southern California Edison
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