PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

December 1, 2011

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 (DPV2) Transmission Line Project - Notice to Proceed (NTP #7)

Dear Ms. Benz:

On September 8, 2011, Southern California Edison (SCE) requested authorization from the California Public Utilities Commission (CPUC) for a minor relocation of the existing Devers-Valley 500 kV transmission line as part of the Devers-Palo Verde No. 2 Transmission Line Project. The DV1 Minor Relocation consists of construction of stub roads, foundations, steel assembly, erection of four lattice steel towers (LSTs), and the installation of associated hardware assemblies and interconnecting wires. It also includes the removal of structures, foundations, associated hardware assemblies, and interconnecting wires for three existing LSTs (M15-T1, M15-T2, and M15-T3). Additional information was submitted on October 17 and 26 and November 8 and 30, 2011.

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. 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 Notice to Proceed (NTP) does not fall under Forest Service or BLM jurisdiction.

The Devers-Palo Verde No. 2 Transmission Project will be constructed in eight work packages, as defined on the CPUC's project website (http://www.cpuc.ca.gov/Environment/info/aspen/dpv2/dpv2.htm). It is anticipated that, even within the eight work packages, SCE will submit multiple separate requests for NTPs during the construction process. This is a typical process for transmission line projects. Given that the DPV2 Project has been approved by the CPUC and BLM, as described above, this segmented

construction review process allows SCE to proceed with individual project components where compliance with all applicable mitigation measures and conditions can be documented.

This letter documents the CPUC's thorough evaluation of all activities covered in this NTP, including the mitigation compliance table provided with the subject NTPR. The evaluation process ensures that all mitigation measures and Biological Opinion Conditions applicable to the location and activities covered in the NTP are implemented, as required in the CPUC's Decision and in BLM's Record of Decision (where applicable).

NTP #7 for the minor relocation of the Devers-Valley No. 1 500 kV transmission line is granted by CPUC based on the factors described below.

SCE NTP Request

The CPUC has carefully reviewed the NTP request (NTPR) submitted by SCE, and verified that it incorporates compliance with all applicable mitigation measures. Excerpts from the SCE NTP request dated September 8, 2011 are presented as follows (indented).

> This section describes the Project components, including site facilities, operations, and site work associated with DV1 Minor Relocation including installation and required removal/demolition. Construction equipment operating hours for work on the ROW associated with installation and removal of the DV1 Minor Relocation are planned to be from approximately 7:00 a.m. to 6:00 p.m. weekdays, or in accordance with an alternative schedule established by the local jurisdiction. Southern California Edison (SCE) has dedicated a DPV2 toll-free information line (866-602-3782) and website (www.sce.com/dpv2) for this project. The information line is the designated public notification contact for DPV2, as described in the Project Wide Construction Notification Plan.
>
> **3.1 Construction Activities and Operation Components/Activities**
>
> Following is a list of elements and activities that will possibly be present or active throughout the construction of the DV1 Minor Relocation.
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> **Project Elements**
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> - New stub roads and maintenance of existing access roads
> - Wire setup sites (that is, pull sites, wire splice sites, tensioning sites)
> - Transmission foundations, structures, and wires
> - Temporary guard structures
>
> **Construction Activities**
>
> - Grading and excavation
> - Removal of existing foundations, structures, and wires
> - Installation of foundations, tower/pole structures, and wires
> - Operation of construction equipment and vehicles
> - Operation of helicopters
> - Installation, maintenance and removal of guard structures
> - Implementation, installation, maintenance, and removal of permit requirements (for example, Stormwater Pollution Prevention Plan [SWPPP])
> - Operation of water trucks

- Material salvage and disposal

3.2 Site Work

Site work for the removal and installation of the transmission line will include grading for stub roads and site preparation; removal of existing transmission structures/foundations, wires, and hardware assemblies; and installation of new transmission structures/foundations, wires, and hardware assemblies. Specific information on these activities is provided in the following section.

3.2.1 Access Routes

Constructing the DV1 Minor Relocation stub roads will involve clearing, grubbing, and grading for stub roads. All new stub roads and planned improvements to existing roads have been designed to be a 14-feet-wide roadway. Berms or swales approximately 2 to 3 feet wide will be created on each side of the roadway where necessary. Additionally, roadway width will be required to accommodate vehicle turning, vehicle turnouts, sidecast, and backslope.

3.2.2 Site Preparation

Construction activities associated with the installation DV1 Minor Relocation will require grading and other site preparation activities. Some of these activities would be temporary (for example, construction roads, land disturbance for pull site, construction staging areas, and crane pads associated with tower assembly and erection). Other construction activities would be permanent, and the land would remain in use after construction (for example, tower footings and stub roads). Typically, the staging area for construction activities would require an area of approximately 200 by 200 feet at each tower. Typically, in locations of relatively level terrain, only vegetation removal would occur to prepare the site for construction.

To support the equipment and vehicle traffic, the graded area may be compacted. Site preparation will be necessary to accommodate removal of existing structures, installation of new tower sites, and to perform crane operation during the assembly and erection of tower structures.

Approximately six wire setup sites and three temporary guard structure set up sites will be required for construction of the DV1 Minor Relocation. Each pull/tension site, wire splice site, and wire setup will typically occupy a work area measuring approximately 300 feet by 150 feet.

All site preparation will be conducted in compliance with all permit requirements and will include installation of SWPPP best management practices.

3.2.3 Major Underground Activities

Not applicable to this NTP.

3.2.4 Major Below-grade Activities

It is anticipated that below-grade activities such as excavation, drilling, foundation installation, and removal will be performed for construction of the DV1 Minor Relocation. Construction of the new LSTs will require construction of drilled concrete pier foundations. Planned below-grade activities for construction of the DV1 Minor Relocation are summarized as follows:

- **Construction of Foundations for Four LSTs.** LSTs will require four excavated holes of approximately 3 to 7 feet in diameter and 20 to 40 feet deep. This activity will occur between tower numbers R1 and R4.
- **Removal of Existing Three LSTs Foundations.** All foundations (inclusive of reinforcing steel, stub angles) associated with the three existing towers (M15-T1, M15-T2, and M15-T3), will be removed to a depth of at least 2 feet below grade with the excavation filled and compacted to match the surrounding grade. Waste material will be disposed lawfully. All other existing footing foundations would remain in place.

3.2.5 Major Above-grade Activities

The DV1 Minor Relocation consists of the removal of three existing DPV1 line structure (M15-T1, M15-T2, and M15-T3), the construction of four LSTs, and wire installation for DV1 line. Planned above-grade activities are summarized as follows:

- **Construction of Four LSTs.** This scope is to be initiated during the first quarter of 2012 and completed in the second quarter of 2012. Completion of this work is to occur in conjunction with the scheduled DPV1 outage in April to May 2012. Pre-outage work will include the installation of two LSTs and associated hardware, interconnecting wires. And the remaining scope will be completed during the outage. All tower structures will be assembled and erected by cranes, and helicopter support may be utilized for installing sock line during wire pulling operations.
- **Removal of Existing Three LSTs.** The existing tower structures (M15-T1, M15-T2, and M15-T3) will be removed, after the relocation of DV1 line is completed. Activities will consist of dismantling the structures, associate wires, and hardware assemblies.

3.2.6 Other Activities

Water trucks will be used for dust control during the construction to obtain compliance with South Coast Air Quality Management District requirements and Project mitigation requirements. Helicopter support may be used during the installation of wires and hardware. The helicopter landing zones have been identified and will be included in a separate NTPR.

4.0 ACTIVITY SCHEDULE

The activity schedule for the DV1 Minor Relocation construction activities is shown in Figure 1: Construction Schedule.

CPUC Evaluation of Pre-Construction Mitigation Implementation

All applicable project mitigation measures, APMs, compliance plans, and permit conditions shall be implemented. Some measures have on-going/time-sensitive requirements and are required to be implemented prior to and during construction where applicable. For biological resources, those additional conditions are discussed and defined in this section. The mitigation compliance table provided with the NTPR provides pre-construction compliance information for the other issue areas addressed by the DPV2 EIR/EIS.

Following the discussion of biological, cultural, land use, geologic, water, transportation, and paleontological resources, a list of numbered conditions is presented to define additional information and clarifications regarding outstanding requirements. In some cases, these items exceed the requirements of the Mitigation Measures and Applicant Proposed Measures, and are based on specific site conditions. In these cases, the conditions will not also appear in the Compliance Status Table.

Biological Resources

This section presents a background for biological resources that occur, or could potentially occur, at the Project area associated with the Devers-Valley No. 1 Line (DV1) Minor Relocation. This summary of biological issues is based on information provided in SCE's *Notice to Proceed Request for Devers-Valley Minor Relocation*, *Devers to Valley No. 1 Transmission Line Relocation Biological Review* (February, 2011) and a field verification study conducted on September 21, 2011 by Aspen Environmental Group (Aspen).

Construction activities associated with the DPV1 relocation components included in this NTP would primarily occur within SCE's existing right-of-way adjacent to Devers Valley No. 2 (DV2) alignment between Tower #1061 and #1064. According to SCE's Biological Review, these activities would occur in, or adjacent to, eight land cover types, five of which represent native vegetation communities. Native

habitats occurring in this NTP project area include California joint fir scrub, catclaw acacia thorn scrub, desert willow woodland, scale broom scrub, and sandy to cobbly wash bottom. Permanent and/or temporary impacts are anticipated in each of these, as well as other non-native or disturbed, habitats as a result of activities associated with tower footings, access roads, crane pads, wire pulling and splicing sites, guard structures, and temporary work spaces.

The USFWS Biological Opinion (BO), which includes all activities associated with the components of this NTP, was issued on January 11, 2011 for the DPV2 Project. Subsequently, the CDFG issued a 2080.1 Consistency Determination for the DPV2 Project on April 27, 2011. In accordance with the USFWS BO, the CDFG Consistency Determination, Mitigation Measures presented in the DPV2 Final EIR/EIS, and APMs included as part of project development, a Qualified Biologist(s) shall conduct the appropriate pre-construction clearance surveys for special-status species prior to any ground disturbing activities and shall be present throughout the duration of all construction activities associated with the components of the NTP. Additionally, SCE shall implement all other applicable conditions of the USFWS BO, CDFG Consistency Determination, Final EIR/EIS Mitigation Measures, and APMs for biological resources that occur, or could occur, in all areas subject to disturbance.

Special-status plants. To date, SCE has indicated that two special-status plant species, Parry's spineflower (*Chorizanthe parryi* var. *parryi*) and white-bracted spineflower (*C. xanti* var. *leucotheca*), have been detected in the DPV1 Minor Relocation project area during focused rare plant surveys. Each of these species is designated as a CNPS List 1B plant which is considered rare across their range in California and elsewhere. Parry's spineflower was detected in abundant numbers along San Gorgonio Wash approximately one-half mile from the project area in June 2010. White-bracted spineflower was identified within rocky desert washes near Tower #1063 during focused plant surveys in April 2011. In order to minimize and/or avoid impacts to special-status plant species, including Parry's spineflower and white-bracted spineflower, SCE shall implement the Final CPUC approved Sensitive Plant Salvage Plan, which will include methods for seed collection and other alternatives, such as topsoil salvage, where direct seed collection is not feasible.

Although no federally or State listed plants have been detected in the project area during focused surveys, the project area is located within modeled habitat for the federally endangered (CNPS List 1B.2) Coachella Valley milk-vetch (*Astragalus lentiginosus* var. *coachellae*), and there remains a low potential for this species to occur. As such, SCE shall implement a series of measures and conditions prior to construction that specifically address potential impacts to this species, including focused pre-construction surveys, the assurance of compensation funding for impacts to modeled habitat, and the submittal and implementation of a Coachella Valley Milk-Vetch Salvage Plan.

In addition to the species addressed above, several plant individuals were identified in the project area that are afforded protection under the California Desert Native Plant Act (CDNPA). These include tulip prickly pear (*Opuntia phaeacantha*), buckhorn cholla (*O. acanthocarpa*), catclaw acacia (*Acacia greggii*), chaparral yucca (*Yucca whipplei*), and Mojave yucca (*Y. schidigera*). To ensure that impacts to these species are minimized and/or avoided, SCE shall implement the conditions of the CPUC-approved Transplant Plan.

Special-status wildlife. No special-status wildlife species have been observed or detected in the DPV1 Minor Relocation project area as reported by SCE. However, suitable habitat occurs in the project area for a variety of these species, including but not limited to, burrowing owl (*Athene cunicularia*), Palm Springs round-tailed ground squirrel (*Xerospermophilus tereticaudus chlorus*), American badger (*Taxidea taxus*), and various reptiles and nesting birds, and there remains a potential for many of them to occur. As such, SCE shall implement the appropriate Final EIR/EIS Mitigation Measures, conditions of the

USFWS BO and CDFG Consistency Determination, and APMs to ensure that impacts to any special-status wildlife species are minimized and/or avoided. These would include actions such as pre-construction clearance surveys and biological monitoring, along with species-specific Mitigation Measures that shall be implemented throughout the duration of all construction activities associated with this NTP.

Although desert tortoise (*Gopherus agassizii*) has not been identified during surveys, the project area supports modeled habitat for desert tortoise. Desert tortoise is listed as a threatened species under the federal and California Endangered Species Acts (ESA and CESA, respectively). Any anticipated impacts to this species have been incorporated within formal Section 7 consultation between SCE and the USFWS and will be offset/mitigated through implementation of conditions of the USFWS BO, CDFG Consistency Determination, and Mitigation Measures presented in the Final EIR/EIS developed specifically for desert tortoise.

Jurisdictional waters. The DV1 Relocation is largely centered within the wide ephemeral main channel of the San Gorgonio River, with extensive channel braiding and scattered islands of desert-willow woodland and desert wash scrub. As such, jurisdictional non-wetland ephemeral drainages traverse portions of the Project area. These features fall under U.S. Army Corps of Engineers (Corps), Regional Water Quality Control Board (RWQCB), and California Department of Fish and Game (CDFG) jurisdiction and will require the acquisition of the appropriate permits, including Clean Water Act and Fish and Game Code permits, if they cannot be avoided during construction activities. Impacts to any area considered as federal wetlands shall be avoided throughout the duration of all construction activities.

Vegetation management. According to SCE's NTPR, the DV1 Minor Relocation is expected to result in a total of 1.24 acres and 18.20 acres of permanent and temporary impacts, respectively. The majority of these impacts would occur in native vegetation communities and habitats, and would primarily be associated with temporary work limits, including wire pulling and splicing sites, access roads, and other temporary work spaces.

In order to ensure that ground disturbance is limited to overall acreages provided in the NTPR, SCE shall clearly flag, stake, or mark all permanent and temporary impact boundaries prior to any ground-disturbing activities associated with the components of this NTP. All work shall be strictly limited to defined boundaries. Vegetation clearing in defined temporary disturbance areas shall only occur where necessary to allow for equipment access and storm water management. Drive and crush methods shall be used in these temporary disturbance areas to minimize impacts and ensure root systems remain intact. All material and equipment to be used in connection with activities covered under this NTP will be stored and maintained at CPUC approved construction yards or an existing utility storage yard. Storage at any other location would likely require a Variance or Temporary Extra Work Space (TEWS) request and CPUC approval. Similarly, any water supply locations not previously approved by CPUC, would require CPUC approval.

SCE is currently developing a Habitat Compensation/Restoration Plan (HCRP) to address restoration and compensation of all areas disturbed by construction with the overall DPV2 Project. The restoration component of this plan is intended to target areas where onsite restoration is planned for temporary impacts to vegetation communities and jurisdictional waters whereas the compensation component relates to the purchasing and managing of offsite lands targeted for conservation in perpetuity. In compliance with Mitigation Measure B-1a, a Final HCRP shall be approved by the CPUC and BLM prior to any ground disturbing activities. A formal acquisition proposal for compensatory mitigation lands is has been developed by Wildlands, Inc. (Wildlands) on behalf of SCE to meet mitigation requirements for permanent impacts to native vegetation communities and jurisdictional waters. This proposal is currently undergoing review by the regulatory agencies. As such, SCE may commence construction

activities associated with the components of this NTP prior to final agency approval of compensatory acquisition lands provided the Final HCRP has been approved by the CPUC and BLM.

A Noxious Weed Control Plan has been approved by the CPUC for the overall DPV2 Project. The purpose of this plan is to control the introduction and spread of non-native and invasive plant species in the project area or into adjacent undisturbed habitats during the project activity period. SCE shall implement all the conditions of this plan during project construction.

Cultural Resources

The Final Historic Properties Management Plan (HPMP) for the Devers-Palo Verde No. 2 Project was accepted on October 20, 2011. Based on background research, one known cultural resource, (historical refuse scatter; P-33-017584) was identified within the Minor Relocation of the Devers-Valley No. 1 Line (DV1). Therefore, in accordance with the Final HPMP for the Devers-Palo Verde No. 2 Project, this resource is assumed eligible and will be avoided. An Environmentally Sensitive Area (ESA) shall be established through staking and installation of orange temporary fencing around the perimeter of P-33-017584 with a 10-meter buffer. The ESA installation shall be monitored by a qualified archaeologist. No activity will be permitted within established ESA. In addition, an archaeological monitor shall be present during all ground disturbing activities within 50-feet of the established ESA. If additional cultural resources are discovered during work on the Devers-Valley Minor Relocation, all ground disturbing activities must cease in the area of discovery until all parties have consulted under the provisions provided in the Final HPMP.

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 Devers-Valley Minor Relocation is low. Therefore, in accordance with the Plan, low sensitivity units will be monitored intermittently, to verify the low sensitivity classification, as determined by the Paleontological Resource Specialist. In the unlikely event that a paleontological resource discovery is made during site development, 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).

Geologic Resources

The CPUC geotechnical expert reviewed the NTPR and the Draft Geotechnical Investigation Report[1] related to compliance with the approved Geology and Soils mitigation measures that apply to the DV1 Minor Relocation for the Devers- Palo Verde No. 2 (DPV2) Transmission Line Project. Only Mitigation Measures G-2a (Conduct geotechnical studies for soils to assess characteristics and aid in appropriate foundation design), and G-5a (Design project facilities to avoid impact from ground failure) apply to the DV1 Minor Relocation Project.

The DV1 Minor Relocation consists of removal of three existing lattice steel towers (LSTs) (M15-T1, M15-T2, and M15-T3) and associated hardware, foundations, and wires along a portion of the Devers-Valley 1 transmission line and construction of four new LSTs and associated access roads, hardware, foundations, and wires parallel to the Devers-Valley 500 kV transmission alignment (DV1 500 kV). The four new LSTs

[1] "Draft Geotechnical Investigation Report, Devers – Valley 500 kV Transmission Project, Riverside County, California" prepared for Southern California Edison by Kleinfelder West, Inc., dated March 2, 2011.

will be constructed parallel to Towers 1061 to 1064 along the Devers-Valley 500 kV transmission alignment. This corresponds to borings B-27 through B-30 conducted by Kleinfelder West, Inc., for the Devers-Valley 500 kV transmission alignment.

Data from these borings and the text of the report referenced below were reviewed to determine if they comply with approved mitigation measures for the DPV2 Project. Soil samples from the borings conducted for the DPV2 Project by Kleinfelder were submitted to MJ Schiff at Schiff Associates for corrosion analysis which indicated that soils from the borings in the DV1 Minor Relocation area are mildly corrosive when dry and moderately corrosive when moist to wet. The Schiff Associates report provides recommendations for corrosion protection for underground steel, iron, or copper components that may come in contact with the native soil. The Schiff Associates report indicates that the soils are not likely corrosive to concrete and any type of concrete may be used. The Schiff Associates corrosion report is included in the Kleinfelder DV 500 kV Geotechnical Investigations Report as Appendix E. The Kleinfelder DV 500 kV Geotechnical Investigations Report concludes that due to the granular nature of the materials encountered in the borings that on-site sediments/soils have "very low" expansion potential.

The report and associated data that relates to the DV1 Minor Relocation Project area indicates that while the area is mapped as potentially liquefiable by the CGS, groundwater is greater than 51 feet below ground surface and the sediments underlying the project area are generally coarse grained and dense to very dense which results in little to no potential for liquefaction.

SCE has addressed the requirements of Mitigation Measures G-2a and G-5a. The NTPR description does not indicate that any buried pipes or other metal components are part of the DV1 Minor Relocation Project; however, if buried metal components are used the recommendations for corrosion protection outlined by Schiff Associates should be followed. No liquefaction potential was identified in this project area and thus no further conditions are required under Mitigation Measure G-5a.

Land Use and Sensitive Receptors

As analyzed in the DPV2 Final EIR/EIS, as well as in the Project Refinements Report Mitigation Consistency Determination, the relocation would relocate both the Devers to Valley No. 1 transmission line and the approved project to land acquired by SCE north of the Morongo Tribal land. The construction activities for the DV1 Minor Relocation will occur within the right-of-way adjacent to the DPV2 Transmission Line alignment between Towers 1061 and 1064, so similar landowners would be affected as with the approved route. Although the duration would be slightly longer due to tower removal/demolition and installation, the types of construction activities, including helicopter use during the installation of wires and hardware, would be similar to construction of the new 500 kV transmission line.

According to the NTPR, in general, construction equipment operating hours for the work on the right-of-way associated with the installation of the transmission line are planned to be from approximately 7:00 a.m. to 6:00 p.m. on weekdays or in accordance with an alternative schedule in compliance with the local jurisdiction. All residences will be notified of construction per the approved Construction Notification Plan as required in Mitigation Measure L-1a.

Water Resources

The CPUC hydrologist reviewed the NTPR and the Draft Geotechnical Investigation Report related to compliance with the approved Hydrology mitigation measures that apply to the DV1 Minor Relocation for the Devers- Palo Verde No. 2 (DPV2) Transmission Line Project. The DV1 Modification area goes

through the San Gorgonio River, and two of the new towers are planned to be built in the channel. According to the Draft Geotechnical Investigation Report, Towers 1061 through 1064 are all located within a FEMA-designated Flood Hazard Area and are subject to flood and erosion hazards. Table 6-2 of the report indicates that these four towers are located in alluvial soils (soil category AL-4 for Towers 1061 through 1063 and soil category AL-3 for Tower 1064), and that the depth to ignore for Towers 1061, 1062, and 1064 is 3 feet, while the depth to ignore for Tower 1063 is 5 feet (depth to ignore is the portion of soils that should be completely neglected from the foundation analysis due to loose material, organic material, erosion or construction activities). The Draft Geotechnical Investigation Report notes that SCE has determined that a strength reduction factor may be used within the upper soil layer previously designated to be ignored, and recommends that at least the upper 2 feet of soils identified as susceptible to erosion should still be neglected, and that SCE should instruct maintenance personnel to watch for and repair any areas where active erosion is observed near tower foundations. The depth to ignore for Towers 1061 through 1064, as identified in Table 6-2 of the Draft Geotechnical Investigation Report, is considered appropriate. SCE has satisfied the conditions of Mitigation Measure H-6a and APMs W-1 through W-9. In addition to APM W-1, which requires "potential erosion sites" to be inspected after each major rainstorm during the first year following construction, maintenance workers should inspect and repair any erosion observed near tower foundations located within FEMA-designated Flood Hazard Areas for the lifetime of the project.

Transportation and Traffic

According to SCE, the "top of tower" elevations of the four new DV1 towers would range from 13.5 to 33.9 feet taller than the existing DV1 structures. The new line would have the following heights and elevations:

Future Tower Heights of DV1 Minor Relocation

Construction Number	Centerline Hub Elevation (feet)	Structure Height (feet)
R1	1709.2	161.0
R2	1730.4	161.0
R3	1755.3	143/0
R4	1757.5	137.0

Section D.9.4 (Applicable Regulations, Plans, and Standards) of the DPV2 Final EIR/EIS discusses the Federal Aviation Administration (FAA) regulations, including submittal of Form 7460-1 as required under Subpart B, Section 77.13 of the guidelines of the FAA. As part of the MMCRP process and to ensure that SCE is in accordance with all federal, State and local regulations, the CPUC sent SCE a data request on November 9, 2011 requesting information on FAA determinations of No Hazard to Navigable Airspace and requirements for lighting and marking of transmission facilities. SCE responded on November 30, 2011 that it filed Forms 7460-1 for 72 locations along the entire Devers-Valley segment; however, the forms/determinations have not yet been received. Therefore, in order to ensure that the CPUC and its environmental monitors are informed about towers, spans, and other project components that may fall under FAA jurisdiction and have the potential for lighting or marker requirements, the following conditions have been included in this NTP:

- Prior to construction of any tower or span for which a Form 7460-1 is required to be submitted to the FAA, SCE shall provide the CPUC with a copy of the FAA's obstruction evaluation determination.

- For any tower or span where lights or markers are required per the FAA, SCE shall submit to the CPUC a copy of FAA Form 7460-2 at the time when it is filed at (1) the start of construction and (2) within five days of when the structure is constructed to its maximum height.

Conditions of NTP Approval

The conditions presented below shall be met by SCE and its contractors:

1. All applicable project mitigation measures, APMs, compliance plans, and permit conditions shall be implemented. Some measures have on-going/time-sensitive requirements and shall be implemented prior to and during construction where applicable. Please see the attached table of pre-construction requirements. Note that entries shaded in yellow shall be completed prior to the start of construction. Green entries shall be conducted during construction and red entries shall be conducted post-construction. Bulleted items can be found below which provide additional information and clarifications to outstanding requirements.

2. Copies of all relevant permits, compliance plans, and this Notice to Proceed shall be available on site for the duration of construction activities.

3. Verification of noticing mailings including address lists, postings and newspaper postings, as required under Mitigation Measures L-1a, WR-1a, and WR-1b shall be submitted to the CPUC prior to construction.

4. All crew members shall be trained through a Worker Environmental Awareness Program (WEAP) prior to working on the project. A log shall be maintained onsite with the names of all crew personnel trained. For any crew members with limited English, a translator shall be onsite to ensure understanding of the training program. In place of a translator, the WEAP 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.

5. Prior to the initiation of any ground-disturbing activities, all work area boundaries associated with temporary and permanent disturbance shall be clearly staked, flagged, or marked. All workers shall strictly limit access and vehicles to the designated work limits. Removal of any perennial, native vegetation in work areas shall be avoided to the maximum extent practicable. Access to work areas in undisturbed habitat shall be achieved by crushing, instead of removal, to the maximum extent practicable.

6. In compliance with conditions of the USFWS BO, a field contact representative (FCR) shall be designated and will be onsite for all ground-disturbing activities in desert tortoise habitat. The FCR will have the authority to halt all work activities that are not in compliance with the Project's conservation measures and Incidental Take Statement requirements.

7. SCE shall implement the conditions of the CPUC-approved Final Habitat Restoration/ Compensation Plan to compensate for the temporary disturbance to native vegetation communities.

8. SCE shall maintain ongoing coordination with the CPUC, BLM, USFWS, and CDFG related to the acquisition of offsite compensatory mitigation lands.

9. SCE shall implement all conditions of the Final Noxious Weed Control Plan which specifies the locations of existing weed populations and provides appropriate measures to control the

introduction and spread of noxious weeds into the Project area, worker training, specifications, and inspection procedures for construction materials and equipment used in the Project area.

10. Prior to entering the work area for the first time, all ground-disturbing equipment shall be thoroughly cleaned at a wash station located at the Perris Construction Yard, or other location with CPUC approval.

11. All seeds, straw wattles, gravel and fill material used during construction shall be certified weed free by the local County Agricultural Commissioner's Office.

12. SCE shall conduct pre-construction surveys for special-status plants, cacti, and plant species covered under the California Desert Native Plant Act within fourteen (14) days prior to construction activities within 100 feet of ground disturbing activities. If listed and/or sensitive plants are identified and cannot be avoided, SCE shall be responsible for the translocation of plants and/or collection of seeds from existing populations that would be impacted and the planting/reseeding of these plants in adjacent suitable habitat that would not be affected by construction activities. Prior to any ground-disturbing activities, the CPUC EM shall review and approve the survey results, and avoidance and disturbance flagging.

13. A qualified biologist/botanist shall conduct pre-construction focused winter (generally January and February) surveys for Coachella Valley milk-vetch in areas of the project that support modeled habitat for this species. Any milk-vetch locations identified during surveys shall be delineated on aerial photographs, incorporated into the project construction management plans, and avoided to the maximum extent possible. Where avoidance is not possible, SCE shall implement measures outlined in the USFWS approved Coachella Valley Milk-Vetch Salvage Plan.

14. Prior to ground-disturbing activities, SCE shall provide documentation that ensures funding applicable to the requirements outlined for impacts to modeled habitat for Coachella Valley milk-vetch under Condition #26 of the USFWS BO.

15. SCE shall implement all conditions of the BLM and CPUC approved Transplanting Plan that provides details on the plants being transplanted, including which species and how many of each individuals of each species; where the plants will be transplanted; how the plants will be transplanted; how the plants will be maintained during the transplanting efforts; and, if the plants will be used to re-vegetated disturbed areas of construction sites.

16. All plants that are subject to transplanting shall be clearly marked for avoidance (using bright colored flagging) prior to construction activities. For listed plants, SCE shall identify if the plants can be avoided. If avoidance is not possible, SCE shall purchase offsite mitigation in coordination with the USFWS and CDFG. If avoidance is not feasible for non-listed special-status plants, SCE shall implement measures outlined in the CPUC approved Final Special-Status Plant Impact Avoidance and Minimization Plan.

17. SCE shall prepare and submit a Sensitive Plant Salvage Plan to the CPUC. This plan shall require CPUC approval prior to any ground disturbing activities that result in impacts to special-status plants, including those designated as CNPS List 1B species. The plan shall include methods to reduce impacts to these species, should they occur, including, but not limited to, seed collection and topsoil salvage techniques.

18. SCE shall conduct pre-construction surveys for sensitive wildlife in accordance with specific conditions provided in Final EIS/EIR Mitigation Measures and conditions of the USFWS BO. The

location of sensitive species identified during the pre-construction surveys shall be provided to the BLM and CPUC on updated project maps.

19. Pre-construction surveys for breeding birds shall be conducted within 500 feet of disturbance limits by a CPUC-approved biologist at least fourteen (14) days prior to construction during the appropriate season. If federally or State listed birds with active nests are identified, a qualified biological monitor shall establish a 500-foot buffer around the nest and no activities will be allowed within the buffer until the young have fledged from the nest or the nest fails. A 300-foot buffer shall be implemented in the event that raptors or other species protected under the Migratory Bird Treaty Act (MBTA) are located. The biological monitor shall conduct regular monitoring of any identified nest to determine success/failure and to ensure that construction activities do not occur within established buffers until the nesting cycle is complete or the nest fails. There may be a reduction of these buffer zones depending on site-specific conditions or the existing ambient level of activity. SCE shall coordinate with CDFG and USFWS to determine the appropriate buffer zone.

20. Pre-construction desert tortoise clearance surveys shall be conducted by a CPUC, CDFG, and USFWS approved Authorized Biologist immediately prior to construction activities within a 100 percent coverage area of all desert tortoise habitat (modeled, critical, and/or occupied) that be subject to project disturbance. Surveys, tortoise handling protocols, burrow excavations, and relocation procedures shall follow conditions specified in the Final EIR/EIS Mitigation Measures and conditions of the USFWS BO.

21. The Authorized Biologist shall be present during all construction activities in tortoise habitat (modeled, critical habitat, and/or occupied habitat) during the tortoise's more active season (April thru May and September thru October).

22. As part of the Project WEAP training defined under Condition #4 above, a qualified tortoise biologist shall present a class or briefing to construction workers that addresses, at a minimum, desert tortoise sensitivity to human disturbance, daily and seasonal activity patterns, and proper handling protocols.

23. Prior to any ground-disturbing activities within modeled/critical/occupied habitat for desert tortoise, SCE shall provide documentation that ensures funding to complete required mitigation, including acquisition of lands, monitoring, and reporting activities for impacts to desert tortoise and/or desert tortoise habitat. SCE shall provide to the CPUC, CDFG, and USFWS no later than thirty (30) days prior to commencing ground-disturbing activities at applicable locations, an irrevocable letter of credit or other form of security approved by CDFG's Office of the General Counsel.

24. SCE shall conduct pre-construction surveys for special-status reptiles within 48 hours prior to initiation of construction activities. If special-status reptiles are identified in the Project area during construction, all activities adjacent to the identified location shall be halted and the animal will be allowed to move away from the construction site. If the individual is not moving, a qualified biologist will relocate it to nearby suitable habitat (in the shade of a shrub) outside of the construction area.

25. Prior to ground-disturbing activities, SCE shall conduct pre-construction surveys for burrowing owl within all potential impact areas. Any burrowing owls occupying the Project area shall be evicted by passive relocation techniques as identified in Mitigation Measure B-9e.

26. If occupied American badger dens are identified in the Project area during construction, SCE shall consult with CDFG for further action.

27. SCE shall conduct pre-construction surveys for Palm Springs round-tailed ground squirrel. If occupied nesting colonies are identified during these surveys, construction activities would not be permitted during the active season (March 1 through July 31).

28. SCE shall conduct biological monitoring in all areas of disturbance during construction activities, including access roads. The biological monitor shall look for special-status wildlife that may be located within or immediately adjacent to construction areas. If special-status species are found, the biological monitor shall avoid or relocate in accordance to the appropriate Final EIR/EIS Mitigation Measures, APMs, and conditions of the USFWS BO.

29. SCE shall install all overhead components utilizing the most current APLIC standards for collision-reducing techniques.

30. SCE shall implement all conditions of the USFWS approved Raven Control Plan that includes procedures for conducting depradation surveys and outlines contributions to a range-wide management program. The approved Raven Control Plan provided by SCE to all transmission line companies that conduct operations within the ROW.

31. No activities, whatsoever, shall be permitted within areas designated as federal wetlands.

32. All federal and State jurisdictional waters shall be avoided to the maximum extent feasible. In the event that jurisdictional waters cannot be avoided by project activities, SCE shall obtain the appropriate USACE, CDFG, and State Water Quality Control Board permits. Documentation of these permits must be provided to the CPUC prior to conducting any activities in these areas which may result in permanent or temporary impacts.

33. Project speed limits shall be posted and strictly adhered to in compliance with Mitigation Measures and APMs provided in the Final EIR/EIS and conditions of the USFWS BO.

34. During construction, parked vehicles will be inspected prior to being moved. If a tortoise is found beneath a vehicle, the Authorized Biologist will be contacted to move the animal out of harm's way, or the vehicle will not be moved until the tortoise leaves on its own accord. The Authorized Biologist will be responsible for taking appropriate measures to ensure that any tortoises moved in this manner is not exposed to temperature extremes which could be harmful to the animal.

35. Removal of perennial, native vegetation in work areas will be avoided to the maximum extent practicable, particularly while accessing pulling and splicing stations and during pulling and splicing activities.

36. Road construction shall avoid blading to the extent possible and shall be implemented through vegetation crushing. Required vehicles shall enter on one pathway which is flagged and developed only by the passage of vehicles crushing vegetation.

37. Constructed road berms in modeled, critical, and occupied desert tortoise habitat shall be less than 30.48 cm (12 in) in height and have slopes less than 30 degrees.

38. All auger holes, trenches, pits, or other steep-sided excavations that pose a hazard to wildlife will be securely fenced or covered when unattended to prevent accidental death or injury. At the start and end of each workday, and just before backfilling, all excavations will be inspected

for trapped animals. If found, trapped animals will be removed by the Authorized or Qualified Biologist.

39. Project personnel will not be allowed to bring pets into any work areas.

40. Road-killed animals or other carcasses detected within the Project area will be picked up and disposed of immediately (e.g. removal to a landfill or disposal at SCE facility). For any special-status species road-kill, the Qualified Biologist or FCR will contact CDFG and USFWS within 1 working day of receipt of the carcass for guidance on disposal or storage.

41. A trash collection system will be established to ensure that all food and other trash that could attract desert tortoise predators is properly disposed of in self-closing, sealable containers with lids that latch to prevent wind, common ravens, and mammals from opening containers. All trash containers will be regularly inspected and emptied to prevent spillage and maintain sanitary conditions, and removed from the Project footprint when construction activities are complete.

42. Immediately after completion of construction activities, the FCR or designated representative will record the perimeter of the post-construction project footprint, including all tower pads, spur roads, pulling and splicing stations and access routes, and other project-related infrastructure in a GIS-compatible format to verify the extent of project disturbance. The GIS coverage layer will be provided to the BLM, Service, and CDFG within 90 days of completing construction; the coverage will be compared to impact acreages estimated in this biological/conference opinion to determine final ground-disturbance associated with project construction.

43. In addition to APM W-1, which requires “potential erosion sites” to be inspected after each major rainstorm during the first year following construction, for the lifetime of the project, maintenance personnel shall watch for and repair any areas where infrastructure is located within FEMA-designated Flood Hazard Areas and active erosion is observed near tower foundations.

44. To avoid Resource P-33-017584 in accordance with the approved Historic Properties Management Plan (HPMP) for the DPV2 Project, an Environmentally Sensitive Area (ESA) shall be established through staking and installation of orange temporary fencing around the perimeter of P-33-017584 with a 10-meter buffer. The ESA installation shall be monitored by a qualified archaeologist. No activity will be permitted within established ESA.

45. An archaeological monitor shall be present during all ground disturbing activities within 50-feet of the established ESA for Resource P-33-017584.

46. If additional cultural resources are discovered during work on the Devers-Valley No. 1 Minor Relocation, all ground disturbing activities must cease in the area of discovery until all parties have consulted under the provisions provided in the approved HPMP.

47. In accordance with the Paleontological Monitoring and Treatment Plan, work areas with low sensitivity shall be monitored intermittently, to verify the low sensitivity classification, as determined by the Paleontological Resource Specialist. In the unlikely event that a paleontological resource discovery is made during site development, all construction activities in the area of the discovery shall cease, and the Discovery of Fossils protocol, as specified in the

Plan shall be followed (1-Notification, 2-Avoidance and Continued Construction Activities, and 3-Determining Significance of a Discovered Paleontological Resource).

48. The CPUC Environmental Monitor (EM) shall be notified immediately of any unanticipated cultural, paleontological, or biological resource discoveries.

49. Prior to construction of any tower or span for which a Form 7460-1 is required to be submitted to the Federal Aviation Administration (FAA), SCE shall provide the CPUC with a copy of the FAA's obstruction evaluation determination.

50. For any tower or span where lights or markers are required per the FAA, SCE shall submit to the CPUC a copy of FAA Form 7460-2 at the time when it is filed at (1) the start of construction and (2) within five days of when the structure is constructed to its maximum height.

51. If buried metal components are used for project facilities, the Corrosion Control Recommendations outlined by Schiff Associates in Appendix E of the Geotechnical Investigations Report (2011) shall be followed.

52. If the application of water is needed to abate dust in construction areas and on dirt roads, SCE shall use the least amount needed to meet safety and air quality standards and prevent the formation of puddles, which could attract wildlife to construction sites.

53. SCE shall obtain required haul and ingress/egress and permits for any temporary lane closures from the County of Riverside or other jurisdictions as necessary. Copies of permits shall be submitted to the CPUC. If temporary lane closures are needed, SCE shall coordinate in advance with emergency service providers and shall provide documentation to the CPUC.

54. In regard to the Hazardous Substance Control and Emergency Response Plan, to fully satisfy the intent of Mitigation Measure P-1b, documentation of training for personnel who would be working near or handling hazardous materials shall be submitted to the CPUC for review after completion of these training activities. Only trained personnel shall be allowed to work near or to handle hazardous materials.

55. In accordance with Mitigation Measure P-1a, prior to project construction, documents prepared by the construction contractors should be submitted to the CPUC along with an acknowledgment that the SCE Certified Industrial Hygienist has reviewed and approved the documents to complete the submittals required for these measures. Documents that the construction contractor would be responsible for would include a hazardous materials inventory that will be used to prepare and/or modify the Hazardous Material Business Plan, documents providing SCE with the names and telephone numbers of persons responsible for the hazardous waste management, an Emergency Response Procedures document that follows SCE's emergency response procedures for the Project.

56. No movement or staging of construction vehicles or equipment shall be allowed outside of the approved areas. If additional temporary workspace areas or access routes, or changes in technique and mitigation implementation to a lesser level are required, a Variance Request, as defined in the Mitigation Monitoring, Compliance and Reporting Plan for this project shall be submitted for CPUC review.

57. No clearing or disturbance to vegetation shall occur outside of approved work areas.

58. If construction debris or spills enter into environmentally sensitive areas, appropriate jurisdictional agencies and the CPUC EM shall be notified immediately.

Please contact me if you have any questions or concerns.

Sincerely,

Billie Blanchard

Billie Blanchard
CPUC Environmental Project Manager
Devers-Palo Verde No. 2 Transmission Project

cc: Mary Jo Borak, CPUC Supervisor
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