

**PUBLIC UTILITIES COMMISSION**

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



November 15, 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 (DPV2) Transmission Line Project - Notice to Proceed (NTP #15)

Dear Ms. Benz:

On July 16, 2012, Southern California Edison (SCE) requested authorization from the California Public Utilities Commission (CPUC) for installation of a new telecommunications (telecom) line to serve the Colorado River Substation (CRS) as part of the Devers-Palo Verde No. 2 Transmission Line Project, as analyzed in the Supplemental Environmental Impact Report (EIR). NTP #15 is applicable to the portions of the new Southeast Telecom Line that will cross private property to provide communications between the CRS and the Blythe Service Center. Additional information was provided by SCE on August 25 and 31, 2012.

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 BLM issued NTPs for construction of the Red Bluff and Colorado River Substations and the overhead transmission line on its lands in September 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 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 minor project refinements as a result of final engineering are anticipated and common practice for construction efforts of this scale and that a variance request would

be required for any of these activities that would fall under this NTP. This letter documents the CPUC's thorough evaluation of all activities covered in this NTP. The activities under this NTP are located within the geographic boundary of the study area of the Final EIR/EIS and Supplemental EIR, and have been analyzed therein. The activities approved under this NTP would not result in a new significant impact or a substantial increase in the severity of a previously identified significant impact based on the criteria used in the environmental documents; conflict with any mitigation measure or applicable law or policy; or trigger an additional permit requirement.

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 NTP. 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 #15 for the Southeast Telecom 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 NTPR dated July 16, 2012 are presented as follows (indented).

This Notice to Proceed Request (NTPR) describes an approved improvement associated with the new Colorado River Substation project (CRS or Project) that would cross private property and be subject to California Public Utilities Commission (CPUC) approval. The improvement comprises installation of a new telecommunications line (telecom line) to serve the CRS. This new Southeast Telecommunications Line will be constructed as part of Southern California Edison's (SCE) Devers-Palo Verde No. 2 Transmission Line Project (DPV2). Figure 1 [in SCE's NTPR] is a project location map and Appendix A [in SCE's NTPR] references the applicable figures contained within Project Site and Access Mapbook that depict the Southeast Telecommunications Line.

The CRS is located just south of the existing Devers-Palo Verde Transmission Line No. 1 (DPV1), approximately 8 miles west of the City of Blythe, California. The Interstate 10 (I 10) freeway is located about 2 miles north of the Project site.

The Notice to Proceed (NTP) will be applicable to the portions of the new Southeast Telecom Line that cross private property (that is, non-BLM land).

The Southeast Telecom Line will provide communications between the CRS and the Blythe Service Center. This project element has been evaluated in the DPV2 Final Supplemental Environmental Impact Report for the Colorado River Substation Expansion (Final SEIR).

Applicable Final EIR/EIS and Final SEIR Applicant Proposed Measures (APMs), Mitigation Measures (MMs), California Department of Fish and Game Code Section 2080.1 Consistency Determination measures, and Federal Endangered Species Act Section 7 Biological Opinion conservation measures (BO) have been

identified, and will be implemented or completed prior to commencement of the construction associated with this NTPR, as applicable.

The checklist tables attached to [SCE's] NTPR summarize the required environmental submittals such as APMs, MMs, and BO measures (see Table 1), and the permits and documentation (see Table 2). Monitoring and reporting on implementation of APMs, MMs, and CMs will be conducted in accordance with the DPV2 Mitigation Monitoring, Compliance, and Reporting Program (MMCRP). Additionally, required pre-construction surveys for biological resources will be conducted prior to start of construction, as applicable.

## **2.0 SITE LOCATION AND CONDITIONS**

The CRS will be located at the Southern Alternative site described in the Final SEIR for the expansion of the CRS, which was approved by the CPUC on July 14, 2011, in Decision (D.) 11 07-011. The CRS is within the Roosevelt Mine, California, United States Geological Survey (USGS) 7.5-minute topographic quadrangle (Section 7, T7S-R21E, S.B.B.&M).

### **2.1 Southeast Telecommunication Line**

The Southeast Telecom Line would provide a telecommunications link between the CRS and the Blythe Service Center in Blythe, California (see Project Site and Access Mapbook, Figures 2-248 through 2-276). The Southeast Telecommunications Line would extend from the CRS as Optical Ground Wire (OPGW) for about 5.5 miles along the new and existing DPV1 towers to Tower M123-T1, where it would drop to ground level. This section of OPGW would replace the existing overhead ground wire on the DPV1 line as part of the Colorado River-Devers Transmission Line (CR-D) for which a NTP has already been issued. From the OPGW drop, the Southeast Telecommunications Line would extend in underground conduit for approximately 50 feet to the south side of the DPV1 right-of-way, transition to an overhead fiber optic line (All-Dielectric Self-Supporting or ADSS line) installed on new wood poles for approximately 3,600 feet east to the agricultural area of the Palo Verde Valley. The Southeast Telecommunications Line would travel northward for about 190 feet in new underground conduit, transition to ADSS installed on new wood poles for approximately 3,700 feet to the north, then turn east along 22nd Street. The telecom line would continue east for about 14,000 feet along 22nd Street as overhead ADSS on new wood poles, and an additional 22,700 feet east along 22nd Street on existing overhead structures, although 7 new poles would be interset in this section. The telecom line would then turn north along Lovekin Boulevard on existing overhead structures for approximately 15,700 feet. The line would then drop to new underground conduit (approximately 325-foot section) as it transitions east onto Seeley Avenue, where it would rise to an overhead line and head east on Seeley Avenue for about 2,600 feet on existing poles. At Broadway Street, the telecom line would turn north on existing overhead structures for about 5,200 feet, then turn west on 14th Street for about 1,500 feet along existing overhead structures, and finally turning north into the Blythe Service Center via an approximately 250-foot section of new underground conduit...

## **3.0 PROJECT COMPONENTS AND DISTURBANCE AREAS**

This section describes the main project elements and disturbance areas associated with the Southeast Telecom Line. Construction operating hours are planned to generally be from 6:00 a.m. to 7:00 p.m. Monday through Saturday, but could vary depending on the time of year. In addition, construction may occasionally occur on Sundays. For the portions of the telecom line that occurs within close proximity to a residence or noise-sensitive receptor, construction work hours would occur from 7:00 AM to 6:00 PM in compliance with the applicable noise ordinance, or a variance from the ordinance restrictions would be requested.

SCE has established a DPV2 toll-free information line (866-602-3782) and website ([www.sce.com/dpv2](http://www.sce.com/dpv2)). The information line is the designated public notification contact for DPV2.

The Southeast Telecom Line is shown in the Project Site and Access Map Book, Figures 2-248 through 2-276. All-Dielectric Self-Supporting (ADSS) cable, as well as various short segments of underground cable, would be installed east of Tower M123-T1 along the southeast telecom route. Major elements and activities to the Southeastern Telecom Line include:

- Install approximately 99 wood poles generally between DPV1 Tower M123-T1 and Stephenson Boulevard in the Palo Verde Valley (disturbance area comprising 99 poles at 3.14 square feet each or approximately 0.01 acres)

- Install (inter-set) 7 new poles between existing poles between Neighbours Boulevard and Defrain Boulevard (disturbance area comprising 7 poles at 3.14 square feet each or area less than 0.01 acres).
- Install approximately 20 anchor sites to support poles (disturbance area less than 0.01 acres)
- Install new underground conduit and vaults in various locations (0.12 acres)
- Install approximately 13 miles of fiber optic line (ADSS) and associated hardware on existing poles with access from existing roads (no disturbance)
- Drive and Crush access for limited pole installation and stringing (34 locations = 1.4 acres)
- Staging area(s) for material and equipment storage (existing utility storage yard or another disturbed or developed area to be identified by the construction contractor)

### 3.1 Site Work

The table below identifies the primary construction activities associated with the installation of telecom lines.

TELECOM LINE CONSTRUCTION ACTIVITIES
• Route access by equipment and vehicles
• Drive and crush access by equipment and vehicles
• Installation of wood poles, anchors, pole hardware, and wire
• Trenching to install underground sections of the telecom line

During construction of the new telecom line, the site will be accessed either from an existing transmission access road (east from Wileys Well Road) or the existing roads in the Palo Verde Valley that connect with the existing Powerline Road along the DPV1 Transmission Line (including Gravel Pit Road). Figures 2-248 through 2-276 in Appendix A identify the possible access roads that could be utilized during construction. Equipment and vehicles used to install the wood poles and fiber optic cable may utilize drive and crush methods during installation where poles are located away from existing access roads. Following installation of the new poles, pole hardware would be installed and the wire would be strung (either from the drive and crush access roads or from existing roads). Material and equipment would be staged at existing utility storage yards such as the Blythe Service Center yard or other disturbed location(s) yet to be identified. SCE anticipates that the construction contractor will identify a yard location following contract award. In addition, water sources for dust control may include fire hydrants or other sources whose locations have not yet been identified. Water sources would be identified as part of the bid and award process.

### 4.0 ACTIVITY SCHEDULE

The anticipated activity schedule for the CRS construction activities is shown in the table below.

CONSTRUCTION SCHEDULE		
Construction Activity	Construction Duration	Start Date
Telecommunications Line Installation	Approximately 5 months	August 2012

## 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 Compliance Status Table in SCE's

NTPR provides pre-construction compliance information for the other issue areas addressed by the DPV2 EIR/EIS.

Following the discussion of biological, cultural, paleontological resources, and land use/sensitive receptors, 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 NTPR mitigation compliance table.

### **Biological Resources**

This section presents a background for biological resources that occur, or could occur, along the CRS Southeastern Telecommunication Line within private (non-BLM) lands. This summary of biological resources is based on information provided in SCE's *Draft Notice to Proceed Request for Colorado River Substation Southeast Telecommunication Line* (NTPR) (July, 2012) and a field verification study conducted on August 23, 2012 by Aspen Environmental Group (Aspen).

Construction activities associated with the installation of the new telecommunications line would be located between the new CRS and the Blythe Service Center in Blythe, California. According to SCE's NTPR, these activities would occur in, or adjacent to, a total of six native vegetation communities, none of which are considered sensitive, or special-status, by the California Department of Fish and Game (CDFG). These include allscale scrub, arrow weed thicket, creosote bush scrub, creosote bush-white bursage scrub, mesquite dune scrub, and white bursage scrub. Permanent and/or temporary impacts are anticipated in each of these, as well as non-native surface cover areas, including agricultural and disturbed lands and open pavement, as a result of activities associated with access for telecommunication pole installation, new anchor and pole placement, underground development, and pull/reel site set-up.

The United States Fish and Wildlife Service (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 Applicant Proposed Measures (APMs) included as part of project development, a Qualified Biologist(s) shall conduct the appropriate pre-construction surveys for special-status species prior to any ground disturbing activities and shall be present, where required, throughout the duration of all construction activities associated with the components of this NTP. Additionally, SCE shall implement all other applicable conditions of the USFWS BO, the 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 no special-status plant species were identified during the most recent botanical surveys of the project area. Although special-status plant species are not expected to be impacted by activities associated with the installation of the new telecommunications line, SCE would implement specific conditions and Mitigation Measures to ensure that impacts are minimized and/or avoided, should any special-status plants occur. These would include, but not be limited to, pre-construction surveys, construction monitoring, and implementation of the CPUC-approved Special-Status Plant Impact Minimization and Avoidance and Special-Status Plant Avoidance Plans developed for the project. Additionally, any special-status plant species that meet specific criteria shall be flagged for avoidance and relocated in accordance with the project's CPUC-approved Transplant Plan.

**Special-status wildlife.** According to SCE's NTPR, special-status wildlife species that have been recorded, observed, and/or detected within a 200-foot buffer of the project components for this NTP or within the one-mile survey buffer around the CRS location include desert tortoise (*Gopherus agassizii*), Mojave fringe-toed lizard (*Uma scoparia*), burrowing owl (*Athene cunicularia*), ferruginous hawk (*Buteo regalis*), Swainson's hawk (*B. swainsoni*), northern harrier (*Circus cyaneus*), loggerhead shrike (*Lanius ludovicianus*), Le Conte's thrasher (*Toxostoma lecontei*), and desert kit fox (*Vulpes macrotis arsipus*).

Desert tortoise is listed as a threatened species under the federal and California Endangered Species Acts (ESA and CESA, respectively). Anticipated impacts to this species have been incorporated within the context of formal Section 7 consultation between SCE and the USFWS and will be offset/mitigated through implementation of conditions of the USFWS BO, the CDFG Consistency Determination, and Mitigation Measures presented in the Final EIR/EIS developed specifically for desert tortoise.

According to SCE's NTPR, no American badgers (*Taxidea taxus*) were observed within the Project elements during the Southern Telecom Line alignment and associated buffer survey. During the course of the walking surveys, SCE's biologists found a desiccated American badger skull and one inactive, likely badger den. Although not expected to be impacted by the Southeast Telecom Line, the species likely occurs in the general vicinity of the route.

Of the remaining special-status wildlife species that occur, or could occur, Swainson's hawk is considered threatened under CESA. Mojave fringe-toed lizard, burrowing owl, northern harrier, loggerhead shrike, and Le Conte's thrasher are considered Species of Special Concern (SSC) by CDFG. Swainson's hawk, northern harrier, loggerhead shrike, and Le Conte's thrasher, along with most other bird species in the region, are afforded protection through the Migratory Bird Treaty Act (MBTA). Desert kit fox is not considered a special-status species on non-federal lands; however, this species is protected under Title 14, California Code of Regulations (Sections 670.2 and 670.5), and potential impacts to desert kit fox individuals must be avoided. Broadly based Mitigation Measures presented in the Final EIR/EIS, such as pre-construction clearance surveys and biological monitoring, along with species-specific Mitigation Measures for Mojave fringe-toed lizard, burrowing owl, and nesting birds shall be implemented throughout all construction activities associated with the project components of this NTP.

**Jurisdictional waters.** SCE has indicated that no jurisdictional waters occur within the project area for the components analyzed under this NTP. Consequently, SCE has confirmed that no impacts to jurisdictional waters would occur as a result of implementation of construction activities associated with these project components.

**Vegetation management.** According to SCE's NTPR, the project components identified in this NTP are expected to result in a total of 0.01 acre and 2.80 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 access to work sites and development of pull and reel locations.

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 activities associated with the components of this NTP. All work shall be strictly limited to defined boundaries. All material and equipment to be used in connection with activities covered under this NTP shall be stored and maintained at the existing Blythe Service Center Yard or other CPUC-approved facility. 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 for the project by the CPUC would require approval.

SCE is currently developing a Habitat Compensation and Restoration Plan (HCRP) to address compensation and restoration of all areas disturbed by construction associated with the overall DPV2 Project. The restoration component of this plan is intended to target areas where onsite restoration is planned for mitigation of temporary impacts to vegetation communities while the compensation component addresses the purchase of offsite mitigation lands to mitigate for permanent impacts. As such, SCE will be allowed to commence ground-disturbing activities covered under this NTP on non-BLM lands prior to final agency approval of this plan; however, such activities shall only be initiated upon SCE demonstrating compliance with Mitigation Measures and conditions provided in the Final EIR/EIS and USFWS BO regarding the purchase of offsite mitigation lands for permanent impacts to native vegetation communities. Documentation that identifies compliance with applicable Mitigation Measures and conditions shall be provided to the CPUC, CDFG, and USFWS, prior to ground-disturbing activities that result in permanent impacts. Additionally, SCE shall provide documentation which provides a record of the perimeter of the post-construction project footprint to the CPUC, CDFG, and USFWS in a GIS-compatible format to verify the extent of project disturbance.

Where possible, project infrastructure, including wooden pole locations, pulling/splicing stations, and access roads, will be located so as to avoid sensitive plants or plant communities. Whenever possible, temporary disturbance areas shall be recontoured and restored in compliance with the project's Draft HCRP.

### Cultural Resources

The Final Historic Properties Management Plan (HPMP) for the Devers-Palo Verde No. 2 Project was accepted on October 20, 2011. Fourteen cultural resources sites were identified on private property within the Area of Potential Effect (APE) for the CRS Southeast Telecommunication Line. Ten of these resources are located on private land and four cultural resources span both private and BLM land. In accordance with the Final HPMP, the following proposed mitigation is required during construction activities for the CRS Southeast Telecommunication Line:

<b>Proposed Mitigation for Cultural Resources Sites Identified on Private Property within the CRS Southeast Telecommunication Line APE (n=14)</b>			
<b>Site Designation</b>	<b>NRHP* Eligibility</b>	<b>Land Ownership</b>	<b>Proposed Mitigation</b>
P-33-001819**	Not Evaluated	Private	None
P-33-001820**	Not Evaluated	Private	No Grading signs, Limit construction activity to existing through road and monitor avoidance
P-33-001821**	Not Evaluated	Private & BLM	Limit construction activity to existing through road and monitor avoidance
P-33-001822**	Not Evaluated	Private & BLM	No Grading signs, Limit construction activity to existing through road and monitor avoidance
P-33-011044**	Not Evaluated	Private	None
P-33-011045**	Not Evaluated	Private	None
P-33-011046	Not Evaluated	Private	No pole placements within resource boundaries
P-33-011057	Not Evaluated	Private	No pole placements within resource boundaries
P-33-011058**	Not Evaluated	Private	None
P-33-011060**	Not Evaluated	Private	None
P-33-011063**	Not Evaluated	Private	None

<b>Proposed Mitigation for Cultural Resources Sites Identified on Private Property within the CRS Southeast Telecommunication Line APE (n=14)</b>			
<b>Site Designation</b>	<b>NRHP* Eligibility</b>	<b>Land Ownership</b>	<b>Proposed Mitigation</b>
P-33-011110	Not Evaluated	Private & BLM	None
P-33-012410**	Not Evaluated	Private	None
P-33-014204	Recommend ineligible; portion of the site within the APE was evaluated for DPV2	Private & BLM	None

In the event that an unanticipated discovery of cultural materials is made along the CRS Southeast Telecommunication Line, 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, submitted to the California Public Utilities Commission on April 20, 2011, the potential to encounter paleontological resources within the identified CRS Southeast Telecommunication Line area is low. Therefore, in accordance with the Plan, low sensitivity units must be monitored intermittently, to verify the low sensitivity classification, as determined by the Paleontological Resource Specialist.

In the event that a paleontological resource discovery is made during site expansion, all construction activities in the area of the discovery must cease, and the Discovery of Fossils protocol, as specified in the Plan must be followed (1-Notification, 2-Avoidance and Continued Construction Activities, and 3-Determining Significance of a Discovered Paleontological Resource).

**Land Use and Sensitive Receptors**

The construction activities for under this NTP will occur between the CRS and the Blythe Service Center in Blythe, California. The Southeast Telecom Line would total approximately 14 miles and would be installed primarily on existing structures, but would require some new wood poles to be installed along an existing patrol road. Several locations would be installed in underground conduit along the existing roadways. This would not require new poles or additional ground disturbance to previously undisturbed areas. The area is primarily rural with agricultural uses in the Palo Verde Valley. The route is not within 1/4 mile of any residences.

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. Monday through Saturday in compliance with the applicable noise ordinance, or a variance from the ordinance restrictions will be requested. Construction may occasionally occur on Sundays as well. Construction activities will occur over approximately five months beginning in fall 2012

and were addressed in the DPV2 Final EIR/EIS and Supplemental EIR. All residences will be notified of construction per the approved Construction Notification Plan as required in Mitigation Measure L-1a.

## **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. The NTPR mitigation compliance table provides applicable pre- and during construction requirements. Bulleted items can be found below which provide additional information and clarifications to outstanding requirements.
2. Copies of all relevant permits, compliance plans, the subject NTPR, 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 Measure L-1a 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 unless otherwise authorized by USFWS and CDFG. 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 BO, a field contact representative (FCR) shall be designated and will be on site for all ground-disturbing activities in special-status species' 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 submit the entirety of the Habitat Restoration and Compensation Plan (HRCP), including the visual and hydrological compliance plans required, within 20 calendar days of the approval date of NTP #15. The HRCP shall incorporate revisions as previously requested by CPUC in its review memo dated April 27, 2012 and its letter dated October 29, 2012, and in conversations between Aspen and SCE staff. CPUC review and follow up in terms of additional questions or approval of the HRCP shall occur within 10 working days of receipt of the HRCP. If the HRCP has not been submitted as specified herein, all work under NTP #15 shall be suspended until such time as the HRCP is submitted by SCE and reviewed and approved by CPUC.
8. SCE shall prepare and implement a Noxious Weed Control Plan that will specify the locations of existing weed populations and provide appropriate measures to control the introduction and spread of noxious weeds into the Project area. Ground disturbing activities may commence prior to final

CPUC-approval of this plan provided SCE has completed preliminary baseline invasive and noxious weed inventories and implements standard weed control measures throughout the duration of construction activities, as identified in Mitigation Measure B-2b.

9. 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.
10. In the event that Harwood's woollystar, Harwood's milk-vetch, or other special-status plant species are encountered during construction, SCE shall implement the Special-Status Plant Impact Avoidance and Minimization Plan.
11. In compliance with Mitigation Measure B-9a, SCE shall conduct pre-construction surveys for sensitive wildlife in any area subject to disturbance within fourteen (14) days of implementation of any Project activities. The location of sensitive species identified during the pre-construction surveys shall be provided on Project maps.
12. In compliance with Mitigation Measure B-5a, pre-construction surveys for breeding birds shall be conducted by a CPUC-approved biologist at least 14 days prior to construction (during nesting season) in areas within 500 feet of construction limits. 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.
13. 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.
14. SCE shall conduct pre-construction surveys for Mojave fringe-toed lizard and other special-status reptiles within 48 hours prior to initiation of construction activities. If Mojave fringe-toed lizard is 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.
15. SCE shall provide compensatory mitigation for Mojave fringe-toed lizard for any impacts to sand dune habitat. Construction activities may commence prior to requirements defined under Mitigation Measure B-9j provided SCE demonstrates to the CPUC that compensation funding through Wildlands LLC.

16. In compliance with Mitigation Measure B-7b (rev) and conditions of the BO, pre-construction desert tortoise clearance surveys shall be conducted by a CPUC, CDFG, and USFWS Authorized Biologist within 14 days prior to construction activities within a 100 percent coverage area of all desert tortoise habitat (modeled, critical, and/or occupied habitat) that will be subject to temporary and permanent project disturbance. Surveys, tortoise handling, burrow excavation, and relocation will follow procedures outlined in the BO.
17. 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.
18. SCE shall conduct pre-construction surveys for American badger and desert kit fox prior to ground-disturbing activities in areas that support potential habitat for these species. If occupied dens are identified in the Project area, SCE shall consult with CDFG for further action. Unoccupied dens located in the Project area shall be covered to prevent animals from re-occupying the den prior to construction. Badger and kit fox dens located outside the Project area shall be flagged for avoidance.
19. SCE shall conduct biological monitoring in all areas of disturbance during construction activities, including access roads. The biological monitor shall look for sensitive wildlife that may be located within or immediately adjacent to construction areas. If sensitive species are found, the biological monitor shall relocate in accordance to the appropriate Final EIR/EIS Mitigation Measures, APMs, and conditions of the USFWS BO.
20. SCE shall install the transmission and telecommunications line facilities utilizing the most current APLIC standards for collision-reducing techniques.
21. 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.
22. 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.
23. 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.
24. 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.
25. 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.
26. 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.

27. In the event that an unanticipated discovery of cultural materials is made during construction of the Devers Substation upgrades and expansion, 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.
28. In accordance with the Paleontological Monitoring and Treatment Plan, low sensitivity units shall be monitored intermittently, to verify the low sensitivity classification, as determined by the Paleontological Resource Specialist.
29. In the event that a paleontological resource discovery is made during site expansion, 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).
30. The CPUC Environmental Monitor (EM) shall be notified immediately of any unanticipated cultural, paleontological, or biological resource discoveries.
31. 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.
32. 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.
33. 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.
34. In accordance with Mitigation Measure P-1a(rev), 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.
35. 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.

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

37. 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: Holly Roberts, BLM Palm Springs South Coast Field Office  
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