

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



December 14, 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 Transmission Line Project – Variance Request #15

Dear Ms. Benz,

On December 13, 2011, Southern California Edison (SCE) submitted a variance request to the California Public Utilities Commission (CPUC) for the installation of a temporary power line outside of the yard boundaries, required to power the trailers at the Chiriaco Summit Construction Yard for the Devers-Palo Verde No. 2 (DPV2) Transmission Project.

The CPUC voted on January 25, 2007 to approve the SCE DPV2 Transmission Line Project (Decision D.07-01-040). On May 14, 2008, SCE filed a Petition for Modification (PFM) of the existing Certificate for Public Convenience and Necessity (CPCN) approved per Decision D.07-01-040. SCE requested that the CPUC authorize SCE to construct DPV2 facilities in only the California portion of DPV2 and the Midpoint Substation (now called the Colorado River Substation) near Blythe, California. The CPUC approved SCE's PFM on November 20, 2009 in Decision D.09-11-007.

After the CPUC's 2009 Decision regarding the PFM, several large solar power projects were proposed in the Blythe and Desert Center areas. SCE filed Permit to Construct applications addressing expansion of the Colorado River Substation and construction of a new Red Bluff Substation. These components were not covered in the original DPV2 Final EIR/EIS, because the solar power projects had not yet been proposed, and supplemental environmental review has been conducted. The Colorado River Substation Expansion and the Red Bluff Substation were both approved by the CPUC on July 14, 2011 in Decisions D.11-07-011 and D.11-07-020, respectively.

The BLM issued a Record of Decision approving the Project on July 19, 2011. The Project also crosses lands under jurisdiction of the U.S. Department of Agriculture Forest Service on the San Bernardino National Forest within an existing Forest Service-issued easement. The Forest Service will issue a revised easement signed by the Forest Supervisor. The area requested under this variance does not fall under BLM or Forest Service jurisdiction.

The CPUC also adopted a Mitigation, Monitoring, Compliance and Reporting Program (MMCRP) to ensure compliance with all mitigation measures imposed on the DPV2 Project during implementation. The MMCRP also acknowledges that temporary changes to the project are anticipated and common practice for construction efforts of this scale and that a Variance Request would be required for these activities. This letter documents the CPUC's thorough evaluation of all activities covered in this variance, and that no new impacts or increase in impact severity would result from the requested variance activities.

Variance #15, which approves the installation of a temporary power line at the Chiriaco Summit Yard is granted by CPUC based on the factors described below.

SCE Variance Request. SCE has requested a variance for the Chiriaco Summit Yard, authorized under Notice to Proceed #1, for the installation of temporary power supply outside of the yard boundaries, required to power the construction trailers. Excerpts from the SCE Variance Request, received December 13, 2011, are presented below (indented):

The Construction Yard Notice to Proceed (NTP) #1 dated June 23, 2011, identified construction activities and operation components including installation of temporary power and installation of office trailers. After reviewing potential scenarios for connecting the trailers to existing or proposed power sources, it was determined a temporary power pole was required within the yard boundary with installation of a new secondary conductor on the existing temporary power poles south of the yard boundary (shown on the attached figure [in SCE's Variance Request]).

CPUC Evaluation of Variance Request

In accordance with the MMCRP, the subject variance request was reviewed by CPUC to confirm that no new impacts or increase in impact severity would result from the requested variance activities. The following discussion summarizes this analysis for biological resources and other issue areas. A list of conditions is presented below to define additional information and clarifications regarding mitigation requirements. In some cases, these items exceed the requirements of the Mitigation Measures and Applicant Proposed Measures, and are based on specific site conditions and/or are proposed conditions by SCE.

Biological Resources. According to the variance request and field observations, the majority (approximately 75 percent) of the area associated with this variance consists of heavily disturbed areas and durable surfaces. The remainder of the area consists mainly of creosote bush (*Larrea tridentata*) scrub. The southern portion of the area has more densely grown road drainage areas dominated by palo verde (*Parkinsonia florida*), honey mesquite (*Prosopis glandulosa*), and creosote bush.

A new temporary 120/240V power pole would be constructed within the yard boundary with installation of a new secondary 120/240V conductor on the existing temporary power poles south of the yard boundary. The line would connect to existing distribution poles/line and the area is generally disturbed with no special-status plant species. The level of construction activities associated with this variance would be similar to the existing yard activities and no biological resources concerns have been identified.

Paleontological Resources. Based on the Paleontological Monitoring and Treatment Plan (PMTP), submitted to the CPUC on April 20, 2011, the potential to encounter paleontological resources within the vicinity of the Chiriaco Summit Construction Yard 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 PMTP will be followed (1-Notification, 2-Avoidance and Continued Construction Activities, and 3-Determining Significance of a Discovered Paleontological Resource).

Cultural Resources. The Final Historic Properties Management Plan (HPMP) for the Devers-Palo Verde No. 2 Project was accepted on October 20, 2011. No known cultural resources sites were identified within the Area of Potential Effect (APE) of the proposed temporary power supply line for the Summit Construction Yard. However, four cultural resources are located within the vicinity of the proposed temporary power supply line. Therefore, in accordance with the Final HPMP, cultural resources monitoring is required during the installation of the power pole and any ground disturbing activities associated with the construction of the temporary power supply line for the Summit Construction Yard.

In the event of an unanticipated discovery of cultural materials during construction of the temporary power line, the find will 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.

Other Issue Areas. No concerns noted under this variance.

Conditions of Variance Approval.

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

1. All applicable project mitigation measures, APMs, compliance plans, permit conditions and NTP conditions shall be implemented. Some measures have on-going/time-sensitive requirements and shall be implemented prior to and during construction where applicable.
2. Copies of all relevant permits, compliance plans, and this Variance approval shall be available on site for the duration of construction activities.
3. The CPUC EM shall verify the staking of all disturbance limits prior to construction.
4. In the event of an unanticipated discovery of cultural materials, 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.
5. In accordance with the PMTP, low sensitivity units shall be monitored intermittently, to verify the low sensitivity classification, as determined by the Paleontological Resource Specialist.
6. 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 Paleontological Monitoring and Treatment Plan shall be followed (1-Notification, 2-Avoidance and Continued Construction Activities, and 3-Determining Significance of a Discovered Paleontological Resource).
7. The CPUC EM shall be notified immediately of any unanticipated cultural, paleontological, or biological resource discoveries.
8. All crew members shall be Safe Worker and Environmental Awareness Program (SWEAP) trained prior to working on the project. A log shall be maintained on-site with the names of all crew personnel trained. For any crew members with limited English, a translator shall be on-site to ensure

understanding of the training program. In place of a translator, the SWEAP training brochure can be provided in Spanish or other languages as appropriate. All participants will receive a hard-hat sticker for ease of compliance verification.

Please contact me if you have any questions or concerns.

Sincerely,

Billie Blanchard

Billie Blanchard
CPUC Environmental Project Manager
DPV2 Transmission Project

cc: Ryana Parker, Southern California Edison
Sheree James, Southern California Edison
Vida Strong, Aspen Environmental Group
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