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

May 24, 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 #1

Dear Ms. Benz,

On May 6, 2011, Southern California Edison (SCE) submitted a variance request to the California Public Utilities Commission (CPUC) to address Mitigation Measures V-3a and V-40a requirements to allow SCE to construct traditional lattice towers instead of "Tetra" towers at two locations along the Devers-Valley No. 2 (DV2) segment of the Devers-Palo Verde No. 2 (DPV2) Transmission Project.

The CPUC voted on January 25, 2007 to approve the SCE DPV2 Transmission Line Project (Decision D.07-01-040). On May 14, 2008, SCE filed a Petition for Modification (PFM) of the existing Certificate for Public Convenience and Necessity (CPCN) approved per Decision D.07-01-040. SCE requested that the CPUC authorize SCE to construct DPV2 facilities in only the California portion of DPV2 and the Midpoint Substation (now called the Colorado River Substation) near Blythe, California. The CPUC approved SCE's PFM on November 20, 2009 in Decision D.09-11-007. The BLM is expected to issue a Record of Decision approving the Project in the near future. 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 areas requested under this variance do not fall under Forest Service jurisdiction.

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

Variance Request #1 which addresses the requirements of Mitigation Measures V-3a and V-40a related to matching tower design to existing structures, is granted by CPUC based on the factors described below.

SCE Variance Request. SCE has requested a variance to construct traditional lattice towers instead of "Tetra" towers at two locations (Structures #1139 and #1140) where steel fabrication limitations and associated grading requirements make Tetra tower design infeasible. Excerpts from the SCE Variance Request, received May 6, 2011, are presented below (indented) with CPUC additions in parenthesis and in bold:

Mitigation Measures V-3a and V-40a include the requirement that "all new and replacement structures are to as closely as possible match the design of the existing structures with which they will be seen." The two proposed towers at construction numbers 1139 and 1140 are adjacent to existing Tetra towers on the Devers to Valley 1 transmission line. These two locations are unique because they are separate geographically from the other ten Tetra towers along the relatively flat agricultural area immediately adjacent to the Valley Substation (construction numbers 1146-1155). Construction numbers 1139 and 1140 are about seven spans south of the other Tetra towers, in the hilly area closer to Hemet (traditional lattice towers are located on either side of the of the existing Tetra towers).

The hilly terrain in the area around tower construction numbers 1139 and 1140 makes the construction of Tetra towers infeasible because the design of the tetra towers requires equal leg lengths for both fabrication at the factory and assembly in the field. Due to the topography of these tower locations, a significant amount of benching or other grading work at the tower sites would be needed to construct a Tetra tower with equal leg lengths. To resolve issues with both fabrication and grading for these two towers, SCE proposes that traditional lattice towers be constructed instead of Tetra towers at construction numbers 1139 and 1140.

The attached figure (**submitted as part of the variance request)** shows the existing towers adjacent to construction numbers 1139, 1140, and 1141. 1141 is adjacent to an existing traditional tower. 1139 and 1140 are adjacent to existing Tetra towers.

Design drawings are attached (**to the variance request)** showing the topography at construction numbers 1139 and 1140.

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, cultural, and visual resources, sensitive land uses/noise, 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. Prior to construction, the CPUC will verify the avoidance of biological resources to the extent feasible through appropriate lattice tower siting based on required biological surveys and implementation of required mitigation.

Cultural and Paleontological Resources. Prior to construction, the CPUC will verify the avoidance of cultural and paleontological resources to the extent feasible through appropriate lattice tower siting based on required surveys and implementation of required mitigation, including unanticipated discovery protocols.

Visual Resources. The change in tower design for structure locations #1139 and #1140 would result in increased structural complexity and visual contrast because of the inconsistencies between the adjacent Tetra and lattice designs. However, the visual impact of the approved project was determined to be significant and unmitigable (Class I) in the Final EIR/EIS and this impact will not change with approval of this project variance. In addition, as discussed below, residential viewers of this portion of the project are located a distance of 0.4 to 2 miles away.

Sensitive Land Uses/Noise. This portion of the Devers-Valley No. 2 route crosses over some rugged hills/ridges south of Lakeview and north of Homeland. The structures would be most prominently visible to several (a dozen or so) residents (new construction) along Sierra Verde Road, Sky Crest, Via Del Senor, and Sky Mesa Road (which becomes Mc Clean Road further north), and travelers on Sky Mesa Road/Mc Clean Road between Homeland and Lakeview. These residential views from the south to southeast range from approximately 0.4 to 1 mile in distance. However, due to the higher elevation of the structures and the skylining that would occur, the structures would also be visible from numerous residences in the southern portion of Lakeview (to the north) and in the community of Nuevo to the northwest. Viewing distances from Lakeview would range from 0.75 to 2 miles and beyond. Viewing distances from Nuevo would range from approximately 1.5 to 2 miles. As stated under the Visual Resources discussion above, the visual impact of the approved project was determined to be significant and unmitigable (Class I) in the Final EIR/EIS and this impact will not change with approval of this project variance.

Construction of lattice towers at these two locations would result in a similar noise level and duration as associated with construction of Tetra towers. The nearest residence is approximately 0.4 miles from Structures #1139 and #1140, so any noise impacts to rural residences due to construction activities would be negligible.

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. In accordance with Mitigation Measures V-3a and V-40a, the following design measures are to be applied to Structures #1139 and #1140 in order to reduce the degree of visual contrast caused by the new facilities:

   - all new and replacement structures are to be paired as closely as possible with the existing structure(s) in the corridor in order to avoid or reduce the number of off-setting (from existing structures) tower placements;
   - all new and replacement structures are to match the heights of the existing Devers-Valley No. 1 structures to the extent possible as dictated by variation in terrain;
   - all new and reconductored spans are to match existing conductor spans as closely as possible in order to avoid or reduce the occurrence of unnecessary visual complexity associated with asynchronous conductor spans, particularly at sensitive crossings;
   - all new conductors are to be non-specular in design in order to reduce conductor visibility and visual contrast; and
   - to the extent feasible no new access roads are to be constructed downhill from existing or proposed towers to reduce the potential for skylining.

   Prior to the commence of construction, SCE shall submit to CPUC for review and approval a Project Design Plan for Structures #1139 and #1140 that demonstrates implementation of Mitigation Measures V-3a and V-40a.

2. 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.

3. Copies of all relevant permits, compliance plans, and this Variance approval shall be available on site for the duration of construction activities.

Please contact me if you have any questions or concerns.

Sincerely,

Billie Blanchard
CPUC Environmental Project Manager
DPV2 Transmission Project

cc: Ryana Parker, Southern California Edison
John Kalish, Bureau of Land Management
Vida Strong, Aspen Environmental Group
Hedy Koczwara, Aspen Environmental Group
Jamison Miner, Aspen Environmental Group