

APPENDIX B
RECORD OF DECISION AND RIGHT-OF-WAY GRANT

Record of Decision approving the BLM preferred alternative (proposed action)
for the Devers-Palo Verde No. 2 Transmission Line Project (February 21, 1989)

BLM Right-of-Way Grant
BLM California State Office (August 11, 1989)



BUREAU OF LAND MANAGEMENT
CALIFORNIA STATE OFFICE

2800 Cottage Way
Sacramento, California 95825

179
CA-930.1

MAR 6 1989

Mike Spear, Regional Director
US Fish and Wildlife Service
PO Box 1306
Albuquerque, NM 87103

Dear Mr. Spear:

Please find enclosed the Record of Decision approving the BLM preferred alternative (proposed action) on the Devers-Palo Verde No. 2 Transmission Line Project.

Sincerely,

Ed Hastey
State Director

Enclosure
As Stated

cc: SCE (Chuck Richards)
SD, Arizona
DM, CDD
OEPR (Libby Stone)
WO (200), Room 5454, MIB

RECORD OF DECISION
DEVERS-PALO VERDE NO. 2 TRANSMISSION LINE PROJECT

Southern California Edison Company (SCE) in concert with other western utility companies proposes to construct a 500 KV transmission line from the vicinity of the Palo Verde Nuclear Generating Station (PVNGS), about 40 miles west of Phoenix, Arizona to the Devers Substation, near Palm Springs, California. The project participants includes SCE, members of the Southern California Public Power Authority (SCPPA) and the Modesto-Santa Clara-Redding Public Power Agency (M-S-R). The SCPPA has entitlements in PVNGS and M-S-R has entitlements in San Juan Unit 4, located in New Mexico. Both SCPPA and M-S-R need transmission line from the Phoenix area to California to deliver power from the two out-of-state energy resources.

The proposed transmission line was analyzed in a Supplemental Environmental Impact Statement (SEIS). A draft supplemental EIS was released for 60-day public review on May 8, 1987 and ended July 8, 1987. A complete description of the proposed project, including maps and diagrams of proposed facilities such as transmission lines and towers were included in that document and are included in this Record of Decision (ROD) by reference.

The Final SEIS was published and made available to the public on December 16, 1988 by a Notica of Availability published in the Federal Register. A thirty day period ended January 16, 1989.

The SEIS evaluated five alternatives, one of which included a no-action alternative:

1. Proposed Project: The proposed route would parallel SCE's existing 238-mile 500 KV Devers-Palo Verde No. 1 transmission line of which 112 miles is in Arizona and 126 miles is located in California.
2. Northern Alternative 1: This alternative's alignment parallels the proposed project and is parallel to DEV No. 1, for the first 51 miles in Arizona. From the proposed route (about 12 miles east of the Kofa National Wildlife Area), it turns northwesterly towards the town of Brenda, and through the Plomosa Mountains. The route then turns westerly through the southern portions of the Colorado Indian Reservation. Crossing the Colorado River, the route skirts the northern edge of Palo Verde Valley and rejoins the proposed route 12 miles west of Blythe. The remainder of the route is the same as proposed project.
3. Northern Alternative 2: This alternative departs the proposed alignment about 12 miles east of the Kofa NWR and proceeds towards Brenda. Southeast of Brenda, the route parallels I-10 through the Plomosa Pass. Then the alignment turns southwesterly along the edge of the mountains to a point about nine miles southwest of Quartzite where it rejoins the proposed route.

4. Southern Alternative: This alternative leaves the proposed route east of the Colorado River and turns southwest and crosses the river and lower Palo Verde Valley about 15 miles southwest of Blythe; it then heads northwest and rejoins the proposed route about 15 miles west of Blythe.

The no-action alternative considered the consequences of denying the proposal entirely.

The route alignment proposed by SCE is the preferred route of the Bureau of Land Management. It is also the environmentally preferred alternative for the following reasons. The route is utilized for interstate pipelines and transmission lines; impacts are confined to a utility corridor where environmental disturbances have already taken place. The original decision to route Devers-Palo Verde (DPV) No. 1 transmission line, which DPV No. 2 parallels, through the Kofa NWR was based on the greater potential for significant impact to bighorn sheep along the other alternatives. Detailed studies before, during and after construction of DPV No. 1 have not identified any significant adverse effect, and DPV No. 2 is expected to result in a similar negligible effects.

U.S. Fish and Wildlife Service is preparing a compatibility statement on the Kofa NWR segment, and has concurred with the Bureau's proposed action.

Northern Alternative 1, Northern Alternative 2, and Southern Alternative routes would require an additional 74 miles, 47 miles, and 32 miles, respectively, of new rights-of-way. The new and additional surface disturbance would involve greater environmental impact than the proposed route, particularly in soil disturbance, biological resources, visual quality, cultural resources, Native American cultural values and land use.

All practical means to avoid adverse impact have been adopted. Construction monitoring will be conducted by the appropriate District Office in each state to ensure compliance with the mitigation measures identified in Appendix A of the SEIS. The U.S. Fish and Wildlife Service will monitor the Kofa NWR segment.

The right-of-way grant will be given a different serial number for California and Arizona. The term of the grant will be perpetuity and will be renewable

Ed Henry
California State Director

Feb. 21, 1989
Date

UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT
E-2841 Federal Office Building
2800 Cottage Way
Sacramento, California 95825

RIGHT-OF-WAY GRANT

Serial Number: CA-17905 / AZ-23805

Pursuant to Title V of the Federal Land Policy and Management Act of 1976, 43 U.S.C. 1761, and the regulations in Part 2800, Title 43, Code of Federal Regulations, the United States of America hereby grants to Southern California Edison Co. a right-of-way across Federal lands for the construction, operation, maintenance, and termination of one 500 kV Transmission Line and its Appurtenances. The location of the transmission line is indicated in Exhibit C.

NATURE OF THE GRANT

By this instrument, Holder receives a nonpossessory, nonexclusive right to use certain Federal lands as depicted in the legals referred to in Exhibit C, for the limited purpose of construction, operation, maintenance and termination of a 500 kV Transmission Line and its Appurtenances specified in this instrument.

WIDTH OF RIGHT-OF-WAY

The nominal width of the right-of-way is 130 feet. The right-of-way contains 57.2 miles of public land in California and 92.7 miles of public land in Arizona.

DURATION OF GRANT

- A. The grant hereby made shall be in perpetuity from the effective date hereof, at noon, California time, unless it is relinquished, abandoned, modified or otherwise terminated pursuant to the provisions of this grant or of any applicable Federal law or regulation.
- B. Notwithstanding the expiration of this grant, its earlier relinquishment, abandonment, or other termination, the provisions of this grant, to the extent applicable, shall continue in effect and shall be binding on the Holder, its successors or assigns, until they have fully performed their respective obligations and liabilities occurring before or on account of the expiration, or the prior termination, of the grant.

VAULT COPY

RENTAL

For and in consideration of the rights granted, the Holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer. Provided, however, that the annual rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices. The estimated rental for the public lands in California for eight (8) months in the 1989 calendar year is \$5,703.00 subject to final determination of length as derived from as-built drawings. For the public lands in Arizona, the estimated rental for eight (8) months in the 1989 calendar year is \$5,518.00 subject to final determination of length as derived from as-built drawings.

TERMS AND CONDITIONS

- A. This grant is issued subject to the holder's compliance with all applicable regulations contained in 43 CFR 2800.
- B. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise disposed of as provided in the attached stipulations or as directed by the authorized officer.
- C. Each grant issued pursuant to Title V of the Act (FLPMA) and 43 CFR 2800 for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided however, that a right-of-way granted herein may be reviewed at any time deemed necessary by the authorized officer.
- D. The stipulations, plans, maps, or designs set forth in Exhibits A, B, and C, attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- E. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.

INCORPORATION OF CERTAIN DOCUMENTS BY REFERENCE

The following documents are by this reference incorporated into and made a part of this grant:

- A. The stipulations set forth in Exhibits A and B attached.
- B. The route's legal description in Exhibit C attached.

VAULT COPY

AUTHORITY TO ENTER AGREEMENT

The Holder represents and warrants to the United States that it is duly authorized and empowered under the applicable laws of the State of its incorporation and by its charter and by-laws to enter into and perform this agreement in accordance with the provisions hereof.

IN WITNESS WHEREOF,

The parties hereto have duly executed this agreement as of the date written.

UNITED STATES OF AMERICA

[Signature]
State Director, Arizona
Bureau of Land Management

AUG 1 1989
Date

Ed Hunter
State Director, California
Bureau of Land Management

8/11/89
Date

Southern California Edison Co

Re Bray
Title
Manager of
Real Properties and
Administrative Services

7/14/89
Date

APPROVED AS TO FORM:
JOHN R. BURY *J.N. Bury*
Vice President General Counsel
By *[Signature]*
Attorney

1989	
APPROVED	
BY	DATE
<i>WPO</i>	5/1/89
<i>JK</i>	5/3/89
<i>ML</i>	7/3/89
<i>SE</i>	7-8
<i>TP</i>	7/11
<i>WJ</i>	7/12
<i>JA</i>	7/14

EXHIBIT A

GENERAL STIPULATIONS

A-1. Definitions

As used in these stipulations and elsewhere in this grant, the following terms have the following meanings:

- A. "Authorized Officer" means the State Director, District Manager and his field compliance officer.
- B. "Line" means the electrical transmission line.
- C. "Holder" means: Southern California Edison Co. and its successors and assigns.
- D. "Notice to Proceed" means an authorization to initiate the transmission line construction.
- E. "Cultural Resources" means those fragile and nonrenewable remains of human activity, occupation, and endeavor as reflected in district, sites, structures, artifacts, objects, ruins, works of art, architecture, and natural features that were of importance in human events.
- F. "Natural Resources" means all remains of natural origin including wildlife, vegetation, fish, geologic remains, paleontological fossils and remains, soil aesthetics, and open space values.
- G. "Waste" means all discarded matter, including but not limited to human waste, trash, garbage, refuse, barrels and drums, petroleum products, ashes and equipment.

Responsibilities

Holder shall ensure full compliance with the terms and conditions of this grant, including these stipulations, (Exhibits A,B,C), by its agents, employees and contractors (including subcontractors at any level), and the employees of each of them. Failure or refusal of Holder's agents, employees, contractors, subcontractors, or their employees to comply with said stipulations shall be deemed to be the failure or refusal of Holder.

Notices to Proceed

- A. Holder shall not initiate any construction on the Federal land in each respective state without the prior written authorization of the respective Authorized Officer in California and Arizona. Such authorization shall be given solely by means of a written Notice to Proceed issued by the respective Authorized Officer.

- B. The Holder shall contact the authorized officer at least 15 days prior to the anticipated start of construction and/or any surface disturbing activities. The authorized officer may require and schedule a preconstruction conference with the Holder prior to the holder's commencing construction and/or surface disturbing activities on the right-of-way. The Holder and/or his representative shall attend this conference. The Holder's contractor, or agents involved with construction and/or any surface disturbing activities associated with the right-of-way, shall also attend this conference to review the stipulations of the grant including the plan(s) of development.
- C. The Authorized Officer may revoke in whole or in part any Notice to Proceed which has been issued when unforeseen conditions arise
- D. Each application for a Notice to Proceed shall be supported by:

Construction specifications.

A detailed network analysis diagram for the construction segment will be provided to the Authorized Officer, including: Holder's work schedules; permits required by State and Federal agencies and their interrelationships; design and review periods; data collection activities; and construction sequencing. The detailed network analysis diagram shall be updated by Holder as required to reflect current status of the project.

Thirty (30) days will be allowed for field review of any data or plans prior to the issuance of a Notice to Proceed.

Centerline surveys of the route location.

A-4. Liabilities of Holder

- A. The Holder shall be liable for damage or injury to the United States to the extent provided by 43 CFR Sec. 2803.1-4. The Holder shall be held to a standard of strict liability for damage or injury to the United States resulting from fire or soil movement (including landslides and slumps, as well as wind and water-caused movement of particles) caused or substantially aggravated by any of the following within the right-of-way or permits area:
 - 1. Activities of the Holder including, but not limited to, construction, operation, maintenance, and termination of the transmission line.

2. Activities of other parties including, but not limited to:
 - a. Land clearing and logging.
 - b. Earth-disturbing and earth-moving work.
 - c. Blasting.
 - d. Vandalism and sabotage.

The maximum limitation for such strict liability damages shall not exceed one million dollars (\$1,000,000) for any one event, and any liability in excess of such amount shall be determined by the ordinary rules of negligence of the jurisdiction in which the damage or injury occurred.

This section shall not impose strict liability for damage or injury resulting primarily from the negligent acts or omissions of the United States.

A-5. Reservation of Certain Rights to the United States

The United States reserves and shall have a continuing right of access to any part of the lands (including the subsurface of, and the air space above, such lands) that are subject to the right-of-way, and reserves the right to issue additional use authorization to third parties for compatible uses on, over, under or adjacent to the lands subject to the right-of-way.

A-6. Reimbursement of Department Expenses

A. Holder shall reimburse the United States for all costs incurred by the BLM for monitoring the construction, operation, maintenance, and termination of authorized facilities on the right-of-way and for the protection and rehabilitation of the lands involved. Such reimbursement shall be made as follows:

1. At least 30 days before the beginning of each quarter of each Federal fiscal year, the Authorized Officer shall submit an itemized statement of projected costs to Holder of the reimbursable work to be performed by the United States during the ensuing quarter, together with a bill for payment of the cost of such work. Holder shall pay the billed amount in full no later than 15 days from receipt of the bill. If the advance payment for a quarter exceeds the actual cost of the work performed during that quarter, the overpayment shall be credited to Holder in the next billing after the Authorized Officer has determined the amount of the overpayment. If the advance payment for a quarter is less than the actual cost of the work performed during that quarter, the amount of the difference shall be included in the amount due in the next billing after the Authorized Officer has determined the amount of underpayment.

2. If Holder decides to dispute any item of a statement that shall be rendered in accordance with this section, Holder shall so notify the Authorized Officer within 15 days of receipt of the statement. If the dispute involves only the amount owed the United States but not the need for the work to be done, Holder shall not withhold payment of the disputed amount, but shall pay it under protest. If the dispute pertains to the need for, or relevance to the project of the work, proposed work to be undertaken by the Authorized Officer, such work shall not be initiated until the dispute is resolved. The Authorized Officer shall meet with Holder promptly in an effort to resolve the dispute and shall thereafter rule on the matter and make appropriate adjustment of Holder's account.

B. The Holder shall have the right to conduct, at its own expense, reasonable audits by auditors or accountants, designated by the Holder, of the books, records, and documents of the Department and of its independent consultants and/or contractors relating to the items on any particular statement that shall be submitted, at the places where such books, records, and documents are usually maintained, and at reasonable times; provided, however, that written notice of a desire to conduct such an audit must be given the Authorized Officer:

1. At least fifteen (15) days prior to such audit.
2. By not later than the 75th day after the close of the quarter for which the books, records, and documents are sought to be audited, and provided further, that any such audits shall be completed within ninety (90) days after receipt by the Holder of the statement containing the items to be audited.

A-7. Right of United States to Perform

If, after thirty (30) days, or in an emergency such shorter period as shall be reasonable, following the making of a demand therefore by the Authorized Officer, Holder, or its agents, employees, contractors, or subcontractors, shall fail or refuse to perform any of the actions required by Section A-4.A of this grant, the United States shall have the right, but not the obligation, to perform any or all of such actions at the sole expense of Holder.

A-8. Liens

The Holder shall, with reasonable diligence, discharge any lien against Federal lands that results from any failure or refusal on its part to pay or satisfy any judgment or obligation that arises out of or is connected in any way with the construction, operation, maintenance, or termination of all or any part of the line.

A-9. Transfer

Holder shall not, without obtaining the prior written consent of the Authorized Officer transfer in whole or in part any right, title, or interest in this right-of-way grant.

A-10. Nondiscrimination and Equal Employment Opportunity

In the construction, operation and maintenance of the line and its appurtenances there shall be no discrimination against any employee or applicant for employment because of race, creed, color, sex or national origin and all subcontractors shall include an identical provision.

A-11. Partial Invalidity

If any part of this grant is held invalid or unenforceable, the remainder of this grant shall not be affected and shall be valid

A-12. Termination of Use

Upon revocation or termination of this grant or termination of use of any part of the transmission line located on Federal lands, Holder shall remove all improvements and equipment, except as otherwise approved in writing by the Authorized Officer, and shall restore the land to a condition that is satisfactory to the Authorized Officer.

A-13. Improvements

Holder shall protect existing telephone, telegraph, and transmission lines, roads, trails, fences, ditches, and like improvements during construction, operation, maintenance, and termination of the line. Holder shall not permanently obstruct any road or trail without the prior approval of the Authorized Officer. Damage permanently caused by Holder to public utilities and improvements shall be promptly repaired by Holder to a condition which is satisfactory to the Authorized Officer.

A-14. Survey Maps

Ninety (90) days after completion of construction the Holder shall furnish as-built centerline survey plats showing the location of the transmission line and its appurtenances, furnish a statement stating all restoration stipulations have been complied with, and provide proof of construction on forms approved by the Director, to the Authorized Officer.

A-15. General Requirements

- A. The Holder shall place slope stakes, culvert location and grade stakes, and other construction control stakes as deemed necessary by the Authorized Officer or his delegate to ensure construction in accordance with the plan of development. If stakes are disturbed, they shall be replaced before proceeding with construction.**
- B. The Holder shall survey and clearly mark the centerline and/or exterior limits of the right-of-way, as determined by the authorized officer.**
- C. The Holder shall conduct all activities associated with the construction, operation, and termination of the right-of-way within the authorized limits of the right-of-way.**

A-16. Construction Requirements

- A. At least 30 calendar days in advance of beginning construction activities on the public lands, the Holder shall submit in writing a timetable of construction to the Authorized Officer. (If construction is to begin upon receipt of the permit, the Holder shall immediately contact the District Manager to advise him of the immediate construction, and to discuss the timetable of construction).**
- B. The Holder will assume all liabilities including, but not limited to, soil and geologic stability, design, operations thereto, and maintenance liable for identifying, prior to construction, all activities that may jeopardize human welfare or equipment that can be rectified through coordination with the Authorized Officer.**
- C. The Authorized Officer reserves the right to approve, disapprove, limit, or specify given types of motorized equipment to be used within the right-of-way per se, or access roads, for the purpose of construction, restoration, or maintenance.**
- D. No preconstruction, construction, post-construction, or maintenance activities shall commence on public lands or lands that may have archaeological, cultural or paleontological values without prior approval of the Authorized Officer.**
- E. Only certified employees shall use explosives or explosive materials and the transportation and use of explosives shall be in compliance with local, State and Federal regulations.**

A-17. Roads and Access Requirements

- A. Holder shall permit free unrestricted public access to and upon the right-of-way for all lawful purposes except for those specific areas designated as restricted by the Authorized Officer to protect the public, wildlife, livestock, or construction of the right-of-way.**
- B. The Holder shall provide for the safety of the public entering the right-of-way. This includes, but is not limited to, barricades for open trenches, flagmen/women with communication systems for single-lane roads without intervisible turnouts, and attended gates for blasting operations.**
- C. Construction-related traffic shall be restricted to routes approved by the Authorized Officer. New access roads or cross-country vehicle travel will not be permitted unless prior written approval is given by the Authorized Officer. Authorized roads used by the Holder shall be rehabilitated or maintained when construction activities are complete as approved by the Authorized Officer.**
- D. The Holder shall construct waterbars on all disturbed areas to the spacing and cross sections specified by the Authorized Officer. Waterbars are to be constructed to: (1) simulate the imaginary contour lines of the slope (ideally with a grade of one or two percent); (2) drain away from the disturbed area; and (3) begin and end in vegetation or rock whenever possible.**
- E. Existing roads and trails on public lands that are blocked as the result of the construction project shall be rerouted or rebuilt as directed by the Authorized Officer.**
- F. The Holder shall construct low-water crossings in a manner that will prevent any blockage or restriction of the existing channel. Material removed shall be stockpiled for use in rehabilitation of the crossings.**

A-18. Air Quality and Noise

- A. Dust control measures, such as watering, will be implemented on road-disturbed areas as determined by the Authorized Officer, during periods of heavy vehicular traffic, and in areas identified as powdery soil conditions.**
- B. Holder will use fugitive dust control measures during construction, which may include water spraying with dust suppression additives, as determined by the Authorized Officer.**

A-19. Use of Pesticides and Disposal of Waste Material

- A. Use of pesticides shall comply with the applicable Federal and State laws and regulations concerning the use of pesticides and other toxic substances (i.e., insecticides, herbicides, fungicides, rodenticides and other similar substances) in all activities/operations under this grant. Pesticides shall be used only in accordance with their registered uses and within limitations imposed by the Secretary of the Interior. Prior to the use of pesticides, the Holder shall obtain from the Authorized Officer written approval of a plan showing the type and quantity of material to be used, pest, insect, fungus, etc., to be controlled; the method of application; the location for storage and disposal of containers; and any other information deemed necessary by the Authorized Officer. The plan should be submitted no later than December 1 of any calendar year that covers the proposed activities for the next fiscal year (i.e., December 1 1989, deadline for a fiscal year 1990 action). Emergency use of pesticides shall be approved in writing by the Authorized Officer prior to such use. Pesticides shall not be permanently stored on public lands authorized for use under this grant.**
- B. Construction sites shall be maintained in a sanitary condition at all times; waste materials at those sites shall be disposed of (contained and hauled away to approved disposal areas) promptly at an appropriate waste disposal site.**
- C. A litter policing program shall be implemented by the Holder and approved in writing by the Authorized Officer, covering all roads and sites associated with the right-of-way.**
- D. If facilities authorized for construction under this right-of-way grant use Polychlorinated Biphenyls (PCBs), such use shall be in a totally enclosed manner in accordance with provisions of the Toxic Substances Control Act of 1976 as amended (see 40 CFR Part 761). Additionally, any release of PCBs (leaks, spills, etc.) in excess of the reportable quantity established by 40 CFR Part 117 shall be reported as required by law. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any hazardous material shall be furnished to the Authorized Officer within 5 working days of the occurrence of the spill or release.**

A-20. Survey Monuments

The Holder shall protect all survey monuments found within the right-of-way. Survey monuments include, but are not limited to, General Land Office and Bureau of Land Management Cadastral Survey Corners, reference corners, witness points, U.S. Coastal and Geodetic benchmarks and triangulation stations, military control monuments, and recognizable civil (both public and private) survey monuments. In the event of obliteration or disturbance of any of the above, the Holder shall immediately report the incident, in writing, to the Authorized Officer and the respective installing authority if known. Where General Land Office or Bureau of Land Management right-of-way monuments or references are obliterated during operations, the Holder shall secure the services of a registered land surveyor or a Bureau cadastral surveyor to restore the disturbed monuments and references using surveying procedures found in the Manual of Surveying Instructions for the Survey of the Public Lands of the United States, latest edition. The Holder shall record such survey in the appropriate county and send a copy to the Authorized Officer. If the Bureau cadastral surveyors or other Federal surveyors are used to restore the disturbed survey monument, the Holder shall be responsible for survey costs.

A-21. Miscellaneous

Within ninety (90) days of completion of construction of the line, holder shall submit a maintenance plan to the Authorized Officer for approval. The plan shall specify the types and frequency of recurring activities to be conducted by Holder within and along the right-of-way. Either party may request that the maintenance plan be updated to meet changing conditions. Amendments and revisions of the maintenance plan shall be approved by the Authorized Officer.

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EXHIBIT B
MITIGATION MEASURES

B-1. Access Roads

1. Although the holder may restore and maintain existing access roads, they cannot be either widened or upgraded without approval of the Authorized Officer.
2. New access road construction will be kept to a minimum.

B-2. Geology

1. The line will be located to minimize the disruption of any active mining operations.
2. Transmission towers will not be sited on nor straddle the mapped traces of any known fault that has been designated active or potentially active (see Figure 4.2-1 in the CPUC Draft EIR). In areas where known faults are present the holder will visually check the tower site area before clearing, and will check the tower footing holes for any trace of a previously unmapped fault. If manifestations of a fault are found, construction will immediately stop at that site and the holder will consult with the BLM Authorized Officer. The BLM Authorized Officer will determine if it is a fault trace and if so, will ascertain if it is active, potentially active, or inactive.
3. Towers will be located so that the line will span the surface traces of active and potentially active faults such that a relative lateral surface displacement would shorten the span between towers, and thus avoid potential line breaks. Where this is not feasible, the holder will incorporate slack spans to bridge the fault(s) such that the projected lateral surface displacement, as forecast by the holder's geologist and accepted by the BLM Authorized Officer, will not structurally affect the associated towers.
4. Appropriate tower design will be used to mitigate the potential for very strong seismic ground shaking. In general, an appropriate tower design which accounts for lateral wind loads and conductor loads during line stringing exceeds any credible seismic loading (ground shaking).
5. Towers will be located to avoid areas of highly sensitive dune sand (see Map 10-AZ in the Draft EIS and Figure 4.5.1 in the CPUC Draft EIR). Where these areas cannot be avoided, towers will be located to minimize disturbance to the deposits at a site approved by the BLM Authorized Officer.
6. Wherever possible to minimize the potential for slope instability, towers will be located to avoid gullies or active drainages, and oversteepened slopes .

7. The Authorized Officer will require, on a site specific basis, helicopter assisted construction in sensitive areas. Sensitive areas are those that exhibit both: 1) High erosion potential and/or slope instability; and 2) A lack of existing access roads within a reasonable distance of the tower site (generally no more than 1/4 mile), or existing access that is not suitable for upgrading to accommodate conventional tower construction or line stringing equipment, and where it is determined that after field review the issues of erosion and/or slope instability cannot be successfully mitigated through implementation of accepted engineering practices.
8. Mitigation of potentially significant impacts to the western end of the proposed transmission line due to (1) potential surface fault rupture along the Banning, Mission Creek, and Mecca Hills faults, and (2) potential for severe seismic shaking can be achieved by standard design methods listed below:
 - a. Towers will be sited so as not to straddle active fault traces
 - b. The alignment will be designed to cross an active fault such that future rupture on the fault would not cause excessive stress on the line or the towers.
 - c. Standard foundation and structural design measures will be utilized to minimize the impact from severe seismic shaking.
9. Appropriate design of tower foundations will be used to reduce the potential for settlement and compaction.

B-3. Soils

Mitigation measures to reduce adverse impacts on soil resources are:

1. New access roads and soil disturbance will be avoided or minimized in all areas designated as having high erosion hazards or potential slope instability (see Map 9-AZ, Appendix F in the Draft EIS; and Figures 4.2-1 and 4.3-1 in the Devers-Palo Verde #2 EIR). If the Authorized Officer, after consultation and review of alternatives (including helicopter or helicopter assisted construction) deems the proposed new access road feasible, design plans must be submitted for approval, in writing, prior to construction.
2. New access roads which are required will be designed to minimize ground disturbance from grading. They will follow natural ground contours as closely as possible and include specific features for road drainage, including water bars on slopes over 25 percent. Other measures could include drainage dips, side ditches, slope drains, and velocity reducers. Where temporary crossings are constructed, the crossings will be restored and repaired as soon after completion of the discrete action associated with construction of the line in the area as possible.
3. Side casting of soil during grading will be minimized. Excess soil will be properly stabilized or, if necessary, end-hauled to an approved disposal site.

B-4. Hydrology

1. During the first year following construction, potential soil erosion sites will be inspected by the holder after each major rain storm as access permits. For the purpose of this measure, a major rain storm is defined as any singular storm where the total precipitation exceeds the arithmetic mean for similar events in the area and results in flooding. Examples include cloudburst (high quantity - short duration) or storms where saturated soils produce runoff (high quantity - long duration).
2. Construction equipment will be kept out of flowing stream channels except when absolutely necessary to construct crossings.
3. Erosion control and hazardous material plans will be incorporated into the construction bidding specifications to insure compliance
4. Appropriate design of tower footing foundations, such as raised foundations and/or enclosing flood control dikes, will be used to prevent scour and/or inundation by a 100-year flood.
5. Towers will be located to avoid active drainage channels, especially downstream of steep hillslope areas, to minimize the potential for damage by flash flooding and mud and debris flows
6. Diversion dikes will be required to divert runoff around a tower structure if: a) the location in an active channel cannot be avoided; and b) where there is a very significant flood scour/deposition threat, unless specifically exempted by the BLM Authorized Officer.
7. Runoff from roadways will be collected and diverted from steep, disturbed, or otherwise unstable slopes.
8. Ditches and drainage concourses will be designed to handle the concentrated runoff, will be located to avoid disturbed areas, and will have energy dissipations at discharge points.
9. Cut and fill slopes will be minimized by a combination of benching and following natural topography where possible.

B-5. Biological Resources

Vegetation.

1. Avoid direct disturbance of highly sensitive features (as identified in E. Linwood Smith's [1985] Impact Assessment/Mitigation Planning Chart; see Appendix E) with spanning and careful local adjustment in tower footing placement.

2. Provide additional detailed surveys and tower-specific adjustments as needed prior to construction for major sensitive feature sites (e.g., concentrations of sensitive plants, individual palm trees, woody dune or wash communities) which cannot be easily avoided by spanning. (See appendix B of the Devers-Palo Verde #2 EIR and Appendix E of the SEIS.) The methodologies and results of these surveys must be submitted to and approved in writing by the BLM Authorized Officer.
3. Minimize the area needed for equipment operation and material storage and assembly.
4. Initiate transplant efforts for Ferocactus and Coryphantha as soon as probable losses can be determined. Any plans for transplanting must be developed in consultation with a BLM botanist and approved in writing by the BLM Authorized Officer.
5. The right-of-way Holder will have the Arizona State Department of Agriculture and Horticulture identify native plants that would otherwise be destroyed by construction and sell them to the Holder.
6. The Authorized Officer may require vegetation in certain areas be cleared by hand tools. Scalping of top soil and removal of low growing vegetation will not be allowed unless authorized by the Authorized Officer.
7. Where possible, towers or access roads will be located so as to avoid sensitive plants or plant communities. Where this is not feasible, affected individual plants will be transplanted. Towers will also be placed so that the lines will span critical wildlife habitat.
8. Tower sites will be selected to allow maximum spanning of sensitive features.

Wildlife.

1. In the vicinity of the Colorado River, existing tower spacings and conductor heights will be matched to the extent practical. This would reduce the potential for bird collisions with the powerline.
2. Wash communities along the entire route and sand dune communities in the Coachella Valley (see Map 10-AZ in the Draft SEIS and Figure 4.5-1 in the CPUC Draft EIR) will be spanned to the extent possible.

3. The Holder will be required to purchase lands to compensate or enhance lands or conduct studies for the disturbance of public lands that are within areas of moderate to high value desert tortoise habitat. This will include disturbance caused by tower pad clearance and new access roads. Acquired lands will be in a nearby area of good tortoise density, within tortoise crucial habitat, and within an area where tortoise conservation is a priority (e.g., Chuckwalla Bench ACEC). Compensation utilizing land acquisition will be for disturbance of desert tortoise habitat in California only. The land to be acquired is estimated to be between 92 acres and 197 acres based upon a pre-construction review. BLM and the Holder will conduct a field inspection of the disturbed areas after completion of construction of the transmission line to determine the exact acreage. The Department of Fish and Game and the Desert Tortoise Council must also be consulted. The lands purchased will be transferred to the United States and be administered by the BLM.
4. Prior to construction activities, the Holder shall have a qualified tortoise biologist present a class or briefing to construction workers. Subjects addressed shall include tortoise sensitivity to human disturbance, daily and seasonal activity patterns, and proper handling for removal from roadways.
5. The Holder shall hire a qualified tortoise biologist to conduct daily inspections of roads and work areas within tortoise habitat during the tortoise season of activity (February 15 to June 15, July 15 to October 15). Tortoises found to be in jeopardy will be removed to a nearby site. Tortoises may be held for short periods, if judged necessary, to allow construction crews to pass through an area. The Holder will provide proper facilities for such temporary holding.
6. The Holder shall restrict the speed on all roads within tortoise habitat to a maximum of 25 miles per hour. The Holder is responsible for ensuring compliance with this limit by its employees.
7. Within tortoise habitat in California, spur roads shall not be bladed except where necessary to allow access for construction vehicles. Required vehicles shall enter on one pathway which is flagged and developed only by the passage of vehicles crushing vegetation. The spur shall be flagged by a qualified tortoise biologist prior to use. The spur shall avoid tortoise burrows and large perennial plants, yet be as short as possible within these requirements. Due to the presence of silty soils in Arizona, blading may occur.
8. Any desert tortoise observed on access roads or work areas will be moved immediately 100 yards away from the roadway into safe areas.

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- o In areas considered to comprise suitable tortoise habitat, or other areas where tortoise are observed, all access roads and tower construction sites will be surveyed by a qualified biologist to delineate burrows or individuals for protection. Burrows near construction sites will be clearly delineated on the ground. Road, footing, and work area alignments should be modified to the extent possible to avoid adversely affecting any tortoise burrows encountered during these surveys. Where tortoise burrows will be unavoidably destroyed, they should be excavated carefully using hand tools, under the supervision of a field biologist with demonstrated prior experience with this species. See Map 11-AZ in Appendix F in the Draft EIS and Figure 4.5-2 in the Devers-Palo Verde #2 EIR. Also see Appendix E for link and milepost descriptions and mitigation measures.
10. If possible, no new roads, tower sitings, or spur roads will be built in blow sand areas. However, if new spur roads are required through wind-blown sand habitat, the road will be returned to natural conditions and effectively closed (gated or bermed) following construction. Pre-construction surveys will identify wind-blown sand dune habitats.
11. Where the project crosses through the Coachella Valley Preserve, the Holder will cooperate with the preserve in closing (gating) existing access roads. a) A qualified biologist will also be present with work crews to survey and clear work areas daily for Coachella Valley fringe-toed lizard (CVFTL), flat-tailed horned lizard (FTHL), and other sensitive species in the Preserve and sand dune communities from Link 14 (milepost 7.6) to Link 16 (milepost 5.0) to identify if any additional areas of occupied CVFTL and FTHL habitat are present along the route or at construction staging areas. b) This survey will be conducted during appropriate seasons (March 15 to May 15) and conditions for species identification. For any areas of suitable habitat, mitigation measure number 11 will apply.

In the Coachella Valley, compacted soils should be scarified and seeded with a mix of native plant seeds, including bugseed (Dicoria canescens), to promote revegetation of plant species valuable to the lizard.

Construction activity and surface disturbance will be prohibited during the period from January 1 to March 31 for the protection of the bighorn sheep lambing areas. These areas along the proposed route include link 2 (milepost 29.0 to 34.0) and link 6 (milepost 0.0 to 6.0).

15. Holder shall take all necessary precautions to protect wildlife species. By advance written notice from the Authorized Officer, key wildlife areas may be closed to construction activities for specified periods of time to protect designated wildlife species. No firearms shall be allowed on the project under any circumstance(s), and employees shall be instructed to refrain from needlessly harming wildlife. The advance written notice to the Holder shall be within 30 days after submittal by the Holder of the final preconstruction wildlife surveys.
16. The Holder, its contractors or employees are requested to report to the District Biologist observations of any threatened or endangered animals, through the Holder's biologist.
17. Avoid upland areas where desert tortoises might occur and/or have a biologist present during construction activities that involve earth moving in order to move any tortoises (in burrows or cover-sites, or on the surface) that would likely be impacted.
18. Avoid construction activities that would tend to create wind barriers that might result in sand stabilization in order to minimize impacts to populations of the Coachella Valley fringe-toed lizard.

B-6. Visual

1. Nonspecular conductors will be used.
2. For the proposed alignment, tower spacing will correspond to the spacing of the existing transmission line, except where other resource concerns warrant. Additionally, new tower heights will be adjusted such that the top elevations of each set of towers (new and existing) are horizontal with each other. This will visually coordinate perceptions of towers and conductors as one element. Site specific conditions will determine when such mitigation is feasible. Other exceptions to these two measures are where towers will be sited to avoid sensitive features and/or to allow conductors to clearly span the features.
3. At all highway and recreation routes-of-travel crossings, including the Colorado River, towers will be placed at the maximum feasible distance, and when feasible at right angles, from the crossing.
4. Orocopia Mountains (Link 13, Milepost 52 to 53.5). As depicted in Figure 5.7-4 of the Devers-Palo Verde #2 EIR, existing access road and fill areas which create a significant visual impact will be treated with Eonite or similar treatments. This will reduce the visual contrast created by the light-valued disturbed soils with the darker-valued, vegetated surroundings. The Holder will consult with the Authorized Officer on a site by site basis for the use of Eonite. No new access roads will be constructed or upgraded. No widening or upgrading of existing roads will be undertaken. New towers in this section will ideally be constructed downhill from existing towers to avoid the potential for skylining. Towers will be placed to avoid sensitive features.

5. Interstate 10 Crossing (Link 13, Milepost 65). Where feasible, new towers will be aligned such that the top alignment of the towers is horizontal to the eye. To the extent possible, towers immediately adjacent to the highway at the crossing will be placed at right angles to the existing towers and as parallel to the Interstate as possible to avoid a "scalloping" effect of the conductors crossing over the highway.
6. Holder shall provide for the protection and enhancement of aesthetic values in the planning, construction, and maintenance of the line. Support facilities will be constructed in a manner that harmonizes with their natural setting or as otherwise approved by the Authorized Officer.
7. The Authorized Officer may require any additional reasonable measures he deems necessary to protect the aesthetic values in critical areas.
8. Several general mitigation measures to reduce the visual impact of the proposed project have been suggested by the holder in the PEA. These measures are listed below:
 - a. Standard tower spacing would be modified to correspond with spacing of existing transmission line towers where feasible and within limits of standard tower design to reduce visual contrast.
 - b. Towers would be placed so as to avoid features and/or to allow conductors to clearly span the feature (within limits of standard tower design) to minimize the amount of sensitive feature disturbed and/or reduce visual contrast (e.g., avoiding skyline situations through placement of tower to one side of a ridge or adjusting tower location to avoid highly visible locations and utilize screening of nearby landforms).
 - c. Conductors will be nonspecular.
9. Where the existing corridor crosses Interstate 10, or where the line is close to residential areas, non-specular wire would be used to decrease the visibility of the conductors. In the few locations where new construction access may be required, grading would be done to minimize visual impacts; and where roads are not required for maintenance, they would be returned to pre-construction conditions.

B-7. Park and Recreation Area

1. Construction will be curtailed during heavy recreational use periods, including major holidays, at the discretion of the Authorized Officer. The Holder will be notified by the Authorized Officer 30 days in advance of construction curtailment.
2. Schedule construction activities to avoid major holiday periods where the route crosses Indio Palm's State Park in Link 14.

B-8. Acoustic Considerations

Construction Noise. To substantially reduce the short-term noise impacts during construction, the mitigation measures are as follows:

1. Limit the hours of construction occurring within 500 feet of noise sensitive receptors (human occupied facilities such as residences and hospitals) to between 7:00 am and 5:00 pm during weekdays.
2. Locate construction yards at least 500 feet away from residences
3. Minimize the use of helicopters within 500 feet of residences
4. Notify residents within 500 feet of any upcoming noisy construction activities and schedule the activities, when possible, to minimize conflicts with the neighbors.

B-9. Cultural Resources

The following tasks shall be carried out to ensure compliance with applicable laws and regulations in accordance with Programmatic Memoranda of Agreement for California and Arizona among the BLM, the State Historic Preservation Officers (SHPO) and the Advisory Council on Historic Preservation (ACHP).

1. Prior to construction and all other surface disturbing activities, the Holder shall have conducted and submitted for approval by the Authorized Officer an inventory of cultural resources within the project's area of potential effects. The nature and extent of this inventory shall be determined by the Authorized Officer in consultation with the appropriate SHPO and shall be based upon project engineering specifications.
2. As part of the inventory, the Holder shall conduct field surveys of sufficient nature and extent to identify cultural resources that would be affected by/from tower pad construction, access road installation, and transmission line construction and operation. At a minimum, field surveys shall be conducted along newly proposed access roads, new construction yards, and any other projected impact areas outside of the previously surveyed corridor. Site-specific field surveys shall also be undertaken at all projected areas of impact within the previously surveyed corridor that coincide with previously recorded cultural resource locations. The selected right-of-way shall be staked prior to the cultural resource field surveys.
3. As part of the inventory report, the Holder shall evaluate the significance of all affected cultural resources and provide recommendations with regard to their eligibility for the National Register of Historic Places. Determinations of National Register eligibility will be made by the Authorized Officer in consultation with the appropriate SHPO.

4. Upon approval of the inventory report by the Authorized Officer, the Holder shall prepare and submit for approval a cultural resource treatment plan for National Register-eligible cultural resources to mitigate identified impacts. Avoidance, recordation, and data recovery will be used as mitigation alternatives.
5. The Authorized Officer may require the relocation of the line, ancillary facilities, or temporary facilities or work areas, if any, where relocation would avoid or reduce damage to cultural resource values.
6. If avoidance of specific cultural resources is not feasible, treatment shall be carried out as determined by the Authorized Officer in consultation with the appropriate SHPO.
7. When necessary to relocate the proposed line, ancillary facilities, temporary facilities, or work areas as a result of inventory, on-site avoidance decisions, or the Holder's approved request for relocation, the Holder shall inventory the proposed new locations for cultural resources and provide inventory results to the Authorized Officer prior to construction. Any mitigation deemed necessary by the Authorized Officer shall be completed prior to undertaking any surface disturbing activities.
8. All cultural resource work undertaken by the Holder on public lands shall be carried out by qualified professionals designated on a currently valid Cultural Resource Use Permit for the appropriate state.
9. Notices to proceed will be issued following completion, and approval by the Authorized Officer, of any field work determined necessary through the inventory, evaluation and consultation process described above.
10. Vehicles and equipment shall be confined and operated only within areas specified by the Authorized Officer. Off-road travel by employees will not be allowed except in areas previously approved by the Authorized Officer.
11. Unauthorized collection of artifacts or other cultural materials on or off the right-of-way by the Holder, his representatives or employees will not be allowed. Violators will be subject to prosecution under the appropriate State and Federal laws. Unauthorized collection may constitute grounds for the issuance of a stop work order.

B-10. Paleontological Resources.

1. Prior to construction and all other surface-disturbing activities, the Holder shall have conducted and submitted for approval an inventory of paleontological resources within highly sensitive areas that will be affected by the project as determined by the Authorized Officer.
2. As part of the inventory report, the Holder will evaluate the significance of the paleontological resources that will be affected
3. Upon approval of the inventory report by the Authorized Officer, the Holder shall prepare and submit for approval a plan to mitigate identified impacts. Avoidance, recordation and data recovery will be used as mitigation alternatives.
4. If avoidance of significant paleontological resources is not feasible or appropriate, treatment shall be carried out as determined by the Authorized Officer.
5. All paleontological work undertaken by the Holder on public lands shall be carried out by qualified professionals designated on a currently valid Paleontological Collecting Permit for the appropriate state.
6. Notices to Proceed will be issued following completion, and approval by the Authorized Officer, of any field work determined necessary through the inventory and evaluation process described above.

EXHIBIT "C"
Legal Description

PALM SPRINGS QUADRANGLE

- T. 3 S., R. 5 E.
Sections: 30, 34; PORTION OF
- T. 5 S., R. 7 E.
Sections: 2, 12; PORTION OF
- T. 5 S., R. 8 E.
Sections: 22, 24; PORTION OF
- T. 5 S., R. 9 E.
Sections: 28, 30, 34 ; PORTION OF

EAGLE MOUNTAIN QUADRANGLE

- T. 6 S., R. 10 E.
Sections: 4, 6 ; PORTION OF
- T. 6 S., R. 11 E.
Sections: 14, 18, 20, 22, 24 ; PORTION OF
- T. 6 S., R. 12 E.
Sections: 12, 13, 14, 15, 18 ; PORTION OF
- T. 6 S., R. 13 E.
Sections: 8, 10, 11, 12 ; PORTION OF
- T. 6 S., R. 14 E.
Sections: 2, 3, 4, 6 ; PORTION OF
- T. 5 S., R. 15 E.
Sections: 32, 33, 34, 35 ; PORTION OF
- T. 5 S., R. 16 E.
Sections 31, 32, 33, 34, 35; PORTION OF
- T. 6 S., R. 16 E.
Sections: 1, 2, 3; PORTION OF
- T. 6 S., R. 17 E.
Sections: 6, 7, 8, 9, 10, 14, 15, 24; PORTION OF
- T. 6 S., R. 18 E.
Sections: 19, 29, 30, 32, 33, 34 ; PORTION OF
- T. 7 S., R. 18 E.
Sections: 2, 3 ; PORTION OF
- T. 7 S., R. 19 E.
Sections: 4, 6 ; PORTION OF

BLYTHE QUADRANGLE

- T. 7 S., R. 19 E.
Sections: 1, 2, 3, 4 ; PORTION OF
- T. 7 S., R. 20 E.
Sections: 1, 2, 3, 4, 5, 6 ; PORTION OF
- T. 7 S., R. 21 E.
Sections: 7, 8, 17, 21, 22, 25, 26 ; PORTION OF
- T. 7 S., R. 23 E.
Sections: 27, 28, 29 ; PORTION OF

BLYTHE

- T. 2 N., R. 22 W.
Sections: 1, 2, 3, 4, 5, 6; PORTION OF
- T. 3 N., R. 21 W.
Sections: 11, 13, 14, 15, 16, 20, 21, 29, 30, 31; PORTION OF
- T. 3 N., R. 20 W.
Sections: 18, 19, 20, 28, 29, 33, 34, 35, 36; PORTION OF
- T. 3 N., R. 19 W.
Sections: 31, 32; PORTION OF
- T. 2 N., R. 19 W.
Sections: 2, 3, 4, 5, 11, 12 ; PORTION OF

SALOME QUADRANGLE

- T. 2 N., R. 14 W.
Sections: 10, 11, 12, 15, 16, 17, 18 PORTION OF
- T. 2 N., R. 13 W.
Sections: 1, 7, 8, 9, 10, 11, 12; PORTION OF
- T. 2 N., R. 12 W.
Sections: 1, 2, 3, 4, 5, 6, 7; PORTION OF
- T. 2 N., R. 11 W.
Section: 6; PORTION OF
- T. 3 N., R. 10 W.
Section: 24; PORTION OF
- T. 3 N., R. 9 W.
Sections: 19, 20, 21, 22, 23, 25, 26; PORTION OF
- T. 3 N., R. 8 W.
Sections: 30, 31, 32, 33, 34, 35; PORTION OF
- T. 2 N., R. 8 W.
Sections: 2, 11, 12, 13, 24; PORTION OF

LITTLE HORN MOUNTAINS

- T. 2 N., R. 8 W.
Sections: 24, 25; PORTION OF
- T. 2 N., R. 7 W.
Section: 31; PORTION OF
- T. 1 N., R. 7 W.
Sections: 6, 7, 8; PORTION OF

PHOENIX SOUTH

- T. 1 N., R. 7 W.
Sections: 8, 16, 17, 21, 27, 28, 34, 35; PORTION OF
- T. 1 S., R. 7 W.
Section: 1; PORTION OF
- T. 1 S., R. 6 W.
Section: 4; PORTION OF

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DEVERS-PALO VERDE #2 TRANSMISSION LINE PROJECT

Southern California Edison Company

TWENTYNINE PALMS
MARINE CORPS BASE

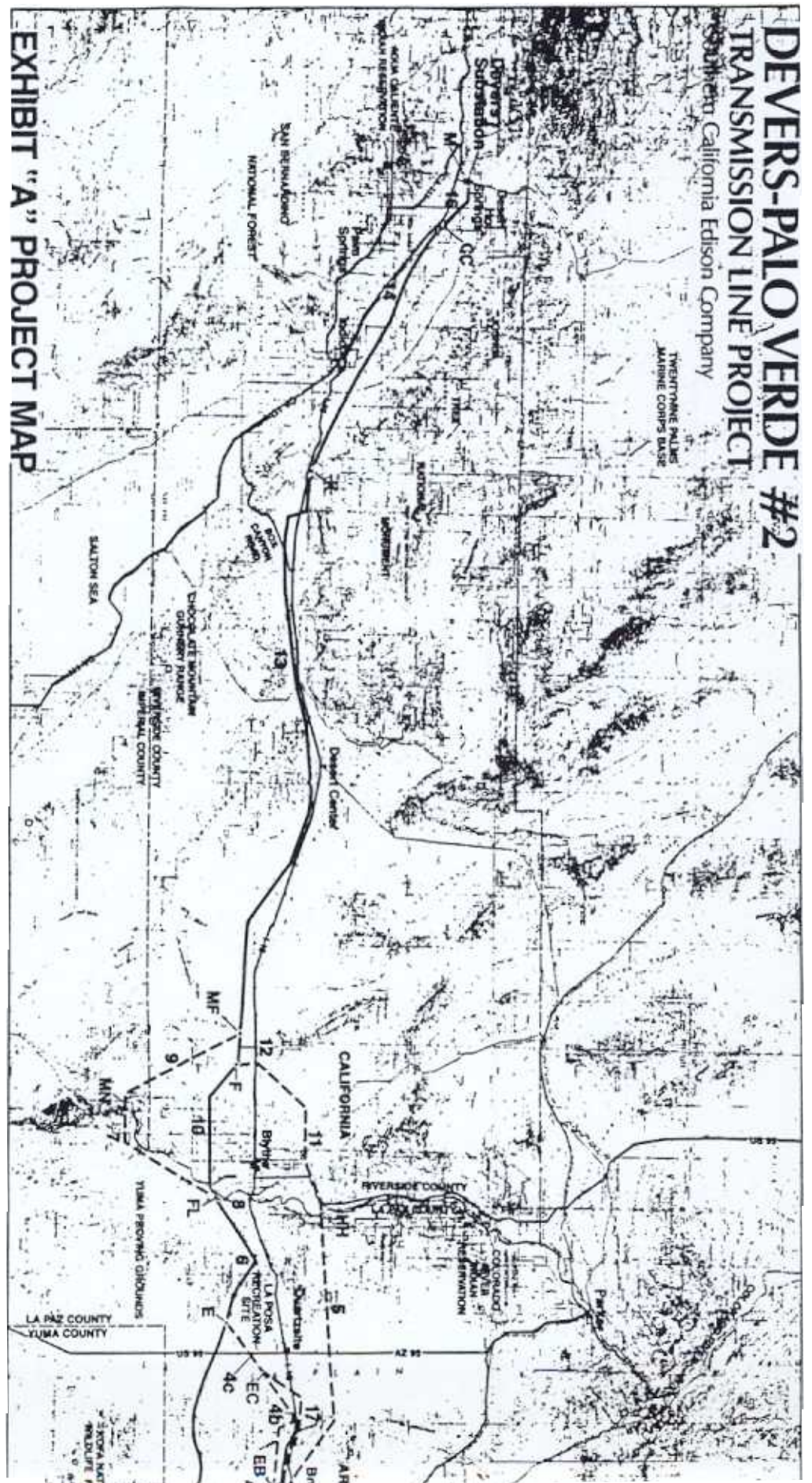
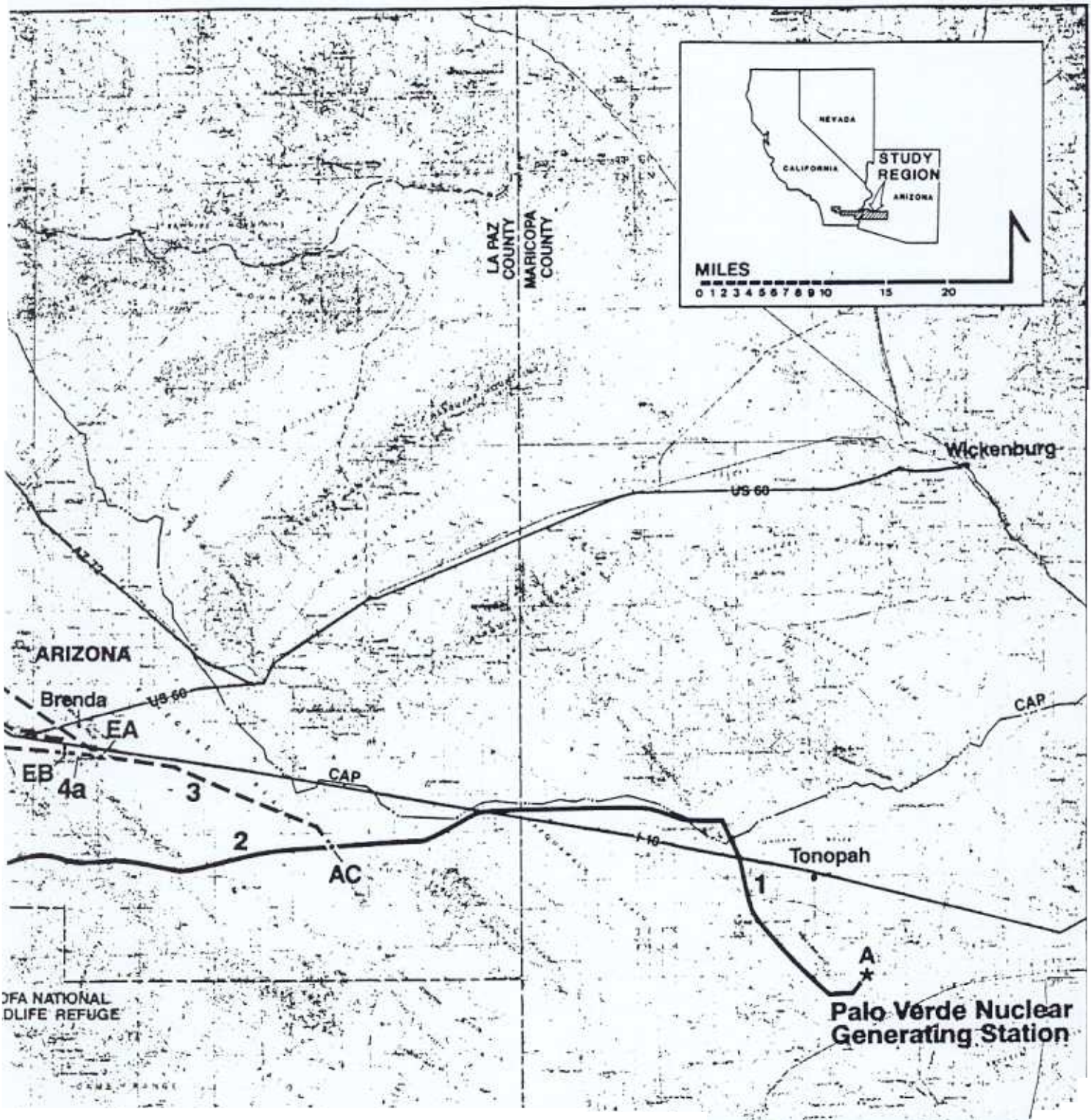



EXHIBIT "A" PROJECT MAP

— Preferred Route - - - - Subalternate Routes



FOR CALIFORNIA PUBLIC UTILITIES COMMISSION
 FILING — GENERAL ORDER 131-B
 DEVERS-PALO VERDE #2
 500kV TRANSMISSION LINE PROJECT

 Southern California Edison Company

