

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



July 21, 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 #4

Dear Ms. Benz,

On July 6, 2011, Southern California Edison (SCE) submitted a variance request to the California Public Utilities Commission (CPUC) to expand the area identified for the Menifee Construction Yard in Notice to Proceed #1 (dated June 23, 2011) 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](#). 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 related to the expansion of the Menifee Construction Yard.

SCE Variance Request. SCE has requested a variance from the area identified for Menifee Construction Yard in Notice to Proceed #1, thereby resulting in an approximately 5-acre expansion to the west of the approved yard area. Excerpts from the SCE Variance Request, received July 6, 2011, are presented below (indented):

The Menifee Yard identified in Notice to Proceed (NTP) #1 dated June 23, 2011 includes only the eastern portion of an existing developed (fenced and graded flat with gravel base), heavy industrial storage site in the City of Menifee between Antelope Rd. and Dawson Rd. SCE requests a variance to add the western portion of the parcel to make additional area available for material storage and other activities identified in NTP #1 for the Menifee Yard. This will add approximately 5 acres to the Menifee Yard. The total acreage for the Menifee Construction Yard will be 9.6 acres.

Access to both portions of the parcel will be via existing gates from Antelope Road identified in NTP #1.

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, cultural resources, 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. The expansion area is similar to the current yard with respect to biological resources. It consists of developed land and ruderal vegetation with a dry drainage ditch along the northern boundary of the site. According to the *Menifee Construction Yard Biological Review* (June 2011), findings from the field surveys indicate that no suitable habitat for sensitive plant or wildlife species was located within the Menifee Construction Yard or the expansion area.

Cultural Resources. According to the *DPV2 Class III Cultural Resources Inventory Summary*, an intensive archaeological survey of the Menifee Yard (including the 5-acre expansion area) was conducted in December 2010 and no cultural resources were encountered. In addition, the area has been used as a storage yard and is highly disturbed.

Noise/Sensitive Receptors. Construction within the expansion area would have similar noise-generating activities to those that will occur in the current yard area, since the expansion area would also be used for material storage and other activities identified in Notice to Proceed #1 for the Menifee Yard. There are industrial and residential receptors in the area around the Menifee Construction Yard that would be in closer proximity to the expansion area than to the current yard. However, the area has been used as a storage yard in the past and the overall scope and duration of construction activities has not changed as a result of the variance.

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 Environmental Monitor (EM) shall be notified immediately of any unanticipated cultural, paleontological, or biological resource discoveries.
4. 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.

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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
Sheree James, Southern California Edison
John Kalish, Bureau of Land Management
Vida Strong, Aspen Environmental Group
Hedy Koczwara, Aspen Environmental Group
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