

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



July 27, 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 #5

Dear Ms. Benz,

On April 22, 2011, Southern California Edison (SCE) submitted a variance request to the California Public Utilities Commission (CPUC) to address Applicant Proposed Measure (APM) A-7 requirements with regard to parking control at substations and series capacitor sites for the Devers-Palo Verde No. 2 (DPV2) Transmission Project. At that time, BLM had not yet issued its Record of Decision (ROD) approving the DPV2 project and the Colorado River Substation expansion had not been approved by the CPUC. Given that APM A-7 affects facilities on public land, the CPUC was not able to process the variance until the ROD was issued, which occurred on July 19, 2011.

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](#). On July 14, 2011, CPUC approved the Colorado River Substation in [Decision D.11-07-011](#). 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 APM A-7 (Substations and Series Capacitors), which addresses APM A-7 requirements related to carpooling to substations and series capacitors sites, is granted by CPUC for the proposed activities based on the factors described below.

SCE Variance Request. SCE states that it is infeasible to implement this APM for construction of the Colorado River Substation (CRS), the Devers and Valley substations, and the Series Capacitor, because

they are relatively complex projects with fixed locations that require maximizing worker scheduling and flexibility to accommodate construction. Excerpts from the SCE Variance Request, received April 22, 2011, are presented below (indented) with CPUC additions in parenthesis and in bold:

The DPV2 Final EIR/EIS requires implementation of APM A-7, which states:

Site construction workers would be staged offsite at or near paved intersections and workers would be shuttled in crew vehicles to construction sites. As part of the construction contract, SCE would require bidders to submit a construction transportation plan describing how workers would travel to the job site. (SCE)

It is infeasible to implement this measure for construction of the Colorado River Substation (CRS), the Devers and Valley substations, and the Series Capacitor because they are relatively complex projects with fixed locations that require maximizing worker scheduling and flexibility to accommodate construction. For example, the substation design and sub elements represent a complex arrangement of physical site improvements, including subsurface features, electrical equipment and wiring, and control equipment. Construction of these interrelated elements must occur in a coordinated manner and labor adjustments must be made on a daily basis to maintain the overall schedule. Because of this, there is a need to have workers show up at the sites to maximize the ability to accomplish construction of different project elements. Carpooling essentially ties workers to a fixed schedule, which would eliminate or greatly hinder the ability of construction managers to make scheduling adjustments as they arise on a day-to-day basis.

In addition, the CRS is located approximately 10 miles west of the City of Blythe and five miles east of Wiley Well Road (the nearest publicly traveled road), and no parking is allowed along Wiley Well Road (presumably due the presence of a prison to the south).

Furthermore, requiring carpooling of workers to and from the CRS, the Devers and Valley substations, and Series Capacitor sites would require that new worker show-up yards be established. Because of the above, SCE intends to meet the intent of the measure at the CRS, the Devers and Valley substations, and Series Cap Sites by designating parking areas within or adjacent to each site.

Unlike the substations and Series Capacitor, construction of the transmission lines (foundations, towers, and stringing) is a relatively simple and sequential operation that can lend itself to more structured worker schedules. It is feasible to implement APM A-7 for transmission line construction because the construction sites (tower sites, pull site, splicing sites, etc) would shift as construction of tower elements (foundations, towers, stringing) progresses. For example, workers installing foundations would essentially perform the same activity from tower site to tower site. The crews that install the towers on the already installed foundations would perform that same activity at each tower location, and their activity simply needs to follow the foundation installations. Similarly, stringing would occur after a certain number of towers is constructed. Due to the relatively straightforward nature of transmission line construction and the defined nature of construction activities, and their flow from tower site to tower site, worker schedules can be arranged to facilitate carpooling from site to site. SCE intends to require workers to meet at approved material yards or existing substation facilities for carpooling to the applicable tower location or construction sites.

Based on the above, SCE is requesting a variance from the APM A-7 for construction of the CRS, the Devers and Valley substations, and the Series Capacitor.

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, paleontological, and hydrological 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. Notices to Proceed with Construction have not been issued by CPUC or BLM for the subject substations and series capacitor locations, respectively. However, the substation and series capacitor locations, including any designating parking areas(s), that have the potential to impact habitat areas shall be surveyed in conjunction with the 30-day pre-construction surveys and then reviewed and approved by the CPUC or BLM (and CDFG and USFWS if any applicable species are present) prior to use. Parking areas would be restricted to areas that have already been identified within the previously approved substation and series capacitor site boundaries. Any parking outside of previously-approved boundaries will require a variance.

Hydrological Resources. Prior to use, the CPUC shall review the subject substation and series capacitor locations, including designating parking areas, with respect to desert washes and other hydrologic resources. In accordance with APM W-2, construction equipment will be kept out of flowing stream channels except when absolutely necessary to construct crossing (APM W-2). Additionally, in accordance with APM W-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.

Cultural and Paleontological Resources. Prior to use, the CPUC shall review the locations of designating parking areas with respect to known cultural resources at the substation and series capacitor sites. Parking areas would be restricted to areas that have already been identified within the previously approved substation and series capacitor site boundaries. Any parking outside of previously-approved boundaries will require a variance, including additional cultural review.

Sensitive Land Uses/Noise. Impacts related to substation and series capacitor construction are addressed in the DPV2 Final EIR/EIS and noise impacts would be less than significant. There are no concerns noted under this variance.

Other Issue Areas. Carpooling of workers to the subject locations could require that new worker carpool yards be established given the scale of the construction effort, so emissions associated with this yard establishment would be avoided under this SCE variance request. However, by allowing workers to park at the subject substation and series capacitor locations, the length of individual vehicle trips will be increased. Conditions are noted below to minimize the emissions associated with this increase in individual vehicle trips. No additional concerns are noted under this variance.

Conditions of Variance Approval.

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

1. Any parking outside of previously-approved boundaries at the Colorado River Substation (CRS), the Devers and Valley Substations, and the Series Capacitor sites will require a variance, including biological and cultural resource survey information.
2. SCE shall develop a Carpool Incentive Program for its construction workers. The Program shall be submitted to CPUC for review and approval prior to using the subject substation and series capacitor

locations for worker parking. During construction, quarterly reports shall be submitted that document the implementation of the Carpool Incentive Program.

3. SCE and its contractors shall minimize unpaved travel by putting the onsite/adjacent parking areas as close as possible (given the various site configurations) to the nearest paved access shortening unpaved road travel as much as possible.
4. To minimize unpaved road travel, any planned road paving shall be completed as the first step of construction for these fixed sites.
5. SCE and its contractors shall adhere to all relevant requirements of Mitigation Measure AQ-1a, such as:
 - a. CARB certified non-toxic soil binders shall be applied to all active unpaved roadways, unpaved staging areas, and unpaved parking area(s) throughout construction (as allowed by responsible agencies such as the BLM or USFWS) in amounts meeting manufacturer's recommendations to meet the CARB certification fugitive dust reduction efficiency of 84 percent.
 - b. Install wheel washers/cleaners or wash the wheels of trucks and other heavy equipment where vehicles exit the site or unpaved access roads and sweep paved streets daily with water sweepers if visible soil material from the construction sites or unpaved access roads are carried onto adjacent public streets.
 - c. Travel route planning will be completed to identify required travel routes to minimize unpaved road travel to each construction site to the extent feasible.
6. 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.
7. Copies of all relevant permits, compliance plans, and this Variance approval shall be available on site for the duration of construction activities.
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
CPUC Environmental Project Manager
DPV2 Transmission Project

cc: Ryana Parker, Southern California Edison
Holly Roberts, Bureau of Land Management
Vida Strong, Aspen Environmental Group
Hedy Koczwar, Aspen Environmental Group
Jamison Miner, Aspen Environmental Group