

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



September 1, 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 #10

Dear Ms. Benz,

On August 29, 2011, Southern California Edison (SCE) submitted a variance request to the California Public Utilities Commission (CPUC) for offsite water locations identified by the contractors needed for dust suppression at the Devers and Chiriaco Summit Construction Yards 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 #10, which approves the offsite water locations at the Devers and Chiriaco Summit Yards, is granted by CPUC for the proposed activities based on the factors described below.

SCE Variance Request. SCE has requested a variance for the Devers and Chiriaco Summit Yards identified in Notice to Proceed #1 for offsite water locations. Excerpts from the revised SCE Variance Request, received August 29, 2011, are presented below (indented):

The Devers and Chiriaco Summit Construction Yards identified in Notice to Proceed (NTP) #1 dated June 23, 2011 includes requirements as part of the Fugitive Dust Emission Control Plan and Storm Water Pollution Prevention Plan (SWPPP) to water the site at least three times a day. In order to meet this requirement, the contractor has identified two offsite water sources.

For Devers, a hydrant owned by the Mission Springs Water District located to the south west of the yard on Smoke Tree Lane, has been identified. The hydrant will have a stand pipe installed to provide water to trucks, the trucks will transport water to two (2) water towers located in the south west corner of the construction yard along the truck route identified on the attached figure throughout the duration of the project. The contractor has approval from the District to use the hydrant as described.

For Chiriaco Summit, a hydrant owned by the Chiriaco Summit Water District, located west of the yard on a dirt road north of the Chiriaco Summit Chevron and east of the General Patton Memorial Museum has been identified. The hydrant will have a flex hose attached that runs from the hydrant to a water tower located adjacent to the hydrant. The contractor has approval from the District to use the hydrant as described.

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, noise/sensitive receptors, 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 CPUC Environmental Monitor (EM) performed a field check and reviewed the Variance Request regarding offsite water locations at the Devers and Chiriaco Summit Construction Yard. Based on field verification and review of the biological resources surveys, no issues related to biological resources are anticipated as a result of this variance.

All mitigation measures, APMs, and conditions of the Biological Opinion (BO) should be implemented along the water haul route at the Devers Yard. This includes, but is not limited to, providing a qualified USFWS, CPUC, and BLM approved tortoise biologist, pre-construction clearance sweeps, and maintaining speed limits.

Noise/Sensitive Receptors. The water location at the Chiriaco Summit yard has been approved by the Mission Springs Water District, but it is in proximity to residential trailers located on the other side of a chain link fence, approximately 30-40 feet to the east. Use of the offsite water sources would have similar noise-generating activities to those that will occur in the current yard areas, since water usage by trucks for dust suppression would be occurring already within the yards. In addition, the contractors would be accessing existing fire hydrants 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, conditions of the Biological Opinion, 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 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.

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
Vida Strong, Aspen Environmental Group
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