

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



May 8, 2012

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 #32

Dear Ms. Benz,

On March 16, 2012, Southern California Edison (SCE) submitted a variance request to the California Public Utilities Commission (CPUC) for modification to the boundary for Helicopter Landing Zone (HLZ) H7-DV to assist with helicopter construction of the Devers-Valley segment (Notice to Proceed #10) of the Devers-Palo Verde No. 2 (DPV2) Transmission Project. An updated biological resources survey report was received on May 3, 2012.

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 and approved exclusionary fencing activities on August 23, 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 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 #32, which approves the boundary modifications to HLZ H7-DV, is granted by CPUC for the proposed activities based on the factors described below.

SCE Variance Request. SCE has requested a variance for the transmission line activities identified in Notice to Proceed #10 for HLZs along the Devers-Valley segment. Excerpts from the SCE Variance Request, received March 16, 2012, are presented below (indented):

Subsequent to approval of the Devers to Valley Transmission Line (Excluding the San Bernardino National Forest Portion) NTPR (NTP #10 dated December 2, 2011) by the CPUC, final design was completed and the boundaries for HLZ H7-DV were modified.

Biological Resources

The proposed H7-DV expansion would increase the footprint from .52 acres to 2.1 acres, moving the boundary outward on the south and east. The expanded H7-DV site is located completely within areas previously surveyed for the Project.

CPUC Evaluation of Variance Request

In accordance with the MMRP, 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, paleontological resources, noise/sensitive receptors, and other issue areas. A list of mitigation compliance conditions is presented below to define additional information and clarifications regarding mitigation requirements.

Biological Resources. The proposed modifications fall within the areas previously surveyed under NTP #10 and characterized as disturbed land and non-native grassland. According to SCE's NTPR and biological review (May 2012), the proposed changes to HLZ H7-DV will increase the overall footprint from 0.52 acres to 2.1 acres and will result in a 1.32 acre increase in temporary impacts to vegetation communities and modeled desert tortoise habitat. These increased impacts have been incorporated into the compensatory mitigation acreages addressed in SCE's Habitat Acquisition Proposal developed by Wildlands, Inc. and approved by the regulatory agencies in April 2012. Habitat restoration activities for temporary disturbance areas are described in the DPV2 Habitat Restoration and Compensation Plan, which is in the process of being revised and finalized (CH2M HILL, 2012b). No special-status plant or wildlife species were observed within the HLZ H7-DV proposed expansion survey area during the biological survey in October 2011.

Based on review of the biological report and field verification, there are no biological resources concerns associated with approval of this variance. All mitigation measures, APMs, and conditions of the Biological Opinion (BO) should be implemented at HLZ H7-DV, as applicable.

Cultural Resources. Based on background research and a site visit, no known cultural resources were identified within the vicinity of HLZ H7-DV. In the event of an unanticipated discovery of cultural materials within the proposed HLZ boundary, the find shall be managed in compliance with the following procedures provided in Section 4.4 - Plan of Discovery of Cultural Resources of the approved HPMP as itemized below:

- All work within 200 feet of the discovery will be halted and the onsite Archaeological Field Monitor will evaluate the discovery.
- The Environmental Monitor will notify the Lead Archaeological Monitor, Consultant Project Manager (CPM), Work Package Archaeologist(s) (WPA), or SCE Archaeologist (in that order) immediately.
- Activities within 200 feet of the discovery will not resume until the discovery has been assessed by a member of the Cultural Resources Team.

Paleontological Resources. Based on the Paleontological Monitoring and Treatment Plan, submitted to the California Public Utilities Commission on April 20, 2011, the potential to encounter paleontological resources near the proposed HLZ H7-DV is low. In addition, ground disturbing activities associated with HLZ H7-DV will not disturb sediment below 2 or 3 feet and are not likely to damage paleontological resources.

Noise/Sensitive Receptors. The boundary modification of HLZ H7-DV would have similar noise-generating activities to those that would have occurred within the original boundary. Construction activities, including noise associated with helicopter usage, was addressed in the DPV2 Final EIR/EIS and there are no concerns noted under this variance.

Other Issue Areas. No concerns noted under this variance.

Mitigation Compliance Conditions of Variance Approval.

The mitigation compliance 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. All disturbance areas shall be clearly delineated and marked prior to any ground disturbance associated with the modified disturbance areas.
4. SCE shall provide updated maps showing the new disturbance limits to the CPUC EMs and all monitors in the field prior to construction activities in the revised HLZ H7-DV.
5. In the event of an unanticipated discovery of cultural materials within HLZ H7-DV, the find shall be managed in compliance with the following procedures provided in Section 4.4 - Plan of Discovery of Cultural Resources of the approved HPMP as itemized below:
 - All work within 200 feet of the discovery shall be halted and the onsite Archaeological Field Monitor shall evaluate the discovery.
 - The Environmental Monitor shall notify the Lead Archaeological Monitor, Consultant Project Manager (CPM), Work Package Archaeologist(s) (WPA), or SCE Archaeologist (in that order) immediately.
 - Activities within 200 feet of the discovery shall not resume until the discovery has been assessed by a member of the Cultural Resources Team.
6. The CPUC EM shall be notified immediately of any unanticipated cultural, paleontological, or biological resource discoveries.
7. 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

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