PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

March 4, 2013

Mr. Koral Ahmet
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 – Modification to Variance Request #42

Dear Mr. Ahmet,

On September 21, 2012, the California Public Utilities Commission (CPUC) approved Variance #42 allowing for helicopter picking operations from trailers along roadways near Tower 1031 for transmission line construction needs along the Devers-Valley segment of the Devers-Palo Verde No. 2 (DPV2) Transmission Project. On March 1, 2013, Southern California Edison (SCE) submitted a request for a Modification to Variance #42 to the CPUC for use the existing road surface for picking, in addition to picking from a trailer.

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 minor project refinements as a result of final engineering 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. The CPUC has concluded that the activities under this variance are located within the geographic boundary of the study area of the Final EIR/EIS and Supplemental EIR, and

do not, without mitigation, result in a new significant impact or a substantial increase in the severity of a previously identified significant impact based on the criteria used in the environmental documents; conflict with any mitigation measure or applicable law or policy; or trigger an additional permit requirement.

Modification to Variance #42, which approves the subject use of the existing road surface adjacent to Tower 1031, is granted by CPUC for the proposed activities based on the factors described below.

SCE Variance Request. SCE has requested a variance under NTP #10 along the Devers-Valley segment for picking from the surface of an existing road adjacent to Tower 1031 to support flying suspended loads. Excerpts from the SCE Variance Request Modification, received on March 1, 2013 are presented below (indented):

> **Reason for Variance.** Due to safety restrictions implemented by the construction contractor, crews are restricted from flying suspended loads over the existing DPV1 conductor. All existing Helicopter Landing Zones (HLZs) serving towers 1032 through 1050 (H1X, H1A, and H2) are located on the south side of the DPV1 conductor and cannot be used to fly suspended loads to construction platforms on the north side of the 500kV conductor (platforms at towers 1035, 1036, 1042, 1043, 1044, 1045, 1047 and 1048). Picking locations are needed on the north side of the DPV1 conductor to conduct helicopter picking operations and fly suspended loads for permanent platforms at these locations.
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> The existing road northwest of tower M7-T3 (adjacent to tower 1031) proposed for helicopter picking operations will require no improvements, only vehicle and trailer travel/parking and placing equipment and materials directly on the existing road for picking. Picking operations would involve the transportation of all equipment and materials via a towed trailer from H1X to the access road located on the north side of the DPV1 conductor shown in figure 1. The helicopter would then proceed to pick and drop-off equipment and materials directly from and onto the trailer, or existing road surface. Once picking operations are completed, the trailer and equipment will return to H1X. Construction crews will not work outside the existing staked road limits.
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> **Action Requested**. Southern California Edison (SCE) requests a modification to CPUC approved Variance Request #42 to include use the existing road surface for picking, in addition to picking from a trailer. The same existing roads adjacent to tower 1031 that were approved in Variance Request #42 for trailer picks will be used for picking from the road surface to support flying suspended loads for the construction of several permanent helicopter construction and maintenance platforms located on the north side of the existing DPV1 conductor. This operation will be conducted with the utmost regard for safety. When picking from a trailer, once the trailer has moved to the access road to the north of the DPV1 line, the engine will be turned off, the wheels chauked, and the load will be readied for the pick. A cordon will then be marked which will cordon off access to the trailer for any persons. Absolutely no one will be permitted on the trailer (or at the existing road picking location) once the crew has been notified that the aircraft is inbound. Personnel will be placed so that incidental traffic will not enter into the area. Finally, one person shall be designated to be in constant communication with the aircraft and will not take part in any other details once the aircraft is on station.

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 air quality, 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 road being used for helicopter picking operations is existing and is located within the previously-surveyed buffers associated with Tower 1031. Tower 1031 is located in modeled Coachella Valley milk-vetch and desert tortoise habitats. As was discussed in Variance #42, pre-construction desert tortoise clearance surveys shall be conducted by an Authorized Biologist immediately prior to construction activities within a 100 percent coverage area of all desert tortoise

habitat (modeled, critical, and/or occupied) that will be subject to temporary and permanent disturbance.

To ensure that use of the existing road surface in addition to the trailer for picking does not create additional disturbance, SCE shall stake the limits of the access road for CPUC EM verification prior to use of the road. SCE shall also have monitors sweep the road and monitor activities at the site to ensure crews stay within the road limits. Finally, the access road must be watered prior to helicopter operations and throughout the day as necessary to prevent fugitive dust.

Any disturbance 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).

As conditioned below, SCE shall provide updated construction and biological resources constraints maps showing the helicopter picking road to the CPUC EMs and all monitors in the field prior to helicopter picking operations. All mitigation measures, APMs, and conditions of the Biological Opinion (BO), should be implemented along the access roads. 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.

Cultural Resources. Based on background research and a site visit, there is no potential to encounter cultural resources at the existing road proposed for helicopter picking operations. In addition, no improvements to the road will be required. All vehicles, trailers, and loads will remain on existing roads. Therefore, there are no specific cultural resources conditions applicable to this variance modification.

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 within the existing road northwest of Tower 1031 is low. In addition, minimal ground disturbing activities will take place within the identified areas. Therefore, there are no specific paleontological resources conditions applicable to this variance modification.

Noise/Sensitive Receptors. There are no sensitive receptors in the vicinity of the existing road surface proposed for helicopter picking operations. Use of the existing road surface compared to the trailer would have similar noise-generating activities to those that will occur during picking operations and along the existing access and at the tower sites. Construction activities, including noise associated with helicopter usage, was addressed it the DPV2 Final EIR/EIS. Appropriate noise and land use mitigation measures would apply. Any additional helicopter usage beyond this variance modification will be limited to the extent feasible in accordance with Mitigation Measure AQ-1g (see also the discussion under Air Quality). The overall scope and duration of construction activities has not changed as a result of the variance modification.

Air Quality. The assumed height of the helicopter hovering during line attach/detach will produce downwash similar to a landing/takeoff from the location and to picking operations from the already-approved trailer. The downwash will produce dust. SCE shall water the access road prior to helicopter operations and throughout the day as necessary to prevent fugitive dust. Existing air quality mitigation would be implemented and the overall scope and duration of construction activities has not changed as a result of the modification to the variance. There are no additional air quality concerns associated with this variance modification.

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 Modification approval shall be available on site for the duration of construction activities.
3. Pre-construction desert tortoise clearance surveys shall be conducted by an Authorized Biologist immediately prior to construction activities within a 100 percent coverage area of all desert tortoise habitat (modeled, critical, and/or occupied) that will be subject to temporary and permanent disturbance.
4. Prior to use, SCE shall stake the limits of the approved access road for helicopter picking for CPUC EM verification to prevent off-road impacts, and vehicles and equipment must stay within the existing road width.
5. SCE shall provide updated maps showing the existing road for helicopter picking to the CPUC EMs and all monitors in the field prior to use.
6. SCE shall have monitors sweep the road and monitor activities at the site to ensure crews stay within the road limits.
7. SCE shall water the access road prior to helicopter operations and throughout the day, as necessary to prevent fugitive dust.
8. The CPUC EM shall be notified immediately of any unanticipated cultural, paleontological, or biological resource discoveries.
9. 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

Billie Blanchard
CPUC Environmental Project Manager
DPV2 Transmission Project

cc: Kelly Pell, Southern California Edison
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