

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



October 4, 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 #45

Dear Ms. Benz,

On September 25, 2012, Southern California Edison (SCE) submitted a variance request to the California Public Utilities Commission (CPUC) for access route additions for drivability and safely moving equipment and vehicles for transmission line construction needs along the Devers-Valley segment of 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 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.

Variance #45, which approves the subject access road additions, 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 revisions to access routes identified by the contractors needed for safely moving equipment and vehicles to several towers. Excerpts from the SCE Variance Request, received on September 25, 2012 are presented below (indented):

Subsequent to approval of the Devers to Valley Transmission Line NTPR (NTP #10 dated December 2, 2011) by the California Public Utilities Commission (CPUC), project road conditions have been evaluated and changes to various access roads are needed for drivability and safety purposes. The specific requested changes are described below and illustrated in the attached figures [in SCE's NTPR].

Additional Access Roads/Routes:

Access to Tower 1019 via Tipton Rd. Loop. The addition of this existing access road loop from Tipton Rd northwest of the existing approved route will provide less steep access to tower 1019. The existing approved route is too steep for moving construction equipment to tower 1019.

Access to Towers 1078 via E. Porter St. The addition of this partially paved County road to the north of the existing approved access route will provide more direct access west of tower 1078.

Access to Towers 1100, 1101 and DV Wire Site No 36/Wire Site No 37/Splice Site No 11. The addition of this existing access road to the south of the existing approved access is needed to move construction equipment between Towers 1100, 1101 DV Wire Site No 36/Wire Site No 37/Splice Site No 11. The existing approved route is too steep and rugged for moving construction equipment.

Access to Tower 1120 from Ramona Expressway/Tower 1121. The addition of this existing access road to the south of the existing approved access road from Tower 1119 is needed to provide reliable access for moving vehicles and construction equipment to tower 1120. The existing approved route crosses the San Jacinto River and is frequently impassable due to rainfall events and agricultural irrigation runoff.

Access to Tower DV Wire Site No 42/Towers 1122 and 1121. The addition of this access road to the southwest of the existing approved road (and parallel to the road approved in TEWS #6) is needed to provide direct access for moving vehicles and construction equipment to tower DV Wire Site No 42. This is not currently used as an access road but has been cleared of crops/vegetation by the farm owner so no additional work is required. The original approved route to the east is not drivable due to agricultural irrigation drainage.

Westbound Exit Route from Towers 1137 and 1138 via Marcuchio Road. The addition of the westbound portion of Marcuchio Road is needed to provide a more direct access road exit route from towers 1137 and 1138. The current approved access route on Marcuchio Road only identifies the one-way access eastbound. The GIS data for the NTPR access routes did not capture that the Marcuchio Road is divided by a berm and the westbound portion of the road on the north side of the berm is not currently shown as approved. The current approved access road departing from towers 1137 and 1138 is an extremely windy, narrow route from San Jacinto Street and Valley Road to Contour Avenue. The logical and safest exit route would be the proposed westbound access route on Marcuchio Road to Hansen Avenue.

Access to Towers 1139 and 1140. The addition of this existing access route on paved roads is needed for heavy construction equipment access to Towers 1139 and 1140. The Home Owners Association (HOA) that operates within the gate community around Towers 1139 and 1140 has requested that heavy construction equipment not use McClean Ranch Road from the north (the NTP approved access route to these towers). As an alternative, the HOA requested that heavy construction equipment traffic use the paved road to the south (Sky Mesa Road). This route from Juniper Flats Road and Sky Mesa will provide access to Towers 1139 and 1140 from moving heavy construction equipment and vehicles.

Access between Towers 1143 and 1145. The addition of this existing access road is needed for direct access between towers 1143 and 1145. The existing approved access road for tower 1143 to 1145 is not usable due to rough terrain and large boulders in the roadway.

CPUC Evaluation of Variance Request

In accordance with the MMCRP, the subject variance request was reviewed by CPUC to confirm that the proposed request was within the geographical context of the Final EIR/S and 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 additional access roads are existing with no additional disturbance anticipated by SCE. Some of the proposed access road additions along the Devers-Valley segment are located within the previously-surveyed buffers for the noted towers and access roads, and the remaining locations are located immediately nearby. Prior to use, preconstruction surveys along each proposed access road would be conducted, and SCE shall designate all approved roads using appropriate signage, and vehicles and equipment must stay within the existing road width. Additionally, the access roads should be included in the biological monitor's daily sweeps.

For the proposed access road to "Tower DV Wire Site No 42/Towers 1122 and 1121," SCE's variance states "[t]his is not currently used as an access road but has been cleared of crops/vegetation by the farm owner so no additional work is required." Although the area has been cleared of vegetation and overland travel is feasible, field reconnaissance indicates that there is no discernible road. Since no road bed exists at this location, SCE should stake the entire length of this access road to delineate the approved road width prior to construction use of the road.

As conditioned below, SCE shall provide updated construction and biological resources constraints maps showing the revised access roads to the CPUC EMs and all monitors in the field prior to construction activities at the associated tower sites. 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, pre-construction clearance sweeps, and maintaining speed limits.

Cultural Resources. Based on background research, no cultural resources were identified within the additional access routes proposed for drivability and safety purposes. In addition, the existing roads are previously disturbed. All vehicles will remain on existing roads. Therefore, there are no specific cultural resources conditions applicable to this variance.

Paleontological Resources. Based on the Paleontological Monitoring and Treatment Plan, submitted to the CPUC on April 20, 2011, the potential to encounter paleontological resources within the additional existing access routes identified within Variance Request #45 varies from low to high. However, improvements to the existing access routes are not required and minimal ground disturbing activities will occur. Therefore, there are no specific paleontological resources conditions applicable to this variance.

Noise/Sensitive Receptors. Although there are sensitive receptors in the vicinity of the revised access roads located on privately-owned land, use of the new/revised roads would have similar noise-generating activities to those that will occur along the existing access and at the tower sites. Appropriate noise and land use mitigation measures would apply. 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.

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. Prior to use, preconstruction surveys along each proposed access road shall be conducted.
4. Prior to use, SCE shall designate all approved roads using appropriate signage and vehicles and equipment shall stay within the existing road widths.
5. At "Access Road to Tower DV Wire Site No 42/Towers 1122 and 1121," SCE shall stake the entire length of this access road to delineate the approved road width prior to construction use of the road.
6. The new/modified access roads shall be included in the biological monitor's daily sweep.
7. SCE shall provide updated construction and biological resources constraints maps showing the new and revised access roads to the CPUC EMs and all monitors in the field prior to use.
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
Sylvia Granados, Southern California Edison
Vida Strong, Aspen Environmental Group
Hedy Koczwara, Aspen Environmental Group
Jamison Miner, Aspen Environmental Group
Rosina Goodman, Aspen Environmental Group
Ryann Loomis, Aspen Environmental Group
Liz Majchrowicz, DNL Environmental