

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



October 18, 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 #48

Dear Ms. Benz,

On October 2, 2012, Southern California Edison (SCE) submitted a variance request to the California Public Utilities Commission (CPUC) for use of an additional water source (fire hydrant) located at Mountain Ave and Charlette Lane for transmission line construction needs along the Colorado River Substation to Red Bluff, Red Bluff to Devers, and Devers-Valley transmission line segments of the Devers-Palo Verde No. 2 (DPV2) Transmission Project. SCE identified potential activities that would occur at the hydrant as driving of water trucks, and parking of additional support vehicles and equipment during project hours.

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 #48, which approves the subject transmission line water source, is granted by CPUC for the proposed activities based on the factors described below. However, SCEs Variance #48 request also includes the parking of additional support vehicles and equipment during project hours at the subject location. This portion of Variance #48 is denied as noted in the conditions of approval below.

SCE Variance Request. SCE has requested a variance under NTPs #7, 8, 9 and #10 for one water location along the Colorado River Substation to Red Bluff, Red Bluff to Devers, and Devers-Valley transmission line segments. Excerpts from the SCE Variance Request, received on October 2, 2012, are presented below (indented):

Southern California Edison (SCE) requests a variance for the DV1 Minor Relocation, Devers to Red Bluff Transmission Line, Red Bluff to Colorado River Substation Transmission Line and Devers to Valley Transmission Line identified in NTPs # 7, 8 9 and 10 for an additional water source location identified by the contractors needed for dust suppression. Due to flow issues with the approved hydrant at Gunther Road the contractor is requesting the use of the hydrant located at Mountain Ave and Charlette Lane.

The following information describes a necessary water source for dust mitigation on the Devers-Palo Verde 500 kV No. 2 Transmission Line Project (DPV2) identified in NTPs #7, 8, 9 and 10, dated December 1 and December 2, 2011. A location map and photos are included in the attached figures.

Hydrant and Stand-Tank Locations

#	Site Location	City	Latitude	Longitude	Ownership
<i>Hydrant Locations:</i>					
1	Charlette Land at Mountain Ave	Unincorporated County of Riverside	N33.45539	W117.09075	Eastern Municipal Water District

Potential activities to occur at the water sources listed above include:

- Driving of water trucks
- Parking of additional support vehicles and equipment during project hours

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, cultural resources, paleontological resources, noise/sensitive receptors, water resources, 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 water source and associated access routes have been reviewed in the field by the CPUC Environmental Monitors (EMs). The hydrant is located largely in a disturbed area immediately adjacent to public streets and surrounded by rural private residences. The area around the intersection of Charlette Lane and Mountain Ave was surveyed in September 2012. One special-status plant, paniculate tarweed, was observed in the Survey Area. The mapped location of paniculate tarweed is not likely to be impacted due to its distance from the proposed hydrant. Many of the potential annual plant

species were not detectable at this time because of the late timing of the survey; however, as conditioned below, the water trucks will stay on the roadway and around the hydrant itself.

No active nesting birds were observed within the Survey Area. No special-status wildlife species generated from background research were observed during the survey, but the survey report noted that there is potential for Stephen's kangaroo rat given the active small mammal burrow complexes. The burrows were reviewed in the field by CPUC EMs and the use of the hydrant will not result in a potential impact because there are no mammal burrows around the hydrant itself or on the roadway. Mammal burrows are located in the areas surrounding the road. To avoid potential impacts to the sensitive species, the variance will limit use to the hydrant only and will not approve the parking of additional support vehicles and equipment during project hours as noted in the conditions below.

All mitigation measures, APMs, and conditions of the Biological Opinion (BO) should be implemented along the water haul routes. This includes, but is not limited to, pre-construction clearance sweeps and maintaining speed limits.

Cultural Resources. 2. Based on background research, there is some potential to encounter cultural resources near the proposed water source identified for dust suppression. However, the proposed hydrant is located within a disturbed area adjacent to an existing road, no ground disturbance is proposed, and the existing hydrant will be accessed via truck. All trucks will remain on existing roads. No NTP conditions are recommended. In the event of an unanticipated discovery of cultural materials within the area proposed for a water source for dust suppression, the find shall be managed in compliance with the procedures provided in *Section 4.4 - Plan of Discovery of Cultural Resources*.

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 identified additional water source is low. In addition, no ground disturbing activities will take place within the identified area. Therefore, there are no specific paleontological resources conditions applicable to this variance.

Noise/Sensitive Receptors. Although the hydrant and access route would be located nearby to residences, use of the additional water source and access route will be limited to the filling of water trucks. Appropriate noise and land use mitigation measures would apply. In addition, the contractors would be accessing an existing fire hydrant and the overall scope and duration of construction activities would not change as a result of the variance.

Water Resources. Under this variance, SCE would utilize one existing fire hydrant for water for dust suppression. There would be no ground disturbance or new impervious surfaces required under this variance, and overall water usage would not change. The hydrant would be equipped with a meter, water would be obtained from water agencies/districts, and no additional groundwater would be utilized. Therefore, there are no specific water resources conditions applicable to 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. Use of Charlette Lane will be restricted to the driving of water trucks for hydrant use only; all vehicles must stay within the existing road width. Parking of additional support vehicles and equipment at this location is not allowed.

2. 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.
3. Copies of all relevant permits, compliance plans, and this Variance approval shall be available on site for the duration of construction activities.
4. SCE shall provide updated maps showing the new approved hydrant and access route to the CPUC EMs and all monitors in the field prior to use of the subject hydrant.
5. In the event of an unanticipated discovery of cultural materials within the area proposed for a water source for dust suppression, 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.
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.

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
Patty Nevins, Southern California Edison
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