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

January 7, 2013

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 #56

Dear Ms. Benz,

On December 18, 2012, Southern California Edison (SCE) submitted a variance request to the California Public Utilities Commission (CPUC) for Helicopter Landing Zone (HLZ) H2A-DV located on the north side of the Devers-Valley No. 1 conductor adjacent to Tower 1051 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 #56, which approves the subject helicopter work area, 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 an additional helicopter work area near Tower 1051. Excerpts from the SCE Variance Request, received on December 18, 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 California Public Utilities Commission (CPUC), constructability review was completed identifying the need for an additional helicopter work area north of the existing Devers - Valley No. 1 Transmission Line (DV1). Due to the safety requirements implemented by the construction contractor, crews are restricted from flying suspended loads above the energized DV1 conductor rendering the approved H1X-DV, H1A-DV, and H2-DV (located south of DV1) useless for helicopter picking operations travelling to the several permanent platform locations.
>
> Helicopter Landing Zone (HLZ) H2A-DV proposed in this Variance Request is located on the north side of the DV1 conductor adjacent to Tower 1051 and will be used to setup and stage the equipment and materials necessary for the installation of the permanent landing platforms located on the north side of the DV1 conductor between Towers 1032 and 1050. Note that a portion of the requested H2A-DV site was included in the original configuration of H2-DV approved in NTP #10, but was removed by the modifications to H2-DV in Variance Request # 31 (approved by CPUC on 5/3/2012).

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.

Air Quality. The necessity for this helicopter work area is to allow crews to fly suspended loads to the towers located on the north side of the Devers Valley No. 1 line.. The current approved HLZs; H1X-DV, H1A-DV, and H2-DV are all located south of Devers-Valley No. 1 line, restricting crews from flying suspended loads to the towers on the north side. Due to the assumed height of the helicopter hovering during line attach/detach, it will likely produce downwash similar to a landing/takeoff from the location, which would produce 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 variance. There are no additional air quality concerns associated with this variance.

Biological Resources. As described in SCE's biological review memo (dated December 14, 2012), implementation of the proposed HLZ H2A-DV revision would result in an overall increase in impacts to modeled desert tortoise habitat (1.29 acres), Coachella Valley milk-vetch habitat (0.75 acres) and special-status vegetation community, California joint fir scrub (0.25 acres). Because the site is located in desert tortoise habitat, 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. No jurisdictional waters would be impacted.

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 revised helicopter area to the CPUC EMs and all monitors in the field prior to construction activities at the subject site. All mitigation measures, APMs, and conditions of the Biological Opinion (BO) shall be implemented. This includes, but is not limited to, providing a qualified USFWS, CPUC, and BLM approved tortoise biologist and conducting pre-construction clearance sweeps.

Cultural Resources. The Final Historic Properties Management Plan (HPMP) for the Devers-Palo Verde No. 2 Project was accepted on October 20, 2011. No cultural resources were identified within or immediately adjacent to the identified additional helicopter work area near Tower 1051. 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 California Public Utilities Commission on April 20, 2011, the potential to encounter paleontological resources within the identified additional helicopter work area near Tower 1051 is low. Therefore, in accordance with the Plan, low sensitivity units must be monitored intermittently, to verify the low sensitivity classification, as determined by the Paleontological Resource Specialist.

Noise/Sensitive Receptors. There are a few residential sensitive receptors within ¼ mile of the additional helicopter work area located on privately-owned land. Use of the revised area would have similar noise-generating activities to those that will occur at the adjacent tower sites and already approved helicopter work area, HLZ H2-DV; the proposed HLZ is further away from residences than HLZ H2-DV. Appropriate noise and land use mitigation measures would apply, including limiting helicopter usage 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.

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. Pre-construction surveys shall be conducted, as applicable, and all disturbance areas shall be clearly delineated and marked prior to any ground disturbance associated with the use of the proposed helicopter work area and results would be submitted to the CPUC's EM for validation.
4. 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.
5. SCE shall provide updated construction and biological resources constraints maps showing the new and revised disturbance areas to the CPUC EMs and all monitors in the field prior to use.

6. In accordance with the Paleontological Monitoring and Treatment Plan, low sensitivity units must be monitored intermittently, to verify the low sensitivity classification, as determined by the Paleontological Resource Specialist.
7. The CPUC EM shall be notified immediately of any unanticipated cultural, paleontological, or biological resource discoveries.
8. 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: Holly Roberts, Bureau of Land Management
Helen Meier, Bureau of Land Management
Moselle DiPane, Bureau of Land Management
Kelly Pell, Southern California Edison
Sylvia Granados, Aspen Environmental Group
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