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

February 27, 2013

Mr. Koral Ahmet
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 #67

Dear Mr. Ahmet,

On February 25, 2013, Southern California Edison (SCE) submitted a variance request to the California Public Utilities Commission (CPUC) to suppress dust outside the approved disturbance areas for Helicopter Landing Zones (HLZ) H2-DV and H2A-DV 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 #67, which approves the subject dust suppression, 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 watering to suppress dust outside of the approved HLZ disturbance areas. Excerpts from the SCE Variance Request, received on February 25, 2013 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), construction activities have commenced and fugitive dust emission from areas adjacent to Helicopter Landing Zones (HLZs) have identified the need to suppress dust outside the approved HLZ disturbance area. During SkyCrane operations rotor downwash beneath approach and departure paths has resulted in fugitive dust emissions from areas adjacent to HLZs H2-DV and H2A-DV. SCE proposes using water trucks to suppress dust from existing unpaved roads in HLZ adjacent undeveloped areas. Water trucks will travel on the existing unpaved roads, applying water to roads and outside of approved work area for added dust suppression. No new ground disturbance or road improvements will occur. The access roads proposed for water truck access are described below and shown in the attached figure *[in SCE's Variance Request]*.
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> 1. Marilyn Street from Riza Avenue to Helen Avenue
> 2. Ida Avenue from Marilyn Street to the north fork of Esperanza Avenue
> 3. Esperanza Avenue (both forks) from Riza Avenue to Helen Avenue
> 4. Helen Avenue from Marilyn Street to north fork of Esperanza Avenue
> 5. Riza Avenue access extended to north fork of Esperanza Avenue

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. Since commencement of helicopter construction activities, fugitive dust emissions have been recorded in the vicinity of HLZs H2-DV and H2A-DV. SCE proposes additional watering as a means of dust abatement in the areas around the HLZs. Water trucks will travel along existing access roads, and apply water to the access roads and habitat adjacent to the HLZs to suppress fugitive dust. No new ground disturbance or road improvements will occur.

The access roads and adjacent habitat that will be watered fall within modeled desert tortoise (*Gopherus agassizii*) habitat and partially within modeled Coachella Valley milk-vetch (*Astragalus lentiginosus* var*. coachellae)* habitat. The vegetation communities are predominantly characterized as California joint fir (*Ephedra californica*) scrub, disturbed land, cheesebush (*Ambrosia salsola*) scrub, and creosote bush (*Larrea tridentata*) scrub. No jurisdictional features exist in the area. Based on the results of previous preconstruction surveys and monitoring reports, the potential for special-status species occurrences are low, although there is a high potential for nesting birds protected under the Migratory Bird Treaty Act.

As described in SCE's biological review memo (dated February 25, 2013), during watering outside of the approved HLZ disturbance areas, the water truck traffic shall be limited to the current limits of the

access roads, with no improvements. Water shall be applied in a manner to prevent damage to plants, erosion of soils, and excessive ponding.

Furthermore, SCE shall stake the limits of Ida Avenue between Esperanza Avenue and the disturbance area for HLZ H2-DV, as well as the East-West Access Road connecting Riza Avenue and Helen Avenue. In addition, a portion of HLZ H2-DV fencing crosses the access road south of Pull Site No. 12 along the western side of the project area. As a result, the water truck will need to turnaround at this location. Therefore, in order to identify the turnaround location and ensure that vehicles remain within the road limits, the road limits of the turnaround area along the access road blocked by HLZ fencing shall also be staked.

Finally, SCE shall also ensure that the areas to be watered are thoroughly swept by the Biological Monitors prior to watering outside of the disturbance area.

Although no new ground disturbance or road improvements will occur, any unanticipated 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 subject roadways and HLZ watering boundaries to the CPUC EMs and all monitors in the field prior to construction activities at the subject sites. 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 pre-construction clearance sweeps.

Cultural Resources. Based on background research, no cultural resources were identified within the additional HLZ disturbance areas proposed for watering. In addition, the existing unpaved roads are previously disturbed and no new improvements will occur. All vehicles will remain on existing roads. There are no cultural resources concerns associated with 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 additional existing access routes identified to access HLZs H2-DV and H2A-DV and the HLZ surrounding areas to be watered is low. In addition, no new improvements to the existing unpaved roads will occur. There are no paleontological resources concerns associated with this variance.

Noise/Sensitive Receptors. There are few sensitive receptors in the immediate vicinity of the additional areas around HLZs H2-DV and H2A-DV that would be watered. Watering of the additional areas would have similar noise-generating activities to those that will occur along the existing access roads and at the tower sites. Additional watering would not increase helicopter usage or associated noise at the HLZs. Appropriate noise and land use mitigation measures would apply. The overall 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. SCE shall stake the limits of Ida Avenue between Esperanza Avenue and the disturbance area for HLZ H2-DV.
4. SCE shall stake the limits of the East-West Access Road connecting Riza Avenue and Helen Avenue.
5. SCE shall stake the road limits of the turnaround area along the access road that is blocked by HLZ fencing on the western side of the site.
6. SCE shall ensure the areas to be watered are thoroughly swept by the biological monitors prior to watering outside of the disturbance area.
7. SCE shall provide updated construction and biological resources constraints maps showing the new and revised watered areas to the CPUC EMs and all monitors in the field prior to use. Updated maps can be provided prior to construction by tower location (s).
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
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