

State Water Resources Control Board
Division of Water Quality
Water Quality Certification Program

**Public Notice
of Application for Water Quality Certification**

Pursuant to federal law (Title 33, United States Code, Section 1341; Clean Water Act Section 401), applicants for a federal license or permit for activities that may discharge to waters of the United States must seek Water Quality Certification from the state or Indian tribe with jurisdiction. Such certification is based on a finding that the discharge will meet water quality standards and other applicable requirements. In California, Regional Water Quality Control Boards (Regional Water Boards) issue or deny certification for discharges within their geographical jurisdiction. The State Water Resources Control Board (State Water Board) has this responsibility for projects affecting waters within multiple Regional Water Board jurisdictions.

The following information is provided in satisfaction of the public notice requirements of Section 3858, Title 23, of the California Code of Regulations, which govern the State of California's Certification Program.

Applicant: Southern California Edison

Applicant Contact: Hazem Gabr

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Project Name: Devers–Palo Verde No. 2 500-Kilovolt (kV) Transmission Line Project

Date of Application: May 25, 2011

**Public Notice for Water Quality Certification and/or Waste
Discharge Requirements (Dredge/Fill Projects)**

Southern California Edison

Devers–Palo Verde No. 2

500 kV Transmission Line Project

Affected Counties: Riverside

On May 25, 2011, the State Water Board received an application from the Southern California Edison Company (SCE or applicant), requesting federal Clean Water Act, Section 401, Water Quality Certification, for activities related to the Devers–Palo Verde No. 2 500 kV Transmission Line Project (DPV2 Project). The DPV2 Project will consist of a new 500 kV electric transmission line, including fiber-optic communication lines, upgrades to the Valley and Devers Substations, a new series capacitor, and the new Colorado River Substation. The transmission line will extend approximately 153 miles from the proposed Colorado River Substation, approximately 10 miles southwest of Blythe, California, through the Devers Substation near Palm Springs, California, to the Valley Substation in Menifee, California. The DPV2 Project will be composed of two lines in Riverside County: the Devers–Valley line, which will extend approximately 42 miles from SCE's existing Devers Substation west to SCE's existing Valley Substation; and the Colorado River Substation–Devers line, which will extend approximately 110 miles from the new Colorado River Substation west to SCE's existing Devers Substation.

SCE has received a number of interconnection requests from renewable generators in the Blythe area and has executed one Large Generator Interconnection Agreement with an interconnection customer. The purpose of the DPV2 Project is to interconnect these renewable generation projects to the California Independent System Operator (CAISO) grid and to help California meet its renewable energy goals. SCE plans to start construction in December 2011 to interconnect these renewable generators in the fourth quarter of 2013, or earlier, if possible.

Proposed Project activities involve work within waters of the United States and waters of the state. Waters of the United States completely overlap with waters of the state because the U.S. Army Corps of Engineers (Corps) issued a Preliminary Jurisdictional Determination for the Project. The proposed Project will result in 1.01 acre of permanent impacts and 15.99 acres of temporary impacts to waters of the United States and waters of the state. Temporary impacts include Project activities associated with wire setups, fiber-optic wire setups, guard structures, helicopter landing zones, construction yards, tower footprints, and temporary construction areas. Permanent impacts include stub roads, daylight for stub road construction, riprap and gabion wet crossings, and tower footings. Existing access roads may need to be graded or may require vegetation trimming to accommodate construction vehicles.

A combination of avoidance, minimization, restoration, and compensatory mitigation measures are proposed to offset potential impacts to waters of the United States and the state. All feasible and practical measures will be undertaken to avoid or minimize impacts to waters of the United States and the state during Project activities.

SCE prepared a Conceptual Wetlands Mitigation and Monitoring Plan (CWMMP) to provide mitigation for Project impacts to waters. The CWMMP was specifically prepared for the permit applications to the Corps and State Water Board. All temporary impact areas will be returned to pre-construction conditions through the restoration of contours and construction site best management practices. Off-site preservation for permanent impacts to state and federal waters will occur within the 1,874-acre Devers Palo Verde Preserve (Preserve), which is being established to compensate for unavoidable impacts to special-status biological resources, and to conserve and protect waters under state and federal jurisdiction. The Preserve includes approximately 619 acres of waters. The Land Manager will be Wildlands California Holdings, LLC (Wildlands). The Land Manager, and subsequent Land Managers upon transfer, shall manage and monitor the off-site preservation areas in perpetuity to protect its habitat and conservation values in accordance with the 401 Water Quality Certification and 404 Nationwide Permit.

The California Public Utilities Commission (CPUC), acting as lead agency under the California Environmental Quality Act (CEQA), and the Bureau of Land Management (BLM), acting as the lead agency under the National Environmental Policy Act (NEPA), issued the Draft Environmental Impact Report/Environmental Impact Statement (EIR/EIS) for the DPV2 Project on October 24, 2006. The EIR was certified by the CPUC on January 25, 2007, and can be viewed at: <http://www.cpuc.ca.gov/environment/info/aspen/dpv2/toc-feir.htm>.

On May 14, 2008, SCE requested, via Petition for Modification (PFM) of the existing Certificate for Public Convenience and Necessity (CPCN) (Decision D.07-01-040), that the CPUC authorize SCE to construct DPV2 facilities in only the California portion of DPV2 and the Midpoint 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 area. Two of these projects, the Blythe Solar Power Project and the Genesis Solar Energy Project, requested interconnection to the electricity grid at the Desert Southwest–Midpoint Substation. As a result, the solar developers and SCE developed a plan to expand the Midpoint Substation, now known as the Colorado River Substation, to allow the required space for generation tie

lines to be interconnected with the SCE 500 kV transmission system. This expansion was not covered in the original EIR/EIS because the solar power projects had not yet been proposed. From 2009 to 2010, the Blythe Solar Power Project and the Genesis Solar Energy Project were evaluated under CEQA and NEPA by the BLM and the California Energy Commission. The environmental review documents addressed the Colorado River Substation expansion, but they did not cover all issues that the CPUC requires to be addressed in accordance with CEQA. Therefore, CPUC prepared a Focused Supplemental EIR to address only the specific issues not covered, for its purposes, in the previous environmental review. The Focused Draft Supplemental EIR for the Colorado River Substation Expansion was released on February 22, 2011, and the Focused Final Supplemental EIR was released on April 29, 2011. The Draft and Final Focused Supplemental EIRs can be viewed online: <http://www.cpuc.ca.gov/environment/info/aspen/dpv2/dpv2.htm>.

The proposed Colorado River Substation expansion will not result in impacts to waters of the state.

Status of Other Natural Resource Documents and Permits:

As proposed in the CEQA/NEPA documents, a Storm Water Pollution Prevention Plan (SWPPP) will be prepared and a Habitat Compensation and Restoration Plan has been prepared. The CWMMP was submitted to the State Water Board on October 28, 2011. SCE submitted a pre-construction notification to the Corps on May 25, 2011, for coverage under the Corps' Section 404, Clean Water Act Nationwide Permit 12. The Corps issued a Preliminary Jurisdictional Determination for the Project on June 30, 2011.

A Biological and Conference Opinion was provided by the U.S. Fish and Wildlife Service to the BLM for the Project on January 11, 2011 (FWS-ERIV-07B0060-10F0884).

An application was submitted to the California Department of Fish and Game for a Fish and Game Code, Section 1602, Stream and Lakebed Alteration Agreement, on May 25, 2010. CDFG issued a Section 2080.1 Consistency Determination for the Project on April 27, 2011 (2080-2011-010-06).

State Water Board staff are proposing to regulate this Project pursuant to Section 401 of the Clean Water Act (Title 33, United States Code, Section 1341). In addition, staff will consider all comments submitted in writing and received at this office by mail during a 21-day comment period that begins on the first date of issuance of this letter and ends at 5:00 p.m. on the last day of the comment period. If you have any questions, please contact Bob Solecki at 916-341-5483 or rsolecki@waterboards.ca.gov.

Date Posted: November 10, 2011

State Water Resources

Control Board Staff Contact:

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Note: No regulatory decision on the application is implied or intended in this public notice.