



BEFORE THE ARIZONA CORPORATION COMMISSION

MIKE GLEASON

Chairman

WILLIAM A. MUNDELL

Commissioner

JEFF HATCH-MILLER

Commissioner

KRISTIN K. MAYES

Commissioner

GARY PIERCE

Commissioner

Arizona Corporation Commission

DOCKETED

MAY 22 2007

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IN THE MATTER OF THE APPLICATION)
 OF SOUTHERN CALIFORNIA EDISON)
 COMPANY AND ITS ASSIGNEES IN)
 CONFORMANCE WITH THE)
 REQUIREMENTS OF ARIZONA REVISED)
 STATUTES SECTIONS 40-360.03 AND)
 40-360.06 FOR A CERTIFICATE OF)
 ENVIRONMENTAL COMPATIBILITY)
 AUTHORIZING CONSTRUCTION OF A)
 500kV ALTERNATING CURRENT)
 TRANSMISSION LINE AND RELATED)
 FACILITIES IN MARICOPA AND LA PAZ)
 COUNTIES IN ARIZONA ORIGINATING)
 AT THE HARQUAHALA GENERATING)
 STATION WEST OF PHOENIX,)
 ARIZONA AND TERMINATING)
 AT THE DEVERS SUBSTATION IN)
 RIVERSIDE COUNTY, CALIFORNIA)

Docket No. L-00000A-06-0295-00130

Case No. 130

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SOUTHERN CALIFORNIA EDISON COMPANY'S

NOTICE OF SUPPLEMENTAL FILING

On May 18, 2007, Southern California Edison Company ("SCE") filed the Right of Way Permit issued by United States Department of the Interior, Fish and Wildlife Service ("USFWS"), which granted ("SCE") a right of way special use permit through the northern portion of the Kofa National Wildlife Refuge ("Kofa") and found that the use of the Kofa for the Devers to Palo Verde No. 2 transmission line is

1 compatible with the purposes for which the land was acquired.

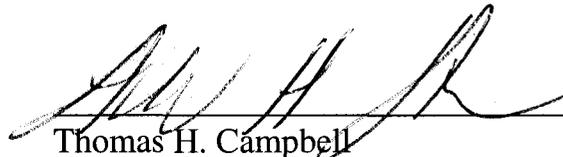
2 Attached are two documents referenced in the Right of Way Permit: (1)
3 "Attachment D Kofa Compatibility Determination Stipulations" provided by SCE to
4 the USFWS on March 14, 2007; and (2) SCE's May 8, 2007, letter (with attachments)
5 to the USFWS.

6 SCE has not received the document referenced in the Right of Way Permit as
7 "Exhibit A." SCE will file this document upon receipt from the USFWS.

8 SCE submitted previously the other two documents referenced in the Right of
9 Way Permit. One is the Final Environmental Impact Report/Environmental Impact
10 Statement, which was admitted into the record in this case as Exhibit A-27, and
11 therefore is not included herein. The other is the USFWS letter dated May 11, 2007,
12 which SCE submitted with the May 18, 2007, Notice of Filing.

13 RESPECTFULLY SUBMITTED this 22nd day of May, 2007.

14 LEWIS AND ROCA LLP

15 
16 _____

17 Thomas H. Campbell
18 Albert H. Acken
19 40 N. Central Avenue
20 Phoenix, Arizona 85004

21 Attorneys for Southern California Edison
22 Company

23 **ORIGINAL** and twenty-five (25) copies
24 of the foregoing filed this 22nd day of
25 May, 2007, with:

26 The Arizona Corporation Commission
Utilities Division – Docket Control
1200 W. Washington Street
Phoenix, Arizona 85007

1 **COPY** of the foregoing hand-delivered
2 this 22nd day of May, 2007, to:

3 Chairman Mike Gleason
4 The Arizona Corporation Commission
5 1200 W. Washington Street
6 Phoenix, Arizona 85007

7 Commissioner William A. Mundell
8 The Arizona Corporation Commission
9 1200 W. Washington Street
10 Phoenix, Arizona 85007

11 Commissioner Jeff Hatch-Miller
12 The Arizona Corporation Commission
13 1200 W. Washington Street
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17 1200 W. Washington Street
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19 Commissioner Gary Pierce
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23 Lyn Farmer, Chief Administrative Law Judge
24 Arizona Corporation Commission
25 1200 W. Washington Street
26 Phoenix, Arizona 85007

Laurie A. Woodall, Chairman
Arizona Power Plant and Transmission Line Siting Committee
Office of the Attorney General
1275 W. Washington Street
Phoenix, Arizona 85007

1 Keith Layton, Legal Division
2 Arizona Corporation Commission
3 1200 W. Washington Street
4 Phoenix, Arizona 85007

5 **COPY** of the foregoing mailed/served electronically
6 this 22nd day of May, 2007, to:

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13 202 E. McDowell Road, Ste. 153
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Attachment D

Kofa Compatibility Determination Stipulations

Concern	Mitigation
1. Prevent establishment and spread of Invasive weeds	<p>A. SCE will institute a program to prevent the establishment and spread of noxious and invasive weeds. This includes surveys for invasive and noxious weeds and eradication of all existing populations within the DPV2 corridor along the Kofa.</p> <p>B. SCE will wash all construction vehicles and construction equipment prior to the first time they enter the Kofa and each subsequent time if those vehicles or equipment have traversed or been used on unpaved ground outside the Kofa.</p> <p>C. SCE will perform post-construction monitoring and eradication of weeds within areas disturbed by or used for construction for 5 years after construction on the Kofa.</p>
2. Amount of land disturbance	<p>A. SCE will grade/blade new roads or undisturbed ground only where necessary.</p> <p>B. SCE will reduce the size of the construction area around each tower from about 0.9 acres to 0.6 acres per tower.</p> <p>C. SCE will use two-track pathways instead of new spur roads to the extent feasible; vehicles to follow the tracks.</p> <p>D. SCE will ensure that all vehicles stay on track paths, spur roads, or the Pipeline Road.</p> <p>E. SCE will purchase an approximate 80 acre in-holding. SCE to purchase property, deed it to Kofa.</p> <p>F. SCE will create and implement a revegetation/restoration plan that includes annual monitoring and remedial work for five years. The plan will assure compliance with the Arizona Native Plant Law.</p>
3. Cost reimbursement	<p>A. SCE will reimburse Kofa for all incremental costs associated with monitoring DPV2 construction, operation, and maintenance activities. This should allow Kofa to hire additional staff or contractors to perform these activities or to cover the workload of existing Kofa staff. SCE will also reimburse Kofa for the cost of a special enforcement agent during construction and for five years after construction.</p>
4. Off road vehicle use	<p>A. SCE will undertake measures to minimize unauthorized off-road vehicle access to SCE's spur roads, such as placing rocks at the entrance to spur roads, to the extent</p>

Attachment D

Kofa Compatibility Determination Stipulations

Concern	Mitigation
	<p>such measures do not unreasonably interfere with SCE's access.</p> <p>B. SCE will provide additional signs along the Pipeline Road to inform the public that off-road vehicle use is prohibited.</p>
5. Radio interference	<p>A. SCE will provide a capital contribution to replace Kofa's Signal Peak repeater antenna with an antenna that has more gain (offset-pattern) in the direction of the poorest radio coverage areas along the SCE right-of-way. The offset-pattern will increase coverage in those areas without reducing coverage in areas currently with good coverage. In addition, SCE will provide a capital contribution toward raising the existing antenna at Signal Peak to further improve line-of-sight coverage along the SCE right-of-way. SCE will also offer its radio-communication personnel for consultation.</p> <p>B. An alternative to 5A above is to relocate Kofa's existing radio facility and antenna tower/pole at Signal Peak to an area near the top of the peak to further improve line-of-sight coverage along the SCE right-of-way.</p> <p>C. SCE will complete a radio frequency performance evaluation of the Signal Peak repeater to ensure the equipment is operating within specification.</p> <p>D. SCE will perform preventative maintenance on any suspect mobile or portable equipment to ensure they are operating within specification.</p> <p>E. SCE will work to enhance Kofa staff's ability to communicate with field personnel and track wildlife. To do so, SCE will coordinate with Kofa's radio consultant to:</p> <ol style="list-style-type: none"> 1) Design, engineer and install an additional radio repeater for use by the Kofa at SCE's existing Series Capacitor Station; and 2) Design, engineer and install an additional radio repeater for use by the Kofa at the inactive American Tower facility. <p>SCE's radio propagation modeling tool predicts poor radio coverage in areas unrelated to DPV1 or DPV2.</p>

Attachment D

Kofa Compatibility Determination Stipulations

Concern	Mitigation
	<p>The poor radio coverage extends along the northern and eastern side of the Kofa south of the transmission line. A combination of mountainous features and lower output power from the Signal Peak transmitter limit radio coverage in this area. This problem exists now and would exist without any transmission lines in the Devers-Palo Verde corridor.</p>
6. 97 bird deaths	<p>A. SCE will follow APLIC standards for protection against tower conductor collisions.</p> <p>B. SCE will conduct a three-year post-construction monitoring study of DPV1 and DPV2. If the three-year study indicates a large number of bird collisions, SCE will evaluate mitigation options and consult with USFWS about implementing feasible measures.</p>
<p>7. Bighorn sheep impacts</p> <ul style="list-style-type: none"> • Aug-Oct/breeding interference • Nov-April/lambing concerns 	<p>A. SCE will investigate funding a satellite telemetry system as an alternative to using radio-collar systems for animal tracking and research.</p> <p>B. SCE will avoid construction between January 1 and April 30.</p> <p>C. SCE will evaluate the corridor for bighorn sheep breeding between August and October and avoid construction in areas that are actively supporting breeding activities during this construction period.</p> <p>D. SCE will evaluate lambing areas within one mile of construction activities and avoid construction in those areas during November and December if lambing may be impacted.</p> <p>E. In consultation with the Kofa, SCE will perform or fund studies on Bighorn sheep mortality, breeding, and lambing.</p>
8. Construction may disrupt operation of Kofa vehicles during construction	<p>A. SCE will work with Kofa staff to develop a vehicle traffic management plan that ensures Kofa vehicle access and allows unobstructed access for Kofa recreational users. SCE notes the following:</p> <ol style="list-style-type: none"> 1) The Pipeline Road on the Kofa is a two lane road. The width varies but, in general, is wide enough for two vehicles. 2) In nearly all instances, construction of DPV2 will take place on spur roads or near the towers. Vehicles using the Pipeline Road on a regular basis will be of a width that will allow for two-way

Attachment D

Kofa Compatibility Determination Stipulations

Concern	Mitigation
	<p>vehicle traffic.</p> <ol style="list-style-type: none"> 3) The two main points of access to the Pipeline Road will be Highway 95 and Vicksburg Road. SCE will have field staff at these locations that will maintain radio communication with construction forces. 4) Kofa staff vehicles are typically narrow enough to get around construction traffic. (e.g. pickups for enforcement and one-ton trucks for fire fighting.) 5) Wide-load construction vehicles will be directed to spur roads if vehicles need access to the Pipeline Road and insufficient room is available for the vehicle to pass the construction area. 6) If a vehicle must go around wide-load construction vehicles (cranes or D-8 tractors), El Paso Gas Right of Way personnel confirmed that these vehicles may safely use the berms within the right-of-way because the vehicles are not heavy enough to cause damage to the pipelines. 7) SCE will halt construction if an emergency arises during construction.
9. Small mammals/movement and fragmentation	<p>A. SCE will conduct pre-construction surveys for small mammals and reptiles within areas to be disturbed by construction. Active burrows will be avoided to the extent feasible. A biologist will be on-site to move any small animals and reptiles from the construction area.</p>
10. Corona noise	<p>A. SCE will improve campsites at the following locations to enhance recreational experience.</p> <ol style="list-style-type: none"> 1) Crystal Hills 2) Kofa Cabin



SOUTHERN CALIFORNIA
EDISON[®]

An EDISON INTERNATIONAL[®] Company

Ronald L. Litzinger
Senior Vice President

May 8, 2007

Dr. Benjamin Tuggle
Regional Director
United States Fish and Wildlife Service
500 Gold Avenue SW, Room 8500
Albuquerque, New Mexico 87102

Subject: Information Supporting Request for Reconsideration of
Final Compatibility Determination for the Devers-Palo
Verde No. 2 Transmission Line Project

Dear Dr. Tuggle:

By letter dated March 21, 2007, Southern California Edison Company (SCE) requested that you reconsider the final Compatibility Determination (CD), dated March 1, 2007, prepared by the United States Fish and Wildlife Service, Kofa National Wildlife Refuge, for the SCE Devers-Palo Verde No. 2 (DPV2) Transmission Line Project (Project). The Kofa National Wildlife Refuge (Kofa NWR) CD concluded that the Project was "not compatible" with the purposes of the Kofa NWR and the NWR System mission. SCE appreciates your commitment to evaluate and reconsider the CD during your decision making process on our Right-of-Way application.

SCE wishes to provide additional support for our request that you reconsider the final CD prior to issuance of a ROW decision. Attachment A to this letter is a table that describes additional mitigation measures that SCE is willing to perform to address concerns expressed in the CD that the Kofa NWR Refuge Manager believed were not sufficiently mitigated by the California Public Utilities Commission and the U.S. Bureau of Land Management Final Environmental Impact Report/Environmental Impact Statement (FEIR/EIS), issued for the Project in October 2006. These additional mitigation measures will cost SCE approximately \$4,665,000.

In addition to the Attachment A mitigation measures, SCE is willing to provide funds to prepare and conduct studies that would evaluate, monitor, and then mitigate certain potential future Project impacts that the Kofa NWR staff believed could arise, but sufficient information was not present for staff to make that determination. These additional monitoring studies are listed in Attachment B. SCE proposes to provide \$4,500,000 for this purpose to the National Fish and Wildlife Foundation. I met with Messrs. Jeff Trandahl and Tom Kelsch of the Foundation regarding the possibility of establishing a special fund from which the monitoring studies and any necessary proactive mitigation could be supported. If this is acceptable to the Service, we would like to discuss with you the possible establishment of a Board that could consist of representatives from the Service, SCE, and local community and non-governmental organizations.

P.O. Box 800
8631 Rush St.
Rosemead, CA 91770
626-302-2243

Dr. Benjamin Tuggle
May 8, 2007
Page 2

The additional mitigation measures and the fund for monitoring studies and any resulting mitigation would result in additional project costs totaling \$9,165,000. These costs would be in addition to the mitigation measures in the FEIR/EIS that address the Project's potential impacts. Attachment C provides a list of all three categories of mitigation measures according to the resource impacted by the project, which clearly shows that SCE is willing to take actions that mitigate Project impacts on the Kofa NWR.

SCE requests that you consider the attached mitigation measures when evaluating our application for a Right-of-Way and our request that you reconsider the CD issued by the Kofa NWR. We believe that these additional measures would allow (i) the issuance of a ROW grant to SCE for the DPV2 Project; and (ii) the CD to be revised to find that the DPV2 Project is compatible with the purposes of the Kofa NWR and the NWR System mission.

Please call Les Starck at (626) 302-4883 or Nino Mascolo at (626) 302-4459 if we can provide further information or answer any questions about the Project or these additional mitigation measures.

Very truly yours,



Ronald L. Litzinger

cc: Mr. Les Starck, SCE
Mr. Nino Mascolo, SCE

ATTACHMENT A

Additional Kofa Mitigation Measures

Concern	Mitigation	Duration	Estimated Cost
<p>1. Prevent establishment and spread of Sahara Mustard Grass/invasive weeds</p>	<p>A. SCE will institute a program to prevent the establishment and spread of noxious and invasive weeds. This includes surveys for invasive and noxious weeds and eradication of all existing populations within the DPV2 corridor along the Kofa.</p> <p>B. SCE will wash all construction vehicles and construction equipment prior to the first time they enter the Kofa and each subsequent time if those vehicles or equipment have traversed or been used on unpaved ground outside the Kofa.</p> <p>C. SCE will perform post-construction monitoring and eradication of weeds within areas disturbed by or used for construction for 5 years after construction on the Kofa.</p>	<p>SCE has scheduled a weed survey for 2007.</p> <p>SCE will perform annual surveys for 5 years after construction.</p>	<p>Total cost for 5 year weed survey and eradication not to exceed \$350,000</p>
<p>2. Temporary and permanent land disturbance</p> <ul style="list-style-type: none"> • Permanent: 3.4 acres • Temporary: 60 acres 	<p>A. SCE will grade/blade new roads or undisturbed ground only where necessary.</p> <p>B. SCE will reduce the size of the construction area around each tower from about 0.9 acres to 0.6 acres per tower.</p> <p>C. SCE will use two-track pathways instead of new spur roads to the extent feasible; vehicles to follow the tracks.</p> <p>D. SCE will ensure that all vehicles stay on track paths, spur roads, or the Pipeline Road.</p> <p>E. SCE will purchase an approximate 80 acre in-holding. SCE to purchase property, deed it to Kofa.</p> <p>F. SCE will create and implement a revegetation/restoration plan that includes annual monitoring and remedial work for five years. The plan will assure compliance with the Arizona Native Plant Law.</p>	<p>5 year post-construction</p>	<p>Total not to exceed \$500,000 for revegetation</p> <p>Cost estimate does not include land acquisition costs.</p>

ATTACHMENT A

Additional Kofa Mitigation Measures

Concern	Mitigation	Duration	Estimated Cost
3. Cost reimbursement	Up to \$70,000 per year, SCE will reimburse Kofa for incremental costs associated with monitoring DPV2 construction and for a five year period following construction to cover incremental costs associated with monitoring operation and maintenance activities, including extra law enforcement needs.	Five years	Total cost not to exceed \$350,000 over 5 years
4. Off road vehicle use	<p>A. SCE will undertake measures to minimize unauthorized off-road vehicle access to SCE's spur roads, such as placing rocks at the entrance to spur roads, to the extent such measures do not unreasonably interfere with SCE's access.</p> <p>B. SCE will provide additional signs along the Pipeline Road to inform the public that off-road vehicle use is prohibited.</p> <p>C. SCE will purchase and install video surveillance equipment at select towers along the Pipeline Road on behalf of Kofa NWR at a maximum capital cost of \$1.5 million. Kofa NWR will be responsible for operation and maintenance costs.</p>	Immediately after construction	Included in construction costs One time capital cost not to exceed \$1.5 million
5. Radio interference	<p>A. SCE will provide a one-time maximum capital contribution of \$1.5 million to address communication issues at the Kofa NWR. Alternatives and actions to be decided by the Kofa NWR regarding actual use of the funds include:</p> <p>1) Replace Kofa's Signal Peak repeater antenna with an antenna that has more gain (offset-pattern) in the direction of the poorest radio coverage areas along the SCE right-of-way. The offset-pattern will increase coverage in those areas without reducing coverage in areas currently with good coverage; or</p> <p>2) Raise the existing antenna at Signal Peak to further</p>	During or after construction	One time capital cost not to exceed \$1.5 million

ATTACHMENT A

Additional Kofa Mitigation Measures

Concern	Mitigation	Duration	Estimated Cost
	<p>improve line-of-sight coverage along the SCE right-of-way. SCE will also offer its radio-communication personnel for consultation; or</p> <p>3) Relocate Kofa's existing radio facility and antenna tower/pole at Signal Peak to an area near the top of the peak to further improve line-of-sight coverage along the SCE right-of-way; or</p> <p>4) SCE will complete a radio frequency performance evaluation of the Signal Peak repeater to ensure the equipment is operating within specification; or</p> <p>5) SCE will work to enhance Kofa staff's ability to communicate with field personnel and track wildlife. To do so, SCE will coordinate with Kofa's radio consultant to:</p> <p>a) Design, engineer and install an additional radio repeater for use by the Kofa at SCE's existing Series Capacitor Station; and</p> <p>b) Design, engineer and install an additional radio repeater for use by the Kofa at the inactive American Tower facility.</p> <p>B. Not included in the one-time capital cost, SCE will perform preventative maintenance on any suspect mobile or portable equipment for five years to ensure they are operating within specification.</p>	<p>\$80,000 annual O&M cost for five years</p>	<p>Total cost not to exceed \$400,000 for O&M for 5 years</p>

ATTACHMENT A

Additional Kofa Mitigation Measures

Concern	Mitigation	Duration	Estimated Cost
6. Bird Mortality	SCE will follow APLIC standards for protection against tower and conductor collisions.	During construction	Included in construction costs
7. Bighorn sheep impacts <ul style="list-style-type: none"> • Aug-Oct/Breeding interference • Nov-April/Lambing concerns 	A. SCE will avoid construction between January 1 and April 30. B. SCE will evaluate the corridor for bighorn sheep breeding between August and October and avoid construction in areas that are actively supporting breeding activities during this construction period. C. SCE will evaluate lambing areas within one mile of construction activities and avoid construction in those areas during November and December if lambing may be impacted.	During construction	Cost included in construction budget
8. SCE vehicles will disrupt operation of FWS vehicles during construction	A. SCE will work with Kofa staff to develop a vehicle traffic management plan that ensures Kofa vehicle access and allows unobstructed access for Kofa recreational users. SCE notes the following: <ol style="list-style-type: none"> 1. The Pipeline Road on the Kofa is a two lane road. The width varies but, in general, is wide enough for two vehicles. 2. In nearly all instances, construction of DPV2 will take place on spur roads or near the towers. Vehicles using the Pipeline Road on a regular basis will be of a width that will allow for two-way vehicle traffic. 3. The two main points of access to the Pipeline Road will be Highway 95 and Vicksburg Road. SCE will have field 	During construction	Traffic control plan costs are included in construction costs

ATTACHMENT A

Additional Kofa Mitigation Measures

Concern	Mitigation	Duration	Estimated Cost
	<p>staff at these locations that will maintain radio communication with construction forces.</p> <p>4. Kofa staff vehicles are typically narrow enough to get around construction traffic. (e.g. pickups for enforcement and one-ton trucks for fire fighting.)</p> <p>5. Wide-load construction vehicles will be directed to spur roads if vehicles need access to the Pipeline Road and insufficient room is available for the vehicle to pass the construction area.</p> <p>6. If a vehicle must go around wide-load construction vehicles (cranes or D-8 tractors), El Paso Gas Right of Way personnel confirmed that these vehicles may safely use the berms within the right-of-way because the vehicles are not heavy enough to cause damage to the pipelines.</p> <p>7. SCE will halt construction if an emergency arises during construction.</p>		
<p>9. Recreation (corona noise, visual impacts):</p>	<p>A. At a one-time maximum cost of \$50,000, SCE will improve campsites at the following locations to enhance recreational experience.</p> <ol style="list-style-type: none"> 1. Crystal Hills 2. Kofa Cabin 	<p>During or after construction</p>	<p>Total cost not to exceed \$50,000</p>
<p>Additional Mitigation Cost</p>			<p>\$4,665,000</p>

ATTACHMENT B

Funding for Monitoring Studies and Proactive Mitigation

Concern	Mitigation	Duration	Estimated Cost
1. Cost Reimbursement	SCE will provide \$680,000 per year for five years to the National Fish and Wildlife Foundation to evaluate and address potential, but uncertain future project impacts, including but not limited to project impacts on bird nesting and foraging due to vegetation removal, project impacts on recreation, and project impacts on small mammal movement and mortality. These funds shall also be available for the purpose of mitigating potential impacts.	Five years	Total cost not to exceed \$3.4 million
2. Bird Mortality	<p>a. SCE will provide funds for a four-year post-construction monitoring study of DPV1 and DPV2.</p> <p>b. SCE will provide funds for monitoring the impacts of vegetation removal on bird foraging and breeding for four years after construction.</p>	4 years 4 years	Total cost not to exceed \$200,000 Total cost not to exceed \$200,000
3. Bighorn sheep impacts	<p>a. SCE will provide funds for monitoring of bighorn sheep mortality, breeding, and lambing for five years after construction.</p> <p>b. SCE will investigate the feasibility of using a satellite telemetry system as an alternative to using radio-collar systems for animal tracking and research. Purchase and place communication collar systems for tracking bighorn sheep to monitor sheep movement.</p>	5 years	Total cost not to exceed \$500,000
4. Small mammals	SCE will provide funds for post construction monitoring of small mammals and reptiles within areas disturbed by project construction.	4 years	Total cost not to exceed \$200,000
Monitoring Study Total			\$4,500,000

ATTACHMENT C

DPV2 MITIGATION MEASURES AND STUDIES APPLICABLE TO THE KOFA NATIONAL WILDLIFE REFUGE

Mitigation Measures: Conditions from the CPUC/BLM FEIR/EIS for the DPV2 Project, dated October 2006, to mitigate Project impacts.

Stipulations: Additional SCE-proposed mitigation measures to address concerns raised in the March 1, 2007 Compatibility Determination regarding implementation of the DPV2 project on the Kofa NWR that, in the opinion of the Kofa NWR staff, were not sufficiently addressed in the FEIR/EIS.

Studies: Additional SCE-proposed funding of studies to address concerns raised in the March 1, 2007 Compatibility Determination but for which the Kofa NWR staff did not believe sufficient information was available to adequately evaluate, monitor, and mitigate certain potential future impacts. Most studies would be performed with funds that SCE will provide to the National Fish and Wildlife Foundation (NFWF) for the benefit of the Kofa NWR.

Biological Resources

1. General Conditions

Mitigation Measures:

B-9a Conduct pre-construction surveys. SCE shall conduct pre-construction surveys for sensitive wildlife in any area subject to project disturbance. Surveys shall be conducted during a time of year when these species are known to be active. The location of sensitive species identified during the pre-construction surveys shall be identified on project maps.

B-9b Conduct biological monitoring. SCE shall conduct biological monitoring of the project area including the laydown, staging, access roads, and any area subject to project disturbance. The biological monitor shall look for sensitive wildlife species (including forest watch list animals and Forest Service Region 5 sensitive species) that may be located within or immediately adjacent to the construction areas. If sensitive species are found, the biological monitor shall move them out of harm's way (listed species require take authorization) to avoid direct impacts to these species. In the event that the wildlife species may cause harm to the biologist, the biologist shall notify the construction crews and monitor the species until it moves out of harms way. The results of all monitoring shall be recorded in daily monitoring notes that shall be included as part of the required monitoring reports for the project. The SCE shall notify the CPUC/BLM if any sensitive species are located during construction of the project. SCE shall notify the Forest Service of all sensitive species found on Forest Service land.

ATTACHMENT C

B-9c Implement a Worker Environmental Awareness Program. A Worker Environmental Awareness Program (WEAP) shall be implemented for construction crews by a qualified biologist(s) provided by SCE and approved by the CPUC/BLM prior to the commencement of construction activities. Training materials and briefings shall include but not be limited to, discussion of the Federal and State Endangered Species Acts, the consequences of noncompliance with these acts, identification and values of sensitive plant and wildlife species and significant natural plant community habitats, fire protection measures, sensitivities of working on forest service lands and identification of Forest Service sensitive species and MIS wildlife species, hazardous substance spill prevention and containment measures, and review of mitigation requirements. Training materials and a course outline shall be provided to the CPUC and BLM for review and approval at least 30 days prior to the start of construction. Training materials and updates of training materials shall also be provided to the Forest Service for review and comment. SCE shall provide to the CPUC and BLM a list of construction personnel who have completed training, and this list shall be updated by SCE as required when new personnel start work. No construction worker may work in the field for more than 5 days without receiving the WEAP.

2. Protection of Bighorn Sheep and Habitat

Mitigation Measures:

B-9f Perform construction outside of breeding and lambing period. Construction activities conducted within suitable habitat near Burnt Mountain, Harquahala Mountain, and Kofa NWR shall not occur during the period of the year when bighorn sheep are lambing (from January 1 to April 30). A pre-construction survey for bighorn sheep shall be conducted on Forest Service lands prior to construction and maintenance of the transmission lines. If bighorn sheep are found, then SCE shall consult with the Forest Service, USFWS, and Bighorn Institute to identify appropriate avoidance measures.

Stipulations:

1.A SCE will evaluate the corridor for bighorn sheep breeding between August and October and avoid construction in areas that are actively supporting breeding activities during this construction period.

1.B SCE will evaluate lambing areas within one mile of construction activities and avoid construction in those areas during November and December if lambing may be impacted.

Studies:

ATTACHMENT C

1.C. SCE will provide funds to the NFWF for monitoring bighorn sheep mortality, breeding, and lambing that may be related to construction, operation, and maintenance of the DPV2 Project. SCE will also investigate the feasibility of the Kofa NWR using a satellite telemetry system as an alternative to using radio-collar systems for animal tracking and research. If a system is feasible, SCE will pay for communication collar systems for tracking bighorn sheep.

2. Protection of Desert Tortoise, Other Reptiles, and Small Mammals

Mitigation Measures:

B-7b Conduct pre-construction tortoise surveys. Prior to construction, SCE shall survey the transmission line corridor for desert tortoise burrows and pallets within fourteen (14) days preceding construction. Tortoise burrows and pallets encountered within the construction zone (if any) will be conspicuously flagged by the surveying biologist(s) and avoided during all construction activities.

During construction activities, SCE shall inspect under equipment and vehicles prior to moving equipment. If tortoises are encountered, the vehicle will not be moved until such animals have voluntarily moved to a safe distance away from the parked vehicle or a qualified biologist moves the tortoise.

SCE shall monitor construction activities in all areas with the potential to support desert tortoise.

Desert tortoises will be handled only by a FWS/CDFG permitted and authorized tortoise handler and only when necessary. New latex gloves will be used when handling each desert tortoise to avoid the transfer of infectious diseases between animals. Desert tortoises will be moved the minimum distance possible within appropriate habitat to ensure their safety. In general, desert tortoises will not be moved in excess of 1,000 feet for adults and 300 feet for hatchlings.

Desert tortoises that are found above ground and need to be moved will be placed in the shade of a shrub. All desert tortoises removed from burrows will be placed in an unoccupied burrow of approximately the same size as the one from which it was removed. All excavation of desert tortoise burrows will be done using hand tools, either by, or under the direct supervision of, an authorized tortoise handler. If an existing burrow is unavailable, an authorized tortoise handler will construct or direct the construction of a burrow of similar shape, size, depth, and orientation as the original burrow. Desert tortoises moved during inactive periods will be monitored for at least two days after placement in the new burrows to ensure their safety. An authorized tortoise handler will be allowed some judgment and discretion to ensure that survival of the desert tortoise is likely.

If desert tortoises need to be moved at a time of the day when ambient temperatures could harm them (less than 40 degrees F or greater than 90 degrees F), they will be held overnight in a clean

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cardboard box. These desert tortoises shall be kept in the care of an authorized tortoise handler under appropriate controlled temperatures and released the following day when temperatures are favorable. All cardboard boxes will be appropriately discarded after one use.

All desert tortoises moved will be marked for future identification. An identification number using the acrylic paint/epoxy covering technique should be placed on the fourth costal scute. No notching would be authorized.

B-7c Purchase mitigation lands for impacts to tortoise habitat. Following construction, SCE shall acquire lands to compensate for the loss of tortoise habitat within the Category II and III management areas in Arizona and California. The amount of land to be acquired will depend on the acreage of disturbance within these management areas. Acquired lands will be in a nearby area of good tortoise density and within tortoise habitat. BLM and SCE shall conduct a field inspection of the disturbed areas after completion of construction of the transmission line to determine the exact acreage required for compensation. The lands purchased will be transferred to the United States and be administered by the BLM. Land may be transferred to the BLM and/or incorporated into an existing management area.

B-9d Conduct pre-construction reptile surveys. Prior to construction, SCE shall conduct surveys in areas of suitable habitat for Sonoran desert tortoise, common chuckwalla, banded Gila monster, and desert rosy boa within 48 hours prior to the start of construction activities. If common chuckwallas, banded Gila monsters and/or desert rosy boas are found on the construction site, they will be relocated to nearby suitable habitat outside the construction area. Following the clearance surveys, exclusion fencing will be erected or a biological monitor will be onsite during construction activities.

If potentially suitable burrows or rock piles are found, they will be checked for occupancy. Occupied burrows will be flagged and avoided (employing a 50-foot buffer) during construction. If the burrow cannot be avoided, it will be excavated and the occupant relocated to an unoccupied burrow outside the construction area and of approximately the same size as the one from which it was removed. If an existing burrow is unavailable, the biologist will construct or direct the construction of a burrow of similar shape, size, depth, and orientation as the original. Trenches, holes, or other excavations will be examined for banded Gila monster prior to filling. If individuals are found, the biological monitor will relocate them to nearby suitable habitat. During construction, if a common chuckwalla, banded Gila monster, and/or desert rosy boa occur on the project site, construction activities adjacent to the individual's location will be halted and the animal will be allowed to move away from the construction site. If the individual is not moving, a qualified biologist will relocate it to nearby suitable habitat outside the construction area. It shall be placed in the shade of a shrub. The Forest Service will be notified of any sensitive wildlife identified on NFS lands. Also during construction, if a Sonoran desert tortoise occurs on the project site, construction activities adjacent to the individual's location will

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be halted and the *Guidelines for Handling Sonoran Desert Tortoises Encountered During Construction Projects* will be followed by qualified personnel.

B-16a Prepare and implement a raven control plan. SCE shall prepare a common raven control plan that identifies the purpose of conducting raven control, provides training in how to identify raven nests and how to determine whether a nest belongs to a raven or a different raptor species, describes the seasonal limitations on disturbing nesting raptors species (excluding ravens), describes the procedure for obtaining a permit from the USFWS's Division of Migratory Birds, and describes procedures for documenting the activities on an annual basis. SCE shall gain approval of the plan from the USFWS's Division of Migratory Birds. SCE shall provide this raven control plan to all transmission line companies that conduct operations within the ROW.

Studies:

2.A. SCE will provide funds to the NFWF for post construction monitoring small mammal and reptile mortality, habitat fragmentation, and movement that may be related to construction, operation, and maintenance of the DPV2 Project.

3. Minimize the Potential for Collisions or Other Impacts to Birds

Mitigation Measures:

B-5a Conduct pre-construction surveys and monitoring for breeding birds. SCE shall conduct protocol level surveys for nesting birds if construction activities are scheduled to occur during the breeding season for raptors and other migratory birds. Surveys shall be conducted in areas within 500 feet of tower sites, laydown/staging areas, substation sites, and access road/spur road locations. SCE shall be responsible for designating a CPUC/BLM-approved qualified biologist who can conduct pre-construction surveys and monitoring for breeding birds. If State or federally listed birds with active nests are found, a biological monitor shall establish a 500-foot buffer around the nest and no activities will be allowed within the buffer until the young have fledged from the nest or the nest fails. The biological monitor shall conduct regular monitoring of the nest to determine success/failure and to ensure that project activities are not conducted within the 500-foot buffer until the nesting cycle is complete or the nest fails. The biological monitor shall be responsible for documenting the results of the surveys and the ongoing monitoring. A 300-foot buffer shall be implemented in the event that raptors or other species protected under the MBTA are located. This buffer will be evaluated after consultation with the CPUC/BLM/CDFG/and USFWS.

B-15a Utilize collision-reducing techniques in installation of transmission lines. SCE shall install the transmission line utilizing APLIC standards for collision-reducing techniques as outlined in "Mitigating Bird Collisions with Power Lines: The State of the Art in 1994 (APLIC, 1996)."

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Placement of towers and lines will not be located significantly above existing transmission line towers and lines, topographic features, or tree lines to the maximum extent practicable.

Overhead lines that occur significantly above the above-mentioned features and that are located in highly utilized avian flight paths will be marked utilizing aerial marker spheres, swinging plates, spiral vibration dampers, bird flight diverters, avifauna spirals, or other diversion device as to be visible to birds and reduce avian collisions with lines.

Studies:

3.A SCE will provide funds to the NFWF for four years of post-construction monitoring of DPV1 and DPV2 to document (i) bird collisions during the spring and fall neotropical migration period, and (ii) to evaluate Project related impacts of vegetation removal on bird nesting and foraging.

4. Minimize Impacts to Native Vegetation and Sensitive Plant Habitats

Mitigation Measures:

B-1a Prepare and implement a Habitat Restoration/Compensation Plan. SCE shall restore all areas disturbed by project construction, including temporary disturbance areas around tower construction sites, laydown/staging areas, temporary access and spur roads, and existing tower locations that are removed during construction of the Proposed Project. Where onsite restoration is planned for mitigation of temporary impacts to sensitive vegetation communities, SCE shall identify a qualified Habitat Restoration Specialist to be approved by the CPUC/BLM. Hydroseeding, drill seeding, or an otherwise proved restoration technique shall be utilized on all disturbed surfaces using a locally endemic native seed mix approved by the CPUC/CDFG/AGFD/FWS and BLM. SCE shall flag the limits of disturbance at each construction site. The Plan shall incorporate the measures identified in the June 2006 Memorandum of Understanding regarding vegetation management along rights-of-way for electrical transmission and distribution facilities on Federal lands. In project areas that occur in the WRCMSHCP plan area, SCE shall use the applicable Best Management Practices identified in the WRCMSHCP. The creation or restoration of habitat shall be monitored for five years after mitigation site construction, or until established success criteria are met, to assess progress and identify potential problems with the restoration site. Remedial activities (e.g., additional planting, weeding, or erosion control) shall be taken during the monitoring period if necessary to ensure the success of the restoration effort. If the mitigation fails to meet the established performance criteria after the five-year maintenance and monitoring period, monitoring shall extend beyond the five-year period until the criteria are met or unless otherwise noted by the CPUC/BLM.

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B-1b Coordinate tower placement with USFWS/BLM. Where the proposed route crosses the Kofa National Wildlife Refuge, SCE shall coordinate with the U.S. Fish and Wildlife Service, Division of Refuges' refuge management personnel to determine specific tower site and spur road locations in order to minimize habitat disturbance and/or the loss of valuable habitat features. SCE shall demonstrate compliance with this measure prior to construction.

B-2a Conduct invasive and noxious weed inventory. SCE shall survey the project corridor, including access roads, for populations of invasive and noxious weeds prior to the start of construction. All populations of invasive and noxious weeds within 500 feet of each tower location shall be flagged prior to construction. The Applicant shall submit a Noxious Weed Control Plan to BLM, CPUC, ADGF, CDFG, and/or USFWS at least 60 days prior to the start of construction. The weed control plan shall specify the location of existing weed populations; measures to control introduction and spread of noxious weeds in the project corridor; worker training, specifications, and inspection procedures for construction materials and equipment used in the project corridor; post-construction monitoring for noxious weeds; and eradication and control methods.

Known populations of invasive and noxious weeds in the project corridor shall be evaluated by BLM, CPUC, CDFG, and USFWS to identify candidates for eradication. Selected weed populations shall then be eradicated prior to construction. All seeds and straw material shall be certified weed free. All gravel and fill material used during project construction and maintenance shall be certified weed free by the local County Agriculture Commissioner's Office.

B-2b Implement control measures for invasive and noxious weeds. SCE shall adhere to the BLM management guidelines for reducing the potential for the introduction of noxious weeds and invasive, non-native plant species by implementation of the following standards:

Wash all equipment and vehicles. Vehicles and all equipment must be washed BEFORE AND AFTER entering all project sites unless otherwise directed in writing by the BLM. This includes wheels, undercarriages, bumpers and all parts of the vehicle. In addition, all tools such as chain saws, hand clippers, pruners, etc., must also be washed BEFORE AND AFTER entering all project areas. For example, vehicles traveling into contaminated areas are the main dispersal mechanism for yellow star-thistle. All washing must take place where rinse water is collected and disposed of in either a sanitary sewer or a landfill.

Keep written logs. When vehicles and equipment are washed, a daily log must be kept stating the location, date and time, types of equipment, methods used and staff present. The log shall contain the signature of the responsible crewmember.

Written logs will be available for CPUC/BLM inspection and shall be turned in to BLM on a weekly basis.

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Post-construction weed abatement on the Coachella Valley Preserve. Post-construction follow-up weed abatement will be conducted on the work areas within the Coachella Valley Preserve and Kofa National Wildlife Refuge. Weed abatement will be conducted during the spring following construction and prior to when the weeds establish flowers or produce seeds.

B-6a Develop a transplanting plan. In coordination with the BLM, SCE shall prepare a transplanting plan in compliance with both Arizona and California laws and regulations regarding native and sensitive plants, prior to project construction activities. The plan will provide details on the plants being transplanted, including which species and how many individuals of each species; where the plants will be transplanted; how the plants will be transplanted; how the plants will be maintained during the transplanting efforts; and if the plants will be used to re-vegetate disturbed areas of the construction site. As a condition of the plan, a preconstruction survey will be conducted to mark (using bright-colored flagging) all plants that will be transplanted. Some cacti will need to be transplanted facing the same direction as they currently face (in other words, the north side of the plant must stay facing the north); these cacti will be identified in the plan and appropriately marked to identify which side faces north. For listed plant species SCE shall identify if the plants can be avoided. If avoidance is not possible, SCE shall purchase off site mitigation in coordination with the USFWS and CDFG.

Condition No. 15 is within the Certificate of Environmental Compatibility as approved by the Arizona Power Plant and Transmission Line Siting Committee (Case 130, February 28, 2007) and is similar to mitigation measure B.1.a above:

15. Before construction on this Project may commence, the Applicant must file a construction mitigation and reclamation plan (the "Plan") with ACC Docket Control, with copies to affected areas of jurisdiction, Arizona Game and Fish Department ("AGFD"), and to the Sierra Club, Grand Canyon Chapter at the addresses in Condition 16. The Applicant shall, within one (1) year of completion of construction of the Project, revegetate any area of native vegetation disturbed by construction of the Project outside of the transmission line right-of-way, except for any road that may be necessary to access the transmission lines or substation sites for maintenance and repair.

The goals of the Plan will be to:

- Avoid impacts where practical;
- Where impacts are unavoidable, minimize impacts; and
- Focus on site preparation to facilitate natural processes of revegetation and drainage.

Other key elements of the Plan, when not inconsistent with the respective land management agencies' or local owners' requirements are to:

- Emphasize final site preparation to encourage natural re-vegetation;
- Avoid (i.e., preserve), where practical, mature native trees;
- Stipulate a maximum construction corridor width;

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- Reserve topsoil and native plant materials from right-of-way before grading, and distribute over the right-of-way after construction is complete;
- Imprint the reclaimed right-of-way to provide indentations to catch seed and water;
- Implement best management practices to protect the soil;
- Apply reclamation methods that have been proven effective in the desert environment; and
- Prevent, where applicable, the spread of noxious weeds or other undesirable species.

Stipulations:

4.A Invasive weed control

4.A.1 SCE will perform post-construction monitoring and eradication of weeds within areas temporarily disturbed by or used for construction for the 5 years after revegetation of such areas is successful on the Kofa.

4.A.2 SCE will control invasive weeds within disturbed spur roads or construction areas within the Kofa NWR for five years.

4.B Minimization, restoration, and compensation for ground disturbance

4.B.1 SCE will grade/blade new roads or undisturbed ground only where necessary.

4.B.2 SCE will reduce the size of the construction area around each tower from about 0.9 acres to about 0.6 acres per tower.

4.B.3 SCE will use two-track pathways instead of new spur roads to the extent feasible; vehicles to follow the tracks.

4.B.4 SCE will ensure that all vehicles stay on track paths, spur roads, or the Pipeline Road.

4.B.5 SCE will purchase an approximate 80 acre in-holding. SCE to purchase the property and deed the property to the Kofa NWR.

VISUAL RESOURCES

5. Minimize Visual Impacts

Mitigation Measures:

V-1a Reduce visibility of construction activities and equipment. Substation construction sites and all staging and material and equipment storage areas, including storage sites for excavated materials shall be appropriately located away from areas of high public visibility. If visible from nearby roads, residences, public gathering areas, or recreational areas, facilities, or trails, construction sites and staging and storage areas shall be visually screened using temporary screening fencing. Fencing will be of an appropriate design and color for each specific location. Additionally, avoid construction in areas visible from recreation facilities and areas during holidays and periods of heavy recreational use. This measure encompasses BLM permit

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requirements B-7.1 and B-7.2. SCE shall submit final construction plans demonstrating compliance with this measure to the BLM and CPUC for review and approval at least 60 days prior to the start of construction.

V-2a Reduce in-line views of land scars. Construct access or spur roads at appropriate angles from the originating, primary travel facilities to minimize extended, in-line views of newly graded terrain. Contour grading should be used where possible to better blend graded surfaces with existing terrain. SCE shall submit final construction plans demonstrating compliance with this measure to the BLM and CPUC for review and approval at least 60 days prior to the start of construction.

V-3a Reduce visual contrast of towers and conductors. The following design measures shall be applied to all new structures and conductors in order to reduce the degree of visual contrast caused by the new facilities:

All new and replacement structures are to as closely as possible match the design of the existing structures with which they will be seen.

All new and replacement structures are to be paired as closely as possible with the existing structure(s) in the corridor in order to avoid or reduce the number of off-setting (from existing structures) tower placements.

All new and replacement structures are to match the heights of the existing DPV1 structures to the extent possible as dictated by variation in terrain.

All new and reconductored spans are to match existing conductor spans as closely as possible in order to avoid or reduce the occurrence of unnecessary visual complexity associated with asynchronous conductor spans, particularly at sensitive crossings such as Salome Highway, I-10, U.S. 95, Colorado River, SR 78, Dillon Road, SR 62, Whitewater Canyon Road, and San Timoteo Canyon Road.

All new conductors are to be non-specular in design in order to reduce conductor visibility and visual contrast.

To the extent feasible, no new access roads are to be constructed downhill from existing or proposed towers to reduce the potential for structure skylining.

RECREATION AND WILDERNESS

6. Minimize Impacts to Recreation and Wilderness.

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Mitigation Measures:

WR-1a Coordinate construction schedule and activities with the authorized officer for the recreation area. No less than 40 days prior to construction, SCE shall coordinate construction activities and the project construction schedule with the authorized officer of the recreation areas listed below. SCE shall schedule construction activities to avoid heavy recreational use periods, including major holidays, in coordination with, and at the discretion of the authorized officer. SCE shall locate construction equipment to avoid temporary preclusion of recreation areas per the recommendations of the authorized officer. SCE shall also prepare a public notice of construction activities consistent with Mitigation Measure L-1a (Prepare Construction Notification Plan). SCE shall document its coordination efforts with the authorized officer, and provide this documentation to the CPUC and the BLM 30 days prior to construction.

WR-2a Coordinate with USFWS to improve impacted areas within Kofa National Wildlife Refuge. SCE shall coordinate with the USFWS to improve impacted areas within the Kofa National Wildlife Refuge (NWR). The implementation of improvements would be conducted at the discretion of the authorized officer for the Kofa NWR, and may include the acquisition of private land in-holdings from willing sellers within the refuge boundaries, and the rehabilitation of abandoned mine sites and old roads within the refuge. SCE shall document its coordination with the authorized officer of the Kofa NWR, and must demonstrate that negotiations and subsequent improvements have been conducted to the satisfaction of the USFWS. Documentation shall be submitted to the CPUC and the BLM at least 30 days prior to operation of the project.

Stipulations:

6.A SCE will undertake measures to minimize unauthorized off-road vehicle access to SCE's spur roads, such as placing rocks at the entrance to spur roads, to the extent such measures do not unreasonably interfere with SCE's access.

6.B SCE will provide additional signs along the Pipeline Road to inform the public that off-road vehicle use is prohibited.

6.C If requested by the Kofa and up to a maximum of \$50,000, SCE will improve campsites to enhance recreational experience at the Crystal Hill Campground and the Kofa Cabin.

TRANSPORTATION AND TRAFFIC

7. Minimize Impacts to Transportation and Traffic During Construction Activities

Mitigation Measures:

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T-13a Coordinate helicopter operations with Kofa NWR personnel. SCE shall develop a plan defining coordination with Kofa NWR personnel to ensure that no conflicts occur between construction helicopter operations and NWR rescue helicopter operations. The plan shall be submitted to the Kofa NWR at least 60 days before the start of construction for review and approval.

T-14a Consult with Kofa NWR personnel. SCE shall provide adequate signage at both ends of the utility road segment and work with Kofa NWR law enforcement personnel to prohibit public use of the road. SCE shall consult with Kofa NWR law enforcement personnel at least 60 days prior to the start of construction to develop appropriate measures to prevent inadvertent use of this road segment.

Stipulations:

7.A SCE will work with Kofa staff to develop a vehicle traffic management plan that ensures Kofa vehicle access and allows unobstructed access for Kofa recreational users. SCE notes the following:

- In nearly all instances, construction of DPV2 will take place on spur roads or near the towers.
- Road width is generally sufficient for two vehicles.
- The two main points of access to the Pipeline Road will be Highway 95 and Vicksburg Road. SCE will have field staff at these locations that will maintain radio communication with construction forces.
- Wide-load construction vehicles will be directed to spur roads if vehicles need access to the Pipeline Road and insufficient room is available for the vehicle to pass the construction area.
- If a vehicle must go around wide-load construction vehicles (cranes or D-8 tractors), El Paso Gas Right of Way personnel confirmed that these vehicles may safely use the berms within the right-of-way because the vehicles are not heavy enough to cause damage to the pipelines.
- SCE will halt construction if an emergency arises during construction.

7.B. SCE will provide up to a maximum of \$1.5 million to install video surveillance cameras on towers in areas chosen by Kofa NWR staff, and related communication equipment, to allow Kofa NWR staff to monitor unauthorized off road use. Kofa staff will be responsible for operation and maintenance costs of the system.

RADIO COMMUNICATIONS INTERFERENCE

8. Mitigate interference with Kofa NWR radio use

Mitigation Measures:

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PS-1b Document and resolve electronic interference complaints. After energizing the transmission line, SCE shall respond to and document all radio/television/equipment interference complaints received and the responsive action taken. These records shall be made available to the CPUC for review upon request. All unresolved disputes shall be referred by SCE to the CPUC for resolution.

PS-1c Coordinate with Kofa NWR to prevent radio interference. Prior to construction, SCE shall coordinate with Kofa National Wildlife Refuge to determine any additional design, planning, or shielding measures that are necessary to prevent radio interference within the Refuge.

Stipulations:

8.A SCE will provide a one-time contribution of up to \$1.5 million to the Kofa NWR to address communication and telemetry infrastructure and equipment issues on the Kofa NWR. SCE expects that the funds would cover one or more of the following items. The Kofa NWR will evaluate which of the options below are, in the opinion of the Kofa NWR, the best to use. SCE will provide its radio-communication specialists to work with the Kofa NWR staff at no cost to the Kofa.

8.A.1 Replace Kofa's Signal Peak repeater antenna with an antenna that has more gain (offset-pattern) in the direction of the poorest radio coverage areas along the SCE right-of-way. The offset-pattern will increase coverage in those areas without reducing coverage in areas currently with good coverage, or

8.A.2 Raise the existing antenna at Signal Peak to further improve line-of-sight coverage along the SCE right-of-way, or

8.A.3 Relocate the Kofa's existing radio facility and antenna tower/pole at Signal Peak to an area near the top of the peak to further improve line-of-sight coverage along the SCE right-of-way, or

8.A.4 SCE will work to enhance Kofa staff's ability to communicate with field personnel and track wildlife. To do so, SCE will coordinate with Kofa's radio consultant to:

8.A.4.a Design, engineer and install an additional radio repeater for use by the Kofa at SCE's existing Series Capacitor Station; and

8.A.4.b Design, engineer and install an additional radio repeater for use by the Kofa at the inactive American Tower facility, or

8.A.5 SCE will complete a radio frequency performance evaluation of the Signal Peak repeater to ensure the equipment is operating within specification.

8.B For five years after construction, SCE will perform preventative maintenance on any suspect mobile or portable equipment to ensure they are operating within specification.

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9. COST REIMBURSEMENT

Stipulations:

9.A Up to a maximum of \$70,000 per year, for a five-year period, SCE will reimburse Kofa for all incremental costs associated with monitoring DPV2 construction, operation, and maintenance activities. This should allow Kofa to hire additional staff or contractors to perform these activities or to cover the workload of existing Kofa staff. SCE will also reimburse Kofa for the cost of a special enforcement agent during construction and for four years after construction.

10. OTHER

Studies:

10.A. SCE will provide 4.5 million to the NFWF for the evaluation, monitoring, and mitigation of potential Project impacts to wildlife, plants, and other resources that were not already identified and mitigated solely within the Kofa NWR. This money is to cover the studies describe above under sections 1.C, 1.D, 2.A, and 3.A. The NFWF will be directed to fund monitoring studies of potential impacts caused solely by the construction, operation, or maintenance of the DPV2 Project, and mitigation of any identified impacts. Any funds not distributed by the NFWF to cover such studies within six years after construction of the Project would be transferred to another program run by the Foundation. The choice of the program would be determined by the Regional Director in consultation with SCE.

10.B. SCE and the Service will enter into an agreement with the NFWF to hold and administer those funds. In addition to the NFWF's standard agreement terms, the agreement shall ensure that the funds are distributed only for purposes and activities related to monitoring, evaluating, and mitigating potential Project impacts. The NFWF may also pay its expenses incurred in the administration of the funds from the fund. The NFWF shall contract with, or otherwise arrange for, qualified individuals to perform the studies. Those persons performing the studies shall not have worked at the Kofa National Wildlife Refuge between January 1, 2006 and May 1, 2007. Persons contracted to perform the studies may include U.S. Fish and Wildlife Service staff, Arizona Game and Fish Department staff, and non-governmental consultants with expertise in the field of the study. The NFWF shall ensure that the studies are peer reviewed and shall provide SCE with an opportunity to review and comment upon the study such that the SCE comments are available to the peer review committee at the time the peer reviewers first receive a completed study. SCE and the Service shall work together to take such other actions as are necessary to engage the NFWF and ensure that the SCE provided funds are used for their intended purposes.