

ATTACHMENT A

Mitigation Measures

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Mitigation Measures

All mitigation measures presented in the Devers-Palo Verde No. 2 Transmission Project (DPV2) Colorado River Substation (CRS) Expansion Final Supplemental Environmental Impact Report (SEIR) are listed below and apply to the Proposed Project and all alternative sites, including the Southern Alternative.

In addition, all mitigation measures previously addressed and approved of in the DPV2 Final EIR/EIS (2006) are considered part of the Colorado River Substation Expansion Project and would be implemented as described in the Final EIR/EIS and in CPUC Decisions D.07-01-040 and D.09-11-007. Mitigation measures modified from those presented in the DPV2 Final EIR/EIS are presented with “(rev)” after the measure number. New measures that were added in the Final Supplemental EIR are indicated with an asterisk (“*”) after the measure number (e.g., B-8b*).

Biological Resources

B-1a(rev) 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/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. The following performance standards must be met by the end of the monitoring period: (a) at least 80% of the vegetative cover observed within the restoration area shall be native species that naturally occur in desert scrub habitats; (b) absolute cover and density of native plant species within the restoration areas shall equal at least 60% of the pre-disturbance or reference vegetation cover; and (c) the site shall have gone without irrigation or remedial planting for a minimum of three years prior to completion of monitoring. Remedial activities (e.g., additional planting, weeding, or erosion

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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.

B-7b(rev) 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 1,640 feet (500 meters).
- 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 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

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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(rev) 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 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.

SCE may elect to fund the acquisition and initial improvement of compensation lands through the National Fish and Wildlife Foundation (NFWF) by depositing funds for that purpose into NFWF's Renewable Agency Action Team (REAT) Account. Initial deposits for this purpose must be made in the same amounts as the Security (refer to Table D.2 1) and may be provided in lieu of Security. If this option is used for the acquisition and initial improvement and the actual land cost is higher than the estimated Security amount, SCE shall make an additional deposit into the REAT Account if necessary to cover the actual acquisition costs and administrative costs and fees of the compensation land purchase once land is identified and the actual costs are known. If the actual costs for acquisition and administrative costs and fees are less than that estimated by CDFG, the excess money deposited in the REAT Account shall be returned to SCE. Money deposited for the initial protection and improvement of the compensation lands shall not be returned to SCE. The responsibility for acquisition of compensation lands may be delegated to a third party other than NFWF, such as a nongovernmental organization supportive of desert habitat conservation, by written agreement of CPUC, BLM, and CDFG. Such delegation shall be subject to approval by CPUC, in consultation with BLM and CDFG, prior to land acquisition, initial protection or maintenance and management activities.

B-8b* **Minimize off-site impacts to Harwood's eriastrum, Harwood's milk-vetch, and flat-seeded spurge habitat.** SCE and their contractors or affiliates shall avoid adverse impacts to Harwood's eriastrum, Harwood's milk-vetch, and flat-seeded spurge habitat (i.e., sandfields and dunes) adjacent to the project site that may result from project construction or operation, such as equipment staging, spoils transport or storage, weed control, soil tackifiers or stabilization agents, collection and disposal of accumulating aeolian sand, or erosion.

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SCE shall prepare and implement a focused Special-Status Plant Impact Avoidance and Minimization Plan to describe specific measures to be taken during substation construction and operation to minimize impacts to Harwood's eriastrum, Harwood's milk-vetch, and flat-seeded spurge habitat. The Plan shall include consideration of the following components:

1. Delineation of the limits of construction disturbance area on-site prior to beginning of construction (the construction disturbance area includes equipment staging areas, spoils transport or storage areas, access routes and all other areas that may be temporarily disturbed by construction);
2. Preconstruction surveys to identify and designate suitable habitat (whether occupied or not) for any of these species throughout the construction disturbance area and a 250-foot buffer are surrounding it;
3. Specific measures to be implemented and monitored throughout substation construction and operation, including but not limited to
 - a. prevent overspray of herbicides, pesticides, soil tackifiers, or other potential toxins into suitable habitat during weed control or other site maintenance activities.
 - b. on-site management of runoff to prevent nuisance runoff from draining into suitable habitat and prevent erosion of the habitat during heavy rains.
 - c. management and control of weeds on and adjacent to the site to prevent weed invasions into suitable adjacent special-status plant habitat;
 - d. prevent damage to suitable special-status plant habitat that may result from collecting or disposing accumulating sand;
4. Schedule and format for reporting to CPUC on implementation and progress of the components listed above.

The Plan shall be reviewed and approved by the CPUC at least 60 days prior to construction.

B-9g(rev) Conduct pre-construction surveys and passive relocation for American badger and desert kit fox. Prior to construction, SCE shall conduct pre-construction surveys for American badger and desert kit fox. Surveys will be conducted prior to ground disturbance activities in areas that contain habitat for these species. Badger and desert kit fox dens located outside the project area shall be flagged for avoidance. Unoccupied dens located in the project area shall be covered to prevent the animal from re-occupying the den prior to construction. If occupied dens are identified in the area that must be disturbed, the CDFG/BLM/Forest Service shall be consulted regarding options for action. Hand-excavation is an option if occupied dens cannot be avoided, but alternatives shall be considered due to potential danger to biologists. After verification that the den is unoccupied, it shall be excavated

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and backfilled by hand to ensure that no badgers or kit fox are trapped in the den. Dens shall be hand-excavated only before or after the breeding season (February 1–May 30). Any relocation of badgers or desert kit fox shall take place after consultation with the BLM, Forest Service, and CDFG.

B-9d(rev) Conduct pre-construction reptile surveys. Prior to construction, SCE shall conduct surveys in areas of suitable habitat for Mojave fringe-toed lizard, common chuckwalla, banded Gila monster, and desert rosy boa within 48 hours prior to the start of construction activities. If Mojave fringe-toed lizards, 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 Mojave fringe-toed lizard, 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.

B-9j* **Provide compensatory mitigation and restoration/enhancement of protected land for impacts to sand dune habitat.** To mitigate for habitat loss and direct impacts to Mojave fringe-toed lizards, SCE shall acquire compensatory habitat. If sufficient acreage (in accordance with the ratios below) is not available, SCE shall enhance or restore marginal MFTL habitat. Requirements and performance standards of each of these options is described below.

Acquisition of Compensatory Habitat

Compensation lands shall be purchased in fee or in easement in whole or in part, at the following ratios:

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- 3:1 mitigation for direct impacts to stabilized and partially stabilized sand dunes (approximately 98 acres or final acreage permanently impacted by the project footprint plus any permanent disturbance areas required for moving accumulated sand); and
- 0.5:1 mitigation for indirect impacts to stabilized and partially stabilized sand dunes (1,365 acres indirectly impacted by the project, including indirect impacts of moving accumulated sand).

If compensation lands are acquired, SCE shall provide funding for the acquisition in fee title or in easement, initial habitat improvements, and long-term maintenance and management of the compensation lands. The compensation lands for direct impacts (at a 3:1 ratio) must be stabilized and partially stabilized sand dune habitat.

1. *Criteria for Compensation Lands:* The compensation lands selected for acquisition shall:
 - a. Provide suitable habitat for Mojave fringe-toed lizards, and, aside from the minimum amount of stabilized and partially stabilized sand dunes described above, may also include sand drifts over playas or sandy Sonoran creosote bush scrub;
 - b. Be within the Chuckwalla Valley with potential to contribute to Mojave fringe-toed lizard habitat connectivity and build linkages between known populations of Mojave fringe-toed lizards and preserve lands with suitable habitat;
 - c. Contain at least one occurrence of Harwood's milk-vetch, Harwood's eriastrum, or flat-seeded spurge if these species are identified in pre-construction surveys required per Mitigation Measure B-8b(2).
 - d. Be near larger blocks of lands that are either already protected or planned for protection, or which could feasibly be protected long-term by a public resource agency or a non-governmental organization dedicated to habitat preservation;
 - e. Provide quality habitat for Mojave fringe-toed lizard that has the capacity to regenerate naturally when disturbances are removed;
 - f. Not have a history of intensive recreational use or other disturbance that might make habitat recovery and restoration infeasible;
 - g. Not be characterized by high densities of invasive species, either on or immediately adjacent to the parcels under consideration, that might jeopardize habitat recovery and restoration;
 - h. Not contain hazardous wastes that cannot be removed to the extent the site is suitable for habitat;
 - i. Not be subject to property constraints (i.e. mineral leases, cultural resources); and

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- j. Be on land for which long-term management is feasible.
2. *Security for Implementation of Mitigation:* SCE shall provide financial assurances to the CPUC, BLM, and CDFG to guarantee that an adequate level of funding is available to implement the acquisitions and enhancement of Mojave fringe-toed lizard habitat as described in this condition. Financial assurance can be provided to the CPUC and CDFG in the form of an irrevocable letter of credit, a pledged savings account or another form of security (“Security”). Prior to submitting the Security to the CPUC, the project owner shall obtain the CPUC’s approval in consultation with CDFG and BLM, of the form of the Security. These funds shall be used solely for implementation of the measures associated with the project. The final amount due will be determined by an updated appraisal and a PAR analysis. The preliminary estimate of the required Security is presented in Table D.2-1.

SCE may elect to fund the acquisition and initial improvement of compensation lands through the National Fish and Wildlife Foundation (NFWF) by depositing funds for that purpose into NFWF’s Renewable Agency Action Team (REAT) Account. Initial deposits for this purpose must be made in the same amounts as the Security (refer to Table D.2-1) and may be provided in lieu of Security. If this option is used for the acquisition and initial improvement and the actual land cost is higher than the estimated Security amount, SCE shall make an additional deposit into the REAT Account if necessary to cover the actual acquisition costs and administrative costs and fees of the compensation land purchase once land is identified and the actual costs are known. If the actual costs for acquisition and administrative costs and fees are less than that estimated by CDFG, the excess money deposited in the REAT Account shall be returned to SCE. Money deposited for the initial protection and improvement of the compensation lands shall not be returned to SCE.

The responsibility for acquisition of compensation lands may be delegated to a third party other than NFWF, such as a nongovernmental organization supportive of desert habitat conservation, by written agreement of CPUC, BLM, and CDFG. Such delegation shall be subject to approval by CPUC, in consultation with BLM and CDFG, prior to land acquisition, initial protection or maintenance and management activities.

3. *Preparation of Management Plan:* SCE shall submit to the CPUC, BLM, and CDFG a Management Plan that describes site-specific enhancement measures for the Mojave fringe-toed lizard habitat on the acquired compensation lands. The objective of the Management Plan shall be to enhance the value of the compensation lands for Mojave fringe-toed lizards, and may include enhancement actions such as weed control, fencing to exclude livestock, erosion control, or protection of sand sources or sand transport corridors.

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Restoration/Enhancement of Protected Land

If sufficient compensatory mitigation land is unavailable for acquisition as described above, a portion of the compensation funds may be used to implement MFTL habitat restoration/enhancement measures on land protected by a conservation easement or BLM land that will not be developed in the future (e.g., ACEC, wilderness area, DWMA). Land targeted for restoration/enhancement shall also be occupied by MFTL or adjacent to MFTL-occupied land. Compensatory mitigation land shall be determined to be unavailable if after 18 months after the beginning of project ground disturbance SCE (or NFWF if NFWF option is selected) is able to determine through due diligence that: (1) land owners are unwilling to sell sufficient acreage or (2) acquisition cost per acre exceeds fair market value.

The amount of land on which to implement MFTL habitat restoration/enhancement measures shall be twice the number of mitigation acres that could not be acquired. For example, if 1000 acres is required (based on the acreage of the final project footprint at a ratio of 3:1 or 0.5:1) and only 800 acres could be acquired, enhancement measures shall be implemented over a 400-acre area $((1000-800) \times 2 = 400)$.

MFTL habitat enhancement measures may include, but would not be limited to:

- Long-term eradication of invasive plants, particularly Sahara mustard and Russian thistle; and/or
- Removal of upwind barriers to dispersal (e.g., removal of upwind tamarisk windrows, or of land uses that would tend to stop moving sand from reaching protected habitat downwind).

The restoration/enhancement area shall be approved by CDFG, BLM, and CPUC. In addition, a site-specific Habitat Enhancement Plan shall be prepared by SCE that describes the methodology for implementation of site-specific enhancement measures for Mojave fringe-toed lizard habitat on the subject lands. The objective of the Management Plan shall be to enhance the value of the subject lands for Mojave fringe-toed lizards in perpetuity.

Verification

No later than 30 days prior to beginning Project ground-disturbing activities, SCE shall provide written verification of an approved form of Security. Actual Security shall be provided no later than 7 days prior to the beginning of Project ground-disturbing activities. SCE, or an approved third party, shall complete and provide written verification of the proposed compensation lands acquisition within 18 months of the start of Project ground-disturbing activities.

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No less than 90 days prior to acquisition of the property, SCE shall submit a formal acquisition proposal to the CPUC, BLM, and CDFG describing the parcels intended for purchase.

SCE, or an approved third party, shall provide the CPUC, BLM, and CDFG, with a management plan for the compensation lands and associated funds within 180 days of the land or easement purchase, as determined by the date on the title. SCE, or an approved third party, shall provide the CPUC, BLM, and CDFG, with a management plan for restoration/enhancement activities on protected or qualifying BLM land no later than 60 days prior to construction; the restoration/enhancement management plan must include a detailed monitoring and reporting component. The CPUC shall review and approve the management plan(s), in consultation with BLM and CDFG.

Within 90 days after completion of Project construction, SCE shall provide to the CPUC, BLM, and CDFG an analysis with the final accounting of the amount (detailed by habitat type) of Mojave fringe-toed lizard habitat disturbed during Project construction.

The project owner shall provide written verification to the CPUC, BLM, and CDFG that the compensation lands or conservation easements have been acquired and recorded in favor of the approved recipient no later than 18 months from the start of ground-disturbing activities.

B-15a(rev) Utilize collision-reducing techniques in installation of transmission lines and telecommunication linear facilities. SCE shall install the transmission line and telecommunication linear facilities 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)."

- 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.

Cultural Resources

C-1a Inventory and evaluate cultural resources in Final APE. Prior to construction and all other surface disturbing activities, the Applicant shall have conducted and submitted for approval by the BLM and CPUC (and the USFS, on San Bernardino National Forest land and the THPO on Agua Caliente land) an inventory of cultural resources within the project's final Area of Potential Effect. The nature and extent of this inventory shall be determined by the BLM and CPUC in consultation with the appropriate State Historic Preservation

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Officer (SHPO) and shall be based upon project engineering specifications. Results of this inventory shall also be filed with appropriate State repositories and local governments. As part of the inventory, the Applicant shall conduct field surveys of sufficient nature and extent to identify cultural resources that would be affected by tower pad construction, reconductoring activities, access road installation, and transmission line construction and operation. At a minimum, field surveys shall be conducted along newly proposed access roads, new construction yards, new tower sites, and any other projected areas of potential ground disturbance outside of the previously surveyed potential impact areas. Site-specific field surveys also shall be undertaken at all projected areas of impact within the previously surveyed corridor that coincide with previously recorded resource locations. The selected right-of-way and tower locations shall be staked prior to the cultural resource field surveys. As part of the inventory report, the Applicant shall evaluate the significance of all affected cultural resources on the basis of surface observations and provide recommendations with regard to their eligibility for the National Register of Historic Places (NRHP) or local registers. Preliminary determinations of NRHP eligibility will be made by the BLM, in consultation with the CPUC and appropriate local governments, the USFS (on USFS land), and the appropriate SHPO or THPO.

C-1b **Avoid and protect potentially significant resources.** On the basis of preliminary National Register of Historic Places (NRHP) eligibility assessments (Mitigation Measure C-1a) the BLM and CPUC may require the relocation of the line, ancillary facilities, or temporary facilities or work areas, if any, where relocation would avoid or reduce damage to cultural resource values. Where operationally feasible, potentially NRHP-eligible resources shall be protected from direct project impacts by project redesign.

Where the BLM and CPUC decide that potentially NRHP-eligible cultural resources cannot be protected from direct impacts by project redesign, the Applicant shall undertake additional studies to evaluate the resources' NRHP-eligibility and to recommend further mitigative treatment. The nature and extent of this evaluation shall be determined by the BLM in consultation with the CPUC and the appropriate State Historic Preservation Officer (SHPO) and shall be based upon final project engineering specifications. Evaluations will be based on surface remains, subsurface testing, archival and ethnographic resources, and in the framework of the historic context and important research questions of the project area. Results of those evaluation studies and recommendations for mitigation of project effects shall be incorporated into a Historic Properties Treatment Plan consistent with Mitigation Measure C-1c (Develop and implement Historic Properties Treatment Plan).

All potentially NRHP-eligible resources (as determined by the BLM and CPUC) that will not be affected by direct impacts, but are within 50 feet of direct impact areas will be designated as Environmentally Sensitive Areas (ESAs). Protective fencing, or other markers, at the BLM's discretion, shall be erected

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and maintained to protect ESAs from inadvertent trespass for the duration of construction in the vicinity. Construction personnel and equipment shall be instructed on how to avoid ESAs. ESAs shall not be identified specifically as cultural resources. A monitoring program shall be developed as part of the Historic Properties Treatment Plan and implemented by the Applicant to ensure the effectiveness of ESAs.

C-1c Develop and implement Historic Properties Treatment Plan. Upon approval of the inventory report and the National Register of Historic Places (NRHP)-eligibility evaluations by the BLM and CPUC, consistent with Mitigation Measures C-1a (Inventory and evaluate cultural resources in Final APE) and C-1b (Avoid and protect potentially significant resources), the Applicant shall prepare and submit for approval a Historic Properties Treatment Plan (HPTP) for NRHP-eligible cultural resources to mitigate or avoid identified impacts. Treatment of cultural resources shall follow the procedures established by the Advisory Council on Historic Preservation for compliance with Section 106 of the National Historic Preservation Act and other appropriate State and local regulations. Avoidance, recordation, and data recovery will be used as mitigation alternatives. The HPTP shall be submitted to the BLM and CPUC for review and approval.

As part of the HPTP, the Applicant shall prepare a research design and a scope of work for evaluation of cultural resources and for data recovery or additional treatment of NRHP-eligible sites that cannot be avoided. Data recovery on most resources would consist of sample excavation and/or surface artifact collection, and site documentation. A possible exception would be a site where burials, cremations, or sacred features are discovered that cannot be avoided.

The HPTP shall define and map all known NRHP-eligible properties in or within 50 feet of all project APEs and shall identify the cultural values that contribute to their NRHP-eligibility. A cultural resources protection plan shall be included that details how NRHP-eligible properties will be avoided and protected during construction. Measures shall include, at a minimum, designation and marking of Environmentally Sensitive Areas (ESAs), archaeological monitoring, personnel training, and effectiveness reporting. The plan shall detail: what measures will be used; how, when, and where they will be implemented; and how protective measures and enforcement will be coordinated with construction personnel.

The HPTP shall also define any additional areas that are considered to be of high-sensitivity for discovery of buried NRHP-eligible cultural resources, including burials, cremations, or sacred features. The HPTP shall detail provisions for monitoring construction in these high-sensitivity areas. It shall also detail procedures for halting construction, making appropriate notifications to agencies, officials, and Native Americans, and assessing NRHP-eligibility in the event that unknown cultural resources are discovered during construction. For all unanticipated cultural resource discoveries, the HPTP shall

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detail the methods, the consultation procedures, and the timelines for assessing NRHP-eligibility, formulating a mitigation plan, and implementing treatment. Mitigation and treatment plans for unanticipated discoveries shall be approved by the BLM and CPUC, appropriate local governments, appropriate Native Americans, and the appropriate State Historic Preservation Officer prior to implementation.

The HPTP shall include provisions for analysis of data in a regional context, reporting of results within one year of completion of field studies, curation of artifacts (except from private land) and data (maps, field notes, archival materials, recordings, reports, photographs, and analysts' data) at a facility that is approved by BLM, and dissemination of reports to local and State repositories, libraries, and interested professionals. The BLM will retain ownership of artifacts collected from BLM managed lands. The Applicant shall attempt to gain permission for artifacts from privately held land to be curated with the other project collections. The HPTP shall specify that archaeologists and other discipline specialists conducting the studies meet the Secretary of the Interior's Standards (per 36 CFR 61).

- C-1d** **Conduct data recovery to reduce adverse effects.** If National Register of Historic Places (NRHP)-eligible resources, as determined by the BLM and SHPO, cannot be protected from direct impacts of the Proposed Project, data-recovery investigations shall be conducted by the Applicant to reduce adverse effects to the characteristics of each property that contribute to its NRHP-eligibility. For sites eligible under Criterion d, significant data would be recovered through excavation and analysis. For properties eligible under Criteria a, b, or c, data recovery may include historical documentation, photography, collection of oral histories, architectural or engineering documentation, preparation of a scholarly work, or some form of public awareness or interpretation. Data gathered during the evaluation phase studies and the research design element of the Historic Properties Treatment Plan (HPTP) shall guide plans and data thresholds for data recovery; treatment will be based on the resource's research potential beyond that realized during resource recordation and evaluation studies. If data recovery is necessary, sampling for data-recovery excavations will follow standard statistical sampling methods, but sampling will be confined, as much as possible, to the direct impact area. Data-recovery methods, sample sizes, and procedures shall be detailed in the HPTP consistent with Mitigation Measure C-1c (Develop and implement Historic Properties Treatment Plan) and implemented by the Applicant only after approval by the BLM and CPUC. Following any field investigations required for data recovery, the Applicant shall document the field studies and findings, including an assessment of whether adequate data were recovered to reduce adverse project effects, in a brief field closure report. The field closure report shall be submitted to the BLM and CPUC for their review and approval, as well as to appropriate State repositories and local governments. Construction work within 100 feet of cultural resources that require data-

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recovery fieldwork shall not begin until authorized by the BLM or CPUC, as appropriate.

- C-1e Monitor construction.** The Applicant shall implement archaeological monitoring by a professional archaeologist during subsurface construction disturbance at all locations identified in the Historic Properties Treatment Plan (HPTP). Full-time monitoring shall occur when ground-disturbing activities take place at all archaeological High-Sensitivity Areas described above and at all cultural resource Environmentally Sensitive Areas (ESAs). These locations and their protection boundaries shall be defined and mapped in the HPTP. Intermittent monitoring may occur in areas of moderate archaeological sensitivity at the discretion of the BLM and CPUC. Archaeological monitoring shall be conducted by a qualified archaeologist familiar with the types of historical and prehistoric resources that could be encountered within the project, and under direct supervision of a principal archaeologist. The qualifications of the principal archaeologist and archaeological monitors shall be approved by the BLM and CPUC. A Native American monitor may be required at culturally sensitive locations specified by the BLM following government-to-government consultation with Native American tribes. The monitoring plan in the HPTP shall indicate the locations where Native American monitors will be required and shall specify the tribal affiliation of the required Native American monitor for each location. The Applicant shall retain and schedule any required Native American monitors.

Compliance with and effectiveness of the cultural resources monitoring plan shall be documented by the Applicant in a monthly report to be submitted to the BLM and CPUC, and on San Bernardino National Forest, to the USFS, and on Agua Caliente land to the THPO, for the duration of project construction. In the event that cultural resources are not properly protected by ESAs, all project work in the immediate vicinity shall be diverted by the archaeological monitor until authorization to resume work has been granted by the BLM and CPUC. The Applicant shall notify the BLM of any damage to cultural resource ESAs. The Applicant shall consult with the BLM and CPUC to mitigate damages and to increase effectiveness of ESAs. At the discretion of the BLM and CPUC, such mitigation may include, but not be limited to modification of protective measures, refinement of monitoring protocols, data-recovery investigations, or payment of compensatory damages in the form of non-destructive cultural resources studies or protection.

- C-1f Train construction personnel.** All construction personnel shall be trained regarding the recognition of possible buried cultural remains and protection of all cultural resources, including prehistoric and historic resources during construction, prior to the initiation of construction or ground-disturbing activities. The Applicant shall complete training for all construction personnel. Training shall inform all construction personnel of the procedures to be followed upon the discovery of archaeological materials, including Native American burials. Training shall inform all construction personnel that

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Environmentally Sensitive Areas (ESAs) must be avoided and that travel and construction activity must be confined to designated roads and areas. All personnel shall be instructed that unauthorized collection or disturbance of artifacts or other cultural materials on or off the right-of-way by the Applicant, his representatives, or employees will not be allowed. Violators will be subject to prosecution under the appropriate State and federal laws and violations will be grounds for removal from the project. Unauthorized resource collection or disturbance may constitute grounds for the issuance of a stop work order. The following issues shall be addressed in training or in preparation for construction:

- All construction contracts shall include clauses that require construction personnel to attend training so they are aware of the potential for inadvertently exposing buried archaeological deposits, their responsibility to avoid and protect all cultural resources, and the penalties for collection, vandalism, or inadvertent destruction of cultural resources.
- The Applicant shall provide a background briefing for supervisory construction personnel describing the potential for exposing cultural resources, the location of any potential ESA, and procedures and notifications required in the event of discoveries by project personnel or archaeological monitors. Supervisors shall also be briefed on the consequences of intentional or inadvertent damage to cultural resources. Supervisory personnel shall enforce restrictions on collection or disturbance of artifacts or other cultural resources.
- Upon discovery of potential buried cultural materials by archaeologists or construction personnel, or damage to an ESA, work in the immediate area of the find shall be diverted and the Applicant's archaeologist notified. Once the find has been inspected and a preliminary assessment made, the Applicant's archaeologist will consult with the BLM or CPUC, as appropriate, to make the necessary plans for evaluation and treatment of the find(s) or mitigation of adverse effects to ESAs.

C-2a Consult agencies and Native Americans. If human remains are discovered during construction, all work will be diverted from the area of the discovery and the BLM authorized officer will be informed immediately. The Applicant shall follow all State and federal laws, statutes, and regulations that govern the treatment of human remains. The Applicant shall assist and support the BLM in all required government-to-government consultations with Native Americans and appropriate agencies and commissions, as requested by the BLM. The Applicant shall comply with and implement all required actions and studies that result from such consultations, as directed by the BLM.

C-3a Complete consultation with Native American and other Traditional Groups. The Applicant shall provide assistance to the BLM, as requested by the BLM, to complete required government-to-government consultation with interested Native American tribes and individuals (Executive Memorandum of April 29, 1994 and Section 106 of the National Historic Preservation Act) and other

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Traditional Groups to assess the impact of the Proposed Project on Traditional Cultural Properties or other resources of Native American concern. As directed by the BLM, the Applicant shall undertake required treatments, studies, or other actions that result from such consultation. Written documentation of the completion of all pre-construction actions shall be submitted by the Applicant and approved by the BLM at least 30 days before commencement of construction activities. Actions that are required during or after construction shall be defined, detailed, and scheduled in the Historic Properties Treatment Plan and implemented by the Applicant, consistent with Mitigation Measure C-1c (Develop and implement Historic Properties Treatment Plan).

C-5a(rev) Protect and monitor NRHP-eligible properties. The Applicant shall design and implement a long-term plan to protect National Register of Historic Places (NRHP)-eligible sites from direct impacts of project operation and maintenance and from indirect impacts, such as erosion that result from the presence of the project. The plan shall be developed in consultation with the BLM to design measures that will be effective against project maintenance impacts and project-related vehicular impacts. The plan shall also include protective measures for NRHP-eligible properties within the DPV corridor that will experience operational and access impacts as a result of the Proposed Project. The proposed measures may include restrictive fencing or gates, permanent access road closures, signage, stabilization of erosion, site capping, site patrols, and interpretive/educational programs, or other measures that will be effective for protecting NRHP-eligible properties. The plan shall be property specific and shall include provisions for monitoring and reporting its effectiveness and for evaluating potential inadequacies that present the possibility of allowing damage to NRHP-eligible properties. The plan shall be submitted to the BLM and CPUC for review and approval at least 30 days prior to project operation.

Monitoring of selected sites shall be conducted annually by a professional archaeologist for a period of five years. Monitoring shall include inspection of all site loci and defined surface features, documented by photographs from fixed photomonitoring stations and written observations. A monitoring report shall be submitted to the BLM and CPUC within one month following the annual resource monitoring. The report shall indicate any properties that have any potential to be impacted by erosion or vehicle or maintenance impacts, and measures to prevent such effects shall be implemented. Protective measures shall include erosion controls such as those defined in Mitigation Measure H-1a and APM W-3 (which require pre- and post-construction erosion controls). For properties that have been impacted, the Applicant shall provide recommendations for mitigating impacts and for improving protective measures. After the fifth year of resource monitoring, the BLM or CPUC, as appropriate, will evaluate the effectiveness of the protective measures and the monitoring program. Based on that evaluation, the BLM or CPUC may require that the Applicant revise or refine the protective measures, or alter the monitoring protocol or schedule. If the BLM does not authorize alteration of the

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monitoring protocol or schedule, those shall remain in effect for the duration of project operation.

If the annual monitoring program identifies adverse effects to National Register of Historic Places (NRHP)–eligible properties from operation or long-term presence of the project that could not be prevented based on annual inspection, or if, at any time, the Applicant, BLM or CPUC become aware of such adverse effects, the Applicant shall notify the BLM and CPUC immediately and implement mitigation for adverse changes, as directed by the BLM and CPUC. At the discretion of the BLM and CPUC, such mitigation may include, but not be limited to modification of protective measures, refinement of monitoring protocols, data-recovery investigations, or payment of compensatory damages in the form of non-destructive cultural resources studies or protection.

Hydrology and Water Resources

P-1a(rev) Develop Hazardous Substance Control and Emergency Response Plan. A Hazardous Substance Control and Emergency Response Plan (Plan) shall be prepared by SCE for the project, and a copy shall be kept on-site and in vehicles during construction and maintenance of the project. The Plan shall define an emergency response program to ensure quick and safe cleanup of accidental spills, including prescriptions for hazardous-material handling procedures to reduce the potential for a spill during construction. The Plan shall also identify areas where refueling and vehicle-maintenance activities shall occur, and identify areas for storage of hazardous materials. The directions and requirements listed in this plan shall also be reiterated in the Stormwater Pollution Prevention Plan (SWPPP) prepared for the project. SCE shall submit the Plan to the CPUC or BLM or USFWS, as appropriate, for review and approval at least 60 days before the start of construction.

P-1b Conduct environmental training and monitoring program. An environmental training program shall be established to communicate environmental concerns and appropriate work practices, including spill prevention, emergency response measures, and proper Best Management Practice (BMP) implementation, to all field personnel prior to the start of construction. The training program shall emphasize site-specific physical conditions to improve hazard prevention (e.g., identification of potentially hazardous substances) and shall include a review of all site-specific plans, including but not limited to, the project's Storm Water Pollution Prevention Plan and the Hazardous Substances Control and Emergency Response Plan. SCE shall document compliance by (a) submitting to the CPUC or BLM or USFWS, as appropriate, for review and approval an outline of the proposed Environmental Training and Monitoring Program, and (b) maintaining for monitor review a list of names of all construction personnel who have completed the training program.

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Best Management Practices, as identified in the project Storm Water Pollution Prevention Plan and the Hazardous Substances Control and Emergency Response Plan, shall be implemented during the construction of the project to minimize the risk of an accidental release and provide the necessary information for emergency response.

P-1c(rev) Ensure proper disposal of construction waste. All non-hazardous construction and demolition waste, including trash and litter, garbage, and other solid waste shall be stored in totally enclosed containment, and shall be disposed of properly, through a permitted waste management provider. Petroleum products and other potentially hazardous materials shall be removed to a hazardous waste facility permitted or otherwise authorized to treat, store, or dispose of such materials. Storage of fuels and hazardous materials shall be prohibited within 200 feet of groundwater supply wells and within 400 feet of community or municipal wells. SCE shall document compliance by providing a list of permitted waste management providers and hazardous waste facilities to be used for disposal of construction and demolition waste to the CPUC or BLM or USFWS, as appropriate, for review and approval at least 60 days before the start of construction.

P-1d Maintain emergency spill supplies and equipment. Hazardous material spill kits shall be maintained at all construction sites for small spills. This shall include oil-absorbent material, tarps, and storage drums to be used to contain and control any minor releases. Emergency spill supplies and equipment shall be kept adjacent to all work areas and staging areas, and shall be clearly marked. Detailed information for responding to accidental spills and for handling any resulting hazardous materials shall be provided in the project's Hazardous Substances Control and Emergency Response Plan.

P-4a(rev) Prepare Provide Proof of Approved Spill Prevention, Countermeasure, and Control Plans. In accordance with Title 40 of the CFR, Part 112, and in order to minimize, avoid, and/or clean up unforeseen spill of hazardous materials during operation of the proposed facilities, the Colorado River Regional Water Quality Control Board (RWQCB) will require SCE to prepare and implement a Spill Prevention, Countermeasure, and Control (SPCC) Plan for each substation, series capacitor, and the switchyard. If an existing SPCC Plan is available it may be updated for compliance with this measure. In accordance with state and federal requirements, each SPCC Plan shall include engineered and operational methods for preventing, containing, and controlling potential releases, and provisions for quick and safe cleanup. SCE shall document compliance by providing a copy of the approved SPCC Plans to the CPUC or BLM or USFWS, as appropriate, for review and approval at least 60 days before the start of operation. For any substation, series capacitor, or switchyard that is not required by the RWQCB to possess a SPCC Plan, SCE shall submit to the CPUC or BLM or USFWS, as appropriate, at least 60 days before the start of operation, proof that a SPCC Plan is not required by the RWQCB.

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H-5a* **Construction site dewatering management.** If groundwater is unexpectedly encountered during project construction, dewatering activities shall be performed in accordance with the California Stormwater Quality Association (CASQA) Handbook for Construction or other similar guidelines, as approved by the County of Riverside. Examples of construction site dewatering Best Management Practices include but are not limited to the following: fiber rolls, gravel bag berms, straw bale barriers, sediment basins and sediment traps, weir tanks, dewatering tanks, and various filters (gravity bag filter, sand media particulate filter, pressurized bag filter, cartridge filter). The project Applicant shall notify the Colorado River Basin Regional Water Quality Control Board (RWQCB) and County at the onset of dewatering and submit written description of all executed dewatering activities, including steps taken to return encountered groundwater to the subsurface, upon the completion of dewatering activities at the affected site(s).

H-6a **Design diversion dikes or other site remediation to avoid damage to adjacent property.** Where diversion dikes are required to protect towers or other project structures from flooding or erosion, these dikes shall be designed to avoid increasing the risk of erosion or flooding onto adjacent areas where life or property could be threatened. Diversion dike designs shall be submitted to the CPUC and BLM for review and approval at least 60 days prior to construction.

H-7a* **Groundwater Well Contingency Plan.** Prior to issuance of construction permits, the Applicant shall prepare a Groundwater Well Contingency Plan (Plan) to drill and construct a secondary supply well that would supplement groundwater production rates from the primary supply well, should the pumping capacity (daily yields) of the primary well become inadequate to meet the project requirements. The Plan shall identify the following features of the secondary supply well, should it be needed:

- location within the Colorado River Substation (CRS) site;
- proximity to existing wells (private and/or municipal);
- estimated total depth, well screen depth, diameter, and estimated yield; and
- time required to have the well drilled, constructed, developed and fully operational.

The secondary supply well may be installed at any time prior to or during construction, as long as it is consistent with features identified in the Plan, as described above. In addition to the above, the Plan shall also specify what conditions would trigger use of the second supply well, as well as the person responsible for determining when to utilize the second supply well. The County of Riverside shall be notified prior to installation of the secondary supply well, should it be necessary. The Applicant shall submit the Groundwater Well Contingency Plan to the CPUC and the County of Riverside for review and

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approval thirty (30) days before the start of extraction of groundwater for construction or operation.

H-7b* **Groundwater Monitoring and Reporting.** Prior to issuance of construction permits and prior to any groundwater pumping activities, a Groundwater Monitoring and Reporting Plan (Plan) shall be prepared by a Certified Hydrogeologist (CHG) and submitted by the Applicant (SCE) to the California Public Utilities Commission (CPUC) for review and approval. The Plan shall provide detailed methodology for monitoring background and site groundwater levels, water quality, and flow.

Monitoring shall be performed during pre-construction, construction, and project operation with the intent to establish pre-construction and project-related groundwater level and water quality trends that can be quantitatively compared against observed and simulated trends near the project pumping well(s). During pre-construction monitoring, it shall be determined whether groundwater can be pumped from above the Colorado River accounting surface of 234 feet above mean sea level (amsl). If it is not possible to verify that groundwater for the Proposed Project would be exclusively pumped from above the Colorado River accounting surface, then Mitigation Measure H-7c (Water Supply Plan for Use of Colorado River Water) would be required.

The monitoring wells shall include the following: SCE's primary supply well (proposed), SCE's secondary supply well (per Mitigation Measure H-7a), State Well Number 7S/21E-5F1 (approximately 4,800 feet northeast of the new project well), and at least one off-site down-gradient well. Water quality monitoring shall include annual sampling and testing for Total Dissolved Solids (TDS), which include minerals, salts, and metals dissolved in water. Water quality samples shall be drawn from each of the aforementioned monitoring well locations.

The Plan shall include a schedule for submittal of both quarterly monitoring data reports during construction (one report every three months, from the onset of construction activities), and annual monitoring data reports during construction, operation, and maintenance (one report every twelve months, from the onset of construction, for a duration of at least five years, described below). Monitoring data reports shall be submitted by the Applicant to the CPUC for review and approval, as specified in the Plan.

Quarterly and annual reports shall include water level monitoring data and water quality monitoring data. Annual summary reports shall include but are not limited to the following:

- Daily usage, monthly range, and monthly average of daily water usage in gallons per day;
- Total water used on a monthly and annual basis in acre-feet;
- Summary of all water level and water quality data; and

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- Identification of trends that indicate potential for offsite wells to experience deterioration of water level or water quality.

Based on the results of the quarterly and annual trend analyses during the first 5 years of the project from the initiation of project construction, the Applicant shall determine if the project pumping has resulted in water level decline of 5 feet or more below the baseline trend at nearby private wells. If drawdown of 5 feet or more occurs at off-site wells, the Applicant shall immediately reduce groundwater pumping until water levels stabilize or recover, sustaining drawdown of less than 5 feet. Alternatively, the Applicant shall provide compensation to the well owner, including reimbursement of increased energy costs, or deepening the well or pump setting.

After the first 5 years of project, the Applicant and CPUC shall jointly evaluate the effectiveness of the Groundwater Monitoring and Reporting Plan and determine if monitoring frequencies, laboratory testing program, or procedures should be revised or eliminated.

The Applicant shall file an annual "Notice of Extraction and Diversion of Water" with the State Water Resources Control Board in accordance with Water Code Sections 4999 et seq. The Applicant shall include a copy of the filing in the annual compliance report. The report will allow the CPUC to review submitted data monitoring reports for compliance. Following review and approval of the fifth annual summary report, the CPUC will determine whether groundwater wells surrounding the project site are affected by project activities in a way that requires additional mitigation and, if so, shall determine what measures are needed.

H-7c* **Water Supply Plan for Use of Colorado River Water.** If pre-construction groundwater monitoring conducted in compliance with Mitigation Measure H-7b (Groundwater Monitoring and Reporting Plan) indicates that groundwater pumping for the Proposed Project would draw water from below the Colorado River accounting surface of 234 feet above mean sea level (amsl), the Applicant (SCE) shall undertake one or more of the activities identified below to mitigate project impacts to flows in the Colorado River. These activities shall result in replacement of water used by the project over the life of the project. Measures of water conservation should be considered in the following order of priority:

- Payment for irrigation improvements in Palo Verde Irrigation District (PVID);
- Purchase of water allotments within the Colorado River Basin that will be held in reserve;
- Use of tertiary treated water;
- Implementation of water conservation programs in the floodplain communities of the Chuckwalla Valley Groundwater Basin, the Palo Verde Mesa Groundwater Basin, and/or Colorado River; and/or

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- Participation in the U.S. Bureau of Land Management’s (BLM) Tamarisk Removal Program.

If the Applicant has filed an application to the U.S. Bureau of Reclamation (USBR) to obtain an allocation of water from the Colorado River, these allocations can be used to satisfy some or all of the water offsets needed to comply with this condition on an acre-foot per acre-foot basis. Use of any other options for water offsets will require the Applicant to demonstrate to the satisfaction of CPUC that the appropriate amounts of water will be conserved. The activities proposed for mitigation will be outlined in a Water Supply Plan that will be provided to the CPUC for review and approval prior to the onset of groundwater pumping at the project site. The Water Supply Plan shall include the following at a minimum:

- Identification of water offset activities and associated water source(s) to replace the quantity of water diverted from the Colorado River over the life of the project on an acre-foot per acre-foot basis;
- Demonstration of the Applicant’s legal entitlement to the water or ability to conduct the activity;
- Include a discussion of any needed governmental approval of the identified activities, including a discussion of whether that approval that requires;
- Discuss whether any governmental approval of the identified activities will be needed, and, if so, whether that additional approval will require compliance with CEQA or NEPA;
- Demonstration of how water diverted from the Colorado River will be replaced for each identified activity;
- An estimated schedule of completion for each identified activity;
- Performance measures that would be used to evaluate the amount of water replaced by each identified activity;
- Monitoring and Reporting Plan outlining the steps necessary and proposed frequency of reporting to show that each identified activity is achieving the intended benefits and replacing Colorado River diversions; and
- If the application for allocation from the Colorado River is accepted by the USBR, the Applicant shall submit to the CPUC for their approval, a copy of a water allocation from the Colorado River issued by the appropriate agency.

The Applicant shall implement the activities reviewed and approved in the Water Supply Plan in accordance with the agreed upon schedule in the Water Supply Plan. If agreement on identification or implementation of mitigation activities cannot be achieved, the Applicant shall immediately halt construction or operation until assurance that the agreed upon activities can be identified and implemented.

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The Applicant shall submit the Water Supply Plan to the CPUC for review and approval thirty (30) days before the start of extraction of groundwater for construction or operation.

Greenhouse Gas Emissions

GHG-1* **Avoid sulfur hexafluoride emissions.** SCE shall ensure that project equipment, specifically the circuit breakers at the Colorado River Substation, maintains a leakage rate of 0.5 percent per year or less for sulfur hexafluoride (SF₆). To accomplish this, SCE shall include this limit as a performance specification for the gas insulated switchgear that would be installed as part of the project. Maintenance, repair, and replacement of all gas insulated switchgear shall be consistent with manufacturer's recommendations for achieving this performance specification and in compliance with CARB regulations for reducing sulfur hexafluoride emissions from gas insulated switchgear (17 CCR 95350).