

## PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



May 18, 2011

Mr. Alan F. Colton  
Manager – Environmental Services  
Sunrise Powerlink Transmission Project  
8315 Century Park Court, CP21G  
San Diego, CA 92123-1550

RE: SDG&E Sunrise Powerlink Transmission Line Project – Variance Request #15

Dear Mr. Colton,

On May 12, 2011, San Diego Gas and Electric (SDG&E) requested a variance from the California Public Utilities Commission (CPUC) to use alternate reroutes along the approved access road to Tower EP 84, which is located on Link 2 (NTP #13, overhead on non-federal lands), of the Sunrise Powerlink Project, within San Diego County.

The CPUC voted on December 18, 2008 to approve the SDG&E Sunrise Powerlink Transmission Line Project ([Decision D.08-12-058](#)) and a [Notice of Determination](#) was submitted to the State Clearinghouse (SCH#2006091071). The BLM issued a [Record of Decision](#) approving the Project on January 20, 2009. The Project also crosses lands under jurisdiction of the U.S. Department of Agriculture; and Forest Service on the Cleveland National Forest; the Forest Service issued its Record of Decision and Supplemental Information Report on July 9, 2010.

The CPUC also adopted a Mitigation, Monitoring, Compliance and Reporting Program (MMCRP) to ensure compliance with all mitigation measures imposed on the Sunrise Powerlink Project during implementation. The MMCRP also acknowledges that temporary changes to the project, such as the need for additional workspace, are anticipated and common practice for construction efforts of this scale and that a Variance Request would be required for these activities. This letter documents the CPUC's thorough evaluation of all activities covered in this variance, and that no new impacts or increase in impact severity would result from the requested variance activities.

Variance #15 to add an additional access route to Tower EP 84 is granted by CPUC for the proposed activities based on the factors described below.

**SDG&E Variance Request.** Excerpts from the SDG&E Variance Request, received May 12, 2011, are presented below (indented) with CPUC additions in parenthesis and in bold:

SDG&E is requesting a variance from the Final Environmental Impact Report/Environmental Impact Statement (FEIR/EIS) issued October 2008 and the Project Modification Report (PMR) approved on September 22, 2010 by the CPUC to add an additional access route to structure EP84. **(The additional route is comprised of two spur road segments which diverge from and rejoin the existing access road to EP84).** SDG&E proposes to use existing access road(s) that **(are)** located approximately 1,500 feet southeast of EP84, adjacent to Big Potrero Truck Trail and west of Lake Morena Drive. The proposed access road was previously approved as a Temporary Extra Workspace (TEWS). The roads are approximately 336 feet long and 177 feet long by approximately 19 feet wide. No road improvements would be required. SDG&E would use this secondary **(modified)** route to allow for a permanent alternative access to EP84 for large construction vehicles and equipment. This route will provide for safer access to EP84 and minimize rutting during rain

events as the proposed alternative route is in better condition than the original approved access. The route would reduce environmental impacts by minimizing mud tracking and further road damage on the main access road when the soil is saturated. It would also allow vehicles and equipment necessary site access without the need for additional grading as the road already exists. The proposed use of the access road will not create significant additional noise disturbance to nearby land uses. No additional property owners will be affected by utilizing the proposed access road. SDG&E maintains an easement with the current property owners.

A biological survey was performed on April 13, 2011. The access road (**segments requested under this variance**) leading north into structure EP84 was assessed for sensitive biological resources. The surrounding habitat for the (**Project**) approved western spur supports a mix of native and nonnative vegetation in conjunction with bare ground categorizing it as Developed (DEV) and Disturbed (DH) habitats. The dominant shrub, making up approximately 25 percent of the ground cover on the western spur, is big sagebrush. An estimated 50 percent of the ground cover was found to consist of non-native annuals and grasses including red-stem filaree, short-pod mustard, smooth barley, foxtail brome, and riggut brome. Native annual coverage was less than 10 percent due to the numerous non-native species, but those observed during the survey were bajada lupine, and rancher's fiddleneck. Approximately 15 percent of the (**Project approved**) western spur was found to be bare ground. By comparison, the proposed eastern spur of the access road is nearly void of all vegetation and is nearly bordered by a mix of native and non-native vegetation similar to that found on the western spur. While no sensitive or special status plants were observed, previous surveys have identified sticky geraniums in the surrounding vicinity. Additionally, the eastern spur is situated slightly uphill and (**has**) good drainage for an access road. Other wildlife observed in the area include western scrub-jay, California towhee, common raven, and wren-tit. No nests or nesting activities were observed near the access road during the survey.

A cultural resource inventory was performed on this area during the intensive survey of the Sunrise Area of Potential Effect. This area was surveyed by ASM Affiliates, Inc. during cultural resource investigations for the Sunrise Powerlink Final Environmentally Superior Southern Route (Garcia-Herbst, et al. 2010). No cultural resources were identified within the limits of the proposed access route. Since this variance will not affect NRHP/CRHR eligible sites, no further cultural resource work is necessary.

### **CPUC Evaluation of Variance Request**

In accordance with the MMCRP, the subject variance request was reviewed by CPUC to confirm that no new impacts or increase in impact severity would result from the requested variance activities. The CPUC lead monitor visited the area of the request and approved the TEWS for use of the spur road areas. The following discussion summarizes this analysis for biological, cultural, paleontological, and hydrological resources, sensitive land uses/noise, and visual. A list of conditions is presented below to define additional information and clarifications regarding mitigation requirements. In some cases, these items exceed the requirements of the Mitigation Measures and Applicant Proposed Measures, and are based on specific site conditions and/or are proposed conditions by SDG&E.

**Biological Resources.** The spur roads proposed under this variance are existing and contain significantly less vegetation than the segments along the approved roads that they would replace.

**Hydrological Resources.** The proposed road segments are situated to provide better drainage and thus would reduce rutting impacts on the approved Project route.

**Cultural and Paleontological Resources.** No grading or ground disturbance is proposed under this variance. No cultural resources were identified within the limits of the proposed roads.

**Traffic/Sensitive Land Uses/Noise.** No concerns noted under this variance.

**Visual.** The proposed spur roads are existing roads thus no additional visual impacts are associated with their use.

**Conditions of Variance Approval.**

The conditions presented below shall be met by SDG&E and its contractors:

1. All applicable project mitigation measures, APMs, compliance plans, permit conditions and conditions of NTP #13 shall be implemented. Some measures have on-going/time-sensitive requirements and shall be implemented prior to and during construction where applicable.
2. Copies of all relevant permits, compliance plans, and this Variance approval shall be available on site for the duration of alternate access route.
3. No tree trimming, clearing or disturbance to native vegetation shall occur along the alternative access route.
4. Conduct biological monitoring in compliance with Mitigation Measure B-1c. "Biological survey sweeps" are required to occur during active use of the alternative access route as part of required biological monitoring activities.
5. If active nests are found, follow protocols in MM B-8a. A biological monitor shall establish an appropriate 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 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. The buffer may be adjusted with the approval of CDFG and USFWS, and with prior knowledge of the CPUC.
6. If the application of water is needed to abate dust, SDG&E shall use the least amount needed to meet safety and air quality standards and prevent the formation of puddles, which could attract wildlife to construction sites (as requested by USFWS). Conditions of the Dust Control Plan will be implemented and enforced.
7. The SWPPP shall be implemented.
8. When significant precipitation events are anticipated, or have occurred, access on project roads may be suspended in order to maintain the integrity of access roads and provide for personnel safety. Access will be suspended for 24 hours following a rain event in order to allow for a dry out period. The parameters for suspending access include, but are not limited to:
  - a. Rutting occurring in excess of 2 inches over a distance of 50 feet
  - b. Rutting and/or soil mixing occurring on 10% of the road
  - c. Rills more than 10 feet in length develop
  - d. Significant soil compaction
  - e. Significant soil adhesion to vehicles and construction equipment

**Alan Colton, SDG&E**  
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Please contact me if you have any questions or concerns.

Sincerely,

Billie Blanchard  
CPUC Environmental Project Manager  
Sunrise Powerlink Transmission Project

cc: Daniel Steward, BLM El Centro Field Office  
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Bob Hawkins, Forest Service  
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