

**PUBLIC UTILITIES COMMISSION**

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



February 17, 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 #7

Dear Mr. Colton,

On February 11, 2010, San Diego Gas and Electric (SDG&E) requested a variance from the California Public Utilities Commission (CPUC) to expand the work limits along Bell Bluff Truck Trail, Link 3, Segment 13 of the Sunrise Powerlink Project, located 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 area requested under this variance does not fall under Forest Service jurisdiction.

The CPUC also adopted a Mitigation, Monitoring, Compliance and Reporting Program (MMCRP) to ensure compliance with all mitigation measures imposed on the 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 #7 to expand the work limits along Bell Bluff Truck Trail 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 February 11, 2011, are presented below (indented) with CPUC additions in parenthesis and in bold:

SDG&E is requesting a variance from the Project Modification Report approved on September 22, 2010 by CPUC to expand the work limits along Bell Bluff Truck Trail to support office trailers for personnel at the Suncrest Substation construction area.

SDG&E is requesting an expanded work limit along Bell Bluff Truck Trail to the original limits as described in the Final Environmental Impact Report/Environmental Impact Statement (FEIR/EIS). To provide the space needed for setting five construction trailers and associated trailer parking (**1.01 acres**), SDG&E requests the use of space outside of the PMR construction limits but within the original FEIR/EIS construction limits. It was SDG&E's intent to include this expanded work limits in the PMR; however, miscommunication with the contractor about including the trailers within the required

construction limits led to them being inadvertently left out of the construction limits mapping. The expanded work limit needed is located near the future substation water tank. The construction trailers and parking areas will be located within the expanded work limits such that there will be no impacts to the surrounding trees. To prepare the ground for the trailers, the contractor will drive and crush the ground vegetation, proof roll the ground with heavy grading equipment, and place gravel surfacing at parking areas. At the end of the project, the trailers and gravel surfacing will be removed from the impacted areas and the impacted areas will be restored to their pre-construction condition. **(Restoration shall include soil de-compaction methods.)**

A biological survey was performed on January 25, 2011. The proposed construction trailer area is within oak woodland habitat. Habitat for the area included within the expanded work limits include native and non-native grasses, California buckwheat (*Eriogonum fasciculatum*), California peony (*Paeonia californica*), and white sage (*Salvia apiana*). No nests were observed within the surrounding oaks in this area. There are several mice and rat burrows within the proposed area, but it is expected these animals will relocate with the onset of construction. The impacted areas will be restored to original flora composition.

A cultural survey was performed along Bell Bluff Truck Trail for the for the expansion locations on January 25, 2011. The site was surveyed at 15 meter intervals, inspecting all open areas of the ground surface. Ground surface visibility was poor (<25%) throughout with oak trees and thick grass covering most of the survey area. No cultural resources were observed in the surveyed area. No previously recorded resources were identified in the record search.

#### **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. This review also included a visit of the subject site the week of February 14, 2011 by the CPUC Lead Environmental Monitor (EM). The following discussion summarizes this analysis for biological, cultural, paleontological, and hydrological resources, sensitive land uses/noise, and other issue areas. 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.** During the CPUC site visit, invasive weed species were noted. According to biological reports, oak trees occur at the site and coastal California gnatcatcher (federally threatened), has the potential to occur near the site. To avoid harm to these species, nesting birds and other wildlife species, SDG&E and its contractors will implement the protective measures noted below in the conditions section. No new impacts or increase in impact severity for biological resources are anticipated with the implementation of the conditions.

**Hydrological Resources.** Best Management Practices (BMPs) will be installed in accordance with the Link 3 SWPPP Storm Water Pollution Prevention Plan (SWPPP).

**Cultural and Paleontological Resources.** The Final Inventory Report of the Cultural Resources was accepted on June 2, 2010 by BLM and CPUC. No cultural resources are located along Bell Bluff Truck Trail. Based on the Final Paleontological Monitoring and Discovery Treatment Plan, accepted on June 17, 2010, there is no potential to encounter paleontological resources within Link 3. In the event of an unanticipated discovery of archaeological materials, all ground-disturbing work within the immediate area of the discovery will be suspended. Any new discoveries shall be managed in compliance with the procedures and guidelines for Treatment for Unanticipated Discoveries set forth in the Final Historic Properties Management Plan (HPMP). No new impacts or increase in impact severity for cultural or paleontological resources are anticipated.

**Sensitive Land Uses/Noise.** The subject area is located within proximity of the Suncrest Substation construction effort. No concerns noted under this variance.

**Other Issue Areas.** No concerns noted under this variance.

**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 #11 shall be implemented. Some measures have on-going/time-sensitive requirements and shall be implemented prior to and during construction where applicable.
2. Copies of all relevant permits, compliance plans, and this Variance approval shall be available on site for the duration of construction activities.
3. As submitted by SDG&E, the area shall be used for placement of five construction trailers and associated trailer parking. SDG&E shall submit a modification to this variance request if any other uses of the site are proposed in the future.
4. SDG&E shall conduct biological monitoring in compliance with Mitigation Measure B-1c. "Biological survey sweeps" are required to occur immediately preceding and during active construction as part of required biological monitoring activities.
5. In compliance with Mitigation Measure B-8a, pre-construction surveys by a qualified biologist for nesting birds within 100 feet of the construction zone within 10 calendar days prior to the initiation of construction shall occur between January 15 and August 15. In addition, nesting surveys by a qualified biologist for sensitive species including Coastal California gnatcatcher, coastal cactus wren, grasshopper sparrow and raptors shall be conducted within 500 feet of the construction zone within 10 days prior to the initiation of construction shall occur between January 1 and September 15. If active nests are found, follow protocols in MM B-8a.
6. If active bird nests are found, 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.
7. No clearing or disturbance to native vegetation shall occur outside of approved work areas.
8. All oak trees within/adjacent to the site shall be fenced at the drip line.
9. The Weed Control Plan will be implemented immediately prior to, during and following construction as appropriate for the weed species being treated.
10. Vegetation on the approved areas shall be drive and crush treated and rolled. A gravel surface shall be placed at the parking areas. At the conclusion of yard use the area shall be restored. The gravel shall be removed and de-compaction measures shall be employed under the trailer areas and where necessary.

11. Wildlife found to be trapped will be removed by a qualified biological monitor. If the biological resource monitor is not qualified to remove the entrapped wildlife, a recognized wildlife rescue agency (such as Project Wildlife) will be contacted to remove the wildlife and transport it safely to other suitable habitats.
12. All crew members shall be Safe Worker and Environmental Awareness Program (SWEAP) trained prior to working on the project. A log shall be maintained on-site with the names of all crew personnel trained. For any crew members with limited English, a translator shall be on-site to ensure understanding of the training program. In place of a translator, the SWEAP training brochure can be provided in Spanish or other languages as appropriate. All participants will receive a hard-hat sticker for ease of compliance verification.
13. In the event of an unanticipated discovery of archaeological materials, all ground-disturbing work within the immediate area of the discovery will be suspended. Any new discoveries shall be managed in compliance with the following procedures and guidelines for Treatment for Unanticipated Discoveries set forth in the Final HPMP.
14. If any unanticipated lane restrictions or closures are found to be necessary for trailer transport to the site, prior proof of coordination with emergency service providers and all necessary permits shall be submitted to the CPUC.
15. As proposed, the SDG&E Environmental Monitoring Program will be implemented during construction which will include implementation of the applicable environmental plans (as defined in HS-APM-1, HS-APM-2, HS-APM 3, HS-APM-8 and HS-APM-10. An Environmental Field Representative will be on site to observe and document adherence to the applicable environmental plans.
16. 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.
17. The Link 3 SWPPP shall be implemented.

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  
Tom Zale, BLM El Centro Field Office  
Bob Hawkins, Forest Service  
Eric Kershner, USFWS  
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