

## PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



May 20, 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 #16

Dear Mr. Colton,

On May 16, 2011, San Diego Gas and Electric (SDG&E) requested a variance from the California Public Utilities Commission (CPUC) to add vehicle and equipment parking areas along Alpine Boulevard and Willows Road, which are located on Link 4 (NTP #10, Alpine Underground), 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 #16 to add vehicle and equipment parking areas along Alpine Boulevard and Willows Road is granted by CPUC based on the factors described below.

**SDG&E Variance Request.** Excerpts from the SDG&E Variance Request, received May 16, 2011, are presented below (indented):

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 vehicle and equipment parking areas along Alpine Boulevard and Willows Road. SDG&E proposes the use of four (4) previously disturbed, compacted, and un-vegetated locations currently approved as Temporary Extra Work Space(s) (TEWS) on the Project. Each location is a previously existing and well-used dirt parking area that is currently not a part of the Sunrise Powerlink Project Right-of-Way. The locations requested under this variance for Project vehicle and equipment parking are 1) along Alpine Boulevard where it crosses Divellos Drive 2) along Alpine Boulevard where it crosses Peutz Valley Road, 3) at 5480 Willows Road East, and 4) at 3900 Willows Road West. Activities at these

locations would consist of the staging and movement of construction equipment, heavy trucks, and vehicle parking to allow for additional carpooling on the project and reduce traffic interruptions along the Alpine Boulevard portion of the underground 230kV construction Right-of-Way. The requested area is pre-disturbed; it is currently utilized for parking by non-project entities since before the Sunrise Powerlink began construction.

While completion of the underground 230kV is on-going, trucks for material haul-off and vehicles that are not used consistently during the work day may be staged at these locations. Because the Right-of-Way is constrained spatially in locations, using these areas for staging will greatly reduce the Project's impact on public parking within Right-of-Way by allowing equipment to go to required work site locations from areas of less public activity and travel. This will reduce traffic flow interruptions, noise impacts to the community, and reduce the risk of accidents in well travelled areas by reducing the Project footprint on Alpine Boulevard.

**Location 1: Alpine Boulevard and Divellos Drive**

The proposed parking area will be on disturbed, bare ground on the north side of Alpine Boulevard where it crosses Divellos Drive. A biological survey of this area was conducted by a qualified biologist on May 12, 2011. The biologist performed a pedestrian survey of the proposed location for nesting birds, threatened and endangered species (including species of concern), non-listed plant and wildlife species, and assessed the present condition and use of the proposed area. The biologist determined that utilization of this variance by the Project would result in no negative impacts to nesting birds or to any listed or non-listed plant or wildlife species.

Cultural resources surveys were conducted as part of the TEWS process. There are no cultural resources in the areas identified for parking.

**Location 2: Alpine Boulevard and Peutz Valley Road**

The proposed parking area will be on disturbed, bare ground on the northeast corner of Alpine Boulevard and Peutz Valley Road. A biological survey of this area was conducted by a qualified biologist on May 12, 2011. The biologist performed a pedestrian survey of the proposed location for nesting birds, threatened and endangered species (including species of concern), non-listed plant and wildlife species, and assessed the present condition and use of the proposed area. The biologist determined that utilization of this variance by the Project would result in no negative impacts to nesting birds or to any listed or non-listed plant or wildlife species.

Cultural resources surveys were conducted as part of the TEWS process. There are no cultural resources in the areas identified for parking.

**Location 3: 5480 Willows Road East**

The proposed parking area is at 5480 Willows Road East. The proposed parking area will be on disturbed, bare ground. A biological survey of this area was conducted by a qualified biologist on May 12, 2011. The biologist performed a pedestrian survey of the proposed location for nesting birds, threatened and endangered species (including species of concern), non-listed plant and wildlife species, and assessed the present condition and use of the proposed area. The biologist determined that utilization of this variance by the Project would result in no negative impacts to nesting birds or to any listed or non-listed plant or wildlife species.

The proposed area was surveyed by a qualified archaeologist on March 17, 2011 as part of the TEWS process. The pedestrian survey of the area resulted in the identification of no cultural resources or items of concern.

**Location 4: 3900 Willows Road West**

The proposed parking area is at 3900 Willows Road West. The proposed parking area will be on disturbed, bare ground. A biological survey of this area was conducted by a qualified biologist on May 12, 2011. The biologist performed a pedestrian survey of the proposed location for nesting birds, threatened and endangered species (including species of concern), non-listed plant and wildlife species, and assessed the present condition and use of the proposed area. A bushtit nest was observed approximately 50 feet from the paved parking area that will be utilized in the variance. It is located between the westbound on ramp and the proposed variance location. The biologist noted that, due to the location of the nest, the nesting birds are acclimated to the ambient noise and traffic. The biologist determined that utilization of

this variance by the Project would result in no negative impacts to nesting birds or to any listed or nonlisted plant or wildlife species.

The proposed area was surveyed by a qualified archaeologist on March 17, 2011 as part of the TEWS process. The pedestrian survey of the area resulted in the identification of no cultural resources or items of concern.

### **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 all of the areas of the request and approved each TEWS for use. 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 areas proposed under this variance request are previously disturbed and are devoid of vegetation. Biological surveys have been conducted at and around each area. In regard to the bushtit nest identified 50 feet from the 3900 Willows Road Parking area, the California Department of Fish and Game (CDFG) and U.S. Fish and Wildlife Service (USFWS) shall be notified of the nest prior to use of the subject area under this variance approval.

**Hydrological Resources.** No concerns noted under this variance.

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

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

**Visual.** The proposed locations are existing disturbed areas and had been used for parking prior to project occupation; therefore, 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 #10 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 at or around the proposed areas.
4. Biological monitoring shall be conducted in accordance with Mitigation Measure (MM) B-1c. "Biological survey sweeps" are required to occur during active use of the subject areas as part of required biological monitoring activities.
5. If active nests are found, protocols stipulated by MM B-8a shall be followed. 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 subject to review by 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.

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  
Erinn Wilson, CDFG  
Susan Lee, Aspen Environmental Group  
Vida Strong, Aspen Environmental Group  
Anne Coronado, Aspen Environmental Group