PUBLIC UTILITIES COMMISSION
505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298

May 24, 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 #17

Dear Mr. Colton,

On May 18, 2011, San Diego Gas and Electric (SDG&E) requested a variance from the California Public Utilities Commission (CPUC) to modify the driveway entrance at Encina Substation, Segment 24 (NTP #6, Encina Substation), 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 #17 to modify the driveway entrance at Encina Substation is granted by CPUC based on the factors described below.

SDG&E Variance Request. Excerpts from the SDG&E Variance Request, received May 18, 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 by the CPUC to modify a driveway entrance at the Encina Substation. SDG&E proposes to modify the existing driveway to accept the trailer transporting the 230/138kV transformer to be installed at Encina. The existing driveway slope is too severe to allow the trailer which carries the transformer to pass safely. The trailer that carries the transformer is approximately 120 feet long, and has a ground clearance of approximately 18 inches. The existing driveway slope is approximately 13%, and the maximum slope that the transformer trailer can navigate is 10%. To safely allow the transformer to be brought into the substation, SDG&E proposes modification of the driveway entrance to Encina.

The driveway will be modified by removing existing asphalt and gravel road, grading the driveway to decrease the slope, and re-paving the driveway. The driveway connects to an existing paved road on the Encina Power Plant site, which will be affected by the driveway modification.

An approximately 15 foot wide and 120 foot long section of the existing road will be cut and re-graded to match the new driveway grade. The new driveway slope will be approximately 7.5% and will extend approximately 75 feet south of the existing road, and increase to approximately 60 feet in width. The modified driveway will be asphalt paved to match existing paving, and the new paving in the Encina Switchyard. The drainage of the new driveway will flow into existing drainage onsite, and a culvert will be added beneath the driveway to maintain flow across the driveway. Once the new grade is established, the driveway will be paved in asphalt to match up to the existing access road.

SDG&E has coordinated with Mike Pearson from Encina Powerplant on several occasions, the last of which was on May 4, 2011.

A biological resources survey was performed on May 12, 2011. The Encina Substation driveway in need of alteration lies within an entirely developed area, in the northeast portion of the Encina power plant property. Two small disturbed areas, one on each side of the driveway, and one further down (south) the driveway, were assessed. The small patches at the northwest and northeast corners of the driveway support a moderate cover of nonnative weeds, including an estimated 40% cover of bromes and sort-pod mustard combined. Also present are deer weed and California thistle. At the time of the field survey, the plants had been sprayed as part of routine weed control and all but iceplant were dead and decaying. Therefore, additional species may be present but undetectable. The area further proposed to be impacted contains no natural habitat and are completely surrounded by development. While the site may be visited by transient wildlife known to occur in the general vicinity includeing California ground squirrel, bush rabbit, American kestrel, peregrine falcon, common raven, American Crow, black phoebe, house finch, house sparrow, European starling, greater roadrunner, mourning dove, and common side-blotched lizard.

The area was assessed for cultural materials during cultural resources inventory for the the Sunrise Powerlink Final Environmentally Superior Southern Route (Garcia-Herbst, 2010) and as part of a subsequent review for this variance request. During both surveys no archaeological resources were identified within the substation property and the land forms that make up the parcel appear man-made. A few scattered shell fragments were observed nearby but are likely natural or brought in to be cut and re-graded and will not directly impact and NRHP/CRHP eligible site. No further cultural resources work is recommended.

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. A CPUC monitor visited the area of the request and did not see any issues. 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. A biological resources survey was performed on May 12, 2011. The Encina Substation driveway alteration lies within an entirely developed area. Two small disturbed areas, one on each side of the driveway, and one further down (south) the driveway, were assessed. The small patches support a moderate cover of nonnative weeds. At the time of the field survey, the plants had been sprayed as part of routine weed control and all but ice plant were dead and decaying. The area to be impacted contains no natural habitat.

Some minor clearing will need to occur. No vegetation clearing will be allowed during the bird nesting season until direct approval by the resource agencies has been granted or otherwise permitted under the *Nest Survey Protocol*. To avoid harm to nesting birds, SDG&E and its contractors will implement the Project mitigation measures for nesting birds and the conditions of this variance approval found below.

Hydrological Resources. The drainage of the new driveway will flow into existing drainage onsite, and a culvert will be added beneath the driveway to maintain flow across the driveway. Once the new grade is established, the driveway will be paved in asphalt to match up to the existing access road.

Cultural and Paleontological Resources. The area was assessed for cultural materials during the cultural resources inventory for the Sunrise Powerlink Final Environmentally Superior Southern Route (Garcia-Herbst, 2010) and as part of a subsequent review for this variance request. During both surveys no archaeological resources were identified within the substation property and the land forms that make up the parcel appear man-made. A few scattered shell fragments were observed nearby, but are likely natural and will not directly impact and NRHP/CRHP eligible sites.

The Final Paleontological Monitoring and Discovery Treatment Plan (PMDTP) was accepted on June 17, 2010. The driveway work requested within this variance shall have the same paleontological monitoring requirements as at the Encina Substation. In the event of an unanticipated discovery of archaeological or paleontological 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) and PMDTP.

Traffic/Sensitive Land Uses/Noise. The driveway connects to an existing paved road on the Encina Power Plant site, which will be affected by the driveway modification. SDG&E has coordinated with Mike Pearson from Encina Powerplant on several occasions, the last of which was on May 4, 2011.

Visual. The proposed location is an existing disturbed and industrial area; therefore, no additional visual impacts are associated with upgrading the driveway.

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 #6 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. Some minor clearing will need to occur. No vegetation clearing will be allowed during the bird nesting season until direct approval by the resource agencies has been granted or otherwise permitted under the *Nest Survey Protocol*. To avoid harm to nesting birds, SDG&E and its contractors will implement the Project mitigation measures for nesting birds and the conditions of this variance approval found below.

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. In the event of an unanticipated discovery of archaeological or paleontological 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) and PMDTP.
7. 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.
8. 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
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