

PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298



February 9, 2012

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 #30, Modification #1

Dear Mr. Colton,

On November 2, 2011, San Diego Gas and Electric (SDG&E) requested a variance from the California Public Utilities Commission (CPUC) for additional parking areas (NTP #13, overhead on non-federal lands), of the Sunrise Powerlink Project. The request was approved on November 14, 2011. On February 9, 2012 a modification to the request was submitted to allow long lining and movement of materials at one of the parking locations CP75 approved under Variance #30.

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 #30 Modification #1 to allow long lining and movement of materials at the parking location CP75 approved under Variance #30 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 Modification, received February 9, 2012, is presented below (indented) with CPUC additions in parenthesis and in bold:

SDG&E is requesting the ability to long line materials **(utilizing helicopters)** from the approved parking area near CP75. No helicopters will be landing in this area. The activities will strictly be long lining and remain within SDG&E's approved work area; therefore there will be no additional impacts.

To ensure safety during these activities, SDG&E will use traffic control to stop traffic on both sides of the parking lot while loads are being picked. Traffic control will also keep the area clear of pedestrians during the entire work day.

Email (**documentation of**) coordination and approval from the City of San Diego to use this area for the purpose of staging materials and long lining to support wire stringing (**was submitted with the request**). SDG&E is requesting approval to perform these activities from February 10th through February 20th.

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 Environmental Monitor (EM) visited the areas of the request. 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. While no bird nests or nesting activity was observed during the habitat assessments or other pre-project or construction surveys, impacts to nesting birds could still occur if construction/use of the parking area was to occur during the nesting season. Therefore, construction may be subject to Mitigation Measure B-8a (Nest Survey Protocol and Nesting Bird Management Plan) to protect nesting birds.

Hydrological Resources. No locations have been identified as having potential impacts to jurisdictional waters. SDG&E will install BMPs as detailed in the SWPPPs.

Cultural and Paleontological Resources. All areas under the request were surveyed for archaeological materials during both preconstruction fielding activities and cultural resources inventoried work for the Sunrise Powerlink Final Environmentally Superior Southern Route. Modification #1 to Variance #30 does not change the approved area footprint or ground disturbance. Cultural and paleontological analysis and conditions of Variance #30 are unchanged.

Traffic/Sensitive Land Uses/Noise. Traffic impacts for use of the proposed areas have been assessed. To ensure safety during these activities, SDG&E will use traffic control to stop traffic on both sides of the parking lot while loads are being picked. Traffic control will also keep the area clear of pedestrians during the entire work day.

Visual. The parking areas are previously disturbed and temporary. No visual concerns are noted.

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, conditions of NTP #13 and conditions of Variance #30 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 Modification approval shall be available on site.
3. Conduct biological monitoring in compliance with Mitigation Measure B-1c. "Biological survey sweeps" are required to occur during active use of the subject sites as part of required biological monitoring activities.

4. 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. A chronology of nesting activity, including any buffer reductions, specific construction activity nearby, and bird behavior shall be noted in the project nesting log to be submitted on a weekly basis.
5. SDG&E will use traffic control to stop traffic on both sides of the parking lot while loads are being picked. Traffic control will also keep the area clear of pedestrians during the entire work day.
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. All complaints received by SDG&E in regard to use of the areas, shall be logged and reported immediately to the CPUC and the City of San Diego.

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
Erinn Wilson, CDFG
Susan Lee, Aspen Environmental Group
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