

**PUBLIC UTILITIES COMMISSION**

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



February 28, 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 #4

Dear Mr. Colton,

On February 18, 2010, San Diego Gas and Electric (SDG&E) submitted a revised variance request to the California Public Utilities Commission (CPUC) to request that a helicopter Incidental Landing Area (ILA) be included at the Alpine Headquarters Yard approved for use under Notice to Proceed (NTP) #4, 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 #4 to approve a helicopter ILA at the Alpine Headquarters Yard 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 18, 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 Notice to Proceed issued May 28, 2010 (NTP#4) by the California Public Utilities Commission (CPUC) as the lead State agency under the California Environmental Quality Act (CEQA) to add a Helicopter Incidental Landing Area (ILA) onto the eastern portion of the Alpine Regional Field Offices Yard.

SDG&E would use this ILA to support potential emergency flights and the ongoing management of the overhead transmission line construction activities. Approximately 10 to 20 flights per month are anticipated to occur in this area using

light helicopters of the Bell 206 Long Ranger A Star type. Utilization of this ILA would occur during workdays between 0700 and 1900 (or sundown, whichever comes first). SDG&E does not intend to fly construction material or towers from this location. The proposed location for the Helicopter ILA is at the eastern portion of the approved Alpine Regional Field Offices Site. The temporary landing pad at the Alpine Regional Field Offices would be designated as an ILA as defined in the San Diego County Zoning Ordinance. No permanent landing or storage of any aircraft would occur at this site. The area is an existing disturbed lot, currently utilized as overflow parking for construction staff. Some minor ground disturbance is required to implement the scope. Biological surveys were done as part of the survey effort for the Alpine Regional Field Office (Yard 18a), previously approved as NTP#4. The proposed helipad is located within the yard boundaries and described under the Biological Resources section of the Notice to Proceed request. As described in the request, neither sensitive species nor habitats for sensitive species were observed within the Alpine Regional Field Office, and no jurisdictional waters or wetlands were observed within the yard.

SDG&E has analyzed the most appropriate flight path that will produce the least impact to nearby sensitive receptors and will utilize it for approach and departure from the Alpine Regional Field Offices facility. Approach will be from east or west, depending on wind conditions **(as illustrated on Attachment C of the Variance request, the approach/departure paths to the ILA will be over Interstate 8, with the angle of the approach/departure path coming more from the east or west to accommodate for wind conditions).**

The ILA, classified as an incidental landing area under the San Diego County Zoning Ordinance, would be exempt from site selection standards, including property line noise standards, as defined under Section 6332 of the Zoning Ordinance and operational criteria under Section 6336, and therefore is not subject to zoning compliance. San Diego County Zoning Ordinance Section 6332 (8) categorically states that site selection criteria for heliports are waived for "Incidental Landing Areas", which they define as "An area of land, water or structure which is not designated as a heliport, helipad or helistop and is required for the landing of helicopters for emergencies, public service or maintenance activities and is not a permanent landing or storage area for helicopter."

Proposed helicopter operations at the Alpine Regional Field Offices location would be for, "public service" use as it pertains to the construction, inspection, and maintenance of a new public electricity transmission corridor under the supervision of the CPUC and would be considered an ILA. SDG&E has, as a courtesy to the County of San Diego, provided details of the proposed ILA to demonstrate continued compliance with applicable local plans, policies, and ordinances per the requirements of the CPUC.

Based upon review of applicable plans, policies and ordinances, and discussion with the Federal Aviation Administration (FAA) and CalTrans Division of Aeronautics, the proposed helicopter operations at the Alpine Regional Field Offices yard are exempt from noise ordinance standards.

Coordination between SDG&E's noise consultant, the FAA, and the John A. Volpe National Transportations Systems Center advise that temporary uses (such as an ILA) are exempt from FAR Part 150 due to the categorical exclusion found under the National Environmental Policy Act of 1969 (40CFR6.107). It is the FAA's position to classify temporary aircraft activities (either fixed wing or rotary-wing) as non-significant. Therefore, the FAA does not assign an International Civil Aviation Organization (ICAO) airport code to temporary or incidental helicopter landing areas. Coordination has, as a courtesy, occurred between SDG&E and the Federal Aviation Administration (FAA). Because of the classification of the temporary landing pad as an ILA, no further FAA interest was generated.

The proposed flight area take off (FATO) is within the CalTrans Flight Area Take Off specifications. Approach over the freeway will be at appropriate height and within normal Federal Aviation Administration (FAA) operating protocols so as to avoid undue distractions. Location of the ILA is on private land, outside of the CalTrans right-of-way, and does not require CalTrans approval. The ILA at the Alpine Regional Field Offices would be a Temporary Helicopter Landing Site per 21 CCR 3527(y), which defines a Temporary Helicopter Landing Site as:

"A site, other than an emergency medical service landing site at or near a medical facility, which is used for landing and taking off of helicopters and,

- (1) Is used or intended to be used for less than one year, except for recurrent annual events, and,
- (2) Is not marked or lighted to be distinguishable as a heliport and,

- (3) Is not used exclusively for helicopter operations.”

Additionally, pursuant to the Public Utilities Commission (PUC) Section 21661, Section 3533(b)(6), which states, “Temporary helicopter landing sites that are not within 1000 feet of the boundary of a public or private school maintaining kindergarten classes or any classes in grades 1 through 12.” Therefore, the proposed incidental landing area for the Alpine Regional Field Offices would be exempt from planning and performance standards per PUC Section 21661.

SDG&E has performed its due diligence and completed a noise analysis for the yard. The noise study revealed that no excessive noise is expected due to helicopter flight operations at the site. Acoustical contours (of magnitude 60 dBA Leq-h or greater) would remain completely within the yard and result in no sensitive receptor exposure.

Although no noise impacts are anticipated to occur, potential sensitive noise receptors within 300 feet of the Alpine Regional Field Offices have been identified and a map and list are included with the variance (**package**). Additionally, nearby property owners within 1000 feet of the Alpine Regional Field Offices yard have been identified and a list has been included with this variance (**package**). Construction Notifications for the Helicopter Operations out of the Alpine Regional Field Offices will be mailed and proof of mailing will be submitted to the CPUC once available.

### **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 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.** Biological surveys were conducted as part of the survey effort for the Alpine Regional Field Office (Yard 18a), previously approved as NTP #4. The proposed helipad is located within the yard boundaries and described under the Biological Resources section of the NTP #4 request. As described in the request, neither sensitive species nor habitats for sensitive species were observed within the Alpine Regional Field Office, and no jurisdictional waters or wetlands were observed within the yard. Diegan coastal sage scrub occurs adjacent to the site. The CPUC biological consultant reviewed the initial NTP request, as well as 2010 survey results, including: coastal California gnatcatcher and protocol Quino Checkerspot butterfly (QCB). Both gnatcatcher and QCB surveys were negative at the site. However, due to the proximity to potential habitat and the modification of site usage to include helicopter flights, prior to ILA installation, SDG&E shall conduct a nesting bird survey of the site, including 500 foot perimeter extending from the fenceline of the yard, in compliance with Mitigation Measure B-7I. The results of the survey shall be submitted to CPUC for review and approval prior to use of the area as an ILA. If Californian gnatcatcher are identified or if sensitive bird species nests are identified, the wildlife agencies shall be consulted prior to site use as an ILA.

**Hydrological Resources.** Best Management Practices (BMPs) will be installed in accordance with the 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 were identified at the yard site in the record searches or cultural surveys. The report indicates that the yard is currently covered by as much

as 12 feet of fill, thus precluding the possibility of encountering or disturbing cultural resources. 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 HPMP.

The Project Paleontology Report stated “given the lack of paleontological resources at the proposed Alpine Regional Field Offices support site, any construction activities related to development of the site will not result in any resource impacts.”

**Sensitive Land Uses/Noise.** The noise study conducted by SDG&E revealed that no excessive noise is expected due to helicopter flight operations at the site, since the approach/departure flight path will be over Interstate 8. Although no noise impacts are anticipated to occur, residents within 1000 feet and potential sensitive noise receptors within 300 feet of the Alpine Regional Field Offices have been identified by SDG&E and shall be notified prior to ILA helicopter use.

All complaints received by SDG&E in regard to use of the yard, including those pertaining to ILA activities shall be logged and reported immediately to the CPUC. This includes complaints relevant to noise and dust, etc. Complaints should also be forwarded immediately to San Diego County. If complaints cannot be resolved, sound attenuation devices may need to be installed etc., depending on the nature of the complaint.

**Other Issue Areas.** To maintain air quality and visibility standards SDG&E shall implement the approved Project Dust Control Plan at the ILA site.

**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 #4 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 proposed, the ILA will be used for 10 to 20 helicopter trips per month. A log shall be maintained at the Alpine Regional Field Offices, documenting the date, time, and type of helicopter used for each trip.
4. The ILA will be in use for less than one year, and will not be marked or lighted to be distinguishable as a heliport, nor will the site be used exclusively for helicopter operations.
5. Helicopters utilizing the site will not be used for hauling materials.
6. Prior to use of the ILA, construction notifications for the helicopter operations out of the Alpine Regional Field Offices will be mailed to potential sensitive noise receptors and property owners within 1000 feet of the yard and proof of mailing will be submitted to the CPUC.
7. All complaints received by SDG&E in regard to use of the yard including those pertaining to ILA activities shall be logged and reported immediately to the CPUC. This includes complaints relevant

to noise and dust, etc. Complaints should also be forwarded immediately to San Diego County. If complaints cannot be resolved, sound attenuation devices may need to be installed etc., depending on the nature of the complaint

8. No clearing or disturbance to native vegetation shall occur outside of approved work areas.
9. Pre-construction surveys occurred prior to use of the yard in 2010. However the site was not being considered for helicopter use at that time. Because the surrounding areas contain habitat with the potential to support California gnatcatcher, prior to use of the yard for any helicopter activities, pre-construction surveys by a qualified biologist for sensitive species including Coastal California gnatcatcher and raptors, shall be conducted within 500 feet of the yard within 10 days prior to the initiation of helicopter use shall occur between January 1 and September 15. If any California gnatcatcher or sensitive bird species nests are identified, the USFWS shall be notified. Not only will an appropriate buffer be set up, USFWS and CDFG must approve the use of the ILA site to allow helicopter usage if any of these species are present.
10. SDG&E monitors shall conduct biological monitoring in compliance with Mitigation Measure B-1c. "Biological survey sweeps" are required to occur immediately preceding and during active construction including helicopter operations as part of required biological monitoring activities.
11. 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.
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. Helicopter fueling was not proposed in the variance request. If fueling is to occur at the ILA, then SDG&E must provide fueling information to the CPUC and provide a Hazardous Materials Business Plan if warranted prior to fueling activities.
14. 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 HPMP.
15. The SDG&E Environmental Monitoring Program will be implemented during construction which will include implementation of the applicable environmental plans. An Environmental Field Representative will be on site to observe and document adherence to the applicable environmental plans.
16. Conditions of the approved Dust Control Plan will be implemented and enforced. 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).

17. 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  
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