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

March 1, 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 #6

Dear Mr. Colton,

On February 24, 2010, San Diego Gas and Electric (SDG&E) submitted an updated Variance Request to the California Public Utilities Commission (CPUC) to modify Mitigation Measure H-1a (CC) of the Sunrise Powerlink Project Final Environmental Impact Report/Environmental Impact Statement (FEIR/EIS) to allow construction in Chocolate Canyon year round. Chocolate Canyon work is located in Link 5, Segment 16, of the Sunrise Powerlink Project located within San Diego County. Overhead transmission line installation on non-federal lands within Links 1, 2 and 5 was approved under CPUC Notice to Proceed (NTP) #13.

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 #6 is granted by CPUC for year round construction in Chocolate Canyon based on the factors described below.

SDG&E Variance Request. Excerpts from the SDG&E revised Variance Request, received February 24, 2011, are presented below (indented) with CPUC additions in parenthesis and in bold:

> This variance is to request that construction be permitted (**in Chocolate Canyon**) between November and March. (**Per Mitigation Measure H-1a (CC): All construction of the Chocolate Canyon Option shall occur during the dry season months...**) The intent of mitigation measure H-1a (CC), per the FEIR/EIS, was to prevent watershed contamination resulting from erosion which could occur due to the grading of roads and pads required for Sunrise 230kV

Transmission Line Construction through Chocolate Canyon. The final design of the 230 kV Overhead alignment along the Chocolate Canyon Option as presented in the Project Modification Report (PMR), approved on September 22, 2010, eliminates all but one new access road to structure CP70-3, located over 2,750 feet west of El Capitan Reservoir. Instead (of the original scope or work described in the EIR/EIS), SDG&E will utilize 6 new Tower Staging and Access Pads (TSAPs) and existing roads requiring no improvements. Structures will be erected and maintained by helicopter, eliminating the need for graded pads to support large cranes. Additionally, the tower foundations will now be built using micropiles, a type of foundation that greatly reduces excavation at the sites. Helicopter construction techniques consist of flying in equipment to install micropile foundations; this equipment includes scaffolding, air drills and air compressors. Micropile foundations consist of several small diameter bores that result in an array ranging from 4 to 12 piles at each tower leg depending on soil and structure type. Individual piles included in the array are 8 1/2"diameter steel casings installed by the air drills with steel rods held in place by high pressure grout. Typical construction period for this technique is 5 to 7 days per structure. Additionally, as identified in the PMR (Project Modification Report), 20' diameter TSAPs will be developed in proximity to the structures for future O&M activities. SDG&E has successfully reduced total surface construction within the Chocolate Canyon Option by 70.4%. (In the original design approved by the FEIR/EIS, grading for roads and excavation for the foundations resulted in 27.6 acres of disturbance. The final engineering design as approved by the PMR reduces the total disturbance to 8.2 acres.)

These (all) areas will be stabilized for erosion control as identified in the site specific drawing (showing BMP and erosion control placement) for this area within the Storm Water Pollution Prevention Plan (SWPPP). Erosion control will be implemented per the SWPPP and monitored by storm water monitors.

SDG&E will continue to implement the conditions of Notice to Proceed (NTP#13) to prevent soil erosion from occurring along El Capitan Reservoir Road. When significant precipitation events are anticipated, or have occurred, access on project roads may be suspended in order to maintain the integrity of access roads and provide for personnel safety. Access will be suspended for 24 hours following a rain event in order to allow for a dry out period. The parameters for suspending access include, but are not limited to:

a. Rutting occurring in excess of 2 inches over a distance of 50 feet
b. Rutting and/or soil mixing occurring on 10% of the road
c. Rills more than 10 feet in length develop
d. Significant soil compaction
e. Significant soil adhesion to vehicles and construction equipment

SDG&E requests a variance from the time restrictions as outlined in mitigation measure H-1a (CC) to be able to perform construction activities between November 1 and March 31(allowing year round construction in Chocolate Canyon). Final design of the alignment minimizes ground disturbing activities and reduces the transport of sedimentation to the El Capitan Reservoir.

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 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. With a reduction in the construction disturbance area within Chocolate Canyon from 27.6 to 8.2 acres, no additional concerns related to biological resources are noted under this variance.

Hydrological Resources. The CPUC Hydrologist reviewed the variance submittal package, as well as associated background documentation, and found it acceptable on February 28, 2011**.** By reducing the

construction disturbance acreage by 70.4 percent through the implementation of the approved PMR design, the intent of Mitigation Measure H-1a (CC) (prevent watershed contamination resulting from erosion which could occur due to the grading of roads and pads required for 230kV transmission line construction through Chocolate Canyon) has been satisfied.

Cultural and Paleontological Resources. With a reduction in the construction disturbance area within Chocolate Canyon from 27.6 to 8.2 acres, no additional concerns related to cultural and paleontological resources are noted under this variance.

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

Other Issue Areas. No additional 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 #13 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. No clearing or disturbance to native vegetation shall occur outside of approved work areas.
4. All areas will be stabilized for erosion control as identified in the SWPPP site specific drawing showing BMP and erosion control placement for the Chocolate Canyon area. Erosion control will be implemented per the SWPPP and will be monitored by storm water monitors.
5. When significant precipitation events are anticipated, or have occurred, access on project roads may be suspended in order to maintain the integrity of access roads and provide for personnel safety. Access will be suspended for 24 hours following a rain event in order to allow for a dry out period. The parameters for suspending access include, but are not limited to:
    a. Rutting occurring in excess of 2 inches over a distance of 50 feet
    b. Rutting and/or soil mixing occurring on 10% of the road
    c. Rills more than 10 feet in length develop
    d. Significant soil compaction
    e. Significant soil adhesion to vehicles and construction equipment

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
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Eric Kershner, USFWS
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