

## PUBLIC UTILITIES COMMISSION

505 VAN NESS AVENUE  
SAN FRANCISCO, CA 94102-3298



October 1, 2013

Ms. Linda Collins  
Manager Operations and Maintenance  
Sunrise Powerlink Transmission Project  
8315 Century Park Ct.  
San Diego CA, 92123

RE: SDG&E Sunrise Powerlink Transmission Line Project – Variance Request #45 Amended

Dear Ms. Collins,

On September 17, 2013, San Diego Gas and Electric (SDG&E) requested a variance from the California Public Utilities Commission (CPUC) to designate an existing temporary access road as a permanent operations and maintenance (O&M) access road for Tower EP219-1 to accommodate a landowner request (NTP #13, overhead on non-federal lands, Sunrise Powerlink Project.)

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 #45 to designate an existing temporary access road as a permanent O&M access road for Tower EP219-1 to accommodate a landowner request 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 September 17, are presented below (indented):

The landowner request is to designate an existing temporary access road as the new permanent O&M access road for Tower EP219-1 on private property near Boulevard, California. As part of this minor modification, SDG&E would discontinue use of the designated permanent road segment for O&M access. Both roads are entirely on private property within and immediately adjacent to the SDG&E Sunrise Powerlink Right-of-Way (ROW).

This would eliminate SDG&E's use of a relatively steep segment of the permanent access road that is south of Tower EP219-1, thereby minimizing potential future erosion on this road segment and limiting O&M access to a more moderately sloped road segment that is west of Tower EP219-1. Both the land owner and SDG&E believe that the temporary road segment offers more reliable year-round access to the tower site for oversized crew and boom trucks and that this road segment can be maintained more effectively during the O&M program.

This proposed minor modification would result in a permanent impact to 0.17 acre of northern mixed chaparral due to the conversion of the temporary access road to a permanent access road. This minor permanent impact would be mitigated offsite consistent with the Sunrise Powerlink Mitigation Monitoring, Compliance and Reporting Program (MMCRP). Fulfilling the land owner's request would not result in any new permanent or temporary impacts to any other sensitive plant or wildlife species, sensitive vegetation communities, designated critical habitat areas, cultural resources, or jurisdictional waters or wetlands.

The permanent road segment was originally a two-track jeep trail and was widened during construction of the Sunrise Powerlink. A minor permanent impact to 0.12 acre of northern mixed chaparral from widening this road segment was previously mitigated off-site at a 1:1 ratio at the Long Potrero habitat mitigation site. This road segment would continue to allow the land owner and the U.S. Border Patrol to access the southeast corner of the property near Interstate 8. The landowner has requested that SDG&E not restore this road segment to native habitat to allow for his ongoing, occasional use of the road.

SDG&E proposes to stabilize the existing permanent road segment before discontinuing its use for O&M access and construct stormwater Best Management Practices (BMPs) such as water bars and energy dissipaters at the top of the road on the permanent pad for Tower EP219-1. This would ensure that stormwater runoff from SDG&E's facilities does not contribute to future erosion on this road segment. SDG&E would install and maintain these BMPs within the footprint of the pad for Tower EP219-1. When SDG&E discontinues using the road segment, the landowner would assume responsibility for any required future maintenance.

SDG&E would use and maintain the temporary access road for long-term O&M access to Tower EP219-1. SDG&E would mitigate for the minor permanent impact to northern mixed chaparral at a 1:1 ratio offsite at the Long Potrero habitat mitigation site, consistent with requirements for the Sunrise Powerlink. This offsite mitigation would be instead of habitat restoration, and SDG&E would discontinue the onsite habitat restoration of the temporary impact area within the road limits.

Please note that all other temporary work areas will continue to be restored to native habitat, consistent with existing Site Specific Restoration Plans (SSRPs). These temporary work areas include the temporary work pad, wire pull site, and guard areas for Tower EP219-1, as well as the temporary access road extending north of the tower site. Permanent BMPs such as earthen water bars and energy dissipaters would be installed at several locations along the access road to minimize soil erosion by ensuring that

stormwater is laterally diverted from the road and into existing native vegetation areas. SDG&E would continue to maintain the road consistent with the ongoing O&M program.

### **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 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 area proposed under the request was assessed during the 2009 and 2010 Project preconstruction surveys.

SDG&E has recently (September 2013) submitted as-built impacts as determined by GIS mapping. Impacts to chaparral habitat including the additional 0.17 acre under this variance are fully covered by off-site mitigation.

**Hydrological Resources.** No concerns are noted.

**Cultural and Paleontological Resources.** These areas were surveyed for archaeological materials during both pre-construction fielding activities and systematic cultural resources inventory work for the Sunrise Powerlink Final Environmentally Superior Southern Route. There were no cultural resource sites or features found. The proposed work areas will not impact any NRHP/CRHR eligible sites.

Given the documentation of no known resources and the fact that the proposed variance will not create any additional ground disturbance beyond what has already been approved by NTP # 13 no concerns are noted.

**Traffic/Sensitive Land Uses/Noise.** No concerns are noted.

**Visual.** 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 including the construction General Permit and conditions of NTP #13 shall be implemented with the exception of the restoration of the temporary access road to EP219-1 as detailed above.
2. SDG&E shall stabilize all areas as described in the variance request and to SWPPP closeout standards.
3. SDG&E shall update as-built biological resource impacts tables and submit them to the CPUC.
4. SDG&E shall update the applicable Site Specific Restoration Plan to show all changes approved under this variance and submit to the CPUC.

**Alan Colton, SDG&E**  
**Sunrise Powerlink Project**  
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Please contact me if you have any questions or concerns.

Sincerely,

*Billie Blanchard*

Billie Blanchard  
CPUC Environmental Project Manager  
Sunrise Powerlink Transmission Project

cc: Tom Zale, BLM El Centro Field Office  
Bob Hawkins, Forest Service  
Eric Porter, USFWS  
Susan Lee, Aspen Environmental Group  
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Anne Coronado, Aspen Environmental Group