



CPUC PROJECT MEMORANDUM PROJECT MITIGATION MONITORING, COMPLIANCE, AND REPORTING PROGRAM

Project Name: Sunrise Powerlink

TO: SDG&E - Rachel Romani

FROM: Aspen - Cassandra Garza

RE: Unauthorized Construction Activity within a Golden Eagle Buffer

DATE: March 15, 2011

Comments: A project memorandum is being issued to SDG&E for the unauthorized helicopter operations within the Golden Eagle Buffer located in the vicinity of El Cajon Mountain. On Wednesday, March 9, 2011, SDG&E contracted crews were flown to CP 67-3 to perform survey staking activities violating two Mitigation Measures(MM), B-7h and B-8a. MM B-7a states "Implement appropriate avoidance/minimization strategies for eagles nests. No construction or maintenance activities shall occur within 4,000 feet of an eagle nest during the eagle breeding season (December through June)." MM B-7a was violated by permitting crews operation at CP 67-3, which is approximately 1600 ft within the established buffer zone for known Golden Eagle nest in the area. In addition, the operation took place during the eagle's known breeding season of December through June. MM B-8a states "If project construction (not vegetation clearing or tree trimming/removal) including the use of the helicopters cannot occur completely outside the raptor breeding season, then pre-construction surveys for active raptor nests shall be conducted by a qualified biologist within 500 feet of the construction zone within 10 calendar days prior to the initiation of construction that would occur between January 1 and September 15. The results of the survey shall be submitted to the Wildlife Agencies for review and approval prior to initiating any construction activities."

Although survey activities are considered a pre-construction activity, the operation of a helicopter in the area is not. As no documentation of Wildlife Agencies' approval was submitted to the prior to the operation, this MM was not being met.

Required Follow up Action: (1) An incident report will be submitted to the CPUC, BLM, USFWS, and CDFG, about this incident and what corrective action was taken by SDG&E to ensure that an incident such as this will not occur in the future. (2) Notification of the incident was within 24hrs to the CPUC Lead EM via telephone. Please provide verification that notification to the Wildlife Agencies was also made in order to verify their awareness of the threat that was posed on a BLM sensitive species and a species covered by the Bald and Golden Eagle Protection Act.

Monitor: <signature> Cassandra Garza

Date: 03/15/11

Received by: _____

Date: _____