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August 27, 2012

C. Larry Davis
San Diego Gas & Electric
101 Ash Street, 11th Floor
San Diego, CA 92101

Dear Mr. Davis:

Please take notice of dangerous conditions of public property arising out of a wind farm development by Ocotillo Express LLC, a single-purpose shell entity owned by the developer Pattern Energy. The current dangerous conditions are:

DIRECT BURIAL OF 35Kv ELECTRICAL LINES

The underground electrical lines, estimated at over 80 linear miles, are being installed by a direct burial method without the use of any conduit or encasement to prevent electrocution. Work commenced on this scope last week, and it appears the developer, Pattern Energy, is using a machine normally used for fiber-optic cable to install multiple 35Kv cables in a single trench. The spool on the machine is only fixtured to handle fiber-optic so the electrical cable is being fed from a separate trailer. The machine simultaneously trenches, pulls and buries the wire in one shot. The trench is never exposed so the trench bed is not inspected to ensure proper depths are achieved and that the native soil is suitable fill, free of cobble, roots and other debris. The 35Kv cables, and a bare copper ground, have been installed no more than 18 to 20 inches from top of grade.

It is a dangerous condition to employ direct a burial method in an open-space area designated "multiple use." The transmission cables conflict with marked BLM routes of travel. Visitors frequent this area in vehicles, motorcycles and on foot. This is also an active seismic area comprised of sand washes in a 100-year flood zone. The soils at these inverse elevations are classified as loose, uncohesive sand and highly susceptible to erosion. The work must adhere to State and Federal construction standards and direct burial is below the standard of care. Professional underground

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practices would use conduit encased in red-colored concrete to prevent exposure to live electricity. The electrical lines also cross asphalt County roads at roughly 18 inches below grade. It is unknown who, if anyone, designed for direct burial under these extreme conditions as the environmental documents and plan of development did not contain any submittals or plans stamped by an electrical engineer.

SHALLOW WIND TURBINE FOUNDATIONS

The developer, Pattern Energy, has elected to use what is known in the wind industry as an “inverse tee” or “shallow foundation.” This one-size-fits-all foundation may not be appropriate for this application to hold massive turbine structures in a flood and earthquake zone. The developer has not produced foundation designs stamped by a structural engineer, or identified a structural engineer of record. The structural concrete foundation is a hexagon shaped spread footing that measures approximately 2 feet deep at the perimeter and tapers to 8 feet at the center. This foundation is not anchored into the ground, and instead relies on deadweight to hold a top-heavy 350 ton, 439 foot tall structure. The turbine blades, rotor and housing weigh over 140 tons with a diameter longer than a football field. The developer has not produced any stamped plans or drawings to indicate this foundation was designed by a California licensed structural engineer in accordance with structural concrete standards to meet the design criteria of 133 mph wind shears with the blades most vulnerable, coupled with moment forces from a flash-flood or earthquake. Pattern has relied on a geologist’s opinion in a preliminary soils report from September, 2010 that the loose soil condition could make it difficult to construct a pile foundation system because the loose soil could collapse. Interestingly, it appears SDG&E has not had any such problems with the concrete piles for power-poles at the SDG&E substation, which were anchored over 24 feet into the ground.

FLASH FLOODS DUE TO HYDROLOGIC CHANGES

The project includes construction of over 40 miles of new access roads and 81 miles of underground work across a 19 square mile area. It does not appear this work was designed by a licensed civil engineer to account for proper drainage during a 100 year event in a desert basin susceptible to flash flooding. Developer, Pattern Energy, has not produced final grading or site drainage plans stamped by a civil engineer for this project. About 10 miles of new roads have been constructed to date. A moderate storm event on Friday, July 13, 2012 revealed the increased hydrologic runoff and water velocity from water being redirected and channeled due to the new disturbances. Grading plans were not prepared or submitted as required because, according to a declaration Pattern filed in Federal Court, “wind farms require very little actual grading.”

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The pattern here is dangerous property conditions from the absence of engineering and professional design on a project that was accelerated by a full calendar year. Please contact me anytime.

Sincerely,

STUTZ ARTIANO SHINOFF & HOLTZ
A Professional Corporation



William C. Pate

WCP/vrk

cc: John Renison, Imperial County Board of Supervisors, District 1
Jack Terrazas, Imperial County Board of Supervisors, District 2
Michael W. Kelley, Chairman, Imperial County Board of Supervisors, District 3
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