

## **Incident Report For Eagle Nest Buffer Zone Encroachment By Helicopter Pilot To Winco, Subcontractor To PAR Electric**

As directed by CPUC Project Memorandum No. 3, this report: (i) describes the above referenced incident; and (ii) discusses measures PAR has taken, and committed to take, to ensure that such an incident will not recur. Copies of this report are also being provided to the Bureau of Land Management, Fish and Wildlife Service ("FWS"), and California Department of Fish and Game ("CDFG").

### **Incident:**

On Wednesday, March 9, 2011, a pilot for Winco, a subcontractor to PAR Electric ("PAR"), flew three round trips that entered the 4,000 foot golden eagle nest buffer zone in the vicinity of El Cajon Mountain. These trips involved transporting a PAR survey crew to and from tower CP 67, which was in the golden eagle buffer zone, and then searching for approximately five minutes for a person or persons in distress after the pilot received multiple reports of calls for "help" in the vicinity of this tower. According to PAR, the pilot knew he was entering the buffer zone on these occasions as he had been provided training on the appropriate bird/raptor buffer zone requirements and a map of the golden eagle buffers for avoidance.

SDG&E learned of the subcontractor pilot's buffer zone encroachment on March 10, 2011, and then notified, among other agencies, the CPUC Environmental Monitor, FWS, and CDFG.

On Monday, March 14, 2011, we met with PAR's upper management to investigate the facts underlying this incident, and then provided an interim report to CPUC entitled, "Golden Eagle Buffer Incident." On March 25, 2011, PAR provided a final report to SDG&E dated March 16, 2011 entitled, "Account of March 9, 2011 Incident and Action Items." A copy of this report is attached hereto as Exhibit A and is incorporated herein by reference as PAR's account of the incident and corrective action that PAR has taken, and will take, to ensure such incidents will not happen again. This report is consistent with the facts as we understand them based upon our meeting with PAR on March 14. However, two clarifications are in order. First, the report states that the pilot "was, based on his interpretation of the prior schedule, to fly [the two PAR surveyors] to towers CP59, CP 60, CP 61, and CP 67 for structure staking." (Exh. A, p. 1.) Although PAR believes that this schedule did not authorize a flight to tower CP 67 and the pilot simply misinterpreted it, we want to make clear that this schedule came from PAR to this pilot, and did not come from SDG&E. SDG&E's daily work schedule provided to PAR on March 9, 2011 did not set forth a flight to tower CP 67. Second, page three of PAR's report states that its new pilot training course includes an admonition to remain clear of eagle nests that are within the transmission right of way. We want to clarify that this refers to nest buffers that are within

the transmission right of way, not the nests themselves. We know of no eagle nests within the transmission right of way.

**Corrective Action:**

The corrective action PAR has committed to take is set forth in the attached report, pages 2-4, and includes the following. PAR has removed this pilot from further work on the project. PAR's helicopter pilots, including its subcontractor pilots, are now required to undergo a specialized training course that includes: (i) flying to and from job sites; (ii) flight corridors; (iii) eagle nest flight restrictions; and (iv) procedures for ground emergencies. Pilots successfully completing this training receive a helmet sticker, and, without this sticker, the pilot will not be permitted to take off and fly for this project. These pilots are also now required to participate in a pre-flight tailgate meeting to discuss hazards and other information (*e.g.*, restricted or sensitive areas and emergency protocols) prior to the start of each flying day. Moreover, all helicopters will have Trac Plus installed. Trac Plus allows real-time, latitude and longitude tracking of each helicopter, which information is transmitted to a joint helicopter command center at PAR and monitored during all helicopter operations. The GPS system will be updated on a daily basis to reflect any changes to the environment identified the previous day. The combination of the Trac Plus and GPS system will allow PAR to alert a pilot in the event he or she comes near a buffer zone or other restricted area. Lastly, PAR will also have one of its employees serve as a compliance manager, who will be responsible for monitoring all helicopter operations and ensure that all pilots are adhering to applicable rules, which includes obeying the eagle buffer zones.