

DEPARTMENT OF TRANSPORTATION
DIVISION OF AERONAUTICS – M.S.#40
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September 14, 2006

Via Overnight Mail and Facsimile to 858-362-8448

Mr. Craig Bachmann
Sunroad Enterprises
4445 Eastgate Mall, Suite 400
San Diego, CA 92121-1979

Dear Mr. Bachmann:

It has come to attention of the California Department of Transportation (Department), Division of Aeronautics, that the Sunroad Centrum 1 building is under construction and already at its maximum height of 180 feet above ground level. The Federal Aviation Administration (FAA) determined that the Centrum 1 building, at that height, is a hazard to air navigation in their Airspace Determination, dated August 11, 2006, for Aeronautical Study No. 2006-AWP-4601-OE.

Please be advised that California Public Utilities Code (PUC), Section 21659(a), states in pertinent part, that no person shall construct or alter any structure at a height which exceeds the obstruction standards set forth in Title 14 of the Code of Federal Regulations, Part 77, Subpart C (FAR Part 77), relating to objects affecting navigable airspace, unless a permit allowing the construction, alteration or growth is issued by the Department. As detailed in the FAA Airspace Determination referenced above, the Centrum 1 building penetrates the Horizontal Surface, as defined in Section 77.25(a) of FAR Part 77.

Until you receive a permit from the Department, it is unlawful for you to proceed with construction. Section 21019 of the PUC outlines potential punishment for related violations. X

Please contact our office upon receipt of this correspondence to discuss the permit application process and the status of the current building structure. We can be reached at (916) 654-4565, or via e-mail at: jeff.brown@dot.ca.gov.

Sincerely,

JEFF R. BROWN
Aviation Safety Officer

c: Mike Tussey, City of San Diego Airports Director
San Diego Airports Advisory Committee
David Miller, City of San Diego
San Diego Regional Airport Authority
FAA, AWP 622