

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.

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