

**BOULEVARD PLANNING GROUP  
MINUTES/SUMMARY FOR MARCH 1, 2012 MEETING**

**1. MEETING was called to order at 7:14 PM:**

**2. MEMBERS PRESENT:** Rett Lawrence ; Jeffrey McKernan ; Donna Tisdale ; Tammy Daubach ; Audra Burgio  
**MEMBERS ABSENT:** Chris Noland (excused-ill) ; Manuel Rivera (excused-business related)

**3. MINUTES February 2, 2012: M/S: *McKernan/Burgio: Approve with corrections: Passed 5-0-0***

**4. CORRESPONDENCE:** Registrar of Voters' reminder of From 700 filing deadline of March 31.

**5. NEW BUSINESS/ACTION ITEMS :**

**\* EMERGENCY ACTION ITEM RECEIVED FEB 29: SDG&E NOISE VARIANCE / SUNDAY WORK VARIANCE REQUESTS FOR FEB 19-MARCH 28 IN BANKHEAD SPRINGS, MCCAIN VALLEY AND THING VALLEY AREAS:** SDG&E's Cameron Durckel discussed need for County approval to allow operations and noise waivers for selected Sundays / locations--including the Rough Acres Construction Yard area. Concerns and objections were raised by those present, including group members, with a consensus that the people /wildlife living in those impacted areas deserve at least one day a week off from what has been described as a form of torture with overhead and ground traffic noise, dust, and general commotion. Mr. Jellyman confirmed regular Golden Eagle sightings in the Sunrise Powerlink work area, from his property, near the I-8 crossing north of Historic Route 80. It was reported that Skyhunters had confirmed release of Golden Eagles in the same area: *M/S: McKernan/Lawrence: Deny SDG&E's requests for variances: Passed 5-0-0*

**A. VOTE TO CHANGE DATE OF NEXT MEETING TO WED APRIL 4 TO ALLOW PUBLIC PARTICIPATION AT APRIL 5TH PUC HEARING ON SDG&E'S REQUEST FOR RATE PAYERS TO COVER WILDFIRE LIABILITIES THAT EXCEED INSURANCE:**

*M/S: Tisdale/Burgio: Change the date of our April meeting to April 3: Passed: 5-0-0*

**B. SOITEC 5.4-6.5 MW LANWEST SOLAR LLC MAJOR USE PERMIT (PROJECT #P12-002):** The Chair read the note of apology from adjacent neighbor, Manuel Rivera, who could not attend the meeting due to out-of-town business obligations. Rivera stated the project will be 150' from his property line and approximately 300' from his front door. Consultant Jim Whalen confirmed that the former project manager for the County, Patrick Brown, is now working for Soitec. Whalen went over the LanWest project and stated he is working on trying to keep purchase of mitigation land within the Boulevard area. The Chair provided a Draft List with 21 initial project issues and conflicts with the Boulevard Community Plan (attached), including the industrial nature of the project, proximity to adjacent residence, Historic Route 80, environmental, visual and biological impacts, lack of information on electromagnetic / radiofrequency radiation emissions /impacts from an energy generation project of this scale and scope. No objections were raised to the list. It was agreed that additional issues concerns and objections could be included in later comments . Whalen partially addressed questions on septic, interference with homeland security and military operations, glare, wildlife, temperature changes, modules go into stow mode at 38 mph, and are supposed to be able to handle high wind events. A local professional trucker asked where the reported excess 8,200 cu yards (820 truck loads) of over 15,000 cubic yards of excavated soil will be hauled to. Whalen also discussed legislation introduced on February 24th by Assemblyman Ben Hueso (AB2551 / removal of 2/3 vote requirement) to create finance zones to pay for renewable energy infrastructure in order to allow a share of property taxes to stay in the community. He reported discussing new community center with County and oak trees present a problem at current fire department location. Whalen provided a Draft Issue Paper on Backcountry Cumulative Mitigation with 8 recommendations for forming a 501 c 3 non-profit, with the Board composed of participating project developers, "with possible members from the community", and other stakeholders (attached) . *No action taken*

**C. DRAFT CLIMATE ACTION PLAN (CAP):** The Draft CAP , that addresses the County's consistency with State law and directives, including Assembly Bill (AB) 32, Governor's Order S-3-05, and CEQA, was discussed. *M/S: Burgio/Lawrence: Allow the Chair to submit comments ,without review, and to incorporate any additional comments provided by group*

members: Passed: 5-0-0

**D. FEB 29 BOARD OF SUPERVISORS HEARING SET FOR RED TAPE TASK FORCE RECOMMENDATIONS, INCLUDING POTENTIAL ELIMINATION OF PLANNING/SPONSOR GROUPS:** The new bullet points were reviewed: M/S: McKernan/Daubach: Approve new bullet point list: Passed 5-0-0

**E. COUNTY REQUEST FOR SUPPORT TO REMOVE TWO DEAD OAKS ALONG HISTORIC RT 80 NEAR LIVE OAK SPRINGS:** M/S: Lawrence/Daubach: Approve removal of two oaks on the condition that GSOB protocol is followed to prevent the spread of pests: Passed: 5-0-0

**F. POTENTIAL EXPANSION OF BOULEVARD PLANNING AREA TO INCLUDE PRIVATE LANDS THAT CAN ONLY BE ACCESSED BY MCCAIN VALLEY ROAD AND MILLER VALLEY ROAD:** The Group reviewed maps and discussed making a recommendation to the County to consider making changes to Boulevard Planning Area (BPA) to include private lands, including BLM in holdings, in the McCain Valley area that can only be accessed from McCain Valley Road through the BPA, and private lands in the Miller Valley area that can only be accessed from Miller Valley Road and the BPA. Land use on these impacted private properties will have the most impact on Boulevard neighborhoods . M/S: McKernan/Lawrence: Request County consideration to expand the Boulevard Planning Area to include private properties that can only be accessed via McCain Valley Road and Miller Valley Road. Passed: 5-0-0

## **6. UPDATES / POTENTIAL ACTION ITEMS:**

**A. MARCH 13: MEUSD BOARD WILL REVISIT TULE WIND DONATION AGREEMENT:** The Chair reported that Feb 13 MEUSD Board vote placed a revised donation agreement on the March 13 agenda for action.

**B. SDG&E'S SUNRISE POWERLINK /COMMUNITY UPDATE:** Cameron Durckel provided an update stating that Sunrise is 78% complete; 15,000 flight hours so far, with 3.5 million man hours. He confirmed that a construction helicopter made a hard landing in the Sycamore Canyon area and that silica dust, generated by drilling in rock, is being addressed. He reported there are 350 mitigation measures. Durckel also stated that the PUC's Assigned Administrative Law Judge's ECO Substation decision will trigger a 30-day comment period before the issue is placed on the agenda for the full PUC Board's action.

**C. BOULEVARD /JACUMBA /LA POSTA FIRE SAFE COUNCIL:** Next meeting is set for March 26th at the Jacumba Fire Department. It was reported that 2,027 dead oaks have been removed overall.

**D. BOULEVARD /JACUMBA REVITALIZATION REPORT:** Next meeting is March 6, 6:30. Participation and input are needed. County Fair starts June 2. Community calendars are now in list form only.

**E. VERIZON COMPLAINT:** The Chair reported on the Feb 21 meeting and Verizon engineer and County staff on the investigation into degraded / dropped cell service in Tierra Del Sol area /potential smart meter interference. Based on Verizon's investigations, their discovery, documentation, and follow-up on the strong jamming signal coming out of Mexico, and Verizon's promises to provide some upgraded equipment at White Star, it was agreed that Mr. McColl went above and beyond to track down the reason /source for our dropped Verizon service in the Tierra Del Sol area of Boulevard, and other areas served by the White Star cell facility. M/S: Lawrence/Burgio: Withdraw our protest of Verizon's White Star MUP POD 018W4 (based on failure to comply with current permit), with noted remaining concerns with cumulative adverse health impacts to White Star fire fighters from increased exposure to electromagnetic / radio frequency / microwave radiation. Passed 5-0-0

**F. SOITEC 20 MW LANEAST LLC :** 2172 McCain Valley Road NE corner Historic Route 80; owner Greg Lansing / Lansing Industries; new 69 kV gen-tie line to new Boulevard Substation; Jim Whalen reported that the MUP for this project will follow the Rugged Solar MUP.

**G. SOITEC 80 MW RUGGED SOLAR LLC MUP (MAP) 3992-1108:** Whalen reported this MUP is two weeks out. The Unmanned solar project proposed for approximately 700 acres of Rough Acres Ranch between McCain Valley Road and Ribbonwood Road, 1.5 miles north of I-8. APN's 611-110-01; 611-100-02 & 01; 611-090-04; 611-091-03; 611-090-02; 611-060-04; 611-091-09. 2553 McCain Valley Road. Approximately 3,132 Soitec CPV 2-axis tracking modules (each 25' x48'); 1 step up substation; new 69kV gen-tie line to proposed new Boulevard Substation.

**H. SOITEC 45-60 MW TIERRA DEL SOL SOLAR FARM LLC: MUP Pre-App. 3992: 11-022:** Jim Whalen reported this project will be the last in line of the 4 local projects, it is still in the design phase. Mitigation land should be purchased in Boulevard but not many qualified properties are available: Up to 2,610 Soitec CXS530 Concentrating PV dual axis tracker units (12 super modules per tracker) ;3 acre step-up substation , 138kV gen-tie line loop in to ECO Substation 138 kV line; 4 acre O&M building; proposed for undeveloped land (RL80 / partial remaining Ag Preserve) SE corner of (796) Tierra Del Sol Road and Tierra De Luna Road, adjacent to the border fence.

**I. AMONIX JACUMBA SOLAR POWER : Major Use Permit (MPA) 11-1014:** The approximately 860 Acre (RL 80/S92)project is proposed to be located approximately 1/4 mile west of Jacumba between Historic Rt. 80 and I-8. Mark Ostrander, Chair of the Jacumba Sponsor Group, reported that he has not received responses from Amonix.

**J. BP SOLAR NORTH AMERICA LLC: 20 MW JACUMBA SOLAR / MAJOR USE PRE-APP 3992-11-023:** Proposed 300 acre 20- 1MW solar PV arrays on 25 degree fixed tilt or single tracking axis. 3/5 miles east of Jacumba near Historic Rt 80 and Carrizo Gorge Road RL 80/ S92: next to border fence and proposed ECO Substation. Mark Ostrander reported that BP's Mr. Chandler was a no-show.

**K. ECO SUBSTATION / TULE WIND/ ESJ FEIR/EIS (CPUC APP A.09.08.003):** The PUC Assigned Administrative Law Judge's Proposed Decision is pending. Once issued, there will be a 30-day public comment before the issue goes to the full Public Utilities Commission. CEQA Amendment was made to Final EIR/EIS Fire Mitigation Measure FF-3 Fire Fuels Management( Jan 27, 2012): <http://www.cpuc.ca.gov/environment/info/dudek/ecosub/ecosub.htm>

**L. TULE WIND MAJOR USE PERMIT 3300 09-019, GENERAL PLAN AMENDMENT 3800 11-001, LOG NO. 09-021-002:** [http://www.sdcounty.ca.gov/dplu/regulatory/docs/3800-11-001\\_CEQA\\_REVIEW\\_111116/3800-11-001-GPAR.pdf](http://www.sdcounty.ca.gov/dplu/regulatory/docs/3800-11-001_CEQA_REVIEW_111116/3800-11-001-GPAR.pdf)

**M. WIND ENERGY ORDINANCE & PLAN AMENDMENT DEIR:** <http://www.sdcounty.ca.gov/dplu/ceqa/POD1007.html>

**N. SOLFOCUS SOLAR PROJECT APPLICATIONS FOR BOULEVARD/CRESTWOOD:** Boulevard / Crestwood locations not yet disclosed. SDG&E Power Purchase Agreement Advice Letter: <http://regarchive.sdge.com/tm2/pdf/2268-E.pdf>

**O. CAMPO NATION/INVENERGY/SDG&E'S 160-250 MW SHU'LUUK WIND PROJECT:** DEIS pending <http://shuluukwind.com/>

**P. ENEL'S 158 MW JEWEL VALLEY WIND & 10 MW SOLAR:** Testing approved: <http://www.jewelvalleyproject.com/>

**7. PUBLIC COMMENT ON NON-AGENDA ITEMS:** Border Patrol Neighborhood Watch includes 6 agents. They will install Watch signs warning of the illegalities of smuggling. They will also conduct bicycle safety courses. Agent Cory Anderson reported that an armed alien smuggler, from a known smuggling family, had been apprehended thanks to an alert resident who r

**8. ADJOURNED AT 9:07 PM:**

**Minutes approved by Group on 4-3-12:**

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2 Attachments:

**This preliminary draft list was provided to Jim Whalen, Soitec's consultant, and reviewed by the Boulevard Planning Group at our March 1, 2012 meeting. There were no objections. Other issues were also raised during discussions and will be included in later comments.**

**Soitec LanWest Draft MUP # PROJECT #P12-002  
initial project issues and conflicts with Boulevard Community Plan that was  
adopted by the Board of Supervisors on August 3, 2011:**

1. Cumulative project impacts need to be addressed including all currently proposed wind, solar, transmission, substation, wood-to-steel pole swaps, Rough Acres Ranch Campground CASE NUMBER: 3992 11-002; Sunrise Powerlink.
2. Project Application corrections needed:
3. Linked Projects: LanWest Solar is linked to LanEast Solar, Rugged Solar, Tierra Del Sol Solar and the referenced 'nearby central facility for all Soitec operations', and linked via the SDG&E/ Soitec Power Purchase Agreement that covers all projects named above.
4. Septic: What are plans for on-site waste and worker health and safety?
5. Military Installation Notice required: Boulevard / I-8 is a military route of travel to and from the NAF at Seeley, La Posta Warfare training facility, Coronado, Yuma. Cumulative adverse impacts may be generate by glint and glare, interference with communications and /or navigation equipment due to EMI.
6. General Plan Policies: LU 6.6, 6.9, 10.2, 12.4, COS-11.1-3, COS 12.2 (needs further review)
7. Blvd Plan Community Character: Policy LU 1.1, 1.1.1, 1.1.2, 1.1.3, 1.1.4:
8. Policy LU 1.3, 1.3.1, 1.3.2: Visual, historical, cultural, habitat, harmony with bulk and scale, on-site renewable energy production
9. Policy LU 3.1 Preservation of Dark Skies
10. Policy LU 3.2.1: impacts to native and riparian habitat. Open rangeland and existing vegetation provides foraging and nesting habitat for wildlife including Golden Eagles.
11. Policy LU 3.3.1: old homestead native stone chimney is located in project site. Old Ruby store, now a home, is a historic building.
12. Community Facilities: Policy LU 5.1.1: cumulative impacts to Boulevard's limited and underfunded Volunteer Fire & Rescue Dept.
13. Commercial Industrial: Policy LU 6.1.1: commercial industrial tracking solar projects will negatively impact property values, community character, natural resources and overall quality of life
14. Buffer zones: LU 6.1.2, 6.1.3, 6.1.4: inadequate setbacks from neighboring residential properties, unknown noise, vibration, EMF/RFR / Microwave emissions / impacts
15. Groundwater: CM 8.2.1, 8.3.1: lack of sufficient setback from neighboring wells, concerns with increased toxic or hazardous waste used, stored or /or generated on-site, including transformer oil; use of chemical soil binders; use of on-site groundwater or imported water must be from certified / permitted / vetted source.

16. Storm Drainage: CM 8.5, 8.5.1: extensive grading, soil removal, soil compaction, natural drainage / flow alteration,.
17. Energy: Policy CM 8.6.1, 8.6.2: the cumulative impacts from numerous large-scale wind and solar projects may reduce or eliminate the ability of self generators to sell excess energy back to the grid due to reduced transmission capacity
18. Telecommunications: New information is now available since our community plan was approved that raises significant Public Health and Safety concerns with increased and cumulative exposures to unsafe levels of EMF/RFR/ Microwave Radiation from numerous remotely operated facilities.
19. Conservation & Open Space: COS 1.1: LanWest will interfere with adjacent property owners plans to farm and install several green houses to support his current business operations.
20. Historic and Scenic Highways : COS 1.3: Historic Route 80 and I-8 are part of the County's Scenic Highway System. LanWest project and related infrastructure will degrade those scenic / historic views and resources and negate efforts / goals to establish scenic / historic corridors or to retain , protect and enhance rural community character.
21. Mineral Resources: Policy COS 1.4.2: the disturbance of 1,630,610 square feet of soil: 37 of 57 acres; 15,200 cu yd excavation ; 7,000 cu yd fill; 8,200 cu yd export;

#### JIM WHALEN'S

#### DRAFT ISSUE PAPER ON BACK COUNTRY CUMULATIVE MITIGATION

February 10, 2012

Issue: The backcountry of San Diego County is a traditionally rural area with large expanses of public land surrounding small communities such as Boulevard, Campo, Jacumba and Borrego Springs. With the state's mandate of 33% renewable energy sources by 2030, as well as investment tax credits for renewables, San Diego County's significant wind and solar resources have attracted developers, and many projects are now in the approval process. The process has been accelerated by the recent General Plan update process, which eliminated much of the residential potential of areas served by groundwater.

Because of the visual prominence of many of these new energy projects, the character of the backcountry is being changed in some communities,, with new electric transmission, wind and solar energy projects coming on line. To help address this, community groups such as the Boulevard Planning Group have asked for mitigation measures, notwithstanding their long-standing opposition to these projects. The expectation is the opposition may continue to some projects, but these ameliorating measures would still be pursued on a parallel path.

Background: Responsible developers intend to do the right thing while moving ahead with their projects, but there is no way for that to happen today without pursuing individual mitigation for project impacts. There is no organized forum for a community to conceive projects, collect & hold funds, and construct & operate facilities, other than the County of San Diego. While some of the back country communities have existing improvement vehicles such as revitalization committees, they are not able to effectively pursue large sources of funds through grant-making or other leveraging tools. They also are hamstrung by the current state of public finance capacity,

which is at historically low levels.

Discussion: Setting up a pilot program in the Boulevard area that created a vehicle to effectuate the construction of a multi-use community center could help the residents, business proponents, and public agencies come closer to a solution. Voluntary participation in the pilot program could be seen as a tool to help address cumulative impacts across the region. A 501 c(3) charitable organization would be set up with its purpose being to acquire the land, get the permits, and build a building. Energy projects would have the option to participate in the group effort, or continue project-by-project negotiations as they do today. An organized program would also facilitate the use of the recently-adopted General Plan EIR as a programmatic document from which projects could tier off, thus reducing the cost and uncertainty of using Mitigated Negative Declarations in the face of possible litigation due to unmitigated cumulative impacts. The assumption going forward is the renewable energy and associated projects that would provide the lion's share of the funding are approved. The scope and scale of the community center would expand as funding permits.

Recommendations:

- 1) Obtain Board of Supervisors direction to staff to confirm viability of the approach and provide information.
- 2) Create the non-profit corporation (e.g. "Boulevard Community Development Corporation"), a public benefit corporation with a mission of creating economic development in the local community securing public and private funds.
- 3) Discuss the board of the corporation, with possible members from the community, the developers seeding the organization, and other stakeholders.
- 4) Discuss fund managers---could be held and managed by the Corporation, the San Diego Foundation or other community foundations
- 5) Confirm terms of availability of land for the community center on Ribbonwood Road, either existing fire station site or new one on west side of road.
- 6) County, community and project proponents devise a fair-share approach, perhaps based on a hybrid of visual impacts, project energy production (MW's), and number of projects in the area.
- 7) Complete a stakeholder process to program a new multi-use community center with a YMCA-like approach (programmable spaces for various uses, meeting rooms, commercial kitchen, library/computer lab/job resource room, emergency gathering place, and staging location for activities)
- 8) Obtain permits and construct, in concert with new fire station and pocket park.

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