

APPENDIX 1-1

Notice of Preparation and Comment Letters



County of San Diego

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NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT

September 11, 2014

NOTICE IS HEREBY GIVEN that the County of San Diego, Planning & Development Services, will be the Lead Agency and will prepare an Environmental Impact Report in accordance with the California Environmental Quality Act for the following projects. The Department is seeking public and agency input on the scope and content of the environmental information to be contained in the Environmental Impact Report. A Notice of Preparation document, which contains a description of the probable environmental effects of the project, can be reviewed on the World Wide Web at http://www.sdcounty.ca.gov/pds/ceqa_public_review.html, at the Planning & Development Services (PDS), Project Processing Counter, 5510 Overland Avenue, Suite 110, San Diego, California 92123 and at the public library listed below. Comments on the Notice of Preparation document must be sent to the PDS address listed above and should reference the project number and name.

JACUMBA SOLAR MAJOR USE PERMIT; PDS2014-MUP-14-041, PDS2014-ER-14-22-001

The Proposed Project is a 20-megawatt (MW) solar energy project consisting of photovoltaic (PV) modules on fixed-tilt rack panels, an underground collection system, a private collector substation site, an approximately 10 MW battery energy storage system and a 138 kilovolt (kV) overhead transmission line (gen-tie) connecting the on-site substation to San Diego Gas and Electric's (SDG&E's) new East County (ECO) Substation. The project is located south of Interstate 8 and Old Highway 80 within the Mountain Empire Subregional Plan area within the unincorporated area of San Diego County (APN 661-080-01, 04, 05, 08, 10 and 661-041-02, 03). Comments on this Notice of Preparation document must be received no later than **October 10, 2014 at 4:00 p.m.** (a 30 day public review period). This Notice of Preparation can also be reviewed at the Jacumba Library, located at 44605 Old Highway 80, Jacumba, CA 91934. Consistent with Section 21083.9 of the CEQA Statutes, a public scoping meeting will be held to solicit comments on the EIR. The meeting will be held on September 23, 2014 at 6:00pm at the Jacumba County Library located at 44605 Old Highway 80, Jacumba, CA 91934. For additional information, please contact Ashley Gungle at (858) 495-5375 or by e-mail at ashley.gungle@sdcounty.ca.gov.

**Jacumba Solar Energy Project
Comments to Notice of Preparation**

#	Comments / Concerns	Considered in EIR or Planning Documents	Comment Letter Cite	Date Dated or Received
1	<ul style="list-style-type: none"> 1) Removing soil binders 2) Permanent disturbing wildlife habitat and looking elsewhere for food 3) Resident road detours (Carrizo Creek Road) 4) Old Highway 80 and Carrizo Gorge Road left in poor condition after ECO substation construction 5) Concern re: Vistas 	Air Quality Biology Project Description	Ann Ozgunduz (via EIR NOP Comment Sheet from Scoping Meeting) 1470 Carrizo Creek Rd Jacumba, California 91934	Dated September 23, 2014
2	<ul style="list-style-type: none"> 1) Endorsement of Boulevard Planning Group Comments 	N/A	Backcountry Against Dumps (via email: tisdale.donna@gmail.com) Donna Tisdale, President	Dated October 10, 2014
3	<ul style="list-style-type: none"> 1) Acknowledgement of project description 2) Biological Comments <ul style="list-style-type: none"> a. Avian mortality concerns (citing First Solar Solar Gen 2 project)/Potential for take of endangered species b. Golden Eagle impacts (foraging in Table Mountain, Tule Mountain, and In-Ko-Pah) c. Noted USFWS rejection of Tule Wind Eagle Take Permit (project was located in Class I Eagle Territory) d. Migration Corridor-- project is located in Pacific Flyway migration corridor/impacts of electrical magnetic fields to avian navigation e. Desert Pavement-- provided photos of desert pavement and stated uniqueness as a geologic feature/biodiversity <ul style="list-style-type: none"> i. Cited USGS research on desert pavement 3) Cultural/Historic Comments <ul style="list-style-type: none"> a. Tourism in east county-- draw of Old Highway 80 (historic route) b. Degradation of vistas/scenic quality/harming quality of life for local residents c. Project area is eligible for designation as an archaeological district/NHR 4) Aesthetic Issues <ul style="list-style-type: none"> a. Views from private and public lands and wilderness areas b. Small hills will not block views of the project c. Glint and glare during different times of the day d. Concern over lake effect/avian collision 5) Groundwater Comments: <ul style="list-style-type: none"> a. Drought-stricken local groundwater resources b. Request that Project import from urban areas that will benefit from energy development c. Disclose cumulative effects/significant impacts from all projects d. Concern over use from JCSD and impacts to off-site wells, seeps, springs, etc. and groundwater dependent species e. Legality of JCSD providing water to commercial industrial projects located outside their area 	Biology, Cultural/Historic, Visual, Groundwater, Environmental Justice, GHG	Boulevard Planning Group	October 10, 2014

#	Comments / Concerns	Considered in EIR or Planning Documents	Comment Letter Cite	Date Dated or Received
	<ul style="list-style-type: none"> f. Inadequate groundwater investigation for Soitec g. Increased number of users (of water) in Mexico, prison, etc. h. Headwaters and recharge zones into basins i. Request off-site monitoring groundwater conducted by independent third parties with no financial ties to developer j. Concern re: environmental reviewers/ third party monitoring 6) Environmental Justice <ul style="list-style-type: none"> a. Jacumba represents disproportionate adverse, cumulative and cumulatively significant impacts to low income community b. Attached a fact sheet c. Request impacts to socio economic issues be addressed, as well as tourism, recreation, property values, quality of life, emergency services, water resources, air quality, public health and safety, dark skies, local roads, increased traffic, etc. 7) GHG <ul style="list-style-type: none"> a. Carbon release based on disturbance of desert soils b. Trucking of project components, workers and water supply to be analyzed c. SF6 generated by electrical infrastructure (increase) 8) Track record for CPUC implementation and enforcement of project mitigation and monitoring (attachments) 			
4	<ul style="list-style-type: none"> 1) Acknowledgement of project description 2) NOP noted as not identifying the breadth of biological resources to be identified in the DEIR 3) Project Description: <ul style="list-style-type: none"> a. Complete discussion of Purpose and Need and description of the project--include staging areas and access roads to these areas b. Range of alternatives 4) Conduct Focused Surveys 5) Reflectivity and Avian Impacts: Concerns with flat reflective services (polarize light) and lake effects causing direct collision, increased predation, etc. <ul style="list-style-type: none"> a. Recommendation that DEIR evaluate impact to avifauna and to consider emerging technologies (anti-reflective film overlays). b. Recommend DEIR requiring ABBP (requiring pre and post construction avifauna monitoring) 6) Nesting Bird Monitoring Plan <ul style="list-style-type: none"> a. Incorporate mitigation measures for nesting bird monitoring component for construction, and an ABBP/monitoring plan 7) Avian Surveys <ul style="list-style-type: none"> a. Fixed-point bird surveys including migratory bird inventory at the project footprint and surrounding areas 8) Gen-Tie Lines <ul style="list-style-type: none"> a. Recommend undergrounding 138kV transmission line to reduce perching subsidies b. Recommend Raven Management Plan. 	Biology	California Department of Fish and Wildlife	October 9, 2014

#	Comments / Concerns	Considered in EIR or Planning Documents	Comment Letter Cite	Date Dated or Received
	<ul style="list-style-type: none"> 9) Impacts to Bats <ul style="list-style-type: none"> a. Recommend acoustic surveys b. Identify foraging areas and routes c. Identify roosts for size and significance 10) Herp Species <ul style="list-style-type: none"> a. Recommend biologist to conduct pit-fall arrays to determine reptile species presence 11) Botanical Surveys <ul style="list-style-type: none"> a. Identification of survey protocols and present species 12) Wildlife Linkages- concern re: linkages and relation to ECMSCP 13) Project Design <ul style="list-style-type: none"> a. Recommend including ECMSCP relation b. Analysis of biological impacts to Battery Storage c. Lighting and guy wires—recommend using free-standing tower design (e.g monopole) d. Limit type of lighting only to meet FAA standards (no strobe lighting) e. Access roads—use existing roadways where feasible f. Fencing- use wildlife permeable fencing g. Collector Lines—route through protective conduit when feasible 14) Streambed Alterations <ul style="list-style-type: none"> a. Include JD of streams and associated habitats 15) Biological Resources and APE <ul style="list-style-type: none"> a. Flora and fauna assessment b. Regional setting c. Floristic-based assessment of SSP and natural communities d. Inventory bio resources and habitat type e. Inventory of TE and other sensitive species on site and APE 16) Direct, Indirect and cumulative impacts 17) Mitigation Measures 18) Preservation 19) Develop a Habitat Management Plan 20) Nesting Birds (timing limitations and buffer requirements) 21) Relocation and Salvage (not supported for rare or TE species) 			
5	<ul style="list-style-type: none"> 1) Concerned with direct project impacts to biological resources (fragmentation of intact habitat/loss of connectivity) and indirect/ongoing effects (bird mortality due to attraction to facility/incineration) 2) Requests a “big picture” reserve design-oriented analysis with respect to the Draft East County MSCP Focused Planning Areas, Las Californias connectivity mapping, big horn sheep corridors, and wildlife movement into BLM lands 3) Mitigation measures should account for full range of individual and cumulative impacts. 4) Superior site alternatives should account for habitat and species loss, regional preserve and connectivity 5) Alternatives of distributed solar energy should be evaluated 	Biology	Endangered Habitats League (via email: dsilverla@me.com) Dan Silver, Executive Director 8424 Sand Monica Blvd. Suite A 592 Los Angeles, California 90069 213-804-2750	September 12, 2014

#	Comments / Concerns	Considered in EIR or Planning Documents	Comment Letter Cite	Date Dated or Received
6	<ol style="list-style-type: none"> 1) Submitted NOP comments and two photos taken from the top of Table Mountain, looking down at the ECO substation project—requests these be included into the administrative record 2) Requested expansion of Aesthetic Section to include Jacumba citizens who live or have businesses north of I-8 (between Desert View Tower and Carrizo Gorge Road). Concerns include: <ol style="list-style-type: none"> a. Decreased property value-scenic values-due to ECO substation project b. Industrial views c. Solar Glare views 3) Harmful impacts on hiking resources and tourist economy (images taken from Jacumba Hikers Club at top of Table mountain (Federal BLM Wilderness area) 4) Concerns over not permanently employing Jacumba or East County citizens as employees 	Aesthetics	Howard Cook, Chair Jacumba Sponsor Group (via email: howwcook@yahoo.com)	October 6, 2014
7	<ol style="list-style-type: none"> 1) Requested expansion of the airport influence area to include major use as a “Glider Port Location.” 2) Traffic patterns are different than powered planes 3) Gliders use thermals off Airport Mesa to soar upward, over the proposed Jacumba project. 4) Two glider fatalities within the past two years at the airport <ol style="list-style-type: none"> a. Requested that the County consult with the FAA, Southern California Glider Association, and other experts such as “Roman Design” in Ramona should be consulted on the dangers of solar panels to glider use. 	Airports	Howard Cook, Chair Jacumba Sponsor Group (via email: howwcook@yahoo.com)	October 6, 2014
8	<ol style="list-style-type: none"> 1) Requested expansion of Biological Resources section to cover the “endangered” Big Horn Sheep (BHS) (noted county did not list BHS in the Comprehensive List of Sensitive Species in the 08.07.14 Preliminary Application Letter) <ol style="list-style-type: none"> a. Noted that US Wildlife and State FG Big Horn habitat maps show the project within this habitat area b. Provided photographs of BHS in the area taken by residents c. The Project is adjacent to two areas with breaks in the border fence, which allows for movement of BHS between countries. d. Noted radio collars observed on BHS as part of a two-year study 2) Requested two-year delay on the project to allow for analysis and reporting of the BHS cross-border study. 3) Provided a reference to the two-year study 	Biology	Howard Cook, Chair Jacumba Sponsor Group (via email: howwcook@yahoo.com)	September 30, 2014
9	<p>Part 1 of Comment</p> <ol style="list-style-type: none"> 1) Attempt to send Photo of Agave Oven Exhibit (file size too large) 	Cultural	Howard Cook, Chair Jacumba Sponsor Group (via email: howwcook@yahoo.com)	October 3, 2014
10	<p>Part 2 of Comment</p> <ol style="list-style-type: none"> 1) Photo of Agave Oven Exhibit 	Cultural	Howard Cook, Chair Jacumba Sponsor Group (via email: howwcook@yahoo.com)	October 3, 2014

#	Comments / Concerns	Considered in EIR or Planning Documents	Comment Letter Cite	Date Dated or Received
11	<p>Part 3 of Comment</p> <ol style="list-style-type: none"> 1) Requested to add the option of delaying the project at least two years from the anticipated start date of 2015 to allow for cultural/paleo exploration and findings to be published into scientific journals. 2) Provided information re: "Agave Ovens" found during construction of the ECO Substation 3) Provided documentation of a discussion with Dr. Neal Hitch of the Imperial Desert Museum 	Cultural	Howard Cook, Chair Jacumba Sponsor Group (via email: howwcook@yahoo.com)	October 3, 2014
12	<ol style="list-style-type: none"> 1) Request that selected agency be included on page 29 section (water service agency) 2) Noted consultation with Jacumba Community Services District (JCSD) and special meetings held. The NOP should reflect selection and approval of JCSD 3) Requests that a new independent non-developer affiliated consulting hydrologist be assigned to conduct the well and aquifer (hydro) study 4) Requests that the hydro study analyze the impact of adding 22 million gallons of Project requirements vs. other green energy project commitments for Jacumba water. <ol style="list-style-type: none"> a. Requests priority commitments for water are the town's residential supply, then the Jacumba Spa b. Documentation of JCSD water commitments for Soitec (15 million each of two years) and Tule Wind (20 million gallons) c. Requests that the study analyze all these commitments, time phases to ensure that the town wells including JCSD are not adversely impacted. 5) Attached emails from Sami Real to county staff for Soitec <ol style="list-style-type: none"> a. Request for biological monitoring during groundwater investigations and during pumping of the project 6) Transportation: Question regarding overall truck trips and how Highway 80 will be maintained and by whom 	Hydrology, Biology, Transportation	Howard Cook, Chair Jacumba Sponsor Group (via email: howwcook@yahoo.com)	October 6, 2014
13	<p>Part 1 of Comment (noted as not an official email)</p> <ol style="list-style-type: none"> 1) Provided information regarding hike planned by the "Jacumba Hikers" 	Recreation	Howard Cook, Chair Jacumba Sponsor Group (via email: howwcook@yahoo.com)	October 7, 2014
14	<p>Part 2 of Comment</p> <ol style="list-style-type: none"> 1) Requested change of "No Impact" designation in the NOP Recreation Section to "Potentially Significant" <ol style="list-style-type: none"> a. Stated that the Ancient Juniper Forest partially located in the Jacumba Solar project area b. Stated that Jacumba Hikers have over 200 member who hike in and around the project area and Airport Mesa area c. Stated that town economy and local citizen recreation is heavily dependent on tourist recreation activities (i.e hiking, biking, birding and wildlife and scenic enjoyment) 	Recreation	Howard Cook, Chair Jacumba Sponsor Group (via email: howwcook@yahoo.com)	September 30, 2014
15	<ol style="list-style-type: none"> 1) Recognition of project description 2) Mountain Empire Sub-Regional Plan Area for San Diego County 3) Prefer color maps in NOP package 	Hydrology	Imperial County Planning and Development Services Richard Cabanilla, Planner IV	Dated September 19, 2014

#	Comments / Concerns	Considered in EIR or Planning Documents	Comment Letter Cite	Date Dated or Received
	4) Recognition of groundwater statement in NOP package: concerns over lack of estimated water demand. Concern regarding use of Ocotillo's "Sole Source" groundwater basin—would object to use of this resource 5) PDS does not believe there would be significant, adverse environmental impacts after review of the IS		(760) 482-4236 for Jim Minnick, Interim Director, Planning and Development Services 801 Main Street El Centro, California 92243	
16	1) Requests to be on the distribution list for the DEIR 2) Requests copy of the cultural resources technical report	Cultural	San Diego County Archaeological Society (via mail letter) James W. Royle, Jr., Chairperson P.O. Box 81106 San Diego, California 92138 (858) 538-0935	Dated October 2, 2014
17	1) Concern about potential impacts to migratory bird species, golden eagle, quino checkerspot butterfly (QCB), and peninsular bighorn sheep (PBS) 2) Recommend preparation of a Bird and Bat Conservation Strategy (BBCS) to address potential impacts to migratory birds. 3) Recommend current habitat assessment and focused surveys for golden eagle, QCB, and PBS (includes immediate project area and ancillary facilities) 4) Recommend an analysis of a range of alternatives	Biology	US Fish and Wildlife Service Ecological Services, Carlsbad Office (via mail letter) Karen A. Goebel, Assistant Field Supervisor 2177 Salk Avenue, Suite 250 Carlsbad, California 92008	Dated October 6, 2014

JACUMBA SOLAR
PROJECT NO.: PDS2014-MUP-14-041
ENVIRONMENTAL LOG NO.: PDS2014-ER-14-22-001
ENVIRONMENTAL IMPACT REPORT (EIR)
NOTICE OF PREPARATION (NOP)
September 11, 2014 – October 13, 2014

EIR NOTICE OF PREPARATION COMMENT SHEET

Community NOP Scoping Meeting
Tuesday, September 23, 2014
Jacumba Library
44605 Old Hwy. 80
Jacumba, CA 91934

WRITTEN COMMENT FORM

The following concerns related to the Jacumba Solar Project:
(1) Removing soil binders which create constant dust and disturb the eco system.
(2) Permanently destroying wildlife habitat causing them to relocate and seek food elsewhere on adjacent properties.

(Attach additional pages as needed)

Ann Ozgunduz 9/24
Signature

Ann Ozgunduz
Print Name

1470 Carrizo Creek Rd,
Address

Jacumba, CA 91935
City State Zip Code

619-269-5815
Phone Number

MAIL, FAX OR E-MAIL FORMS TO:

Ashley Gungle
County of San Diego
Planning & Development Services
2510 Overland Avenue, Suite 310
San Diego, CA 92123
FAX #: (619) 694-3373
e-mail: ashley.gungle@sdcounty.ca.gov

COMMENTS MUST BE RECEIVED BY 4:00 PM

10/13/14

**JACUMBA SOLAR
PROJECT NO.: PDS2014-MUP-14-041
ENVIRONMENTAL LOG NO.: PDS2014-ER-14-22-001
ENVIRONMENTAL IMPACT REPORT (EIR)
NOTICE OF PREPARATION (NOP)
September 11, 2014 – October 13, 2014**

EIR NOTICE OF PREPARATION COMMENT SHEET

Community NOP Scoping Meeting
Tuesday, September 23, 2014
Jacumba Library
44605 Old Hwy. 80
Jacumba, CA 91934

WRITTEN COMMENT FORM

② Detours are inadequate during construction forcing residents to use poorly maintained County roads such as Carrizo Creek Road.

③ Old Highway 80 and Carrizo Highway left in poor condition after EIR construction.

⑤ Devaluation of our property on Carrizo Creek Road as our vistas will be marred by this and proposed projects in our vicinity.

(Allow additional pages as needed)

Ann Ozuna 9/11/14
Signature Date

Ann Ozuna
Print Name

MAIL, FAX or E-MAIL FORMS TO:

Ashley Gungle
County of San Diego
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123
FAC #: (619) 694-3373
E-mail: ashley.gungle@sdcounty.ca.gov

1470 Carrizo Creek Rd,
Address
JACUMBA, CA
City State C.Z.
619-269-4435 #1934
Phone Number

COMMENTS MUST BE RECEIVED BY 4:00 PM, OCTOBER 13, 2014

Gungle, Ashley

From: Donna Tisdale <tisdale.donna@gmail.com>
Sent: Friday, October 10, 2014 3:58 PM
To: Gungle, Ashley
Subject: Jacumba Solar NOP-BAD comments

Hello Ashley,

Backcountry Against Dumps hereby endorses the comments submitted today by the Boulevard Planning Group on the **JACUMBA SOLAR MAJOR USE PERMIT; PDS2014-MUP-14-041, PDS2014-ER-22-001 NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT**

Thank you
Donna Tisdale, President

Gungle, Ashley

From: Donna Tisdale <tisdale.donna@gmail.com>
Sent: Friday, October 10, 2014 3:56 PM
To: Gungle, Ashley
Subject: Jacumba Solar NOP comments
Attachments: 045.JPG; 050.JPG; BPG Jacumba Solar NOP comments 10-8-14-signed.pdf; CPUC ECO Sub PRA #1199 response to Tisdale 7-24-14.pdf

Hello Ashley,

Please find the attached Boulevard Planning Group comments:

JACUMBA SOLAR MAJOR USE PERMIT; PDS2014-MUP-14-041, PDS2014-ER-22-001 NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT

Thank you,

Donna Tisdale, Chair
619-766-4170

BOULEVARD PLANNING GROUP

PO Box 1272, BOULEVARD, CA 91905

Ashley Gungle, PDS Project Manager
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

October 10, 2014

Via: ashley.gungle@sdcounty.ca.gov

RE: JACUMBA SOLAR MAJOR USE PERMIT; PDS2014-MUP-14-041, PDS2014-ER-22-001 NOTICE OF PREPARATION OF AN ENVIRONMENTAL IMPACT REPORT

NextEra Energy's Jacumba Solar project was on our agenda at our regular meeting held on October 3rd. Project representatives were not able to participate at that meeting. However, they offered to participate at future meetings if available. After a public discussion of the project, issues, and concerns, the Group voted unanimously to:

- ***Authorize the Chair to submit comments with similar concerns for similar projects proposed in Boulevard.***

It is our understanding that the proposed 20-megawatt (MW) solar energy project will include approximately 81,108 photovoltaic (PV) modules fitted to 2,253 fixed-tilt rack panels, with 10MW battery storage, new 110' x 215' on-site substation, new overhead 138kV line to SDG&E's new ECO Substation. Approximately 108 acres of the total 304 acres will be used within APN#'s: 661-080-01, 04, 05, 08, 10 and 661-041-02, 03. The project location is south of Historic Route 80, west of SDG&E's ECO Substation, and immediately north of the US/Mexico border and Sempra's Energia Sierra Juarez Wind project now under construction along with the cross-border Energia Sierra Juarez gen-tie line with potential for 1,250MW of capacity.

Previous Boulevard Planning Group positions and actions on similar industrial scale PV and CPV solar projects fully support the NOP comments, concerns, and recommendations submitted to date by Howard Cook for the Jacumba Hot Springs Sponsor Group including HYDROLOGY, BIOLOGICAL RESOURCES, AESTHETIC RESOURCES; CULTURAL; BIG HORN SHEEP.

At the September 23rd Jacumba Hot Springs Sponsor Group meeting, NextEra's Jesse Marshall confirmed that they are part of First Solar and that they do not have a Power Purchase Agreement for their project.

Biology & Wildlife Issues/Impacts:

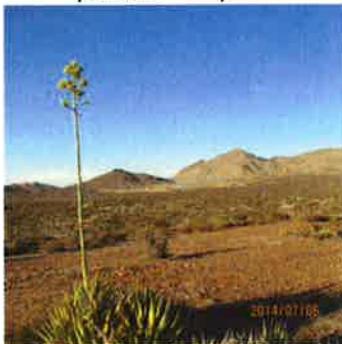
- It has been reported that First Solar's Solar Gen 2 project located in Imperial County¹ has reportedly already resulted in the death of at least one of less than 1,000 remaining Endangered Yuma clapper rails².

¹ <http://investor.firstsolar.com/releasedetail.cfm?ReleaseID=752589>

- First Solar's Desert Sunlight project was one of several projects included in an avian mortality study by the National Fish and Wildlife Forensics Laboratory with 56 birds identified with trauma listed as leading cause of death³.
- The mortality study concluded that "... it is difficult to know the true number of avian mortality at these facilities. The numbers of dead birds are likely underrepresented, perhaps vastly so..."
- Golden Eagles are known to nest and forage in the Table Mountain, Tule Mountain, In-ko-pah and other local/regional areas with expansive territories.
- The USFWS recently rejected Iberdrola's application for an Eagle Take Permit for their Tule Wind project in McCain Valley, stating the entire project was located in Class 1 eagle territory
- The project site is within the Pacific Flyway migration corridor
- The potential for the "take" of endangered wildlife at the proposed project must be addressed.
- Increased electrical magnetic fields can also impact avian navigation and more.

Desert Pavement⁴, and the related "invisible component of biodiversity" is a unique geologic feature – especially for San Diego County

- Two attached photos document desert pavement is present on-site.



- Some USGS research:
- ***Impacts on Biotic Components of Soil: The Invisible Component of Biodiversity⁵***
 - "Although emphasis is often placed on the physical and chemical properties of various soils, they contain important biotic components as well including: soil surface stabilizers such as algae and lichens, nematodes and other metazoans, various bacteria, and mycorrhizae. Odum (1994) referred to these organisms as the invisible component of biodiversity. While not as conspicuous as macrofloral elements, biotic components of soil are important symbionts that are easily destroyed by certain human activities. Undisturbed desert areas are characterized by the presence of soil stabilizers, including lichen, fungal, bacterial, and algal crusts; desert pavement; mechanical crusts; and chemical crusts. The biotic components of these stabilizers are collectively referred to as cryptobiotic soil..."
- ***Wildlife Conservation and Solar Energy Development in the Desert Southwest, United States By Jeffrey e. Lovich and Joshua R. Ennen⁶***
 - "Large areas of public land are currently being permitted or evaluated for utility-scale solar energy development (USSED) in the southwestern United States, including areas with high biodiversity and protected species. However, peer-reviewed studies of the

² <http://www.kcet.org/news/rewire/solar/photovoltaic-pv/feds-to-be-sued-over-solar-project-harm-to-endangered-bird.html>

³ <http://alternativeenergy.procon.org/sourcefiles/avian-mortality-solar-energy-ivanpah-apr-2014.pdf>

⁴ <http://geology.about.com/library/bl/images/bldesertpave.htm>

⁵ <http://www.ncbi.nlm.nih.gov/pubmed/10486042>

⁶ http://www.eenews.net/assets/2011/12/23/document_gw_02.pdf

effects of USSED on wildlife are lacking. The potential effects of the construction and the eventual decommissioning of solar energy facilities include the direct mortality of wildlife; environmental impacts of fugitive dust and dust suppressants; destruction and modification of habitat, including the impacts of roads; and off-site impacts related to construction material acquisition, processing, and transportation. The potential effects of the operation and maintenance of the facilities include habitat fragmentation and barriers to gene flow, increased noise, electromagnetic field generation, microclimate alteration, pollution, water consumption, and fire. Facility design effects, the efficacy of site-selection criteria, and the cumulative effects of USSED on regional wildlife populations are unknown. Currently available peer-reviewed data are insufficient to allow a rigorous assessment of the impact of USSED on wildlife...”

Cultural /historic issues/impacts:

- Historic Route 80 is a designated historic and scenic route that is a tourism draw for rural East County and a local alternative route for busy I-8.
- Further industrialization/ degradation of the local vistas and visual resources is not progress and harms the local residents, resources, values, and quality of life
- It is our understanding that the general project area is reportedly eligible for designation as an archaeological district and/or National Historic Register.
- Local tribal interests must be directly contacted and included in project review/decisions.

Aesthetic issues/impacts:

- See comments in section above.
- Views of the project site are from ground level, from Historic Route 80, I-8, and surrounding private and public lands, Jacumba Wilderness Area, Table Mountain, and more, some of which are elevated views looking down onto or over the project site.
- The on-site small hill will not block most views of the projects, as implied by project representatives at the September Jacumba Sponsor Group meeting.
- Glint and glare will be an issue at various times of day and during different seasons
- Lake effect / avian collision are an issue with First Solar’s existing Solar Gen 2 and Desert Sunlight projects as noted.

Groundwater issues/impacts:

- The use of drought stricken limited local groundwater resources should be denied outright.
- All water should be imported from urban areas that will benefit from any project generated energy.
- Cumulative and cumulatively significant impacts from multiple energy/transmission projects must be fully disclosed and addressed.
- Any use of water from the Jacumba Community Services District (JCSD) is highly controversial and poses significant and cumulatively significant impacts to off-site wells, springs, seeps and groundwater dependent resources in the Jacumba and Boulevard Planning Areas, Ejido Jacume, the Anza Borrego Desert State Park, and adjacent public lands.
- Questions were raised over adequate notification for, and validity of, the special JCSD vote to approve supplying water to this project.
- Questions still remain over the legality of JCSD providing water to commercial industrial projects located outside their sphere of influence as identified.

- Dudek's inadequate groundwater investigation for Soitec Solar PDEIR includes groundwater basins located in the Boulevard Planning Area without fully or adequately identifying the number and location of existing and proposed users/uses.
- Increased number of users in Mexico, including a maximum security prison SW of Jacume, must also be quantified and analyzed.
- Boundary Creek, Jewel Valley Creek, and Tule Creek feed into the Jacumba basin. Their headwaters and recharge zones are located in the Boulevard Planning Area.
- Real off-site monitoring groundwater must be conducted by independent third parties who do not have any financial ties to the developer or other vested interests.
- Dudek has lost all credibility for environmental reviews and /or third party monitoring based on their local lax track record with various energy/transmission projects, including Sunrise Powerlink, ECO Substation, Soitec Solar, and Tule Wind.

Environmental Justice issues/impacts:

- Jacumba Solar represents disproportionate adverse, cumulative and cumulatively significant impacts to the low-income community of Jacumba, designated as a colonia, and cross-border Ejido Jacume community.
- Please take note of the attached Fact Sheet on Environmental Justice from the Local and Regional Level Legal Background from the office Attorney General Kamala Harris⁷, which is incorporated by reference.
- Impacts to socio economic issues must be addressed, along with cumulative and cumulatively significant impacts to tourism, recreation, property values, quality of life, emergency services, water resources, air quality, public health and safety, dark skies, adverse impacts to local roads/increased traffic, and more.

Green House Gas issues:

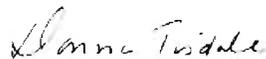
- The disturbance of desert soils and vegetation releases the carbon they sequester above and below ground which must be included, analyzed, and genuinely mitigation
- The trucking of project components, workers, and water supply must be fully disclosed, analyze, and mitigated.
- Increased electrical infrastructure generates increased SF6 which is one of the worst GHG gases.

Bad track record for implementation and enforcement of project mitigation and monitoring:

- The attached July 24th Public Records Act Response from the CPUC to Donna Tisdale confirms that they could not produce any records regarding the required ECO Substation project groundwater monitoring within 1 mile of the Jacumba Community Service District wells that

Please be advised that these are limited preliminary comments. You can reach me at 619-766-4170 or tsidale.donna@gmail.com

Regards



Donna Tisdale, Chair

Cc: Interested parties

⁷ http://oag.ca.gov/sites/all/files/agweb/pdfs/environment/ei_fact_sheet.pdf?

PUBLIC UTILITIES COMMISSION

LEGAL DIVISION

505 VAN NESS AVENUE
SAN FRANCISCO, CA 94102-3298
ID 94-3031353



July 24, 2014

VIA ELECTRONIC MAIL

Donna Tisdale, President
BackCountry Against Dumps
tisdale.donna@gmail.com

Re: Public Records Request SDG&E's ECO Substation
CPUC Reference No.: PRA #1199

Dear Ms. Tisdale:

You asked the California Public Utilities Commission (Commission) the following:

1. Any and all communications with or between the CPUC, the Jacumba Community Services District (JCSD), SDG&E and/or their contractors related to bulk water sales for SDG&E's ECO Substation project, amending the Water Supply Plan (WSP).
2. Any and all communications with or between the CPUC and JCSD related to monitoring of groundwater resources related to the project, the WSP, or amended WSPs.
3. Any and all project related groundwater investigations or monitoring conducted by or for the JCSD.
4. Any and all communications and documents related to ensuring compliance with the FEIR/EIS proposal for the implementation of Mitigation Measure (MM) HYD-3 to "...mitigate impacts to groundwater within the Project area by ensuring that groundwater availability would not be adversely affected" and "ensure that use of local groundwater during construction would not impact the production rates of groundwater wells within a 1-mile radius."
5. A map and list of all wells located and monitored within a 1-mile radius of the JCSD groundwater wells; the Live Oak Springs Water Company; and the Campo Reservation wells that were included as sources in CPUC-approved original ECO Substation Construction Water Supply Plan and all Amended Water Supply Plans.
6. Any and all communications with or between the CPUC, the City of San Diego, SDG&E and/or their contractors related to the CPUC's June 12th approval of Minor Project Refinement Request #14 for an additional 16.5 million gallons of water from the City of San Diego.

Please note that a staff member's vacation the week of July 21, 2014 caused some delay in searching records. If further public records are located when that staff member returns, then those records will be supplied in a supplemental response. Backcountry Against Dumping was a

Donna Tisdale
Page 2
July 24, 2014

party to proceeding A.09-08-003. Public records from that proceeding are not duplicated here, as they are available through our Commission's website, and as they should have been served on Backcountry Against Dumping. Additional public records related to A.09-08-003 are available at the following link: <http://www.cpuc.ca.gov/environment/info/dudek/ECOSUB/MMCRP.htm>.

In response to your Item 1 request, the following link contains the June 11, 2014 request to amend the Water Supply Plan:

http://www.cpuc.ca.gov/environment/info/dudek/ECOSUB/MPR%2014_SDG&E_Request.pdf.

The following link contains the PUC's June 12, 2014 letter to San Diego Gas and Electric (SDG&E) regarding the amended Construction Water Supply Plan:

http://www.cpuc.ca.gov/environment/info/dudek/ECOSUB/MPRR_14%20CPUC%20Aapproval.pdf.

In addition to that written request and response, the Commission's project manager for the SDG&E ECOS project participated in a telephone conversation to confirm the sending of the amended Water Supply Plan to the Commission.

In response to your Item 2 request, after a diligent search, the Commission has located no such written communications. The Commission's ECOS project manager made a telephone call to discuss the monitoring of those groundwater resources, but he received no return call.

In response to your Item 3 request, the Commission is not aware of any groundwater investigations or monitoring conducted by or for the JCSD related to the ECOS project.

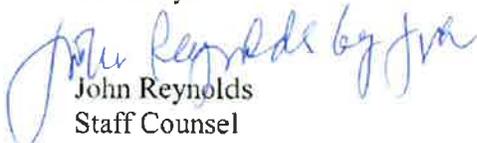
In response to your Item 4 request, the Commission has not yet located any such communications. The Commission will further investigate, and if any public records are located, will send a supplemental response.

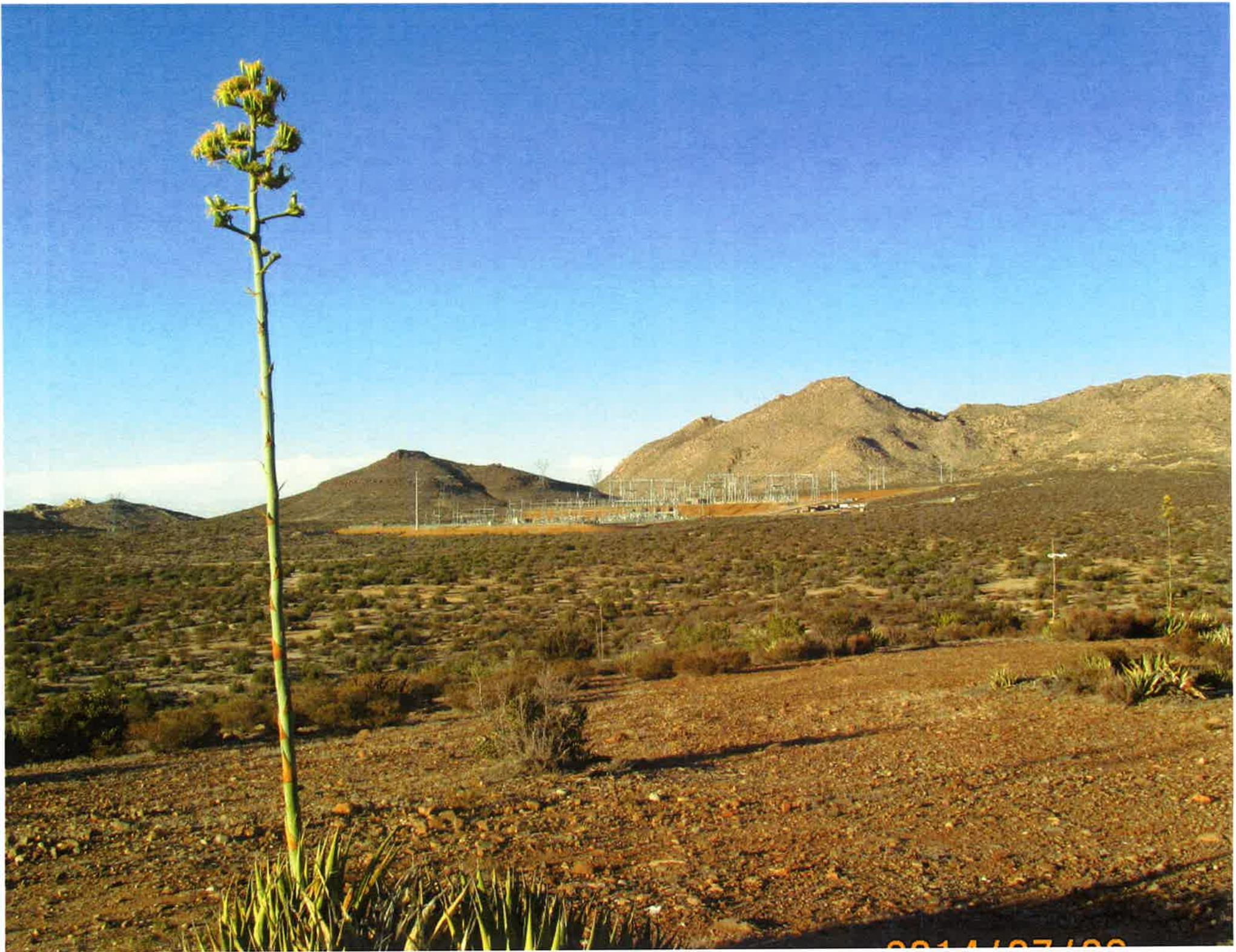
In response to your Item 5 request, the Commission is unaware of any monitoring of JCSD groundwater wells in connection with the ECOS project. The Commission understands that Live Oak Springs Water Company has not been used as a source of water for the project. The Commission is attempting to locate a publicly-available list of Campo Reservation wells that were included as water sources, and will send a supplemental response to this request should such a list be located.

Lastly, in response to your Item 6 request, after a diligent search, the Commission has located no such written communications. There were regular meetings between the Commission, SDG&E, and contractors related to the Water Supply Plan, and the City of San Diego has been identified as a source of additional water at those meetings.

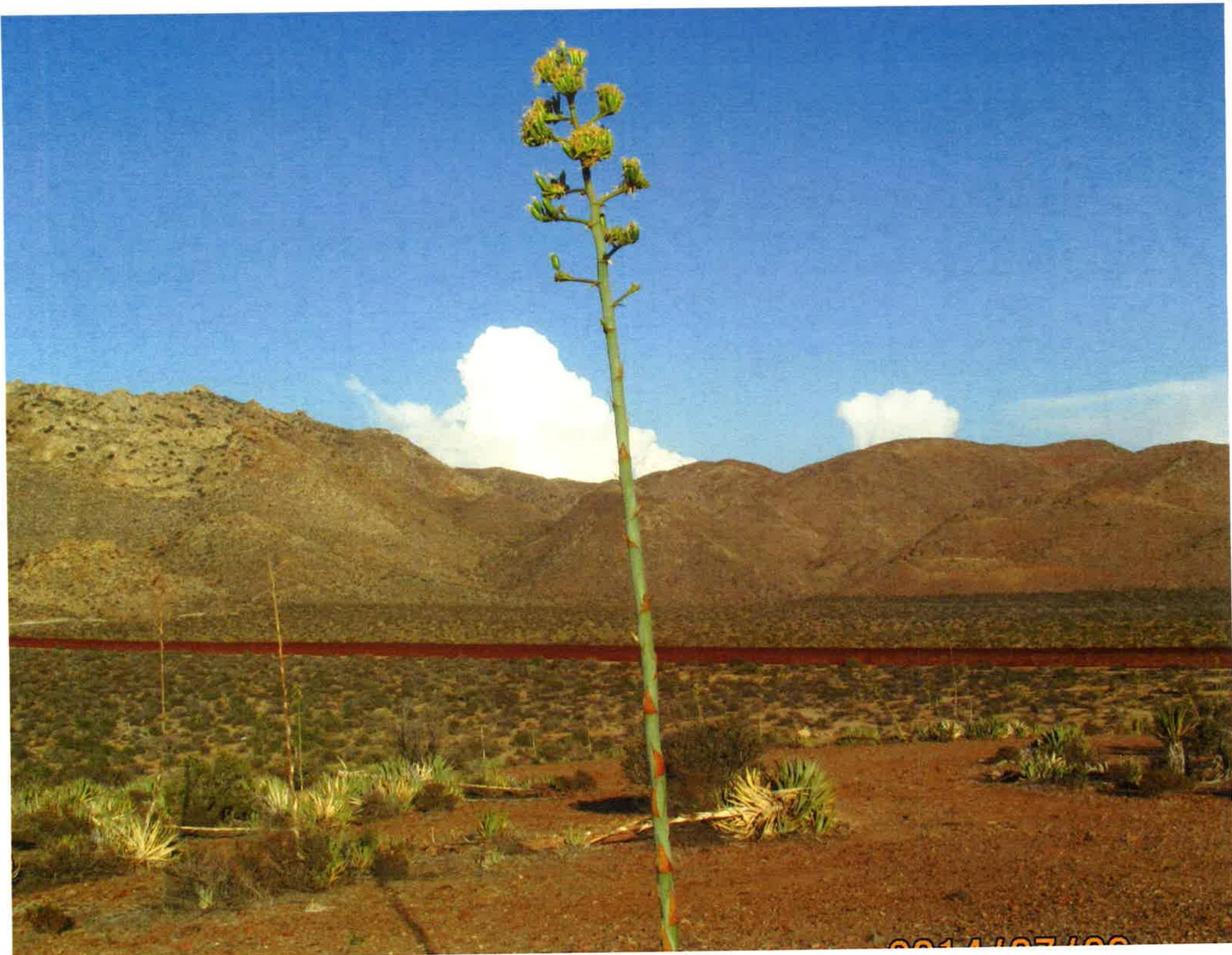
Please feel free to contact me if you have any questions and concerns at (415) 703-1642 or email me at john.reynolds@cpuc.ca.gov. I hope this is helpful.

Sincerely,


John Reynolds
Staff Counsel



0014107100





October 9, 2014

Ms. Ashley Gungle
County of San Diego, Planning and Development Services
5510 Overland Avenue
San Diego, California 92123
Ashley.Gungle@sdcountry.ca.gov

Subject: Comments on the Notice of Preparation of a Draft Environmental Impact Report for the Jacumba Solar Major Use Permit, Los Angeles County (SCH# 2014091034).

Dear Ms. Gungle:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Notice of Preparation (NOP) to prepare a Draft Environmental Impact Report (DEIR) for the Jacumba Solar Major Use Permit (Project). The following statements and comments have been prepared pursuant to the Department's authority as a Trustee Agency with jurisdiction over natural resources affected by the Project (California Environmental Quality Act, [CEQA] Guidelines § 15386) and pursuant to our authority as a Responsible Agency under CEQA Guidelines section 15381 over those aspects of the proposed Project that come under the purview of the California Endangered Species Act (Fish and Game Code § 2050 *et seq.*) and Fish and Game Code section 1600 *et seq.* The Department also administers the Natural Community Conservation Planning (NCCP) program.

The Project is located within the Mountain Empire Subregional Plan area of unincorporated San Diego County and would disturb approximately 108 acres of the 304 acres of the Project site. The DEIR will evaluate a 20-megawatt (MW), fix-tilt, photovoltaic (PV) solar energy facility. The Project would construct approximately 81,108 PV panels fitted to 2,253 fix-tilt racks, and underground direct current collection system. The Project would also construct a 110-foot by 215-foot collection substation, a 138 kV overhead transmission line, and a 10 MW capacity battery energy storage system.

While the NOP identifies that potentially significant impacts to biological resources as a result of the Project, it does not identify the breadth of biological resources to be identified in the subsequent DEIR. The Department offers the following general comments and recommendations to assist the San Diego County Planning and Development Services (Lead Agency) to avoid, minimize, and/or mitigate potential project related impacts on biological resources. The Department may be able to provide additional specificity following receipt of Project information.

Specific Comments:

1. Project Description and Alternatives. To enable the Department to adequately review and comment on the proposed project from the standpoint of the protection of plants, fish and wildlife, the Department recommends the following information be included in the DEIR:

- a) A complete discussion of the purpose and need for, and description of, the proposed project, including all staging areas and access routes to the construction and staging areas.
 - b) A range of feasible alternatives to ensure that alternatives to the proposed project are fully considered and evaluated; the alternatives should avoid or otherwise minimize impacts to sensitive biological resources. Specific alternative locations, configurations, and technologies should be evaluated in areas with lower resource sensitivity where appropriate.
2. Focused Surveys. To allow the Lead Agency to fully disclose to the public and the Department, the scope and magnitude of impacts to biological resources, we recommend the Lead Agency require the applicant conduct focused surveys for sensitive species prior to the circulation of the DEIR. The Department is available to assist the Lead Agency in evaluating survey results, assessing potential impacts, and developing effective mitigations for the species.
 3. Reflectivity and avian impacts. The Project would develop approximately 81,108 PV panels. While the Department encourages the development of renewable energy systems within the least impactful locations, flat reflective surfaces (i.e., solar panels), without regard to size, polarize light. Early accounts indicate that avifauna, including bird and bat species (Grief et. al), may mistake these reflective structures for bodies of water, a phenomenon referred to as the lake effect. Lake effect may result in direct collision, increased predation, and may serve as a biological trap (Hovarth et. al). For these reasons, the Department recommends that the DEIR evaluate the Project for its potential impacts to avifauna and to consider the use of emerging technologies (e.g., anti-reflective film overlays) to reduce the potential impacts associated with solar panels of all sizes and configurations. The DEIR should require an avian bird and bat protection plan which should require pre-construction and post-construction avifauna monitoring to evaluate the efficacy of the Project mitigation measures and inform an adaptive management component of the avian bird and bat protection plan.
 4. Nesting Bird Monitoring Plan. The Department recommends that the DEIR incorporate the following mitigation measures: 1) a nesting bird monitoring component for construction activities and 2) an avian bird and bat protection and monitoring plan. Both plans should include provisions for informing and involving the Lead Agency, the Department, and the U.S. Fish and Wildlife Service (collectively, Wildlife Agencies) as an adaptive management component. The Department recommends that the adaptive management component of the Project include the partitioning of the solar panel technology utilizing a non-reflective grid pattern (similar to Horváth, *et al*, 2009), experimental application of film overlays, and any other emerging technologies.
 5. Avian surveys. Many passerine birds and raptor species forage, nest and migrate through the Jacumba area. The Department recommends fixed-point bird surveys including migratory bird inventories are performed for the Project footprint and surrounding areas. Surveys should be coordinated with the Wildlife Agencies and implemented prior to the circulation of the DEIR.

6. Generation-tie Lines. An overhead 138 kV Generation-tie line is identified in the NOP. Transmission lines have the potential to impact avian species, and range from direct line strikes, electrocution from arcing (particularly problematic with small span electrical poles) or nesting activities, and increased predator subsidies. Additionally, the Department suggests that the Project underground generation-tie lines to limit perching subsidies for common ravens (*Corvus corax*), a species which is a growing management constraint competing for resources or predating specially managed species. The Department recommends the need for a raven management plan and associated funding be analyzed and identified within the DEIR if an overhead configuration be considered.
7. Impacts to Bats. Multiple species of bat are known within the Jacumba area including the pallid bat (*Antrozous pallidus*) a California species of special concern, and Mexican free-tailed bat (*Tadarida brasiliensis*). In order to protect roosting bats, the Department recommends using an appropriate combination of acoustic surveys of habitat and structures, structure inspection, sampling, and exit counts to survey the area of potential impact. As bats may utilize rocky outcrops, dense tree canopies, snags, bridges over creeks/water, mines/caves/flumes, and/or vacant buildings, these habitat types should be specifically surveyed if present within the project. Foraging areas should also be identified and specific routes to those foraging areas as well. Bats should be identified to the most specific taxonomy possible. Roosts should be evaluated to determine size and significance. The DEIR should evaluate the existing roost sites and species utilization of the Project area, access routes, and other Project appurtenances. Additionally, the DEIR should discuss any operational impacts to bat species the Project may pose.
8. Herp Species. The Department has records of several sensitive reptile species within the area including coast horned lizard (*Phrynosoma blainvillii*). The Department recommends that a qualified biologist conduct appropriate pit-fall arrays to determine the reptile species present and the Project's potential impacts on these resources.
9. Botanical surveys. The Department recommends conducting botanical surveys consistent with the Department's guidance document for botanical surveys - *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (Protocols). The Protocols facilitate a consistent and systematic approach to the survey and assessment of botanical resources, including, special status native plants and natural communities, so that reliable information is produced and the potential for locating a special status plant species or natural community is maximized. Sensitive species known to occur within the project vicinity includes, but is not limited to, Jacumba milk-vetch (*Astragalus douglasii* var. *perstrictus*), Fremont barberry (*Berberis fremontii*), Parry's tetracoccus (*Tetracoccus dioicus*), Tecate tarplant, (*Deinandra floribunda*), and sticky geraea (*Geraea viscida*).
10. Wildlife Linkages. The Project should be evaluated for its potential to disrupt wildlife movements both at an individual project level and at a cumulative level. The Project is located adjacent to a known, rocky opening in the U.S. border fence. This location has been discussed as a potential location for bi-national wildlife movements and may also serve as a constriction point for the East County Multiple Species Conservation Program (MSCP) Plan.

Project Design:

11. East County MSCP. The DEIR should provide a discussion of the Project as it relates to the Draft East County MSCP Plan pursuant to the November 15, 2013 Planning Agreement. The Project should be evaluated for consistency with the long-range goals of the East County MSCP planning efforts. While not yet final, the East County MSCP provides an important conservation framework for responsible development.
12. Battery Storage. The NOP identifies that a battery storage system is proposed as a component of the Project but does not provide additional information regarding the specific technology, physical dimensions, or ongoing operation needs for the facility. The Department recommends that the DEIR provide the requested specificity and an analysis of biological impacts associated with the battery storage system.
13. Lighting and Guy Wires. Guy wires supporting communications and meteorological towers can kill birds at high rates, including birds protected by Fish and Game Code (Kerlinger et al. 2008, Longcore et al. 2008). Both the CEC-DFG Guidelines (2007) and the US Fish and Wildlife Service (2000) recommend using freestanding tower designs due to the known avian mortality impacts from guy wires. The Department recommends the Lead Agency require the use of mono-pole structures (when feasible), or otherwise utilize other technologies that do not use guy wires.

The published scientific literature demonstrates a significant rate of mortality of migratory and resident species from guy wire collisions caused by tower lighting during foggy or wet conditions. Non-strobe tower lighting is thought to pose a higher danger of bird collisions with guy wires. To the extent practical, the Department recommends that all lighting be restricted to the minimum necessary to meet FAA standards, and consideration be given to lowering tower heights to avoid the need for lighting. The Department recommends the Lead Agency consider the following standard be added to the DEIR to state substantially similar to the following: "All tower-lighting shall be designed to strobe, and constant-tower lights shall be avoided to the extent feasible by FAA regulation."

14. Access Roads. Access roads should be designed to utilize existing roadways when feasible to avoid developing new roads. Additionally, the Department recommends that access roads be prohibited from impacting sensitive biological resource areas.
15. Fencing. The Department recommends the Lead Agency consider a requirement for wildlife-permeable fencing for target species when appropriate, including but not limited to small and medium size mammals, and reptiles. Wildlife-permeable fencing should be tied to the targeted species' life history and physical requirements.
16. Collector Lines and Transmission Lines. The Department recommends the Lead Agency consider a requirement that all collector lines and transmission lines are appropriately routed through a protective conduit, when feasible. The Department makes this recommendation following observations of fossorial animal burrows near collector lines, potentially posing both a safety hazard to animals and a system reliability issue for the utility itself.

17. Decommissioning Plan. The NOP identifies that the Project would be operated under an initial 20-year power purchase agreement. The Department recommends the DEIR require a decommissioning plan to address future impacts associated with the project once it has exceeded its operational period.

General Comments:

Streambed Alterations

1. Wetlands. The Department has regulatory authority over activities in streams that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of a river or stream, or use material from a streambed. For any such activities, the Project applicant (or "entity") must provide written notification to the Department pursuant to section 1600 et seq. of the Fish and Game Code. Based on this notification and other information, the Department determines whether a Lake and Streambed Alteration Agreement (LSA) with the applicant is required prior to conducting the proposed activities. The Department's issuance of a LSA for a project that is subject to CEQA will require CEQA compliance actions by the Department as a Responsible Agency. The Department as a Responsible Agency under CEQA may consider the Lead Agency's Environmental Impact Report for the Project. To minimize additional requirements by the Department pursuant to section 1600 et seq. and/or under CEQA, the document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the LSA.
- c) The Project area supports ephemeral and riparian habitats; therefore, a jurisdictional delineation of the streams and their associated habitats should be included as a component of the DEIR. The delineation should be conducted pursuant to the U. S. Fish and Wildlife Service wetland definition adopted by the Department (Cowardin). Please note that some wetland and riparian habitats subject to the Department's authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers.

Biological Resources within the Project's Area of Potential Effect

2. To provide a complete assessment of the flora and fauna within and adjacent to the Project area, with particular emphasis upon identifying endangered, threatened, sensitive, and locally unique species and sensitive habitats. The Department recommends the DEIR include the following information.
 - a) Per CEQA Guidelines, section 15125(c), information on the regional setting that is critical to an assessment of environmental impacts, with special emphasis should be placed on resources that are rare or unique to the region.
 - b) A thorough, recent floristic-based assessment of special status plants and natural communities, following the *Department's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities* (see <http://www.dfg.ca.gov/habcon/plant/>). The Department recommends that floristic, alliance- and/or association-based mapping and vegetation impact assessments be conducted at the project site and neighboring vicinity. The Manual of California Vegetation, second

edition, should also be used to inform this mapping and assessment (Sawyer et al. 2008). Adjoining habitat areas should be included in this assessment where site activities could lead to direct or indirect impacts offsite. Habitat mapping at the alliance level will help establish baseline vegetation conditions.

- c) A current inventory of the biological resources associated with each habitat type on site and within the area of potential effect. The Department's California Natural Diversity Data Base in Sacramento should be contacted at www.wildlife.ca.gov/biogeodata/ to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code.
 - d) An inventory of rare, threatened, and endangered, and other sensitive species on site and within the area of potential effect. Species to be addressed should include all those which meet the CEQA definition (see CEQA Guidelines, § 15380). This should include sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service.
5. Direct, Indirect and Cumulative Impacts. To provide a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts, the following should be required of future projects through enforceable measures addressed in the DEIR.
- a) A discussion of potential adverse impacts from lighting, noise, human activity, exotic species, and drainage should also be included. The latter subject should address: project-related changes on drainage patterns on and downstream of the project site; the volume, velocity, and frequency of existing and post-project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-project fate of runoff from the project site. The discussions should also address the proximity of the extraction activities to the water table, whether dewatering would be necessary, and the potential resulting impacts on the habitat, if any, supported by the groundwater. Mitigation measures proposed to alleviate such impacts should be included.
 - b) Discussions regarding indirect project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands. Impacts to, and maintenance of, wildlife movement areas, including access to undisturbed habitats in adjacent areas, should be fully evaluated by future projects.
 - c) The zoning of areas for development projects or other uses that are nearby or adjacent to natural areas may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the environmental document.

- d) A cumulative effects analysis should be developed as described under CEQA Guidelines, section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Mitigation for the Project-related Biological Impacts

6. Mitigation Measures. The DEIR should include mitigation measures for adverse Project-related impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of future project impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.
7. Preservation. For proposed preservation and/or restoration, the DEIR should include measures to perpetually protect the targeted habitat values from direct and indirect negative impacts. The objective should be to offset the project-induced qualitative and quantitative losses of wildlife habitat values. Issues that should be addressed include restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.
8. Habitat Management Plan. Develop a habitat management plan (HMP) for preservation sites and resources. The HMP should include measures to protect the targeted habitat functions from direct and indirect adverse impacts in perpetuity. Include restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, and increased human intrusion. CDFW is available to assist in the development of HMPs.
9. Nesting Birds. The Department recommends that measures be taken to avoid project impacts to nesting birds. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (Title 50, § 10.13, Code of Federal Regulations). Sections 3503, 3503.5, and 3513 of the California Fish and Game Code prohibit take of all birds and their active nests including raptors and other migratory nongame birds (as listed under the Federal MBTA). Proposed project activities (including, but not limited to, staging and disturbances to native and nonnative vegetation, structures, and substrates) should occur outside of the avian breeding season which generally runs from February 1 - September 1 (as early as January 1 for some raptors) to avoid take of birds or their eggs. If avoidance of the avian breeding season is not feasible, the Department recommends surveys by a qualified biologist with experience in conducting breeding bird surveys to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and (as access to adjacent areas allows) any other such habitat within 300 feet of the disturbance area (within 500 feet for raptors). Project personnel, including all contractors working on site, should be instructed on the sensitivity of the area. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.

10. Relocation and Salvage. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Studies have shown that these efforts are experimental in nature and largely unsuccessful.
11. Restoration. Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant revegetation techniques. Each plan should include, at a minimum: (a) the location of the mitigation site; (b) the plant species to be used, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity.

We appreciate the opportunity to comment on the referenced NOP. Questions regarding this letter and further coordination on these issues should be directed to Eric Weiss at (858) 467-4289, and eric.weiss@wildlife.ca.gov.

Sincerely,


for Betty Courtney
Environmental Program Manager

ec: Scott Morgan, State Clearinghouse
Eric Porter, U.S. Fish and Wildlife Service

References:

CEC and DFG, 2007. California Guidelines for Reducing Impacts to Birds and Bats from Wind Energy Development. Commission Final Report. California Energy Commission, Renewables Committee, and Energy Siting Division, and California Department of Fish and Game, Resources Management and Policy Division. CEC-700-2007-008-CMF.

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Grief, Stefan and Siemers, Björn M. "Innate recognition of water bodies in echolocating bats." *Nature Communications* November 2010.

Horváth, Gábor; Kriska, György; Malik, Péter; and Robertson, Bruce, 2009. "Polarized light pollution: a new kind of ecological photo pollution." *Front Ecol Environ* 2009; 7(6): 317-325, doi: 10.1890/080129.

Kerlinger, P., R. Curry, L. Culp, and A. Hasch. 2008. Pre-construction meteorological tower fatality study Shiloh II wind power project, Solana County, California. Prepared by Curry and Kerlinger, LLC for Enxco.

Longcore, T., C. Rich, S. A. Gathreaux Jr. 2008. Height, guy wires, and steady-burning lights increase hazard of communication towers to nocturnal migrants: a review and meta-analysis. *The Auk* 125:485-492.

Gungle, Ashley

From: Dan Silver <dsilverla@me.com>
Sent: Friday, September 12, 2014 2:52 PM
To: Gungle, Ashley
Cc: Fogg, Mindy
Subject: Notice of Preparation for JACUMBA SOLAR MAJOR USE PERMIT; PDS2014-MUP-14-041, PDS2014-ER-14-22-001

Sept 12, 2014

Ashley Gungle
Dept of Planning and Development Services
5510 Overland Ave, Suite 110
San Diego, CA 92123

RE: Notice of Preparation for JACUMBA SOLAR MAJOR USE PERMIT; PDS2014-MUP-14-041, PDS2014-ER-14-22-001

Dear Ms Gungle:

The Endangered Habitats League (EHL) appreciates the opportunity to comment on the NOP for this project near Jacumba. EHL is concerned over direct project impacts to biological resources, fragmentation of intact habitat, and loss of connectivity. We are also concerned over over indirect, ongoing effects, such as mortality of birds that may be attracted to the facility or otherwise fly over it and are incinerated. The DEIR should fully assess all these potential impacts.

A “big picture,” reserve design-oriented analysis should evaluate the project in terms of Draft East County MSCP Focused Planning Areas, Las Californias connectivity mapping, big horn sheep corridors, and wildlife movement into and through the adjacent BLM lands. Mitigation measures should take into account the full range of individual and cumulative impacts. Alternative sites that are superior in terms of habitat and species loss, regional preserve, and connectivity should be identified and objectively evaluated. In addition, alternatives of distributed solar energy, such as roof top solar, that are far less environmentally harmful and of proven economic feasibility, should be evaluated.

Thank you for considering our views.

With best regards,
Dan

Dan Silver, Executive Director
Endangered Habitats League
8424 Santa Monica Blvd., Suite A 592
Los Angeles, CA 90069-4267

213-804-2750
dsilverla@me.com
www.ehleague.org

Gungle, Ashley

From: Howard Cook <howwcook@yahoo.com>
Sent: Monday, October 06, 2014 1:44 PM
To: Gungle, Ashley
Cc: Fogg, Mindy; Donna Tisdale; Danielle Thomas; Mark Ostrander; Howard Cook; Helen Landman; Miriam Raftery; Ben Schultz; Ken Daubach; Mike Aiau; Konawoman; Richard Alcorn; Cherry Diefenbach; GREG CURRAN; Charles Turecek; Dave Landman; Shirley Fischer; Joe Marshall; Reagan Shallal
Subject: JACUMBA SOLAR NOP SCOPE COMMENTS RE: AESTHETIC RESOURCES –PDS2014-MUP-14-041 AND PDS2014-ER-14-22-001
Attachments: 10-06-14 Jac Solar Nop Aesthetic Responce -01.doc; 10-01-14 Jacumba Solar from Tab Mt.JPG; 10-02-14 Jac Solar from Table Mt..JPG

Ashley,

Attached are the Nop Scope comments for JACUMBA SOLAR NOP SCOPE COMMENTS RE: AESTHETIC RESOURCES –PDS2014-MUP-14-041 AND PDS2014-ER-14-22-001.

Also attached are the two photos taken from the top of Table Mountain looking down at the under construction Eco Substation project and the next door Jacumba site.

Please make sure all three attachments are shown in the Jacumba Solar Administrative section.

Howard W Cook

**JACUMBA SOLAR NOP SCOPE COMMENTS RE: AESTHETIC
RESOURCES –PDS2014-MUP-14-041 AND PDS2014-ER-14-22-001
TO ASHLEY GUNGLE**

Please make sure this and the attachments to the covering E-Mail are included in the Administrative Record for this project.

Expand NOP “Aesthetic Section” to specifically cover those Jacumba citizens who live or have businesses on the North side of Interstate Eight between The Desert View Tower and The Carrizo Gorge Road. These citizens are concerned because they already see decreased property values and an erosion of their scenic views because of the Eco Substation Project. The proposed new solar project will create an unbroken “industrial view” for those residents, who for the most part, are at a higher elevation and would have to look down at Solar Panel glare. The Jacumba Solar project will also have a larger footprint than the Eco Substation project.

Also included are two photos taken by two of the over 200 members of the Jacumba Hikers Club. This club is also commented on under the “Recreation Resources Section” and also shows the harmful impact on our Hiking Resources. The photos are taken from the top of Table Mountain, which is a Federal BLM Wilderness area. The photos show the site of both the proposed Jacumba Solar location and the under construction ECO Substation location. Both projects together would show a new almost unbroken look of Industrialization to our scenic backcountry area. Other than aesthetics, this industrial complex look will negatively impact our Tourist based economy. After construction Jacumba Solar will not permantly employ any Jacumba or other East County employees. Property Values in and around Jacumba will be adversely impacted.

Nextera is an out of the state subsidiary of Florida Light and Power. They are only interested in profit for themselves and have no apparent interest in our scenic look for either our tourist business or our residents

Howard Cook – Chair Jacumba Sponsor Group





Gungle, Ashley

From: Howard Cook <howwcook@yahoo.com>
Sent: Monday, October 06, 2014 2:48 PM
To: Gungle, Ashley; Fogg, Mindy
Subject: JACUMBA SOLAR NOP SCOPE COMMENTS RE: TRANSPORTATION - AIRPORT TRAFFIC RESOURCE -PDS2014-MUP-14-041 AND PDS2014-ER-14-22-001

Ashley,

Please Expand the Airport Influence area part of the EIR to also include its major use as a "Glider Port location". A visual examination will show the presence of gliders, more than airplanes. The traffic pattern of gliders is different than powered planes. Gliders use the thermals off of Airport Mesa adjacent to the proposed Jacumba Solar project to soar upward. This will put gliders right over the proposed project with its glare from thousands of solar panels. There were two glider fatalities within the past two years at the airport. In addition to the FAA, the Southern California Glider Association and other experts, such as "Roman Design" in Ramona should be consulted on the dangers of the Solar Panels to regular glider use.

Please make sure this is part of the Jacumba Solar Administrative Record.

JACUMBA SOLAR NOP SCOPE COMMENTS RE: TRANSPORTATION AND TRAFFIC - AIRPORT USE AREA -PDS2014-MUP-14-041 AND PDS2014-ER-14-22-001

Howard W Cook - Chair, Jacumba Sponsor Group

Gungle, Ashley

From: Howard Cook <howwcook@yahoo.com>
Sent: Tuesday, September 30, 2014 12:57 PM
To: Gungle, Ashley
Cc: Fogg, Mindy; Mike Aiau; Miriam Raftery; Mark Ostrander; Howard Cook; Donna Tisdale; Konawoman; Ken Daubach; Richard Alcorn; Helen Landman; Shirley Fischer; Ben Schultz
Subject: JACUMBA SOLAR NOP SCOPE COMMENTS -ENDANGERED BIG HORN SHEEP – PDS2014-MUP-14-041 AND PDS2014-ER-14-22-001 TO ASHLEY GUNGLE
Attachments: 09-26-14 Jac Solar Nop Big Horn Responce -01.doc; bighorn-15Sep2014-3ewes.jpg; bighorn-15Sep2014-2ewes4.jpg; bighorn-15Sep2014-ram-ewe-high.jpg; bighorn-15Sep2014-ram-3ewes.jpg

Attached are: JACUMBA SOLAR NOP SCOPE COMMENTS RE: BIOLOGICAL RESOURCES – ENDANGERED BIG HORN SHEEP – PDS2014-MUP-14-041 AND PDS2014-ER-14-22-001 TO ASHLEY GUNGLE.

Also four pictures of Big Horn Sheep as described in the attached document.

Howard Cook - Chair Jacumba Sponsor Group

**JACUMBA SOLAR NOP SCOPE COMMENTS RE: BIOLOGICAL
RESOURCES – ENDANGERED BIG HORN SHEEP –PDS2014-MUP-
14-041 AND PDS2014-ER-14-22-001 TO ASHLEY GUNGLE**

Please make sure this and the attachments to the covering E-Mail are included in the Administrative Record for this project.

- 1) Expand “Biological Resources Section” to specifically cover The “Endangered” Big Horn Sheep because the County’s 08/07/14 Preliminary Application project letter failed to list Big Horn Sheep in their “Comprehensive list of Sensitive Species” list in the letter. The NOP expansion is necessary for the following reasons:
 - a) Both US Wildlife and State Fish and Game Big Horn habitat maps show the project within their habitat area.
 - b) The included (E-Mail attachments) photographs, taken on 09/16/14 by Jacumba residents in direct eyesight of the project prove the area is prime habitat for the “Endangered” Big Horn. Three residents at the 09/23/14 NOP and Jacumba Sponsor Group meeting said that they had seen this band of Big Horn in the month of 09//2014
 - c) The Jacumba Solar project is adjacent to one of two BLM Lands with major breaks in the Border fence. These breaks allow movement of Big Horn and other sensitive species between both countries.
 - d) Note the radio collars on the pictured Big Horn indicating that they were placed on them in Mexico as part of a current ongoing two year study of biologically important cross border Big Horn. More on this study later and as follows.
- 2) Expand This EIR to specify the project alternative of a two year delay of the project. This will allow for the project completion, analysis and reporting of the Big Horn cross border study. This two year 2014 and 2015 plus study is the subject in the 11/18/2013 San Diego Zoo Global News Release which describes the Big Horn study as follows: “The collaborative effort included the Universidad Autónoma de Baja California, government agencies in Mexico, The Nature Conservancy, and San Diego Zoo Global with the goal of better understanding the movement, health status and genetics of the Sierra Juarez bighorn sheep populations. The Peninsular bighorn sheep is an endangered species whose two major populations could be permanently separated unless we protect its habitat and key bottleneck connections throughout the Peninsular Range. Smaller, isolated populations are more susceptible to diseases and predation and are less resilient to climate change”.









Gungle, Ashley

From: Howard Cook <howwcook@yahoo.com>
Sent: Friday, October 03, 2014 3:59 PM
To: Gungle, Ashley; Fogg, Mindy
Cc: Howard Cook
Subject: JACUMBA SOLAR NOP SCOPE COMMENTS RE: CULTURAL RESOURCES -
PALEONTOLOGICAL RESOURCES –PDS2014-MUP-14-041 AND PDS2014-ER-14-22-001.

Tis is an attempt to send the Agave Oven Exhibit attachment (file to large)

Howard W Cook - Chair Jacumba Sponsor Group

Gungle, Ashley

From: Howard Cook <howwcook@yahoo.com>
Sent: Friday, October 03, 2014 3:54 PM
To: Gungle, Ashley; Fogg, Mindy
Subject: JACUMBA SOLAR NOP SCOPE COMMENTS RE: CULTURAL RESOURCES -
PALEONTOLOGICAL RESOURCES –PDS2014-MUP-14-041 AND PDS2014-ER-14-22-001.
Attachments: 10-03-14 Jac Solar Nop Cultural Resources Responce -01.doc

Dear Ashley,

Attached is a NOP Scope Comments to JACUMBA SOLAR NOP SCOPE COMMENTS RE: CULTURAL RESOURCES -
PALEONTOLOGICAL RESOURCES –PDS2014-MUP-14-041 AND PDS2014-ER-14-22-001.

Under separate E-mail is the referenced under construction Imperial Desert Museum Agave Oven Exhibit and provided information sheet.

Please make certain that this E-Mail and the one attachment are included in the Administrative record for the Jacumba Solar Project.

Howard W Cook - Chair Jacumba Sponsor Group

JACUMBA SOLAR NOP SCOPE COMMENTS RE: CULTURAL RESOURCES -PALEONTOLOGICAL RESOURCES –PDS2014-MUP-14-041 AND PDS2014-ER-14-22-001 TO ASHLEY GUNGLE

Please make sure this and the attachments to the covering E-Mail are included in the Administrative Record for this project.

Expand “Cultural Resources Section, Paleontological Subsection” to specifically add a new remedy to the indicated remedies described “Resource Recovery” in the NOP to also include a new alternative, which includes a delay of at least two years before commencing the project. The reasons for this or other requested new alternatives are as follows: In the late spring /early summer part of 2014, excavations at the Eco Substation adjacent to the proposed Jacumba Solar project, workers encountered two to five Native American “Agave Ovens” at twenty one feet in the thick alluvial mantel found there. Two of the ovens had sufficient roasted organic material (Yucca, two cactus fruit and pad varieties, juniper berries) to conduct carbon dating tests. The tests came back with an astounding carbon dating of 7200 BCE. Thus, providing proof of human habitation and plant usage over 9,000 years ago in the new project locale, which also includes the ECO substation. Dr. Neal Hitch of the Imperial Desert Museum, nearby in Ocotillo received the very old “Agave Oven” materials and is currently preparing a new exhibit for a traveling tour and ultimately to come back to the Museum for study and exhibition. Dr. Hitch says that the word is just beginning to get out to the local and national archeological and paleontological community. He anticipates new requests and plans for exploration at the Jacumba Solar Project site, before building starts and eventually, if built, would cover the site. He says that it will take two years for this to get into the Scientific Journals and for Scientists to get plans and funding for these new explorations. He encourages a delay in the new project for at least two years after the anticipated commencement date of 2015 to avoid a cultural environmental disaster. Attached to the covering E-Mail with this document are a preliminary picture of the under construction Agave Ovens exhibit and an information page. Both have been provided by the Imperial Desert Museum.

Howard Cook – Chair Jacumba Sponsor Group

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JACUMBA SOLAR NOP SCOPE COMMENTS RE: CULTURAL RESOURCES -PAL... (2)

Gungle, Ashley Thank you Howard. I am in receipt of these comments. Your second email which a

Gungle, Ashley

Me

Fogg, Mindy, Danielle Thomas

Thanks Howard. I'll keep my eye out for it in the mail.

Ashley Gungle, Land Use/ Environmental Planner
COUNTY OF SAN DIEGO | Planning & Development Services
T. 858.495.5375

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Howard W. Cash



AGAVE ROASTING EXHIBIT



INTERPRETIVE PANELS

STONE HEARTH
UNDER GLASS FLOOR

DESCRIPTIVE
GRAPHICS

STRATA
ILLUSTRATION

Agave Traveling Exhibit

Description

This area exhibits an astounding recent archaeological find—an agave roasting pit 21 feet below ground, indicating human occupation 9,000 years ago. A large vertical graphic depicts the dig site strata wall, and cut into the floor is a replica hearth just as it was discovered. Interpretation includes timeline, depth measurements, and the significance of agave roasts in Kumeyaay culture.

This exhibit will travel to other museums for 9 months before permanent installation at IVDM

Learning Goals

To understand how the depth of this discovery demonstrates human occupation 9,000 years ago

To learn about the Kumeyaay tradition of agave roasting

Objective

To place this discovery in the context of earlier and shallower discoveries

To show the discovery as it was found by archaeologists

Gungle, Ashley

From: Howard Cook <howwcook@yahoo.com>
Sent: Monday, October 06, 2014 4:39 PM
To: Gungle, Ashley; Fogg, Mindy
Subject: JACUMBA SOLAR NOP SCOPE COMMENTS RE: HYDROLOGY –PDS2014-MUP-14-041 AND PDS2014-ER-14-22-001
Attachments: 10-06-14 Jac Solar Nop Hydrology response.doc; 2013-11-21-RE-90M-gallons-of-water-1M-miles-trucking.pdf

Ashley,

Attached is a Nop scoping expansion request item on Hydrology. Make sure that the attached writeup and the referenced attachment is included in the Administrative record for Jacumba Solar.

JACUMBA SOLAR NOP SCOPE COMMENTS RE: HYDROLOGY –PDS2014-MUP-14-041 AND PDS2014-ER-14-22-001.

Howard W Cook - Chair Jacumba Sponsor Group

JACUMBA SOLAR NOP SCOPE COMMENTS RE: HYDROLOGY –
PDS2014-MUP-14-041 AND PDS2014-ER-14-22-001 TO ASHLEY
GUNGLE

Please make sure this and the two attachments to the covering E-Mail are included in the Administrative Record for this project.

- 1) Expand the NOP initial study on Hydrology, specifically the page 29 Section that says “offsite groundwater and/or water from a water service agency within the County Water Authority for water supply for the construction and operational phases of the project.” Please include the selected agency. The Dudek Consultant and Jessie Marshall of Nextera “Jacumba Solar” have already approached Jacumba Community Services District (JCSD) (see their attached 09/04/14 memorandum titled “Request to obtain Water For The Construction and Operation Of The Jacumba Solar Energy Project). They convinced JCSD to hold a Special Board Meeting on 09/09/14 to address their requests. Dudek was present at the Special Meeting. The NOP should reflect this selection as well as the approval by JCSD. The NOP initial study document should also address the following Jacumba issues:
 - a) The County’s “Preliminary Application” letter instructs Nextera to insure that a thorough study of all Jacumba area wells and aquifers, not just those of JCSD is performed. We insist the use of a new independent non-developer affiliated (which excludes Dudek) Consulting Hydrologist be assigned to conduct the study.
 - b) The hydrology study must analyze the impact of adding over 22 million gallons of “Jacumba Solar” requirements to the other Green Energy project commitments for Jacumba water. Priority commitments should of course, be for the town’s residential water supply, then to the requirements of the Jacumba Spa. The JCSD has previously committed: multiple years at 15 million each of two years to Soitec (part of this is at an 80,000 a month rate). JCSD also committed an estimated 20 million gallons to the Ibredola Tule Wind project. All of these are in addition to the 15 million gallons already supplied to ECO in 2013 and 2014.
 - c) The study must analyze all of these commitments, time phased, to insure that the town wells including JCSD are not adversely impacted in any given time period. Many these listed projects appear to be happening at the same time.
 - d) Also attached is a series of November 2013 E-mails from Sami Real to various County personnel on the Soitec project. One of the E-Mails talks about total impacts of additional Green Energy projects on JCSD water use. It also mentions that a “full ground water investigation”, “a ground water monitoring and mitigation plan”, is a requirement and also says” We may also require biological monitoring to monitor the health of nearby groundwater dependent habitat throughout the pumping for a project”. Given that Jacumba Lake is directly adjacent to JCSD Wells and is a nesting place for the “Tricolored Blackbird” and since it is a “Species of Special Concern” and that also the Jacumba town area is an urban forest fed by Jacumba aquifers, we must insist that The Sami referenced “Biological Monitoring” take place for this and other green energy project pumping.
 - e) This item may also be a Transportation issue but it would be caused by sale of JCSD water. The 65 to 75 million gallons total water by all projects will require 20,000 to 25,000 truck trips over 2 plus years (at 2800 gallons per trip). How are our already fragile old Highway 80 roads going to be maintained and by whom?

From: [Fogg, Mindy](#)
To: [Real, Sami](#); [Gungle, Ashley](#)
Cc: [Bennett, Jim](#)
Subject: RE: 90M gallons of water & 1M miles trucking
Date: Thursday, November 21, 2013 8:51:19 AM

Okay.

From: Real, Sami
Sent: Wednesday, November 20, 2013 8:23 PM
To: Fogg, Mindy; Gungle, Ashley
Cc: Bennett, Jim
Subject: RE: 90M gallons of water & 1M miles trucking

We should call Pat and just loosely talk about this to see what he has to say. Let him know that the inquiry we received was not specifically for his project but does affect his project and that we are giving him a heads up. We should conclude the conversation by letting him know that we need to address this in the EIR.

After we talk to Pat, we should formulate an email using the information Jim and Justin provided to provide guidance on what information needs to be included.

Let me know how I can help or if you need my assistance on anything.

Thanks guys!

Sami Real, Chief of Project Planning
COUNTY OF SAN DIEGO | Planning & Development Services
T. 858.694-3722

From: Crumley, Justin
Sent: Wednesday, November 20, 2013 4:36 PM
To: Real, Sami; Jones, Megan
Cc: Bennett, Jim
Subject: RE: 90M gallons of water & 1M miles trucking

FYI - Additional information on the substation water use increase.

The minor project refinement request to the CPUC can be found at the following link:

http://www.cpuc.ca.gov/environment/info/dudek/ecosub/MPR_8_Request.pdf

And the CPUC approval of the minor modification can be found at the following link:

http://www.cpuc.ca.gov/environment/info/dudek/ecosub/MPR_8_Approval.pdf

Justin A. Crumley

Deputy County Counsel - County of San Diego
1600 Pacific Highway, Room 355 | San Diego, CA 92101
(619) 531-5811 | Fax (619) 531-6005 | * justin.crumley@sdcounty.ca.gov

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CONFIDENTIAL ATTORNEY-CLIENT COMMUNICATION

From: Real, Sami
Sent: Wednesday, November 20, 2013 1:49 PM
To: Jones, Megan; Crumley, Justin
Cc: Anzures, Claudia F; Gretler, Darren M; Bennett, Jim; Beddow, Donna
Subject: RE: 90M gallons of water & 1M miles trucking

Here is information from Jim as requested in your email. It is a little on the long side, but it is all important.

I have attached the FEIR sections from the water and traffic sections. The original EIR for the ECO Substation indicated 30,000,000 gallons of use in the EIR. The EIR indicates up to 7,500 truck trips from the City of San Diego or Sweetwater Authority could be generated if the project needs all of its water from offsite sources. Her statement of 90,000,000 gallons was a figure the Union Tribune indicates in the article she cited. According to the U-T, sources for the project now include the City of San Diego (provided 8.8 million gallons so far and agreed to provide up to 50,000,000 gallons), Jacumba Community Services District (provided 8.8 million gallons thru September 2013 and agreed to provide up to 15 million gallons), and the Campo Indian Reservation (reportedly provided 7.2 million gallons thru September 2013). We have no jurisdiction over the three entities. It looks like they have tripled their water demand based on the article.

The EIR indicates that for mitigation groundwater investigations would be prepared that would evaluate short- and long-term impacts on the other wells in the project area and that the applicant would provide demonstration of compliance with all applicable laws and regulations prior to construction. In the case of getting water from the City of San Diego, no groundwater investigation would be needed. In the case of Campo, this is a sovereign nation and I'm not sure what would be required. There are NEPA considerations with tribes but we have no jurisdiction. For the Jacumba Community Services District, they are regulated by the California Department of Public Health (Sean Sterchi is the contact in our jurisdiction). This would be under their purview.

For groundwater projects in our jurisdiction, we would have required a full groundwater investigation to evaluate both cumulative and direct impacts from pumping groundwater prior to

allowing groundwater to be used. This would include evaluating well interference on nearby well users and groundwater dependent habitat. Depending on the amount of water to be utilized, we may also require a Groundwater Monitoring and Mitigation Plan (GMMP) in which it could include a cap on the maximum amount of water that could be extracted, and also water level thresholds in which pumping would be required to cease pumping to ensure impacts to other groundwater users and groundwater dependent habitat remain less than significant. We may also require biological monitoring to evaluate the health of nearby groundwater dependent habitat throughout the pumping for a project. If habitat were shown to degrade, mitigation for impacts to the habitat would be required.

This does have an impact on other projects we have in the area since there are several solar projects searching for short-term water to meet their construction demands. Soitec's Rugged Solar and Tierra Del Solar projects are looking at importing water from the City of San Diego, the Pine Valley Mutual Water Company, and from the Jacumba Community Services District. We received a groundwater investigation from Soitec this past month for Jacumba Community Services District and they are proposing groundwater from the same well that SDG&E is likely getting their water. They did not identify in their groundwater investigation that SDG&E is currently pumping that well and is going to take up to 15,000,000 gallons from the well for their project. I found this out by you bringing this to my attention today and I will make this a comment in my review of Soitec's groundwater investigation for Jacumba Community Services District. In conclusion, we are in a situation where we have multiple projects with overlapping timelines that are one by one going forward with finding imported water sources and as a result we are at risk of not accurately evaluating impacts to groundwater resources as this case today shows. We also are facing potentially significant groundwater impacts if projects are allowed to go forward without adequate investigation and mitigation monitoring in place. We will continue to struggle with this issue until the construction phase of the wave of solar/wind projects in the backcountry has worked itself through.

Please let me know if there is anything else you need at this time.

Sami Real, Chief of Project Planning
COUNTY OF SAN DIEGO | Planning & Development Services
T. 858.694-3722

From: Jones, Megan
Sent: Tuesday, November 19, 2013 5:34 PM
To: Real, Sami
Cc: Anzures, Claudia F; Gretler, Darren M
Subject: FW: 90M gallons of water & 1M miles trucking

Hi Sami

Can someone from your team look into the background behind the increase in water usage to see what the EIR/EIS approved by the CPUC said and pass that back to me and Claudia? We know that the County doesn't control groundwater usage on tribal lands, but we'd like your team's thoughts on if the cumulative water usage is beyond what was studied and approved.

Many thanks.

From: Donna Tisdale [<mailto:tisdale.donna@gmail.com>]
Sent: Sunday, November 17, 2013 5:10 PM
To: Fitzpatrick, Lisa
Cc: Jacob, Dianne; Wilson, Adam
Subject: 90M gallons of water & 1M miles trucking

Hello Lisa,

Please forward this message to the Commissioners for me.

SDG&E's 85-acre 500/230/138kV ECO / Boulevard Substation project and 14 miles of new line is under construction between Jacumba and Boulevard in East County.

A 300% increase in construction water is at issue along with promised fire mitigation going to other communities out of the project impact zone--while Boulevard and Jacumba Fire stations were mostly unstaffed.

The linked Union Tribune article covers some of the controversy surrounding SDG&E's vastly inadequate handling of estimating and procuring water for their new substation--that reportedly has the largest footprint of any substation in the nation.

They estimated 30M gallons of water that just got upped to 90M gallons--with no public input. The project EIR approved for up to 1.5 million miles of trucking.

As you know this is just one of many massive energy / infrastructure projects planned to industrialize our ruggedly beautiful area that is rich with biological and cultural resources.

The cumulative impacts to our groundwater and public health and safety will be raised again and again with each new project. Please carefully consider the long-term impact of your decisions on some of the County's most vulnerable residents and resources.

UT Article: <http://www.utsandiego.com/news/2013/Nov/14/tp-power-project-wasting-water/?#article-copy>

photo gallery showing massive size of project <http://www.utsandiego.com/news/2013/nov/13/sdge-substation-east-county-water-use/>

short video clip from article: <http://www.utsandiego.com/news/2013/nov/13/sdge-substation-east-county-water-use/>

CLOSED FOR FIRE SEASON? DEATH IN DE ANZA, CLOSED FIRE STATIONS INFLAME IRE IN RURAL RESIDENTS: <http://www.eastcountymagazine.org/node/14170>

Regards

Donna Tisdale, Chair
Boulevard Planning Group
619-766-4170

Gungle, Ashley

From: Howard Cook <howwcook@yahoo.com>
Sent: Tuesday, September 30, 2014 1:49 PM
To: Gungle, Ashley
Cc: Danielle Thomas; Mark Ostrander; Donna Tisdale; Helen Landman; Shirley Fischer; Howard Cook; Cherry Diefenbach; Ben Schultz; Mike Aiau; Ken Daubach; Konawoman
Subject: JACUMBA SOLAR NOP SCOPE COMMENTS –PDS2014-MUP-14-041 AND PDS2014-ER-14-22-001 TO ASHLEY GUNGLE

JACUMBA SOLAR NOP SCOPE COMMENT RE: Recreation Section –PDS2014-MUP-14-041 AND PDS2014-ER-14-22-001 TO ASHLEY GUNGLE

Please change the "No Impact" designation in the NOP "Recreation Section" to "Potentially Significant" designation for the following reasons:

- a) Town mural in our Park has 2 maps, showing The "Ancient Juniper Forest" partially located in the Jacumba Solar project area.
- b) Jacumba Hikers have over 200 members who hike in and around the Project and Airport Mesa area.
- c) Town Economy and local citizen recreation are heavily dependent on tourist recreation activities i.e. hiking, biking, birding, wildlife and scenic enjoyment.

Howard W Cook -Jacumba Sponsor Group

Gungle, Ashley

From: Howard Cook <howwcook@yahoo.com>
Sent: Tuesday, October 07, 2014 6:10 PM
To: Gungle, Ashley; Fogg, Mindy
Cc: Howard Cook; Jacob, Dianne
Subject: Fw: Jacumba Hikers Saturday Hike - Cottonwood/Sombrero Peak & Bow Willow (Rated Extreme)
Attachments: hike sked 2014 SEP-OCTfinal.pdf; Hiking TipsPDF8-29-14.pdf; 06-07-14 Mtn. Palm Springs Oasis Hike 001.JPG; 1620778_10201617543586028_856435629_n.jpg; Torote Bowl (2).jpg; ivp-local-hikers-hit-the-trails-20130105.jpg

This is not necessarily an official E-Mail, but I did want you to see this fun hike planned by "The Jacumba Hikers". It also shows you that hiking recreation is an important part of life out here and should be recognized by the County as such.

Howard W Cook

On Monday, October 6, 2014 3:20 PM, GREG CURRAN <gregcurran@sbcglobal.net> wrote:

Note Error Correction! On Posted Hike Schedule there was mention that there would be Optional Camping Saturday after the Hike the Camp Site will be at Bow Willow NOT Cottonwood! Call Steve or Tina for details.

10/11/14 & 10/12/14 - Cottonwood/Sombrero Peak & Bow Willow – Hikers will meet 5AM at the Cottonwood Camp Ground (McCain Valley) and hike to Sombrero Peak (4,229 ft.) and descend to Bow Willow (800 ft.). This hike is a one-way hike is 14 hours (approx.10-12 miles long) and is rated **Extreme!** Hiking this area will give the best opportunity to see a variety of plant life such as Elephant (Torote) Tree, palms and desert wild flowers. Optional Camping at Bow Willow on Saturday after the hike. *No Dogs Please*. Be in excellent shape. **Skilled Hikers Only!** *Please read attached Safety Tips!* For **Logistics** (this hike takes a lot of planning and preparation) **Contact Hike Leaders: Steve & Tina Nelson** 619 240-6575 or 619 322-0055 tnelson.tina@gmail.com



September/October 2014 Schedule



JACUMBA HIKERS/WALKERS

Sat. Sep. 27



Table Mountain & Potluck - This hike is rated HARD, 4 mi. round trip hiking up to Table Mtn. & Squaw Tit Red Rock Plateaus. No Dogs Please! Hikers will meet at 8am at the Jacumba Spa, 44500 Old Hwy. 80, Jacumba Hot Springs, CA 91934 then carpool to Greg's place to deposit Potluck Items. PLEASE Bring a Dish to Share for after the hike. Breakfast is available at the Spa starting at 7AM. Bring a Swim Suit & Towel for after the hike & potluck the owners of the Spa will provide hikers with courtesy day use in the mineral hot springs.

Hike Leader: Bill Pape (619) 766-4927. *Please read the attached Safety Tips!

Sat. Oct. 4



Jacumba Walk-About & Fall Festival - This hike is rated EASY, 4 miles round trip. Family friendly & Dog friendly on a 6' leash. Walkers will meet 8AM at the Jacumba Spa, 44500 Old Hwy. 80, Jacumba Hot Springs, CA 91934. Breakfast is available starting at 7AM. This hike will take you to the Chinese Castle, the natural hot springs, Jacumba Lake, the Cook's House, Sand Wash, Railroad Station, through the Jacumba Hot Springs neighborhood, Jacumba Spa, Library/Community Park the border fence and back. Walk Leader: Richard richardalcorn2455@gmail.com Please join in the Family Fun during the Jacumba Hot Springs Fall Festival, 10Am to 5PM in the Community Park. www.jacumbahotspringscentennial.org

*Please read attached Safety Tips!

Sat. Oct. 11



Cottonwood/Sombrero Peak & Bow Willow - Hikers will meet 5AM at the Cottonwood Camp Ground (McCain Valley) and hike to Sombrero Peak (4,229 ft.) and descend to Bow Willow (800 ft.). This hike is a one-way hike is 14 hours (approx. 10-12 miles long) and is rated Extreme! Hiking this area will give the best opportunity to see a variety of plant life such as Elephant (Torote) Tree, palms and desert wild flowers. No Dogs Please. Be in excellent shape. Skilled Hikers Only! Please read attached Safety Tips! Camping on Friday optional. For Logistics (this hike takes a lot of planning and preparation) Contact Hike Leaders: Steve & Tina Nelson 619 240-6575 or 619 322-0055 tnelson.tina@gmail.com

Sat. Oct. 18



Valley of the Moon - The Valley of The Moon hike is very different each time, we will never walk in the same foot print. Dramatic granite, smugglers cave, carpeted cave, Elliot mine, blue angels peak, 4548 ft., and Border Monument, Nopal Peak, 4274 ft., Stinkies resting place, and beautiful views of the Imperial Valley and Jacumba Valley. This hike is rated HARD! Hikers will meet 8AM at the Jacumba Hot Springs Resort, 44461 Old Hwy. 80, Jacumba Hot Springs, CA 91934. Breakfast starts at 7AM and bring a swim suit & towel for FREE Spa use after the hike courtesy of the owners. No Dogs Please! Hike Leader: Bill Pape 619 766-4927. *Please read attached Safety Tips!

Sat. Oct. 25



Desert View Tower & Potluck - Tour Greg's Strawbale Cabin, Earth Shrine, "The Vortex" & other points of interest along the way to the Desert View Tower one of the oldest roadside attractions/historic landmarks in the region. This hike is 4mi. round trip and rated Moderate and is Family Friendly - Parents should know your child's hiking skill level. (off trail & some bouldering) Hikers are offered FREE Admission to the Desert View Tower/Boulder Park & courtesy Spa use that day. Remember to bring swim suit & towel. This hike includes a Potluck after the hike, so Bring a Dish to Share! No Dogs Please! Hikers will meet 8AM at the Jacumba Spa, 44500 Old Hwy. 80, Jacumba Hot Springs, CA 91934. Breakfast is available starting at 7AM. Hike Leaders: Bill Pape 619 766-4972 and Tammy dumptruck.01@wildblue.net *Please read attached Safety Tips!

Thank you to all who joined our hikes this past hiking season. A Special Thanks to these dedicated Hike Leaders: Bill Pape, Sonia Kara, Wendy Hogue, Richard Alcorn, Patti Wager, Dennis Ruth and Ellen Woodward-Taylor. Thank you to our Administrators: Greg A. Curran & Michael Aiau. We warmly welcome our newest Hike Leaders: Steven & Tina Nelson and Tammy Daubach. Big thanks to Dave & Helen for complimentary day use at the Jacumba Hot Springs Spa, Ben Shultz for free admission to the Desert View Tower, The Cooks for allowing us tour their home and Cherry Diefenbach for tours of the "Chinese Castle".

Safety Tips: Bring lots of water, lunch and snacks. Dress in layers. Bring sun block, a hat and sturdy hiking boots. Use the buddy system and respect nature and your surroundings.

Walk/Hike Legend



Easy - Mostly flat hiking/walking using a trail or path. Suitable for every member of the family.



Moderate - Suitable for all physically fit people/dogs.



Hard - Long length, substantial elevation gain and/or difficult terrain. Suitable for experienced hikers.



EXTREME - Long length, boulder climbing, difficult terrain, high elevation day long/and or over 6 mi. round trip. Expert hiking skills.

Jacumba Hikers/Walkers is an informal hiking/walking group and assumes no responsibility or liability for harm or injury during hikes. Hikers and walkers do so at their own risk. If you are interested in leading a hike and want to be included on the schedule contact Greg Curran (619) 459-3037 gregcurran@sbcglobal.net.

Hiking Safety Tips

- Let someone know where you are going.
- Adequate water (at least (4) 12 oz. bottles) or 2 liters. * For EXTREME hikes 1 gal. of water is suggested.
- Hike Leader's telephone number.
- Buddy System (preferable if at least one buddy have a cell phone).
- Description of the terrain to be covered, the area we are at and how to get back.
- Identify any physical limitations, evaluate and decide if this hike is something you can realistically do!
- Emphasize the "Desert is Unforgiving": we suggest dressing in layers, using sunscreen, hat, sunglasses, hiking poles, sensible hiking shoes/boots and gloves for bouldering and rough terrain.
- Carpool with experienced drivers and that your vehicle is appropriate for the terrain (Hike Leader check to see if vehicles are appropriate before heading out).
- Drive at a pace where the vehicle in front and behind you is visible at all times.
- Designate a SWEEP PERSON – This is a person who is last and makes sure that no one is left behind.
- Know your own limits, don't push it. If you are having problems, STOP!
- If You Become Ill or Incapacitated "STOP"! Assess the situation and **call 911** if appropriate.
- Plants and animals – try not to disturb wildlife, plant life or artifacts.
- Dogs – on walks, 6' leash, be responsible for your dog.
- Respect sensitive habitat, endangered, at risk species and be respectful/courteous of fellow hikers.
- Trimming toenails for long distance/EXTREME hikes is recommended.
- Questions? Contact your hike leader or Greg Curran









IMPERIAL COUNTY
PLANNING & DEVELOPMENT SERVICES
Planning / Building & Safety / Parks & Recreation



September 19, 2014

Ashley Gungle
Project Manager, Suite 110
5510 Overland Avenue
San Diego, CA 92123

**Subject: Response to "Notice of Preparation" by San Diego County
for the Jacumba Solar Project/Major Use Permit
Environmental Log No: PDS2014-ER-14-22-001**

Dear Ms. Gungle:

The Planning & Development Services Department received your "Notice of Preparation (NOP)" of an Environmental Impact Report, dated September 11, 2014.

Thank you for the opportunity to comment on the above proposed solar project.

The proposed project is a Major Use Permit for a 304-acre solar energy facility, 20-MW's, on 108 acres of an approximately 304-acre parcel site. The site on which the solar project is to be located is south of Interstate 8 and Old Highway 80 within the Mountain Empire Sub-regional Plan area within the unincorporated area of San Diego County.

The project entails the 20-MW solar energy facility, private collector substation site, approximately 10-MW battery energy storage system and the 138 kilovolt (kV) overhead transmission line (gen-tie) connection to the on-site substation to the San Diego Gas & Electric (SDG&E) new East County Substation.

The California Environmental Quality Act (CEQA), Guidelines for California Environmental Quality Act, California Code of Regulations Title 14, Chapter 3, Article 7, Section 15082 (a), (1), (B) provides that the "Notice of Preparation" shall include the "...Location...by attaching a specific map..." of the project site.

Also, the analysis of the solar farm and your proposed "Notice of Preparation" would have been easier to review if "colored" maps could have been included in the NOP package provided for review by the County staff.

The CEQA Initial Study, project description, prepared indicates that the project will "...rely on offsite groundwater and/or imported water from a water service agency within the County Water Authority for water supply for the construction and operational phases of the project...A water demand estimate will be prepared to evaluate whether the project poses significant impacts to available water sources. This issue will be addressed in the DEIR..."

Since the estimated water demand isn't prepared at this time, that doesn't identify the amount of water needed for initial grading, fire protection, the washing of the 81,108 PV modules fitted on 2,253 fixed-tilt rack panels, and water usage by the "...400 people during its construction...", we are concerned that possible water use from the Ocotillo's "Sole Source" groundwater basin might be contemplated, and would object to use of this water resource.

However, after a review of the Initial Study and the "Potentially Significant Impact" marks, and explanations, the Planning and Development Services staff does not feel that there will be any significant, adverse environmental impacts from the proposed 20-MW PV solar project, on-site substation, and gen-tie transmission lines into the SDG&E East County Substation.

Thank you for the opportunity to review and respond to the NOP and we look forward to working with the San Diego County staff in the future on similar projects as they are submitted. If you have any questions, please feel free to contact Richard Cabanilla, Planner IV, either via telephone at (760) 482-4236 extension 4313 or via email at richardcabanilla@co.imperial.ca.us.

Sincerely,

JIM MINNICK, IINTERIM DIRECTOR
Planning & Development Services

By:


Richard Cabanilla
Planner IV

cc: Jim Minnick, Interim Director of Planning & Development Services
Michael Abraham, Interim Asst. Director of Planning & Development Services
John Gay, Deputy Director, Imperial County Public Works Department
File: County of San Diego Correspondence file
File: 10.251, 10.101, 10.102, 10.107, 10.105, 10.109



San Diego County Archaeological Society, Inc.

Environmental Review Committee

2 October 2014

To: Ms. Ashley Gungle
Planning and Development Services
County of San Diego
5510 Overland Avenue, Suite 310
San Diego, California 92123

Subject: Notice of Preparation of a Draft Environmental Impact Report
Jacumba Solar Major Use Permit
PDS2014-MUP-14-041, PDS2014-ER-14-22-001

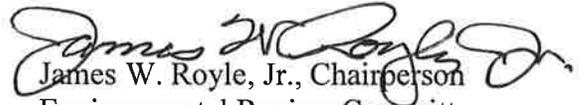
Dear Ms. Gungle:

Thank you for the Notice of Preparation for the subject project, received by this Society last month.

We are pleased to note the inclusion of cultural resources in the list of subject areas to be addressed in the DEIR, and look forward to reviewing it during the upcoming public comment period. To that end, please include us in the distribution of the DEIR, and also provide us with a copy of the cultural resources technical report(s).

SDCAS appreciates being included in the County's environmental review process for this project.

Sincerely,


James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: SDCAS President
File



United States Department of the Interior

FISH AND WILDLIFE SERVICE

Ecological Services
Carlsbad Fish and Wildlife Office
2177 Salk Avenue, Suite 250
Carlsbad, California 92008



In Reply Refer To:
FWS-SD-14B0190-15CPA0001

OCT 06 2014

Ms. Ashley Gungle
County of San Diego
Department of Planning and Land Use
5510 Overland Avenue, Suite 310
San Diego, California 92123

Subject: Notice of Preparation of an Environmental Impact Report for the Jacumba Solar Project, Unincorporated San Diego County, California

Dear Ms. Gungle:

We have reviewed the subject Notice of Preparation (NOP) of a Draft Environmental Impact Report (DEIR), which we received on September 10, 2014. The Jacumba Solar project would be constructed approximately 1 mile east of the unincorporated community of Jacumba Hot Springs in the Mountain Empire Subregional Plan area of San Diego County (County). The proposal is to construct and operate 2,253 fixed-tilt photovoltaic (PV) panels on 108 acres of a 304-acre project site that would produce up to 20 megawatts of energy.

The primary concern and mandate of the U.S. Fish and Wildlife Service (Service) is the protection of public fish and wildlife resources and their habitats. The Service has legal responsibility for the welfare of migratory birds, anadromous fish, and endangered animals and plants occurring in the United States. The Service is also responsible for administering the Endangered Species Act of 1973 (Act), as amended (16 U.S.C. 1531 *et seq.*), the Migratory Bird Treaty Act (16 U.S.C. 703), and the Bald and Golden Eagle Protection Act (16 U.S.C. 668-668c). Our comments are based on the information provided in the NOP, the Service's knowledge of sensitive and declining vegetation communities in the County, and our participation in regional conservation planning efforts.

We are concerned about potential impacts associated with the proposed project to migratory birds species, the golden eagle (*Aquila chrysaetos*), and the federally endangered Quino checkerspot butterfly (*Euphydryas editha quino*) and peninsular bighorn sheep (*Ovis canadensis*). To address potential impacts to migratory birds, we recommend that a Bird and Bat Conservation Strategy (BBCS) be developed. A BBCS is a project specific document that describes a program to reduce risks to bats and birds during construction and operation of a proposed project. We encourage the project proponent to coordinate with our agency regarding bat and bird protections early in the project planning phase.

We recommend current habitat assessment and focused surveys be performed as appropriate to fully assess the potential for direct, indirect, and cumulative project-related impacts to the golden eagle, Quino checkerspot butterfly, and peninsular bighorn sheep. This impact analysis should include all ancillary features needed for the construction and/or operation of the proposed facility. In light of the current pace of development in the project vicinity, including planned renewable energy projects south of the international border in Mexico, we recommend that the DEIR provide a thorough cumulative impact analyses for these species.

We recommend that the DEIR include an analysis of a range of alternatives to ensure that alternatives to the proposed project are fully considered and evaluated. This analysis should include alternatives that avoid or otherwise reduce impacts to sensitive biological resources. For unavoidable impacts, the DEIR should identify what measures will be implemented to alleviate direct, indirect, and cumulative project-related impacts to the affected biological resources.

We appreciate the opportunity to comment on the subject NOP and request that a copy of the DEIR be provided to our office upon its release. If you have any questions or require additional information, please contact Eric Porter at 760-431-9440, extension 285.

Sincerely,


for Karen A. Goebel
Assistant Field Supervisor

cc:

Eric Weiss, California Department of Fish and Game, San Diego

10. Relocation and Salvage. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Studies have shown that these efforts are experimental in nature and largely unsuccessful.
11. Restoration. Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant revegetation techniques. Each plan should include, at a minimum: (a) the location of the mitigation site; (b) the plant species to be used, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity.

We appreciate the opportunity to comment on the referenced NOP. Questions regarding this letter and further coordination on these issues should be directed to Eric Weiss at (858) 467-4289, and eric.weiss@wildlife.ca.gov.

Sincerely,


for Betty Courtney
Environmental Program Manager

ec: Scott Morgan, State Clearinghouse
Eric Porter, U.S. Fish and Wildlife Service

References:

CEC and DFG, 2007. California Guidelines for Reducing Impacts to Birds and Bats from Wind Energy Development. Commission Final Report. California Energy Commission, Renewables Committee, and Energy Siting Division, and California Department of Fish and Game, Resources Management and Policy Division. CEC-700-2007-008-CMF.

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Horváth, Gábor; Kriska, György; Malik, Péter; and Robertson, Bruce, 2009. "Polarized light pollution: a new kind of ecological photo pollution." *Front Ecol Environ* 2009; 7(6): 317-325, doi: 10.1890/080129.

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