

Comment Letter I38

Hingtgen, Robert J

**From:** Donna Tisdale <tisdale.donna@gmail.com>  
**Sent:** Sunday, March 02, 2014 8:19 PM  
**To:** Hingtgen, Robert J; Fogg, Mindy; Gungle, Ashley  
**Subject:** Soitec DPEIR errors & omissions  
**Attachments:** Tisdale BPG Soitec DPEIR errors and omissions 3-2-14.docx

FOR THE SOITEC SOLAR DPEIR RECORD

Hello Robert,

Please include the attached incomplete list of errors and omissions for the Soitec Solar DPEIR.

Thank you

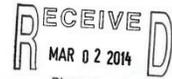
Donna Tisdale  
619-766-4170

I38-1

## Response to Comment Letter I38

**Donna Tisdale for the Boulevard Planning Group (as an individual)**  
**March 2, 2014**

**I38-1** This comment is introductory in nature and does not raise a significant environmental issue for which a response is required. Specific comments on the Proposed Project are addressed below.



DATE: 3-2-14

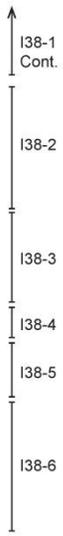
TO: Robert Hingtgen, Planner PDS, via [robert.hingtgen@sdcounty.gov](mailto:robert.hingtgen@sdcounty.gov)

FROM: Donna Tisdale for the Boulevard Planning Group as an individual: 619-766-4170; [tisdale.donna@gmail.com](mailto:tisdale.donna@gmail.com)

**Soitec Solar partial and incomplete list of errors, omissions** (ran out of time for full review or proper organization and editing)

**Project Description<sup>1</sup>:**

1. **@page 1.0-3:** Tierra Del Sol gen-tie within the ROW of County maintained Tierra Del Sol Road does not state if the gen-tie line will be placed underground within the roadbed or along the shoulder within the County's 60ft ROW. If along, the shoulder, there are numerous mature oak trees that would be impacted. Even if buried under the roadway, oak roots that extend under the narrow roadway may be impacted.
2. **@page 1.0-3:** The close proximity of existing homes and livestock, on all 4 sides, including Ejido Jardines Del Rincon in Mexico, are not identified, with some homes as close as approximately 100 feet to project components. The number of homes located within the visual and groundwater impact area, within at least one mile, are either not disclosed, or are not easily located in the DPEIR
3. **@page 1.0-4:** Rugged Solar: Description does identify rock crushing facility or cement batch plant that are identified on plot plans
4. **@page 1.0-5:** There is no discussion of what happens to the proposed Rugged Solar gen-tie if the Tule Wind project and gen-tie do not move forward which appears more likely as time goes on with no Power Purchase Agreement and the high cost of wind energy.
5. **@page 1.0-6: photo 1-1** of Soitec's smaller CPV tracker demo V CX-S530 29kW module photo (left) does not represent the real world visual impact or the bulk and scale of the 1,200 square foot of view blocking panel space for each 28 kW CPV tracker (right) multiplied by 7,409 trackers = 88.9 million square feet = to the square footage of 48 Walmart Supercenters that average 185,000 square feet. Photo on the left is photo 1-1 in project description. Photo on right was taken at Soitec's 1.5MW Newberry Solar 1project located in Newberry Springs, CA, just east of Barstow and north of I-40



<sup>1</sup> [http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/1.0\\_ProjectDescription.pdf](http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/1.0_ProjectDescription.pdf)

**I38-2**

The County acknowledges the commenter's concerns regarding the Project Description. The Tierra del Sol gen-tie route, including a 150-foot buffer, were surveyed and all coast live oak woodlands were identified and mapped. Impacts to all identified oaks (*Quercus* sp.) within the proposed 60-foot underground gen-tie easement are calculated in the Draft Program Environmental Impact Report (DPEIR) (see Table 2.3-12 in Section 2.3) and shown on Figures 2.3-25a, 2.3-25b, and 2.3-25c. As shown in Table 2.3-12, oak root zones were considered in the calculation of Tierra del Sol impacts to vegetation communities.

**I38-3**

The County acknowledges the commenter's concerns regarding the Project Description. The discussion on p. 1.0-3 of the DPEIR is intended to describe the proposed Tierra del Sol solar farm. Surrounding residential development for each of the Proposed Project sites is described in detail in Section 2.1 of the DPEIR, and specifically in Section 2.1.1.2 for Tierra del Sol. An additional discussion of surrounding land uses is provided in Section 2.5 and on Figure 2.5-1 of the DPEIR. In response to this comment, the County of San Diego (County) has made revisions and clarifications to the DPEIR have been made to include a discussion of residences in close proximity to the Tierra del Sol site located south of the U.S./Mexico border in the community of Ejido Jardines del Rincon (see Sections 2.1.1.2 and 2.1.3.2). These revisions to the DPEIR are

presented in ~~strikeout~~/underline format. To the extent these revisions and additions to the DPEIR provide new information that may clarify or amplify information already found in the DPEIR, they do not raise important new issues about significant effects on the environment.

It should also be noted that the discussion in Sections 2.1 and 2.5 are meant to provide a general characterization of the surrounding land uses. An exact number of homes is not provided and inclusion of this specific detail would not affect the conclusion in the DPEIR.

Please also refer to response to comment I32-17 regarding analysis in the DPEIR pertaining to the local watersheds and hydrologic areas for the individual project sites, the prevalent hydrogeologic units in the project area, the long-term availability of groundwater resources and sources of groundwater. While potential groundwater impacts to the community of Ejido Jardines Del Rincon are not specifically analyzed, potential effects to off-site groundwater wells were considered and analyzed. In addition, a monitoring plan and network of monitoring wells would be established during construction to ensure groundwater extraction would not result in significant impacts associated with well interference and/or significant impacts to groundwater dependent habitat. Please refer to DPEIR Section 3.1.5.3.4, Groundwater Resources.



6. **@page 1.0-7: Module:** while noting that multi-junction solar cells have been in use for almost 20 years in space applications the DPEIR does not disclose or provide supporting evidence for how long Soitec's dual tracking CPV modules have been in operation, and where, or what their Mean Time Between Faults/ Failure (MTBF) rate is (the average time (usually expressed in hours) that a component works without failure)<sup>2</sup> The MTBF figure for a product can be derived from laboratory testing, actual field failure data or prediction models such as MIL-HDBK-217 (the *Military Handbook for Reliability Prediction of Electronic Equipment*, published by the U.S. Department of Defense)
7. **@page 1.0-7: Module:** Soitec CPV modules are described as "light weight" but no weight is provided. This section also describes operating temperature but does not account for the amount of energy radiated back into the ground, air, and the local micro-climate which may create heat island effects and potential altered weather patterns that in turn can alter rainfall and groundwater recharge that is critical to local property owners and native flora and fauna.
8. **@page 1.0-7: Inverters:** The brand and model of inverters are not disclosed which means the noise emissions cannot be verified through manufacturer's product specifications or real world field measurements at existing solar projects where the same inverters are used. Tonal and low-frequency noise / vibrations must be recognized, addressed and fully mitigated for neighbors and other sensitive receptors.
9. **@page 1.0-8: Control System:** This section does not clearly disclose whether wireless communication equipment will be required to communicate with off-site equipment and the cumulative impacts on people and wildlife related to a proliferation of potential radio frequency radiation
10. **@page 1.0-9 Backup Power and Storm Positioning System:** The various forms of back up generation (1.5MW diesel generators at substation, UPS battery supply at each inverter station or 20kW propane generators at each inverter skid) , include their own cumulative impacts related to noise, air quality, and potential EMF/RFER impacts that are not fully enumerated, described, or disclosed.
11. **@page 1.0-9: Security:** The description of National Electrical Safety Code (NESC) requirements for fencing does not clearly disclose that these are dangerous areas of "high voltage" that could

I38-7

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<sup>2</sup> <http://dictionary.reference.com/browse/Mean+Time+Between+Failures> : <http://www.computerworld.com/s/article/105781/MTBF>

**I38-4**

The County acknowledges the commenter's concerns regarding the Project Description. The temporary batch plant and rock crushing facility is described in detail on pp. 1.0-13 and 1.0-14. The approximately 10-acre facility would be temporary and would be converted to solar trackers after construction of the Proposed Project and therefore is not included on p. 1.0-4 as a main component of the Rugged solar farm. Nonetheless, the County has revised the DPEIR to clarify the inclusion of the temporary batch plant and rock crushing facility in the proposed Rugged solar farm. These revisions to the DPEIR are presented in ~~strikeout~~/underline format; refer to Chapter 1.0.

**I38-5**

The County acknowledges the commenter's concerns regarding the Project Description. The County does not agree that there is uncertainty regarding the Tule Wind project and gen-tie and the commenter does not provide evidence of such uncertainty. To the contrary, Tule Wind LLC has requested an amendment to the ROW grant that will extend the BLM Notice to Proceed (NTP) milestone to December 31, 2016. If the BLM approves the requested extension of the ROW grant, then construction of the Tule Wind Project would start in the 1<sup>st</sup> quarter of 2017. (See Tule Schedule 2017 (November 3, 2014).) Should the extension of the ROW grant not be approved by the BLM, Soitec would construct the gen-tie line. Soitec has a shared facility agreement between Tule Wind Farm LLC and Rugged Solar LLC to allow either party to construct the gen-tie without permission from

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|  | <p>either entity. Under this scenario, Soitec would be required to implement mitigation measures identified in the EIR/EIS for the Tule Wind Project for impacts associated with construction of the gen-tie line.</p> <p><b>I38-6</b> The County acknowledges the commenter’s concerns regarding the Photo 1-1. The photo included in Chapter 1.0 (see Photo 1-1) is intended to provide a visual of the tracker and tracker components described on page 1.0-6, and is not intended to provide the reader with an idea of the scale or bulk of the tracker. Section 2.1, Aesthetics, of the DPEIR includes visual simulations that show the potential change in the visual character of the Proposed Project sites and provide views of multiple trackers adjacent to one another similar to the photo included in this comment (see Figures 2.1-3 through 2.1-16).</p> <p><b>I38-7</b> The County acknowledges the commenter’s concerns regarding the Module. This comment is related to the time that the proposed dual trackers have been in operation and the Mean Time Between Faults/Failure data. It does not raise specific issues related to the Proposed Project or the adequacy of the environmental analysis in the DPEIR; therefore, no additional response is provided or required.</p> <p><b>I38-8</b> The County acknowledges the commenter’s concerns regarding the Module. The solar modules are lightweight and surrounded by airflow both inside and outside the module. As a result, heat dissipates</p> |
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|  | <p>quickly from the CPV solar panel. As described in Chapter 1.0, Project Description, of the DPEIR, the normal operating temperature for solar modules is 20 degrees Celsius (°C; 52 degrees Fahrenheit (°F)) above ambient temperature; therefore, on a typical summer day at 40°C (104°F), the panel temperature would be approximately 60°C (172°F). When accounting for irradiance (a measure of solar radiation energy received on a given surface area in a given time), wind, and module type, it is expected that the peak module temperatures in the summer would be between 65°C and 70°C (149°F and 158°F), and the peak module temperatures in the winter would be between 35°C and 40°C (95°F and 104°F).</p> <p>Although the trackers would be hot to the touch as a result of solar energy absorption, trackers are designed to absorb light energy inwards towards the panel to produce electricity. As opposed to mirrors, which redirect the sun, trackers use Fresnel lenses to concentrate sunlight inside the module to produce electricity, and therefore, they would not noticeably affect the temperature of the surrounding area; temperatures below the modules would be nearly the same as ambient temperatures in ordinary shade. Ultimately, although the panels do create heat due to dissipation of the heat in the solar modules, the panels also create shade. The heat generated from the solar panels is natural; without the presence of the solar</p> |
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|  | <p>panels the heat would still be present, but less localized, and all the solar irradiance would be dissipated into heat in the environment. Therefore, the panels are not anticipated to cause a rise in temperatures at the site above what would otherwise occur without the Proposed Project, or produce a heat island effect.</p> <p><b>I38-9</b> The County acknowledges the commenter’s concerns regarding the Control System The brand and model of inverters is included in the DPEIR; see Appendix 2.6-1 Section 2.2.1.1 and Appendix 2.6-2 Section 2.2.1.1, which indicate that the noise analysis assumed a Xantrex inverter manufactured by Schneider Electric, or equivalent, which has a noise level rating of 77 dB at 6 feet. For information regarding low frequency noise, please refer to DPEIR Section 2.6.7, Low Frequency Noise, and FPEIR Appendix 9.0-3, Infrasound and Low-Frequency Noise Memorandum.</p> <p><b>I38-10</b> The County acknowledges the commenter’s concerns regarding the Control System. As described in Section 1.0 of the DPEIR, the Proposed Project would be monitored off site through a supervisory control and data acquisition (SCADA) system. The SCADA system will have wired connections to all the CPV trackers and associated equipment. CalISO and the utilities require redundant wired and wireless communications from the project to the substation. Accordingly, each project site</p> |
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|  | <p>will be equipped with both wired and wireless communications to the Rebuilt Boulevard Substation.</p> <p>Recognizing there is a great deal of public interest and concern regarding potential health effects and hazards from exposure to electric and magnetic fields (EMFs) and radio frequency radiation (RFR), the DPEIR provides information regarding these potential issues; see Section 3.1.4.5 of the DPEIR. However, the DPEIR does not consider EMFs in the context of the CEQA for determination of environmental impact because there is no agreement among scientists that EMFs create a health risk and because there are no defined or adopted CEQA standards for defining health risks from EMFs. As a result, the EMF information is presented for the benefit of the public and decision makers. Furthermore, in response to this comment and other comments regarding EMF, a memorandum was prepared by Asher R. Sheppard, PhD to support the information provided in the DPEIR and provide more detail; see Appendix 9.0-1 of the DPEIR. The memorandum concludes that EMF from the Proposed Project are highly localized and pose no known concern for human health.</p> <p>The emissions from any EMF source rapidly decrease in strength with distance such that emissions hundreds of feet from a source such as a transmission line, broadcast, or communications antenna, could not exceed applicable health and safety guidelines or standards. This also is</p> |
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- encompass almost 1,500 acres of our community in close proximity to homes, livestock, and wildlife.
12. **@page 1.0-11 Fire:** This section erroneously and misleadingly states that the Proposed Project area, located entirely within the boundaries of the Boulevard Planning Area, includes fire stations owned and staffed by San Diego County Fire Authority, CalFire, San Diego Rural Fire Protection District, and US Forest Service. However, only the Boulevard Fire station, designated by the County as a volunteer station (not career with paid staff), and CalFire's White Star station, that respond to wildland fires, are actually located within the Boulevard Planning Area.
  13. **@page 1.0-12 Fire Protection:** This section refers to "entire site de-energizing disconnect switch identification and location" when it is well known that solar projects cannot be de-energized while the sun is shining, or even in certain strong moonlight conditions
  14. **@page 1.0-12: Site Preparation and Grading:** This section refers to overhead 34.5 kV trunk line for collection systems leading to the project substation. However, all new lines are required to be undergrounded per County policy. This project has applied for a waiver but one has not and should not be granted.
  15. **@page 1.0-13 Soil Stabilization:** The type of soil stabilizer and ingredients proposed for use are not identified or provided for public review and comment. We want to know what might be soaking into our ground and surface waters and *drifting* in the air off-site, their flammability, and more.
  16. **@page 1.0-13 Temporary Batch Plant and Rock Crushing facility:** this section mentions compliance with the General Industrial Stormwater Permit, when the community plan amendment claims these are not considered "industrial projects" for the sake of Boulevard's Community Plan. It mentions up to ten 12,000 gallon temporary water storage tanks may be installed to support water needs, but does not disclose those water needs.
  17. **@page 1.0-15: use of helicopters:** There is no disclosure or description of fly routes or extent of helicopter use for the project.
  18. **@page 1.0-28 Off-site Private Transmission:** This section fails to disclose the length of the off-site transmission line or address any changes that may be needed if the Tule Wind project does not move forward. To date, Tule Wind has not Power Purchase Agreement and is still in federal court over BLM approvals and is facing another lawsuit over the Bureau of Indian Affairs December 16, 2013 approval of the Record of Decision for Tule Wind phase II on the Ewilaappaayp tribal lands and Golden Eagle conflicts.
  19. **@page 10.1-17: Trackers:** This section states that panel washing will take place in evening or nighttime hours when trackers are aligned in westerly stow position. However, the panel washing at Soitec Solar existing Newberry Solar 1 project takes place during daylight hours which would be better for adjacent neighbors, instead of running energized washing equipment during nighttime and early morning hours.
  20. **@page 1.0-36: Environmental Setting:** Dudek seriously misrepresents Boulevard existing conditions and throws our community under the renewable energy bus, by focusing on the negatives and ignoring the positives. However, the Tule Wind project is still in Federal Court for BLM's approval of Phase 1 and a second lawsuit is pending over the Bureau of Indian Affairs December 2013 approval of Tule Wind Phase II on tribal land; Tule Wind has no Power Purchase

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true for all equipment of the Soitec solar farms. This sweeping generalization can be understood from the examples of high-voltage AC transmission lines and television broadcasting towers where there are high field strengths close to the source (power line or broadcast antenna), but these decrease so rapidly that, as for a broadcast TV station, most broadcast viewers need a sensitive receiver connected to an sizable antenna despite very high effective radiated power levels of the broadcast beam. Total effective power in the radiated signal at the broadcast antenna can reach one million watts or more.

**I38-11**

The County acknowledges the commenter's concerns regarding Backup Power and Storm Positioning System. The backup power and storm positioning system is described in Section 1.2.1.1 of the DPEIR as a common project component for the Proposed Project. Cumulative impacts associated with these components are addressed as part of the entire Proposed Project for noise (see Section 2.6.4 of the DPEIR) and air quality (see Section 2.2.4 of the DPEIR). As discussed in Section 3.1.4.5 of the DPEIR, there are no defined or adopted CEQA standards for defining health risks from EMFs; therefore, EMFs are not considered in the context of CEQA for determination of environmental impacts. See also response to comment I38-10.

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|  | <p><b>I38-12</b> The County acknowledges the commenter’s concerns related to Security. As stated in Section 1.2.1.1, “Signage in Spanish and English for electrical safety would be placed along the perimeter of the project site, warning the public of the high voltage and the need to keep out.”</p> <p><b>I38-13</b> The County acknowledges the commenter’s concerns regarding information related to Fire. The comment inaccurately states the language on p. 1.0-11. The section does not state that the various fire agencies are within the Boulevard Planning Area. It states:</p> <p><i>There are several fire stations that are owned and staffed by San Diego County Fire Authority (SDCFA), California Department of Forestry and Fire Protection (CalFire), San Diego Rural Fire Protection District (SDRFPD), and U.S. Forest Service (USFS) within the Proposed Project area.</i></p> <p>Therefore, there are no changes to the DPEIR are required. The Proposed Project area includes a broader vicinity than the Boulevard Planning Area as all fire agencies are available through various agreements to respond to significant fire events. In fact, there are several stations that are owned and staffed by SDCFA, CalFire, SDRFPD and USFS within close proximity to the Proposed Project. Within the unincorporated region’s emergency services system, fire and emergency medical services are provided by Fire Protection</p> |
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|  | <p>Districts, County Service Areas, and CalFire. Collectively, there are over 2,800 firefighters responsible for protecting the San Diego region from fire. Generally, each agency is responsible for structural fire protection and wildland fire protection within their area of responsibility. However, mutual and automatic aid agreements enable non-lead fire agencies to respond to fire emergencies outside their district boundaries. Interdependencies that exist among the region's fire protection agencies are primarily voluntary as no local governmental agency can exert authority over another. This was demonstrated by the major response to the 2003 and 2007 San Diego County Fires, and more recently, in the 2012 Shockey Fire, which burned very near the Proposed Project's Tierra del Sol solar farm site. Statistics provided by CalFire indicated that there were some 115 fire engines on scene (35 CalFire), 47 hand crews (36 CalFire), 2 dozers, 3 water tenders and including resources from SDRFPD, the Bureau of Land Management, Campo Reservation, and mutual aid strike teams. In addition, six aerial tankers were providing fire-retardant drops.</p> <p><b>I38-14</b> The County acknowledges the commenter's concerns regarding Fire Protections. Unlike typical flat panel photovoltaic technology, the Proposed Project's concentrator photovoltaic (CPV) technology stops producing current once solar panels are not perpendicular to the sun. This comment does not raise</p> |
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|  | <p>specific issues related to the Proposed Project or adequacy of the environmental analysis in the DPEIR; therefore, no additional response is provided or required.</p> <p><b>I38-15</b> The County acknowledges the commenter’s opinion regarding the Proposed Project’s waiver request to Board Policy I-92 related to undergrounding utilities. The commenter’s opposition to the waiver is noted and will be included in the administrative record for review and consideration by the decision makers. This comment does not raise specific issues related to the Proposed Project or the adequacy of the environmental analysis in the DPEIR; therefore, no additional response is provided or required.</p> <p><b>I38-16</b> The County acknowledges the commenter’s concerns regarding Soil Stabilization. Please refer to project design feature (PDF) PDF-AQ-1 in Section 2.2.3.2 of the DPEIR, which specifically provides an example of a nontoxic soil binding agent that may be used (EP&amp;A’s Envirotac II and Rhinosnot Dust Control, Erosion Control and Soil Stabilization). Product information and ingredients can be found on the EP&amp;A Envirotac website (<a href="http://envirotac.com/">http://envirotac.com/</a>).</p> <p><b>I38-17</b> The County acknowledges the commenter’s concerns regarding the Temporary Batch Plant and Rock Crushing Facility. DPEIR Section 3.1.5 has been revised to include a description of the Industrial General Permit that would be applicable to the temporary rock crusher and batch</p> |
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Agreement; Wind energy is no longer cost-competitive; the North of I-8 section ignore the McCain Valley Recreation and Conservation Area, the Cleveland National Forest and other supposedly protected lands and open space; in the Tierra Del Sol area there are oak groves, rolling open fields, rocky peaks, extensive views into Mexico, and 360 degree views from Tierra Del Sol Road in all directions, while the intrusive infrastructure that has already been forced upon us, and is used against us, is not visible from all vantage points as the DPEIR incorrectly implies.

21. **@page 1.0-42; Table 1-6 Construction Water Demand by Project:** Note #2 assumes that 20% of the Rugged Solar site is low-lying grasslands already cleared for the Sunrise Powerlink project. What is this assumption based on? Where is the supporting evidence for this assumption? Note #3 bases wind speeds on information from an unidentified Campo weather station, not a Boulevard weather station, that estimated an average of 20 days for Tierra Del Sol Solar and 22 days for Rugged Solar

22. **@page 1.0-42 Table 1-7 Total Estimated Water Use for Operation of Solar Projects** does not include any numbers or estimates of water use for the necessary reverse osmosis / de-ionization process to purify the water used for cleaning the CPV panels. The plot plans show brine tanks for this process.

23. **Figure 1-4: Project Environmental Setting south of I-8: Incorrect and outdated information**

- The new Border Patrol Station is located on Ribbonwood Road (not Jewel Valley Road) and it is north of I-8—not south of I-8
- Photo of the US Border Patrol station south of I-8 west of Ribbonwood Road is now closed.
- The Kumeayaay Wind turbines are located on Campo Reservation —north of I-8 not south as stated.
- All MET towers have been removed along with the withdrawn wind turbine projects that were planned south of I-8: Jewel Valley Wind and Shu'luuk Wind are dead
- The photo graph used as an example of "typical materials stored on private properties within vicinity of the project site" is an unauthorized use, at least 3 miles north of the Tierra Del Sol Solar project that is subject to codes enforcement. Dudek's selections show bias and unprofessionalism.
- The border fence was installed with a CEQA and NEPA waiver
- The US Border Patrol Stations are exempt from CEQA and County jurisdiction
- Kumeayaay Wind turbines are also under federal jurisdiction and were authorized with a vastly inadequate EA only.

24. **Figure 1-5a: Project Environmental Setting North of I-8: Errors**

- 5 of the 15 photographs were taken south of I-8—not north
- 3 were taken in Bankhead Springs area of some historic buildings from the 1920' -30's and grandfathered in land uses that were never required to get a permit
- The Old Hwy 80 shot is also south of I-8, west of Bankhead Springs, adjacent to the LanEast site.

25: **Figure 1-5b Project Environmental Setting –North of I-8: Errors**

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I38-24

plant proposed on the Rugged site. The RWQCB definition for an “industrial project” differs from that provided in the Boulevard Community Plan; therefore, under the RWQCB definition the Proposed Project would require an Industrial General Permit. Please also refer to common response WR1, which addresses the operational water demands of the Proposed Project, including the temporary water storage tanks.

**I38-18** The County acknowledges the commenter’s concerns regarding Helicopters. The anticipated use of helicopters is discussed in Section 1.2.1.1 of the DPEIR. Fly routes are not known at this time; however, per PDF-TR-1, a public notice mailer would identify all helicopter construction activities and would be distributed to the public a minimum of 15 days prior to construction (see Section 3.1.8.3.3 of the DPEIR).

**I38-19** The County acknowledges the commenter’s concerns regarding Off-site Private Transmission. See response to comment I38-5.

**I38-20** The County acknowledges the commenter’s concerns regarding Trackers. Noise impacts from tracker washing would be below the nighttime County Noise Ordinance limit of 45 decibels (dB) hourly  $L_{eq}$  with incorporation of project design features which require enclosure of the wash station engine and setbacks from the property line where there is adjacent residential use (see Section 2.6.3.1 of the DPEIR).

- The Golden Acorn Casino, the Church and the railroad trestle bridge over Hwy 94 are all located on the Campo Indian Reservation—*south of I-8 –not north*
- The two bottom right photographs are in the Jacumba Planning Area, not Boulevard, and they are both south of I-8. One is an old junkyard that was permitted years ago. It may be subject to codes enforcement if found in violation

25. **Figure 1-12: Cumulative Projects Map:**

- Includes numbers but no key to inform the reader what projects those numbers related to.
- All the MET towers have been removed for Jewel Valley Wind, Manzanita Wind, and Shu’luuk Wind—those projects have been withdrawn

26. **Figure 2.1-2: Key View Locations:**

- No Ribbonwood Road locations are indicated
- No Historic Route 80 locations adjacent to both LanWest and LanEast
- Why don’t vested homeowners count as key view locations? We pay taxes and property values are based in large part on VIEWS.

27. **Figure 2.1-4: Key View 2- Existing and Proposed Conditions:**

- The proposed conversion of open green space to hardscape industrial view blocking industrial energy project is unconscionable
- Where are the overhead collector lines and tall gen-tie lines, and Southwest Powerlink?
- Buffer zones must be expanded along property lines and public roadways
- This sole legal access road would be closed in the event of a fire at or near this Soitec project

28. **Figure 2.1-5: Key View 3: Existing and Proposed Conditions:**

- Ditto comments for Key View 2 above
- Look at the proximity to the adjacent home
- The current open habitat draws in raptors and other wildlife for foraging and nesting.

29. **Figures 2.1-7 Key View 5 through 2.1-16 Key View 16**

- The visual simulations are biased and minimized and do not accurately demonstrate the bulk, scale, and glare related to Soitec’s 30’ tall CPV trackers—based on the real world visual impacts at Soitec’s Newberry Springs Solar 1 facility in Newberry Springs, CA, as documented in the two photos below (Tisdale 12-8-13)



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3-2-14



**I38-21**

The County acknowledges the commenter’s concerns regarding the Environmental Setting. See responses to comments I38-5 and I38-19. The County does not agree that Section 1.4 of the DPEIR overemphasizes the presence of renewable energy and infrastructure components of the landscape at the cost of portraying the true character of the Proposed Project area. Specifically, Section 1.4 describes the Boulevard and Tierra del Sol communities as a “predominantly rural landscape featuring large-lot ranches and single-family homes with a mixture of small-scale agriculture, recreational opportunities, and undeveloped lands.” Please also refer to DPEIR Section 2.1.1, Existing Conditions, for a regional overview and site-specific discussion regarding the visual environment of the Project areas.

**I38-22**

The County acknowledges the commenter’s concerns regarding Construction Water Demand by the Project. Please refer to common response WR1 regarding revisions to the water demand estimate. The assumption that 20% of the sites has been already cleared was removed and the acreage applied was revised to be consistent with the development footprint as shown in DPEIR Tables 2.3-12 through 2.3-14. The estimated number of high wind days was revised to reflect the applicants’ site-specific data. The reverse osmosis and de-ionization process occurs on the water used to wash panels; this water has been included in the water demand estimate.

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|  | <p><b>I38-23</b> The County acknowledges the commenter’s concerns regarding Figure 1-4: Project Environmental Setting South of I-8. In response to this comment, Figure 1-4 of the DPEIR has been revised to address incorrect information. While the border fence was installed with a CEQA and National Environmental Policy Act waiver and the U.S. Border Station and Kumeyaay wind turbines are under federal jurisdiction, these features contribute to the existing environmental setting of the Boulevard area. Figure 1-4 is intended to portray the existing Proposed Project area landscape and setting, not solely those land uses under County jurisdiction.</p> <p><b>I38-24</b> The County acknowledges the commenter’s concerns regarding Figure 1-5a: Environmental Setting North of I-8. In response to this comment Figure 1-5 (previous Figures 1-5a and 1-5b have been consolidated) of the DPEIR has been revised to address incorrect information. The photographs included on Figure 1-5 portray a mosaic of land uses and elements located north of Interstate 8 (I-8) that contribute to the existing environmental and landscape setting.</p> <p><b>I38-25</b> The County acknowledges the commenter’s concerns regarding Figure 1-12: Cumulative Projects Map. The numbers labeling each of the projects on Figure 1-12 correspond to the Map ID key in Table 1-12 of Chapter 1.0 of the DPEIR.</p> |
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|  | <p>In response to this comment, the list of cumulative projects has been reviewed and Table 1-12 has been revised in Chapter 1.0 of the DPEIR to reflect the most current status of known projects in the cumulative study area. The County agrees that the Jewel Valley Wind and Manzanita Wind projects are no longer reasonably foreseeable projects. The DPEIR has been revised to remove these projects from the Cumulative Projects List. These revisions to the DPEIR are presented in <del>strikeout</del>/<u>underline</u> format; refer to Table 1-12 in Chapter 1.0. The Shu’luuk Wind Project was not included in the Cumulative Projects List. Other projects that are also no longer believed to be reasonably foreseeable include Debenham Energy and Silverado Power solar farms; Table 1-12 in Chapter 1.0 of the DPEIR was revised to reflect these changes.</p> <p><b>I38-26</b> The County acknowledges the commenter’s concerns regarding Figure 2.1-2: Key View Locations. Figure 2.1-2 referenced by the commenter shows the key view locations for which visual simulations were prepared. Ribbonwood Road was analyzed for potential key view locations during visual fieldwork conducted for the Rugged solar farm. Due to existing vegetation and intervening terrain, it was determined that no significant views of the site were available to viewers within this public right-of-way, and therefore, no locations along Ribbonwood Road were chosen for visual simulations.</p> |
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|  | <p>The selected key views were from a variety of vantage points and distances to analyze the visual effects of the Proposed Project. However, locations not identified as key views (including Old Highway 80) were still considered in the analysis. For example, the DPEIR acknowledges that the LanEast and LanWest sites would be visible from Old Highway 80 and that the Proposed Project (and more specifically, the LanEast and LanWest solar farms) could substantially obstruct or interrupt from valued views available from Old Highway 80; see Section 2.1.3.1 of the DPEIR. Such impacts were analyzed and determined to be significant and unavoidable.</p> <p>The DPEIR and Visual Resources Technical Reports were prepared in accordance with the CEQA Guidelines and County Guidelines for Determining Significance for Visual Resources and Report Format and Content Requirements for Visual Resources. As indicated in Attachment A of County’s Report Format and Content Requirements for Visual Resources (County of San Diego 2007a), “visual simulations should adequately represent a real view as the public would see it from a publicly accessible location.” Additionally, the County’s Report Format and Content Requirements for Visual Resources indicate that analyzing all the views in which the proposed project would be seen is not feasible. Accordingly, the selected key views analyzed in the visual resource technical reports and the DPEIR were selected based on locations that would most clearly</p> |
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|  | <p>display the visual effects of the Proposed Project as the public would experience it. Further, in accordance with the County’s Guidelines for Determining Significance (Visual Resources) (County of San Diego 2007b), aspects of the Proposed Project were assessed by analyzing visual changes that would occur at particular key view location. Use of key views is not intended to imply that visual changes resulting from the Proposed Project would only be experienced at select locations in the area surrounding the project site. Rather, visual changes anticipated to be experienced by sensitive receptors (viewers who would be most susceptible to visual impact within their viewshed) at key view locations (locations chosen to be representative of the most visually sensitive areas that would view the Proposed Project) are described in the visual resource technical reports and DPEIR to help characterize the overall project impacts to the existing visual character and quality of the site(s) and surrounding area(s). Impacts to visual character and quality are discussed in Section 2.1.3.2.</p> <p><b>I38-27</b> The County acknowledges the commenter’s concerns regarding Key View 2: Existing and Proposed Conditions. As depicted on Figure 1-6, the proposed overhead collector line would be located south of the existing Southwest Powerlink as it traverses the Tierra del Sol solar farm site. Since the Southwest Powerlink does not appear in the existing conditions photograph on</p> |
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|  | <p>Figure 2.1-4, the proposed overhead collector line would not appear in the visual simulation. Also, the proposed overhead gen-tie line does not appear in the visual simulation because, as viewed from Key View 2, the feature would be obscured by trackers and terrain. While proposed landscape buffers have not been incorporated in Figure 2.1.4, landscape screening and buffers are fully discussed in Appendix 2.1-4, Landscape Screen Design for the Soitec Solar Development Program EIR. Figures 1 and 3 of Appendix 2.1-4 detail an enhanced landscape buffer along Tierra del Sol Road.</p> <p>Potential fire impacts associated with construction and operation of the Tierra del Sol solar farm are discussed in Appendix 3.1.4-5, Draft Fire Protection Plan (FPP) for the Tierra del Sol solar farm.</p> <p><b>I38-28</b> The County acknowledges the commenter’s concerns regarding Key View 3: Existing and Proposed Conditions. Please refer to the response to comment I38-27. Impacts to wildlife and habitat are discussed in Section 2.3, Biological Resources, of the DPEIR.</p> <p><b>I38-29</b> The County acknowledges the commenter’s concerns regarding visual simulations from Key View 5 through Key View 16. All the three-dimension (3d) models used in the preparation of visual simulations are created true to scale and the 3d model cameras used to capture anticipated views from key view locations have real camera values. A 3d model of Soitec’s Concentrix</p> |
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30. **Figure 2.5-1: Existing Land Uses:**

- Existing homes south, west, and east of LanWest and LanEast are not shown on the map
- The Jewel Valley Wind project is gone and should be removed
- Homes along Tule Jim and Jewel Valley Road, Calexico Lodge, and Tierra Heights area are not shown
- Several homes along Rocky Knoll Road are not shown, north of I-8 and west of McCain valley road
- The McCallister home on McCain Valley Road between Rough Acres Ranch and Lark Canyon OHV park is not shown
- The Wuest Ranch homes are not shown, near Tule Lake
- Bankhead Springs residences along Old 80 are not shown
- Tribal residences on the Campo and Manzanita Reservations are not shown and many will be impacted by potential glint and glare and the changed view shed

I38-30

31. **Map 2.5-3: Project Zoning Map:**

- The S88 Specific Plan shown on the map is expired and should be removed

I38-31

32. **Figure 2.5-4: Tierra Del Sol Sensitive Land Uses Within 1,000 Feet:**

- Why limit it to 1,000 feet when noise, vibrations, visual and glint and glare impacts will be much more extensive.
- The Maupin residence and ranch that abut the site on the east, is not included
- Several homes and small livestock operations along Tierra Del Sol Road south of the railroad were inexplicably not included
- Homes impacted by the Tierra Del Sol Gen-tie are not included either
- Homes in Ejido Jardines Del Rincon are also excluded when they should be included

I38-32

33. **Figure 2.5-5: Rugged Solar Sensitive Land Uses within 1,000 feet:**

- The McCain Valley Conservation Prison Camp is not included
- Homes and small livestock operations along Ribbonwood Road, north of the proposed Rough Acres Ranch Road are not included-even though they are within 1,000 feet
- The historic McCain Ranch house on the McCain Valley Conservation Camp land, east of McCain Valley Road along Tule Creek is in the process of being designate Historic and restored—it should be included

I38-33

34. **Figure 2.5-6: LanEast Sensitive Land Uses within 1,000 feet:**

- The Walker Canyon Ecological Reserve north of I-8, across from LanEast, is not shown.
- There is another home not shown, that is on the map near the Caltrans Hwy Maintenance Yard tag.
- The same home is missing from Figure 2.5-7 for LanWest

I38-34

35. **Figure 2.6-1: Tierra Del Sol Noise Sensitive Receptors and Noise Measurement Locations:**

- Not all impacted Homes and small livestock operations and riparian areas are marked
- There are llamas, horses, cattle, pigs, and goats in the impacted area. Llamas and goats are known to be especially sensitive to noise
- There is no information on low-frequency noise and vibrations

I38-35

modules and dual-axis tracking system was provided by Soitec. Dudek confirmed the scale of the model to be accurate by measuring key components (i.e., height, width, length) against the dimensions of these components as represented in Section 1.0, Project Description, of the DPEIR. 3d model measurements were conducted within the software (3d Studio Max) utilized to prepare 3d visual simulations. The solar farms site plans were provided to Dudek by AECOM and were used to create the proposed grading, roads, fences, and tracker locations associated with the solar farm in the 3d model.

Within 3d Studio Max, the field of view of the 3d cameras is set to match the field camera used to take the background photos for the visual simulations. Photoshop is used to digitally extract this camera information. The 3d cameras are then located within the 3d scene using the GPS coordinates of the field camera. The targets of the 3d cameras are then adjusted to match physical features that are common in both the background photo and in terrain model. A terrain model is created for the proposed finish surface. The access roads, fences and trackers from the site plan are placed at the z value of this surface. The 3d cameras are then rendered to high resolution tiff images and these images are brought into Photoshop where foreground hills and vegetation is placed back in front of the landscape scene.

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|  | <p>Further, in determining the severity of visual impacts, the DPEIR analysis considered all components of the Proposed Project and the impact determinations were not based (or restricted) solely to those project elements seen in the visual simulations. Visual simulations prepared by Dudek for the Tierra del Sol Solar Farm and AECOM and Dudek for the Rugged solar farm provide photorealistic representations of the various project components, and cover a range of viewing locations and viewer types.</p> <p>The DPEIR discusses general glare effects in relation to established County of San Diego significance thresholds in the DPEIR. The Boulevard Glare Study prepared by Power Engineers provides more specifics. Please refer to pages 22 and 23 of the Boulevard Glare Study for discussion of trackers and potential prismatic coloring effects.</p> <p><b>I38-30</b> The County acknowledges the commenter’s concerns regarding Figure 2.5-1: Existing Land Uses. This comment does not provide specific details regarding the addresses or locations of homes that the commenter states are not shown on Figure 2.5-1; therefore, this information cannot be added to the figure. Nonetheless, Figure 2.5-1 is intended to provide a general characterization of existing land uses in the Proposed Project area and is not intended to identify each individual residence in the area. A note has been added to clarify the intent of the figure. Also, the addition of the residences listed by the</p> |
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|  | <p>commenter would not affect the analysis in the DPEIR. Chapter 2.5, Land Use, does not provide impact determinations for individual residences.</p> <p>The County agrees that the Jewel Valley Wind project is no longer a reasonably foreseeable project (see response to comment I38-25); Figure 2.5-1 has been revised to remove Jewel Valley Wind. Residences identified as having potential to receive project-generated glare during operations are discussed in Chapter 2.1, Aesthetics (see Section 2.1.3.3, Light and Glare) of the DPEIR.</p> <p><b>I38-31</b> The County acknowledges the commenter’s concerns regarding Map2.5-3: Project Zoning Map. The County agrees that the zoning designation S88 Specific Plan has expired. The DPEIR Figure 2.5-3 has been updated to remove this zoning designation.</p> <p><b>I38-32</b> The County acknowledges the commenter’s concerns regarding Figure 2.5-4: Tierra Del Sol Sensitive Land Uses Within 1,000 Feet. As described in Section 2.5 of the DPEIR, sensitive land uses within 1,000 feet of Proposed Project components were mapped since those land uses are most likely to be affected by the Proposed Project. The analysis of potential noise impacts (including vibration) and potential visual impacts (including glare) in Sections 2.6 and 2.1 of the DPEIR, respectively, do not limit their analysis to sensitive receptors within 1,000 feet of the Proposed Project sites, but rather identify their own geographic scope appropriate for the resource topic.</p> |
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| <ul style="list-style-type: none"> <li>The CPV module trackers and other components will likely make a lot of rattling and whistling, and wire slapping noises in the wind</li> <li>What recourse do residents have when the project creates a nuisance?</li> </ul>   | I38-35<br>Cont. |
| <p><b>36. Figure 2.6-a: Gen Tie Alignment Map</b></p> <ul style="list-style-type: none"> <li>Numerous residences are missing near the illegal airstrip, between Jewel Valley Road and the Boulevard Substation</li> <li>The one shown is incorrect—there is no house there</li> </ul>   | I38-36          |
| <p><b>37. Figure 2.6-2b: Gen-tie Alignment Map</b></p> <ul style="list-style-type: none"> <li>The number of residence appears to be understated by about ½ dozen</li> </ul>   | I38-37          |
| <p><b>38. Figure 2.6-3: Rugged Solar Farm Site Noise Sensitive Receptors and Noise Measurement Locations</b></p> <ul style="list-style-type: none"> <li>Noise measurements were taken near more noise areas like roadways and the new Border Patrol Station near I-8</li> <li>No measurements were taken in the Ribbonwood Road area or the NW corner area, beyond location #5 at the more noise southern end.</li> <li>Approximately 10-12 homes along the western edges are not included</li> <li>Small Livestock operations are not included</li> <li>The McCain Valley Conservation Campo is not included</li> <li>Off the map, near the numbers 12 and 13, homes along the western end of Rocky Knoll Road are left out</li> <li>This map does not show the proposed Rough Acre Campground and Conference Center project that is currently in the MUP /EIR process</li> </ul>        | I38-38          |
| <p><b>39. Figure 2.6-4: LanEast and LanWest Project Sites – Potential Sensitive Receptors</b></p> <ul style="list-style-type: none"> <li>Why are these sites limited to 750 feet while the others are 1,000 feet?</li> <li>Where were the noise measurements taken?</li> <li>Approximately 12-14 homes were left off this map, abutting the western side of LanWest, along Old Hwy both east and west of McCain Valley Road, two on McCain Valley Road between I-8 and Old 80, several between McCain Valley Road and Bankhead Springs, including the historic stone Mistletoe Lodge, and several abutting the LanEast project on the SE corner in the Bankhead Springs area, and several on Rocky Knoll Road just north of I-9</li> <li>The home immediately west of LanWest has small children present</li> <li>Numerous residents are seniors with existing health problems</li> </ul> | I38-39          |
| <p><b>40. Figure 3.1.1-4 Rugged Solar – County Zoning:</b></p> <ul style="list-style-type: none"> <li>What is Rugged Solar Phase II that is marked on this map?</li> <li>It includes 5 parcels that are not included in the Rugged Solar footprint that has been disclosed to date: APN 6110910200; 6120210700; 6120211000; 61203002000; 6120301500</li> </ul>  | I38-40          |
| <p><b>41. Figure 3.1.1-6: Rugged Solar – Farmland and Monitoring Program:</b></p> <ul style="list-style-type: none"> <li>Again—what is Rugged Solar Phase II?</li> </ul>  | I38-41          |
| <p><b>42. Figure 3.1.1-7: LanEast /LanWest – County Zoning</b></p>  | I38-42          |
| <p>7   Tisdale - BPG Soitec DPEIR errors &amp; omission list 3-2-14</p>   |                 |

In response to this comment, the County has revised Figure 2.5-4 to include the Maupin residence immediately to the east of the Tierra del Sol solar farm as well as to expand the figure to include the gen-tie alignment and sensitive resources adjacent to the gen-tie.

Specific locations or addresses for other homes mentioned in this comment are not provided; therefore, this comment lacks sufficient detail to which a more thorough response can be provided.

**I38-33** The County acknowledges the commenter’s concerns regarding Figure 2.5-5: Rugged Solar Sensitive Land Uses within 1,000 feet. In response to this comment, the County has revised Figure 2.5-5 to include the McCain Valley Conservation Camp. Specific locations or addresses for other homes and land uses mentioned in this comment are not provided; therefore, this comment lacks sufficient detail to which a more thorough response can be provided.

**I38-34** The County acknowledges the commenter’s concerns regarding Figure 2.5-6: LanEast Sensitive Land Uses within 1,000 feet. Specific locations or addresses for homes and other land uses mentioned in this comment are not provided; therefore, this comment lacks sufficient detail to which a more thorough response can be provided. Refer to response to comment I38-30 regarding the representational intent of the existing land use figures included in Chapter 2.5, Land Use. In

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|  | <p>response to this comment, the Walker Canyon Ecological Reserve is now depicted on Figure 2.5-6.</p> <p><b>I38-35</b> The County acknowledges the commenter’s concerns regarding Figure 2.6-4: LanEast &amp; LanWest Potential Noise Sensitive Receptors. Residences closest to each facility have been identified, and were used in evaluating worst-case noise impacts of the Proposed Project (i.e., homes the shortest distance from facility property boundaries would experience the highest level of project-generated noise); it is not necessary to evaluate every home in the Proposed Project vicinity as long as the closest residences are included in the analysis representing a worst-case scenario. The County does not have noise impact thresholds applicable to riparian area or livestock animals, and therefore noise exposure levels for these were not analyzed. Vibration is discussed in the DPEIR, both short term from construction and long term from operations. Noise related to wind movement is created when wind passing over a surface causes the surface to vibrate. The solar trackers are rigid panels that are not prone to vibration; therefore, the solar installation would not be anticipated to increase noise levels generally associated with existing wind patterns in the region. If the Proposed Project fails to comply with noise levels established for the land use where a receiver is located, that person has the option to file a complaint with County Code Compliance.</p> |
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|  | <p><b>I38-36</b> The County acknowledges the commenter’s concerns regarding Figure 2.6-2a: Gen-Tie Alignment. As indicated in the response to comment I38-35, residences closest to each solar farm have been identified and analyzed; it is not necessary to identify and evaluate every home. As stated in the DPEIR, Figure 2.6-a is intended to show which residences were evaluated in the analysis representing a worst-case scenario and is not intended to show all residences in the nearby vicinity.</p> <p><b>I38-37</b> The County acknowledges the commenter’s concerns regarding Figure 2.6-2b: Gen-Tie Alignment. As indicated in the response to comment I38-35, residences closest to each solar farm have been identified and analyzed; it is not necessary to identify and evaluate every home. As stated in the DPEIR, Figure 2.6-b is intended to show which residences were evaluated in the analysis representing a worst-case scenario and is not intended to show all residences in the nearby vicinity.</p> <p><b>I38-38</b> The County acknowledges the commenter’s concerns regarding Figure 2.6-3: Rugged NSLU and Measurement Locations. Measurements of ambient noise levels to represent a sub-region typically focus upon roadway locations, because roadways are the principal source of noise generation contributing to the noise environment (CNEL). These measurement locations are also key for evaluating increases from project-generated traffic. Several measurement locations were also included that are not immediately adjacent to</p> |
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| <ul style="list-style-type: none"> <li>• Why is APN 611110100, part of Rugged Solar, is shown as Open Space</li> </ul> <p><b>43. Figure 3.1.1-10 &amp; 3.1.1-11 Cumulative projects:</b></p> <ul style="list-style-type: none"> <li>• Both maps are out of date and show wind projects that have been withdrawn: Jewel Valley Wind and Manzanita Wind</li> <li>• The maps do not show existing Ocotillo Wind project</li> <li>• Maps do not show approved Tule Wind project that is still in court</li> <li>• Maps have numbers but there is no key for the reader to know which projects the numbers represent</li> <li>• The Agriculture Preserver, shown on McCain Valley Road, is on BLM land where the grazing allotments have been discontinued</li> </ul> <p><b>44. Figure 3.1.1-12: Cumulative Projects County Zoning</b></p> <ul style="list-style-type: none"> <li>• This map has the same errors as the two previous Figures above</li> <li>• Campo, La Posta and Manzanita tribal lands appear to be erroneously marked as commercial</li> <li>• The Campo tribal lands in that area were previously zoned Wilderness</li> <li>• The A 72 Agriculture in McCain Valley appears to be incorrect</li> </ul> <p><b>45. Figure 3.1.4-3: Rugged Solar Farm site: (well, pole and windmill map)</b></p> <ul style="list-style-type: none"> <li>• This map shows "scattered rural residential properties" but does not quantify how many or how far away they are</li> <li>• This map does not show residential property at the Wuest Ranch/Tule Lake</li> <li>• It does not identify the adjacent BLM land uses as McCain Valley Recreation and Conservation Area, Lark Canyon OHV Park and Campground, In-ko-pah ACEC, Critical Bighorn Sheep Habitat</li> </ul> <p><b>46. Figure 3.1.4-4: LanEast and LanWest Sites:</b></p> <ul style="list-style-type: none"> <li>• Adjacent 150 acre ranch with homes and cattle is erroneously identified as VACANT on the east side of LanEast</li> <li>• A newer Southwestern style home, with children present, with on-site solar is erroneously identified as VACANT, abutting the entire western boundary of LanWest</li> <li>• Occupied residential area with several homes is erroneously identified as "automotive yard"</li> <li>• Numerous homes are identified as 'scattered rural residential properties, but are not quantified. It appears that some were not included</li> </ul> <p><b>Water: Hydrology Water Quality<sup>3</sup></b></p> <ol style="list-style-type: none"> <li>1. Do project water estimates actually include rock crushing, cement batch plants, trenching, road grading, and reverse osmosis for panel washing, decommissioning and restoration?</li> <li>2. According to a public response from Jim Bennett, County Groundwater geologist (BPG public meeting 2-6-14), no isotope testing was conducted to help determine the area and the rate of</li> </ol> <p><small><sup>3</sup> <a href="http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/3.1.5_HydrologyWaterQuality.pdf">http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/3.1.5_HydrologyWaterQuality.pdf</a></small></p> <p style="text-align: center;"><small>8   Tisdale - BPG Soitec DPEIR errors &amp; omission list 3-2-14</small></p> | <p>↑ I38-42<br/>Cont.</p> <p>I38-43</p> <p>I38-44</p> <p>I38-45</p> <p>I38-46</p> <p>I38-47</p> <p>↓ I38-48</p> |
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active roadways (i.e., 2, 4, 5). The density and relative location of noise measurements throughout the study area are sufficient to characterize the range of ambient noise levels in the Proposed Project vicinity. Residences closest to each side of the proposed facility have been identified, and were used in evaluating worst-case noise impacts of the Proposed Project (i.e., homes the shortest distance from facility property boundaries would experience the highest level of project-generated noise); it is not necessary to evaluate every home in the Proposed Project vicinity as long as the closest residences are included in the analysis. The County does not have noise impact thresholds applicable to livestock animals, and therefore noise exposure levels for these were not analyzed. The purpose of Figure 2.6.3 is to illustrate noise measurement locations and proximate noise-sensitive land uses that could be affected by construction or operation of the Proposed Project; the figure is not intended to illustrate every development in the subregion of the Proposed Project.

**I38-39**

The County acknowledges the commenter's concerns regarding Figure 2.6-4: Lan East & West Potential Noise Sensitive Receptors. For these sites, the closest sensitive receptor on the west, south, and east side of the Proposed Project are located within 750 feet of the project boundary; it is therefore not necessary to extend the boundary to 1,000 feet in order to identify the closest sensitive receptor. Because of the Proposed Project site proximity between I-8 and Old Highway 80, ambient

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|  | <p>noise levels can be derived from noise modeling using existing traffic volume data for these two major highways. As traffic is the primary noise source in the area, it is reasonable to establish existing ambient traffic noise conditions based on traffic volume data. In addition, project-specific surveys will be required should permits be sought to developed the LanEast and/or LanWest site. Residences closest to each side of the proposed facility have been identified, and were used in evaluating worst-case noise impacts of the Proposed Project (i.e., homes the shortest distance from facility property boundaries would experience the highest level of project-generated noise); it is not necessary to evaluate every home in the Proposed Project vicinity as long as the closest residences are included in the analysis. Additionally, the DPEIR demonstrates County Noise Element conformance with noise exposure thresholds to nearby residents.</p> <p><b>I38-40</b> The County acknowledges the commenter’s concerns regarding Figure 3.1.1-4: Rugged Solar – County Zoning. Rugged solar farm Phase II, shown outlined in red on Figure 3.1.1-4 of the DPEIR, was included in error. In response to this comment, the County has made revisions to the DPEIR; refer to Figures 3.1.1-4 and 3.1.1-6 in Section 3.1.1.</p> <p><b>I38-41</b> The County acknowledges the commenter’s concerns regarding Figure 3.1.1-6: Rugged Solar – Farmland and Monitoring Program. See the response to comment I38-40.</p> |
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|  | <p><b>I38-42</b> The County acknowledges the commenter’s concerns regarding Figure 3.1.1.7: LanEast/LanWest – County Zoning. The County does not agree that Figure 3.1.1-7 of the DPEIR shows a portion of the Rugged site (APN 611110100) as Open Space. Figure 3.1.1-7 shows APN 611110100 as a darker shade of green, which is the Agriculture designation.</p> <p><b>I38-43</b> The County acknowledges the commenter’s concerns regarding Figure 3.1.1-10 &amp; 3.1.1-11: Cumulative Projects. The County has revised the DPEIR to remove cumulative projects that are no longer reasonably foreseeable. These revisions to the DPEIR are presented in <del>strikeout</del>/<u>underline</u> format; refer to Table 1-12 in Chapter 1.0. Four projects have been removed from the Cumulative Projects List, including EGP Jewel Valley (i.e., Jordan Wind) (Map ID 3), Manzanita Wind Energy Project (Map ID 4), Debenham Energy (Map ID 5), and Silverado Power (Map ID 15).</p> <p>The comment indicates that the Ocotillo Wind project is not shown on Figures 3.1.1-10 and 3.1.1-11. As explained in Section 3.1.1.4 of the DPEIR, the geographic extent for the analysis of cumulative impacts associated with agricultural resources includes southeastern San Diego County and therefore cumulative projects in western Imperial County are excluded from the cumulative impact analysis. There are two wind energy projects and one solar energy project</p> |
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|  | <p>shown on Figure 1-12 that are excluded from the agricultural resources cumulative analysis (see DPEIR Section 3.1.1.4). These projects are not located within the agricultural portion of Imperial Valley and therefore would not affect agricultural resources.</p> <p>The Tule Wind project (Map ID 2) (see DPEIR Chapter 1.0, Table 1-12) was left off of Figures 3.1.1-10 and 3.1.1-11 in error. The DPEIR has been revised (see Figures 3.1.1-10, 3.1.1-11, and 3.1.1-12) to include the Tule Wind project on these figures.</p> <p>The comment indicates that no key is included on Figures 3.1.1-10 and 3.1.1-11 to indicate to the reader which cumulative project is represented by each number. In response to this comment, the County has added a note to Figures 3.1.1-10, 3.1.1-11, and 3.1.1-12 in the DPEIR (see DPEIR Section 3.1.1) to direct the reader to Table 1-12 of Chapter 1.0, which includes the map key for each project.</p> <p><b>I38-44</b> The County acknowledges the commenter’s concerns regarding Figure 3.1.1-12: Cumulative Projects County Zoning. See response to I38-43. In response to this comment, Figure 3.1.1-12 has been revised to accurately identify the zoning designation (Indn Res, Indian Reservation) applied to Campo, La Posta, and Manzanita tribal lands. In regards to the comment pertaining to past wilderness zoning applied to Campo tribal lands, Figure 3.1.112 depicts the current zoning</p> |
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recharge or the age of water resources being proposed for utilization at Soitec Solar project sites and/or the backup source sites at Pine Valley and Jacumba Hot Springs

3. **Potential Climate change impacts on reduced rainfall, groundwater resources, reduced recharge, and sustainability were not included.** According to the USGS "The effect of potential long-term changes in climate, including changes in average conditions and in climate variability, also merits consideration. Climate change could affect ground-water sustainability in several ways, including (1) changes in ground-water recharge resulting from changes in average precipitation and temperature or in the seasonal distribution of precipitation, (2) more severe and longer lasting droughts, (3) changes in evapotranspiration resulting from changes in vegetation, and (4) possible increased demands for ground water as a backup source of water supply. Surficial aquifers, which supply much of the flow to streams, lakes, wetlands, and springs, are likely to be the part of the ground-water system most sensitive to climate change; yet, limited attention has been directed at determining the possible effects of climate change on shallow aquifers and their interaction with surface water. In summary, consideration of climate can be a key, but underemphasized, factor in ensuring the sustainability and proper management of ground-water resources. As increasing attention is placed on the interactions of ground water with land and surface-water resources, concerns about the effects of droughts, other aspects of climate variability, and the potential effects of climate change are likely to increase"<sup>4</sup>

4. **@page 3.1.5-2 Regional Hydrology and Drainage:** The discussion of the project sites Tecate Divide fail to disclose the USEPA designated Campo-Cottonwood Creek Sole Source Aquifer<sup>5</sup> that includes part if not all of Soitec's Tierra Del Sol Solar site. While Rugged Solar, LanWest and LanEast are outside the boundaries of the designation, they are all located in areas that qualify for similar designation due to the fact that the area is entirely groundwater dependent with no economically feasible alternate source. The EPA's Sole Source Aquifer (SSA) Program was established under Section 1424(e) of the Safe Drinking Water Act (SDWA.) Since 1977, it has been used by communities to help prevent contamination of groundwater from federally-funded projects. It has increased public awareness of the vulnerability of groundwater resources. The SSA program allows for EPA environmental review (PDF) (1pg, 34K) of any project which is financially assisted by federal grants or federal loan guarantees. These projects are evaluated to determine whether they have the potential to contaminate a sole source aquifer.<sup>6</sup>

5. **@page 3.1.5-4 Groundwater Resources:**

6. **@page 3.1.5-10 Rugged Solar Flood Hazards:** This section erroneously states the site is not downstream from any dams. However, there are earthen dams located upstream on the Manzanita Reservation, and on private properties, that have failed during previous significant storm events resulting in brackish water flowing across Ribbonwood Road and through the Tule Creek floodplain per eye witness accounts from Mr. John Mauris who resides at 2945

<sup>4</sup> <http://pubs.usgs.gov/circ/circ1186/html/boxb.html>  
<sup>5</sup> [http://www.epa.gov/safewater/sourcewater/pubs/grg\\_ssamap\\_campocottonwood.pdf](http://www.epa.gov/safewater/sourcewater/pubs/grg_ssamap_campocottonwood.pdf)  
<sup>6</sup> <http://www.indybay.org/newsitems/2014/01/16/18749306.php>

9 | Tisdale - BPG Soitec DPEIR errors & omission list 3-2-14

138-48  
Cont.  
138-49  
138-50  
138-51  
138-52

**I38-45**

designations of lands in the project area. Lastly, the A72 zoning designation is applied by the County of San Diego to unincorporated lands in McCain Valley. The commenter provides no additional detail as to why the A72 zoning designation in McCain Valley is incorrect and therefore, no additional response is provided.

The County acknowledges the commenter's concerns regarding Figure 3.1.4.3, Rugged Solar Farm site. Figure 3.1.4-3, Rugged Solar Farm Site, was taken from the *Phase I Environmental Site Assessment of Approximately 765 Acres of Land Located North of Interstate 8 at McCain Valley road in San Diego County, California*, by AECOM, March 2012 (included in Appendix 3.1.4-2 of the DPEIR). AECOM performed a Phase I environmental site assessment (ESA) in conformance with the scope and limitations of ASTM Practice E 1527-05, which meets the requirements of Title 40, Code of Federal Regulations Part 312. The Phase I ESA includes a discussion of the surrounding properties and describes how AECOM employees did not observe gasoline stations, dry cleaners, or sensitive receptors adjacent to or in the immediate vicinity of the subject property. Based on the AECOM site reconnaissance of the site and surrounding area, and as stated in the DPEIR, no off-site sources of concern were identified. Figure 3.1.4-3 is consistent with this finding and the addition of the properties or land uses mentioned in this comment would not affect the analysis in the DPEIR.

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|  | <p><b>I38-46</b> The County acknowledges the commenter’s concerns regarding Figure 3.1.4-4: LanEast and LanWest Sites. Figure 3.1.4-4: LanEast and LanWest Sites, was taken from the <i>Phase I Environmental Site Assessment of Approximately 225 Acres of Land Located North of Interstate 8 at Old Highway 80 and McCain Valley Road, San Diego County, California</i>, by AECOM, December 2011 (included in Appendix 3.1.4-3 of the DPEIR). This figure was incorrectly labeled as it does not include the LanWest Site. Therefore, as part of the revisions in the DPEIR, the figure has been divided into two figures: Figure 3.1.4-4a, LanEast Site, and Figure 3.1.4-4b, LanWest Site. The figure showing the LanWest site was included in the DPEIR in Appendix 3.1.4-4 of the DPEIR in the <i>Phase I Environmental Site Assessment of Approximately 60 Acres of Land Located North of Interstate 8 at Old Highway 80 and McCain Valley Road, San Diego County, California</i>, by AECOM, January 2012. The description of the LanWest site in the text of the DPEIR is consistent with newly added Figure 3.1.4-5. No new information is presented in the figure that was not identified in the DPEIR. AECOM performed both Phase I ESAs in conformance with the scope and limitations of ASTM Practice E 1527-05, which meets the requirements of Title 40 of the Code of Federal Regulations, Part 312. The Phase I ESAs include a discussion of the surrounding properties and describes how AECOM employees did not observe gasoline stations, dry cleaners, or sensitive receptors</p> |
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Ribbonwood Road and referenced in endnote #3 in the *Impact of Soitec Solar Projects on Boulevard and Surrounding Communities* report by Dr Ponce<sup>7</sup>

7. @ page 3.1.5-11: *Topography, Hydrology, and Drainage Patterns LanEast site*: this section states that Walker Creek passes through the site before entering the 514 acre Walker Canyon but fails to disclose the adjacent Walker Canyon Ecological Preserve that “provides seasonal water and riparian habitat along its drainage<sup>8</sup> and then drains into Carrizo Creek in Anza Borrego Desert State Park . Dr VM Ponce’s report on the Soitec Solar projects includes a side by side figure showing the proximity of the LanEast site and the Walker Canyon Ecological Reserve (Figure 49)<sup>9</sup>.”



↑ 138-52  
Cont.  
138-53

**Fire:**

1. @ page 22 of *Emergency Service Capabilities Assessment*<sup>10</sup>:
- 5<sup>th</sup> bullet point incorrectly states that the Shockey Fire burned a small portion of the western portion of the Tierra Del Sol Solar site while omitting the fact that the 2012 Shockey Fire (FM-5021) burned 2,556 acres of the Tierra Del Sol area, killed 1 resident, injured 3 firefighters, destroyed 14 homes, 14 outbuildings, 11 vehicles damaged 2 homes, and resulted in the shut-down of Tierra Del Sol Road for several days, the sole access road to the area that is under County jurisdiction.
  - The CalFire incident report<sup>11</sup> and map of the fire polygon (footprint pasted below)<sup>12</sup> provide accurate information that should have been included in the DPEIR

138-54

<sup>7</sup> <http://www.ponce.sdsu.edu/boulevardsoltec.html>

<sup>8</sup> <http://www.dfg.ca.gov/lands/er/region5/docs/WalkerCanyonER.pdf>

<sup>9</sup> Figure 49: <http://www.ponce.sdsu.edu/boulevardsoltec.html>

<sup>10</sup> [http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/Appendix\\_3.1.7-1\\_Emergency\\_Service\\_Capabilities\\_Assessment.pdf](http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/Appendix_3.1.7-1_Emergency_Service_Capabilities_Assessment.pdf)

<sup>11</sup> [http://cdfdata.fire.ca.gov/incidents/incidents\\_details\\_info?incident\\_id=754](http://cdfdata.fire.ca.gov/incidents/incidents_details_info?incident_id=754)

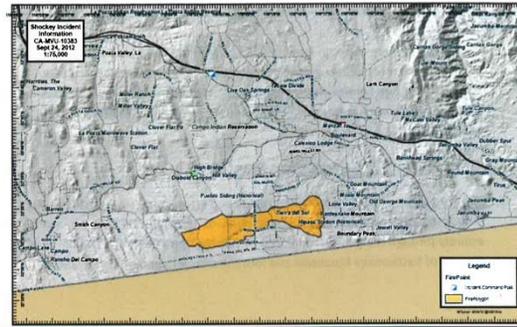
<sup>12</sup> [http://cdfdata.fire.ca.gov/pub/cdf/images/incidentfile754\\_1026.pdf](http://cdfdata.fire.ca.gov/pub/cdf/images/incidentfile754_1026.pdf)

adjacent to or in the immediate vicinity of the subject property. Based on the AECOM site reconnaissance of the sites and surrounding area, no off-site sources of concern were identified for both the LanEast and LanWest sites, and the addition of the properties or land uses mentioned in this comment would not affect the analysis in the DPEIR.

**I38-47** The County acknowledges the commenter’s concerns regarding water estimates. The trenching, road grading, batch plant and reverse osmosis activities mentioned in this comment were originally included in the construction or operational water estimates for the DPEIR. The rock crushing activity was not included; however in response to this comment and others, the DPEIR has been revised and updated. Refer to common response WR1, which also addresses decommissioning.

**I38-48** The County acknowledges the commenter’s concerns regarding isotope testing. The County’s *Guidelines for Determining Significance and Report Formatting and Content Requirements: Groundwater Resources* (County of San Diego 2007) does not require isotope testing. Please refer to DPEIR Appendices 3.1.5-5 and 3.1.5-6 for a description of the well testing that was performed to estimate aquifer properties.

**I38-49** The County acknowledges the commenter’s concerns regarding climate change related to reduced rainfall, groundwater resources, reduced recharge, and



2. @page 3.1.7-30: Conclusions:
  - It is erroneous to conclude that requiring Tierra Del Sol and Rugged Solar farms to each contribute equipment and funding for Fire and Emergency Medical Response Capabilities would reduce needs to less than significant
  - Boulevard Fire needs to be changed to a career / staffed station with ongoing funding for special training and equipment for the life of these projects
  - Additional equipment does no good if it just sits in the bay because there are no firefighters, driver/operators, or enough personnel (as required by law) to respond to emergencies
  - If the White Star and Boulevard Fire Stations co-locate, Boulevard may actually lose an engine and several fire fighters—going backwards is not “less than significant”
3. Table 3.1.7-1: Primary Study Area Fire Resources
  - The table shows two stipend firefighters
  - There does not appear to be anything in writing to ensure continued payment for 2 stipend firefighters at Boulevard’s volunteer Fire Station
  - Craig Williams of Campo Volunteer Station has repeated stated that they do not have 22 volunteers
4. @ page 27 of the Soitec Solar Portfolio Project Emergency Services Capabilities and Cumulative Impact Mitigation:
  - The 2012 Shockey Fire is not included in the Fire History
  - Fires that occurred within 1 mile of the US/Mexico border, south of the border, are not included, when numerous fires have occurred there in the last few years and were responded to by local and regional firefighters on the US side

138-55

138-56

138-57

sustainability. The potential climate change impacts on reduced rainfall, groundwater resources, reduced recharge, and sustainability—as emphasized in the comment—are not impacts of the Proposed Project. Impacts of the environment on a project or plan (as opposed to impacts of a project or plan on the environment) are beyond the scope of required CEQA review. “[T]he purpose of an EIR is to identify the significant effects of a project on the environment, not the significant effects of the environment on the project” (*Ballona Wetlands Land Trust v. City of Los Angeles* (2011) 201 Cal. App. 4th 455, 473). No further response is required. However, it should be noted that the DPEIR accounted for periods of drought in the groundwater analysis; see Appendices 3.1.5-5 and 3.1.5-6. The DPEIR groundwater analysis used records of rainfall over a 30 year period, which included times of elevated rainfall and times of drought. It also evaluated well interference based on a five year projection of drawdown assuming no groundwater recharge occurred during that 5 year period.. See common response WR1 for the latest water demands relative to the Proposed Project.

**138-50**

The County acknowledges the commenter’s concerns regarding regional hydrology and drainage. The U.S. Environmental Protection Agency’s (EPA) Sole Source Aquifer Program allows for EPA environmental review of any project within a designated sole source aquifer that is financially assisted by federal grants or federal loan guarantees. The County acknowledges that the

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|  | <p>Tierra del Sol site is within a Sole Source Aquifer, but the program does not apply to the Proposed Project because it is not federally funded.</p> <p><b>I38-51</b> The County acknowledges the commenter’s concerns regarding regional hydrology and drainage. No comment regarding the referenced page is provided.</p> <p><b>I38-52</b> The County acknowledges the commenter’s concerns regarding Rugged Solar Flood Hazards. The County has revised DPEIR pgs. 3.1.5-10 and 3.1.5-34 to clarify that there are no large regulated dams upstream of the Proposed Project. The commenter is referred to DPEIR Section 3.1.5.3.2 for an analysis of flood hazards on the Rugged site. The DPEIR indicates that tracker masts on the Rugged site within the modeled 100-year flood zone (there is no FEMA flood zone) will be designed in compliance with Chapter 6 of the Grading Ordinance which prohibits development that impairs, impedes, or accelerates flood flows.</p> <p>Failure of small earthen dams used for ranching and agricultural purposes is not a significant hazard created or worsened by the Proposed Project, and the Proposed Project’s less-than-significant impact with respect to the flood hazards is likewise applicable to a flooding scenario caused by failure of a small earthen dam.</p> <p><b>I38-53</b> The County acknowledges the commenter’s concerns regarding Topography, Hydrology, and Drainage</p> |
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|  | <p>Patterns LanEast site. The County has revised DPEIR pg. 3.1.5-12 to state that the LanEast site is adjacent to the Walker Canyon Ecological Reserve.</p> <p><b>I38-54</b> The County acknowledges the commenter’s concerns regarding the Emergency Service Capabilities Assessment. , CalFire data was utilized within a Geographic Information System to determine which of the recorded fires in the area had burned onto the Tierra del Sol site. This bullet point list provides only information pertaining to those fires and is not meant to provide a complete summary of all wildfire statistics, including but not limited to total size, and structures lost. A full description of the Shockey Fire occurs on page 28 of the Emergency Services Capabilities Assessment. No further information or exhibits are required as they do not alter the analysis or conclusions.</p> <p><b>I38-55</b> The County acknowledges the commenter’s concerns regarding the conclusions of the Emergency and Service Capabilities Assessment. An Emergency Service Capabilities Assessment and Cumulative Impact Mitigation study (Appendix 3.1.7-1) was prepared specifically for the Proposed Project and evaluates the potential impacts to fire and emergency medical response capabilities during construction, decommissioning, and operation of the Proposed Project sites. It objectively evaluates those potential impacts, and conservatively evaluates those impacts in light of</p> |
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|  | <p>project design features that will be implemented as part of the Proposed Project in order to make a final impact determination. As described in the DPEIR, the Proposed Project includes features that will ensure safe access throughout the Proposed Project area during construction (PDF-TR-1), and will reduce the risk of a fire hazard during construction through implementation of a Construction Fire Prevention Plan (PDF-HZ-2). As stated in the DPEIR the Proposed Project would use new solar technology with no flammable heating oil, and are expected to generate fewer than one emergency call per year per facility; the majority of which would not be fire related, but would be related to medical emergencies. To ensure that the Proposed Project would not impact fire and emergency response capabilities in the area, the Proposed Project includes PDF-PS-1, which ensures that the Proposed Project will contribute fair-share funding towards local fire and emergency response capabilities (see DPEIR Section 3.1.7.3.1).</p> <p>PDF-PS-1 would include the funding of an initial paramedic staff and startup equipment kit as well as funding for one paramedic staff firefighter and would therefore address the staffing issues identified by the commenter. Furthermore, as discussed in the Fire Protection Plans (FPPs) for the Tierra del Sol and Rugged solar farms (see Appendices 3.1.4-5 and 3.1.4-6), customized training CDs and on-site training sessions with local fire station personnel are</p> |
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|  | <p>components of the FPPs and would aid improving response capabilities and fire fighter safety.</p> <p>Alternative assistance may be included, such as staffing, equipment, and other elements that are identified in the Emergency Service Capabilities Assessment and Cumulative Impact Mitigation study (Appendix 3.1.7-1).</p> <p>As stated in the DPEIR, with implementation of PDF-PS-1, the Proposed Project would not result in the need for additional fire or emergency response capabilities; therefore, the Proposed Project would not result in impacts related to the need for expanded fire or emergency response facilities, and impacts are considered to be less than significant.</p> <p>Fires and emergency medical calls in the area are not limited to the Boulevard Fire Station response. See response to comment I38-13.</p> <p><b>I38-56</b> The County acknowledges the commenter’s concerns regarding Table 3.1.7-1: Primary Study Area Fire Resources. The information provided in Table 3.1.7-1 was obtained via public information and was confirmed to be accurate at the time of the preparation of the Proposed Project’s Emergency Services Capabilities Assessment. This table does not include additional information pertaining to written assurances of continued fire service as that is not the intent of the table. Regarding volunteer/reserve firefighters, the exact</p> |
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- 1.2.4: Fuel beds were modeled by CPUC and BLM in 2008 and confirmed by Dudek in 2012.
  - New information: In January 2013, Governor Brown declared a drought emergency which must be recognized and addressed in a re-circulated Draft EIR
5. **Tierra Del Sol Fire Service Availability Form<sup>13</sup>**, included in the Administrative Record, is unsigned and incomplete with a statement that "FACILITY AVAILABILITY IS TO BE COMPLETED BY THE DISTRICT"

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138-58

**Tierra Del Sol Draft Fire Protection Plan<sup>14</sup>:**

1. **@page 15:** the draft FPP downplays reality and erroneously states that the 2012 Shockey Fire "touched along northern and southern portions of the gen-tie line" when in fact the fire burned entirely through the gen-tie route east of HiPass (Tierra Del Sol) north of the railroad and across the top of Rattlesnake Mountain and into the southern end of Jewel Valley

138-59

**Noise<sup>15</sup>:**

1. **@page page 2.6-6: 2.6.1.4: LanEast:** This section states that noise analysis could not be conducted because the layout of the trackers, construction equipment and traffic, are not yet available. However, the LanEast glare study<sup>16</sup> does show a conceptual layout of the trackers and apparently used that tracker layout to conclude that the impacted homes identified as 5 & 6 (page 6) would experience between 10 and 158 minutes of glare.

138-60

**Glare:**

1. **The LanWest Glare Behavioral Analysis at page 4<sup>17</sup>** does not include the closest home (40760 Old Hwy 80) that abuts the project site on the west where their front door is approximately 300 feet from project components. And they have their own ground-mounted solar system.
2. The LanWest also ignores homes north of I-8 that are located along an elevated location along Rocky Knoll Road and may be impacted by glare from both LanWest and LanEast.
3. Most of the glare studies are inadequate and may not be based on accurate project layout and impacts.
4. More comments are included for the glare Figures—many more homes around all projects, especially those at elevated locations will be impacted than adequately disclosed.

138-61

<sup>13</sup> <http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/ApplicationForms/TierraDelSol/2012-06-11-Zoning-Project-Facility-Availability-Form-fire.pdf>  
<sup>14</sup> [http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/Appendix\\_3.1.4-5\\_DraftFireProtectionPlan\\_TDS.pdf](http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/Appendix_3.1.4-5_DraftFireProtectionPlan_TDS.pdf)  
<sup>15</sup> [http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/2.6\\_Noise.pdf](http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/2.6_Noise.pdf)  
<sup>16</sup> See page 6: [http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/Appendix\\_2.1-3\\_BoulevardGlareStudy-Part4.pdf](http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/Appendix_2.1-3_BoulevardGlareStudy-Part4.pdf)  
<sup>17</sup> [http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/Appendix\\_2.1-3\\_BoulevardGlareStudy-Part4.pdf](http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/Appendix_2.1-3_BoulevardGlareStudy-Part4.pdf)

number of reserves/volunteers available to Boulevard Fire Department may vary throughout the year and reserves often obtain a full-time fire position about every 2 years, so there is some variability in staffing, but there is a strong program for reserves and volunteers in San Diego County (SDRFF 2014). Further, there is an apparent commitment by San Diego County to provide full-time fire and emergency medical services in all of its fire stations, including in Boulevard, as evidenced by their funding of a new fire station with all facilities necessary for multiple apparatus and for sleeping/living capacity for two engine companies (Reddick 2014).

The San Diego Regional Fire Foundation (SDRFF) coordinates the reserve/volunteer firefighter program. Volunteer firefighters and fire stations are not unique to Boulevard. Roughly 60% of San Diego County is protected by volunteers/reserves (San Diego County Fire Authority 2014). There are 30 volunteer fire stations and over 400 volunteer firefighters in San Diego County (SDRFF 2014). Grants and annual funding for the volunteer program have steadily increased over the last decade. In addition, equipment and training have resulted in all volunteer fire departments performing at very effective levels (SDRFF 2014).

Since the 2003 and 2007 wildfires, efforts have also focused on increased cooperation and coordination amongst all fire departments. Today, the closest fire

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|  | <p>engine is dispatched to an emergency whether it is in its own jurisdiction or that of a neighboring fire department. Mutual aid responses are automatic. With the Proposed Project, the applicants would fund additional emergency services capabilities, as described in DPEIR, Section 3.1.7.3.1, and PDF PS-1.</p> <p><b>I38-57</b> The County acknowledges the commenter’s concerns regarding the Soitec Solar Portfolio Project Emergency Services Capabilities and Cumulative Impact Mitigation. The 2012 Shockey Fire is not included in the Fire History table as that table was generated from data obtained by CalFire’s Fire Resource and Assessment Program (FRAP). The Shockey Fire data had not been uploaded at the time of the document’s preparation. However, the Shockey Fire is provided its own paragraph on Page 28 of the document and is included in the fire history analysis. Fires occurring in Mexico are not included in the fire history data as no agency offers a record that is publicly available. It is known that the border area agencies will assist with fire suppression activities if a wildfire has the potential to impact U.S. assets. However, fires within the United States would be given the higher priority; therefore, impacts on the availability of fire response are not realized. In other words, fire suppression resources would be allocated such that protection of U.S. assets and civilians occurred first. Further, the evaluation of fire history for a particular Proposed Project area is not to document and</p> |
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**Cumulative Impact Projects:**

1. The DPEIR list of cumulative impact projects is far too broad in scope and should be limited to projects planned within the Boulevard Planning Area, the Jacumba Hot Springs Planning Area and adjacent state and federal lands.
2. Some projects included in the DPEIR cumulative impact projects have been withdrawn from the CAISO generator interconnection queue<sup>18</sup> or terminated by the CEC<sup>19</sup>:
  - 709MW Imperial Valley Solar (Formerly SES Solar Two) (CEC Docket @2008-AFC-5C) is located in Imperial County and the License was terminated
3. Jewel Valley Wind, Manzanita Wind, and Shu'luuk Wind have been withdrawn.

138-62

**Hazards & Hazardous Materials<sup>20</sup>:**

1. **The new heliport at the Boulevard Border Patrol Station** on Ribbonwood Road, that will also be used for emergency services (per CalFire Battalion Chief John Francois), was not included in the DPEIR. Glare from the Rugged Solar project may result in adverse impacts to aviation safety and operations in the area.
2. **The Plot Plan for the Rough Acres Ranch MUP # 12-021, includes an "existing heliport"** (sheet 1 of 21 dated 7-19-13) that was supposed to be a temporary use for the Sunrise Powerlink Rough Acres Ranch Construction Yard. The heliport has not been permitted for any other uses and should be removed from the MUP and plot plan.
3. **How often will Soitec CPV modules need to have their antireflective coating reapplied? Is it toxic, flammable, what are the impacts?**

138-63

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138-65

**Utilities 3.1.9 Utilities and Services:**

1. **This section does not mention electrical utilities**, the need for approximately 10 miles of new overhead and/or underground gen-tie lines
2. **Cumulative impacts from multiple projects are not mentioned**, including current construction and disruption caused by SDG&E's ECO Substation and new 138kV line between the new Boulevard Substation and ECO Substation.
3. **Nor does it address existing, proposed and proliferation of project related wired and /or wireless communications facilities** and SCADA systems in close proximity to homes, livestock and sensitive wildlife<sup>21</sup>.
4. **The science based 2012 Bioinitiative Report**, A Rationale for Biologically-based Public Exposure Standards for Electromagnetic Fields (ELF and RF), is incorporated by reference, along with Dr Henry Lai's Research Summaries on Reported Biological Effects<sup>22</sup>.

138-66

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<sup>18</sup>CAISO Q as of 1-31-14: <http://www.caiso.com/Documents/ISOGeneratorInterconnectionQueue.pdf>

<sup>19</sup>[http://www.energy.ca.gov/sitincases/all\\_projects.html](http://www.energy.ca.gov/sitincases/all_projects.html)

<sup>20</sup>[http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/3.1.4\\_HazardsHazardousMaterials.pdf](http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/3.1.4_HazardsHazardousMaterials.pdf)

<sup>21</sup>2012 Bioinitiative Report : <http://www.bioinitiative.org/>

<sup>22</sup><http://www.bioinitiative.org/research-summaries/>

intensively study each and every fire occurring on the landscape, but rather, is focused on documenting that an area includes a fire environment that supports wildland fire ignitions and provide a relative fire frequency and type so that appropriate precautions can be considered.

The drought emergency declaration does not change the analysis or conclusions of the FPP or DPEIR, which considered near worst-case conditions for fire protection.

**I38-58**

The County acknowledges the commenter's concerns regarding the Tierra Del Sol Project Facility Availability Form for Fire. While the Service Availability Form included in the DPEIR indicated that service would not be available for 5 years based on the existing condition, the San Diego County Fire Authority provided updated Facility Availability Form for Fire in October 2014 that indicate fire protection facilities will be adequate to serve the proposed project with a developer agreement or similar funding mechanism (see FPEIR Appendix 3.1.4-5). In addition to measures identified in the project-specific FPPs, the Proposed Project provides direct funding to the SDCFA to be used for improving the existing response capability in a targeted manner (see PDF-PS-1 in Section 3.1.7 of the DPEIR). See also the response to comment O10-80.

**I38-59**

The County acknowledges the commenter's concerns regarding the Tierra Del Sol Draft Fire Protection Plan. The mapping available at the time of document

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|  | <p>preparation indicated encroachment on the gen-tie line position. As mentioned in response to comment I38-59, the exact mapping location of a fire perimeter does not change the analysis or conclusions of the FPPs or the DPEIR, as the Proposed Project has been designed and planned considering worst-case fire conditions associated with a Santa Ana condition.</p> <p><b>I38-60</b> The County acknowledges the commenter’s concerns regarding Noise related to the LanEast project site. As stated in Section S.5.1.1, the LanEast and LanWest solar farms are analyzed at a programmatic level because sufficient project-level data has not been developed at this time. Any noise study done at this time would be based on a conceptual layout, as well as the distance to nearby sensitive noise receptors based on the noise or vibration standard being applied. Specific impacts and resulting mitigation specifications calculated on the conceptual layout of the site and existing nearby sensitive noise receptors would also therefore be conceptual. However, certain assumptions can be made about the anticipated impacts and mitigation needed to ensure impacts would be less than significant at the LanEast and LanWest sites.</p> <p>Generally, where a project design and/or project-level data including site specific studies are necessary to make an impact determination and that information has not been prepared and/or is not available, the EIR refrains</p> |
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|  | <p>from making an impact determination. Where project design and/or project-level data is not necessary to make an impact determination, (such as with corona noise or construction noise), an impact determination is provided.</p> <p><b>I38-61</b> The County acknowledges the commenter’s concerns regarding Glare. Please refer to common response AES1 regarding the glare studies prepared for the Proposed Project and the glare analysis included in the DPEIR.</p> <p>Please also refer to the response to comment O10-76 regarding the DPEIR glare impact analysis. Also, the DPEIR discloses that project-level information for the LanEast and LanWest solar farms has not yet been developed and that these projects are analyzed at a programmatic level. Further, in Section 2.1.3, the DPEIR states that “because project-level information has not yet been developed for the LanEast and LanWest solar farms, Power Engineers used general locations on the sites where trackers may be constructed based on several factors including topography and presence/lack of sensitive biological resources. The conceptual panel layout utilized by Power Engineers presents a worse-case scenario, and the glare data presented for the LanEast and LanWest solar farms in Section 2.1.3.3 is an approximation of locations and durations of glare exposure.” As such, the characterization of project-generated glare exposure during operation of the LanEast and LanWest solar farm sites is based on</p> |
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5. **3.1.9.1 Existing Conditions** description skews the impacts by misrepresenting the Proposed Project will be located in the Mountain Empire Subregion, when it is entirely located within the smaller and more densely occupied Boulevard Planning Area.
6. **3.1.9.1.1 Regional Overview: Water:** fails to mention the fact that dense development of any type is not a viable option because the "Boulevard Planning Area" is totally dependent on groundwater, and the project sites are mostly designated as 1 dwelling unit per 80 acres due to the lack of water and other infrastructure.
7. **The Water section also fails to mention the fact that the Tierra Del Sol Solar Site footprint lies within the federally designated Campo-Cottonwood Creek Sole Source Aquifer,** where projects that receive federal funds must be reviewed to ensure protection of scarce groundwater quality and quantity. Soitec Solar has received \$25 million in DOE funds for their CPV manufacturing project that will be the source of CPV modules for Soitec's Boulevard projects, and they will receive Investment Tax Credits, and potentially more federal funds.
8. **Analysis: annualizing the use of groundwater over a 20 year period** and not including water use from cumulative impact projects is misleading, dangerous, and fails to protect existing human and natural users in the impacted areas.

I38-70

I38-71

I38-72

I38-73

**Administrative Record documents:**

1. **PDS Sept 5, 2012 letter to Harley McDonald** related to clarification of Tule Wind MUP for the gen-tie route, does not include the referenced plot plans and elevations<sup>23</sup>
2. **PDS Sept 5, 2013 letter to Harley McDonald**, on CLARIFICATION OF TULE WIND PROJECT MUP,<sup>24</sup> does not include the referenced plot plans and elevations dated 8-17-12 as revised by the Board of Supervisors on 8-15-12<sup>25</sup>: **Errors and omissions in Soitec's Notice of Completion & Environmental Document Transmittal for AB900 certification**, includes incorrect information on the Rugged Solar project listed as "0.5 miles east of McCain Valley Road when it is in fact located both east and west of McCain Valley Road and east of Ribbonwood Road; Tule Creek floodplain is not included, nor is the unnamed pond (formerly part of Dick McCain's Ranch irrigation system) located between the Rugged Solar project sites on the McCain Valley Conservation Campo on land owned by the State Department of Corrections; the heliport located at the new Boulevard Border Patrol Station located on Ribbonwood Road and one shown on the plot plans for the Rough Acres Ranch MUP PDS2012-33000-12-021, as existing, is also omitted. However, the Rough Acres Ranch heliport was never approved for permanent use; it was only a temporary use for the Sunrise Powerlink's Rough Acres Ranch Construction Yard.

I38-74

<sup>23</sup> <http://www.sdcountry.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2013-09-05-Mark-Slovick-Letter-to-K-Harley-McDonald-re-Tule-Wind-Clarification-of-MUP.pdf>  
<sup>24</sup> <http://www.sdcountry.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2013-09-05-Mark-Slovick-Letter-to-K-Harley-McDonald-re-Clarification-of-Tule-Wind-Project-Major-Use-Permit.pdf>  
<sup>25</sup> <http://www.sdcountry.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2013-09-05-Mark-Slovick-Letter-to-K-Harley-McDonald-re-Clarification-of-Tule-Wind-Project-Major-Use-Permit.pdf>

approximate locations, and to ensure that project-generated glare is more accurately characterized once project-level information is developed, PDF-AE-5 was provided in the DPEIR. PDF-AE-5 has been renumbered PDF-AE-6 in the FPEIR.

**I38-62**

The County acknowledges the commenter's concerns regarding Cumulative Impacts. The commenter is referred to responses to comments C4-112 and I38-25.

**I38-63**

The County acknowledges the commenter's concerns regarding the new heliport at the Boulevard Border Patrol Station. As stated in the DPEIR, in response to the submittal of Form 7460, a Determination of No Hazard to Air Navigation, dated September 25, 2013, was received from the FAA (FAA 2013). The addition of a new heliport in the area is not anticipated to change this determination. The emergency heliport was included and discussed in the Draft Environmental Assessment prepared by the U.S. Army Corps of Engineers for the construction, operation and maintenance of the Boulevard Border Patrol Station (U.S. Department of Homeland Security 2009). Therefore, the heliport and future emergency air navigation near the Rugged solar farm were known elements at the time of issuance of the Determination of No Hazard to Air Navigation for the Soitec Projects in September 2013.

**I38-64**

The County acknowledges the commenter's concerns regarding the Plot Plan for the Rough Acres Ranch -

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|  | <p>“Existing Helipad”. The Rough Acres Ranch PDS2012-3300-12-021 (MUP) is not part of the Proposed Project. This comment does not raise specific issues related to the Proposed Project or the adequacy of the environmental analysis in the DPEIR; therefore, no additional response is provided or required.</p> <p><b>I38-65</b> The County acknowledges the commenter’s concerns regarding the frequency in which the CPV modules would require to have the antireflective coating reapplied. Anti-reflective coatings would be applied to each CPV module only once during the manufacturing process. Anti-reflective coatings would not be reapplied to the CPV modules on the project sites. The anti-reflective coatings do not contain any heavy metals and the solar glass can withstand heat up to 300 degrees Celsius (www.fsolar.de 2009).</p> <p><b>I38-66</b> The County acknowledges the commenter’s concerns regarding electrical utilities. Electrical utilities, including the proposed Tierra del Sol gen-tie, are a component of the Proposed Project; therefore, potential impacts related to electrical utilities are considered and addressed throughout the DPEIR (see Chapters 2.0 and 3.0 of the DPEIR).</p> <p><b>I38-67</b> The County acknowledges the commenter’s concerns regarding cumulative impacts from multiple projects. Cumulative impacts associated with utilities are discussed in Section 3.1.9.4 of the DPEIR. This section</p> |
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|  | <p>refers the reader to the cumulative projects listed in Table 1-12 in Chapter 1.0, which includes the ECO Substation project. The ECO Substation project is also included in Table 3.1.9-1, which applies specifically to cumulative water demands.</p> <p><b>I38-68</b> The County acknowledges the commenter’s concerns regarding existing, proposed and proliferation of project related wired and/or wireless communication facilities. The commenter is referred to the response to comment I38-10.</p> <p><b>I38-69</b> The County acknowledges the commenter’s concerns regarding the science based 2012 Bioinitiative Report. See response to comment I38-10. While the EMF memorandum prepared by Asher R. Sheppard, PhD does not specifically address the reports referenced by the commenter, the memorandum addresses and supports information provided in the DPEIR and includes additional detail regarding EMF. The memorandum concludes that EMF from the Proposed Project is highly localized and poses no known concern for human health (see FPEIR Appendix 9.0-1).The information in this comment will be provided in the Final EIR for review and consideration by the County decision makers.</p> <p><b>I38-70</b> The County acknowledges the commenter’s concerns regarding 3.1.9.1 Existing Conditions. The County disagrees that the DPEIR misrepresents the Proposed Project by stating that it is located in the Mountain Empire Subregion, rather than referring to the more</p> |
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3. **10-31-2012:** The e-mail message from Shelly Williams, to [Michael.D.Rogers@cbp.dhs.gov](mailto:Michael.D.Rogers@cbp.dhs.gov), does not include the referenced correspondence from S. Wayne Rosenbaum regarding the Tierra Del Sol Solar Project. This should be available for public review.
4. **10-31-12: e-mail thread from Jim Bennett to Patrick Brown on groundwater** does not include the referenced attached notes from Larry Hofreiter on groundwater meeting.
5. **7-17-13: e-mail from Gungle to Bopari<sup>26</sup>:** Inconsistency: Why were staff arranging a meeting with Soitec to finalize the AQ/GHG section when AB900 certification had already approved the Air Quality reports for Rugged and Tierra Del Sol projects, without an adequate public notice that the reports were available for comment during the AB900 application process?

138-74  
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**Biological Resources:**

1. **Figure 2.3-1a: Biological Resources Tierra Del Sol Solar Farm Vegetation Map** does not include the riparian willow habitat located along the southern boundary at the eastern corner of the road shown almost in the center of the project in this map, as documented by Dr Ponce in the photo below.

138-75



2. **Figure 2.3-5:** Shows the Tijuana Watershed but does not identify it as the federally designated Campo Cottonwood Creek
3. **Figure 2.3-8:** Quino Checkerspot Butterfly map does not include known QCB sightings on the Campo Reservation on the former Campo Landfill site near the SW of the intersections of BIA 10 and BIA 15
4. **F 2.3-12: Rugged Solar USFWS Critical Habitat:**
  - Why is the buffer limited to ½ mile when Critical Bighorn Sheep Habitat is located less than 1 mile from the Rugged Solar site?
  - How will the glare, noise and vibrations, from CPV modules, related electrical equipment, and increased EMF and RFR impact the BHS who are very sensitive to noise
  - How will cumulative impacts from the Tule Wind project be addressed?

138-76

138-77

138-78

<sup>26</sup> <http://www.sdccounty.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2013-07-29-Ashley-Gungle-email-re-RE-Soitec-Meetings.pdf>

specific Boulevard Planning Area. Many utilities are provided on a regional scale and impacts may extend beyond the immediate Boulevard Planning Area; therefore, it is correct to refer to the Subregion. Additionally, the discussion does not exclude references to the Boulevard Planning Area; applicable policies from the Boulevard Subregional Plan are referenced in Section 3.1.9.2.

**I38-71**

The County acknowledges the commenter’s concerns regarding 3.1.9.1.1 Regional Overview – Water, however, the DPEIR does include a reference from the County of San Diego General Plan - Mountain Empire Subregional Plan that states “dense residential development is not a viable option because the area is totally dependent on groundwater resources for potable water” (County of San Diego 2011). Please refer to Section 3.1.9.3.1, Water, of the FPEIR that discloses anticipated water demand during construction and operation of the Proposed Project and describes the groundwater monitoring and mitigation plans (GMMPs) prepared for Tierra del Sol and Rugged solar farm groundwater extraction activities. As stated in Section 3.1.9.3.1, implementation of the GMMPs would ensure that any unanticipated impacts to groundwater storage, well interference, and/or groundwater dependent habitat are detected and reversed through curtailment or cessation of pumping.

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|  | <p><b>I38-72</b> The County acknowledges the commenter’s concerns regarding the Tierra Del Sol Site footprint. Refer to the response to comment I38-51. The Proposed Project is not federally funded and the tracker manufacturing facility referenced in the comment is not part of the Proposed Project (much like the facilities manufacturing other building materials, like steel, are likewise not part of the Proposed Project).</p> <p><b>I38-73</b> The County acknowledges the commenter’s concerns regarding annualizing the use of groundwater over a 20 year period. As stated in Section 3.1.9.3.1, the approach used to calculate the project’s total annual water demand is consistent with standard Water Supply Assessment preparation practices and the intent of California Water Code 10912(a)(5)(B) which is to identify water shortages over a period of time, not in any particular year (see p. 3.1.9-9). California Water Code Section 10912(a)(5)(B) applies to individual projects, not all projects in the cumulative scenario (i.e., past, present, and reasonably foreseeable future projects discussed in DPEIR Section 1.7). As indicated on DPEIR p. 3.1.9-9, “the annualized water use of all four proposed solar farms would not come close to the 75 acre-feet threshold for preparation of a Water Supply Assessment.” An assessment of cumulative impacts with regard to availability of water supply is provided in DPEIR Section 3.1.9.4.1.</p> |
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|  | <p><b>I38-74</b> The County acknowledges the commenter’s concerns regarding the Administrative Record documents. The County disagrees that the administrative record is incomplete. First, the referenced letter from Mark Slovick to K. Harley McDonald, dated September 5, 2013, is not missing referenced plot plans because the original letter did not include any attachments. Second, the commenter identifies alleged errors with the Notice of Completion and environmental documents for Assembly Bill (AB) 900 certification. This comment is not at variance with the DPEIR. Third, the referenced correspondence from S. Wayne Rosenbaum can be found in the administrative record at: <a href="http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2012-10-31-Wayne-Rosenbaum-Letter-re-Soitec-Tierra-del-Sol-Solar-Project.pdf">http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2012-10-31-Wayne-Rosenbaum-Letter-re-Soitec-Tierra-del-Sol-Solar-Project.pdf</a>; <a href="http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2012-10-31-Wayne-Rosenbaum-Letter-to-Michael-Rosgers-re-Soitec-Tierra-del-Sol-Solar-Project.pdf">http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2012-10-31-Wayne-Rosenbaum-Letter-to-Michael-Rosgers-re-Soitec-Tierra-del-Sol-Solar-Project.pdf</a>. Fourth, contrary to the commenter’s statement, the October 31, 2012, email from Jim Bennett to Patrick Brown did not include an attachment. The original email in the string, from Larry Hofreiter on October 30, 2012, attached the referenced meeting notes, and can be found at: <a href="http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2012-10-30-Larry-Hofreiter-email-re-10-30-12-Meeting-Notes-Re-Groundwater-Resource.pdf">http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/Record-Documents/2012-10-30-Larry-Hofreiter-email-re-10-30-12-Meeting-Notes-Re-Groundwater-Resource.pdf</a>. Finally, the County disagrees with the commenter’s statement that the applicants’</p> |
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- All inverters should be enclosed to prevent noise emissions from traveling into BHS habitat—which the project actually sits on
- The McCain Valley area, Tule Creek, and Walker Canyon areas are historically their habitat, and they have been seen foraging here.

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I38-78  
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**Recreation:**

1. Trails on the Boulevard Trails map, and/or quality of views and expected rural experience will be impacted by these projects
2. McCain Valley Road, that is proposed to be lined on both sides by Soitec 's LanWest, LanEast and Rugged Solar projects is the sole legal access route (one way in and one way out) from the Boulevard area to the following recreation resources that attract locals and tourists from afar.
3. Recreation includes hiking, biking, OHV Park, camping, rock climbing, wildlife viewing, horseback riding, hunting, photography, star gazing, and more...
4. The industrialization of the area will degrade the expected backcountry experience, viewsheds, and resources to point that visitors will stay away and not spend time or money in the Boulevard/Jacumba area:
  - a. 39,000 acre McCain Valley Recreation<sup>27</sup>
  - b. McCain Valley Resource Conservation Area<sup>28</sup> aka McCain Valley National Cooperative Land and Wildlife Management Area
  - c. Lark Canyon OHV Park & campground<sup>29</sup>
  - d. Cottonwood Campground
  - e. 14,000 acre Carrizo Gorge Wilderness Area<sup>30</sup>
  - f. 34,000 acre Sawtooth Mountain Wilderness Area
  - g. In-Ko-Pah Area of Critical Environmental Concern
  - h. Sacatone Overlook
  - i. Carrizo Overlook
  - j. Lowenbrau peak climbing area

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I38-79

There is more...just not enough time...

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I38-80

<sup>27</sup> McCain Valley recreation: <http://tourguidetim.com/mccain-valley-recreation/>

<sup>28</sup> [http://www.desertusa.com/mccain/oct\\_mccain.html](http://www.desertusa.com/mccain/oct_mccain.html)

<sup>29</sup> [http://www.desertusa.com/mccain/oct\\_mccain2.html](http://www.desertusa.com/mccain/oct_mccain2.html)

<sup>30</sup> [http://www.summitpost.org/carrizo-gorge-wilderness-and-goat-canyon-trestle/513153#chapter\\_5](http://www.summitpost.org/carrizo-gorge-wilderness-and-goat-canyon-trestle/513153#chapter_5)

application to the Governor’s Office of Planning and Research (OPR) was not noticed for public comment. The OPR maintains a website for publicly noticing and tracking the progress of AB 900 applications (see [http://opr.ca.gov/s\\_californiajobs.php](http://opr.ca.gov/s_californiajobs.php)), and the applicants’ application was noticed and tracked on the website. Finally, the DPEIR’s air quality and greenhouse gas sections were the subject of the referenced July 17, 2013, meeting because those sections of the DPEIR still required County approval.

**I38-75**

The County acknowledges the commenter’s concerns regarding Figure 2.3.1a: Biological Resources Tierra Del Sol Solar Farm Vegetation Map. Riparian willow habitat was not mapped during any of the field work conducted for the Tierra del Sol solar farm. A formal wetlands delineation was completed for the site and this habitat was not present. Without an exact location, including coordinates, the validity of the vegetation within the photo presented in the comment cannot be validated.

**I38-76**

The County acknowledges the commenter’s concerns regarding Figure 2.3-5. The County is unclear as to what the commenter’s reference to the “federally designated Campo Cottonwood Creek” is referring to. Figure 2.3-5 depicts watershed data obtained from the U.S. Geological Survey (USGS) national hydrograph dataset (USGS 2012). It appears that the commenter may be requesting that the figure depict the Campo/Cottonwood Creek Sole Source Aquifer;

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|  | <p>however, the purpose of this figure is not to show aquifers within the Proposed Project area.</p> <p><b>I38-77</b> The County acknowledges the commenter’s concerns regarding Figure 2.3-8. Figure 2.8-8 depicts USFWS designated critical habitat, not occurrence data. According to the California Department of Fish and Wildlife California Natural Diversity Database records, there are no occurrences for Quino checkerspot butterfly (<i>Euphydryas editha quino</i>) within the solar farm area or surrounding 6-quad quadrangle search.</p> <p><b>I38-78</b> The County acknowledges the commenter’s concerns regarding Figure 2.3-12: Rugged Solar USFWS Critical Habitat. The commenter makes several different points which are addressed as follows.</p> <ul style="list-style-type: none"> <li>• The half-mile buffer depicted in Figure 2.3-12 has been inserted to provide context regarding the proximity of critical habitat to the Proposed Project.</li> <li>• Peninsular bighorn sheep (<i>Ovis canadensis peninsularis</i>) are not known or expected to occur within the Proposed Project area and therefore would not be affected by glare, noise or vibrations from he Proposed Project, or electric and magnetic fields (EMFs) or radio frequency radiation (RFR).</li> <li>• Cumulative impacts to biological resources, including special-status species, are considered and addressed in the DPEIR; see Section 2.3.4. See specifically Table 2.3-16 of the DPEIR, which lists</li> </ul> |
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|  | <p>the Tule Wind Farm as a cumulative project considered in the cumulative biological analysis. The commenter is also referred to the response to comment O10-55.</p> <ul style="list-style-type: none"> <li>• The County does not agree that the Proposed Project provides habitat for Peninsular bighorn sheep, as is discussed in the DPEIR (see Section 2.3.1). Since bighorn sheep are not expected to occur, they would not be impacted by project-related noise.</li> <li>• The Peninsular bighorn sheep range extends along the eastern slope of the Peninsular Mountains in San Diego, Imperial and Riverside counties where it is relegated to open habitat from the floor of the desert to the crest from 300 to 4,600 feet in elevation (USFWS 2011; The Nature Conservancy 2014). The matrilineal metapopulation extends nearly 100 miles from California USA into Mexico (USFWS 2011). Peninsular bighorn sheep are considered unique among bighorn sheep because they utilize relatively low elevation habitat. Habitat is characterized by steep slopes and cliffs, rough and rocky topography, and sparse vegetation (USFWS 2011). Peninsular bighorn sheep typically stay below the pinyon pine-juniper and chaparral vegetation for predator evasion purposes (USFWS 2011). Recovery Unit 9 is the relevant unit to this Proposed Project and evaluation. Figure 1 of USFWS (2011) shows that the range and</li> </ul> |
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|  | <p>recovery unit of the species occurs east of the Proposed Project location. Further, specific discussions during The Nature Conservancy’s workshop (The Nature Conservancy 2014), presented by the leading experts in Peninsular bighorn sheep biology (including, TNC, USFWS, Universidad Autonoma de Baja California, San Diego Zoo Institute for Conservation Research, and CDFW) indicated that their range extends east of the Proposed Project location. McCain Valley, Tule Creek, and Walker Canyon do not provide suitable habitat for Peninsular bighorn sheep due to the vegetation communities present, being situated outside of their range, and the intervening unsuitable habitats present between existing range and the sites.</p> <p><b>I38-79</b> The County acknowledges the commenter’s concerns regarding Recreation. The CEQA Appendix G thresholds for parks and recreation are as follows:</p> <p>A significant impact would result if the project would:</p> <ul style="list-style-type: none"> <li>• Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated</li> <li>• Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment.</li> </ul> |
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|  | <p>The Proposed Project would not substantially induce population growth, thereby increasing the use of existing recreational facilities, nor does it include any recreational component. Impacts to the recreational resources mentioned in this comment were considered and addressed in other sections of the DPEIR, including Aesthetics (see Section 2.1), Land Use (see Section 2.5), and Traffic and Transportation (see Section 3.1.8). Although the recreational resources mentioned in this comment are not specifically included in the DPEIR sections mentioned above, impacts to the region as a whole were considered and inclusion of specific reference to these resources would not affect the analysis or conclusions in the DPEIR.</p> <p><b>I38-80</b> The County acknowledges the commenter’s concluding statement. This comment concludes the letter and does not raise a significant environmental issue for which a response is required.</p> <p><b>References</b><br/> 14 CCR 15000–15387 and Appendices A–L. Guidelines for Implementation of the California Environmental Quality Act, as amended.</p> <p>County of San Diego. 2007. <i>Guidelines for Determining Significance and Report Format and Content Requirements: Groundwater Resources</i>. County of San Diego, Land Use and Environment Group, Department of Planning and Land Use, Department of Public Works. March 19, 2007. <a href="http://www.sdcounty.ca.gov/pds/docs/Fire-Guidelines.pdf">http://www.sdcounty.ca.gov/pds/docs/Fire-Guidelines.pdf</a>.</p> |
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|  | <p>County of San Diego. 2011. <i>Boulevard Subregional Planning Area, Mountain Empire Subregional Plan</i>. Adopted as part of the San Diego County General Plan. August 3, 2011. <a href="http://www.sdcounty.ca.gov/dplu/generalplan.html">http://www.sdcounty.ca.gov/dplu/generalplan.html</a>.</p> <p>County of San Diego Noise Ordinance. Ordinance No. 9962 (N.S.). An Ordinance Amending Title 3, Division 6, Chapter 4 of the San Diego County Code of Regulatory Ordinances Relating to Noise Control and Abatement.</p> <p>FAA (Federal Aviation Administration). 2013. Determination of No Hazard to Air Navigation Solar Panel Soitec Solar Project and Gen-Tie Line. September 25, 2013.</p> <p>Reddick, Herman. 2014. “New Fire Station Coming to Boulevard” Interview with SD County Program Manager for San Diego County Fire Authority; San Diego Union Tribune. January 23, 2014.</p> <p>San Diego County Fire Authority (SDCFA 2014). Personal interview: Michael Huff, Dudek with James Pine, SD County Fire Marshal</p> <p>SDRFF (San Diego Regional Fire Foundation) . 2014. Web site: <a href="http://www.sdfirefoundation.org/about/facts-and-figures.html">http://www.sdfirefoundation.org/about/facts-and-figures.html</a>. Accessed December 5, 2014.</p> |
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|  | <p>U.S. Department of Homeland Security. 2009. Draft Environmental Assessment for the Construction, Operation, and Maintenance of A New U.S. Border Patrol Station At Boulevard, San Diego County, California. August 2009.</p> <p>USFWS. 2011. Peninsular bighorn sheep (<i>Ovis Canadensis nelsoni</i>) 5-Year Review: Summary and Evaluation. April 21, 2011.</p> <p>TNC (The Nature Conservancy). 2014. 1st Binational Workshop on the Ecology and Conservation of Peninsular Bighorn Sheep in the California-Baja California Border Region. May 1, 2014. San Diego Zoo Beckman Center, Escondido. California.</p> |
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