

Comment Letter O6

**Hingtgen, Robert J**

**From:** atomicloadranch@netzero.net  
**Sent:** Tuesday, February 18, 2014 12:18 AM  
**To:** Hingtgen, Robert J  
**Subject:** Comments on EIR for Soitec Solar Project  
**Attachments:** Soitec.pdf

Dear Mr. Hingtgen,

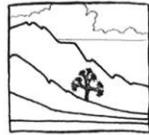
Please accept these comments on the proposed Soitec Solar project Draft EIR.

Thanks,

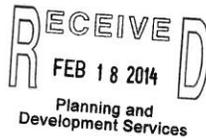
Kevin Emmerich  
Basin and Range Watch

**Response to Comment Letter O6**

**Basin and Range Watch  
Kevin Emmerich and Laura Cunningham  
February 18, 2014**



**Basin and Range Watch**



February 17, 2014

To: Robert Hingtgen, Planner III

Planning and Development Services of San Diego County  
5510 Overland Avenue, Suite 310,  
San Diego, CA 92123

[Robert.Hingtgen@sdcounty.ca.gov](mailto:Robert.Hingtgen@sdcounty.ca.gov)

Subject: Comments on Soitec Solar Project Draft EIR

Basin and Range Watch is a group of volunteers who live in the deserts of Nevada and California, working to stop the destruction of our desert homeland. Industrial renewable energy companies are seeking to develop millions of acres of unspoiled habitat in our region. Our goal is to identify the problems of energy sprawl and find solutions that will preserve our natural ecosystems and open spaces.

The Soitec Solar Project would have long term impacts on biological, hydrologic, visual, air quality and socio-economic resources of surrounding communities and add to the cumulative impacts of nearby large-scale energy projects.

We have concerns about the following impacts:

**Biological Resources:**

The project would remove habitat for endangered Peninsular bighorn sheep, kit fox, burrowing owls and the Endangered Quino checkerspot butterfly.

Solar panels will create a polarized glare or "lake effect" which has been attracting, injuring and killing a host of avian species on other photovoltaic projects. Birds are deceived and often hit solar panels or can even dehydrate.

Below are examples of recent avian kills at solar projects:

O6-1

O6-2

O6-3

**O6-1** This comment is introductory in nature and does not raise an environmental issue for which a response is required. Specific comments on the Proposed Project are addressed below.

**O6-2** Issues raised in this comment were considered and addressed in the Draft Program Environmental Impact Report (DPEIR; see Section 2.3.3.1). The Proposed Project is located outside the range of kit foxes (*Vulpes macrotis*).

**O6-3** The commenter is referred to the response to comment F1-6. In addition, data on avian mortality at other solar projects is not relevant to the DPEIR analysis of potential avian impacts associated with the Proposed Project, given that the presence of avian species, migratory patterns, and potential avian collision risk are very site specific, and therefore project-specific.

On May 8th, 2013, a Federally Endangered Yuma clapper rail was found dead on the Desert Sunlight Solar Project, Riverside County, California

As it turns out, several water birds have been killed at both the Desert Sunlight Project as well as the Genesis Project.

Here is the official list compiled by Rewire : <http://www.kcet.org/news/rewire/solar/water-birds-turning-up-dead-at-solar-projects-in-desert.html>

- Genesis, March 13, lesser goldfinch
- Genesis, March 19, lesser goldfinch
- Genesis, March 28, bufflehead
- Desert Sunlight, April 3 eared grebe
- Desert Sunlight, April 15 surf scoter
- Genesis, April 17, black-throated grey warbler
- Genesis, April 17, house wren
- Genesis, April 17, orange-crowned warbler
- Desert Sunlight, April 18 great-tailed grackle
- Desert Sunlight, Week of April 21 red breasted merganser
- Genesis, April 25, barn owl injured, taken to rehab
- Genesis, May 1, pied-billed grebe
- Genesis, May 1, eared grebe\* injured, to rehab
- Desert Sunlight, May 6 double crested cormorant
- Desert Sunlight, May 8 Yuma clapper rail
- Genesis, May 8, Wilson's warbler (poss. line strike)
- Genesis, May 14, yellow-headed blackbird\* injured, taken to rehab
- Genesis, May 15, hermit thrush (bulldozer)
- Genesis, May 16, Wilson's warbler
- Genesis, May 16, Townsends warbler
- Genesis, May 16, unidentified bird
- Genesis, May 22, western grebe injured, taken to rehab
- Genesis, May 22, yellow warbler
- Genesis, May 23, warbler, species unknown
- Genesis, May 24, unidentified sparrow
- Genesis, May 30, American coot
- Desert Sunlight, June 4, common loon
- Desert Sunlight, June 5, eared grebe
- Desert Sunlight, June 5, western grebe
- Desert Sunlight, June 5, western grebe live, released after consultation.
- Desert Sunlight, June 6, American coot
- Desert Sunlight, June 6, double crested cormorant
- Desert Sunlight, June 9, Common raven
- Genesis, June 10, brown pelican- injured, sent to rehab
- Desert Sunlight, June 19, hummingbird
- Genesis, July 10, brown pelican
- Desert Sunlight, July 10, brown pelican
- Desert Sunlight, July 11, brown pelican
- Desert Sunlight, July 13, brown pelican
- Desert Sunlight, July 15, black-crowned night heron

O6-3  
Cont.

<p>More bird kill lists can be found for the Ivanpah Solar Electric Generating System in San Bernardino County.</p> <p><b>Hydrology:</b> The project will use a very large amount of water for construction dust control and panel washing. This will threaten water resources in the region of Boulevard and Jacumba. This could impact the wells of local people and threaten wildlife that depends on water in the Carrizo Gorge and Anza Borrego watershed. Water use may be underestimated in the DEIR.</p> <p><b>Air Quality:</b> Large solar projects require an unreasonable amount of acreage, often spanning square miles. In arid regions, solar developers almost never adequately control the fugitive dust created by their massive construction footprint.</p> <p>Construction activity will go on for 2 or more years.</p> <p>The health impacts potentially caused by airborne particulates from construction dust could threaten the health of the local residents of the area. Coccidioidomycosis (Valley Fever) is a common issue that impacts desert communities when dust is stirred up.</p> <p>Removal of stabilized soils and biological soil crust creates a destructive cycle of airborne particulates and erosion. As more stabilized soils are removed, blowing particulates from recently eroded areas act as abrasive catalysts that erode the remaining crusts thus resulting in more airborne particulates.</p> <p>We are concerned that industrial construction in the region will compromise the air quality to the point where not only visual resources, but public health will be impacted.</p> <p>We are also concerned that Soitec will have no choice but to use more water in an already over-drafted aquifer to control the large disturbance they intend to create.</p> <p>Construction should not be permitted during days of high winds. Wind speeds of 10 MPH and higher should be determining factors that limit construction.</p> <p><b>Visual Resources:</b> Scenic visual resources would be impacted. The view from adjacent scenic areas and wilderness areas would be degraded. The glare from the project and the tangle of transmission lines will only hurt the scenery of the region and threaten any economic tourism benefits.</p> <p><b>Socio-Economics:</b> There would be a boom and bust of construction jobs, but solar projects like this only create 10 to 20 full time jobs on average. The long term benefits to employment and the local economy are minimal. Large industrial visual eyesores also degrade local property values. Any businesses that depend on tourism end up losing money due to the overall declining popularity cause by industrial projects.</p> <p><b>Alternatives:</b> The beauty of solar panels is that they don't need to kill endangered species to work. They can be easily retro-fitted to be placed in the built environment. There is no reason to threaten the hydrology, wildlife, economics and public health of the region for a boondoggle solar project like this.</p> <p>Please select a No Project Alternative for this proposal.</p> <p>Thank you,</p>	<p>↑</p> <p>O6-3 Cont.</p> <p>O6-4</p> <p>O6-5</p> <p>O6-6</p> <p>O6-7</p> <p>O6-8</p> <p>O6-9</p> <p>O6-10</p>	<p><b>O6-4</b> Please refer to common responses WR1 and WR2.</p> <p><b>O6-5</b> The County of San Diego (County) acknowledges the concerns related to air quality provided in this comment; however, impacts related to fugitive dust were adequately analyzed in DPEIR Section 2.2.3.2. Particulate matter (PM<sub>10</sub> and PM<sub>2.5</sub>) emissions were estimated for the Proposed Project and project design features and mitigation measures have been identified to reduce impacts related to fugitive dust emissions during construction.</p> <p>Moreover, as stated in Section 2.2.2 of the DPEIR, the San Diego Air Pollution Control District's (SDAPCD's) Regulation IV: Prohibitions; Rule 55: Fugitive Dust, regulates fugitive dust emissions from any commercial construction activity capable of generating fugitive dust emissions beyond the project site (SDAPCD 2009). Compliance with this rule would further minimize fugitive dust impacts. Furthermore, County Code Section 87.428 requires that "All clearing and grading shall be carried out with dust control measures adequate to prevent creation of a nuisance to persons or public or private property." PDF-AQ-1 is incorporated to minimize fugitive dust during construction activities and to comply with County Code Section 87.428. Occurrences of a fugitive dust violation can be reported to the SDAPCD, which would investigate the complaint, and to County staff. Regarding fugitive dust following completion of construction activities,</p>
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fugitive dust reduction measures including the application of a nontoxic soil stabilizer, reseeding, or other acceptable methods that would be applied annually, have been incorporated as conditions of project approval to reduce fugitive dust impacts. In addition, Mitigation Measure M-BI-PP-5, as described in Section 2.3.6.1 of the DPEIR, requires the development of a project-specific fugitive dust control plan.

Incorporation of project design features PDF-AQ-1, PDF-AQ-2, and fugitive dust reduction measures that would be implemented as conditions of project approval; implementation of Mitigation Measure M-BI-PP-5; and compliance with SDAPCD Rule 55 as identified in the DPEIR to control fugitive dust during construction and operation will, in turn, reduce the impacts associated with Valley Fever in the Proposed Project area. In addition, health impacts related to toxic air contaminants were evaluated in DPEIR Section 2.2.3.3 and found to be less than significant.

**O6-6** The comment is acknowledged and will be included in the Final Program Environmental Impact Report (FPEIR) for review and consideration by the decision makers. Please refer to common response WR1 for information regarding water demand during construction and operation.

**O6-7** The comment is acknowledged and will be included in the FPEIR for review and consideration by the

	<p>decision makers. Regarding wind speeds, Mitigation Measure M-BI-PP-5, as described in Section 2.3, Biological Resources, would be implemented. M-BI-PP-5 requires that construction activities occurring on unpaved surfaces be discontinued when wind speeds exceed 25 miles per hour (mph) and when those activities cause visible dust plumes. All grading activities shall be suspended when wind speeds are greater than 30 mph. The County believes these limits are sufficient with respect to controlling fugitive dust during construction.</p> <p><b>O6-8</b> This comment raises concerns regarding impacts to scenic visual resources, including glare. Impacts to scenic vistas, existing visual character or quality, and existing views resulting from new sources of light and glare were analyzed in Chapter 2.1, Aesthetics, of the DPEIR (see Sections 2.1.3.1 through 2.1.3.3). These subsections analyze the impacts of individual solar farm developments and also consider the combined effects of implementation of the Tierra del Sol, Rugged, LanEast, and LanWest solar farms (i.e., the Proposed Project). Where a potentially significant impact has been identified, the text in the document has been made bold for clarity. Mitigation measures and conclusions were presented in Section 2.1.6 and 2.1.7 of the DPEIR. The County acknowledges that there are significant and unavoidable impacts related to scenic vistas, visual character, and glare.</p>
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	<p><b>O6-9</b> This comment raises concerns regarding employment and property values. These topics were not evaluated in the DPEIR since they are not related to environmental impacts (see 14 CCR 15131). The information in this comment will be presented to decision makers for their consideration during the hearing process for the Proposed Project.</p> <p><b>O6-10</b> The County acknowledges the commenters’ support for the No Project Alternative. The decision makers will consider all information in the FPEIR and related documents before making a decision on the Proposed Project. The information in this comment will be provided in the FPEIR for review and consideration by the decision makers. The County disagrees that hydrology, wildlife, or public health would be threatened by the Project, as any potential impacts to water resources, biological resources, or air quality have been mitigated to below a level of significance.</p> <p><b>References</b></p> <p>14 CCR 15000–15387 and Appendices A–L. Guidelines for Implementation of the California Environmental Quality Act, as amended.</p> <p>SDAPCD (San Diego Air Pollution Control District). 2009. Rules and Regulations, Regulation IV, Prohibitions, Rule 55: Fugitive Dust. Adopted June 24, 2009; effective December 24, 2009.</p>
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