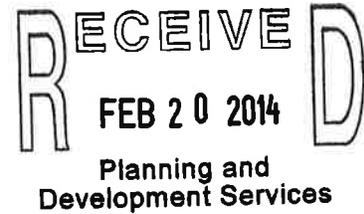


February 17, 2014



To: County of San Diego

Planning and Development Services

Project Processing Counter

5510 Overland Ave, suite 110

San Diego, CA 92123

Re: COMMENTS ON

SOITEC SOLAR DEVELOPMENT PROJECT

Draft Program Environmental Impact Report (PIER)

SOITEC SOLAR DEVELOPMENT PROGRAM ENVIRONMENTAL IIMPACT
REPORT, LOG NO.PDS2012-3910-120005 (ER); 3800-12-010 (GPA);
TIERRA DEL SOL, 3300-12-010 (MUP); 3600-12-005 (REZ); 3921-77-046-
01 (AP); RUGGED SOLAR, 3300-12-007 (MUP); SCH NO.2012121018

From: Daniel Renard

41148 Old Highway 80

Boulevard, Ca, 91905

Dear Director and Staff;

I and my family own property and live in Boulevard. We are concerned about the inevitable negative effects that bulldozing the life

out of 1473 acres in our neighborhood will bring. We expressed our fears in writing during the appropriate comment period ending January 7, 2013.

- At this time we request that no part of this SOITEC SOLAR PROJECT be approved without determining whether the project would **not** result in or have the potential to result in noise, vibration, dust, light, pollution, or an alteration in water quality that may affect fish and/or wildlife directly or from a distance.
- The project would **not** result in or have the potential to result in direct or indirect destruction, ground disturbance, or other modification of any habitat that may support fish and/or wildlife species.
- The project would **not** result in or have the potential to result in the removal of vegetation with potential to support wildlife.

This could be accomplished by a **No Effect Determination (NED)**

Erosion is a natural process that is minimized by the natural vegetation that this Soitec project proposes to vanquish. In San Diego we already see the devastating effects of enough mudslides every time it rains to know better that to promote more.

Boulevard is well known for high winds which send bare earth into the atmosphere, though not as spectacular as a big mud slide is still erosion with the side effect of air pollution. We should remember the effects of the tragic "dust bowl" from the U.S. Midwest in the 1930s.

This project is designed to leave us with the same effects as a 1500 acre forest fire.

If this Soitec proposal were to be approved at a program level without even an application for a Major Use Permit (MUP). It will encourage more such short sighted projects.

Our family home is located between two County Scenic Highways in the County Scenic Highway System. The house was chosen as our home because of its natural landscaping and scenic views in every direction. It was built in 1926 and is well known locally as the old Ruby store. We are immediately surrounded by about 300 acres of wild horse pastures peppered with a variety of trees. The pasture is a wetland, wide with a very gentle slope, a flood plain. It is teeming with life, from as big as the horses down to squirrels, kangaroo rats, snakes and frogs and lizards. Once in while you see bobcats or even a mountain lion. The trees and sky are filled with a variety of birds. Owls, ravens, hawks, jays and many more I cannot name. Some come and go with the seasons. At sunset there are sometimes bats.

In the not too far distance are rows of mountain summits' sprinkled with fascinating rock formations. To the east and west you can see the sun rise and set unobstructed by buildings or billboards. It is plain to see why this area has been set aside as a scenic corridor.

Even Soitec's own, applicant friendly PEIR analysis reveals that harmful aesthetics are significant and unavoidable. It reports the same about dust, "significant and unavoidable".

Off premises Solar panel projects should not be placed in direct line of sight of any major access highways, even if they are not designated scenic view corridors, because of the inevitable occasional misalignment causing an unnecessary and unreasonable risk to highway safety from the resulting glare. This specific project advocates placing one thousand, one hundred and sixty-four 1600 square foot reflective panels between 2 designated view corridor highways, Historic Old Highway 80 and I-8, with a residence in the middle.

The goals of my family, the Boulevard Community planning Group and the C O U N T Y O F S A N D I E G O G E N E R A L

P L A N are congruent and compatible on this protection of scenic highways, and corridors, regionally issue. The goals of the promoters of this project would ask us to ignore this issue altogether to allow a 35 foot tall obstruction from the eastern horizon to the western horizon, to accommodate an incompatible, nonconforming development.

GOALS AND POLICIES

GOAL COS-11

Preservation of Scenic Resources. Preservation of scenic resources, including vistas of important natural and unique features, where visual impacts of development are minimized.

Policies

COS-11.1 Protection of Scenic Resources. Require the protection of scenic highways, corridors, regionally significant scenic vistas, and natural features, including prominent ridgelines, dominant landforms, reservoirs, and scenic landscapes.

COS-11.2 Scenic Resource Connections. Promote the connection of regionally significant natural features, designated historic landmarks, and points of regional historic, visual, and cultural interest via designated scenic corridors, such as scenic highways and regional trails.

COS-11.3 Development Siting and Design. Require development within visually sensitive areas to minimize visual impacts and to preserve unique or special visual features, particularly in rural areas, through the following:

- Creative site planning
- Integration of natural features into the project
- Appropriate scale, materials, and design to complement the surrounding natural landscape
- Minimal disturbance of topography

Potential measures for promoting scenic compatibility may include limiting or avoiding soundwalls, placing utilities underground, **minimizing grading**, and providing scenic vista points.

The pasture and flood plain surrounding our home is the proposed sight for Soitecs LanEast and LanWest projects. This project is entirely incompatible with Scenic View corridors, flood plains and our family home.

The protection of our water supply is critical for the residents of Boulevard specifically and to the County and State generally. We cannot relocate our groundwater supply. We can however take every precaution to avoid any development that puts it at risk. Water is life!

The goals of my family, the Boulevard Community planning Group and the COUNTY OF SAN DIEGO GENERAL PLAN are congruent and compatible on this water issue. The goals of the promoters of this project would ask us to risk the potential consequences of depleting our drinking water supply to accommodate an incompatible development.

GOALS AND POLICIES

COUNTY OF SAN DIEGO GENERAL PLAN

5-13

Impervious surface area impairs groundwater recharge and contributes to stormwater runoff and heat retention.

GOAL COS-5

Protection and Maintenance of Water Resources. Protection and maintenance of local reservoirs, watersheds, aquifer-recharge areas, and natural drainage systems to maintain high-quality water resources.

Water conservation is also addressed in Goal COS-19 in the “Air Quality, Climate Change, and Energy” section below.

Policies

COS-5.1 Impact to Floodways and Floodplains. Restrict development in floodways and floodplains in accordance with policies in the Flood Hazards section of the Safety Element.

Development in floodways and floodplains has the potential to alter natural hydrologic flow and cause soil erosion and increased stormwater runoff—including loss of wetland and health issues related to surface and groundwater contamination.

COS-5.2 Impervious Surfaces. Require development to minimize the use of directly connected impervious surfaces and to retain stormwater run-off caused from the development footprint at or near the site of generation.

COS-5.3 Downslope Protection. Require development to be appropriately sited and to incorporate measures to retain natural flow regimes, thereby protecting downslope areas from erosion, capturing runoff to adequately allow for filtration and/or infiltration, and protecting downstream biological resources.

COS-5.4 Invasive Species. Encourage the removal of invasive species to restore natural drainage systems, habitats, and natural hydrologic regimes of watercourses.

COS-5.5 Impacts of Development to Water Quality. Require development projects to avoid impacts to the water quality in local reservoirs, groundwater resources, and recharge areas, watersheds, and other local water sources.

Protecting reservoir water quality requires that the quality of the water entering the reservoirs is maintained or improved. Pollutants of high concern are nutrients and related algae, total organic carbon, and total dissolved solids.

The extent of this proposed program is entirely within special areas. The Special Area Designator, for instance "A" is not a zone. It is significant evidence that a condition exists. I do not believe that any authority can vote that condition out of existence. It is the condition which assures that consideration is provided areas of special interest or unusual value. It defies logic to suggest that an electrical transmission tower off in the distance or a substation within a community would alter that condition any more than drop of white-out over an "A". The proponents of these projects are not seeking a variance to convert a single family home to a duplex. They want to convert a scenic agricultural preserve to a nonconforming factory without walls in direct conflict with the goals of my family, the Boulevard Community planning Group, and the COUNTY OF SAN DIEGO GENERAL PLAN.

6952 SOLAR ENERGY SYSTEM

- b. Solar Energy System, Offsite Use shall be permitted as follows:
4. Special Area Regulations: Photovoltaic solar energy systems for offsite use subject to a **Special Area Designator must comply with the applicable Special Area Regulations** provisions of Sections 5000 through 5999.

(Added by Ord. No. 10072 (N.S.), adopted 9-15-10)

PART FIVE: SPECIAL AREA REGULATIONS

GENERAL PROVISIONS

5000 GENERAL INTENT OF THE SPECIAL AREA REGULATIONS.

The provisions of Section 5000 through Section 5999, inclusive, **shall be** known as the Special Area Regulations. The purpose of these provisions is to set forth specialized regulations which have limited application within San Diego County and **which assure that consideration is provided areas of special interest or unusual value.**

5010 MODIFICATIONS IMPOSED BY SPECIAL AREA REGULATIONS.

The provisions of individual special area **regulations shall be in addition to regulations imposed by the Use Regulations, Animal Regulations or Development Regulations.** When more than one regulation is applicable to the same subject matter within a zone, the most restrictive regulation shall apply.

(Amended by Ord. No. 8166 (N.S.) adopted 10-21-92)

5015 APPLICATION AND DESIGNATION.

a. Application. A Special Area Regulation **shall be deemed applicable when conditions or purposes specified within individual Special Area Regulations are found present within San Diego County and a Special Area Designator is included within a zone.**

b. Location of Designator. Designators for Special Area Regulations shall follow the designators for the Development Regulations.

c. Notation. Special Area Regulations applicable within a zone shall be indicated by a letter pursuant to the table at Section 5025.

A dash ("-") shall indicate that there are no Special Area Regulations applicable to the property.

(Amended by Ord. No. 8581 (N.S.) adopted 9-20-95)

5020 USE PERMITS.

When Special Area Regulations require the issuance of a Minor Use Permit or a Major Use Permit, **such permits shall only be issued when the proposed use satisfies all conditions and requirements of the Special Area Regulations and is found consistent with the intent and purpose of the applicable Special Area Regulations.**

We have practical issues in addition to the above mentioned scenic issues, dust issues, erosion issues and water issues.

One is the concern of dirty electricity being discharged into the earth in such close proximity to our home. This is likely to cause health problems for us and our pets. It is also likely to create problems with our household electrical system, communication equipment, well pumps, appliances, computers, etc..

Fire and the increased hazard due to the high temperatures these panels operate at increases the risk substantially in addition to the high voltage wiring surrounding our house and yard. Probably this nuisance issue is the most obvious and serious per Public Resources Code Section 4171.

4171. Any condition endangering public safety by creating a fire hazard and which exists upon any property which is included within any state responsibility area is a public nuisance.

The design criteria of the LanEast and LanWest portion is for 1164 huge reflective panels to be aimed at my residence for several hours every day between sunrise and sunset operating at temperatures in the 180 degrees range and more. I would have to paint the east and west sides of our house twice as often with the effect of two sunrises and two sunsets every day. It will also add costs to cool and filter the air in our home and conflict with our policy of power conservation.

We are also concerned about noise from wind blowing between and around 1164 panels in addition to 1164 tracker motors humming simultaneously running continuously.

There is a previously approved sight in Imperial Valley where this project is welcome. We don't need it or the litigation it is likely to bring. Remember the Witch Creek, Guejito and Rice Canyon fires, 1300 homes burned, killed two people and burned ranches and farms in 2007.

Please recognize Boulevard for its own value and contribution for what it is, a beautiful agricultural preserve and recreational community.

I would also comment that it would be deceptive to approve any project at a "program" level when there is no application for a permit. That is information available from zoning records and building codes. A program with a name and location is a project. It requires a permit application and an EIR. If an applicant wants to submit several projects as a program if any element fails the entire program must fail. This deception could lead investors to buy-in thinking that a project was viable because it was approved at a program level without so much as a permit application being filed.

Apparently even Soitec recognizes the obvious flaws in LanEast and LanWest because they have withdrawn their use permit application.

Please do not alter the county's general plan to accommodate such a nonconforming program. Such approval may result in the unintended consequence of adversely affecting the property value of my home and all of rural San Diego County.

It should be confirmed that Boulevard is an agricultural preserve within a scenic view corridor so it will be clear that it will be preserved per the Boulevard Community planning Group and the COUNTY OF SAN DIEGO GENERAL PLAN.

Thank you

A handwritten signature in black ink, appearing to read "Daniel Renard". The signature is written in a cursive style with a large initial "D".

Daniel Renard