

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

RECEIVED
MAR 02 2014

DATE: 3-2-14

TO: Robert Hingtgen, Planner PDS, via robert.hingtgen@sdcounty.ca.gov Planning and Development Services

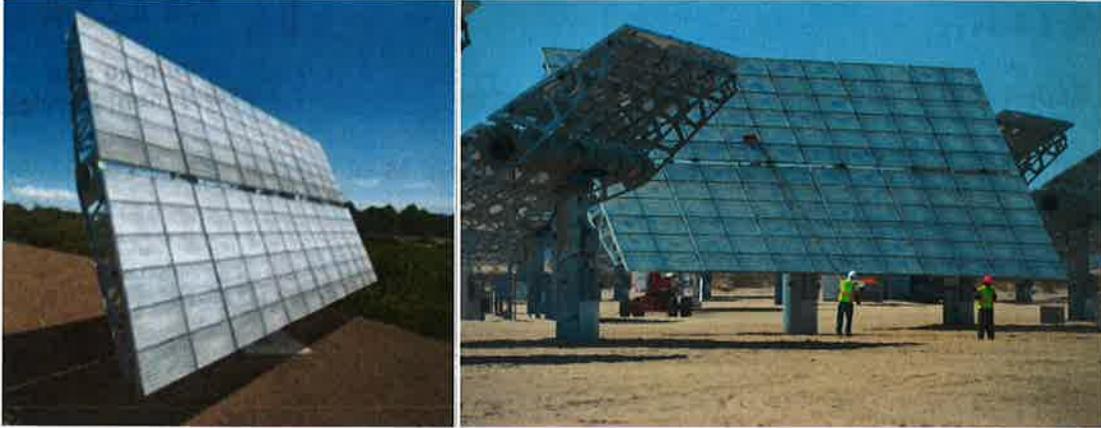
FROM: Donna Tisdale for the Boulevard Planning Group as an individual: 619-766-4170;
tisdale.donna@gmail.com

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

Project Description¹:

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 1 project located in Newberry Springs, CA, just east of Barstow and north of I-40

¹ http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/1.0_ProjectDescription.pdf



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)² 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/RFR 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

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

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 Ewiappaayp 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

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. **@page1.0-42: 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**

- 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 faculty in Newberry Springs, CA, as documented in the two photos below (Tisdale 12-8-13)



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

31. Map 2.5-3: Project Zoning Map:

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

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

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

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

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

- The CPV module trackers and other components will likely make a lot of rattling and whistling, and wire slapping noises in the wind
- What recourse do residents have when the project creates a nuisance?

36. Figure 2.6-a: Gen Tie Alignment Map

- Numerous residences are missing near the illegal airstrip, between Jewel Valley Road and the Boulevard Substation
- The one shown is incorrect—there is no house there

37. Figure 2.6-2b: Gen-tie Alignment Map

- The number of residence appears to be understated by about ½ dozen

38. Figure 2.6-3: Rugged Solar Farm Site Noise Sensitive Receptors and Noise Measurement Locations

- Noise measurements were taken near more noise areas like roadways and the new Border Patrol Station near I-8
- No measurements were taken in the Ribbonwood Road area or the NW corner area, beyond location #5 at the more noise southern end.
- Approximately 10-12 homes along the western edges are not included
- Small Livestock operations are not included
- The McCain Valley Conservation Campo is not included
- Off the map, near the numbers 12 and 13, homes along the western end of Rocky Knoll Road are left out
- This map does not show the proposed Rough Acre Campground and Conference Center project that is currently in the MUP /EIR process

39. Figure 2.6-4: LanEast and LanWest Project Sites – Potential Sensitive Receptors

- Why are these sites limited to 750 feet while the others are 1,000 feet?
- Where were the noise measurements taken?
- 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
- The home immediately west of LanWest has small children present
- Numerous residents are seniors with existing health problems

40. Figure 3.1.1-4 Rugged Solar – County Zoning:

- What is Rugged Solar Phase II that is marked on this map?
- 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

41. Figure 3.1.1-6: Rugged Solar – Farmland and Monitoring Program:

- Again—what is Rugged Solar Phase II?

42. Figure 3.1.1-7: LanEast /LanWest – County Zoning

- Why is APN 611110100, part of Rugged Solar, is shown as Open Space

43. Figure 3.1.1-10 & 3.1.1-11 Cumulative projects:

- Both maps are out of date and show wind projects that have been withdrawn: Jewel Valley Wind and Manzanita Wind
- The maps do not show existing Ocotillo Wind project
- Maps do not show approved Tule Wind project that is still in court
- Maps have numbers but there is no key for the reader to know which projects the numbers represent
- The Agriculture Preserver, shown on McCain Valley Road, is on BLM land where the grazing allotments have been discontinued

44. Figure 3.1.1-12: Cumulative Projects County Zoning

- This map has the same errors as the two previous Figures above
- Campo, La Posta and Manzanita tribal lands appear to be erroneously marked as commercial
- The Campo tribal lands in that area were previously zoned Wilderness
- The A 72 Agriculture in McCain Valley appears to be incorrect

45. Figure 3.1.4-3: Rugged Solar Farm site: (well, pole and windmill map)

- This map shows “scattered rural residential properties” but does not quantify how many or how far away they are
- This map does not show residential property at the Wuest Ranch/Tule Lake
- 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

46. Figure 3.1.4-4: LanEast and LanWest Sites:

- Adjacent 150 acre ranch with homes and cattle is erroneously identified as VACANT on the east side of LanEast
- A newer Southwestern style home , with children present, with on-site solar is erroneously identified as VACANT , abutting the entire western boundary of LanWest
- Occupied residential area with several homes is erroneously identified as “automotive yard”
- Numerous homes are identifies as ‘scattered rural residential properties, but are not quantified. It appears that some were not included

Water: Hydrology Water Quality³

1. Do project water estimates actually include rock crushing, cement batch plants, trenching, road grading, and reverse osmosis for panel washing, decommissioning and restoration?
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

³ http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/3.1.5_HydrologyWaterQuality.pdf

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 increase⁴”
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 Aquifer⁵ 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.⁶
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

⁴ <http://pubs.usgs.gov/circ/circ1186/html/boxb.html>

⁵ http://www.epa.gov/safewater/sourcewater/pubs/qrg_ssamap_campocottonwood.pdf

⁶ <http://www.indybay.org/newsitems/2014/01/16/18749306.php>

Ribbonwood Road and referenced in endnote #3 in the **Impact of Soitec Solar Projects on Boulevard and Surrounding Communities** report by Dr Ponce⁷

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”⁸ 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)⁹.



Fire:

1. **@ page 22 of Emergency Service Capabilities Assessment¹⁰:**
 - 5th 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 report¹¹ and map of the fire polygon (footprint pasted below)¹² provide accurate information that should have been included in the DPEIR

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

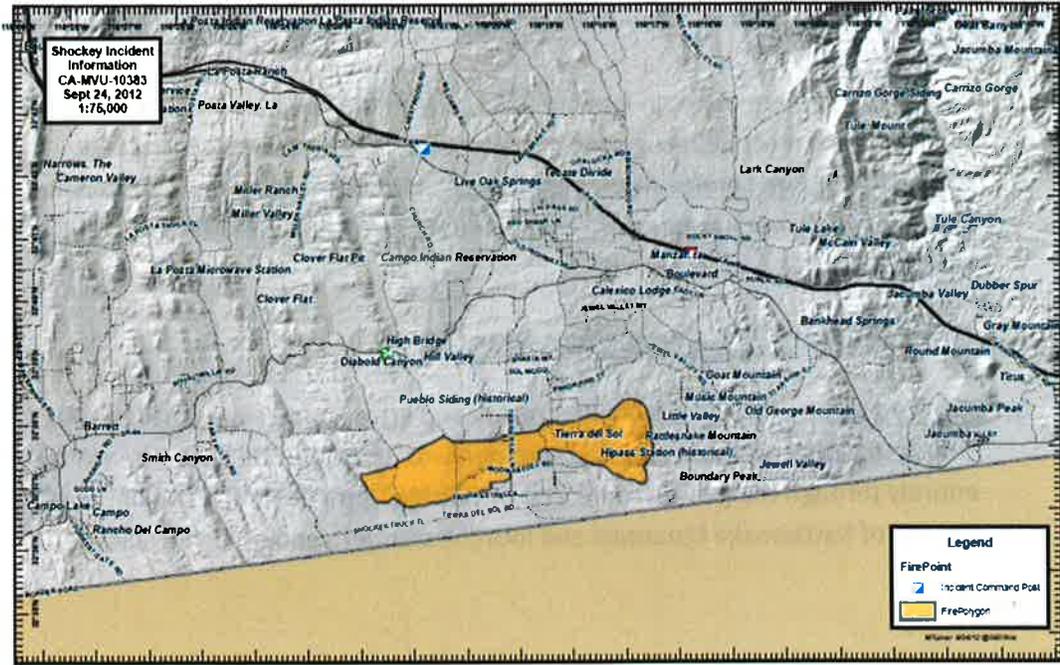
⁸ <http://www.dfg.ca.gov/lands/er/region5/docs/WalkerCanyonER.pdf>

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

¹⁰ http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/Appendix_3.1.7-1_Emergency_Service_Capabilities_Assessment.pdf

¹¹ http://cdfdata.fire.ca.gov/incidents/incidents_details_info?incident_id=754

¹² http://cdfdata.fire.ca.gov/pub/cdf/images/incidentfile754_1026.pdf



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

- 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 Form¹³**, included in the Administrative Record, is unsigned and incomplete with a statement that ‘FACILITY AVAILABILITY IS TO BE COMPLETED BY THE DISTRICT’

Tierra Del Sol Draft Fire Protection Plan¹⁴:

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

Noise¹⁵:

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 study¹⁶ does show a conceptual layout of the trackers and apparently used that tracker layout to conclude that the impacted homes indentified as 5 & 6 (page 6) would experience between 10 and 158 minutes of glare.

Glare:

1. **The LanWest Glare Behavioral Analysis at page 4¹⁷** 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.

¹³ <http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/ApplicationForms/TierraDelSol/2012-06-11-Zoning-Project-Facility-Availability-Form-fire.pdf>

¹⁴ http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/Appendix_3.1.4-5_DraftFireProtectionPlan_TDS.pdf

¹⁵ http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/2.6_Noise.pdf

¹⁶ See page 6: http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/Appendix_2.1-3_BoulevardGlareStudy-Part4.pdf

¹⁷ http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/Appendix_2.1-3_BoulevardGlareStudy-Part4.pdf

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 queue¹⁸ or terminated by the CEC¹⁹:
 - 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.

Hazards & Hazardous Materials²⁰:

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 helipad”** (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 helipad 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?**

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 wildlife²¹.
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 ²²,

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

¹⁹http://www.energy.ca.gov/sitingcases/all_projects.html

²⁰http://www.sdcounty.ca.gov/pds/ceqa/Soitec-Documents/EIR-FILES/3.1.4_HazardsHazardousMaterials.pdf

²¹2012 Bioinitiative Report : <http://www.bioinitiative.org/>

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

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.

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 elevations²³
2. **PDS Sept 5, 2013 letter to Harley McDonald**, on CLARIFICATION OF TULE WIND PROJECT MUP,²⁴ does not include the referenced plot plans and elevations dated 8-17-12 as revised by the Board of Supervisors on 8-15-12²⁵: **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.

²³ <http://www.sdcounty.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>

²⁴ <http://www.sdcounty.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>

²⁵ <http://www.sdcounty.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>

3. **10-31-2012:** The e-mail message from Shelly Williams, to 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 Bopari²⁶:** 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?

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.



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?

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

- 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.

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 Recreation²⁷
 - b. McCain Valley Resource Conservation Area²⁸ aka McCain Valley National Cooperative Land and Wildlife Management Area
 - c. Lark Canyon OHV Park & campground²⁹
 - d. Cottonwood Campground
 - e. 14,000 acre Carrizo Gorge Wilderness Area³⁰
 - 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

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

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

²⁸ http://www.desertusa.com/mccain/oct_mccain.html

²⁹ http://www.desertusa.com/mccain/oct_mccain2.html

³⁰ http://www.summitpost.org/carrizo-gorge-wilderness-and-goat-canyon-trestle/513153#chapter_5