

Hingtgen, Robert J

From: Dan Silver <dsilverla@me.com>
Sent: Monday, March 03, 2014 11:04 PM
To: Hingtgen, Robert J
Cc: Fogg, Mindy; Stephenson, Bobbie; Gretler, Darren M; Snyder, Todd
Subject: Soitec Solar Development Draft Program EIR - Part 2
Attachments: EHL-SoitecDPEIR-3.3.14.pdf

March 3, 2014

Robert Hingtgen
Dept of Planning and Development Services
5510 Overland Ave., Ste 110
San Diego, CA 92123

RE: Soitec Solar Development Draft Program EIR (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)

Dear Mr Hingtgen:

Enclosed please find comments from Endangered Habitats League. Acknowledgement of your receipt would be appreciated.

Yours truly,
Dan

Dan Silver, Executive Director
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ENDANGERED HABITATS LEAGUE

DEDICATED TO ECOSYSTEM PROTECTION AND SUSTAINABLE LAND USE



BY ELECTRONIC MAIL

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Robert Hingtgen
Planning & Development Services
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San Diego, CA 92123



Planning and
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RE: Soitec Solar Development Draft Program EIR (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)

Dear Mr. Hingtgen:

The Endangered Habitats League (EHL) appreciates the opportunity to comment on the Draft Programmatic and Project EIR for the Soitec Solar Development projects proposed near Boulevard. EHL is a long-term stakeholder in the County's habitat and land use planning efforts and is Southern California's only regional conservation group.

While renewable energy sources, such as wind and solar, are an essential component of a solution to climate change-inducing fossil fuels and to reducing our reliance on depleting supplies of imported energy, large-scale solar generation projects themselves come with significant impacts. In a fundamental way, it is unacceptable to embark upon large-scale solar projects absent a comprehensive energy strategy and particularly a comprehensive regional environmental analysis like the Desert Renewable Energy Conservation Plan (DRECP). Absent these approaches, there is no justification for why the power generated by this project cannot be obtained through distributed energy generation or if that is infeasible, through relocation of the project to already disturbed land instead of intact chaparral and grassland habitat. The DEIR does not sufficiently address biological impacts to overcome the deficiencies posed by a piecemeal approach.

While the need for alternative energy generally is manifest, the DEIR never states why *this* Project is necessary at the proposed size and at the locations selected. Nor does the document identify other alternative energy projects from which San Diego utilities may purchase power and whether, given the existence of these other projects, supply via Soitec will be needed. A discussion of the larger energy context is therefore necessary to justify the project.

The larger context is also necessary to properly analyze the project's cumulative impacts. Although the DEIR does list some pending projects, they are not graphically displayed so that the cumulative impacts of these projects, for example on biological resources, are readily ascertainable. The role this Project plays in regional habitat conservation planning is also not made clear. A revised EIR must establish whether development of any of the proposed sites will prejudice a future Multiple Species Conservation Program for the East County both for core areas and linkages.

At the project level as well there is a lack of detailed biological survey data that would permit the fine-tuning of Project configuration necessary to avoid or at least minimize impacts. Instead, most of the land is labeled generally as chaparral and is considered fungible. There is a lack of attention to more sensitive types of chaparral and to specific sensitive flora and fauna. Indeed, for at least one site, Los Robles, there is no detailed survey information at all. Thus, if the Los Robles site is selected for at least part of the Project, further environmental review will be necessary.

The alternatives analysis must address whether there are sites meeting project objectives that have already been disturbed. There was no serious effort to identify and avoid locations least sensitive from a reserve design perspective. Rather, uniform setbacks from the project periphery were considered, which has little relevance for biological resources. And when conducting the alternatives analysis, care must be taken to avoid defining project objectives so narrowly with ancillary (and unnecessary) goals so that only the project configuration the applicant prefers will pass muster. Thus, for example, having as a project objective the investment of \$100 million in the County precludes consideration of sites in adjacent counties and alternatives that do not require that level of investment.

Finally, we do not believe there is a legitimate basis for certification of those portions of the document that are deemed programmatic. Having specifically defined areas for consideration (LanWest and LanEast, Los Robles), a programmatic document serves no real purpose. Accordingly, before any of these sites are selected, full-blown project-level review in an EIR will be required.

Thank you for your consideration of EHL's views and we would look forward to continuing to work with you on these issues.

Yours truly,



Dan Silver
Executive Director