

## BOULEVARD PLANNING GROUP

### FINAL MINUTES & SUMMARY FOR JUNE 14, 2012 MEETING

#### **1. MEETING CALLED TO ORDER AT 7:05 pm**

**2. MEMBERS PRESENT:** 1) Rett Lawrence 4) Donna Tisdale 5) Tammy Daubach 7) Jeffrey McKernan

**MEMBERS ABSENT:** 2) Manuel Rivera (unexcused) 3) Chris Noland (excused) 6) Audra Burgio (unexcused)

**3. MINUTES FOR MAY 3, 2012 MEETING:** *M/S: McKernan/Daubach: Approve minutes with minor corrections: Passed: 4-0-0 (no objections from Jim Whalen, consultant for numerous energy projects under review)*

#### **4. CORRESPONDENCE:**

- No correspondence, other than agenda items.
- US Border Patrol agent, Cory Anderson, reported that the August Community Watch meeting will include high school students to help educate them on the dangers of smuggling.
- New Boulevard Border Patrol station expected to open in February 2013—subject to change.
- Citizen call resulted in 5 non-citizens and 1 US citizen being taken into custody near In-Ko-Pah.

#### **5. NEW BUSINESS/ACTION ITEMS:**

- Emergency items added to agenda by consensus:
- Vote on appealing Planning Commission's approval of ESJ Gen-tie MUP. There was a brief discussion regarding lack of need for this expensive project and the tenuous law enforcement control on the Mexican side of the border in the ESJ project area: *M/S: Lawrence/McKernan: File Appeal of Planning Commission approval of ESJ MUP Gen-tie MUP: Passed 4-0-0.*
- June 21 DRECP comment opportunity: [http://www.drecp.org/meetings/2012-06-21\\_meeting/2012-06-21\\_meeting\\_notice.pdf](http://www.drecp.org/meetings/2012-06-21_meeting/2012-06-21_meeting_notice.pdf) : *M/S: Lawrence/McKernan: Approval for Chair to submit comments for Group: Passed 4-0-0.*
- June 20 General Plan Amendment BOS hearing: public funding of private General Plan Amendments: *M/S: McKernan/Lawrence: Oppose GP Amendments and public funding of those amendments: Passed: 4-0-0*
- Move July 5<sup>th</sup> meeting due to July 4<sup>th</sup> holiday: *M/S: Daubach/Lawrence: Move July meeting to Thursday July 12: Passed: 4-0-0*

#### **A. SOITEC'S 80 MW RUGGED SOLAR LLC MUP (MAP) 3992-1108:**

- Jim Whalen was present for the Soitec and Hamann/Rough Acres Ranch applicants and project property owners.
- Questions were generated by the applicant's Project Description and plot plans dated May 2012.
- Chair went over project details: approximately 3,422 Soitec Concentrix CX-S530 CPV 2-axis tracking modules (each 25' x48' = 1,200 sq ft x 3,422=4,106,400sq ft); 59 Inverter/transformer enclosures (up to 23,600 sq ft) ; 7,500 sq ft O&M building; 2 on-site wells; three 20k gallon water tanks; 20.5 miles of new load bearing on-site roads; 46.5 miles of graded, non-load bearing dirt service roads; 2-acre step up substation ; new 69kV gen-tie line to proposed new Boulevard Substation; 6 ft perimeter fence with 1 ft barbed wire. Preliminary grading and drainage plans list 19,837,494 sq feet (455 acres) of disturbed area; Project will be developed in one phase over

estimated 18 month period, and lack of ability to comply with community plan, general plan and required MUP Findings.

- Rugged Solar's response to the County is due June 15 with an expected 6 week turnaround.
- DOE gave Soitec a \$25 million cash grant for their new San Diego factory.
- The Soitec's Power Purchase Agreement with SDG&E was discussed.
- Whalen said power goes into grid and electrons then go everywhere/anywhere.
- Rugged Solar Gen –tie line had been planned to co-locate with Tule Wind's overhead gen-tie, but that has changed since Planning Commission recommended undergrounding the Tule Wind gen-tie. Still subject to change.
- McKernan raised concerns with noise levels from inverters.
- Whalen stated their noise studies indicate they need a 450- 800 foot setback (depending on open or closed inverters) to comply with the County noise ordinance at their Tierra Del Sol Solar project.
- Inverters do make a clicking noise and may be enclosed.
- Tisdale raised concerns again with fire, transformer oil fires, need to keep emergency backup energy from going back into grid during power outage, potential noise and vibrations from CPV modules during high and low wind events.
- Tisdale stated that winds can be erratic with strong twisting wind shear events. She had witnessed whirlwinds (dust devils) twisting off massive oak limbs and 60 feet of barn roof being torn off on a clear and otherwise windless day.
- McKernan asked about substation fire risk and suppression (page 27 of Project Description), cumulative adverse project impacts with Tule Wind and other projects for traffic, groundwater use, power lines, dust suppression chemicals (52,000 gallons), co-location of O&M.
- Whalen said CPV modules can handle 33 mph maximum winds and will be washed about every 6-8 weeks. Fires are addressed in fire plan; cumulative impacts will be addressed in later analysis.
- Mark Ostrander (retired Cal-fire battalion chief) stated that dry chemicals will be needed instead of water and project will need to be de-energized to fight fires. He asked about voltage and ability to disconnect for fire fighter safety.
- Whalen said inverters go from 1,000 volts DC to 34.5 kV AC with shut offs at the gates and at center control switches.
- Ostrander stated that the panels never shut off; they keep generating power even with some moonlight, and being otherwise disconnected.
- Dennis Berglund (electrical engineer) agreed, stating that solar panels are virtual batteries that always produce some energy—never really turning off completely.
- Ostrander also asked how artificial light affects power generation in the event of a fire and stated these projects represent a major risk and fire-fighters that will need to wait for any fire to burn past the facility's energy zone to fight it due to the danger of electrocution.
- There were questions on the CPV module stow position shown in Figure 4-B, with Whalen disputing Figure 4-B.
- Whalen later remembered that there are two stow positions, one for storm and one for non-storm modes.
- Tisdale remarked on known and unknown project impacts and community being put in position of virtual lab rats in experiments with projects of this unprecedented scale and scope—with the largest operating Soitec project being 1 MW in New Mexico. Rugged Solar is 80 MW.
- McKernan raised questions with use of water from Live Oak Springs and Rough Acres water district

- Whalen reported that the County lost lawsuit with Live Oak Springs over water sales and Rough Acres is now a “public non-community” water district.
- Soitec is in process of putting together water usage plan that addresses water use of all its Boulevard projects using purchased and owned groundwater.
- McKernan raised concerns with 1.8.1 Construction water use of 72.99 acre feet (23,783,900 gallons) and math error with total water use in Table 3.
- Linda Shannon expressed concerns with 3 wells being used on Rough Acres for Rugged Solar, Tule Wind, and proposed new campground and facilities adjacent to their property and well.
- Ostrander reported that Bornt Farms in Jacumba was pulling out in part due to a major drop in the water table, with wells drying up and reportedly impacting wells in Jacume.
- Berglund calculated 33,000,000 gallons over 360 days = 63 gallons per minute.
- McKernan read from a letter from East County Renewables Coalition to the County’s CAO Chandra Waller, dated 10-31-2010 (Whalen is ECRC Executive Director), that referred to our community disparagingly as a small vocal group of NIMBY’s.
- McKernan called those statements arrogant and offensive, especially coming from ‘greed-driven opportunists’, stating that local residents make sacrifices to live here for the quality of life.
- Whalen apologized for any offense, saying we should not resort to labeling.
- ***M/S: McKernan/Lawrence: Oppose/deny Rugged Solar for non-compliance with General Plan, Community Plan, MUP Required Findings (bulk, scale, harmony, density, coverage, fire services, utilities, traffic, suitability of site for type and intensity of use) and CEQA—Need to uphold the voice of overwhelming majority of registered voters who elected planning group members to help protect Boulevard’s rural community character from being destroyed from over-development and large-scale industrial projects: Passed 4-0-0***

**B. ENERGIA SIERRA JUAREZ GEN-TIE FEIS RELEASED:**

- Brief discussion of ESJ Gen-tie FEIS and appeals of Gen-tie MUP approval.

**C. RECONFIRM SUPPORT FOR HISTORIC DESIGNATION FOR MCCAIN HOUSE ON MCCAIN VALLEY ROAD AND SUBMIT REQUEST TO COUNTY HISTORIC BOARD:**

- Discussion was held on the need to follow up on previous Planning Group support of historic designation for old wooden McCain family homestead house located on Tule Creek in McCain Valley on state corrections property.
- Letters were submitted in 2009 and 2010 to the Cal Fire CEQA coordinator at the time, Mark Ostrander.
- Ostrander was present and stated the state was still working on the designation. He agreed with need to follow up with requests to the County and state. He will check with the archaeologist.
- ***M/S: Tisdale/Daubach: Reconfirm support and follow up on requests for historic designation for the McCain house on McCain Valley Road: Passed: 4-0-0.***

**D. NOISE MEASUREMENT REQUEST FROM JAMUL DULZURA PLANNING GROUP:**

- Discussion on the JDCPG request support for their recommendation to the County to conduct a review of the current noise ordinance with the specific intent to recognize the lower ambient noise conditions in rural areas, recognizing that a one-size-fits-all approach for the various rural, semi-rural, and urban areas is ineffective.
- It was agreed that noise abatement measurements should address a broad range of frequencies and vibrations, especially with all the proposed wind and solar energy and transmission projects.

- ***M/S: Tisdale/Lawrence: Request that the noise ordinance be updated to address the full spectrum of noise impacts (audible and inaudible): Passed 4-0-0***

**E. JULY 20 PLANNING COMMISSION WIND ENERGY ORDINANCE & PLAN AMENDMENT DEIR HEARING:**

- Discussion on what happened at the May 11 and May 18 Planning Commission workshop/hearings.
- The proposed Plan Amendment, and changed Findings, also applies to commercial industrial solar projects.
- Tisdale reported that the Commissioners expressed concerns with adverse health impacts, noise, and proximity to residential areas and were very interested in Ostrander's comments on his own small vertical axis wind turbine and solar panels.
- Staff showed graphics showing parcelization of property south of I-8 in the Jewel Valley, Tierra Del Sol area, stating wind energy was not a good fit there.
- Staff also showed graphics of area north of I-8, stating there may be better locations to the north east, further away from homes. However, that graphic did not properly display the existing homes along Ribbonwood Road, on adjacent tribal lands, and on McCain Valley Road.
- Commissioners indicated that they still needed more information and were not ready to exploit our communities or change our community plans for industrial energy generation.
- Ostrander reported that two Commissioners came out to see his vertical axis wind turbine, his solar panels, his meter running backwards, and the visible voltage spikes on his monitor. They remarked on how quiet his turbine was, admired the current viewshed, and seemed taken aback by the noise generated by the Southwest Powerlink, and the magnitude of changes these cumulative impact projects represent.
- ***Consensus that Chair could continue to represent the Group's opposition to industrial wind projects at the July 20<sup>th</sup> hearing.***

**F. CONSIDER SENDING LETTER TO HEALTH AND HUMAN SERVICES (HHA) AND DR. WILMA WOOTEN REGARDING POSITION DENYING ADVERSE HEALTH IMPACTS RELATED TO INDUSTRIAL WIND ENERGY/INFRASTRUCTURE PROJECTS:**

- Discussion on County staff statement at previous wind hearing that HHS was of the opinion that there is no evidence linking adverse health impacts related to proximity and/or operation of industrial wind turbines.
- Letter from Manzanita Band to Planning Commission, dated June 6, was discussed. It confirms that an independent Health Impact Assessment is currently under way to address "an inordinate level of health challenges for their people" related to their living close proximity to a high voltage wind energy project.
- ***M/S: McKernan/Daubach: Approve sending letter to HHA and Dr Wooten addressing adverse health impacts related to industrial wind turbine projects and related infrastructure: Passed: 4-0-0***

**G. JUNE 21 CPUC HEARING ON ECO SUBSTATION (TULE WIND) (CPUC APP A.09.08.003):**

- Cameron Durckel reported that the ECO Substation had not been pulled from the June 21 agenda (#40), but that could change as late as 5PM the day before.
- The Commissioners may take comments at the hearing, or could approve on consensus without taking comments.
- Personal comments should be sent in as soon as possible.

#### **H. ODD-NUMBERED SEATS UP FOR ELECTION IN NOVEMBER 2012:**

- Candidates must be 18, registered to vote in, and reside in, the Boulevard Planning Area.
- Applications are due at Registrar of Voters between July 16th and August 10th.

#### **6. UPDATES / POTENTIAL ACTION ITEMS:**

##### **A. SDG&E'S SUNRISE POWERLINK /COMMUNITY UPDATE:**

- Cameron Durckel reported that the Sunrise Powerlink is being tested and is in service.
- He confirmed that there is no renewable energy linked to Sunrise yet, but could not current name source of power, saying it can come from anywhere.
- Sunrise has 1,000MW capacity and SDG&E has Power Purchase Agreements for 800MW from renewable energy projects. They expect some projects to drop out.
- Rett Lawrence challenged Durckel, stating it was his opinion that Sunrise was intended to import dirty gas-fired electricity from Sempra facilities located in Mexico.
- Durckel disagreed.
- Tisdale raised concerns with recent Sunrise related shorts under Alpine Blvd, Sunrise sparked fires in La Posta and Alpine, state agency reports on expanding both Sunrise and Southwest Powerlinks, the ECO Substation expansion to accommodate at least 4800MW, and Citizen Energy's mysterious involvement with Sunrise, advance lump sum lease payments estimated at \$ 83 million to SDG&E, and the non-profit Citizen's promises to invest "50 % profits" into low income communities in Imperial County. Where are those investments being made?
- Durckel said he will seek answers to our questions—and get back to us.
- Tisdale also asked about CALISO grid congestion reports stating the need to remove 600MW of generation projects from the grid queue in SDG&E's service area, including a several projects proposed in the Boulevard/Jacumba area. Tule Wind matches one project listed as 201 MW.
- Tisdale also asked when the construction fence will be removed from the BLM Moon Valley access area in In-Ko-Pah.
- Durckel said he was aware of transmission expansion talks and will look the other issues for us.

##### **B. BOULEVARD /JACUMBA /LA POSTA FIRE SAFE COUNCIL REPORT:**

- Tammy Daubach reported the following:
- 100 trees were handed out at the Campo CalFire Station
- Free chipping signup sheets are available.
- The CERT earthquake training in Campo included over 200 people.
- Neighborhood Watch, Border Patrol: 25 illegal immigrants were caught during recent border fire near Jewel Valley and Jacumba. Ultra lights are still used for smuggling. Be on look out and call Border Patrol.
- A new border tunnel with rail and cooling system was discovered in Otay and \$6 million worth of marijuana confiscated.
- Problem with community sign over lack of required insurance. Property owner has asked for it to be removed. Ken Koppins cleaned up the property around the sign.
- Chief Francois has agreed to allow the sign to be installed at new Fire Station property.

##### **C. BOULEVARD /JACUMBA REVITALIZATION REPORT:**

- Tammy Daubach reported the following:
- Mountain Health Clinic has \$5 million for new facility that will create 40 jobs: Dental, pharmacy, x-rays, and psychiatric services. Government subsidies will be used.

- Council formerly requested 1.5 acre pocket part across from new Boulevard Fire Station
- \$3.5 million for new Fire Station has been obtained
- Request made, again, for use of old fire station as community center
- Dianne Jacob will be arranging meeting with Sheriff's Dept., Fire Dept., Park & Recreation, County Library, with Tammy, to go over potential options.
- Jacumba's community garden is up. Focus will now turn to potential Boulevard garden.
- Meals-on-wheels still looking for funding to expand to include hot meals and serve more people in the Boulevard area.
- Camp Lockett will host the Campo Roundup October 13<sup>th</sup>. The May event was cancelled due to Sunrise Powerlink construction and helicopter traffic.
- Should rumble strips be added to blind intersection at Hwy 94 at Tierra Del Sol?
- Country Fair was well attended for this new event that may become an annual event.
- Live Well Summit 2012 will be held Friday, June 15 from 9-2 at Ronald Reagan Community Center at 195 East Douglas El Cajon with a theme of envisioning ways different generations can work together to strengthen one another and our communities.
- Next Revitalization meeting will be 6:30 PM, Sept. 4<sup>th</sup>, at Boulevard Fire Training Room. Focus on community clean up.

#### **D. SOITEC'S 20 MW LANEAST LLC:**

- No new information.
- Whalen reported that AB2551, that will create renewable energy infrastructure finance zones to benefit these Soitec projects, and remove the required public vote, has passed out of the Assembly. He is now dealing with the Senate and talking to the head person there.

#### **E. SOITEC'S 45-60 MW TIERRA DEL SOL SOLAR FARM LLC: MUP Pre-App. 3992: 11-022:**

- Bob Maupin reported speaking to project well drillers next to his property, they said they were having trouble finding and keeping water.
- Whalen reported that the TDS Major Use Permit will go in to the County on June 15.
- Project neighbor, Bob Maupin, reported being contacted for a gen-tie easement. He said no to any easement and no to selling his ranch property.
- Whalen also reported that the Rough Acres Campo Ground facility MUP is expected to go in to the County in mid-July
- Regarding the campground MUP, and the inappropriateness of locating a campground near a prison camp, Tammy Daubach reported that one prisoner, at the adjacent McCain Conservation Camp, had committed battery with a deadly weapon. He was in a bar fight and he pulled a knife out and cut a person's throat. This is one example of the kind of criminals in McCain Valley and some offenses are worse. They are not simply drunk drivers.

#### **F. SOITEC 5.4-6.5 MW LANWEST SOLAR LLC MAJOR USE PERMIT (PROJECT #P12-002):**

- Group voted to oppose this project at May 3rd meeting.
- Jim Whalen requested more information on the Group's list of LanWest MUP questions/objections.
- He needs more details on the policies the Group thinks the project is considered to be non-compliant with.

#### **G. (error in agenda--no item G)**

#### **H. JUNE 8TH TULE WIND MUP & ENERGIA SIERRA JUAREZ CROSS- BORDER POWER LINE GEN-TIE MUP**

## **HEARING AT PLANNING COMMISSION:**

- The Tule Wind MUP decision was deferred from the May 18 hearing to the June 8th hearing.
- The Energia Sierra Juarez Gen-tie MUP was approved by the Planning Commission.
- The proposed staff recommendation for Tule Wind MUP includes denial of turbines on private land, undergrounding the gen-tie line, no plan amendment, certification for the joint CPUC/ BLM EIR/EIS conducted on the ECO Substation with Connected Action projects (Tule Wind and ESJ Gen-tie) and Cumulative Impact projects (Jordan Wind AKA Jewel Valley Wind, Campo Wind AKA Shu'luuk Wind, Manzanita Wind).

## **I. SOLFOCUS SOLAR PROJECT APPLICATIONS FOR BOULEVARD/CRESTWOOD:**

- Boulevard / Crestwood locations not yet disclosed.
- The CPUC has issued a draft resolution approving SDG&E Power Purchase Agreement that discloses a new \$13 million cap on network upgrade costs that can be passed on to rate payers: [https://www.pge.com/regulation/RenewablePortfolioStdsOIR-IV/Draft-Decisions/CPUC/2012/RenewablePortfolioStdsOIR-IV\\_Draft-Dec\\_CPUC\\_20120313\\_231456.DOC](https://www.pge.com/regulation/RenewablePortfolioStdsOIR-IV/Draft-Decisions/CPUC/2012/RenewablePortfolioStdsOIR-IV_Draft-Dec_CPUC_20120313_231456.DOC)
- Tisdale reported on going to speak at Ramona Planning Group to share concerns with a similar SolFocus project proposed there.

## **J. CAMPO NATION/INVENERGY/SDG&E'S 160-250 MW SHU'LUUK WIND PROJECT**

- DEIS expected to be released this summer: <http://shuluukwind.com/> ; <http://www.gpo.gov/fdsys/pkg/FR-2011-05-20/html/2011-12416.htm>

## **K. ENEL'S 158 MW JEWEL VALLEY WIND & 10 MW SOLAR:**

- No new project information.
- Recent Planning Commission denial of Tule Wind turbines on private land indicates a future problem for the Jewel Valley Wind project.
- MET towers installed: <http://www.jewelvalleyproject.com/>

## **L. ROUGH ACRES RANCH CAMPGROUND MUP CASE #3992-11-002; MCCAIN VALLEY ROAD: APN #'S 611-060-03; 611-070-01; 611-070-03 AND 611-030-01 KIVA #11-0138043;**

- No new information.
- Rough Acres Foundation Major Use Permit App: Conference /Corporate Retreat Center: 2 Campground s with up to 158 sites all on 753 acres, 200 seat amphitheater, 10-20 employees.
- Potential rock crushing operation /wetland restoration on adjacent 28-acre parcel.
- Property is zoned RL80/A72.
- County Project Manager Larry Hofreiter

## **M. AMONIX JACUMBA SOLAR POWER: Major Use Permit (MPA) 11-1014:**

- Tisdale shared articles reporting 200 layoffs at Amonix.
- The approximately 860 Acre (RL 80/S92) project is proposed to be located approximately 1/4 mile west of Jacumba between Historic Rt. 80 and I-8.

## **N. BP SOLAR NORTH AMERICA LLC: 20 MW JACUMBA SOLAR / MAJOR USE PRE-APP 3992-11-023:**

- No new information.
- Proposed 300 acre 20 - 1MW solar PV arrays on 25 degree fixed tilt or single tracking axis.
- 3/5 miles east of Jacumba near Historic Rt 80 and Carrizo Gorge Road RL 80/ S92: next to border fence and proposed ECO Substation.

**7. PUBLIC COMMENT ON NON-AGENDA ITEMS:**

**8. MEETING ADJOURNMENT AT 9:55 PM**

Minutes approved *with changes* at meeting held on July 12, 2013: 5-0-0

Donna Tisdale, Chair 

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