

# MINUTES/SUMMARY FOR BOULEVARD PLANNING GROUP (BPG)

## MEETING HELD ON SEPTEMBER 6, 2012

**1. CALLED TO ORDER** at 7:04 PM

**2. MEMBERS PRESENT:** Rett Lawrence; Chris Noland; Donna Tisdale; Tammy Daubach; Jeffrey McKernan: Vacant Seats: 2 & 6

**3. AUGUST 2<sup>ND</sup> MINUTES:** *M/S: Noland/Daubach: Passed 5-0-0: approve minutes with changes/clarifications to include adverse solar project impacts related to heat island effects; interference with homeland security thermal imaging and Border Patrol and military operations. (Border Patrol agent informally confirmed local use of thermal imaging and potential for interference from heat sources, other than undocumented immigrants and smugglers who are being tracked)*

### **4. CORRESPONDENCE/PUBLIC DISCUSSION:**

- DPLU is now Dept of Planning and Development Services with a new address
- Watershed Workshop announcement
- **AB2551:** The Chair reported that consultant Jim Whalen had repeatedly asked for AB2551 to be placed on the agenda for a vote. However, when asked if the BPG could vote on state legislation, Chief Deputy County Counsel responded via e-mail that we “may not do so”.
- Whalen insisted that the Group was authorized and should vote on AB2551, pointing to other County correspondence and stating he knew the Chair opposed it but he did not know where others stood.
- There was an intense and sometimes hostile back and forth exchange between vested AB2551 proponents/sponsors Jim Whalen, Greg Lansing and John Gibson of Hamann Companies, Planning Group members, and the public.
- When asked for a show of hands for those supporting AB2551, only the 3 proponents and a single employee of one vested land owner raised their hands.
- All board members and remaining members of the public raised their hands in opposition.
- There was Group consensus not to add AB2551 to the agenda as an emergency item based on County Counsel’s response that “we may not do so”.
- Proponents were reminded that the Planning Group members are elected during general elections and any interim appointments to vacated seats are made by elected members that successfully ran on a platform of keeping Boulevard rural opposing master-planned and industrial energy project developments.
- No Action taken.

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

#### **A. SEPTEMBER 5: DUE DATE FOR APPLICATIONS FOR FILLING VACANT SEATS #2 & 6:**

- The Chair announced that Melody Ponchat’s was the only application that had been received.
- A call had been received from “Josh” who stated interest in applying but did not follow through.
- Ms. Ponchat stated her desire to serve on the Group to help keep Boulevard rural and stated her opposition to the industrialization of Boulevard and numerous wind turbine, and solar energy, and related projects.
- M/S:McKernan/ Noland: Approve Melody Ponchat’s application for Seat 2: Passed 5-0-0.

#### **B. 2012 ELECTION FOR 4 ODD-NUMBERED SEATS WAS CANCELLED BY REGISTRAR OF VOTERS AFTER ONLY 3 CANDIDATES FILED:**

- Noland reported that the Board of Supervisors will act to fill the odd-numbered seats by appointing the 3 people who qualified for the election ballot at their next meeting: Noland, McKernan and Bob Maupin.

#### **C. REQUEST FOR RE-APPOINTMENT TO CURRENT SEAT BY RETT LAWRENCE:**

- The Chair reported that Rett Lawrence had missed the election filing deadline and had requested re-appointment to his current seat #1.

- It was agreed that any re-appointments for Seat 1 should be advertised.
- *M/S: McKernan/Daubach: Passed 5-0-0: Publish a notice of vacancy for applicants to fill Seats 1 & 6.*

**D. PUBLIC REQUEST FOR NO LITTERING SIGN INSTALLATION ON HISTORIC ROUTE 80:**

- The Chair reported that local property owners had asked for the Group’s consideration of a “motion to apply to the County of San Diego to place “No Littering” signs along the section of highway from Crestwood to the Kitchen Creek exit”.
- *M/S: Noland/Lawrence: Passed 5-0-0: Support the installation of No Littering signs (along section of Historic Route 80) from Crestwood Road to Kitchen Creek I-8 ramps.*

**E. SOITEC’S TIERRA DEL SOL SOLAR LLC: 2-PHASE 60 MW; MUP 3300-12-010; REZONE 3600-12-005; REMOVAL OF AGRICULTURAL PRESERVE 3921-77-046-01 (AP77-046W1) :**

- Soitec consultant, Jim Whalen was present for the applicant.
- Several project neighbors were also present, some claiming they had learned of the project through neighbors but had not been notified by the County.
- DPLU’s August 22<sup>nd</sup> documents and Sept 5<sup>th</sup> letter requesting an EIR was discussed.
- Neighbor Bob Maupin asked when the 2 wells would be tested as required for 72 hours at 50 gpm.
- Maupin asked if the test water could be directed to his creek bed area and questioned the sustainability of the well production to meet the stated and the actual water needs of the project without adversely impacting the neighbors’ wells.
- Project neighbors / property owners raised concerns with adverse impacts to visual, environmental, groundwater and biological resources, property values, public health and safety, glint and glare, electrical pollution/ interference, quality of life, community character, and overall lack of need.
- Group members expressed similar concerns in addition to adverse impacts to Border Patrol operations
- Some neighbors reported being approached and /or rejecting requests for right-of-way easements needed for the project gen-tie line to loop into SDG&E’s lines and the new Boulevard Substation.
- The Chair reminded those present of the Group’s August 2<sup>nd</sup> vote to deny the Tierra Del Sol Solar project, requesting further authorization to submit comments including the Sept 5<sup>th</sup> DPLU letter.
- *M/S: McKernan/Lawrence: Authorize Chair to submit additional comments including Sept 5<sup>th</sup> letter: Passed: 5-0-0.*

**F. SOITEC’S 80 MW RUGGED SOLAR LLC; 3300 12-007 (MUP); 3910 12-21-003 (ER): 1<sup>st</sup> ITERATION LETTER:**

- John Gibson was present for Hamann Companies; Rough Acres Ranch; Waterstone Support Foundation, Inc; Vista Oaks Business Park; Harmony Grove Partners , along with Soitec consultant Jim Whalen, and Greg Lansing land owner for Soitec’s LanWest Solar and LanEast Solar projects.
- The Chair reminded those present that the Group had voted to deny this project at the August 2<sup>nd</sup> meeting, but new information was available for comment.
- The County’s August 28<sup>th</sup> letter lists both resolved and unresolved project issues including non-compliance with the Boulevard Community Plan that may be amended in the Wind Energy Ordinance.
- Project plot plans and grading plans were made available for public review, along with the Chair’s summary list of selected information from those plans.
- Whalen stated that their last submission was still with the County
- Cumulative project water studies are focused North of I-8, including Live Oak Springs, because “that is where the water is”.
- The Chair challenged that statement and noted the fragile fractured rock nature of the aquifer and the existence of local recharge zones.
- It was reported that numerous groundwater studies had been conducted by professionals for the Tierra Del Sol and general area related the federal designation of the Campo/Cottonwood Creek Sole Source Aquifer and opposition to the Campo Landfill proposal.
- The County’s long-term groundwater monitoring of private wells in the area, since the early 1990’s, was

discussed with a recommendation that other property owners should get involved in long-term monitoring.

- Project proponents (Gibson, Whalen, Lansing) made numerous serious allegations against Chair Tisdale related to her non-planning group activities challenging industrial energy /transmission projects.
- Tisdale denied the allegations and stated that those making the false allegations should produce documentation.
- No such documentation was produced.
- Proponents made other allegations against the Chair and Planning Group members regarding failure to accept monies for the community offered by Tule Wind (\$600,000) and SDG&E (\$5 million) at the expense of our community.
- Gibson and Lansing appeared to using their phones to take photos/ video during the meeting.
- The Chair and Group members reminded proponents that the Planning Group is not authorized to accept or handle money for projects and that the Community Needs/Mitigation list , with references to local non-profit groups that could accept community benefit funding, had been generated at numerous public meetings and provided to the County and project developers.
- Whalen pointed to previous minutes where the Group had voted to reject Iberdrola’s offer of \$600,000 (\$20,000 per year for 30 years) for community projects, in exchange for approval to change the underground Gen-tie to the less expensive overhead line.
- The Chair stated that overhead lines can represent a higher risk of wildfire ignition and impediments to fire fighting that could result in damages far in excess of the proposed \$600,000 over 30 years.
- Gibson asked Tisdale if ‘her non-profits’ would contribute to the impacted community.
- Tisdale responded that those Boards likely would be willing to offer grants for local causes if money and qualified applicants were available.
- Tisdale then asked Gibson if their 501-c 3 non-profit Waterstone Support Foundation, Inc., based in Colorado Springs, would donate profits from Tule Wind and Rugged Solar to the impacted community.
- Gibson responded yes. They would donate 100% to East County communities in El Cajon.
- Gibson also stated they had already spent \$3 million at Rough Acres Ranch for a conference center.
- M/S: McKernan/Noland: Authorize the Chair to submit additional comments including the August 28<sup>th</sup> DPLU letter: Passed: 5-0-0

**G. PRESENTATION ON MOUNTAIN EMPIRE SCHOOL DISTRICT’S PROPOSITION G.**

- The Chair reminded everyone that no action could be taken by the BPG.
- The ‘information only’ Prop. G presentation was made by Superintendent Stephan Van Zant on the bond measure on the November 2012 ballot. Clover Flat principal was also present
- Van Zandt discussed the lack of adequate funds, current sad state of school maintenance and list of needs that were the drivers for Prop G.
- Solar projects planned at Clover Flat, Pine Valley, and Campo schools would be placed on unused land in exchange for cheaper electricity rates.

**H. NOTICE OF SUPPLEMENTAL EIR: FOREST CONSERVATION INITIATIVE (FCI) LANDS GENERAL PLAN AMENDMENT: GPA 12-004:**

- The GPA will revise the existing land uses on approximately 75,000 acres, located in and around the Cleveland National Forest, and previously covered by the FCI.
- A public scoping meeting is scheduled for 6PM on Sept 17 at DPLU hearing room 5201 Ruffin Rd, Ste B.
- Comment deadline is 4 PM Sept 28: <http://www.sdcounty.ca.gov/dplu/gpupdate/environmental.html>
- *No action taken*

**I. OCTOBER 31: BOARD OF SUPERVISORS WIND ENERGY ORDINANCE & PLAN AMENDMENT HEARING:**

- Comments should be submitted to [matthew.schneider@sdcounty.ca.gov](mailto:matthew.schneider@sdcounty.ca.gov), by close of business Oct 12 for inclusion in Board hearing package.

- Between Oct 12 and 30<sup>th</sup>, comments should be sent to the following: Clerk of the Board for Board of Supervisors: County documents posted here: <http://www.sdcounty.ca.gov/dplu/ordamend.html>
- M/S: McKernan/Noland: Authorize Chair to submit comments and to represent the Group at the October 31<sup>st</sup> hearing. Passed: 5-0-0.

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

### **A. US BORDER PATROL COMMUNITY UPDATE:**

- Border Patrol Agent Richard Marzec was present to respond to questions:
- Water in on-site tanks is groundwater
- 2 wells @ 500' each hit flowing water
- County DPW did require Border Patrol to improve , widen, and stripe Ribbonwood Road frontage
- County DPW survey of road bed location differs from Army Corps road bed survey
- Roadrunner Lane is not a BP access road
- No comment on use of Roadrunner Lane as access road for Soitec's commercial /industrial Rugged Solar project that includes some of Frankie Thibodeau's property.
- Communications tower with is 160' tall with automatic lights for helicopters and FAA required lights
- The helicopter landing pad is not a heliport. It is for infrequent BP use and emergencies like for CAL Fire stage refueling
- Parking shade cover supports solar panels
- The new building is expected to be LEED Gold certified with reduced use of water and energy
- Move in is expected around February 2013.
- Unfortunately, BP cannot donate used Boulevard station modular buildings to schools or others due to liability issues: they will be destroyed or maintained for use by the federal government.
- Bob Maupin recommended contacting Congressman Hunter regarding potential re-use of modulars.

### **B. SDG&E'S SUNRISE POWERLINK /COMMUNITY UPDATE (POWER OUTAGES):**

- Cameron Durckel was not present
- The Chair shared Durckel's e-mail response stating the transmission line upgrade along Historic Route 80 in the Buckman Springs Road area was an emergency reconductoring project.
- Durckel's response stated that PUC was notified but PUC approval was not needed
- Concerns were raised that the work was increasing the voltage /amperage capacity of the 69kV line that could be used for proposed renewable energy projects.
- There was a brief discussion of the Kumeyaay Wind planned and unplanned outages between mid June and August 31, some of which were during flex alerts.
- One person reported hearing radio transmissions at the time, talking about the damages being worse than expected and speculated the substation damage may have been linked to lightning strikes and power fluctuations in the area at that time.
- It was also reported that Border Patrol emergency generators kicked on at the Boulevard station during that time due to low power flows on SDG&E lines.
- Someone raised the potential for use of SDG&E's modulars that will be removed from the Sunrise Powerlink construction yard on Tavern Road in Alpine.

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

- Tammy Daubach gave report

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

- Tammy Daubach gave report

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

- Group voted to deny this project on May 3<sup>rd</sup>.
- No new information

**F. SOITEC'S 20 MW LANEAST LLC:**

- No new information available.

**G. 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:**

- The MUP is being revised
- At least 1-2 more months before MUP release

**H. IBERDROLA'S 200 MW TULE WIND:**

- Several permits are still outstanding from the Bureau of Indian Affairs and State Lands Commission
- BLM is considering amending the Record of Decision to change the gen-tie line from underground to overhead.

**I. SEMPRA'S CROSS-BORDER ENERGIA SIERRA JUAREZ GEN-TIE:**

- Approved by DOE and San Diego County Board of Supervisors in August.

**J. FIVE SOLORCHARD SOLAR PROJECT APPLICATIONS FOR BOULEVARD/CRESTWOOD:**

- When asked, Jim Whalen denied any knowledge of the locations, or the source of information, for the 2 SolOrchard projects shown near the Tierra Del Sol road / Old 80 intersection and south of Old 80 near Jewel Valley Road, that were on the map he HAD provided previously in support of AB2551.

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

- The Draft EIS is expected to be released this summer

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

- Nothing new to report

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

- It was reported that Amonix may have filed for bankruptcy
- The County has reportedly not heard from the applicants lately.

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

- Mark Ostrander reported that he had not received any responses to his requests for status updates.

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

- Planner Noland reported a Certificate of Convenience notice for survey work
- First step in title search for 80 acre property located between Clover Flat Elementary and Jewel Valley Court properties
- There was speculation that another solar project may be in the planning stages there

**8. MEETING ADJOURNED AT 9:49 PM**

Minutes approved by group 5-0-0 on October 4, 2012:

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Donna Tisdale, Chair