

BOULEVARD PLANNING GROUP (BPG)

MINUTES /SUMMARY FOR MEETING HELD ON NOVEMBER 1, 2012

1. **MEETING CALLED TO ORDER AT 7:00 PM**
2. **MEMBERS PRESENT** 2) Melody Ponchot ; 4) Donna Tisdale; 5) Tammy Daubach; 7) Jeffrey McKernan **Absent:** 1) vacant; 3) Noland/excused ; 6) vacant
3. **OCTOBER MINUTES APPROVED:** *M/S: McKernan/Daubach: Approve October minutes: Passed 4-0-0*
4. **CORRESPONDENCE:** Chair announced that Group Member Rett Lawrence submitted his resignation due to work restrictions and apologized for not being able to continue to serve the community.
5. **NEW BUSINESS/ACTION ITEMS:**
 - A. **MOVE DECEMBER 6TH MEETING TO DECEMBER 13:** *M/S: McKernan/Daubach: Move meeting December meeting to the 13th to accommodate Chair's absence: Passed: 4-0-0*
 - B. **ROUGH ACRES RANCH CAMPGROUND/CONFERENCE CENTER/ROCKCRUSHING: MUP #11-002; 3300-12-020(P12-020),3300-12-021(P-12-021);2750 MCCAIN VALLEY ROAD: 753 ACRES ZONED RL80/A72: APN #'S 611-060-03; 611-070-01; 611-070-03 &611-030-01:**
 - Consultant Jim Whalen was present for applicant.
 - Whalen said the Scoping letter is expected in about 3 weeks with no significant issues. Mentioned groundwater and fire.
 - Scoping letter will correct mapping errors regarding rock crushing location.
 - When asked about the property violation noted in County papers, Whalen said the Old Chargers training camp was fixed up with Set-Free and therapy clinic currently present.
 - Everything will be legalized.
 - The Chair and others questioned project land ownership changes and non-profit charities making profits, potentially putting their 501 c 3 status at risk.
 - Whalen responded that non-profits can make profits for their charities
 - Resident Rod Starkey raised concerns with Rough Acres Foundation's / Waterstone Form 990 and a reported \$1.8 million in contributions, saying rock crushing and sand mining are not a charity function and they will jeopardize their non-profit status
 - Starkey stated that the rock crushing was a smoke screen for sand mining and that State Mining and Reclamation Act (SMARA) will be required for the rock crushing / sand mining operation.
 - The Chair's Draft list of preliminary comments was reviewed and discussed.
 - The 6-page list included Project Summary; Errors/Omissions ; General Comments: Groundwater / 100 year flood plain / El Nino years/ Hurricane Kathleen; Regional Parks located within ½ mile; Access Roads; Project Layout; Wildlife Impacts; Cumulative Impact Projects; Public Health and Safety /inadequate setbacks; Rock Crushing & Sand Mining.
 - ***M/S: McKernan/Ponchot: Adopt preliminary comments with amendment to add rock crushing and sand mining concerns: Passed 4-0-0***
 - C. **PRESENTATION ON DEVELOPMENT PLANNED FOR 362 ACRES OF PRIVATE LAND AT NW CORNER OF I-8 AND CRESTWOOD ROAD INTERSECTION:**
 - Land owner George Johnson, his attorney, project manager Rob Longaker, with the WLB Group Inc, and several other project representatives provided handouts with a project

overview, draft plot plan, and visual simulations, made a presentation, and answered questions.

- There is no formal dollar amount for the project and no formal submittal to County but they have met County Supervisor Dianne Jacob and staff, Ashley Gungle, who recommended meeting with Planning Group.
- The project is to include a high end spa facility, casitas, equestrian facilities, campsites trails, winery, cultural center, gas station, creating about 100 jobs.
- Chair disclosed taking a tour of the project area earlier in the day and reported an initial positive reaction.
- Johnson confirmed that he built the El Conquistador Hotel in Tucson that was voted top hotel that year and he is in the wastewater treatment business. Wastewater will be recycled.
- Support was conditioned on the entire project being built, and not just the proposed gas station, with emphasis on need to protect oaks, riparian areas, boulder displays, groundwater resources, use point of use energy generation, allow public access, non-motorized trails only, and outreach to adjacent land owners including tribal interests.
- There was a public discussion and generally positive consensus that the project could be provide local jobs, a draw for those passing through on I-8, and competition for local gas stations to help keep prices down. Several tribal members were also present and supportive.
- No action was taken.

D. PRESENTATION FROM WIND TURBINE IMPACTED NEIGHBORS:

- Several impacted Manzanita tribal members, living near Infigen's Kumeyaay Wind turbines (located on leased Campo tribal land), came forward asking for help.
- They want the group and community members to help them document, and stop the electrical and noise pollution that they strongly suspect is coming from the 25 Gamesa turbines and related infrastructure.
- Noise, vibrations and 'stray voltage' is invading their homes, disrupting sleep, and generating adverse impacts to their health and quality of life, and to wildlife.
- They reported 4-5 cases of stomach cancer, 1 recent death related to brain cancer, and 1 case of kidney cancer that had all been diagnosed and treated since the start of the Kumeyaay Wind turbines in early 2006.
- Symptoms include sleep deprivation, chronic headaches, pressure, sinus and ear pain, heart reactions, fight or flight anxiety type attacks, vertigo, fatigue, behavior and mood changes, loss of work, and more.
- About 16 families, 50-60 people, live on their tribal lands. They have about 100 voting members, half of whom live off-reservation.
- They also want to stop the installation of more turbines that can increase the suffering.
- Some testing has been done with reports of high levels of stray voltage deep in the ground and extending out into McCain Valley area near their horse camp facility.
- One member reported some form of high electrical interference that kept damaging their well pump.
- A Health Impact Assessment is currently underway for tribal members.
- They reported that after initial resistance from tribal leaders to SDG&E's Manzanita Wind contract, SDG&E had been 'working' their tribe for the last year and a half.
- They reported that it was revealed at their October tribal meeting that SDG&E is offering 'big money' to lease all their land for more wind turbines .

- A precedent setting relocation of tribal members is reportedly being considered to allow SDG&E to install 40-60 new wind turbines on their ridge, between Iberdrola’s Tule Wind turbines that planned on their north and east, and the existing 25 Kumeyaay Wind turbines that butt right up their southern border next to their tribal offices.
- Potential relocation areas included McCain Valley, Jewell Valley, Laguna and Cuyamaca.
- Approving the SDG&E turbine deal will reportedly provide enough money so that members who are already suffering from the Kumeyaay Wind turbines can move away
- It was reported that \$50 million per year was offered for 50 turbines and \$100 million per year for 100 turbines.
- Tribal members alleged that SDG&E had informed their leaders that they had good connections in Washington, DC, who could help them get new tribal lands, especially if it was related to “green” energy projects.
- The Chair noted that the Deputy Secretary of Interior, David Hayes, the former lobbyist for SDG&E and Sempra is in a unique position to help SDG&E with any such plans.
- One tribal member said their Council is using scare tactics saying you can stay and “fry and die” with the turbines or take the money and run.
- He said they are connected to the land and need to stay and fight not break and run.
- The Bureau of Indian Affairs would be setting a bad precedent if they allowed a relocation that could potentially result in “termination” of tribal land rights.
- Group member, Melody Ponchot, reported suffering similar adverse sleep and health impacts and hearing coyotes ‘going crazy’ when she lived on Ribbonwood Road, just east of the Kumeyaay Wind turbines.
- Ponchot also reported that her symptoms and health improved after she had recently moved to the Tierra Del Sol area, about 6-8 miles away from the turbines.
- Local resident, Marie Morgan, expressed health impact concerns and reported seeing odd wildlife behavior at her home on Ribbonwood Road, east of the turbines, with a coyote sleeping high up in a tree, mountain lions coming down to attack horses, and strange Golden Eagle behavior—not seen in her 20 plus years living there.
- Local resident, Sam Mason, reported working for 20 years at San Diego Unified and other school districts and that he had to fight to document stray voltage that was causing problems in Special Ed classrooms. It is real.
- McKernan remarked that the Boulevard area and tribal lands are targeted as a Wind Resource Area / Industrial Complex.
- Those present expressed their support to do what they can to help stop the suffering and prevent future suffering related to existing and proposed turbine projects.
- ***M/S: Daubach/McKernan: Authorize Chair to send letter to Chairman Elliott inviting him, or his representative, to attend a future meeting to address and explain SDG&E’s wind turbine proposal, any relocation plans, and adverse impacts to turbine neighbors (on and off-reservation): Passed: 4-0-0.***

E. SHOULD THE GROUP SUBMIT A REQUEST TO THE BOARD OF SUPERVISORS TO DELAY THE DEC 5TH WIND ENERGY ORDINANCE AND PLAN AMENDMENT HEARING:

- ***M/S: McKernan/Daubach: Send letter to Board of Supervisors requesting delay in hearing pending conclusion of Manzanita Health Impact Assessment: Passed: 4-0-0.***

F. SHU’LUUK WIND SCOPING REPORT : 160-250 MW PROJECT PROPOSED BY INVENERGY WIND CALIFORNIA LLC, WITHIN 4,660 ACRES OF THE CAMPO KUMEYAAY NATION TRIBAL LANDS - NORTH AND SOUTH OF I-8 , OLD 80 AND HWY 94:

- The project and related SDG&E transmission line upgrade were discussed along with close proximity to both tribal and non-tribal homes.
- SDG&E will profit from the wind project with their MOU but will likely want rate-payers to pay for the line upgrade claiming “fire hardening” needs.
- Shu’luuk turbines, substations, on and off-site power lines each represent new wildfire ignition sources and impediment to fire fighting.
- The McKernans stated they had several Golden Eagle sightings near Tierra Del Sol Road and Hwy 94—and elsewhere, contrary to project applicants’ denials that Golden Eagles are in the area. Pictures were taken of one sitting on a pole.
- Jeff McKernan discussed Eagle Take Permits and new report on turbine project eagle kills that show just the tip of the iceberg on this issue as most kills go unreported.
- Other members stated they had Golden Eagle sightings, too.
- Chair expects DEIS to be released over holidays
- ***M/S: McKernan/Ponchot: Authorize Chair to submit Shu’luuk scoping comments: Passed 4-0-0.***

G. SDG&E’S OCT 17TH APPLICATION TO CPUC TO CHANGE WOOD TO STEEL POLES ON FIVE 69 kV lines:

- SDG&E plans to change the poles in five 69kv lines from wood to steel as part of their fire hardening upgrades.
- McKernan stated that the poles reportedly cost about \$120,000 each.
- Public Protest deadline is listed as Nov 26th. All documents and maps are posted here. <http://www.sdge.com/regulatory-filing/3792/application-sdge-permit-construct-cleveland-national-forest-power-line>
- No Action taken

6. UPDATES / POTENTIAL ACTION ITEMS:

A. US BORDER PATROL COMMUNITY UPDATE:

- Need to be in compliance with Buy American Act which raises costs.
- New parking lot lights are currently being tested.
- Illegal traffic is about the same. Sinoloa Cartel was mentioned as being active south of the border.

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

- Tammy Daubach gave the report.
- Next meeting is November 26th at Boulevard Fire Training Room.

C. BOULEVARD /JACUMBA REVITALIZATION REPORT:

- Tammy Daubach gave the update

D. DECEMBER 5TH WIND ENERGY ORDINANCE & PLAN AMENDMENT HEARINGS:

- Chair report on Oct 19th Planning Commission hearing on Tule Wind exemption requests.
- Planning Commissioners voted *not to waive* Tule Wind’s required compliance with the noise and fire regulations for the 5 turbines proposed for Rough Acres Ranch land. Not well received by Jim Whalen or John Gibson.
- Comments for Dec. 5th Board hearing should be submitted to

matthew.schneider@sdcountry.ca.gov , Dianne.Jacob@sdcountry.ca.gov, and the Clerk of the Board.

- The Wind Energy Ordinance & Plan Amendment will change the MUP Findings for large-scale turbines and make changes to allow industrial scale solar projects.
- County documents are posted here: <http://www.sdcountry.ca.gov/dplu/ordamend.html>.

E. BUREAU OF INDIAN AFFAIRS TULE WIND AVIAN AND BAT PROTECTION PLAN/ EWIIAAPAAYP BAND OF KUMEYAAY LEASE FOR REDUCED RIDGELINE PROJECT:

- Comment deadline was October 19th:
- Up to 20 turbines on tribal land and 7 turbines on State Lands Commission land.
- Map: <http://tulewindccmp.com/Figure2-ProjectLocation.pdf>; <http://www.biawind.com/> .
- Chair submitted comments.

F. AT&T MOBILITY, LLC, 41749 OLD HWY 80 CELL SITE; MUP: 3300-12-017 (P12-017); (FORMERLY P10-012 AT&T RUIZ PROPERTY /CHAPMAN RANCH PULLED BY AT&T 7-18-11):

- AT&T cell site; 16 (8') panel antennas; 2 GPS antennas; 32 RRU's ; co-locatable 45-foot tall faux water tank; new 8' high concrete masonry unit equipment enclosure.
- Nothing new to report.
- County Project Manager : Marisa Smith: 858-694-2621: marisa.smith@sdcountry.ca.gov

G. REQUEST FOR CO-LOCATION OF SHERIFF SUBSTATION WITH NEW BOULEVARD FIRE DEPARTMENT & COMMUNITY USE OF EXISTING FIRE STATION PROPERTY:

- The Chair reported sending letter to Sheriff with request to retain current use of training room as a community meeting room.
- Received a call in response with promise for a representative to attend future meeting

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

- Nothing new to report.

I. SOITEC'S 80 MW RUGGED SOLAR LLC; 3300 12-007 (MUP); 3910 12-21-003 (ER): 1st ITERATION LETTER:

- Nothing new to report.

J. 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):

- Project neighbor, Lonnie Kerns, expressed concerns for the glare that will be generated by Soitec's TDS CPV project, stating his home will be greatly impacted due to the location and elevation.
- Consultant Jim Whalen denied there would be any glare.
- The Chair passed around photographs documenting the glare at Soitec's one demo CPV tracker at UCSD, taken by a local resident late in the day from across the street near the Shiley Eye Center.
- Whalen stated that the photographs could have been altered.
- Chair stated that the photos were not altered and that anyone can go and see for themselves.
- Sam Mason stated he has been negotiating to buy the property at 880 TDS Road that sits immediately across Tierra Del Sol Road from Soitec's project. Too close for comfort.
- Project neighbor, Bob Maupin, reported that Dudek's hydro geologist did 72 hour well

tests but he has no way of knowing if it was done right because he was not home.

- Maupin's well pump (used by Border Patrol) went bad twice after Dudek's work.
- Dudek replaced the equipment but did not replace Maupin's pressure tank so it was out of service during the Shockey Fire.
- Maupin said he is writing a long letter to the County.
- No action taken.

K. SOITEC'S 20 MW LANEAST LLC :

- Nothing new to report

L. FIVE SOLORCHARD SOLAR PROJECT APPLICATIONS FOR BOULEVARD/CRESTWOOD:

- Nothing new to report on project
- Sol Orchard's Ramona solar project was approved by the Planning Commission on October 19th.

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

- The Chair reported that she had not received any response to her e-mail and phone calls to Jennifer Purczynski asking if it is true that Enel is not renewing their options on Lansing's land.
- Purczynski declined to answer the same questions when asked directly at the October 19th Planning Commission hearing, stating she could not disclose contract information.

N. IBERDROLA'S 200 MW TULE WIND:

- Permits from the Bureau of Indian Affairs and State Lands Commission are still pending.
- BLM issued a ROW Notice to Proceed on Sept 17th and Notice to Proceed for Geotechnical work.
- Live Oak Springs and Jacumba Water District will reportedly be used in addition to on-site wells at Rough Acres Ranch.
- The Chair reported talking to one of the attorneys for the Hardscrabble Wind lawsuit filed by 60 of Iberdrola's neighbors citing negligence, damages, professional negligence and more.

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

- Nothing new to report

7. PUBLIC COMMENT ON NON-AGENDA ITEMS:

- Bob Maupin reminded everyone that Boulevard's election polls would be held at Live Oak Springs this year.

8. MEETING WAS ADJOURNED AT 9:47 PM:

Approved by Group with 5-0-0 vote on January 3, 2012:



Donna Tisdale, Chair

For more info contact: Donna Tisdale, Chair: 619-766-4170 or tisdale.donna@gmail.com

