

**COUNTY OF SAN DIEGO
BOULEVARD PLANNING GROUP**

*****MINUTES / SUMMARY FOR MEETING HELD ON FEBRUARY 7, 2013*****

MEETING CALLED TO ORDER AT 7:03 PM

ROLL CALL: PRESENT: 2) Melody Ponchot; 3) Chris Noland; 4) Donna Tisdale; 5) Robert Maupin; 7) Jeffrey McKernan;
VACANT: Seats 1 and 6 are open for application by registered voters living in the Boulevard Planning Area.

JANUARY 3, 2013 MINUTES APPROVED: *M/S: Noland/; Maupin: Approve January minutes without correction; Passed 5-0-0.*

PUBLIC COMMUNICATION:

- There were no public comments on any items other than those on the agenda.

E. ACTION ITEMS:

1. 160-250MW SHU'LUUK WIND DRAFT EIS: PUBLIC HEARINGS 7-9:30 PM ON JAN. 29 & 30TH. FEB. 25TH PUBLIC COMMENT DEADLINE:

- The Chair reported that timely notice and invitations to make presentations and answer questions were sent to the Campo tribal offices, Invenergy's Bo Alley, the Bureau of Indian Affairs, Campo EPA and the consultant AECOM. Bo Alley responded saying that no one would be attending our meeting.
- The industrial wind /solar project's maximum capacity would be between 160MW and 250MW, using 54 to 85 wind turbines (2-3 MW each and up to 515' tall) and 310 acres for 40 MW solar project, depending on selected alternative.
- Study area covers 4,739 acres, about 1/3 of Campo tribal lands both north and south of I-8, Old Hwy 80 and Hwy 94.
- Enlarged project maps were displayed showing many tribal and non-tribal homes in dangerously close proximity to turbine sites, the solar project, project substations, transmission lines, construction yards, access roads, and more.
- DEIS maps show turbine locations less than 500 feet from some private properties with homes, and less than 1,200 feet or so from both tribal and off-reservation homes.
- The Chair disclosed that her family learned with release of the DEIS that the 40 MW solar project is less than 500 feet from their ½ mile of common boundary with the Campo Reservation and less than 1,200 feet from their two residences. However, the massive vertical and horizontal footprint of the project impacts a majority of the overall community, and other individual property owners, in a similar manner.
- SDG&E' Connected Project: 5 mile Shu'luuk Wind 138kV gen-tie line crosses 29 private properties in route to Boulevard Substation with a short section underground near Ross Road area south of Old 80.
- SDG&E's Gen-tie project includes over 60 acres of construction yards and helicopter landing zones on private properties near Live Oak Springs, Live Oak Springs Road south of Old 80 and Tule Jim Road north of Old 80 on the same property proposed from Soitec's LanWest project.
- The Chair and others reported on the public hearings held from 6-9:30 PM on Tuesday, Jan. 29TH, at the Alpine Community Center and on Wednesday, Jan. 30th, at the Campo Tribal Hall.
- There were complaints from the general public and tribal members that the meetings were not informative; no detailed project maps were displayed; there were no public question and answer sessions;
- No answers were provided for questions posed to representatives for the BIA, Invenergy, AECOM, or the Campo tribe representatives.
- People were directed to the DEIS binders for answers.
- Some requested information was not in the DEIS documents including referenced Campo Land Use Plan,

Campo Land Use Code, Campo Renewable Energy Zone, locations and quantification of groundwater resources needed for over 21 million gallons of construction water.

- The Chair reported that when she displayed the enlarged project map before and during the tribal hall hearing, people gathered around to see where their house or office was located. Some were shocked to see how close the turbines were planned and the lack of identifying landmarks on the map to make it easier to determine locations.
- The Chair also reported speaking directly to Campo Chairman Goff asking for a commitment to set the previously requested meeting with at least two planning group members to discuss major public health and safety concerns. Goff was noncommittal.
- An incomplete draft list of issues was provided to group members and the public in the agenda package. There were no objections.
- Impacted residents had lots of questions and concerns with proximity of turbines to their private properties; adverse impacts; who is in charge; who is in control; violation of rights, and more.
- Chris Noland stressed need to include concerns with lack of review of off-site impacts to private properties, and cumulative impacts from multiple industrial scale projects including noise, water, construction, contamination, etc.
- Noland also stated that his public comments made to the court reporter at the 2011 scoping hearing at Mt. Empire High School, were not included in the Scoping Report hearing transcripts. He also witnessed numerous other people in line to give comments that were not included. The BIA said the court reporter lost them (?).
- Mark Ostrander said his public scoping comments were not included in the transcripts either and others had told him the same.
- Bob Maupin raised the need for written comments.
- Jeff McKernan stated that the DEIS does not comply with the Campo Land Use Plans and Land Use Code, to ensure environmental protection and quality of life for tribal members and surrounding communities.
- McKernan also discussed photos he took in September 2012 of a Golden Eagle sitting on a pole in the Shu'luuk Wind project footprint along Hwy 94 just east of Church, witnessed by his wife, Sam, who was with him at the time. He will be submitting copies of their photos with his DEIS comments.
- Mark Ostrander said he also saw a Golden Eagle around that same time in the same area along Hwy 94.
- McKernan also discussed the draft USFWS report on the devastating wind turbine impacts on Golden Eagles that is out for peer-review. He also stated that his FOIA request had been denied for a copy of the 1-year post construction avian impact report for Kumeyaay Wind.
- McKernan also commented that Tribal Chair La Chappa seemed proud that only 5-6 Red-tailed Hawks were documented as being killed in that one-year study, with no mention of all the other birds and bats that were likely killed in that year or went unrecorded.
- There was strong opposition and no support for the Shu'luuk Wind or gen-tie project from those present and participating or those that participated at the January 24th community meeting on cumulative impact industrial wind, solar, transmission projects, and plans to amend the Boulevard Community Plan to allow these unnecessary uses.
- Shu'luuk Wind comment forms and draft letters were available.
- There were reminders to get comments sent in by Feb. 25th deadline to secure legal standing for any potential lawsuits: E-mail to shuluukcomments@aecom.com or mail to Robert Eben, Superintendent Southern California Agency, Bureau of Indian Affairs (BIA), Research Park Drive, Riverside, CA 92507.
- The Chair requested copies of comments be sent to Supervisor Dianne Jacob at Dianne.jacob@sdcounty.ca.gov and to tisdale.donna@gmail.com.
- Contact: Lenore Lamb (BIA): (951)276-6625 (ext.254). Project documents and maps are posted here: www.shuluukwind.com.

M/S Maupin/Noland: Authorize Chair to submit comments by the Feb 25th deadline: Passed: 5-0-0

2. Potential Boulevard / Jacumba Historic District:

- The Chair reported Dianne Jacob's support to pursue a potential Boulevard / Jacumba Historic District along Historic Route 80 to help preserve local history and provide additional tourism draw to help support local businesses.
- Need to review options, properties and general public / property owner support.
- Mark Ostrander, retired CEQA and cultural resource coordinator for Cal Fire, and others offered to help.
- McCain ranch house designation is underway through the State.

M/S: McKernan/Maupin: Authorize interested parties to look into potential Boulevard /Jacumba Historic District: Passed: 5-0-0/

F. GROUP BUSINESS: Announcements; Correspondence Received; discussion items; project updates

1. Border Patrol

- Repeated public complaints regarding new communications tower and red flashing light.
- Red tower light required by FAA for helicopter landing zone. Must comply with 'made in American' and 'night vision goggles' requirements.
- The response to the Chair's question about BP agents documenting sightings of endangered species, like Big Horn Sheep and Golden Eagles, to help build a record, similar to what El Centro Public Lands Liaison does, was noncommittal due to lack of information at local level. Need to go to sector HQ for more information.
- S. McKernan stated that BP agents had confirmed the death of 3 mountain lions on local roadways.

2. Revitalization

- Tammy Daubach gave the revitalization report: SDG&E Sunrise Powerlink grant workshop; Feb 8 meeting with Dianne Jacob, Sheriff Dept, Cal Fire to discuss future use of community room; Feb 10 Border Patrol community meeting; Clover Flat school is willing to host potential Boulevard Library.

3. Fire Safe Council

- Update given by Mark Ostrander and Tammy Daubach.

4. Other:

- *Consultant Jim Whalen reported that Senator Wolk has introduced a new bill: SB33*
- SB33 is a broader bill than the previous AB2551 that was vetoed by Governor Brown.
- No public vote will be required for new infrastructure zones, including the controversial renewable energy infrastructure zone proposed by Whalen's clients to overlay the Boulevard Planning Area.

5. Report on January 24th community meeting on cumulative energy / infrastructure projects.

- The Chair reported that over 100 people crowded into the Boulevard Fire station equipment bay, with standing room only.
- The meeting and previous newsletter were sponsored by the all-volunteer non-profit groups The Protect Our Communities Foundation (POC) and Backcounty Against Dumps (BAD).
- POC and BAD were represented by Donna Tisdale who gave an overview of the projects, issues, options.
- Enlarged maps were displayed showing scale, scope, and location of multiple industrial scale wind, solar and transmission projects planned in the Boulevard /Jacumba area.
- Information was provided in the form of handouts and 'what you can do' lists.
- Speaker Samuel Milham, MD MPH, author of Dirty Electricity, displayed graphics and discussed his documentation of unsafe levels of dirty electricity (harmonic distortion of power quality) in the air (radiation), the ground (currents) and inside buildings (conduction) around the Kumeyaay Wind turbines, around the wind turbines and substations in the Palm Springs area, and around commercial solar installations in Imperial Valley, Coachella, and elsewhere.
- Speaker Mark Ostrander, retired Cal Fire Battalion Chief, provided information and raised concerns with the increased and cumulative risk of electrical fire ignition sources and hazards to fire fighting personnel

and tactics that these wind solar and transmission projects represent; foam and special equipment is generally needed to fight electrical fires instead of using water; solar panels/modules cannot be turned off during daylight hours and even some strong moonlight hours; lack of full time trained staffing at Boulevard / Jacumba fire stations; failure of rural fire district to adequately address these issues, concerns, and necessary mitigation requirements for individual projects and cumulative impact projects, and more.

- Speaker Chris Noland, geologist, expressed concerns with cumulative adverse impacts to groundwater quality and quantity related to groundwater withdrawal, vibrations, contamination or other interference or disruption with local wells and the number and density of so many large scale industrial energy projects.
 - Speaker Jim Pelley, Ocotillo resident and aerospace engineer, reported on adverse impacts to his family and community and lack of oversight related to the fast-tracked authorization by BLM and Imperial County for installation of Pattern Energy's Ocotillo Wind turbines, SDG&E's Ocotillo Wind substation, and the Sunrise Powerlink: noise, vibrations, stray voltage, dust, water, flooding, cultural, visual (including lights/glare), biological and recreation resources, and more.
 - Public participation was enthusiastic with lots of questions and answers.
 - The audience was overwhelmingly opposed to these large projects
6. **WIND ENERGY ORDINANCE & PLAN AMENDMENT BOARD OF SUPERVISORS HEARING EXPECTED IN MID-MARCH 2013:**
- The Wind Energy Ordinance & Plan Amendment proposes changes to the Boulevard Community Plan and MUP Findings to allow industrial scale wind industrial scale solar projects where they are not currently allowed.
 - *Proposed March 13 Board of Supervisors hearing has been postponed to unknown future date.*
 - Project documents are posted here: <http://www.sdcountry.ca.gov/dplu/ordamend.html>.
7. **PROGRAMMATIC EIR FOR 4 SOITEC SOLAR PROJECTS TOTALING 1,473 ACRES AND 168.5 MW OF CONCENTRATING PV SOLAR:**
- 60 MW Tierra Del Sol Solar and 80 MW Rugged Solar to be evaluated at a project-specific level. 6.5 MW LanWest and 22 MW LanEast will be evaluated at a program level.
 - General Plan Amendment, Rezone, Major Use Permits and Disestablishment of an Agricultural Preserve. Soitec's projects are not currently allowed under Boulevard Community Plan.
 - *Soitec consultant, Jim Whalen, reported that the Programmatic EIR document is being prepared by County consultant, Dudek.*
 - Comments were due **1-7-13 but must be considered if received prior to public hearing.**
 - County contact: Robert Hingtgen: (858) 694-3712 or Robert.Hingtgen@sdcounty.ca.gov
 - Project documents posted here: <http://www.sdcountry.ca.gov/pds/ceqa/GPA12-010.html>.
8. **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:
 - Owner Rough Acres Foundation / Jeff Hamann: Major Use Permit for Conference /Corporate Retreat Center; Skeet Shooting range; 2 Campgrounds with 168 sites; 200 seat amphitheater; 3 private residences with barns ; agricultural barns; rock crushing. Access via Ribbonwood and McCain Valley Rd.
 - *Applicant consultant, Jim Whalen, reported that the MUP is being resubmitted.*
 - County Project Manager: Larry Hofreiter: Larry.Hofreiter@sdcounty.ca.gov ; (858) 694-8846.
9. **SOL ORCHARD BOULEVARD SOLAR MAJOR USE PERMIT APPLICATION (P12-025) FOR 108 ACRES SOUTH OF OLD 80 AND EAST OF TULE JIM ROAD:**
- 21,736 axis tracking solar panels (7-10' in height) are proposed for 70 of 108 acres and will connect to the new larger Boulevard Substation: APN: 612-090-17,-19 and 59; 205,000 cubic yards of grading.
 - No new information available

10. SDG&E's APPLICATION PERMIT TO CONSTRUCT TRANSMISSION LINE 6931: FIRE HARDENING /SHU'LUUK WIND INTERCONNECTION PROJECT: CPUC APPLICATION NO. 12-12-007:

- 49 existing wooden poles will be replaced with 53 double circuit galvanized steel poles along 5.2 miles of existing 69kV line (TL 6931) for fire hardening and new 138kV Shu'luuk Wind (new 100' ROW) line starting at the eastern boundary of the Campo Reservation, south of Historic Rt. 80, west of Live Oak Springs, to the expanded Boulevard Substation near Tule Jim Road.
- 5 staging areas are mapped for about 63 acres with 3 helicopter landing zones.
- *Planning Group submitted comments on January 9th*, requesting a Certificate of Public Convenience and Necessity, a full EIR, cost-benefit analysis including property value impacts, local hearings for disproportionately impacted low-income community, review of EMF health and safety guidelines, investigate impacts to power quality and delivery of safe and reliable electricity (EMF/RFR/EMI).
- CPUC public comment period is closed.
- Contact CPUC Public Advisor at public.advisor.la@cpuc.ca.gov or 866-849-8390: SDG&E's application and related documents are posted here: <http://www.sdge.com/regulatory-filing/3968/sdge%E2%80%99s-application-permit-construct-tl-6931-fire-hardeningwind-interconnect>.

11. HISTORIC DESIGNATION FOR OLD RUBY STORE LOCATED AT 41148 HISTORIC RT 80:

- *No new information* on efforts to secure historic designation for their building that represents part of Boulevard's history.

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

- *No new information.* Enel is not responding to questions from Chair.
- Enel's project documents and limited maps posted at: <http://www.jewelvalleyproject.com/>

13. IBERDROLA'S 200 MW TULE WIND:

- Approved by BLM and County. Permits from the Bureau of Indian Affairs and State Lands Commission are still pending.
- *No Power Purchase Agreement has been disclosed.*
- Notice to Proceed for Right of Way and Geotechnical work were issued:
<http://www.blm.gov/ca/st/en/info/newsroom/2012/september/pre-cnstructiontesting.html>
<http://www.blm.gov/pgdata/etc/medialib/blm/ca/pdf/elcentro/nepa/tule.Par.13714.File.dat/Tule%20NTP.pdf> ;

14. SDG&E's new ECO Substation, transmission line, and Boulevard Substation expansion:

- Approved by the CPUC and BLM: http://docs.cpuc.ca.gov/PUBLISHED/FINAL_DECISION/169646-07.htm.
- *SDG&E has announced commencement of construction of both 85 acre ECO Substation and new larger Boulevard Substation.*

15. SEMPRA'S CROSS-BORDER TRANSMISSION LINE WILL CONNECT THEIR ENERGIA SIERRA JUAREZ WIND PROJECT WITH SDG&E'S ECO-SUBSTATION:

- Approved by CPUC, BLM and Dept of Energy.
- *Non-profit groups, POC and BAD, filed suit against federal approval on 12-26-12.*
- Project documents and maps are posted here: <http://esjprojecteis.org/>

G. ADJOURNED AT 8:30 PM: NEXT MEETING SET FOR MARCH 7, 2013

February 7, 2013 Minutes were approved at meeting held on 3-7-13: 4-0-0 (Ponchot absent and 2 seats vacant)



Donna Tisdale, Chair

For more information contact: Donna Tisdale at 619-766-4170 or tisdale.donna@gmail.com