

**COUNTY OF SAN DIEGO
BOULEVARD PLANNING GROUP**

*****APPROVED MINUTES /SUMMARY FOR MEETING HELD ON SEPT 5TH, 2013*****

Meeting was called to order at 7:00 PM, Thursday, September 5, 2013 at the Boulevard Fire Training / Community Room, 39919 Ribbonwood Road, Boulevard CA 91905 (Modular behind station on right side)

A. ROLL CALL (Determination of quorum):

- **Members present: 1)Robert Maupin; 2) Melody Ponchot; 3) Chris Noland; 4) Donna Tisdale; 7) Jeffrey McKernan:**
- *Chair announced that seats 5 and 6 are vacant and open for application to registered voters living within the Boulevard Planning Area; One application received from Michele Strand*

B. PLEDGE OF ALLEGIANCE: (please silence cell phones)

C. MINUTES FOR AUGUST 1ST MEETING:

- **M/S: Noland/Maupin: Approve August 1st minutes as written: Passed: 5-0-0**

D. PUBLIC COMMUNICATION:

- Group member Bob Maupin recused himself, stepped into the audience, and read an editorial (dated 8-26-13) from Queensland Australia that was posted in the Washington Times about green energy parasites; the need for backup generation; more costs for less reliable energy; stunningly expensive.

E. ACTION ITEMS (NOTE EMERGENCY ADDED ITEM E.7 - COMPREHENSIVE RENEWABLE ENERGY PLAN):

1. PDS2013-AD-13-033(AD13-033) ESPINOZA AGRICULTURE CLEARING PERMIT APPLICATION FOR 1601 LA POLOMA WAY:

- Mr. and Mrs. Espinoza were present along with two members of the Smith family who own the property and reside at the property next door: 1680 Paloma Way.
- Mr. Espinoza gave a brief statement saying they need Ag clearance permit for several acres. They are now looking at trying their hand at growing Chardonnay grapes instead of onions. They have been in Boulevard a long time and most everyone knows them.
- The Smith's went over a list of concerns and questions
- Bob Maupin expressed support for agriculture in general saying it is a good fire break and good for the community overall.
- Mr. Espinoza's responses to questions and concerns raised from the Smith's and others, included the following:
 - Four adjacent parcels, including Ag site and the Smith property, are no longer connected with linked water pipes and faucets installed by previous owner for fire protection.
 - A new well pump was installed around 400' or so. Recent test about 12-14 gallons per minute.
 - Water monitoring would be supported to avoid well interference
 - No additional grading beyond existing pad despite steep slopes and rugged terrain;
 - Trailers abandoned by previous buyers who lost property will be removed along with illegal privy /outhouse
 - No commercial operation/lease or on-site residents so traffic should be minimal; will probably use a co-op to sell grapes
 - No chemicals will be used for crops or pests. Gophers may be trapped.

- An SDG&E permit is needed to hook up electricity meter

M/S: Maupin/Noland: Approve with conditions to resolve issues raised: monitoring of groundwater use at on-site and adjacent wells of willing owners using transducers; concerns over well interference and use of chemicals; need to clean up abandoned trailers; address steep slopes, existing natural swales and down gradient oak groves: Passed 5-0-0

2. ROUGH ACRES RANCH CAMPGROUND/CONFERENCE CENTER/ROCKCRUSHING: COUNTY'S FIRST ITERATION REVIEW OF INITIAL STUDIES: MUP #11-002; 3300-12-020(P12-020); 3300-12-021(P-12-021): Should EIR be recommended over MND?

- Jim Whalen for was present for the applicant. He introduced his new associate, Nick Doenges, who is replacing Conor McGee who is now working for the County.
- Whalen did report that rock crushing and sand mining are no longer a part of *this MUP* and that a cumulative groundwater investigation is in process.
- Whalen also reported that a cumulative groundwater investigation is needed before release of Soitec EIR which is about 1-2 weeks out.
- Recent County meeting was mostly cleanup with no significant issues
- Concerns raised by Chair and others:
 - Cumulative impacts from Tule Wind and Rugged Solar placing people in such close proximity to unknown but potential adverse health and safety impacts.
 - Impacts to large oaks, wetland, and spring-fed pond on McCain Valley Conservation Camp land.
 - Impacts to adjacent residents and those that will have view of multiple large projects from surrounding neighborhoods that are elevated along Ribbonwood Road
 - Impacts to residents, McCain Valley Recreation Area, and several wilderness areas that can be accessed solely through McCain Valley Road. Power lines and giant glaring Soitec modules will degrade the access route and change to fully industrial character.
 - Impacts are being piecemealed through various separate MUPs/ EIRs for Tule, Rugged Solar, new Rough Acres Ranch Road, Rock crushing and sand mining operations.
 - Rough Acres neighbor, Linda Shannon, raised concerns with grading and removal of chaparral that holds soil; erosion created by changes for new road; recent storms created 1-2 feet cut under her fencing; what are hours for shooting ranges; restrictions for night shooting or amplified outdoor events; increased traffic noise and lights will impact neighbors dogs, horses and other livestock.
 - Campground and conference traffic issues for large events (2,500-5,000?)
 - Noise study has already been accepted but does not address cumulative impacts or helipad.
 - Increased and cumulative risk of Valley Fever with multiple projects disturbing soil.
 - How many times is the Rough Acres Ranch project mentioned in the Soitec EIR/MUP?
 - Helipad should be excluded as it was never a permitted use other than for the "temporary" Sunrise Powerlink construction yard. Does not qualify as "grandfathered" use.
 - Discussion on need for full Environmental Impact Report over Mitigated Negative Declaration.
- Whalen stated the eastern end of the Rough Acres Road route will change if Tule Wind does not move forward and access through Conservation Campo will not be needed. He thinks easement was granted.
- Whalen also stated that there are no project impacted wetlands that recognized by the Army Corps of Engineers and EIR only needed for unmitigated or unmitigable impacts.

M/S: Noland/Maupin: Request an EIR and list issues and concerns raised: Passed 5-0-0

3. VOTE ON APPLICATION FOR APPOINTMENT TO PLANNING GROUP FROM MICHELE STRAND:

- Chair reported that ROV confirmation of Michele's voter registration and residency had been received.
- Michele Strand made a brief statement on her desire to see Boulevard remain rural rather than industrialized or overdeveloped. She and her fiancé became engaged in the beautiful McCain Valley.
- Strand also stated her desire to participate in protecting the Boulevard area through the Planning Group and was impressed with number of large-scale wind and solar projects that have been dropped.
- No opposition was expressed to Strand's appointment.

M/S: Accept Michele Strand's application: Passed: 5-0-0

4. PUBLIC REQUEST TO ADDRESS LACK OF COUNTY ACTION ON COMPLAINTS OF UNAUTHORIZED AIRSTRIP AT LANSING'S EMPIRE RANCH ON JEWEL VALLEY ROAD:

- Jewel Valley resident, Pat Stuart, provided a multi-year list of neighborhood efforts and various actions taken by different County agencies to shut down the unpermitted airstrip—with no apparent resolution. The airstrip is still there and still being used.
- Stuart reported contacting the other agencies and the County again recently. She was informed that Codes Enforcement has an open case.
- The Chair displayed the Reader article on "unreal-estate" regarding the Empire Ranch property being advertised for sale for approximately \$17 million, with a photo of airstrip with plane using it.
- Chris Noland reported that one of his neighbors expressed concerns with fires ignited and fueled by jet fuel during a crash, and the lack of adequate equipment to fight that fuel-fed fire.
- Bob Maupin stated that the airstrip was not there in the 50's when his family grazed cattle on BLM land
- Locals believe that Alexander Haagen installed the airstrip and extended it prior to Lansing buying the Empire Ranch and extending the airstrip further by taking out healthy oak trees and grading creek bed.
- Jim Whalen noted that the property cannot be sold until any codes enforcement actions are resolved.

M/S: Maupin/McKernan: Send letter to Supervisor Jacob and appropriate County departments requesting resolution and closure of the unpermitted and controversial Jewel Valley airstrip; with copies to other agency contacts and interested parties: Passed: 5-0-0

5. BULK WATER SALES FROM CAMPO RESERVATION WELLS:

- Discussion on ongoing controversy and concerns with bulk water sales from tribal wells approved by CPUC with a revised Water Supply Plan dated July 3, 2013:
<http://www.cpuc.ca.gov/environment/info/dudek/ECOSUB/Amended%20Construction%20Water%20Supply%20Plan.pdf>
- Review and discussion regarding potential group endorsement of Backcountry Against Dumps letter (copies provided) to the CPUC requesting reversal of unauthorized bulk water sales.
- Discussion on seeking help from Dianne Jacob and / or the County to request an investigation into CPUC approval.

M/S#1 : Maupin/ McKernan: Endorse the Backcountry Against Dumps letter and request for reversal of CPUC approvals of Campo Reservation bulk groundwater sales to ECO Substation (dated 8-26-13 & addressed to Amy Baker, CPUC Project Manager for ECO Substation), with request for County action to help reverse the CPUC's unsupported and controversial approval: Passed 5-0-0

M/S#2: Maupin/McKernan: Ask Supervisor Jacob to request an investigation into the CPUC's approval of bulk groundwater sales from controversial Campo Reservation wells: Passed 5-0-0.

6. REQUEST COUNTY TO RE-START GROUNDWATER MONITORING IN BOULEVARD PLANNING AREA:

- Tabled at May meeting. Need for creating valid science-based long-term historic record for informed land use decisions.
- Chair reported that some monitoring has now been restarted and County is looking for property owners wanting to participate in well monitoring to document current and historical water levels over time.
- There was a discussion on the expense.
- Chris Noland said he was aware of one project that used 60 transducers for 1 year for about \$20,000.

M/S: Noland/Ponchot: Support restarting groundwater monitoring with request for transducers to be installed in participating wells (with owners' permission): Passed: 5-0-0

7. ADDED AS EMERGENCY ITEM DUE TO LATE RECEIPT: REVIEW AND COMMENT ON COUNTY'S COMPREHENSIVE RENEWABLE ENERGY PLAN (REP) – PHASE ONE WORKPLAN:

- The Phase One Work plan with recommendation for PDS Director to form REP Advisory Committee will be presented for action at the Sept 11th Board of Supervisors meeting. The Board letter is posted here: <http://bosagenda.sdcountry.ca.gov/agendadocs/doc?id=09010e9680179739>
- Chair expressed concerns with stakeholders list that includes Jim Whalen's East County Renewables Coalition and other vested, incentivized, or public agencies—with no community representation or community advocate representation.
- Advisory committee is a staked and biased deck
- CEQA reportedly not triggered until Phase Two
- Community and public health and safety input are needed now--not later after all the strategies and winners and losers have already been selected by vested interests
- Chris Noland noted that items 3c and 3 d in the Board letter are exclusionary
- Cradle to grave/life cycle costs are needed for all forms of energy being considered and compared
- It is exclusionary to limit to study to unincorporated areas – need to include regional alternatives in the incorporated cities, too.

M/S: McKernan: Noland: Authorize the Chair to submit comments and speak for the Group with concerns raised: Passed: 5-0-0

F. GROUP BUSINESS: Announcements; correspondence; discussion items; project updates

1. **Border Patrol Report** : No report
2. **Revitalization Report** : No meeting until November; Jacumba Hot Springs calendar; 308 kids showed up for 300 back to school backpack/supplies
3. **Fire Safe Council Report:** Next meeting Sept 30th at Jacumba Fire Station; Boulevard Fire's dark days (no firefighters present) are reportedly getting worse; Fire Safe letter expressing concerns; Darlene Cervantes is the new project manager for the Boulevard Fire Station construction project.
4. **INVENERGY'S 160-250MW SHU'LUUK WIND PROJECT REJECTED BY THE CAMPO BAND:**
 - The Campo General Council voted to reject the Shu'luuk Wind project at their May and June meetings. Invenergy's Tecate Divide Wind LLC issued 'request to cease permitting' to SDG&E (6-21-13), has removed their MET towers, and their project website is now disabled: www.shuluukwind.com .
 - CPUC finally circulated SDG&E's June 21st Motion to withdraw permit application and Tecate Divide's brief letter requesting to cease all licensing and permitting for the grid connection.

5. **SDG&E FILED MOTION TO WITHDRAW CPUC APPLICATION NO. 12-12-007 FOR PERMIT TO CONSTRUCT TRANSMISSION LINE 6931: FIRE HARDENING /SHU'LUUK WIND INTERCONNECTION PROJECT:**
 - The application was withdrawn due to Invenergy's request to cease permitting and licensing of Shu'luk Wind gen-tie. The fire hardening issue may be revisited in the future.
 - Withdrawal not yet posted on CPUC project website:
http://www.cpuc.ca.gov/environment/info/dudek/Wind_Interconnect/Wind_Interconnect.htm
6. **SOL ORCHARD HAS WITHDRAWN MAJOR USE PERMIT APPLICATION (P12-025) FOR BOULEVARD SOLAR:**
 - Sol Orchard's Jeff Brothers confirmed withdrawal of application for their 5 MW Boulevard Solar project via e-mail to the Chair.
7. **CHAIR'S REPORT ON LAND DEVELOPMENT PERFORMANCE REVIEW COMMITTEE'S AUGUST 15TH MEETING:**
 - The Performance Review Committee was formed as part of the Board of Supervisors' response to Red Tape Task Force recommendations.
 - Streamlining efforts are underway.
 - New online services now available at Planning & Development Services:
http://www.sdcounty.ca.gov/pds/Performance_Review_Committee.html ;
http://www.sdcounty.ca.gov/pds/docs/PDS_Newsletter/eBLAST_August2013.pdf
8. **PROGRAMMATIC EIR FOR 4 SOITEC SOLAR PROJECTS: 168.5 MW OF CONCENTRATING PV SOLAR (7,290 tracking CPV modules @1,200 sq ft each) TOTALING 1,473 ACRES: AB900 CERTIFICATION FOR FAST-TRACKING SIGNED BY GOVERNOR FOR RUGGED SOLAR AND TIERRA DEL SOL SOLAR:**
 - 60 MW Tierra Del Sol Solar & 80 MW Rugged Solar projects are being evaluated at a project-specific level. 6.5 MW LanWest and 22 MW LanEast evaluated at a programmatic level. County project manager: Robert Hingtgen: (858) 694-3712 or Robert.Hingtgen@sdcounty.ca.gov ; Documents posted here: <http://www.sdcounty.ca.gov/pds/ceqa/GPA12-010.html>
 - Jim Whalen, consultant for applicant, said there was nothing new to report
 - The EIR for Rugged and Tierra Del Sol projects is now expected to be released for public comment in mid-October.
 - Tierra Del Sol property owner and part-time resident, Ted Tibbets, expressed concerns that Soitec's 420 acre project will be within 100 feet of his front door.
 - He feels his life and that of his wife, who has only one kidney, are threatened by Soitec's project.
 - Melody Ponchot expressed concerns over glare and reported seeing a news report on reflection from new building in London that had melted parts of a car parked on the street and other adverse impacts.
 - Bob Maupin, another Tierra Del Sol resident, reported sending concerns and questions to County and getting response from staff (8 months later) that the 178 degrees these CPV modules run at will not radiate past their fence onto Maupin's property and that the 420 acre project will not create any glare.
 - It was noted that such a statement was a predetermination being made before the Environmental Impact Report was completed or released for comment.
 - The Chair reminded all those concerned to put those concerns in writing and submit them into the record during the public review in order to establish legal standing for any potential future damages they might suffer.
9. **ROUGH ACRES RANCH ROAD MAJOR GRADING PERMIT: PDS2011-2700-15622: APPLICANT GREGG HAMANN: CONSIDER ENDORSING CHAIR'S COMMENTS:**
 - New private connector road proposed between Ribbonwood Road and McCain Valley Road to serve as access for Iberdrola's Tule Wind, Soitec Solar's Rugged Solar and proposed Rough Acres Campground & Conference Center.

- Director of Planning and Development Services, Mark Wardlaw, will make decision without holding a public hearing. Project Manager: Kenneth.Brazell@sdcounty.ca.gov ; 858-694-2728 ph; 858-694-8928 fax.
- No new information other than that reported above at item

10. LIVE OAK SPRINGS BULK WATER SALES; DUDEK'S NEW WORK PLAN FOR SOURCE CAPACITY STUDY & MODIFIED CPUC DECISION FOR RECEIVERSHIP:

- CPUC's Decision D1307036 - Modifies Presiding Officer's Decision Authorizing Superior Court Action for Appointment of a Receiver for Live Oak Springs Water Company and closes Proceeding: <http://docs.cpuc.ca.gov/PublishedDocs/Published/G000/M074/K173/74173903.PDF> .
- All CPUC proceeding documents are posted here including Nazar Najor's Request for Rehearing filed August 7th: <http://delaps1.cpuc.ca.gov/CPUCProceedingLookup/?p=401:57:450562548147901::NO> .
- July 19th letter from CPUC DWA requested lots of information and documentation within 30 days with an ultimatum for rejection of AL 28 if it was not provided within 30 days (CPUC letter provided in August meeting agenda package)

11. SDG&E'S NEW 85-ACRE ECO SUBSTATION, 13 MILES OF NEW TRANSMISSION LINE, AND NEW LARGER BOULEVARD SUBSTATION:

- Construction currently underway in Jacumba, Boulevard and the Jewel Valley area. Contacts during construction: ecosub@dudek.com ; (800) 371-8854. CPUC Construction Mitigation & Monitoring documents and reports: <http://www.cpuc.ca.gov/environment/info/dudek/ecosub/MMCRP.htm> :

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

- Vestas 3.3MW turbines purchased. Import capacity of 1,250 MW. Approved by the CPUC, BLM and DOE. Litigation filed against federal approval on 12-26-12: <http://esjprojecteis.org/>

13. IBERDROLA'S 200 MW TULE WIND:

- Permits from the Bureau of Indian Affairs and State Lands Commission are still pending.
- Tule Wind's Golden Eagle expert sentenced for working without a permit and other offenses: <http://www.utsandiego.com/news/2013/aug/13/eagles-wildife-ramona-sentenced-bittner/all/?print> .
- A complaint for injunctive and declaratory relief was filed against BLM approvals in US District Court by non-profit groups in March: <http://eastcountymagazine.org/print/12724> .
- Tule Wind Map: <http://tulewindeccmp.com/Figure2-ProjectLocation.pdf> .

14. WIND ENERGY ORDINANCE & PLAN AMENDMENT: CEQA LAWSUIT FILED.

- County documents and maps are posted here: <http://www.sdcounty.ca.gov/pds/advance/POD10007FEIR.html>
- The CEQA lawsuit is posted here: <http://www.sandiegoreader.com/documents/2013/jun/18/lawsuit-over-wind-turbines-backcountry/>

G. MEETING ADJOURNED AT 9:30 PM

APPROVED BY GROUP VOTE ON 10-3-13: 5-0-0 (seats 5&6 Vacant)



Donna Tisdale, Chair

For More information contact Donna Tisdale, Chair at 619-766-4170 or tisdale.donna@gmail.com