

**COUNTY OF SAN DIEGO  
BOULEVARD PLANNING GROUP  
\*\*\* MINUTES/SUMMARY FOR JULY 3, 2014\*\*\***

**MEETING CALLED TO ORDER: 7:00 PM, Thursday, July 3, 2014** at Boulevard Community Center located east of the Boulevard Fire Station

**A. ROLL CALL (Determination of quorum):**

- Members present: 1) Robert Maupin 2) Earl Goodnight 3) Chris Noland; 4) Donna Tisdale; 5) Michele Strand; 6) Paula Byrd – absent/excused 7) Jeffrey McKernan

**B. PLEDGE OF ALLEGIANCE:**

**C. APPROVE MINUTES FOR MAY 8TH and JUNE 12TH MEETINGS:**

- Correction: Page 3 of May minutes: McKernan wanted the fact added that the large project that impacted Muth Valley groundwater was the Barona Casino.

**ACTION: M/S: NOLAND/MAUPIN: Approve the May 8<sup>th</sup> 2014 minutes as amended: PASSED: 6-0-0**

**ACTION: M/S: NOLAND/MAUPIN: Approve the June 12<sup>th</sup> minutes as written. PASSED: 6-0-0**

**E. PUBLIC COMMUNICATION:**

- Trash update from Ms. Daubach: Rural Leadership Academy grads: Taking Essential Action for Mountain Empire "TEAME", met with Supervisor Diane Jacob, staff and EDCO. Presented ideas and plans to open recycling facility at former County waste collection bin site in Boulevard. EDCO can also bring up large dumpsters for community clean up day still to come. More meetings to come.
- Ms. Daubach was congratulated for TEAME work, doing a great job, and getting such encouraging results.
- Marie Morgan reported receiving postcard for Soitec's invitation only dinner at Lansings's Empire Ranch.
- Marie Morgan also reporting noticing packaging on snacks she purchased that promotes industrial wind, so be aware of what you buy.
- Chair reported that someone keeps pulling the group's agendas off Post Office window where we have the Postmaster's permission to post.
- In response to questions about a Cal Fire NO BURN and NO SHOOTING notice, there was a discussion that you can shoot on your own private property and that other than BBQ's, fire pits, and other designated areas, there is generally no burning allowed without permits. No burning is allowed in certain areas while ban is in place.
- In response to concerns raised on illegal immigrant influx from Texas, it was noted that the Border Patrol does not regularly attend our meetings. Agents can't really answer questions about anything related to the detainees from Texas due to officer safety concerns.
- Water availability and septic capacity issues concerns were raised if Texas detainees are housed at the new Boulevard station due to proximity to homes with already stressed wells.

**F. ACTION ITEMS:**

1. **REQUEST FOR COUNTY GROUNDWATER MONITORING AND REPORTING NETWORK & FUNDING & UPDATING GROUNDWATER DETERMINATION OF SIGNIFICANCE TO ADDRESS PREDICTED CLIMATE CHANGE IMPACTS:**

- The Chair stated that County staff should be invited to attend the next meeting to provide information and their recommendations for a fact-based groundwater monitoring network and funding for long-

term data gathering and reporting to better understand groundwater resources and long-term sustainability; cumulative impacts from numerous industrial-scale energy and transmission projects; and to better address and prepare for predictions of reduced rainfall, recharge, and increased drought-related stress on sole-source resources.

- The Chair reported taking County Geologist Jim Bennett and Planning Manager Donna Beddow on a tour of Boulevard /project areas.
  - They saw drought stressed oak trees, locations where water was extracted/mined at Live Oak Springs, the Campo Reservation, and location of Soitec well sites, McCain Valley Conservation Camp's spring-fed pond with cattails, red winged black birds, egrets, ducks, lots of butterflies, a barn owl, metates where the Indians ground acorns, giant oaks (not addressed in PDEIR but located between two projects).
  - The location was pointed out where drillers were reportedly caught trying to slant drill from Soitec project site under the dirt road that separates the properties and into the McCain Camp in Tule Creek flood plain, east of McCain Valley Road.
- The chair invited Jim Bennett to attend our next meeting. Permission from above is needed.
- Groundwater monitoring by the County or independent 3<sup>rd</sup> parties with transducers needs to start now, with long-term funding to establish valid record of groundwater levels and recharge rates.
- The Chair helped establish the Boulevard/Campo Groundwater Monitoring Network program with the County back in the early 90's. Water levels are still tested manually. Now we have better technology with transducers.
- More high-tech monitoring should be done by the County, and funded by the developer. Need an unbiased and trusted monitor—not vested developers.
- The Chair was told that the State may begin monitoring water due to the drought. More details needed.
- SDG&E's ECO Substation was granted approval for an additional 16.5 million gallons of water from the City of San Diego.
- CPUC project manager informed the Chair that Jacumba Water District has decided to stop selling water to ECO Substation rather than be monitored by the State.
- This is welcome news since that system was set up for domestic, not commercial, use and their water sales were outside of their sphere of influence.
- It was reported that the Jacumba water district board recently changed, and water sales were an issue.

2. **REQUEST FOR COUNTY REVIEW AND CLARIFICATION OF POTENTIAL BENEFITS/ADVERSE IMPACTS RELATED TO PROPOSED GROUNDWATER MANAGEMENT LEGISLATION SB1168 & OTHER PROPOSALS:**

- According to the Legislative Counsel's Digest, SB 1168, as amended. *"Existing law requires the Department of Water Resources to identify the extent of monitoring of groundwater elevations that is being undertaken within each basin or sub basin and prioritize groundwater basins and subbasins. This bill would require the department, pursuant to this provision, to categorize each basin and sub basin as high priority, medium priority, low priority, or very low priority. The bill would require the Department of Fish and Wildlife, in collaboration with the department, to identify those basins and subbasins where species and ecosystems are vulnerable to existing or future groundwater conditions"*.
- Currently, Boulevard is listed as low-priority—but no one asked the locals or addressed cumulative impacts from concentrated large-scale projects

- **ACTION: M/S: McKernan/Goodnight:** *Authorize the Chair to contact Supervisor Dianne Jacob, Jim Bennett, and other County representatives requesting a presentation to the Group at our August 7th meeting to provide information and response to questions on multiple groundwater issues related to (July 3rd agenda) items 1 and 2: PASSED: 6-0-0*

- Request for County groundwater monitoring and reporting network, (long-term) funding, and updating the Groundwater Ordinance and Determination of Significance to address predicted climate change impacts.
- Request for County review and clarification of potential benefits/adverse impacts related to proposed groundwater management legislation SB1168 and other proposals.
- Request a meeting with Dianne Jacob to discuss the needs for a groundwater monitoring network with the Chairs of all groundwater dependent planning groups (in District 2).

3. **REQUEST TO ADD SOUTHEAST END OF TIERRA DEL SOL ROAD (TDS) TO DPW PRIORITY PROJECT LIST:**

- Impacted property owner (and Planning Group member) Bob Maupin has been in communication with DPW to resolve a decades-long issue.
- Maupin recused himself to speak as a member of the public to avoid a conflict
  - Bob has been in communication with County DPW to resolve a 30-year dispute over their section of Tierra Del Sol Road (869, 872, 876, 904 Tierra del Sol Road).
  - 3 parcels have no access if the road is blocked by emergency vehicles.
  - Need to widen road within existing easement for emergency ingress and egress.
  - The County can't find the original paperwork.
  - Maupin will conduct research at the Assessor's office.

**ACTION: M/S: NOLAND/STRAND:** *Motion to add Bob Maupin's section of Tierra del Sol Road (869, 872, 876, and 904), to Boulevard's Priority (CI) Road Issues (DPW) list for Boulevard. PASSED 5-0-0 (Maupin Recused).*

4. **REQUEST FOR ACTION ON TULE WIND'S LEASE APPLICATION WITH STATE LANDS COMMISSION:**

- Tule Wind consultant, Jim Whalen, was not present.
- The Chair stated the need for discussion and determination of what action should be taken regarding the California State Lands Commission's pending decision on the 2007 lease application filed by Tule Wind LLC (formerly known as Pacific Wind LLC).
- The application is to install 1.5 to 3 MW industrial scale wind turbines and other Tule Wind project components on State Lands Commission lands located immediately north of the Manzanita Reservation in the upper McCain Valley area of Boulevard.
- Legal appeals/challenges are still unresolved for Tule Wind turbines already approved for BLM lands in McCain Valley and Ewiiapaayp tribal lands.
- Action options were discussed
- If the State cannot authorize the Take of Golden Eagles, then how can the County?

**ACTION: M/S: NOLAND/GOODNIGHT:** *Authorize Chair to submit opposition comments to the State Lands Commission and to request that they delay their Commission vote until their October meeting in San Diego; ask the County how their Tule Wind MUP and Eagle Take works in California where Take is illegal. PASSED 6-0-0.*

5. **PLANNING & DEVELOPMENT SERVICES UPDATE (POD13-003):**

- Planning & Development Services Update (POD13-003) proposes to amend sections of the Zoning Ordinance, make minor revisions to the Noise Ordinance and add a new chapter to the County Code related to Reasonable Accommodation.
- Changes include proposed revisions to the County's Defense and Indemnification Agreement.
- Comment closes on August 11
- Chair stated need to express concerns with by-right storage of asphalt grindings/ Recycled Asphalt Pavement (RAP) at mining and rock crushing facilities
- Large piles of grindings from the ECO Substation trenching are showing up at Jacumba Garage and the new parking lot next to the Shell station at Carrizo Gorge Road and I-8
- Rough Acres Ranch/ Soitec Solar propose a Rock Crushing and cement batch plant that may end up with large piles of grindings as well.
- Recycling asphalt –amendment without requiring permit. Exemption to allow at rock crushing facilities
- A summary of issues and recommended use from G Keller was reviewed and discussed
- Toxic leaching and component of hydrocarbons and lead can exceed health standards
- Groundwater impacts, air quality impacts, and noise are a major concern for local residents.
- Windblown particulates are also a concern.
- The Initial study said no ground water or visual impacts, which is not realistic.
- Concerns were raised with noise from rock crushing and Tule Wind's noise waiver.
- It was reported that Big Country Ranch has changed hands.
- New owners are MX Ranch LLC, c.o McCarthy Holdus LLC, John Volcus, 1770 4<sup>th</sup> Ave, San Diego; reportedly the same person who bought St. Vincent de Paul property in Campo Valley.
- The exchange seems unusual, like some type of option agreement between Lansing and MX Ranch LLC
- No trespassing signs are reportedly already up, blocking previous allowed trail / BLM access.
- Concerns were also raised with exemptions for new communications facilities next to homes

**ACTION: M/S: Noland/Maupin:** *Authorize Chair to submit comments / concerns raised on Recycled Asphalt Pavement (RAP) by-right accessory use; initial study issues with RAP; potential groundwater contamination; air quality impacts; by-right communication systems for Sheriff Department next to homes: PASSED 6-0-0 (Byrd absent)*

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

1. **REVITALIZATION REPORT:**

- Tammy Daubach gave the report.
- August 5<sup>th</sup> is the next meeting.
- Skate park fundraiser – State Farm gave \$25k grant Saturday July 12<sup>th</sup>.
- Summertime reading program & Pine Valley Parade

2. **FIRE SAFE COUNCIL REPORT:**

- August 7<sup>th</sup> community pizza dinner to meet the new fire chiefs and sheriff deputies
- Won 'Best Display' at Fire Safe awards, again

**3. SOITEC SOLAR PROJECTS (PDS2012-3910-120005): DRAFT PROGRAMMATIC ENVIRONMENTAL IMPACT (DPEIR) REPORT FOR FOUR BOULEVARD PROJECTS WITH 7,409-8,415 CPV SOLAR TRACKERS @ 1,200 SQ FT EACH:**

- Soitec's consultant, Jim Whalen, was not present
- Chair asked who had received Soitec's invitation for their private meetings at Lansing's Empire Ranch in July. A copy of the agenda and RSVP number was provided in agenda package.
- Some residents had received invitations to one of three informational dinners, some didn't.
- The Chair did not receive an invitation and believed it was not a coincidence.
- It was confirmed that Soitec has decided not to renew the lease on Joe Brown's property for their Tierra del Sol Solar project.
- The Tierra Del Sol project is still included in Programmatic EIR, so they can come back later for site specific review. Soitec will likely try to get entitlements so they can flip the project to other developers.
- They are focusing on Rugged Solar.
- McKernan asked how you can get a permit for a property when you don't have a current lease.
- Chair reported on the Feb 2014 Notice to Lansing's Empire Ranch LLC, the site of Soitec's proposed alternate Los Robles Solar project site, that he was in default for the 2007 trust deed; over \$12 million behind and subject to sale to the highest bidder at public auction.
- Another Boulevard Empire LLC (Lansing) tax defaulted 160 acre-property, valued at \$352,000, and was sold at auction for \$34,100.
- Bob Maupin reported that Senator Alan Cranston helped Alexander Haagen get Empire Ranch Land from BLM on a closed bid. Maupin's family had a grazing lease and was given 30 days to remove cattle.
- During a ride along, Maupin reported seeing what looked like 6 inch water pipes running alongside road from Lake Domingo to the north.
- Questions were raised on ownership of Lake Domingo. Private or partially BLM?

**4. NOTICE OF PREPARATION, INITIAL STUDY & REQUEST FOR ENVIRONMENTAL IMPACT REPORT (EIR) FOR ROUGH ACRES RANCH CAMPGROUND/CONFERENCE CENTER MUP: PDS2012-3300-12-021 (MUP):**

- Rough Acres Ranch consultant, Jim Whalen, was not present
- The Chair reported that the Draft EIR includes a cement batch plant and rock crushing facility that could potentially include storage of recycled asphalt pavement grindings (RAP), with all the related potential for contamination of groundwater and stormwater runoff, and airborne particulates.
- Toxic leachates/ hydrocarbons and lead can be present

**5. ROUGH ACRES RANCH ROAD MAJOR GRADING PERMIT: PDS2011-2700-15622: APPLICANT GREGG HAMANN:**

- Consultant, Jim Whalen, was not present
- Ultra lights have been noticed in the skies by local residents. They are believed to be coming from and going to Rough Acres Ranch.
- Everyone was encouraged to report any ultra lights that could be involved in smuggling activities

**6. ECO SUBSTATION: A COMPLAINT & SDG&E'S RESPONSE HAVE BEEN FILED WITH THE CPUC ON SDG&E'S WATER SUPPLY PLAN:**

- Reminder that SDG&E's Cameron Durckle said the project was the largest west of the Mississippi.
- Chair reported that construction seems to be progressing on time. Completion date 4<sup>th</sup> quarter 2014.

- Mark Ostrander reported that they started a small fire, but were able to put it out.
- SDG&E applied for an additional 16.5 million gallons of water from the City of San Diego and the CPUC Project Manager approved it one day later on June 12<sup>th</sup>, despite 4 million gallon math error and manipulated figures that failed to disclose that SDG&E had exceeded their 1.15 million water truck miles at the end of May—just for hauling water from San Diego, and undercount of remaining mileage.
- As of May 31<sup>st</sup>, almost 75 million gallons of water had been consumed for this project. Original estimate was 30 million.
- Figures from SDG&E's application show that Jacumba had sold over 13 million gallons by the end of May; Campo sold over 12 million gallons in a few months; wells are reportedly dropping in Boulevard and elsewhere.

**7. APPEAL PENDING FOR MARCH 25 COURT RULING SUPPORTING BLM'S APPROVAL OF IBERDROLA'S 200 MW TULE WIND:**

- Consultant, Jim Whalen, not present
- Nothing new.

**8. TULE WIND PHASE II:**

- Nothing new.

**9. WIND ENERGY ORDINANCE AND PLAN AMENDMENT:**

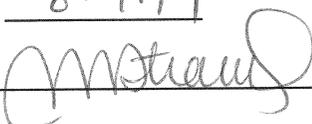
- A Notice of Appeal has been filed on the Superior Court ruling upholding the County's ordinance and Boulevard Community Plan Amendment.

**10. SEMPRA'S CROSS-BORDER HIGH VOLTAGE TRANSMISSION LINE, WITH IMPORT CAPACITY OF 1,250 MW, IS MEANT TO CONNECT THEIR ENERGIA SIERRA JUAREZ WIND IN BAJA CALIFORNIA WITH SDG&E'S NEW ECO-SUBSTATION:**

- US and Mexican legal challenge are still unresolved.
- New project roads are now under construction in Mexico.
- Locals report roads on Mexican side have been widened by 20 feet or more, with some paving.
- SDG&E has applied to the DOE to export up to 6 MW of energy to Mexico to construct and support the ESJ wind turbine project that is starting construction
- June 13: Sempra announced \$270 million in project funding and a value added tax credit facility for up to MX\$45 million
- June 26<sup>th</sup>: the Department of Justice could not show cause and had to withdraw a premature appeal of Judge Lawrence's tentative ruling that upheld plaintiff's case on National Environmental Policy Act, Admission Procedure Act, Endangered Species Act claims.
- Tentative judgment has not been finalized. Plaintiffs were allowed to amend complaint.
- About 35 Vestas wind turbine blades were reported stored at Plaster City; Sempra reported purchase of 47 Vestas 3.3 MW turbines for ESJ project

**H. MEETING ADJOURNED AT 9:00 PM/NEXT REGULAR MEETING SET FOR AUGUST 7TH, 2014:**

Minutes approved by Group on: 8.7.14

Michele Strand, Secretary: 

For More information contact Donna Tisdale, Chair at 619-766-4170 or [tisdale.donna@gmail.com](mailto:tisdale.donna@gmail.com)