

**COUNTY OF SAN DIEGO  
BOULEVARD PLANNING GROUP  
\*\*\*FINAL MINUTES/SUMMARY\*\*\***

**DATE & TIME: 7:00 PM, Thursday, November 5, 2015**

**MEETING LOCATION: Boulevard Fire Training Room, 39923 Ribbonwood Rd, Boulevard CA 91905 (behind old Station)**

**A. ROLL CALL: Present: 1) Robert Maupin; 2) Earl Goodnight 3) Kevin Keane; 4) Donna Tisdale; 6) Paula Byrd; 7) Ronald Hynum; Absent: 5) Michele Strand (excused-work related)**

**B. PLEDGE OF ALLEGIANCE:**

**C. MEETING MINUTES/SUMMARY FOR OCTOBER 1ST MEETING:**

- ***M/S: Maupin/Byrd: Accept October 1<sup>st</sup> minutes as written: Passed: 6-0-0***

**D. PUBLIC COMMUNICATION:**

- Questions were raised and comments made about low-flying military flights over homes.
- It was noted that the Campo / Lake Morena Planning Group had been seeking information and a resolution to this problem for some time with few results.
- Questions were also raised and comments made about the apparent removal of the giant radar dish at the Naval Seals training facility on La Posta Road, locally known as the Bird Bath.

**E. ACTION ITEMS:**

1. **ZONING ORDINANCE AMENDMENT RELATED TO LIMITED WHOLESALE BOUTIQUE AND SMALL WINERIES (POD-14-005):**
  - On August 4, 2010, the Board of Supervisors approved Zoning Ordinance Amendments to establish a Tiered Winery Ordinance. Since its adoption, a number of issues have arisen that affect the adequate implementation of the ordinance. Planning & Development Services (PDS) is working on draft amendments to the Tiered Winery Ordinance in an effort to clarify the intent of the ordinance and to resolve discrepancies with existing ordinance language.
  - Two public workshops were held, the first on January 17, 2014 and another on July 1, 2015. A draft Ordinance Amendment was provided on June 26, 2015 for discussion and comments. Based on input received from stakeholders and County Departments, staff has revised the draft ordinance amendment.
  - Issues and concerns were raised with adverse impacts to groundwater and community character related to experiences with increased number of wineries located in previous rural communities up the coast, often by absentee land owners.
  - ***M/S: Maupin/Keene: Authorize the Chair to submit comments on need for groundwater restrictions and recommendations to use drought tolerant varieties of grapes: Passed: 6-0-0***

**F. GROUP BUSINESS & PROJECT UPDATES:**

- Chair reported that Jim Whalen sent a reminder that he is out of town and can't make our meeting. Draft minutes were sent to him along with a request for any project updates. No response was received.
- It was also reported that Backcountry Against Dumps petition for rehearing of the Wind Ordinance challenge was denied by the 4<sup>th</sup> district court of appeal.

1. **REVITALIZATION REPORT by Tammy Daubach:**

- All 2015 Community Clean-Up Days this year were more successful than 2014. A huge thank you to all the volunteers, all the providers who donated their services, and all of those who helped their fellow community members. Totals will be available at the next meeting.
- Boulevard/Jacumba Revitalization meeting is on December 7th at 6:30 PM at the Boulevard Training Room. Our new board member is Cherry Diefenbach. Still room for more board members.
- Jacumba is having a community wide yard sale on November 14th from 9AM-2PM. Booth spaces are available for \$10.
- Tzu-Chi Foundation did not realize that they had to submit a written request for the old Fire Dept., so that is why it was not on last month's agenda, but it should be on this month's agenda. A CDBG grant was filled out for the building again.
- Information was made available about lead paint in your house and products. This is an especially big concern with houses built before 1978 and candy from Mexico.
- The Jacumba Women's Club is selling an information booklet for \$4 each. Advertising in the booklet is free. They are based on the old phonebooks, but without residential phone numbers.

## 2. **FIRE SAFE COUNCIL REPORT:**

- FSC cosponsored a talk with the author of "The Fire Outside My Window", Sandra Millers Younger. There was an excellent turnout.
- Next FSC meeting is November 28th at 5:30 PM at the Boulevard Training Room behind the old Fire Dept. We will be nominating Board members for 2016.
- Jacumba Fire Department now has a medic engine.
- There is another grant application process for the SRA fees. Our FSC is scheduling a meeting with the CalFire Chiefs to find out what we can apply for.
- Juan Rodriguez is the Border Patrol Agent in charge of the Border Patrol Explorers currently. The program is up and running. It is a combination of the Campo/Pine Valley group and Boulevard. His email is [juan.rodriguez@cbp.dhs.gov](mailto:juan.rodriguez@cbp.dhs.gov)

## 3. **SOITEC SOLAR DEVELOPMENT; PDS2012-3910-120005:**

- On October 14<sup>th</sup>, in response to a court order (writ) in Case NO. 37-2015-00007420-CU-TT-CTL, the Board of Supervisors voted 4-1 to rescind previous approvals and to recertify a Revised PFEIR and adopt a Major Use Permit without the optional battery storage component previously included for Rugged Solar.
- Oct 21<sup>st</sup>, Soitec and County filed joint motion to discharge the writ of mandate was filed. A December 11<sup>th</sup> court hearing is scheduled.
- The Chair reported that she participated at the Oct 14<sup>th</sup> Board of Supervisors' hearing, where John Gibson of Hamann Companies distributed copies of the VOSD article that was anonymously distributed to Planning Group members at the October meeting. Gibson verbally attacked her, repeating the misleading and false allegations made in the articles. He compared her to Barbary Coast scoundrel pirates that loot and pillage and called her Captain Tisdale. Gibson also said she was a shakedown artist and should be disbarred from serving on a planning group.
- The Chair said she responded that Gibson's allegations were out of line and mostly inaccurate as usual, and that her farming family had every right to challenge industrial solar projects that would impact their decades of investments. And they would continue to exercise their rights as allowed by law.
- Paula Byrd and Linda Shannon attended the hearing, too, but arrived too late to speak.
- Opposition to Soitec's motion to discharge the writ of mandate is due by Nov 13<sup>th</sup> deadline.

4. **2.9MW CHAPMAN SOLAR RANCH, PDS2015-MUP-15-005, LOG NO. PDS2015-ER-15-21-001: Revised Plot Plans & Grading Plans received:**
  - On October 30<sup>th</sup>, County staff issued their 2nd Iteration Review of Initial Studies/Information filed by the applicant. Estimated DEIR release date is March 2016.
  - Chair reported that on October 27<sup>th</sup> JCSD Board meeting authorized a water supply contract for Chapman Ranch Solar—the JCSD Board package included the controversial Voice of San Diego articles that included false and misleading reporting on her, her family and Backcountry Against Dumps. She reported asking the JCSD Gen Mgr for an explanation on why the articles were included in the agenda package, for what purpose, at whose request and expense, and who authorized their inclusion. No response, so far.
  - A resident of Jacumba spoke out stating that the JCSD general manager had personally confirmed that a Dudek representative gave the VOSD articles to Bill Pape was responsible for copies of the articles being including in the agenda package that was mailed out.
5. **ROUGH ACRES RANCH CAMPGROUND/CONFERENCE CENTER: PDS2012-3300-12-021 (MUP): DRAFT EIR EXPECTED BY YEAR END:**
  - Draft EIR is still pending
6. **ROUGH ACRES RANCH ROAD - MAJOR GRADING PERMIT PENDING: PDS2011-2700-15622: APPLICANT GREGG HAMANN:**
  - Rough Acres Ranch Road construction is still tied to Tule Wind construction and a new Power Purchase Agreement for Soitec's Rugged Solar project.
7. **TULE WIND – SOUTHERN CALIFORNIA EDISON SUBMITTED ADVICE LETTER 3287-E TO CPUC FOR APPROVAL OF 15-YEAR POWER PURCHASE AGREEMENT (PPA) FOR 132MW:**
  - On Oct 20<sup>th</sup>, BLM extended the Right of Way Grant with extended Notice To Proceed deadline of December 31, 2016.
  - On October 7<sup>th</sup>, Southern California Edison submitted Advice Letter 3287-E to the CPUC for approval for the PPA that Iberdrola announced on July 28<sup>th</sup> for up to 67 wind turbines on close to 14,000 acres of BLM land in McCain Valley, with potential expansion later.
  - Unresolved appeals, filed by several non-profit groups, remain in the 9th Circuit Court, challenging the District Court's support of BLM's Tule Wind project approvals. Tule Wind is still working with County staff on compliance with Major Use Permit (MUP) conditions; No Eagle Take Permits have been issued.
  - The Chair reported that Backcountry Against Dumps submitted a formal PROTEST of SCE's PPA to CPUC on October 27<sup>th</sup> and Iberdrola filed a response to the Protest on November 3<sup>rd</sup>. Iberdrola's response included a footnote on page 1 inaccurately referencing the VOSD articles that were already full of misleading and inaccurate reporting and omission of critical facts.
  - Tule Wind's response also included a letter regarding an alleged change in ownership of Tule Phase II and Eagle Take Permits for Phase I and Phase II. They are now claiming they are two separate projects which is contrary to the facts and the joint EIR/EIS.
8. **TULE WIND'S LEASE APPLICATION WITH STATE LANDS COMMISSION (SLC) FOR WIND TURBINES, ROADS & INFRASTRUCTURE, MAY BE HEARD DECEMBER 18TH:**
  - No word yet if Tule Wind's lease and land appraisal will be placed on the Dec 18<sup>th</sup> SCL agenda.
9. **TULE WIND PHASE II:** Nothing new to report
10. **COMPREHENSIVE RENEWABLE ENERGY PLAN (CREP) POD 13-007:**
  - Chair reported that the Project manager e-mailed a response saying that they "*...are currently working hard to finish the Phase One report. Once the draft report is ready to be released, we will allocate plenty of time for your review prior to scheduling the next Technical Advisory Committee meeting*".

**11. LANSING PRIVATE ROAD GRADING PDS2012-2700-15676, LOG NO. PDS2015-er-15-21-002: NOTICE OF INTENT TO ADOPT MITIGATED NEGATIVE DECLARATION:**

- Chair reported she had submitted 15 pages of comments for the Group on Oct 23<sup>rd</sup>.
- Copies of those comments were included in the agenda package. No response yet.

**12. JOINT CPUC AND FOREST SERVICE FINAL EIR/EIS AND FOREST SERVICE DRAFT RECORD OF DECISION HAVE BEEN RELEASED FOR SAN DIEGO GAS & ELECTRIC'S MASTER SPECIAL USE PERMIT / PERMIT TO CONSTRUCT APPLICATION:**

- The Chair reported participating in a Forest Service meeting for intervening party Backcountry Against Dumps on their Record of Decision that includes removal of lines in the Forest and upgrades to TL6931 line between Boulevard and Crestwood substations
- The CPUC's Administrative Law Judge ruled to exclude testimony from fire experts for Backcountry Against Dumps and the Cleveland National Forest Foundation that concluded that swapping steel poles for wooden poles actually increases lightning strikes and fire risks instead of reducing risks as claimed by SDG&E. At the same time, the new Judge allowed testimony from SDG&E that rebutted the stricken testimony. No bias there!
- The Judge has issued a notice that she intends to grant SDG&E's request for formal notice of the Forest Service Final ROD, absent meritorious objections due Nov 17<sup>th</sup>, and once that is accepted the MSUP project will go to the CPUC Board for their vote which generally supports SDG&E over public interest.

**13. KEVIN KEANE: UPDATE ON POTENTIAL IMPACTS AND OPTIONS RELATED TO THE FCC'S RECENT ACTION URGING CARRIERS TO RETIRE COPPER PHONE LINES AND UPGRADE TO FIBER:**

- Kevin reported that he had contacted he has now contacted Congressmen Hunter and Vargas and Dianne Jacob with no response. He did find a group of homeowners in Washington State who did their own wireless network. However, he knows there are some local concerns with wireless impacts.

**14. 20MW JACUMBA SOLAR LLC MUP PDS2014 MUP-14-041 DRAFT EIR:**

- The Chair reported and Jacumba residents who were present confirmed that JCSD has granted controversial approval to drill 2 new wells (4 well permits total), holding tanks, roads and infrastructure in Jacumba's Park and Highland Center area that will support the Jacumba Solar project with over 300,000 gallons per day for construction. And to allow Jacumba Solar additional bulk water sales to other commercial / industrial projects for decades to come, up to 46 years.
- Community and rate payer objections have been ignored, as usual. JCSD claims that the wells can support pumping of almost ½ million gallons per day. JCSD's approval documents claim the well projects are CEQA exempt.
- Jacumba residents reported that vocal opponents are faced with lots of harassment and codes enforcement actions.
- Requests for an unbiased current hydrology report prior to approval of JCSD bulk water sales have also been ignored.

**G. MEETING ADJOURNED @7:55. NEXT MEETING IS THURSDAY, DECEMBER 3RD**

Minutes approved by Group on December 3, 2015

Donna Tisdale, Chair: 