

**COUNTY OF SAN DIEGO
BOULEVARD PLANNING GROUP
MINUTES/SUMMARY FOR JANUARY 7, 2016**

MEETING CALLED TO ORDER: 7:00 PM, Thursday, January 7, 2016 at the Boulevard Fire Training Room behind the Boulevard Fire Department located at 39919 Ribbonwood Road, Boulevard CA 91905

A. ROLL CALL (Determination of quorum):

- **Members present:** 1) Robert Maupin; 2) Earl Goodnight; 4) Donna Tisdale; 5) Michele Strand; 6) Paula Byrd; 7) Ron Hynum
- **Members absent:** 3) Kevin Keane – work related excused absence

B. PLEDGE OF ALLEGIANCE:

C. MINUTES FOR DECEMBER 3RD MEETING:

- ***M/S: GOODNIGHT/MAUPIN: Approve December 3rd minutes as written: Passed: 6-0-0***

D. PUBLIC COMMUNICATION:

- Tammy Daubach gave a T.E.A.M.E. update on the free trash/hazardous materials removal program that her daughters initiated. Over 50,000 tons of waste removed, including 15,000 pounds of hazardous materials. It was another huge success. Next year's program will include 4 dates instead of 3, as Potrero has been added to the program.
- T.E.A.M.E's successful efforts were applauded.

E. ACTION ITEMS:

1. LIVE OAK SPRINGS WATER COMPANY'S REQUEST TO CALIFORNIA PUBLIC UTILITIES COMMISSION (CPUC) FOR RATE INCREASE AND AUTHORIZATION FOR BULK WATER SALES:

- The Chair reported that Nazar Najor had been invited via e-mail to make a presentation and respond to questions. On January 5th, Mr. Najor notified the Chair that due to previous obligations he could not participate, nor could the bankruptcy trustee, or CPUC analyst Moises Chavez.
- Patricia Stuart gave an update on a letter she sent to Mr. Najor and his response and provided copies to the Chair. She said she had seen no evidence of the 4 new fire hydrants reported and that Mr. Najor's response repeated the same claims that lies are being spread around about the bankruptcy and court appointed receiver. Mr. Kipperman is a private trustee appointed by the Court.
- The Chair read the response she received from Moises Chavez stating he expected to have a draft resolution issued for public comment by mid-February or early March and that the current February 5th deadline would be extended accordingly. Chavez also stated that he was reviewing Live Oak Spring Water's request for bulk water sales tariff.
- Dudek's Source Capacity Study was also discussed with numerous concerns raised over Dudek's history with water testing for Soitec's Tierra Del Sol Solar project, as reported by adjacent resident Bob Maupin, and their overall failure to include all project water needs, caught by the public, that resulted in the need for a revised report with approximately 30-40% increase in total usage, and other issues.
- There was a brief discussion of Live Oak Springs Water's current request to the CPUC for a rate increase and for authorization to sell bulk water and the perceived lack of follow through on previous promises for improvements made by the owner-operators.

- ***M/S: HYNUM/MAUPIN: Authorize Chair to submit comments to the County and copy to the CPUC in opposition to the proposed rate increase and authorization of bulk water sales by Live Oak Springs Water Company. Approved 6-0-0***

2. ANNUAL ELECTION OF GROUP OFFICERS & ANNUAL TRAINING DATES:

- Annual training dates are January 23rd, January 27th, or February 27th from 8:30am-1:00pm. Online training is available after January 15th if members have already attended in-person training in the past.
- ***M/S: MAUPIN/BYRD: Elect Donna Tisdale as Chair: Approved : 6-0-0***
- ***M/S: STRAND/TISDALE: Elect Paula Byrd as Vice Chair: Approved: 6-0-0***
- ***M/S: BYRD/MAUPIN: To elect Michele Strand as Secretary.: Approved: 6-0-0***

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

- The Chair reported on the mailer that Frankie Thibodeau sent out to an unknown number of Boulevard residents and noted that copies were on-hand for review.
- The mailer consisted of a copy of a November 13, 2015 e-mail message that Thibodeau sent to Voice of San Diego Reporter Lisa Halverstadt in response to the series of articles Halverstadt had written. The subject line of Thibodeau's e-mail was "Eight Environmental Lawsuits, Zero discernible results for the Environment".
- Thibodeau criticized Donna Tisdale and the Boulevard "Planning Board over the lack of local development and increased opposition related costs for energy projects like the Sunrise Powerlink. She also stated her belief that "...the Boulevard Planning Group should be disbanded and Ms. Tisdale needs to find another way to line her and her family's pockets."
- The Chair responded that Thibodeau has stayed true to her pattern of making wild and false allegations while providing no documented support for those allegations and that Thibodeau also failed to disclose that she had a deal with Soitec Solar for three parcels of her Roadrunner Lane property to be included in their 765 acre Rugged Solar project and that Soitec had also applied for a MET tower there, as documented by applications filed with the County.
- It was also noted that during the previous General Plan Update the Planning Group had approved Thibodeaus' property for subdivision into several 40 acre parcels but her formal application for that subdivision was finally denied by the County over her lack of progress.

1. REVITALIZATION REPORT:

- A Sheriff has been assigned as a Resource Officer to the Mt. Empire School System. He will travel among the schools full time.
- There will be a federal air craft drill sometime in the month of January. Lots of different air craft will be flying over. The exact date will not be announced.
- Construction of the new Border Patrol checkpoint on I-8 will start this spring. Road closures will be from 10PM – 5AM.
- The breakfast with Santa in Jacumba had the biggest turnout ever for the area. It was very successful.
- Clover Flat Elementary's Holiday Show was a standing room only success. This shows a giant amount of community and school support for a community center.
- Boulevard has six new picnic tables that have been moved in. We will be getting (through a grant) live trees for this property.

2. **FIRE SAFE COUNCIL REPORT:**

- Free sand bags and sand are available at the Boulevard Fire Dept. Firefighters might fill them for you if they have time, but if not, you can still get the bags.
- Our FSC is meeting quarterly. Next meeting is January 16th at 5:30 PM at the Boulevard Training Room.
- Due to the weather, there are two swift water rescue teams out here right now. Julian has just added on a paramedic.
- SDG&E's Powerlink mini grants have been extended in the Boulevard area. If you are part of the expansion, you will be receiving a packet in the mail soon. SDG&E will be holding a public meeting on January 26th from 6:30-8:00PM at this location, the old Fire Dept. They will help answer questions on how to fill out the grants and what you can and cannot apply for. You can also have your address checked at the meeting if you do not receive a packet.

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

- The Chair reported that on Dec 11th, Judge Wohlfiel confirmed his tentative ruling to dismiss the writ of mandate and all remaining CEQA challenges submitted by Backcountry Against Dumps, including groundwater and noise.
- On Dec 15 Judge Wohlfiel issued an order for Soitec and the County to pay \$530,933 to Backcountry's attorneys.
- Soitec can now move forward with development or sale of Rugged Solar and potentially Tierra Del Sol Solar. However, major changes in the project and loss of claimed benefits from Soitec's now-closed CPV manufacturing facility will come into play if and when Soitec's projects attempt to move forward

4. **2.9MW CHAPMAN SOLAR RANCH, PDS2015-MUP-15-005, LOG NO. PDS2015-ER-15-21-001: Revised Plot Plans and Grading Plans received:**

- SPower terminated their Chapman Ranch project by notifying the County on December 1st.

5. **ROUGH ACRES RANCH CAMPGROUND/CONFERENCE CENTER:PDS2012-3300-12-021 (MUP): DRAFT EIR EXPECTED BY YEAR END:**

- Whalen send his regrets for not attending this meeting.

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

- On hold pending construction on Tule Wind and/or Rugged Solar.

7. **TULE WIND – SOUTHERN CALIFORNIA EDISON'S ADVICE LETTER 3287-E SEEKING CPUC FOR APPROVAL OF 15 YEAR POWER PURCHASE AGREEMENT (PPA) FOR 132MW HAS BEEN SUSPENDED FOR UP TO 120 DAYS:**

- Nothing new to report.

8. **TULE WIND'S LEASE APPLICATION WITH STATE LANDS COMMISSION (SLC) FOR WIND TURBINES, ROADS & INFRASTRUCTURE, MAY BE HEARD DECEMBER 18TH:**

- Nothing new to report.

9. **TULE WIND PHASE II:**

- Nothing new to report.

10. **COMPREHENSIVE RENEWABLE ENERGY PLAN (CREP) POD 13-007:**

- Nothing new to report.

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

- The mitigation is being revised due to Oak Trees not being included in the study.

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

- CPUC 's Administrative Law Judge (ALJ) Yacknin issued an order on Jan 4th receiving some exhibits from non-profits into evidence, striking some sections of exhibits and cancelling the January 11 evidentiary hearing planned in San Francisco.
- The ALJ rejected the testimony of retired CalFire Chief Mark Ostrander and another expert, yet oddly accepted the testimony of SDG&E's experts that countered the stricken testimony.
- ALJ Yacknin reminded the parties that "this matter will be submitted upon issuance of the U.S. Forest Service's final Record of Decision."
- The Chair stated the project, with almost 2,000 metal poles, will likely be approved. She reported that stray voltage was measured by Dr. Sam Milham at a new steel pole located at Bob Maupin's property and a request was made for SDG&E to conduct an inspection.
- Unfortunately, SDG&E failed to notify anyone of their site visit so a qualified expert could meet them there to monitor their inspection.
- Mr. Maupin said he was not surprised when SDG&E informed him they were unable to locate any stray voltage.

13. 20MW JACUMBA SOLAR LLC MUP PDS2014 MUP-14-041 DRAFT EIR:

- The Chair reported that an Jacumba resident and JCSD ratepayer filed a complaint on 1-5-16 over alleged violations of County policies, Brown Act and conflicts-of-interest related to a vote taken by the Jacumba Sponsor Group to support Jacumba Solar project.
- The County's response letter dated 1-5-16 confirmed violation over the inadequate agenda wording but found there was insufficient evidence provided to establish alleged financial conflict of interest for 3 of the 5 individual Sponsor Group members related to their Board positions on the JCSD or through fees earned per water trucks crossing their land.
- Specifically, no evidence was provided showing those members would receive compensation of \$500 or more through bulk water sales from JCSD to Jacumba Solar. Unconfirmed reports stated that 3 Group members received advisory letters from the County along with Bill Pape.
- There may be some form of perceived problem with the same 3 members serving on both the Sponsor Group and JCSD Board related to the Jacumba Solar project and water supply contract.
- The County will work with Jacumba Sponsor Group to correctly word and re-notice the Jacumba Solar MUP vote that is expected to take place at their January 26th meeting at 6:00pm at the Jacumba Library.

G. MEETING ADJOURNED AT 8:03 PM/NEXT REGULAR MEETING SET FOR THURSDAY, FEBRUARY 4, 2016:

Minutes approved by Group on: 2-4-16

Donna Tisdale, Chair: 

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