

ATTACHMENT

For Item

#01

Wednesday, August 18, 2021

PUBLIC COMMUNICATION RECEIVED BY THE  
CLERK OF THE BOARD

DISTRIBUTED: 8/12/2021

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**From:** Julie Gerson <julie@theabf.org>  
**Sent:** Wednesday, August 11, 2021 11:06 AM  
**To:** Anderson, Joel; Kazmer, Gregory  
**Cc:** Vargas, Nora; Flores, David; Lawson-Remer, Terra; Andrade, Evelyn; Petterson, Cody; Fletcher, Nathan (BOS); Wier, Emily; Desmond, Jim; Mills, Benjamin; FGG, Public Comment; Slovic, Mark  
**Subject:** [External] Anza-Borrego Foundation comment letter re: JVR Energy Project  
**Attachments:** JVR Letter ABF 8.21 Final.pdf

Dear San Diego County Supervisors and Land Use staff,  
Attached is a comment letter from the Anza-Borrego Foundation regarding the proposed JVR Energy project. We appreciate your careful and thoughtful consideration of the important decisions to be made regarding this important project.

Respectfully,  
Julie Gerson

**Julie Gerson**  
Land Program Manager  
530-263-3485  
[www.TheABF.org](http://www.TheABF.org)





August 4, 2021

The Honorable Joel Anderson  
San Diego County Supervisor, District 2  
Room 335  
1600 Pacific Highway  
San Diego, CA 92101

RE: JVR Energy Park and Jacumba's Path Forward

Dear Supervisor Anderson,

The Anza-Borrego Foundation (ABF), the cooperating partner with Anza-Borrego Desert State Park (ABDSP), appreciates the opportunity to comment on the proposed JVR Energy Park project which will be considered at the August 18 meeting of the Board of Supervisors. The mission of ABF is to *protect and preserve the natural landscapes, wildlife habitat, and cultural heritage of ABDSP for the benefit and enjoyment of present and future generations.*

As stated in our previous comment letters, The Nature Conservancy, in 2007, purchased 1,080 acres near Jacumba Hot Spring as an interim step in transferring ownership to California Department of Parks and Recreation. In 2012 the title was transferred to ABF to hold until the State of California was ready to accept the transfer. The Nature Conservancy recognized this area as internationally significant in terms of biodiversity and as an important linkage between biologically-rich Mediterranean habitat in Southern California and Northern Baja California plant and animal communities. Development in the San Diego border region fragments habitat and threatens wildlife corridors between these communities.

Three objectives of the 2007 acquisition, identified in a 2007 report from the The Conservation Biology Institute, include (1) conserving habitat for the federally-endangered Quino checkerspot butterfly, (2) providing a buffer to the entrance to Carrizo Gorge to protect a water source for the federally-endangered Peninsular bighorn sheep, and (3) ensuring regional landscape-scale wildlife movement by connecting the Carrizo Gorge in ABDSP to habitat in Baja California.

The JVR developer *must work transparently* with the community to address its concerns. It is fair and makes good business sense for the Supervisors to be sensitive to the economic future of this small and picturesque community. By a quirk of geography, Jacumba will carry an oversized load for infrastructure that benefits all San Diegans. Hopefully you will carefully

consider every opportunity to reduce the negative impacts of this project and leave the community with a reasonable chance for future economic success.

Thank you for the opportunity to provide comment on the JVR Energy Park project.

Sincerely,

A handwritten signature in blue ink that reads "B. Fordem". The signature is fluid and cursive, with a large initial "B" and a stylized "F".

Bri Fordem  
Executive Director

A handwritten signature in black ink that reads "Bill McDonald". The signature is cursive and somewhat stylized, with a large initial "B" and a prominent "M".

Bill McDonald  
Board President

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**From:** Melissa Strukel <melissa@jacumbahotsprings.com>  
**Sent:** Wednesday, August 11, 2021 4:39 PM  
**To:** Anderson, Joel  
**Cc:** Kazmer, Gregory; FGG, Public Comment; Slovick, Mark  
**Subject:** [External] NO JVR ENERGY PARK AUGUST 18  
**Attachments:** Screen Shot 2021-08-11 at 3.21.54 PM.png

Hello,

I am writing on behalf of the community of Jacumba Hot Springs located in the Sonoran Desert of East San Diego.

I am pleading with you to hear our small voice in a very large world of money, power and political gains.

There is a proposed solar project planned to engulf our small village of just 500 people. I've attached images of just how large this project is and how it will impact the land.

We are a community who loves our environment and can support green energy but not at the cost of our well being and the well being of the plants, sacred water and animals who thrive in this region.

We are a low and fixed income community who have been greatly ignored and discarded by most of San Diego, suffering the decisions made by politicians and courts to place sexually violent predators in our town as well as use it as a dumping ground for unwanted trash.

For hundreds of years this land has been a sacred place for the Kumeyaay natives because of the sacred healing waters of the mineral hot springs.

Birds and butterflies migrate here every year and rely on our open landscape, trees and water to help them along their journey.

Our pond is once again flowing with the waters and our little hotel is about to reopen with 3 mineral healing pools which will boost our economy and be a large tourist attraction for not only San Diegans but people from all over.

Our main street is being rehabilitated with vendors on a list to come sell their goods and offer travelers a place to come.

We also have a monthly flea market with bands.

The proposed solar project will not create jobs for our community, only for the men and women who will come from out of town to work during construction and then leave.

The sad and frustrating thing is that we have many rolling black outs throughout the year because of high fire threats, leaving us with no power for sometimes days.

If the solar project goes through we will still be left with no power during these blackouts because while we will sit directly next to a solar farm, we will not benefit from the power it provides which will go to much more affluent communities on the coast.

This seems incredibly unethical and unfair, I'm sure you can agree.

We already have high temperatures here as we are a desert, however this project will raise our temperatures to almost unbearable.

When the blackouts happen and our elderly have no air I can't imagine what might happen.

There are so many areas of our county that can support a project of this size.

Putting it next to a town that is part of San Diegos history, is sacred Kumeyaay land, and is about to be a huge asset to the tourist industry of this city is a bad decision and one that I'm sure you will regret if you took a moment to come visit.

I invite you to bring your family and a camera. Come visit our mineral hot spring, hike along the railway, experience the earth covered in quartz crystal and lichen in every color of the rainbow.

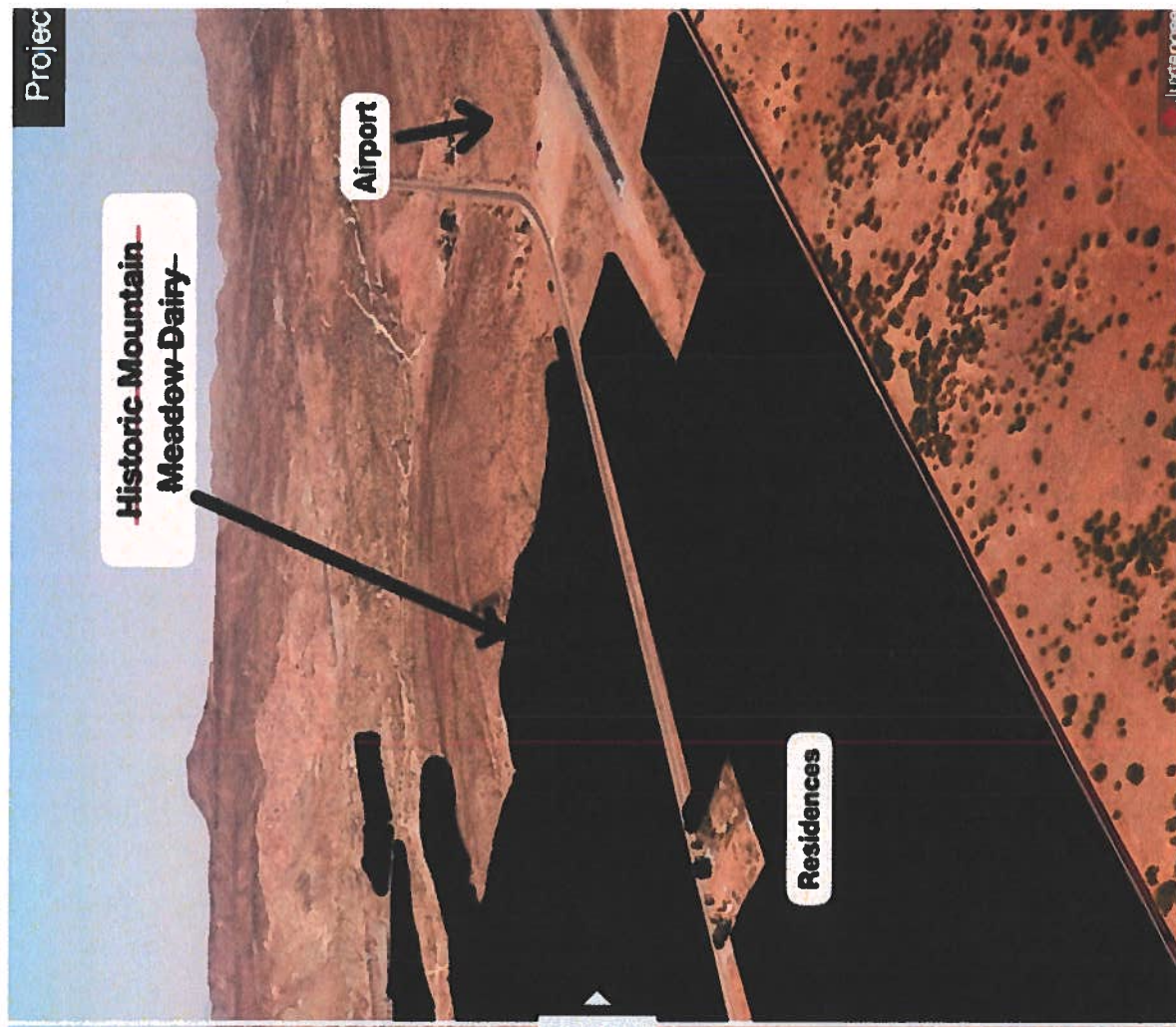
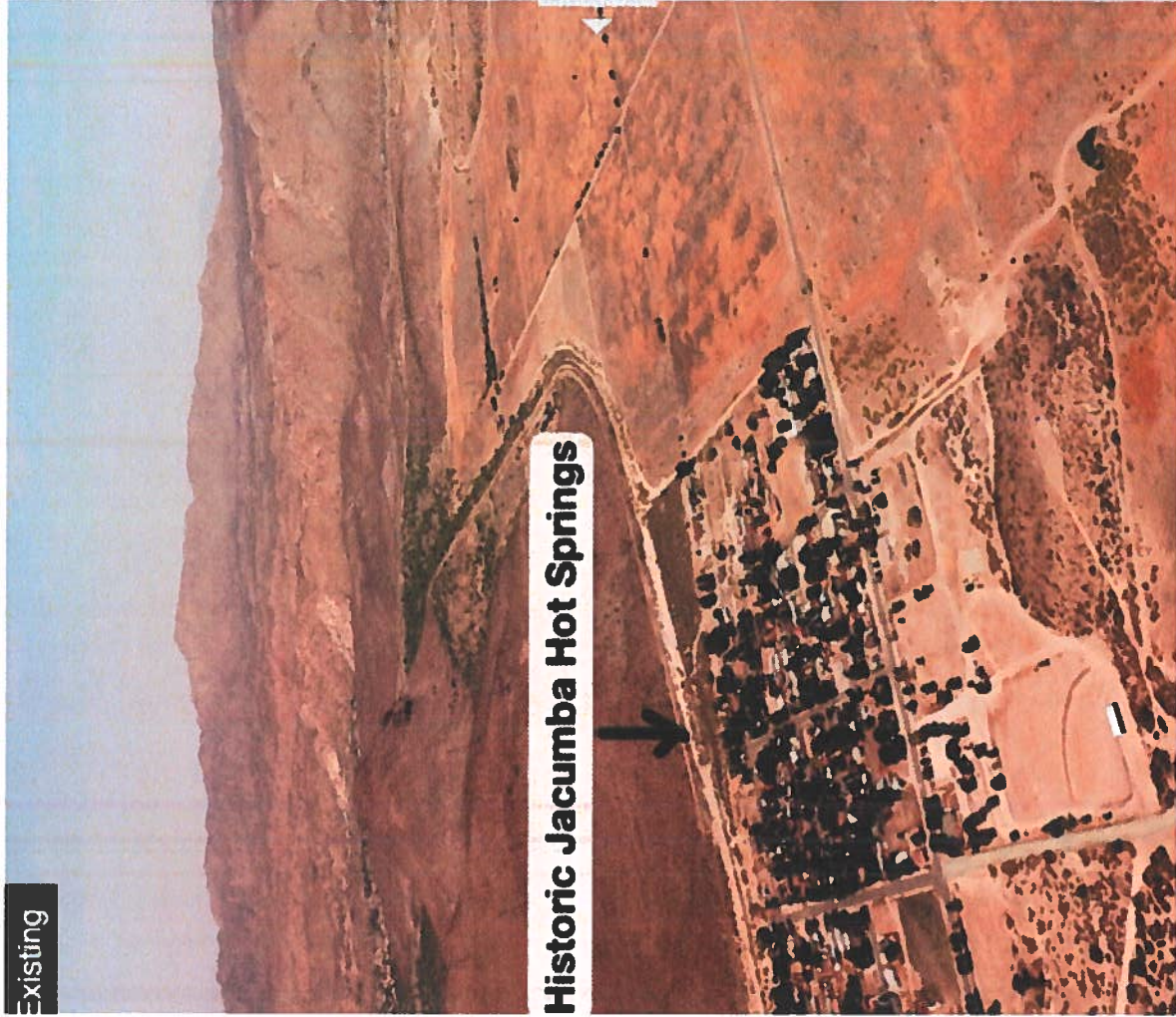
See the huge jack rabbits hopping through the juniper trees and bob cats at dusk.

The sunset is not only seen in the western sky, it is a panoramic explosion every single night.

And then there are the stars... people come from all over the county just to see the stars here. The milky way can be seen on any given night.

I personally invite you to see for yourself before you decide to vote in favor of placing a project of this magnitude in our backyard, because this is not only our backyard, it is also yours.

Kindly,  
Melissa Strukel  
619-994-9278



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**From:** David Lampley <psychopopskrapez@gmail.com>  
**Sent:** Wednesday, August 11, 2021 5:48 PM  
**To:** Anderson, Joel  
**Cc:** Kazmer, Gregory; FGG, Public Comment; Slovick, Mark  
**Subject:** [External] No jvr energy park aug.18

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

I am completely against this nonsense project. I am a member of this community and have witnessed the magic transform in the last year. To see this project ruin our town so Encinitas can have more power on they're grid is not fair and we are willing to stand up for out sleeves until the very end. I am a small business owner, my dad is a Vietnam veteran along with many other veterans who reside here. I challenge you to visit Jacumba once and take in a afternoon in this historic town before you end its future. I think for the city to let German company to come in to our small town and wipe out our chance of growth is disheartening and unethical. Please reconsider of the placement of this project. Thank you for your time.

David Lampley

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**From:** Rebecca Berggren <itsmebeccalee@gmail.com>  
**Sent:** Thursday, August 12, 2021 9:03 AM  
**To:** Anderson, Joel  
**Cc:** Kazmer, Gregory; FGG, Public Comment; Slovick, Mark  
**Subject:** [External] NO JVR ENERGY PARK - AUGUST 18

Dear Supervisor Anderson,

Thank you for taking the time to hear from our community about the perils of the JVR Energy Park plan.

A resident of San Diego county for 45+ years and a new landowner in your District (Boulevard), I am in strong opposition to the current 635 acre mega solar project that will surely **devastate a historic, low-income San Diego community** and permanently damage wildlife and ecosystems in the area.

This project will completely engulf this at-risk community and destroy its only economic engine - *tourism*. The proposed project is 6 times the size of the quaint town of Jacumba and is planned to sit within a stone's throw from homes and businesses. The very slightly modified "Community Buffer Alternative", proposed by JVR Energy Park LLC, does not at all solve any of these problems.

San Diego Planning Commissioner Douglas Barnhard recognized these glaring issues when he said "The problem I have with the project is that it literally has its hands around the communities neck".

**We do not need to destroy a community to reach our goals** – SDGE is already at 40% renewable energy, well ahead of the 2020 goal of 33%. This small community already has 2 major renewable energy developments, 3 high voltage lines running through the village and is surrounded by wind farms.

I am in full support of ETHICAL and sustainable energy production that balances our green energy needs with protecting the wildlife and the community. The JVR Energy Park is NOT that.

It's very shameful to see our forward-thinking county repeating glaring mistakes from the past by **targeting and taking advantage of low-income communities.**

Please vote NO on this project as it is currently designed.

With much gratitude -

Becca Berggren  
619-838-4860

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**From:** Corbin Winters <corbin@jacumbahotsprings.com>  
**Sent:** Thursday, August 12, 2021 10:57 AM  
**To:** Anderson, Joel  
**Cc:** Kazmer, Gregory; FGG, Public Comment; Slovič, Mark  
**Subject:** [External] NO JVR ENERGY PARK AUGUST 18

Hello,

My name is Corbin Winters. I am a homeowner and business owner in Jacumba Hot Springs. I love San Diego County. I graduated from San Diego State University and have lived in the county for almost 20 years. I have chosen to raise my young son in Jacumba because I fell in love with the beauty of the natural landscape, the mineral hot spring water, and the absence of industrialization and commercialization commonly found closer to the coast. I am a supporter of green energy, but the scale of this proposed solar project will devastate our town, community and opportunity for growth.

There are other areas better suited for a solar farm of this size. There is no reason for it to be directly up against any town, especially when the power being harvested will not benefit the community who will be looking at these giant panels every day. Increased temperatures, destruction of wildlife habitats and ruined views are just a few negatives this project will have on the area, not to mention the waste that will be left behind when the life of the project is over.

Jacumba Hot Springs is a historic town that is in the process of being revitalized into a popular tourist destination once again. There will be sustainable jobs for the local community and hope for the future residents of the area. We are reasonable people and we are just asking for a compromise. We would like the size of the project to be scaled back so it does not overwhelm our community and intrude on our lives and landscape. I am in support of the Equity for Jacumba Alternative Plan.

Thank you for your time and consideration,  
Corbin Winters

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**From:** Donna Tisdale <tisdale.donna@gmail.com>  
**Sent:** Thursday, August 12, 2021 2:02 PM  
**To:** FGG, Public Comment; Fletcher, Nathan (BOS); Anderson, Joel; Vargas, Nora; Lawson-Remer, Terra; Desmond, Jim; Koutoufidis, Nicholas  
**Subject:** [External] Board agenda 8/18 Item #1 - JVR Solar  
**Attachments:** BPG JVR Solar - BOS 8-12-21.pdf

Hello,

Please find the attached public comments from the Boulevard Planning Group on the JVR Energy Park solar project that is listed as Item #1 on the Board's 8/18 agenda. Please include them in the record for this project.

Regards,  
Donna Tisdale, Chair  
Boulevard Planning Group  
619-766-4170

# BOULEVARD PLANNING GROUP

PO Box 1272, Boulevard, CA 91905

DATE: 8-12-21

TO: SAN DIEGO COUNTY BOARD OF SUPERVISORS via [PublicComment@sdcounty.ca.gov](mailto:PublicComment@sdcounty.ca.gov);  
[Nathan.Fletcher@sdcounty.ca.gov](mailto:Nathan.Fletcher@sdcounty.ca.gov); [Joel.Anderson@sdcounty.ca.gov](mailto:Joel.Anderson@sdcounty.ca.gov); [Nora.Vargas@sdcounty.ca.gov](mailto:Nora.Vargas@sdcounty.ca.gov);  
[Terra.Lawsonremer@sdcounty.ca.gov](mailto:Terra.Lawsonremer@sdcounty.ca.gov); [Jim.Desmond@sdcounty.ca.gov](mailto:Jim.Desmond@sdcounty.ca.gov); cc:  
[Nicholas.Koutoufidis@sdcounty.ca.gov](mailto:Nicholas.Koutoufidis@sdcounty.ca.gov)

FROM: Donna Tisdale, Chair; and as an individual: 619-766-4170; [tisdale.donna@gmail.com](mailto:tisdale.donna@gmail.com) ; PO Box 1275, Boulevard, CA 91905

RE: AUGUST 18 AGENDA ITEM #1: JVR ENERGY PARK MAJOR USE PERMIT, FIRE PROTECTION AND MITIGATION AGREEMENT, AND ENVIRONMENTAL DOCUMENT

At our regular meeting held in-person on August 5<sup>th</sup>, our Boulevard Planning Group voted unanimously to authorize the Chair to submit comments opposing the JVR Solar / Energy Park project. *We recommend denial of the Planning Commission Recommendations (7-9-21) 1, 3 & 4.*

All our previous detailed comments have opposed the project and are incorporated in full by reference. Comment letters submitted by the Jacumba Hot Springs Sponsor Group; the Campo Planning Group (8-10-21); Ian Abramson (8-9-21); Save Our Heritage Organization (7-8-21); and the Jacumba Hot Springs Spa representatives are valid, well-researched, and should be heeded.

The EIR should be re-circulated to analyze the significant new information in the form of the viable community produced Equity for Jacumba Alternative that would lessen environmental impacts:

- "A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it"
- So what if a re-circulation would require more time for analysis, the entire future of that disproportionately impacted rural community is at stake.
- *At a bare minimum, we support the Community Buffer project and a much more substantial and equitable community benefits package. Of the alleged \$237,000,000 in benefits, only \$250,000 goes directly to Jacumba. Not that community benefits can ever outweigh the adverse impacts inflicted at ground zero. They cannot.*

Based on Chairman Fletcher's callous "*it warms my heart*" statement, after the Board vote to approve the Boulder Brush Substation / Campo Wind that threatens our rural community, and the lack of any defense or empathy from our own Supervisor Anderson or any other Supervisors, we know that we are spitting into the wind with our recommended denial of this massive commercial industrial energy project.

Rural victims of these major projects are repeatedly blamed and derided for defending ourselves and the ruggedly beautiful vistas, the quiet, the wildlife, and dark skies that we so love. It is our justified right to do so.

BayWa, and others who have sacrificed Jacumba for their own economic / political gain, should truly be ashamed of themselves, along with those who have promoted and condoned that unjustified sacrifice with the invalid claim that is for 'the public good'. BayWa's apparent possession of enough political and financial clout, sufficient to run over a suppressed low-income rural community, should not be endorsed or tolerated by decision makers.

As usual, the significant and cumulatively considerable impacts to Jacumba, and its residents, from this 600 plus acre energy project are simply weasel-worded away while project labor benefits and energy are exported to those who don't have to live the reality of a huge ugly, noisy, and community and environment-altering behemoth surrounding their small town on three sides.

**It is plain to see that the EQUITY IMPACT STATEMENT (EIS) BLATANTLY DOES NOT APPLY TO THE UNWILLING HOST COMMUNITY:**

- Equity Impact Statement: *"The JVR Energy Park Major Use Permit (Project) will provide renewable energy to San Diego Community Power, a Community Choice Aggregation (CCA) program. CCAs create a powerful, nimble, and responsive opportunity to address community needs through clean energy access, local jobs and economic benefits, and healthier environments. Unlike investor-owned utilities, CCAs are governed by local public officials who are close to the communities they serve, allowing the CCA to guide their respective agency's formation, policies, procurement, and rate design with community priorities; prioritize equity and inclusion in a wide range of planning and policy decisions; and put policy into practice through programs to reduce energy- and transportation-related greenhouse gas emissions in the built environment and bring underrepresented community members into the energy workforce."*
- The EIS definition of "community" does NOT apply to Jacumba.
- The CCA does NOT represent Jacumba.
- Jacumba community needs, local jobs, economic benefits, and healthier environments are NOT met by JVR or the CCA.
- The CCA officials are NOT close to the Jacumba community.
- Alleged community priorities, equity, and inclusion do NOT apply to Jacumba.
- The unsupported claim that the Jacumba community will benefit from the JVR project or CCA actions is inherently false and should be recognized as such.

**Board Letter / Overview for JVR Energy Park / Solar<sup>1</sup>:**

Aesthetics and Visual Resources:

- Admitting that 'Visual impacts of the solar facility remain significant and unavoidable' is an understatement.

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<sup>1</sup> <https://bosagenda.sandiegocounty.gov/cob/cosd/cob/doc?id=0901127e80d69a7e>

- Converting currently quiet open space ag land and soul-soothing views with dense industrial solar, inverters, and batteries with noisy air conditioning and venting systems, is stress inducing and stress impacts health in a variety of ways.
- Demolishing the historic dairy farm buildings on the elevated hill and replacing them with industrial solar that cannot be mitigated with slatted fencing should NOT be allowed.
- The current appealing quality of the route through and around Jacumba will be lost. The sense of place and community character will be gone and won't be coming back.

#### Biological Resources:

- Biological impacts from these massive projects are always understated despite the cumulatively significant impacts to wildlife in the Jacumba, Boulevard, Ocotillo, and La Rumorosa area related to a disproportionate number and density of so-called green energy projects.
- Alleged mitigation is never enough when wildlife keeps getting cut off or scared off from historic habitat and condensed into ever smaller and smaller areas. It is simply not sustainable.

#### Wildfires:

- This section does not include potential for runaway battery fires at JVR project that can spark a wildfire in our drought prone High Severity Fire Hazard Zone that is predicted to get even hotter, drier, and more fire prone due to climate change. Numerous such battery storage fires have occurred in the last few years.
- ***The July 29, 2021 Tesla battery storage fire in a green area of Australia required 30 fire rigs and 150 firefighters over several days:***



- (excerpt) "...A toxic blaze at the site of Australia's largest Tesla battery project is set to burn throughout the night. The fire broke out during testing of a Tesla megapack at the Victorian Big Battery site near Geelong. A 13-tonne lithium battery was engulfed in flames, which then spread to an adjacent battery bank. More than 150 people from Fire Rescue Victoria and the Country Fire Authority responded to the blaze, which has been contained and will be closely monitored until it burns itself out."If we try and cool them down it just prolongs the process," the CFA's Assistant Chief Fire Officer Ian Beswicke said."But we could be here anywhere from 8 to 24 hours while we wait for it to burn down..."<sup>3</sup>

<sup>2</sup> ABC Screen Shot by Nick Hide/CNET <https://www.cnet.com/news/tesla-battery-fire-renewable-energy-plant-australia/>

<sup>3</sup> <https://www.abc.net.au/news/2021-07-30/tesla-battery-fire-moorabool-geelong/100337488>

- A toxic smoke warning was issued.
- Where does the JVR project Fire Protection Plan and limited funding (\$500,000 onetime payment & \$ 30,000 annually) address or cover the potential for battery fires with toxic smoke so close to residents and the Anza Borrego Desert State Park?
- Has a viable evacuation plan been established?

#### **Groundwater:**

- Drawdown of groundwater levels in the Jacumba Valley can impact domestic wells that are located at higher elevations in or fractured rock aquifers.
- Domestic wells just west of Jacumba along Old Hwy 80 should be monitored for drawdown during and after construction, with permission from owners.

#### **Jacumba Airport:**

- According the FAA website, the FAA Obstruction Evaluation applications for JVR Solar project were not submitted until August 5, 2021: 2021-AWP-11934-OE through 2021-AWP-11958-OE.<sup>4</sup>
- The Campo Wind's 2019 FAA Obstruction Evaluation application (2019-WTW-4585-OE) is still not resolved after over two years and revocation of original approval due to errors.
- Who will actually require BayWa / JVR to produce evidence of any FAA determination of NO HAZARD prior to start of construction?
- It appears that the emergency landing zone ironically includes utility / power lines along Old Hwy 80.

#### **Business Impact Statement:**

- N/A?
- What about the new owners of the Jacumba Hot Springs Spa, and major part of the town, that have already invested hundreds of thousands of dollars if not millions, to date, with more in process?

#### **Socioeconomic Impacts:**

- As a designated Colonia, it is obvious that Jacumba should be recognized and treated as an Environmental Justice community, despite lack of formal designation.
- Formal EJ designation is justified but can only come too late, just like the long-delayed East County Multiple Species Conservation Plan. All the damage will be done before any help arrives.
- The developers should be required to identify the manufacturer and life cycle of the solar panels they will be using for the JVR project.
- The County should follow the example of the Silicon Valley Toxics Coalition (SVTC) to "Ensure that solar PV manufacturers are responsible for the lifecycle impacts of their products through Extended Producer Responsibility (EPR) and takeback programs."
- The SVTC 2018-2019 Solar Scorecard<sup>5</sup> provides a rating for solar companies:

<sup>4</sup> <https://oeaaa.faa.gov/oeaaa/external/searchAction.jsp>

<sup>5</sup> <http://www.solarscorecard.com/2018-19/index.php>

- (excerpt-emphasis added) *“The Scorecard is a resource for consumers, institutional purchasers, investors, installers, and anyone who wants to purchase PV modules from responsible product stewards. The Scorecard reveals how companies perform on SVTC’s sustainability and social justice benchmarks to ensure that the PV manufacturers protect workers, communities, and the environment. The PV industry’s continued growth makes it critical to take action now to reduce the use of toxic chemicals, develop responsible recycling systems, and protect workers throughout global PV supply chains. Many PV companies want to produce truly clean and green energy systems and are taking steps to implement more sustainable practices. SVTC is committed to helping these companies achieve that goal. At the same time, we need to create and enforce policies that ensure the safety and improve environmental performance of the entire sector.”*
- Where will the JVR solar panels be manufactured, under what circumstances, will they be recycled or landfilled and where?

#### **Major Use Permit Findings:**

- The MUP Findings do NOT reduce impacts to less than significant as claimed. Many remain.
  - Significant Effect: Impact AE-10 –Requiring non-reflective surfaces does NOT reduce significant aesthetic impacts to less than significant.
  - Significant Effect: Impact AQ-1- mitigation does not address potential exposure to highly toxic battery fire smoke. Fires are allowed to burn out which can take days.
  - Significant Effect: Impact HAZ-1- does not address battery fires
  - Significant Effect: Impact NOI-1- we believe the noise impacts have been vastly underestimated for this quiet community, especially night-time noise impacts on the sleep of adjacent neighbors and wildlife.
  - Significant Effect: Impact WF-1 – does not address battery fires.
  - Significant Effect: Impact WF-2- does not address battery fires.
- **Statement of Overriding Considerations** simply admits that the project represents significant adverse impacts to a disproportionately impacted designated Colonia. And that decision makers are willing to sacrifice that community, the people, and their property. It is unconscionable.

#### **Defense & Indemnification:**

- Requiring the applicant to sign an agreement to cover up to \$750,000 of legal fees in the event the County is sued for approving this damaging project, negates any incentive for Supervisors to vote to deny the project based on the significant and cumulative impacts, as they should.
- Just one more example of the biased one-sided battle that rural low-income communities are forced to deal with through no fault of their own.

We have lost faith in our decision makers when it comes to protecting us from these massive commercial industrial energy projects being forced into our unwilling communities while indemnifying themselves against any legal challenges that may be brought forward at great expense to those who can manage to do so. Where is the fairness or equity in that?

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**From:** Jordan Coburn <coburnjordan@gmail.com>  
**Sent:** Thursday, August 12, 2021 2:21 PM  
**To:** Anderson, Joel; Desmond, Jim  
**Cc:** FGG, Public Comment; Wier, Emily; Kazmer, Gregory; nathan.fletcher@sdcountyca.gov  
**Subject:** [External] NO JVR ENERGY PARK AUGUST 18

Hello,

My name is Jordan and I'm a San Diego resident writing you to ask: Please protect Jacumba residents. You don't need to ruin a historic community and its wildlife. It isn't fair or right for this project to hide behind a sustainability premise like solar while destroying a low-income underserved community. This is wrong. Please stop this and find another way to advance our need to develop solar in our communities.

If this gets pushed through, as a constituent, I will not forget.

Thank you,

Jordan