

APPENDIX A

*Notice of Preparation Documentation,
CEQA Initial Study – Environmental Checklist Form
& Comment Letters*



County of San Diego

MARK WARDLAW
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
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KATHLEEN A. FLANNERY
ASSISTANT DIRECTOR

NOTICE OF PREPARATION DOCUMENTATION

DATE: MARCH 7, 2019

PROJECT NAME: JVR ENERGY PARK

PROJECT NUMBER(S): PDS2018-GPA-18-010, PDS2018-REZ-18-007,
PDS2018-MUP-18-022

PROJECT APPLICANT: JVR Energy Park, LLC.

ENV. REVIEW NUMBER: PDS2018-ER-18-22-001

PROJECT DESCRIPTION:

The JVR Energy Project involves the operation and construction of a 90 megawatt (MW) solar energy facility and a 20-MW energy storage system. The Project components include approximately 300,000 photovoltaic modules fitted on single axis trackers, an underground electrical collection system, a substation, an overhead gen-tie line, and access roads. The development footprint of the proposed facilities is approximately 691 acres. The Project would require a General Plan Amendment, a Rezone, and a Major Use Permit. Eventual decommissioning would occur at the end of the Project's useful life.

PROJECT LOCATION:

The Project site, approximately 1,345 total acres, is located in unincorporated southeastern San Diego County. The area is located within the Mountain Empire Subregion of the County. The site is adjacent to the community of Jacumba Hot Springs and the Jacumba Airport, and to the south of Interstate 8 (I-8). The U.S./Mexico international border is located along the southern boundary of the Project site. The site previously included agricultural operations. Primary access would be provided from I-8 with local access from Carrizo Gorge Road and Old Highway 80.

PROBABLE ENVIRONMENTAL EFFECTS:

The probable environmental effects associated with the Project are detailed in the attached Environmental Initial Study. All questions answered "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated" will be analyzed further in the Environmental Impact Report. All questions answered "Less than Significant Impact" or "Not Applicable" will not be analyzed further in the Environmental Impact Report. The following is a list of the subject areas to be analyzed in the EIR and the particular issues of concern:

Aesthetics	Land Use & Planning
Agricultural Resources	Mineral Resources
Air Quality	Noise
Biological Resources	Public Services
Cultural Resources	Transportation
Energy	Tribal Cultural Resources
Geology & Soils	Utilities & Service Systems
Hazards and Hazardous Materials	Wildfire
Hydrology & Water Quality	Mandatory Findings of Significance

Please note that the Notice of Preparation signifies the beginning of the EIR review and public participation process. At the same time, the County contemplates further agency and public input as the Project proceeds through the County's environmental review process. During this process and before public circulation of the Draft EIR, the County anticipates some changes or additions to the Project, its description, and probable impacts in response to this Notice of Preparation, the comments received at the scoping meeting, and ongoing County staff input as it independently reviews the Project application and supporting documents. The iterative process is a necessary part of the County's EIR review process. However, the County does not anticipate circulating any new or revised Notices of Preparation for the Project provided the project-related changes or additions do not trigger substantial changes in the Project or its circumstances, or present new information of substantial importance as defined by CEQA. Instead, the Draft EIR that will be circulated for agency and public review will provide all interested entities and parties the opportunity to further comment on the Project and its probable environmental impacts when submitting public comments on the Draft EIR. Those comments also will be the subject of written responses that will be included in the Final EIR.

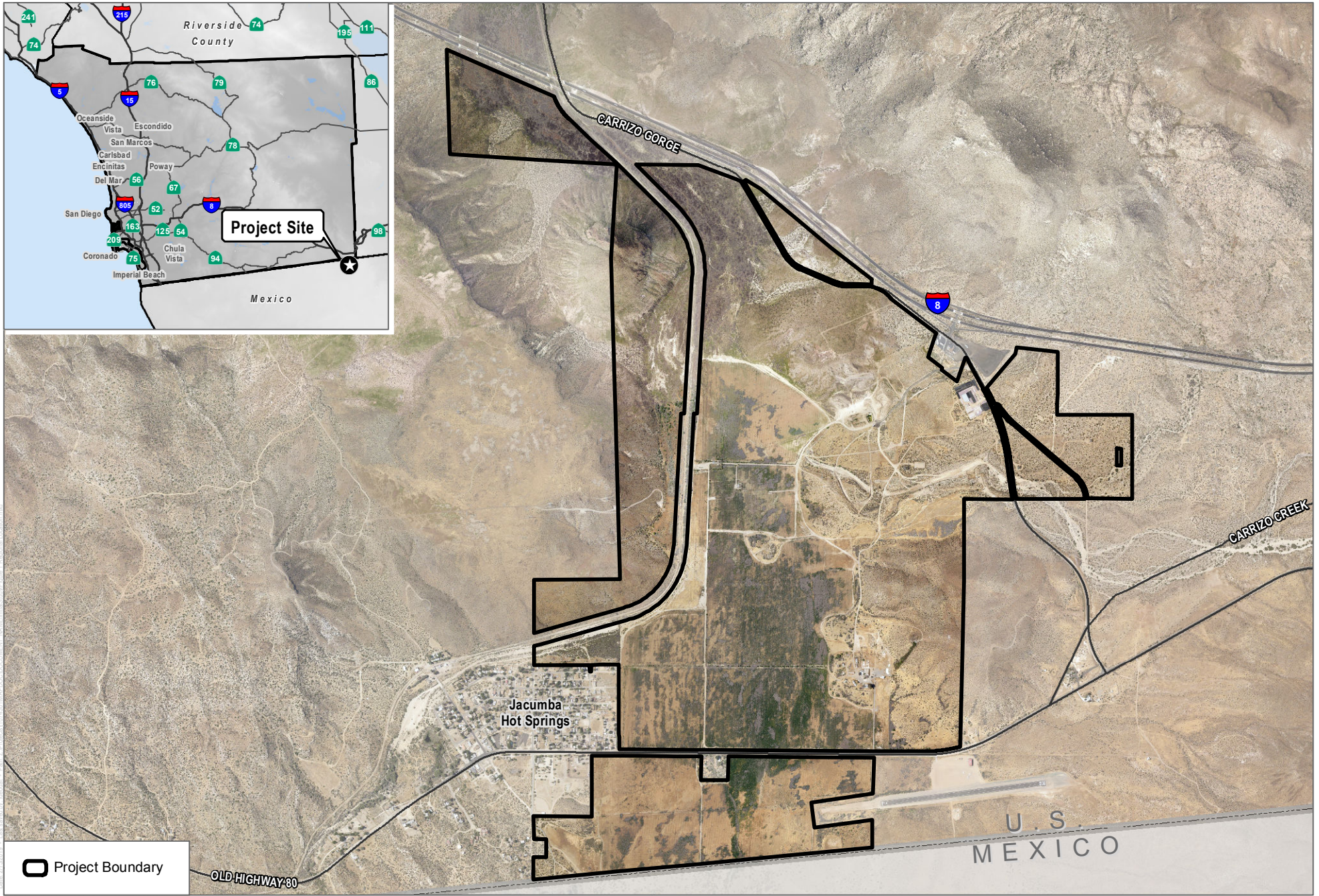
PUBLIC SCOPING MEETING:

Consistent with Section 21083.9 of the CEQA Statutes, a public scoping meeting will be held to solicit comments on the EIR. This meeting will be held on March 21, 2019, at 6:00 p.m. at the Highland Community Center, 44681 Old Highway 80, Jacumba Hot Springs.

Comments on this Notice of Preparation must to be sent to Bronwyn Brown, Planning and Development Services, 5510 Overland Avenue, Suite 310, San Diego, CA 92123 or by email to Bronwyn.Brown@sdcounty.ca.gov. Comments must be received no later than **April 8, 2019 at 4:00 p.m.** (a 30-day public review period). This Notice of Preparation can also be reviewed at the Jacumba Branch Library, 44605 Old Highway 80, Jacumba Hot Springs.

Attachments:

- Project Regional Location Map
- Environmental Initial Study



SOURCE: SANGIS 2017

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CEQA Initial Study - Environmental Checklist Form (Based on the State CEQA Guidelines, Appendix G)

1. Project Name:
JVR Energy Park (PDS2018-GPA-18-010; PDS2018-REZ-18-007;
PDS2018-MUP-18-022)
2. Lead agency name and address:
County of San Diego, Planning & Development Services
5510 Overland Avenue, 3rd Floor
San Diego, California 92123
3.
 - a. Contact: Bronwyn Brown, Project Manager
 - b. Phone number: (858) 495-5375
 - c. E-mail: Bronwyn.Brown@sdcounty.ca.gov
4. Project location:
The JVR Energy Park (Project) site totals approximately 1,345 acres in southeastern San Diego County. The Project site is located within the Jacumba Subregional Group Area of the Mountain Empire Subregional Plan area in unincorporated San Diego County. The Project site is located directly north of the U.S.–Mexico International Border, to the south of Interstate 8 (I-8), and immediately east of the community of Jacumba Hot Springs (see Regional Location Map). Regional access is provided by I-8. Access to the Project site would be provided off of Old Highway 80 and Carrizo Gorge Road. Land ownership in the surrounding area includes private land and State land (Anza Borrego State Park).
5. Project Applicant name and address:
JVR Energy Park, LLC
17901 Von Karman Avenue, Suite 1050
Irvine, California 92614
6. General Plan
Community Plan: Mountain Empire Subregional Plan
Land Use Designation: Specific Plan Area (SPA), Public Agency
Lands, Village Residential (VR-2), Rural Lands (RL-40), and Rural Commercial

Density: 1 du/40 acres
Floor Area Ratio (FAR): N/A

7. Zoning
Use Regulation: S80 (Open Space) S88 (Specific Plan), S92 (General Rural), and RR (Rural Residential)
Minimum Lot Size: 8 acres
Special Area Regulation: Airport Land Use Compatibility Plan Area (ALUCP) "C", and Specific Planning Area

8. Description of project:

The Project involves the construction and operation of a 90-megawatt (MW) solar energy facility and a 20-MW energy storage system. The Project components include the following and are described in greater detail below:

- Approximately 300,000 photovoltaic (PV) modules fitted on single axis trackers
- Direct current (DC) to alternative current (AC) conversion equipment (i.e., inverter and transformer units)
- A 1,000-volt to 1,500-volt DC underground collection system and a 34.5-kilovolt (kV) overhead and underground collection system linking the inverters to the on-site collector substation
- An on-site collector substation located on an approximately 22,500 square foot (150-foot by 150-foot) grounding mat atop gravel
- An approximately 20 MW battery energy storage system
- A 138 kV overhead transmission line (gen-tie) connecting the on-site substation to San Diego Gas and Electric's (SDG&E's) proposed Kettle One Substation located adjacent to the Project site

Decommissioning of the Project would occur at the end of the Project's useful life.

The Project proposes a General Plan Amendment and Rezone. The Project would also require a Major Use Permit (MUP) to authorize the development of the solar project, which is classified as a Major Impact Utility, pursuant to Sections 1350, 2705, and 2926 of the Zoning Ordinance. All anticipated Project permits and approvals required from the County are listed in Table 1 below. Other public agency permits/approvals are listed in Table 2 (see item 10 below).

**Table 1
County Permits/Actions Required**

Permit Type/Action
General Plan Amendment
Rezone
Major Use Permit for compliance with Sections 1350, 2705 and 2926 of the County Zoning Ordinance
Minor Use Permit
County Right-of-Way Permits (Construction Permit, Excavation Permit, and Encroachment Permit)

Building Permit
Grading Permit
Improvement Plans
Exploratory Borings, Direct-push Samplers and Cone Penotrometers Permits
Waiver of Board Policy I-111
Certification of Final EIR

PV Modules

The PV modules generate electricity by converting the energy of the sun's photons into DC electrons. The Project would include approximately 300,000 PV modules installed on single-axis trackers oriented in the north-south direction. The PV modules would cover the majority of the area of the proposed facility. Single-axis tracking systems would employ a motor mechanism which allow the arrays to track the path of the sun (from east to west) throughout the day. The mounting structures for the PV module arrays are typically mounted on metal pipe pile or I-beam foundations 6 to 10 inches in diameter. The beam would be driven into the soil to approximate depths of 10 to 15 feet. The PV modules, at their highest point, would be approximately 7 feet above the ground surface. For purposes of the analysis, the maximum height above the graded ground surface would be less than 9 feet. The PV modules are uniformly dark in color, non-reflective, and designed to be highly absorptive of all light that strikes their glass surfaces. The PV modules would comply with all industry standard quality testing. The PV modules would be electrically connected to the grounding system of the facility in accordance with local codes and regulations. The final PV module selection would be determined during the detailed engineering phase. The majority of PV modules are guaranteed a useful life of 35 years in adverse weather conditions.

Electrical Collection System

Electrical collection systems would be installed in conjunction with the panel arrays within the Project site, connecting each solar panel to a feeder circuit. Each feeder circuit would be connected to the on-site collector substation.

Inverters, Transformers, and Associated Equipment

Inverters are a key component of solar PV power-generating facilities because they convert the DC generated by the PV module array into AC that is compatible for use with the transmission network. The inverters within the electrical enclosures would convert the DC power to AC power and medium-voltage transformers would step up the voltage to collection level voltage (34.5 kV). The inverters, medium-voltage transformers, and other electrical equipment would be located throughout the Project site in 26 enclosures. The inverter skid consists of the inverter, switch gear, and transformer. The skid is then mounted on a set of driven piles with a grounding mat and surrounded by gravel.

Collector Substation

The Project would include a 22,500-square foot on-site collector substation (150-foot by 150-foot) that would be located near the center of the eastern portion of the

Project site. The purpose of the substation is to collect the power received from the collector lines and convert the voltage from 34.5 kV to 138 kV, as well as to be able to isolate equipment in the event of an electrical short-circuit, or for maintenance. The major components of the proposed on-site collector substation are as follows:

- One 34.5 kVA to 138 kVA transformer including secondary containment area per local and state regulations
- One 138 kV circuit breaker used to protect equipment from an electrical short circuit on the gen-tie. Disconnect switches, wire, cables and aluminum bus work used to connect and isolate the major pieces of equipment.
- The substation would also include a single 34.5 kV circuit breaker used to protect equipment from an electrical short circuit on the collection system, disconnects and bus work to connect and isolate the collector circuits, relays used to detect short circuits, equipment controls, telemetering equipment used to provide system control and data acquisition, voice communication, and the meters used to measure electrical power generated from the Project. Switching gear and other components would be a maximum of 60 feet in height.
- A 138 kV dead-end structure where the power output from each transformer is delivered to the gen-tie line
- One Control House for the supervisory control and data acquisition (SCADA) system that would be approximately 15 feet in height by 30 feet in length

Switchyard

The Project would include a 138kV switchyard which would be located adjacent to the proposed collector substation within the Project site. The switchyard would be accessible off of Carrizo Gorge Road. The switchyard may include circuit breakers, overhead electric bus work, switches, and controls, and a control building. The entire switchyard would be enclosed by a security fence. To provide for communication, a fiber optic cable would be placed underground to connect the collector substation to the switchyard. A redundant fiber optic cable would also be installed within the Project footprint and the proposed switchyard boundary. The switchyard would be transferred to SDG&E after construction.

Energy Storage System

A battery storage system is proposed which would consist of approximately 47 inverters in 26 enclosures located throughout the solar facility. The enclosures would be similar to storage containers and would be approximately 45 feet long by approximately 9 feet in height, and approximately eight feet wide. Each enclosure would include an air conditioning unit for cooling purposes and a self-extinguishing fire system.

Connector Line

The Project would interconnect to an existing 138 kV overhead transmission line. The length of the interconnecting, or gen-tie, line would be approximately 1,500 feet.

Control System

Operation of the solar facility would require monitoring through a SCADA system, which be located within a Control House in the collector substation yard. The SCADA system would be used to provide critical operation information (e.g., power production, equipment status and alarms, and meteorological information). The SCADA system would be monitored remotely and no on-site operations personnel would be necessary.

Roads

The primary access driveway would be approximately 35 feet wide and would provide access off of Old Highway 80. The secondary access would be off of Carrizo Gorge Road. The Project would include dual purposed fire access roads and service roads within the Project site. All road surfaces would have a permeable nontoxic soil binding agent in order to reduce fugitive dust and erosion. The interior site roads would be constructed to a minimum width of approximately 20 feet improved width. The roads would be graded and maintained to support the imposed loads of fire apparatus (50,000 pounds) and would be designed and maintained to provide all-weather driving capabilities.

Security Fencing

The solar facility would be fenced along the entire facility boundary for security with 7-foot high fencing that meets National Electrical Safety Code (NESC) requirements for protective arrangements in electric supply stations. Fencing would be a 6-foot-high chain link perimeter fence and 1 one foot of three strands of barbed wire. Additionally, an access-controlled gate would be installed at the collector substation driveway.

Lighting

Lighting would be designed to provide security lighting and general nighttime lighting for operation and maintenance personnel, as may be required from time to time. Lighting would be shielded and directed downward to minimize any effects to the surrounding area and would be used on as-needed basis only. Lighting would be provided at the entrance gates and the at the collector substation.

Construction

Construction of the Project is anticipated to last approximately 12months. Project construction would involve the following tasks:

- Clearing, grubbing and grading of Project site
- Development of staging areas and site access roads
- Trenching and installation of the DC and AC collection system

- Installation of PV systems, including assembly of fixed-tilt racks, pile driving of support racks, and placement of PV modules
- Construction of on-site collector substation
- Construction of switchyard
- Installation of battery energy storage system
- Installation of gen-tie transmission line
- Installation of permanent security fencing
- Soil stabilization and landscaping

The number of construction workers on site during construction would vary over the construction period. The number of workers on site is expected to average approximately 200 each day.

Water would be required during the construction phase of the Project. During construction, water would be used for road construction, dust suppression, concrete mixing for foundations, and fire protection.

Operation and Maintenance

The Project would be an unmanned facility that would be monitored remotely. The site would be secured 24 hours per day by remote security services with motion-detection cameras. Operational and maintenance activities would include the following: (1) routine inspection of overhead components and underground portions of cable systems, and repair as needed; (2) routine maintenance including, but not limited to, PV panel washing (approximately twice a year, as needed), equipment testing, monitoring, and repair; routine procedures to ensure service continuity; and standard preventative maintenance; (3) periodic switching and other operational activities at the collector substation; and (4) maintenance and repair of transmission facilities.

Facility Decommissioning

The Project would operate, at a minimum, for the life of a long-term Power Purchase Agreement (PPA). The initial term of the PPA for the solar facilities is anticipated to be 20 years, with additional terms possible. The lifespan of the solar facility equipment is estimated to be 35 years. Due to the establishment of the Project infrastructure (both physical and contractual), the continued operation of JVR Energy Park beyond the initial PPA term is very likely.

At the end of the useful project life, decommissioning would commence. A Decommissioning Plan would be developed in compliance with the standards and requirements for closing a site at the time decommissioning occurs.

When the facility is decommissioned, the panels would be removed for sale into a secondary solar PV panel market. The Project's components and on-site materials would be recycled as feasible. Remaining materials that cannot be recycled or reclaimed would be limited and would be contained and disposed of offsite, consistent with the County of San Diego Demolition and Debris Management Plan (County Ordinance 68.508-68.518).

Dismantling the Project would entail disassembly of the solar facilities and substantive restoration of the Project site. Impacts associated with closure and decommissioning of the Project site would be temporary. The use of the land would be returned to a use that is consistent with the County General Plan and the County Zoning Ordinance at that time.

9. Surrounding land uses and setting:

The Project site is located in the Jacumba area of southeastern San Diego County. The Project site is located within the area known as Ketchum Ranch, which previously included agricultural operations. The community of Jacumba Hot Springs is located directly west of the Project site, and the Jacumba Airport is located southeast of the Project site. The U.S/Mexico International Border and border fence is located along the southern boundary of the site.

The Project site is bisected by right-of-way (ROW) easements for Old Highway 80, SDG&E easements, and an easement for the San Diego and Arizona Railway. The Sunrise Powerlink and Southwest Powerlink bisect the site running east-west, each of which consists of a 500 kV electric transmission line supported by 150-foot-tall steel lattice structures.

Public land in the vicinity includes Anza Borrego State Park to the west and northwest of the Project site. The Bureau of Land Management (BLM) Jacumba Mountain Wilderness area is located approximately 10 miles to the east.

10. Other public agencies whose approval is required (e.g., permits, financing approval, or participation agreement), are listed in Table 2:

**Table 2
Other Public Agency Permits/Actions Required**

Permit Type/Action	Agency
<ul style="list-style-type: none"> Clean Water Act Section 401 Water Quality Certification General Construction Stormwater Permit 	Regional Water Quality Control Board (RWQCB)
<ul style="list-style-type: none"> Review and Approval of Proposed Project FAA 7460 – Aeronautical Study Determination of No Hazard 	Regional Airport Authority (SDCRAA)
<ul style="list-style-type: none"> 1603 – Streambed Alteration Agreement 	California Department of Fish and Wildlife (CDFW)
<ul style="list-style-type: none"> Transportation permits for the movement of vehicles or loads exceeding the limitations on the size and weight contained in Division 15, Chapter 5, Article 1, Section 35551, of the California Vehicle Code (1983) 	California Department of Transportation (Caltrans)

Table 2
Other Public Agency Permits/Actions Required

<u>Permit Type/Action</u>	<u>Agency</u>
<ul style="list-style-type: none">• Consistency with U.S. Customs and Border Protection safety and access policies	U.S. Department of Homeland Security, U.S. Border Patrol
<ul style="list-style-type: none">• Air Quality Permit to Construct	Air Pollution Control District (APCD)
<ul style="list-style-type: none">• Fire District Approval• Fire and Emergency Protection Services Agreement	San Diego County Fire Authority
<ul style="list-style-type: none">• Section 851 Advice Letter	California Public Utilities Commission (CPUC)
<ul style="list-style-type: none">• Section 7 Consultation	U.S. Fish and Wildlife Service (USFWS)

11. Have California Native American tribes traditionally and culturally affiliated with the project area requested consultation pursuant to Public Resources Code section 21080.3.1? If so, is there a plan for consultation that includes, for example, the determination of significance of impacts to tribal cultural resources, procedures regarding confidentiality, etc.?

Yes.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED: The environmental factors checked below would be potentially affected by this project and involve at least one impact that is a "Potentially Significant Impact" or a "Less Than Significant With Mitigation Incorporated," as indicated by the checklist on the following pages.

- | | | |
|---|--|--|
| <input checked="" type="checkbox"/> Aesthetics | <input checked="" type="checkbox"/> Agriculture and Forest Resources | <input checked="" type="checkbox"/> Air Quality |
| <input checked="" type="checkbox"/> Biological Resources | <input checked="" type="checkbox"/> Cultural Resources | <input checked="" type="checkbox"/> Energy |
| <input checked="" type="checkbox"/> Geology & Soils | <input type="checkbox"/> Greenhouse Gas Emissions | <input checked="" type="checkbox"/> Hazards & Haz. Materials |
| <input checked="" type="checkbox"/> Hydrology & Water Quality | <input checked="" type="checkbox"/> Land Use & Planning | <input checked="" type="checkbox"/> Mineral Resources |
| <input checked="" type="checkbox"/> Noise | <input type="checkbox"/> Population & Housing | <input checked="" type="checkbox"/> Public Services |
| <input type="checkbox"/> Recreation | <input checked="" type="checkbox"/> Transportation | <input checked="" type="checkbox"/> Tribal Cultural Resources |
| <input checked="" type="checkbox"/> Utilities & Service Systems | <input checked="" type="checkbox"/> Wildfire | <input checked="" type="checkbox"/> Mandatory Findings of Significance |

DETERMINATION: (To be completed by the Lead Agency)
On the basis of this initial evaluation:

- On the basis of this Initial Study, Planning & Development Services finds that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
- On the basis of this Initial Study, Planning & Development Services finds that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project have been made by or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
- On the basis of this Initial Study, Planning & Development Services finds that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

Susan Harris
Signature

3/1/19
Date

Susan Harris
Printed Name

Land Use/Environmental Planner
Title

INSTRUCTIONS ON EVALUATION OF ENVIRONMENTAL IMPACTS

1. A brief explanation is required for all answers except “No Impact” answers that are adequately supported by the information sources a lead agency cites in the parentheses following each question. A “No Impact” answer is adequately supported if the referenced information sources show that the impact simply does not apply to projects like the one involved (e.g., the project falls outside a fault rupture zone). A “No Impact” answer should be explained where it is based on project-specific factors as well as general standards (e.g., the project will not expose sensitive receptors to pollutants, based on a project-specific screening analysis).
2. All answers must take account of the whole action involved, including off-site as well as on-site, cumulative as well as project-level, indirect as well as direct, and construction as well as operational impacts.
3. Once the lead agency has determined that a particular physical impact may occur, then the checklist answers must indicate whether the impact is potentially significant, Less Than Significant With Mitigation Incorporated, or less than significant. “Potentially Significant Impact” is appropriate if there is substantial evidence that an effect may be significant. If there are one or more “Potentially Significant Impact” entries when the determination is made, an EIR is required.
4. “Less Than Significant With Mitigation Incorporated” applies where the incorporation of mitigation measures has reduced an effect from “Potentially Significant Impact” to a “Less Than Significant Impact.” The lead agency must describe the mitigation measures, and briefly explain how they reduce the effect to a less than significant level.
5. Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration. Section 15063(c)(3)(D). In this case, a brief discussion should identify the following:
 - a) Earlier Analysis Used. Identify and state where they are available for review.
 - b) Impacts Adequately Addressed. Identify which effects from the above checklist were within the scope of and adequately analyzed in an earlier document pursuant to applicable legal standards, and state whether such effects were addressed by mitigation measures based on the earlier analysis.
 - c) Mitigation Measures. For effects that are “Less Than Significant With Mitigation Incorporated,” describe the mitigation measures that were incorporated or refined from the earlier document and the extent to which they address site-specific conditions for the project.
6. Lead agencies are encouraged to incorporate into the checklist references to information sources for potential impacts (e.g., general plans, zoning ordinances). Reference to a previously prepared or outside document should, where appropriate, include a reference to the page or pages where the statement is substantiated.
7. The explanation of each issue should identify:
 - a) The significance criteria or threshold, if any, used to evaluate each question; and
 - b) The mitigation measure identified, if any, to reduce the impact to less than significant

I. AESTHETICS — Except as provided in the Public Resources Code Section 21099, would the project:

a) Have a substantial adverse effect on a scenic vista?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

A vista is a view from a particular location or composite views along a roadway or trail. Scenic vistas often refer to views of natural lands, but may also be compositions of natural and developed areas, or even entirely of developed and unnatural areas, such as a scenic vista of a rural town and surrounding agricultural lands. What is scenic to one person may not be scenic to another, so the assessment of what constitutes a scenic vista must consider the perceptions of a variety of viewer groups.

The items that can be seen within a vista are visual resources. Adverse impacts to individual visual resources or the addition of structures or developed areas may or may not adversely affect the vista. Determining the level of impact to a scenic vista requires analyzing the changes to the vista as a whole and also to individual visual resources.

Potentially Significant Impact: The Project includes the construction and operation of a solar energy facility in the Mountain Empire Subregional Plan area, adjacent to the community of Jacumba Hot Springs. The Project would include PV modules, battery storage units, an on-site substation, switchyard, internal roads, perimeter fencing, and a transmission line to the proposed Kettle One Substation adjacent to the Project site. A Visual Impact Analysis will be required to identify and address all potential impacts to scenic resources, and this issue will also be addressed in the Draft Environmental Impact Report (DEIR).

b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings, and historic buildings within a state scenic highway?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

State Scenic Highways refer to those highways that are officially designated by Caltrans as scenic as per the California Scenic Highway Program. Generally, the area defined within a State Scenic Highway is the land adjacent to and visible from the vehicular right-of-way. The dimension of a scenic highway is usually identified using a motorist's line of vision, but a reasonable boundary is selected when the view extends to the distant horizon. The scenic highway corridor extends to the visual limits of the landscape abutting the Scenic Highway.

Potentially Significant Impact: The Project includes the construction and operation of a solar energy facility, as described in item a) above. The Project site is located in the

vicinity of County Designated Scenic Highways, Interstate-8 (I-8) and Old Highway 80, as identified in the Open Space and Conservation Element of the County's General Plan. A Visual Impact Analysis will be prepared to identify and address all potential impacts to scenic resources including Scenic Highways, and this issue will be addressed in the DEIR.

- c) In non-urbanized areas, substantially degrade the existing visual character or quality of the public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points). If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project includes the construction and operation of a solar energy facility within the Mountain Empire Subregional Plan area. A Visual Impact Analysis will be required to identify and address all potential impacts to scenic resources, and this issue will be addressed in the DEIR.

- d) Create a new source of substantial light or glare, which would adversely affect day or nighttime views in the area?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project includes the construction and operation of a solar energy facility utilizing PV panel technology within the Mountain Empire Subregional Plan area. A Visual Impact Analysis will be required, and will analyze whether the Project would produce substantial glare from the PV panels and lighting from the facility. This issue will be addressed in the DEIR.

II. AGRICULTURE AND FORESTRY RESOURCES — Would the project:

- a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide or Local Importance (Important Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, or other agricultural resources, to non-agricultural use?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: According to the California Department of Conservation (2018) Farmland Mapping and Monitoring Program (FMMP), portions of the project site are categorized as Prime Farmland or Farmland of Statewide Importance. Therefore, this Project

has the potential to convert protected or important farmland. Local Agricultural Resources Assessment (LARA) Model Results will be required to identify and address all impacts to agricultural resources including whether the Project will convert Prime Farmland or Farmland of Statewide Importance. This topic will be addressed in the DEIR.

b) Conflict with existing zoning for agricultural use or a Williamson Act contract?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The zoning for most of the Project site is Specific Plan (S-88). One parcel in the easternmost portion of the site is zoned General Rural (S-92). Parcels in the vicinity of the Jacumba Airport are zoned Open Space (S-80) and one very small parcel within the village area is zoned Rural Residential (RR). The Project proposes a zoning classification of S-92 for the entire Project site. Portions of the Project site are considered Prime Farmland or Farmland of Statewide Importance by the California Department of Conservation FMMP. Though the Project site is not under a Williamson Act Contract, there are lands within the Project site classified as Prime Farmland or Farmland of Statewide Importance. Therefore, the Project has the potential to result in a significant impact and this topic will be addressed in the DEIR.

c) Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), or timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Government Code section 51104(g))?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The Project site does not contain forest lands or timberland. Therefore, Project implementation would not conflict with existing zoning for, or cause rezoning of, forest land, timberland, or timberland production zones.

d) Result in the loss of forest land, conversion of forest land to non-forest use, or involve other changes in the existing environment, which, due to their location or nature, could result in conversion of forest land to non-forest use?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The Project site, including any off-site improvements, does not contain any forest lands as defined in Public Resources Code section 12220(g); therefore, Project implementation would not result in the loss or conversion of forest land to a non-forest

use. In addition, the Project site is not located in the vicinity of forest resources.

- e) Involve other changes in the existing environment, which, due to their location or nature, could result in conversion of Important Farmland or other agricultural resources, to non-agricultural use?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project contains portions of land that are considered Prime Farmland or Farmland of Statewide Importance by the California Department of Conservation FMMP. Therefore, the Project has the potential to result in the conversion of Important Farmland to non-agricultural use. This topic will be addressed in the EIR.

III. AIR QUALITY — Where available, the significance criteria established by the applicable air quality management or air pollution control district may be relied upon to make the following determinations. Would the project:

- a) Conflict with or obstruct implementation of the San Diego Regional Air Quality Strategy (RAQS) or applicable portions of the State Implementation Plan (SIP)?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project has the potential to obstruct implementation of the RAQS or SIP. An air quality study will be completed to identify and address any direct and/or cumulative air quality impacts resulting from the Project, specifically construction. Air quality will be addressed in the DEIR.

- b) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

San Diego County is presently in nonattainment for the 1-hour concentrations under the California Ambient Air Quality Standard (CAAQS) for ozone (O₃). San Diego County is also presently in nonattainment for the annual geometric mean and for the 24-hour concentrations of particulate matter less than or equal to 10 microns (PM₁₀) under the CAAQS. O₃ is formed when VOCs and nitrogen oxides (NO_x) react in the presence of sunlight. VOC sources include any source that burns fuels (e.g., gasoline, natural gas,

wood, oil), solvents, petroleum processing and storage, and pesticides. Sources of PM₁₀ in both urban and rural areas include motor vehicles, wood burning stoves and fireplaces, dust from construction, landfills, agriculture, wildfires, brush/waste burning, and industrial sources of windblown dust from open lands.

Potentially Significant Impact: Air quality emissions associated with the Project could include emissions of PM₁₀, NO_x, and VOCs from construction/grading activities. An air quality study will be completed to identify and address any direct and/or cumulative air quality impacts resulting from the project. Air quality will be addressed in the DEIR.

c) Expose sensitive receptors to substantial pollutant concentrations?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Air quality regulators typically define sensitive receptors as schools (preschool–12th Grade), hospitals, resident care facilities, or day-care centers, or other facilities that may house individuals with health conditions that would be adversely impacted by changes in air quality. The County of San Diego also considers residences as sensitive receptors because they house children and the elderly.

Potentially Significant Impact: The Project has the potential to impact sensitive receptors during construction. Therefore, an air quality study will be completed to identify and address any direct and/or cumulative air quality impacts resulting from the Project on sensitive receptors. Air quality will be addressed in the DEIR.

d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project would not be considered an odor generating Project, and VOC emissions from architectural coatings and other potential sources of odor are not expected to be significant. However, some odors would be present during the construction phase of the Project. Therefore an air quality study will be completed to identify and address any direct and/or cumulative air quality impacts resulting from the Project. Air quality will be addressed in the DEIR.

IV. BIOLOGICAL RESOURCES — Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project has the potential to directly and indirectly impact candidate, sensitive, or special status species. A biological resources report will be completed to identify and address any direct and/or cumulative biological resources impacts resulting from the Project. This topic will be addressed in the DEIR.

- b) Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project has the potential to have an adverse effect on riparian and other sensitive natural communities. Therefore, a biological resources report will be completed to identify and address any direct and/or cumulative impacts to sensitive natural communities resulting from the Project. This topic will be addressed in the DEIR.

- c) Have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project site contains sensitive biological habitats with the potential for use by sensitive and/or protected species. A biological resources report will be completed to identify and address any direct and/or cumulative impacts to sensitive biological habitats resulting from the project. This topic will be addressed in the DEIR.

- d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project has the potential to impact native resident or migratory wildlife corridors. A biological resources report will be completed to identify and address any direct and/or cumulative impacts to wildlife movement resulting from the Project. This topic will be addressed in the DEIR.

- e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project has the potential to conflict with local policies or ordinances protecting biological resources. A biological resources report will be completed to identify and address any direct and/or cumulative impacts resulting from the project. This topic will be addressed in the DEIR.

- f) Conflict with the provisions of any adopted Habitat Conservation Plan, Natural Communities Conservation Plan, other approved local, regional or state habitat conservation plan?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project site is located in the draft Multiple Species Conservation Program (MSCP) East County Planning Area. The document is in draft form and thus is being mentioned here for informational purposes. A biological resources report will be completed and this topic will be addressed in the DEIR.

V. CULTURAL RESOURCES — Would the project:

- a) Cause a substantial adverse change in the significance of a historical resource pursuant to 15064.5?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: Historical resources may be located on the Project site and/or in the nearby vicinity, the significance of which will be evaluated within a Cultural Resources Report. Any direct and/or cumulative impacts to cultural resources that result from the Project will be addressed in the DEIR.

- b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to 15064.5?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: Cultural resources have been identified in the vicinity of the Project site, the significance of which will be evaluated within a Cultural Resources Report. Any direct and/or cumulative impacts to cultural resources that result from the Project will be addressed in the DEIR.

c) Disturb any human remains, including those interred outside of formal cemeteries?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: Cultural resources have been identified on the project site, the significance of which will be evaluated within a Cultural Resources Report. Any direct and/or cumulative impacts to cultural resources that result from the project will be addressed in the DEIR.

VI. ENERGY -- Would the project:

a) Result in potentially significant environmental impact due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project could result in electricity, natural gas, petroleum, and other resources use during the construction phase. Operation of the solar energy facility is expected to reduce overall energy use throughout the region and is not expected to result in the wasteful or inefficient use of energy. Although the Project is a renewable energy project and would be expected to reduce energy use throughout the region, potential impacts from the inefficient, wasteful, and unnecessary consumption of nonrenewable energy will be evaluated in the DEIR.

b) Conflict with or obstruct a state or local plan for renewable energy or energy efficiency?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project's consistency with state and local plans for renewable energy or energy efficiency will be analyzed in the DEIR.

VII. GEOLOGY AND SOILS — Would the project:

a) Directly or indirectly cause potential substantial adverse effects, including the risk of loss, injury, or death involving:

i. Rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? Refer to Division of Mines and Geology Special Publication 42.

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

No Impact: The Project site is not located in a fault rupture hazard zone (County of San Diego 2007, Figures 1 and 2) identified by the Alquist-Priolo Earthquake Fault Zoning Act, Special Publication 42, Revised 2018, Fault-Rupture Hazards Zones in California, or located within any other area with substantial evidence of a known fault. The Project would not involve construction of any habitable structures; however, the Project site is located adjacent to the habitable structures. Due to the seismically active nature of southern California, the Project could expose people or structures to potentially significant impacts. A Geologic Investigation Report will be prepared and this topic will be addressed in the DEIR.

ii. Strong seismic ground shaking?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less-Than-Significant Impact: To ensure the structural integrity of all structures, the Project must conform to the Seismic Requirements as outlined within the California Building Code. The County Code requires a soils compaction report with proposed foundation recommendations to be approved before the issuance of a building permit. Therefore, compliance with the California Building Code and the County Code ensures the project will not result in a potentially significant impact from the exposure of people or structures to potential adverse effects from strong seismic ground shaking; however, a Geologic Investigative Report will be prepared and this topic will be addressed in the DEIR.

iii. Seismic-related ground failure, including liquefaction?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less-Than-Significant Impact: Portions of the Project site contain potential liquefaction areas as found in the County Guidelines for Determining Significance for Geologic Hazards. Any measures which may be needed to mitigate potential impacts from liquefaction to levels less than significant, and environmental design considerations, will be addressed in the Geologic Investigative Report and the DEIR.

iv. Landslides?

- | | |
|--|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant | <input type="checkbox"/> No Impact |
| <input type="checkbox"/> With Mitigation Incorporated | |

Potentially Significant Impact: The Project site is located within the vicinity of a "Landslide Susceptibility Area" as identified in the County Guidelines for Determining Significance for Geologic Hazards. Landslide Susceptibility Areas were developed based on landslide risk profiles included in the Multi-Jurisdictional Hazard Mitigation Plan, San Diego, CA (UES and UDC 2017). Landslide risk areas from this plan were based on data including steep slopes (greater than 25%); soil series data (San Diego Association of Governments (SANDAG) based on U.S. Geological Survey (USGS) 1970s series); soil-slip susceptibility from USGS; and Landslide Hazard Zone Maps (limited to western portion of the County) developed by the California Department of Conservation, Division of Mines and Geology. Also included within Landslide Susceptibility Areas are gabbroic soils on slopes steeper than 15% in grade because these soils are slide prone. Because the Project site is located in the vicinity of an identified Landslide Susceptibility Area, the Project has the potential to result in a significant impact from the exposure of people or structures to potential adverse effects from landslides. This topic will be addressed in the DEIR.

b) Result in substantial soil erosion or the loss of topsoil?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The project will develop a stormwater management plan that will detail how erodible soils will be protected during grading, construction, and operation of the proposed facilities. This issue will be addressed in the DEIR.

c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in an on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant Impact: The Project involves site grading for installation of PV solar panels that would result in the creation of areas of cut and areas underlain by fill. In order to assure that all proposed structures and facilities on the project site are adequately supported (whether on native soils, cut, or fill), a Geologic Investigation Report will be prepared and soil stability will be further discussed in the DEIR.

d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial direct or indirect risks to life or property?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant Impact: As shown in the County of San Diego Geologic Hazards Guidelines (Figure 6, Potential Expansive Soils), the Project site may contain expansive soils (County of San Diego 2007, 2011), as defined by Table 18-1-B of the Uniform Building Code (1994). The soils on site are mostly La Posta rocky/loamy coarse sand, with areas of Mottsville loamy coarse sand, Tollhouse rocky coarse sandy loam, Calpine coarse sandy loam, and loamy alluvial land. This was confirmed by a review of the Soil Survey for the San Diego Area (Conservation Biology Institute 2011), prepared by the U.S. Department of Agriculture, Soil Conservation and Forest Service dated December 1973. A Geologic Investigation Report will be prepared and soil expansion will be further discussed in the DEIR.

e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The Project does not include the use of septic tanks or alternative wastewater disposal systems.

f) Directly or indirectly destroy a unique paleontological resource or site or unique geologic feature?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project site may contain unique geologic features. A Geologic Investigation Report will be prepared. Any unique paleontological resources and geologic features will be addressed in the DEIR.

VIII. GREENHOUSE GAS EMISSIONS — Would the project:

a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant Impact: Greenhouse gas (GHG) emissions are said to result in an increase in the Earth's average surface temperature commonly referred to as global warming. This rise in global temperature is associated with long-term changes in precipitation, temperature, wind patterns, and other elements of the Earth's climate system, known as climate change. These changes are now broadly attributed to GHG emissions, particularly those emissions that result from the human production and use of fossil fuels.

GHGs include carbon dioxide, methane, halocarbons, and nitrous oxide, among others. Human induced GHG emissions are a result of energy production and consumption, and personal vehicle use, among other sources. A regional GHG inventory prepared for the San Diego Region (Energy Policy Initiatives Center and Ascent Environmental Inc. 2017) identified on-road transportation (cars and trucks) as the largest contributor of GHG emissions in the region, accounting for 45% of the total regional emissions. Electricity and natural gas combustion were the second (24%) and third (9%) largest regional contributors, respectively, to regional GHG emissions.

Climate changes resulting from GHG emissions could produce an array of adverse environmental impacts including water supply shortages, severe drought, increased flooding, sea level rise, air pollution from increased formation of ground level ozone and particulate matter, ecosystem changes, increased wildfire risk, agricultural impacts, ocean and terrestrial species impacts, among other adverse effects. It should be noted that an individual project's GHG emissions will generally not result in direct impacts under CEQA, as the climate change issue is global in nature; however, an individual project could be found to contribute to a potentially significant cumulative impact.

In 2006, the State of California passed the Global Warming Solutions Act of 2006, commonly referred to as Assembly Bill (AB) 32, which set the GHG emissions reduction goal for the state into law. The law requires that by 2020, state emissions must be reduced to 1990 levels by reducing GHG emissions from significant sources via regulation, market mechanisms, and other actions.

SB 32 and AB 197 (enacted in 2016) are companion bills that set a new statewide GHG reduction target; make changes to CARB's membership, and increase legislative oversight of CARB's climate change-based activities; and expand dissemination of GHG and other air quality-related emissions data to enhance transparency and accountability. More specifically, SB 32 codified the 2030 emissions reduction goal of EO B-30-15 by

requiring CARB to ensure that statewide GHG emissions are reduced to 40 percent below 1990 levels by 2030.

In 2018, the State enacted SB 100 that requires 60 percent of retail electricity to be secured from renewable sources and 100 percent of all electricity to be secured from “zero-carbon” sources by 2045. In addition, Gov. Brown issued EO B-55-18, which sets a statewide goal of reaching carbon neutrality by 2045, with net negative GHG emissions from that point forward.

The project consists of a 90 MW solar energy project that will provide renewable energy. Although the Project facilitates the development of renewable energy sources in place of a typical fossil fuel-based electrical generation resulting in long-term air quality benefits, the development could have the potential to result in emissions related to construction activities and vehicle trips. Emissions from the construction activities are anticipated to be minimal, temporary, and localized. Operational emissions are anticipated to be minimal and would be generated from vehicle trips for ongoing operation and maintenance activities. The Project is expected to offset GHG emissions by serving as a long-term renewable energy source, thereby decreasing overall emissions attributable to electrical generation in California and assisting the state in meeting its 50 percent by 2030 and 60 percent by 2045 Renewable Portfolio Standard, which was put in place by SB 350 and SB 100. A climate change analysis will be prepared in order to GHG emissions. This topic will be further discussed in the DEIR.

b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant Impact: For the reasons discussed in response VII (a), the Project is not anticipated to impede the implementation of any applicable plan, policy or regulation adopted for the purpose of reducing GHG emissions. Regardless, a climate change analysis will be prepared and this topic will be discussed in the DEIR.

IX. HAZARDS AND HAZARDOUS MATERIALS — Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, storage, use, or disposal of hazardous materials?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant Impact: The Project includes the construction and operation of a solar energy facility. The Project would include PV modules, battery storage units, an on-site substation, switchyard, internal roads, perimeter fencing, and a transmission line

Solar energy projects typically involve the use of the following chemicals: insulating oil, lubricating oil, solvents/detergents, and gasoline. However, the Project will not result in a significant hazard to the public or environment because all storage, handling, transport, emission, and disposal of hazardous substances will be in full compliance with local, state, and federal regulations. California Government Code Section 65850.2 requires that no final certificate of occupancy or its substantial equivalent be issued unless there is verification that the owner or authorized agent has met, or is meeting, the applicable requirements of the Health and Safety Code, Division 20, Chapter 6.95, Article 2, Sections 25500–25520.

The San Diego County Department of Environmental Health – Hazardous Materials Division (DEH HMD) is the Certified Unified Program Agency (CUPA) for San Diego County responsible for enforcing Chapter 6.95 of the Health and Safety Code. As the CUPA, the DEH HMD is required to regulate hazardous materials business plans and chemical inventory, hazardous waste and tiered permitting, underground storage tanks, and risk management plans. The hazardous materials business plan is required to contain basic information on the location, type, quantity, and health risks of hazardous materials stored, used, or disposed of on site. The plan also contains an emergency response plan which describes the procedures for mitigating a hazardous materials release, procedures and equipment for minimizing the potential damage of a hazardous materials release, and provisions for immediate notification of the HMD, the Office of Emergency Services, and other emergency response personnel such as the local Fire Agency having jurisdiction. Implementation of the emergency response plan facilitates rapid response in the event of an accidental spill or release, thereby reducing potential adverse impacts. Furthermore, the DEH HMD is required to conduct ongoing routine inspections to ensure compliance with existing laws and regulations; to identify safety hazards that could cause or contribute to an accidental spill or release; and to suggest preventative measures to minimize the risk of a spill or release of hazardous substances.

Therefore, due to the strict requirements that regulate hazardous substances outlined above and the fact that the initial planning, ongoing monitoring, and inspections will occur in compliance with local, state, and federal regulation, the Project would not result in any potentially significant impacts related to the routine transport, use, and disposal of hazardous substances or related to the accidental explosion or release of hazardous substances. Thus, this will not be further discussed in the DEIR.

b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less than Significant Impact: The Project includes the construction and operation of a solar energy facility. As described above, the Project will adhere to the strict requirements that regulate hazardous materials and will be in compliance with local, state, and federal

regulation. Therefore, the Project would not create a significant hazard to the public through reasonably upset and accident conditions involving the release of hazardous materials. Thus, this will not be further discussed in the DEIR.

c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The Project is not located within 0.25 mile of an existing or proposed school. Therefore, the Project will not have any effect on an existing or proposed school.

d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5, or is otherwise known to have been subject to a release of hazardous substances and, as a result, would it create a significant hazard to the public or the environment?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: Based on an initial regulatory database search, the Project site is not included in the State of California Hazardous Waste and Substances site list (Department of Toxic Substances Control 2018). However, the Project site is located within 1,000 feet of a Formerly Used Defense Site (FUDS) (ACOE 2015). A more thorough search of all hazardous sites compiled pursuant to Government Code Section 65962.5 will occur and this will be addressed in the Phase I ESA. Hazardous materials sites will be addressed in the DEIR.

e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard or excessive noise for people residing or working in the project area?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project is located within the Airport Influence Area of the Jacumba Airport Land Use Compatibility Plan (ALUCP). Portions of the Project would be constructed within Airport Safety Zones and would require Federal Aviation Administration (FAA) approval. Therefore, the Project has the potential to result in a significant impact, and this topic will addressed in the DEIR.

f) Impair implementation of or physically interfere with an adopted emergency response plan or emergency evacuation plan?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

The following sections summarize the project's consistency with applicable emergency response plans or emergency evacuation plans.

i. OPERATIONAL AREA EMERGENCY PLAN AND MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN:

Less Than Significant Impact: The Operational Area Emergency Plan (OES 2010) is a comprehensive emergency plan that defines responsibilities, establishes an emergency organization, defines lines of communications, and is designed to be part of the statewide Standardized Emergency Management System. The Operational Area Emergency Plan provides guidance for emergency planning and requires subsequent plans to be established by each jurisdiction that has responsibilities in a disaster situation. The Multi-Jurisdictional Hazard Mitigation Plan (OES and UDC 2017) includes an overview and discussion of the risk assessment process, hazards present in the jurisdiction, hazard profiles, and vulnerability assessments. The plan also identifies goals, objectives, and actions for each jurisdiction in the County of San Diego, including all cities and the County's unincorporated areas. The Project would not interfere with this plan because it will not prohibit subsequent plans from being established or prevent the goals and objectives of existing plans from being carried out.

ii. SAN DIEGO COUNTY NUCLEAR POWER STATION EMERGENCY RESPONSE PLAN

No Impact: The Project would not interfere with the San Diego County Nuclear Power Station Emergency Response Plan due to the location of the Project and the specific requirements of the plan. The emergency plan for the San Onofre Nuclear Generating Station (SONGS) includes an emergency planning zone within a 10-mile radius. All land area within 10 miles of SONGS is not within the jurisdiction of the unincorporated County and, as such, a project in the unincorporated area is not expected to interfere with any response or evacuation.

iii. OIL SPILL CONTINGENCY ELEMENT

No Impact: The Project is not located along the coastal zone or coastline; therefore, it would not interfere with the Oil Spill Contingency Element.

iv. EMERGENCY WATER CONTINGENCIES ANNEX AND ENERGY SHORTAGE RESPONSE PLAN

No Impact: The Project would not alter a major water or energy supply infrastructure, such as the California Aqueduct; therefore, it would not interfere with the Emergency Water Contingencies Annex and Energy Shortage Response Plan.

v. DAM EVACUATION PLAN

No Impact: The Project is not located within a dam inundation zone; therefore, it would not interfere with the Dam Evacuation Plan.

g) Expose people or structures, either directly or indirectly, to a significant risk of loss, injury or death involving wildland fires?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project site is located in a “very high” Fire Hazard Severity Zone as determined by the California Department of Forestry and Fire Protection. A Fire Protection Plan (FPP) will be prepared for the Project that will describe how the Project will comply with requirements related to emergency access, water supply, and fire suppression design measures in consideration of the high concentration of electrical equipment that will be present on the Project site. The FPP will identify and address any direct and/or cumulative impacts resulting from the Project regarding fire hazards, and this topic will be addressed in the DEIR.

X. HYDROLOGY AND WATER QUALITY -- Would the project:

a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project site may contain jurisdictional areas, and the Project may propose discharges (in the form of soil material) to those areas during the construction phase of the Project. If this occurs, the project may be required to obtain a Section 401 Water Quality Certification, General Construction Storm Water Permit, and Waste Discharge Requirements Permit from the San Diego Basin or Colorado River Basin RWQCBs. This topic will be addressed in the DEIR.

b) Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, could the project result in an increase in any pollutant for which the water body is already impaired?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant Impact: According to the Clean Water Act Section 303(d) list, the nearest impaired water body is Cottonwood Creek approximately 35 miles west of the Project site, and outside the watershed of the Project site. Therefore, it is unlikely that any pollutants that might be generated by the Project would contribute to this impaired water body. However, a stormwater management plan will be prepared for the project that will address all necessary best management practices (BMPs) to ensure that potential pollutants will be reduced in any runoff to the maximum extent practicable so as not to impact receiving waters. Although impacts are anticipated to be less than significant, this topic will be further discussed in the DEIR.

c) Could the proposed project cause or contribute to an exceedance of applicable surface or groundwater receiving water quality objectives or degradation of beneficial uses?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project would utilize groundwater for the construction and operational phases of the Project. During construction water would be used for mixing concrete for foundations, during road construction, dust suppression, soil stabilization, and fire protection. During operation of the solar facility, water would be used for washing the solar modules and for annual reapplication of the soil stabilizers. A stormwater management plan will be prepared for the Project that will address all necessary BMPs to prevent significant impacts to water quality and ensure potential pollutants will be reduced in any runoff to the maximum extent practicable so as not to impact receiving waters. This topic will be addressed in the DEIR.

d) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project would utilize groundwater for the construction and operational phases of the Project. During construction water would be used for mixing concrete for foundations, during road construction, dust suppression, soil stabilization, and fire protection. During operation of the solar facility, water would be used for washing the solar modules and for annual reapplication of the soil stabilizers. A Groundwater Investigation Report will be prepared and this topic will be addressed in the DEIR.

e) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or through the addition of impervious surfaces, in a manner which would:

i. Result in substantial erosion or siltation on- or off-site;

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project would include solar energy facility components, access roads, and other improvements which alter the existing drainage pattern of the Project site. A drainage study will be required for the Project, including an analysis of drainage conditions before and after development of the Project. This topic will be addressed in the DEIR.

ii. Substantially increase the rate or amount of surface water in a manner which would result in flooding on- or off-site?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project would include solar energy facility components, access roads, and other improvements which may increase the rate or amount of surface water. Roads would be located away from drainage bottoms, steep slopes, and erodible soils if practicable, and would be designed to maintain current surface water runoff patterns and prevent flooding. A drainage study will be required for the Project, including an analysis of runoff quantities and condition before and after development of the Project. This topic will be addressed in the DEIR.

iii. Create or contribute runoff water which would exceed the capacity of existing or planned storm water drainage systems or provide substantial additional sources of polluted runoff?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project would include solar energy facility components, access roads, and other improvements which may create or contribute runoff water or provide additional sources of polluted runoff. . A drainage study will be required for the Project that will evaluate proposed storm water drainage systems. This topic will be addressed in the DEIR.

iv. Impede or redirect flood flows?

- | | |
|--|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
|--|---|

- Less Than Significant With Mitigation Incorporated No Impact

Potentially Significant Impact: The Project site is not identified as being within a 100-year flood hazard area as determined by a review of FEMA panels 06073C2350F and 06073C2100F (FEMA 2012). However, the Project would include solar energy facility components, access roads, and other improvements which may impede or redirect flood flows. A drainage study will be required for the Project that will evaluate flood flows. This issue will be addressed in the DEIR.

f) In flood hazard, tsunami, or seiche zones, risk release of pollutants due to project inundation?

- Potentially Significant Impact Less than Significant Impact
 Less Than Significant With Mitigation Incorporated No Impact

Potentially Significant Impact: The Project site is not located along the shoreline of a lake or reservoir; therefore, it could not be inundated by a seiche. The Project site is located more than 1 mile from the coast; therefore, in the event of a tsunami, it would not be inundated. A drainage transects the Project site, therefore, there is a risk of release of pollutants due to potential Project inundation. This topic will be addressed in the DEIR.

g) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?

- Potentially Significant Impact Less than Significant Impact
 Less Than Significant With Mitigation Incorporated No Impact

Potentially Significant Impact: The Project would utilize groundwater for construction and operation and has the potential to conflict with or obstruct a water quality control plan or sustainable groundwater management plan. Therefore, a Groundwater Investigation Report will be prepared and this topic will be addressed in the DEIR.

Potentially Significant Impact:

h) Provide substantial additional sources of polluted runoff?

- Potentially Significant Impact Less than Significant Impact
 Less Than Significant With Mitigation Incorporated No Impact

Potentially Significant Impact: No substantial additional sources of polluted runoff are anticipated to occur as a result of the Project beyond those discussed in responses a) through c) above. A stormwater management plan will be prepared for the Project that will address all necessary BMPs to ensure that potential pollutants will be reduced in any

runoff to the maximum extent practicable so as not to impact water quality. This topic will be addressed in the DEIR.

XI. LAND USE AND PLANNING — Would the project:

a) Physically divide an established community?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project is a solar energy facility with a development footprint of approximately 691 acres. The Project site is located adjacent to the community of Jacumba Hot Springs. This topic will be addressed in the DEIR.

b) Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project is subject to the General Plan Village and Rural Lands Regional Categories. The existing General Plan Land Use Designations include Specific Plan (SPA), Village Residential (VR-2), Rural Commercial, Public Agency Lands, and Rural Lands 80 (RL-80), Land Use Designations. The Project is also subject to the policies of the Mountain Empire Subregional Plan. The existing Zoning includes S80 (Open Space) S88 (Specific Plan), S92 (General Rural), and RR (Rural Residential). The Project proposes a General Plan Amendment and Rezone. Additionally, the proposed use can only be allowed with the approval of a Major Use Permit on the Project site. This topic will be addressed in the DEIR.

XII. MINERAL RESOURCES — Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?

- | | |
|---|--|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The lands within the Project site have not been classified by the California Department of Conservation – Division of Mines and Geology (Update of Mineral Land Classification: Aggregate Materials in the Western San Diego Production-Consumption Region, 1997). The Project site is underlain by Quaternary alluvium, which may contain mineral resource deposits suitable for crushed rock. However, the Project

would require a decommissioning plan and would not result in a permanent loss of mineral resources. This topic will be addressed in the DEIR.

b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

Potentially Significant Impact: The Project site is underlain by Quaternary alluvium, which is considered a locally important mineral resource. However, the Project would not result in a permanent loss of this mineral resource. This topic will be addressed in the DEIR.

XIII. NOISE — Would the project result in:

a) Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project may produce noise during construction and operation which could exceed the applicable sound limits of the Noise Element of the County's General Plan. A Noise Analysis Report will be prepared for the Project that will evaluate noise generating sources of the Project for conformance with the County Noise Ordinance and General Plan, and in comparison with existing noise levels on the Project site. This topic will be addressed in the DEIR.

b) Generation of excessive groundborne vibration or groundborne noise levels?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project may produce groundborne vibration or groundborne noise during construction of the Project. A Noise Analysis Report will be prepared for the Project that will evaluate noise generating sources of the project for conformance with the County Noise Ordinance and General Plan, and in comparison with existing noise levels on the Project site. Analysis will include the potential for groundborne vibration and groundborne vibration noise levels during the construction phase of the project. This topic will be addressed in the DEIR.

- c) For a project located within the vicinity of a private airstrip or an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project is located within the Airport Influence Area of the Jacumba ALUCP. The Jacumba Airport is a very low-volume facility which can only handle small aircraft, however, given the proximity to the Project site, construction workers could be exposed to excessive noise levels during Project construction. This topic will be addressed in the DEIR.

XIV. POPULATION AND HOUSING — Would the project:

- a) Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less-Than-Significant Impact: The Project would develop a solar energy project to supply California and the County of San Diego with additional renewable energy supplies. However, this physical change would not induce population growth in the Jacumba area because there would be no extension of water, sewer, or public roadways into previously unserved areas. No regulatory changes are proposed that would allow increased population growth.

- b) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less-Than-Significant Impact: A residence is located within the Project site; however, the residence is currently not occupied. The Project would not displace a substantial number of people or housing.

XV. PUBLIC SERVICES

- a) Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, need for new or

physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance service ratios, response times or other performance objectives for any of the public services:

- i. Fire protection?
- ii. Police protection?
- iii. Schools?
- iv. Parks?
- v. Other public facilities?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project does not propose residential use and is not expected to significantly alter the need for schools, parks, or sheriff facilities. However, regarding fire protection, a Fire Protection Plan will be prepared that will address measures to reduce fire risk in the area and evaluate the adequacy of existing emergency service facilities in relation to the determined fire risk. Fire protection will be addressed in the DEIR.

XVI. RECREATION

- a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The Project does not involve any residential use, including, but not limited to, a residential subdivision, mobile home park, or construction for a single-family residence that may increase the use of existing neighborhood and regional parks or other recreational facilities in the vicinity.

- b) Does the project include recreational facilities or require the construction or expansion of recreational facilities, which might have an adverse physical effect on the environment?

- | | |
|---|---|
| <input type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input checked="" type="checkbox"/> No Impact |

No Impact: The Project does not include recreational facilities or require the construction or expansion of recreational facilities. Therefore, the construction or

expansion of recreational facilities cannot have an adverse physical effect on the environment.

XVII. TRANSPORTATION— Would the project:

- a) Conflict with a program plan, ordinance or policy addressing the circulation system, including transit, roadway, bicycle and pedestrian facilities?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

The County of San Diego Guidelines for Determining Significance for Traffic and Transportation (Guidelines) establish measures of effectiveness for the performance of the circulation system. These Guidelines incorporate standards from the County of San Diego Public Road Standards and Mobility Element, the County of San Diego Transportation Impact Fee (TIF) Program, and the Congestion Management Program (CMP).

Potentially Significant Impact: The Project would require a Traffic Impact Analysis to determine if the Project could conflict with any performance measures establishing measures of effectiveness of the circulation system. A Traffic Control Plan would also be prepared prior to the start of construction to reduce impacts to off-site traffic flow and would address transportation activities, such as delivery of solar panels and construction equipment. This topic will be addressed in the DEIR.

- b) Would the Project conflict or be inconsistent with CEQA Guidelines section 15064.3, subdivision (b)?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project is an unmanned solar energy facility that would be monitored remotely; however, there would be some maintenance activities on the Project site as needed, which would result in vehicle trips. The number of construction workers would average approximately 200 each day during construction of the Project. This topic will be addressed in the DEIR.

- c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment)?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant Impact: The Project would not alter existing roadway geometry on Interstate 8 or Old U.S. Highway 80. A safe and adequate sight distance shall be

required at all driveways and intersections to the satisfaction of the Director of the Department of Public Works. The Project would not place incompatible uses (e.g., farm equipment) on existing roadways. Therefore, the Project would not significantly increase hazards due to design features or incompatible uses.

d) Result in inadequate emergency access?

- | | | | |
|-------------------------------------|--|--------------------------|------------------------------|
| <input checked="" type="checkbox"/> | Potentially Significant Impact | <input type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Potentially Significant Impact: It is not anticipated that the Project would result in inadequate emergency access. A Fire Protection Plan will be prepared for the Project that will describe how the Project will comply with requirements related to emergency access, water supply, and fire suppression design measures in consideration of the high concentration of electrical equipment that will be present on the project site. Adequate emergency access will be required of the Project and the FPP will identify the necessary emergency access requirements. This topic will be addressed in the DEIR.

XVIII. TRIBAL CULTURAL RESOURCES – Would the project:

a) Cause a substantial adverse change in the significance of a tribal cultural resource, as defined in Public Resources Code §21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American tribe, and that is:

i. Listed or eligible for listing in the California Register of Historical Resources, or in a local register of Historical Resources as defined in Public Resources Code §5020.1(k), or

- | | | | |
|-------------------------------------|--|--------------------------|------------------------------|
| <input checked="" type="checkbox"/> | Potentially Significant Impact | <input type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Potentially Significant Impact: Consultation will be conducted with the California Native American tribes that request consultation. The DEIR will analyze whether the Project would cause a substantial adverse change in the significance of a tribal cultural resource that is listed or eligible for listing in the California Register of Historical Resources or in a local register of Historical Resources.

ii. A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code §5024.1. In applying the criteria set forth in subdivision (c) of Public Resources Code §5024.1, the Lead Agency shall consider the significance of the resource to a California Native American tribe.

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: Consultation will be conducted with the California Native American tribes that request consultation. The DEIR will analyze whether the Project would cause a substantial adverse change in the significance of a tribal cultural resource as determined by the lead agency.

XIX. UTILITIES AND SERVICE SYSTEMS — Would the project:

- a) Require or result in the relocation or construction of new or expanded water, wastewater treatment or storm water drainage, electric power, natural gas, or telecommunications facilities, the construction or relocation of which could cause significant environmental effects?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project is a solar energy facility. The Project would use onsite groundwater for construction and during operation for the washing of the PV modules. The Project would include new storm water drainage facilities. The Project would not include any wastewater treatment facilities. This topic will be addressed in the DEIR.

- b) Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry and multiple dry years?

- | | |
|---|---|
| <input checked="" type="checkbox"/> Potentially Significant Impact | <input type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Potentially Significant Impact: The Project would rely on groundwater for the construction and operation phases of the Project. A Groundwater Investigation Report will be prepared to evaluate whether the project poses significant impacts to available water resources and foreseeable future development. A Water Supply Assessment will also be prepared. This topic will be addressed in the DEIR.

- c) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?

- | | |
|---|--|
| <input type="checkbox"/> Potentially Significant Impact | <input checked="" type="checkbox"/> Less than Significant Impact |
| <input type="checkbox"/> Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> No Impact |

Less Than Significant Impact: During construction, portable toilets would be provided for on-site sewage handling, and would be pumped and cleaned regularly by the construction contractor. During operation, the Project would not produce any on-site wastewater demand; therefore, the Project will not interfere with any wastewater treatment provider's service capacity.

- d) Generate solid waste in excess of State or local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?

- | | | | |
|--------------------------|--|-------------------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Less Than Significant Impact: Construction of the Project would generate construction wastes that would be recycled to the extent possible. The waste generated by construction that would be sent to local landfills is not anticipated to overwhelm the remaining capacity of local landfill facilities such that these facilities would not be able to serve existing demand. In addition, area landfills have sufficient capacity to accommodate the minor volume of waste expected to be generated during operation of the project. During decommissioning of the solar energy project, waste generated would be similar to those generated during construction and would also be recycled to the extent possible. Though exact landfill capacities at the time of decommissioning cannot be known at this time, based on the requirement of the Integrated Waste Management Act that the County provide for sufficient solid waste capacity in its landfills for a 15-year period (to be periodically updated), it is anticipated that the local landfills would have capacity to accept the waste from decommissioning activities. Total waste sent to local landfills during construction, operation, and decommissioning is not anticipated to be substantial. Therefore, sufficient solid waste capacity exists to accommodate the Project's solid waste disposal needs and impacts would be less than significant.

- e) Comply with federal, state, and local management and reduction statutes and regulations related to solid waste?

- | | | | |
|--------------------------|--|-------------------------------------|------------------------------|
| <input type="checkbox"/> | Potentially Significant Impact | <input checked="" type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Less than Significant Impact: The Project would be required to comply with applicable federal, state, and local management and reduction statutes and regulations related to solid waste and recycling. Furthermore, the County's General Plan goals and policies related to solid waste disposal would ensure compliance with all applicable laws and regulations. Therefore, impacts associated with solid waste disposal would be less than significant.

XX. WILDFIRE — If located in or near state responsibility areas or land classified as very high fire hazard severity zones, would the project:

- a) Substantially impair an adopted emergency response plan or emergency evacuation plan?

- | | | | |
|-------------------------------------|--|--------------------------|------------------------------|
| <input checked="" type="checkbox"/> | Potentially Significant Impact | <input type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Potentially Significant Impact: The Project site is located in a “very high” Fire Hazard Severity Zone as determined by the California Department of Forestry and Fire Protection. A Fire Protection Plan will be prepared for the Project that will describe how the Project will comply with requirements related to emergency access, water supply, and fire suppression design measures. The FPP will identify and address any direct and/or cumulative impacts resulting from the Project regarding adopted emergency response plans and emergency evacuation plans. This topic will be addressed in the DEIR.

- b) Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?

- | | | | |
|-------------------------------------|--|--------------------------|------------------------------|
| <input checked="" type="checkbox"/> | Potentially Significant Impact | <input type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Potentially Significant Impact: The Project would involve the development of a solar energy generation facility which would include battery storage and inverters. Due to the presence of electrical equipment onsite, the Project has the potential to exacerbate wildfire risks. This topic will be addressed in the DEIR.

- c) Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines, or other utilities) that may exacerbate fire risk or that result in temporary or ongoing impacts to the environment?

- | | | | |
|-------------------------------------|--|--------------------------|------------------------------|
| <input checked="" type="checkbox"/> | Potentially Significant Impact | <input type="checkbox"/> | Less than Significant Impact |
| <input type="checkbox"/> | Less Than Significant With Mitigation Incorporated | <input type="checkbox"/> | No Impact |

Potentially Significant Impact: The Project would require the installation and maintenance of associated infrastructure including roads, fuel breaks, emergency water sources, power lines, battery storage, and inverters which may exacerbate fire risk or result in temporary or ongoing impacts to the environment. A Fire Protection Plan would be prepared for the Project to minimize impacts. This topic will be addressed in the DEIR.

- d) Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?

- | | | | |
|-------------------------------------|--------------------------------|--------------------------|------------------------------|
| <input checked="" type="checkbox"/> | Potentially Significant Impact | <input type="checkbox"/> | Less than Significant Impact |
|-------------------------------------|--------------------------------|--------------------------|------------------------------|

- Less Than Significant With Mitigation Incorporated No Impact

Potentially Significant Impact: The Project has the potential to expose people or structures to significant risks, including downslope or downstream flooding or landslides as a result of drainage changes. A FPP and Drainage Analysis will be prepared for the Project and this topic will be addressed in the DEIR.

XXI. MANDATORY FINDINGS OF SIGNIFICANCE:

- a) Does the project have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory?

- Potentially Significant Impact Less than Significant Impact
 Less Than Significant With Mitigation Incorporated No Impact

Potentially Significant Impact: As discussed in Sections IV and V, the Project has the potential to significantly impact biological and/or cultural resources. These issues will be addressed in technical studies and the DEIR.

- b) Does the project have impacts that are individually limited, but cumulatively considerable? (“Cumulatively considerable” means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects)?

- Potentially Significant Impact Less than Significant Impact
 Less Than Significant With Mitigation Incorporated No Impact

Potentially Significant Impact: The Project has the potential to incrementally contribute to cumulatively significant impacts. Potentially significant cumulative effects could occur related to Aesthetics, Agriculture and Forestry Resources, Air Quality, Biological Resources, Cultural Resources, Energy, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Land Use and Planning, Mineral Resources, Noise, Public Services (Fire Protection), Transportation, Tribal Cultural Resources, Utilities and Service Systems, and Wildfire. Therefore, cumulative impacts associated with the Project will be analyzed in the DEIR.

- c) Does the project have environmental effects, which will cause substantial adverse effects on human beings, either directly or indirectly?

- Potentially Significant Impact Less than Significant Impact

Less Than Significant With
Mitigation Incorporated

No Impact

Potentially Significant Impact: The Project has the potential to result in adverse effects on human beings directly, and indirectly. This topic will be addressed in the DEIR.

XXII. REFERENCES USED IN THE COMPLETION OF THE INITIAL STUDY CHECKLIST

All references to federal, state, and local regulations are available on the Internet. For federal regulations refer to <http://www4.law.cornell.edu/uscode/>. For state regulations refer to www.leginfo.ca.gov. For County regulations refer to www.amlegal.com. All other references are available upon request.

- ACOE. 2015. FUDS Public GIS - 2015 Annual Report to Congress.
- California Department of Conservation, San Diego County Important Farmland Map, 2016. Sheet 2 of 2.
- California Department of Conservation, Division of Land Resource Protection, SAN DIEGO COUNTY WILLIAMSON ACT FY 2013/2014, 2013. Sheet 2 of 2.
- California Geological Survey. 2018. EARTHQUAKE FAULT ZONES: A Guide for Government Agencies, Property Owners / Developers, and Geoscience Practitioners for Assessing Fault Rupture Hazards in California. Special Publication 42.
- CAPCOA (California Air Pollution Control Officers). 2008. "CEQA & Climate Change: Evaluating and Addressing Greenhouse Gas Emissions from Projects Subject to the California Environmental Quality Act." January 2008. <http://www.capcoa.org/rokdownloads/CEQA/CAPCOA%20White%20Paper.pdf>.
- Conservation Biology Institute. 2011. Soil Survey Geographic (SSURGO) database for San Diego County, California, USA.
- County of San Diego, General Plan as adopted August 3, 2011. (ceres.ca.gov)
- County of San Diego. 2011. County of San Diego General Plan. August 2011. (http://www.sdcountry.ca.gov/pds/gpupdate/docs/BOS_Aug2011/EIR/FEIR_2.10_-_Minerals_2011.pdf)
- County of San Diego General Plan, Open Space and Conservation Element, effective August 3, 2011. (ceres.ca.gov)
- County of San Diego General Plan, Mobility Element, effective August 3, 2011. (ceres.ca.gov)
- County of San Diego Geologic Hazards. July 2007. (http://www.sdcountry.ca.gov/pds/docs/Geologic_Hazards_Guidelines.pdf)
- County of San Diego. 2014. San Diego County Pacific Watersheds map.
- County of San Diego. 2007a. County of San Diego Guidelines for Determining Significance Unique Geology. July 30, 2007.
- County of San Diego. 2007b. County of San Diego Guidelines for Determining Significance Paleontological Resources. July 30, 2007.
- County of San Diego Regulatory Ordinance, Title 8, Division 7, Grading Ordinance. Grading, Clearing and Watercourses. (www.amlegal.com)
- County of San Diego Geologic Hazards. July 2007. (http://www.sdcountry.ca.gov/pds/docs/Geologic_Hazards_Guidelines.pdf) Department of Toxic Substances Control.
2018. Hazardous Waste and Substances Site List (Cortese).
- Energy Policy Initiatives Center and Ascent Environmental Inc. 2017. San Diego County Greenhouse Gas Inventory: An Analysis of Regional Emissions and Strategies to Achieve AB 32 Targets. Prepared for the County of San Diego. September 2008.
- FAA. 2018. Obstruction Evaluation / Airport Airspace Analysis (OE/AAA). <https://oeaaa.faa.gov/oeaaa/external/gisTools/gisAction.jsp>.
- OES (Office of Emergency Services, County of San Diego). 2010. Unified San Diego County Emergency Service Organization Operational Area Emergency Plan: Executive Summary.
- OES and UDC (Unified Disaster Council). 2017. Multi-Jurisdictional Hazard Mitigation Plan, San Diego, California. October 2017.
- Uniform Building Code. 1994. (http://digitalassets.lib.berkeley.edu/ubc/UBC_1994_v2.pdf)
- 14 Code of Federal Regulations Part 77.9. Construction or alteration requiring notice.
- 40 Code of Federal Regulations 355. Emergency Planning and Notification.

NOP Comment Letter
Agencies

Harris, Susan

From: Clark, Trent S@DOT <trent.clark@dot.ca.gov>
Sent: Friday, April 05, 2019 12:23 PM
To: Brown, Bronwyn; Davis, Damon; Koutoufidis, Nicholas
Cc: Pereira, Melina T@DOT; Hernandez, Zachary; Hentrich, Katie; Marquez-Chavez, Jose I@DOT
Subject: JVR Energy Park NOP
Attachments: JVR ENERGY NOP.pdf

Please find the attached comment letter for the JVR Energy Park project. Let us know if you have any questions, thank you.

Trent Clark, Associate Transportation Planner
CALTRANS District 11 – San Diego
Planning Division, Development Review Branch
4050 Taylor Street, M.S. 240
San Diego, CA 92110

Office: (619) 688-3140
Bldg 2 Fl 4 C14
trent.clark@dot.ca.gov

DEPARTMENT OF TRANSPORTATION

DISTRICT 11
4050 TAYLOR STREET, MS-240
SAN DIEGO, CA 92110
PHONE (619) 688-6075
FAX (619) 688-4299
TTY 711
www.dot.ca.gov



*Making Conservation
a California Way of Life.*

April 5, 2019

11-SD-8
PM 73.95
JVR Energy Park
NOP SCH 2019039044

Ms. Bronwyn Brown
Project Manager
San Diego County (ATTN: Planning and Development Services)
5510 Overland Ave. Suite 310
San Diego, CA 92123

Dear Ms. Bronwyn Brown:

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process Notice of Preparation (NOP) for the JVR Energy Park, which will be located near Interstate 8 (I-8) in the community of Jacumba. The mission of Caltrans is to provide a safe, sustainable, integrated and efficient transportation system to enhance California's economy and livability. The Local Development-Intergovernmental Review (LD-IGR) Program reviews land use projects and plans to ensure consistency with our mission and state planning priorities. Caltrans has the following comments:

- The Jacumba community has been identified as a possible future location for a new port of entry with Mexico. The Jacumba border station project is in early conceptual planning stages according to the San Diego Association of Governments (SANDAG) June 27, 2000 feasibility study.
- The Jacume border station project to the south in Mexico is also in early conceptual planning stages with our sister agency Secretaria de Infraestructura y Desarrollo Urbano del Estado (SIDUE) according to proposed projects identified in the California-Baja California Border Master Plan Update July 2014.
- The California-Baja California Border Master Plan will be updated starting summer 2019 with a completion date of February 2021.
- This development will only be accessing their proposed project off the existing Carrizo Gorge Road. There are no indications that this project will need access off I-8. Please note that Caltrans has full Access Control throughout the I-8 corridor and will not grant any access.
- Visual aspects of the project, including glint and glare, should be documented not to have any potential impacts to motorists driving on I-8.

Encroachment Permit

It is also understood by our agency that no new utility crossings on State Facilities will occur because of this project. Additionally, any project work that requires movement of oversized or excessive load vehicles on State roadways requires a transportation permit that is issued by Caltrans. Any work performed within Caltrans right-of-way (R/W) will require discretionary

Ms. Bronwyn Brown
April 5, 2019
Page 2

review and approval by Caltrans and an encroachment permit will be required prior to construction.

If it is determined that traffic restrictions and detours are needed on or affecting State highways, a Transportation Management Plan (TMP) or construction Traffic Impact Study may be required of the developer for approval by Caltrans prior to construction. TMPs must be prepared in accordance with Caltrans' *Manual on Uniform Traffic Control Devices*.

As part of the encroachment permit process, the applicant must provide an approved final environmental document including the California Environmental Quality Act (CEQA) determination addressing any environmental impacts within the Caltrans' R/W, and any corresponding technical studies with appropriate mitigation. If these materials are not included with the encroachment permit application, the applicant will be required to acquire and provide these to Caltrans before the permit application will be accepted. Identification of avoidance and/or mitigation measures will be a condition of the encroachment permit approval as well as procurement of any necessary regulatory and resource agency permits. Encroachment permit submittals that are incomplete can result in significant delays in permit approval.

Additional information regarding encroachment permits may be obtained by contacting the Caltrans Permits Office at (619) 688-6158. Early coordination with Caltrans is strongly advised for all encroachment permits.

Caltrans appreciates the continued coordination with San Diego County staff. If you have any questions, please contact Trent Clark at (619) 688-3140 or by email at trent.clark@dot.ca.gov.

Sincerely,



MELINA PEREIRA, Acting Branch Chief
Local Development and Intergovernmental Review Branch



Gavin Newsom
Governor

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse and Planning Unit



Kate Gordon
Director

Notice of Preparation

March 7, 2019

To: Reviewing Agencies

Re: JVR Energy Park
SCH# 2019039044

Attached for your review and comment is the Notice of Preparation (NOP) for the JVR Energy Park draft Environmental Impact Report (EIR).

Responsible agencies must transmit their comments on the scope and content of the NOP, focusing on specific information related to their own statutory responsibility, within 30 days of receipt of the NOP from the Lead Agency. This is a courtesy notice provided by the State Clearinghouse with a reminder for you to comment in a timely manner. We encourage other agencies to also respond to this notice and express their concerns early in the environmental review process.

Please direct your comments to:

Bronwyn Brown
San Diego County
5510 Overland Ave. Suite 310
San Diego, CA 92123

with a copy to the State Clearinghouse in the Office of Planning and Research. Please refer to the SCH number noted above in all correspondence concerning this project.

If you have any questions about the environmental document review process, please call the State Clearinghouse at (916) 445-0613.

Sincerely,

Scott Morgan
Director, State Clearinghouse

Attachments
cc: Lead Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 2019039044
Project Title JVR Energy Park
Lead Agency San Diego County

Type **NOP** Notice of Preparation
Description The project involves the construction and operation of 90 megawatt (MW) solar energy facility and a 20-MW energy storage system. The Project components include approximately 300,000 photovoltaic modules on single axis trackers, 20 MW of battery storage, underground electrical collection system, overhead gen-tie line, and access roads. The development footprint would be approximately 691 acres.

Lead Agency Contact

Name Bronwyn Brown
Agency San Diego County
Phone (858) 495-5516 **Fax**
email
Address 5510 Overland Ave. Suite 310
City San Diego **State** CA **Zip** 92123

Project Location

County San Diego
City
Region
Cross Streets Carrizo Gorge and Old Highway 80
Lat / Long 32° 37' N / 116° 7' W
Parcel No. Multiple.
Township 18S **Range** 8E **Section** 32 **Base**

Proximity to:

Highways I8, Old Highway 80
Airports Jacumba
Railways Sand Diego / Arizona Eastern
Waterways Carrizo Wash
Schools None
Land Use Regional Categories: Village, Rural
Land Use Designation: Specific Plan, Public Agency Lands, Rural Commercial, Village Residential, Rural lands Th
Zoning: Specific Plan, Open Space, General Rule, Rural Residential

Project Issues Aesthetic/Visual; Agricultural Land; Air Quality; Archaeologic-Historic; Biological Resources; Drainage/Absorption; Flood Plain/Flooding; Forest Land/Fire Hazard; Geologic/Seismic; Minerals; Noise; Public Services; Cumulative Effects; Soil Erosion/Compaction/Grading; Solid Waste; Toxic/Hazardous; Vegetation; Water Quality; Water Supply; Wetland/Riparian; Wildlife; Growth Inducing; Landuse; Tribal Cultural Resources; Other Issues

Reviewing Agencies Resources Agency; Cal Fire; Office of Historic Preservation; Department of Fish and Wildlife, Region 5; Office of Emergency Services, California; California Energy Commission; Native American Heritage Commission; Public Utilities Commission; State Lands Commission; Caltrans, Division of Aeronautics; California Highway Patrol; Caltrans, District 11; Air Resources Board, Major Industrial Projects; State Water Resources Control Board; Department of Toxic Substances Control; Regional Water Quality Control Board, Region 9

Date Received 03/07/2019 **Start of Review** 03/07/2019 **End of Review** 04/05/2019

Notice of Completion & Environmental Document Transmittal

2019039044

Mail to: State Clearinghouse, P. O. Box 3044, Sacramento, CA 95812-3044 (916) 445-0613

For Hand Delivery/Street Address: 1400 Tenth Street, Sacramento, CA 95814

SCH #

Project Title: JVR Energy Park

Lead Agency: County of San Diego (Attn: Planning and Development Services)

Contact Person: Bronwyn Brown

Mailing Address: 5510 Overland Avenue, Suite 310

Phone: (858) 495-5516

City: San Diego

Zip: 92123

County: San Diego

Project Location: County: San Diego

City/Nearest Community: Jacumba Hot Springs

Cross Streets: Carrizo Gorge and Old Highway 80

Zip Code: 91934

Lat. / Long.: N 32 37/W 116 7

Total Acres: 1,345 acres

Assessor's Parcel No.: 614-100-20 & -21; 614-110-04; 660-020-05 Section: 32 Twp.: 18S Range: 8E Base:

660-020-06; 660-150-04, -07, -08, -10, -14, -17 & -18; 660-170-09; 661-010-02, -15, -26, -27, & -30; 661-060-12 & -22; 660-140-06 & -08; 660-150-16 & -21

Within 2 Miles: State Hwy #: Interstate 8/Old Highway 80 Waterways: Carrizo Wash

Airports: Jacumba

Railways: San Diego & Arizona Eastern Schools: None

Document Type:

- CEQA: [X] NOP [] Draft EIR NEPA: [] NOI [] Other: [] Joint Document [] Early Cons [] Supplement/Subsequent EIR [] EA [] Final Document [] Neg Dec [] Draft EIS [] Other [] Mit Neg Dec [] Other

Governor's Office of Planning & Research

MAR 07 2019

STATE CLEARINGHOUSE

Local Action Type:

- [] General Plan Update [] Specific Plan [X] Rezone [] Annexation [X] General Plan Amendment [] Master Plan [] Prezone [] Redevelopment [] General Plan Element [] Planned Unit Development [X] Use Permit (Major) [] Coastal Permit [] Community Plan [] Site Plan [] Land Division (Subdivision, etc.) [] Other

Development Type:

- [] Residential: Acres [] Water Facilities: Type MGD [] Office: Sq.ft. Acres Employees [] Transportation: Type [] Commercial: Sq.ft. Acres Employees [] Mining: [] Industrial: Sq.ft. Acres Employees [X] Power: Type Solar MW 90 [] Educational [] Waste Treatment: Type MGD [] Recreational [] Hazardous Waste: Type [] Other:

Project Issues Discussed in Document:

- [X] Aesthetic/Visual [X] Floodplain/Flooding [] Recreation/Parks [X] Vegetation [X] Agricultural Land [X] Forest Land/Fire Hazard [] Schools/Universities [X] Water Quality [X] Air Quality [X] Geologic/Seismic [] Septic Systems [X] Water Supply/Groundwater [X] Archeological/Historical [X] Greenhouse Gas Emissions [] Sewer Capacity [X] Wetland/Riparian [X] Biological Resources [X] Minerals [X] Soil Erosion/Compaction/Grading [X] Wildlife [] Coastal Zone [X] Noise [X] Solid Waste [X] Growth Inducing [X] Drainage/Absorption [] Population/Housing Balance [X] Toxic/Hazardous [X] Land Use [] Economic/Jobs [X] Public Services/Facilities [X] Transportation [X] Tribal Cultural Res. [] Fiscal [X] Cumulative Effects [X] Energy [X] Wildfire [] Other

Present Land Use/Zoning/General Plan Designation:

Regional Categories: Village, Rural

Land Use Designation: Specific Plan, Public Agency Lands, Rural Commercial, Village Residential, Rural Lands Th

Zoning: Specific Plan, Open Space, General Rural, Rural Residential

Project Description: The Project involves the construction and operation of a 90 megawatt (MW) solar energy facility and a 20-MW energy storage system. The Project components include approximately 300,000 photovoltaic modules on single axis trackers, 20 MW of battery storage, underground electrical collection system, collector substation, overhead gen-tie line, and access roads. The development footprint would be approximately 691 acres.

NOP Distribution List

County: San Diego

SCH#

2019039044

Resources Agency

Resources Agency
Nadell Gayou

Dept. of Boating & Waterways
Denise Peterson

California Coastal Commission
Alyson Hitt

Colorado River Board
Elsa Contreras

Dept. of Conservation
Crina Chan

Cal Fire
Dan Foster

Central Valley Flood Protection Board
James Herota

Office of Historic Preservation
Ron Parsons

Dept of Parks & Recreation Environmental Stewardship Section

S.F. Bay Conservation & Dev't. Comm.
Steve Goldbeck

Dept. of Water Resources
Resources Agency
Nadell Gayou

Fish and Game

Dept. of Fish & Wildlife
Scott Flint
Environmental Services Division

Fish & Wildlife Region 1
Curt Babcock

Fish & Wildlife Region 1E
Laurie Harnsberger

Fish & Wildlife Region 2
Jeff Drongesen

Fish & Wildlife Region 3
Craig Weightman

Fish & Wildlife Region 4
Julie Vance

Fish & Wildlife Region 5
Leslie Newton-Reed
Habitat Conservation Program

Fish & Wildlife Region 6
Tiffany Ellis
Habitat Conservation Program

Fish & Wildlife Region 6 I/M
Heidi Calvert
Inyo/Mono, Habitat Conservation Program

Dept. of Fish & Wildlife M
William Paznokas
Marine Region

Other Departments

California Department of Education
Lesley Taylor

OES (Office of Emergency Services)
Monique Wilber

Food & Agriculture
Sandra Schubert
Dept. of Food and Agriculture

Dept. of General Services
Cathy Buck
Environmental Services Section

Housing & Comm. Dev.
CEQA Coordinator
Housing Policy Division

Independent Commissions, Boards

Delta Protection Commission
Erik Vink

Delta Stewardship Council
Anthony Navasero

California Energy Commission
Eric Knight

Native American Heritage Comm.
Debbie Treadway

Public Utilities Commission Supervisor

Santa Monica Bay Restoration
Guangyu Wang

State Lands Commission
Jennifer Deleong

Tahoe Regional Planning Agency (TRPA)
Cherry Jacques

Cal State Transportation Agency CalSTA

Caltrans - Division of Aeronautics
Philip Crimmins

Caltrans - Planning HQ LD-IGR
Christian Bushong

California Highway Patrol
Suzann Ikeuchi
Office of Special Projects

Dept. of Transportation

Caltrans, District 1
Rex Jackman

Caltrans, District 2
Marcelino Gonzalez

Caltrans, District 3
Susan Zanchi

Caltrans, District 4
Patricia Maurice

Caltrans, District 5
Larry Newland

Caltrans, District 6
Michael Navarro

Caltrans, District 7
Dianna Watson

Caltrans, District 8
Mark Roberts

Caltrans, District 9
Gayle Rosander

Caltrans, District 10
Tom Dumas

Caltrans, District 11
Jacob Armstrong

Caltrans, District 12
Maureen El Harake

Cal EPA

Air Resources Board

Airport & Freight
Jack Wursten

Transportation Projects
Nesamani Kalandiyur

Industrial/Energy Projects
Mike Tollstrup

California Department of Resources, Recycling & Recovery
Kevin Taylor/Jeff Esquivel

State Water Resources Control Board
Regional Programs Unit
Division of Financial Assistance

State Water Resources Control Board
Cindy Forbes - Asst Deputy
Division of Drinking Water

State Water Resources Control Board
Div. Drinking Water # _____

State Water Resources Control Board
Student Intern, 401 Water Quality Certification Unit
Division of Water Quality

State Water Resources Control Board
Phil Crader
Division of Water Rights

Dept. of Toxic Substances Control Reg. # _____
CEQA Tracking Center

Department of Pesticide Regulation
CEQA Coordinator

Regional Water Quality Control Board (RWQCB)

RWQCB 1
Cathleen Hudson
North Coast Region (1)

RWQCB 2
Environmental Document Coordinator
San Francisco Bay Region (2)

RWQCB 3
Central Coast Region (3)

RWQCB 4
Teresa Rodgers
Los Angeles Region (4)

RWQCB 5S
Central Valley Region (5)

RWQCB 5F
Central Valley Region (5)
Fresno Branch Office

RWQCB 5R
Central Valley Region (5)
Redding Branch Office

RWQCB 6
Lahontan Region (6)

RWQCB 6V
Lahontan Region (6)
Victorville Branch Office

RWQCB 7
Colorado River Basin Region (7)

RWQCB 8
Santa Ana Region (8)

RWQCB 9
San Diego Region (9)

Other _____

Conservancy

Sender: Gowens Ed <egowens@san.org>
To: Brown, Bronwyn;
CC: Koutoufidis, Nicholas; Hollarn, Garret
Subject: NoP Comments on Jacumba Valley Ranch Solar Energy Project

Bronwyn,

Please accept this message as official comments by San Diego County Regional Airport Authority, in its capacity as the Airport Land Use Commission (ALUC) for San Diego county, on the Notice of Preparation (NoP) of an Environmental Impact Report for the Jacumba Valley Ranch Solar Energy Project.

What is the Rezone and General Plan Amendment?

While the NoP and accompanying Initial Study state in four separate instances that the project requires a Rezone and General Plan Amendment, nowhere in the entire documentation does it ever explain what the Rezone and General Plan Amendment entail. Though it is explained in the NoP that the project requires a Major Use Permit per applicable sections of the County Zoning Ordinance, the oversight to disclose important, relevant information undermines public understanding of what precisely the project is proposing and how it will affect land use and planning, particularly because the project is apparently proposing to change the existing General Plan land use designation and existing zoning for the subject property. Please correct the project description to adequately describe and disclose what the proposed Rezone and General Plan Amendment would involve in each instance in which the project is so referenced:

1. The cover page letter
2. The Project Description under the Notice of Preparation Documentation
3. The CEQA Initial Study, under #8, Description of project
4. The CEQA Initial Study, Section XI. Land Use and Planning, Question b

ALUC Consistency Determination Required

It should be referenced in the response to the Initial Study, Section IX. Hazards and Hazardous Materials, Question e, that because the project apparently involves a Rezone and General Plan Amendment, it is subject to ALUC review for a determination of consistency with the Jacumba Airport – Airport Land Use Compatibility Plan (ALUCP). ALUC staff is in receipt of an application for determination of consistency from County staff for this project. However, that application has been deemed incomplete by ALUC staff because of a lack of description of the Rezone and General Plan Amendment, which is entirely the basis of ALUC review. Please provide a description of the Rezone and General Plan Amendment to ALUC staff for the consistency determination application and revise the Initial Study response to include that the ALUC must deem the project consistent with the ALUCP, in addition to FAA review being disclosed as an agency with review responsibility.


Thanks for your follow-up on these comments so that we may proceed in accordance with our statutory responsibility as the ALUC and act on the County's application for consistency determination.

Regards,

Ed Gowens

Senior Airport Planner
Airport Land Use Commission
San Diego County Regional Airport Authority →
Post Office Box 82776
San Diego, California 92138-2776
voice (619) 400-2244

All correspondence with this email address is a matter of public record subject to third party review.

Is it worth a tree to print me? 

NATIVE AMERICAN HERITAGE COMMISSION
Cultural and Environmental Department

1550 Harbor Blvd., Suite 100

West Sacramento, CA 95691 Phone (916) 373-3710

Email: nahc@nahc.ca.govWebsite: <http://www.nahc.ca.gov>

Twitter: @CA_NAHC



April 2, 2019

Bronwyn Brown
San Diego County
5510 Overland Ave., Suite 310
San Diego, CA 92123

RE: SCH# 2019039044 JVR Energy Park, San Diego County

Dear Ms. Brown:

The Native American Heritage Commission (NAHC) has received the Notice of Preparation (NOP), Draft Environmental Impact Report (DEIR) or Early Consultation for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code §21000 et seq.), specifically Public Resources Code §21084.1, states that a project that may cause a substantial adverse change in the significance of a historical resource, is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit.14, §15064.5 (b) (CEQA Guidelines §15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an Environmental Impact Report (EIR) shall be prepared. (Pub. Resources Code §21080 (d); Cal. Code Regs., tit. 14, § 5064 subd.(a)(1) (CEQA Guidelines §15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources within the area of potential effect (APE).

CEQA was amended significantly in 2014. Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code §21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment. (Pub. Resources Code §21084.2). Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code §21084.3 (a)). **AB 52 applies to any project for which a notice of preparation, a notice of negative declaration, or a mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. §800 et seq.) may also apply.

The NAHC recommends consultation with California Native American tribes that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments.

Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.

AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. **Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project:** Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a lead agency shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
 - a. A brief description of the project.
 - b. The lead agency contact information.
 - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code §21080.3.1 (d)).
 - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code §21073).
2. **Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report:** A lead agency shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code §21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or Environmental Impact Report. (Pub. Resources Code §21080.3.1(b)).
 - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code §65352.4 (SB 18). (Pub. Resources Code §21080.3.1 (b)).
3. **Mandatory Topics of Consultation If Requested by a Tribe:** The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
 - a. Alternatives to the project.
 - b. Recommended mitigation measures.
 - c. Significant effects. (Pub. Resources Code §21080.3.2 (a)).
4. **Discretionary Topics of Consultation:** The following topics are discretionary topics of consultation:
 - a. Type of environmental review necessary.
 - b. Significance of the tribal cultural resources.
 - c. Significance of the project's impacts on tribal cultural resources.
 - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code §21080.3.2 (a)).
5. **Confidentiality of Information Submitted by a Tribe During the Environmental Review Process:** With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code §6254 (r) and §6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code §21082.3 (c)(1)).
6. **Discussion of Impacts to Tribal Cultural Resources in the Environmental Document:** If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
 - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
 - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code §21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code §21082.3 (b)).

7. **Conclusion of Consultation:** Consultation with a tribe shall be considered concluded when either of the following occurs:
 - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
 - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code §21080.3.2 (b)).

8. **Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document:** Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code §21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code §21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code §21082.3 (a)).

9. **Required Consideration of Feasible Mitigation:** If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code §21084.3 (b). (Pub. Resources Code §21082.3 (e)).

10. **Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:**
 - a. Avoidance and preservation of the resources in place, including, but not limited to:
 - i. Planning and construction to avoid the resources and protect the cultural and natural context.
 - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
 - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
 - i. Protecting the cultural character and integrity of the resource.
 - ii. Protecting the traditional use of the resource.
 - iii. Protecting the confidentiality of the resource.
 - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
 - d. Protecting the resource. (Pub. Resource Code §21084.3 (b)).
 - e. Please note that a federally recognized California Native American tribe or a non-federally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code §815.3 (c)).
 - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code §5097.991).

11. **Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource:** An Environmental Impact Report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
 - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code §21080.3.1 and §21080.3.2 and concluded pursuant to Public Resources Code §21080.3.2.
 - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
 - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code §21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code §21082.3 (d)).

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf

SB 18

SB 18 applies to local governments and requires local governments to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code §65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code §65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code §65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code §5097.9 and §5097.993 that are within the city's or county's jurisdiction. (Gov. Code §65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
 - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
 - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center (http://ohp.parks.ca.gov/?page_id=1068) for an archaeological records search. The records search will determine:
 - a. If part or all of the APE has been previously surveyed for cultural resources.
 - b. If any known cultural resources have already been recorded on or adjacent to the APE.
 - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
 - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
 - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.
 - b. The final written report should be submitted within 3 months after work has been completed to the appropriate regional CHRIS center.

3. Contact the NAHC for:
 - a. A Sacred Lands File search. Remember that tribes do not always record their sacred sites in the Sacred Lands File, nor are they required to do so. A Sacred Lands File search is not a substitute for consultation with tribes that are traditionally and culturally affiliated with the geographic area of the project's APE.
 - b. A Native American Tribal Consultation List of appropriate tribes for consultation concerning the project site and to assist in planning for avoidance, preservation in place, or, failing both, mitigation measures.
4. Remember that the lack of surface evidence of archaeological resources (including tribal cultural resources) does not preclude their subsurface existence.
 - a. Lead agencies should include in their mitigation and monitoring reporting program plan provisions for the identification and evaluation of inadvertently discovered archaeological resources per Cal. Code Regs., tit. 14, §15064.5(f) (CEQA Guidelines §15064.5(f)). In areas of identified archaeological sensitivity, a certified archaeologist and a culturally affiliated Native American with knowledge of cultural resources should monitor all ground-disturbing activities.
 - b. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the disposition of recovered cultural items that are not burial associated in consultation with culturally affiliated Native Americans.
 - c. Lead agencies should include in their mitigation and monitoring reporting program plans provisions for the treatment and disposition of inadvertently discovered Native American human remains. Health and Safety Code §7050.5, Public Resources Code §5097.98, and Cal. Code Regs., tit. 14, §15064.5, subdivisions (d) and (e) (CEQA Guidelines §15064.5, subds. (d) and (e)) address the processes to be followed in the event of an inadvertent discovery of any Native American human remains and associated grave goods in a location other than a dedicated cemetery.

If you have any questions or need additional information, please contact me at my email address: Steven.Quinn@nahc.ca.gov.

Sincerely,



for
Steven Quinn
Associate Governmental Program Analyst

cc: State Clearinghouse

Harris, Susan

From: Hentrich, Katie <Katie.Hentrich@sandag.org>
Sent: Friday, April 05, 2019 1:55 PM
To: Brown, Bronwyn
Cc: Litchney, Seth
Subject: JVR Energy Park NOP - SANDAG Comments
Attachments: JVR Energy Park NOP - SANDAG Comments.pdf

Dear Ms. Brown,

Thank you for the opportunity to comment on the County of San Diego's JVR Energy Park Notice of Preparation. Please see the attached comments from SANDAG. If you have any questions or concerns, please contact me or Seth Litchney (seth.litchney@sandag.org).

Thank you,

Katie Hentrich
Associate Regional Energy/Climate Planner

SANDAG
(619) 595-5609
401 B Street, Suite 800, San Diego, CA 92101



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SANDAG offices are open Tuesday-Friday and [every other Monday](#) from 8 a.m.-5 p.m.



April 5, 2019

File Number 3300300

401 B Street, Suite 800
San Diego, CA 92101-4231
(619) 699-1900
Fax (619) 699-1905
sandag.org

Ms. Bronwyn Brown
County of San Diego
5510 Overland Avenue, Suite 310
San Diego, CA 92123
Bronwyn.brown@sdcountry.ca.gov

Dear Ms. Brown:

Subject: JVR Energy Park Notice of Preparation

Thank you for the opportunity to comment on the County of San Diego's JVR Energy Park Notice of Preparation (NOP). The San Diego Association of Governments (SANDAG) is submitting comments based on the policies included in San Diego Forward: The Regional Plan (2015 Regional Plan). These policies will help provide people with more travel and housing choices, protect the environment, create healthy communities, and stimulate economic growth. Comments from SANDAG are submitted from a regional perspective emphasizing the need for better land use and transportation coordination.

Binational Transportation Planning

Please consider coordinating with SANDAG and Caltrans to discuss potential right-of-way impacts in relation to the potential Jacumba-Jacumé Port of Entry (POE). Additional information includes the following:

- In 2000, SANDAG conducted a feasibility study that analyzed a proposed new POE facility in the vicinity of the JVR Energy Park footprint. The proposed footprint of the JVR Energy Park may conflict with a POE as envisioned in the feasibility study. A recommendation of the feasibility study advised government agencies on both sides of the border to reserve right-of-way for the POE for inspections facilities and connecting roadways.
- The potential Jacumba-Jacumé POE also is included in the California-Baja California Border Master Plan Update, developed by SANDAG and submitted to Caltrans in 2014. The potential POE was included as additional infrastructure to increase future border throughput. The project remains in the conceptual stage, as envisioned in the Master Plan Update.
- Similarly, the State of Baja California, by way of the Secretary of Infrastructure and Urban Development, has expressed interest in pursuing further study on a POE facility along the international border between Jacumba-Jacumé. Potential project proponents in the U.S. would harmonize efforts with Mexican government agencies to align facility locations on either side of the border.

MEMBER AGENCIES

- Cities of*
- Carlsbad*
- Chula Vista*
- Coronado*
- Del Mar*
- El Cajon*
- Encinitas*
- Escondido*
- Imperial Beach*
- La Mesa*
- Lemon Grove*
- National City*
- Oceanside*
- Poway*
- San Diego*
- San Marcos*
- Santee*
- Solana Beach*
- Vista*
- and*
- County of San Diego*

ADVISORY MEMBERS

- Imperial County*
- California Department of Transportation*
- Metropolitan Transit System*
- North County Transit District*
- United States Department of Defense*
- San Diego Unified Port District*
- San Diego County Water Authority*
- Southern California Tribal Chairmen's Association*
- Mexico*

Please discuss any roadway improvements or additional access road construction that would take place as a part of this project that may have additional benefits to existing or planned facilities in the area (e.g., Old Highway 80, Carrizo Gorge Road, Interstate 8).

Transportation Demand Management

Please consider mitigating construction-related transportation impacts associated with the JVR Energy Park by incentivizing construction workers to carpool or vanpool to the project site. The SANDAG Vanpool Program provides a subsidy of up to \$400 per month for vanpooling. More information on available regional TDM programs including the Regional Vanpool Program and carpool resources can be accessed through www.iCommuteSD.com.

Other Considerations

SANDAG has a number of resources that can be used for additional information or clarification on topics discussed in this letter. These can be found on our website at sandag.org:

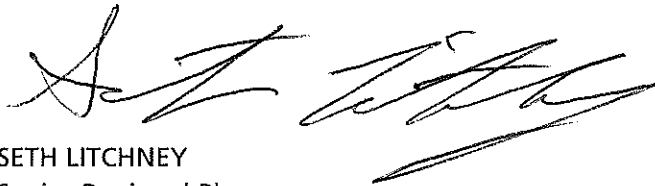
- Feasibility of Opening an International Border Crossing at Jacumba-Jacumé (June 2000)
- California-Baja California Border Master Plan Update (July 2014)
- Integrating Transportation Demand Management into the Planning and Development Process

When available, please send any additional environmental documents related to this project to:

Intergovernmental Review
c/o SANDAG
401 B Street, Suite 800
San Diego, CA 92101

We appreciate the opportunity to comment on the JVR Energy Park NOP. If you have any questions, please contact me at (619) 699-1943 or at seth.litchney@sandag.org.

Sincerely,



SETH LITCHNEY
Senior Regional Planner

SLI/KHE/fwe



State of California – Natural Resources Agency
DEPARTMENT OF FISH AND WILDLIFE
South Coast Region
3883 Ruffin Road
San Diego, CA 92123
(858) 467-4201
www.wildlife.ca.gov

GAVIN NEWSOM, Governor
CHARLTON H. BONHAM, Director



April 8, 2019

Bronwyn Brown
County of San Diego Planning and Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123
Bronwyn.Brown@sdcountry.ca.gov

Subject: Comments on the Notice of Preparation of a Draft Environmental Impact Report for the JVR Energy Park Project SCH# 2019039044

Dear Ms. Brown:

The California Department of Fish and Wildlife (Department) has reviewed the above-referenced Notice of Preparation (NOP) for the JVR Energy Park Project Draft Environmental Impact Report (DEIR).

Thank you for the opportunity to provide comments and recommendations regarding those activities involved in the Project that may affect California fish and wildlife. Likewise, we appreciate the opportunity to provide comments regarding those aspects of the Project that the Department, by law, may be required to carry out or approve through the exercise of its own regulatory authority under the Fish and Game Code.

DEPARTMENT ROLE

The Department is California's Trustee Agency for fish and wildlife resources and holds those resources in trust by statute for all the people of the State. (Fish & G. Code, §§ 711.7, subd. (a) & 1802; Pub. Resources Code, § 21070; California Environmental Quality Act [CEQA] Guidelines § 15386, subd. (a).) The Department, in its trustee capacity, has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and habitat necessary for biologically sustainable populations of those species. (*Id.*, § 1802.) Similarly, for purposes of CEQA, the Department is charged by law to provide, as available, biological expertise during public agency environmental review efforts, focusing specifically on projects and related activities that have the potential to adversely affect fish and wildlife resources.

The Department is also a Responsible Agency under CEQA. (Pub. Resources Code, § 21069; CEQA Guidelines, § 15381.) The Department may need to exercise regulatory authority as provided by the Fish and Game Code. As proposed, for example, the Project may be subject to the Department's lake and streambed alteration regulatory authority. (Fish & G. Code, § 1600 et seq.) Likewise, to the extent implementation of the Project as proposed may result in "take" as defined by State law of any species protected under the California Endangered Species Act (CESA) (Fish & G. Code, § 2050 et seq.), related authorization as provided by the Fish and Game Code will be required.

The Department also administers the Natural Community Conservation Planning (NCCP) program. The County of San Diego (County) participates in the NCCP program by implementing its approved Multiple Species Conservation Program (MSCP) and the planning agreement for the draft East County Plan of which the Mountain Empire Subregional Plan is a part.

Conserving California's Wildlife Since 1870

Project Location:

The 1,345-acre project site is located in the unincorporated Mountain Empire Subregion of the County. The site is adjacent to the community of Jacumba Hot Springs and the Jacumba Airport, and to the south of Interstate 8 (I-8). The U.S./Mexico international border is located along the southern boundary of the Project site. Primary access would be provided from I-8 with local access from Carrizo Gorge Road and Old Highway 80.

Project Description/Objective:

The JVR Energy Project would entail the operation and construction of a 90-megawatt (MW) solar energy facility and a 20-MW energy storage system. The Project would include approximately 300,000 photovoltaic modules on single axis trackers, an underground electrical collection system, a substation, an overhead gen-tie line, and access roads. The development footprint of the proposed facilities would be approximately 691 acres. The Project would require a General Plan Amendment, a Rezone, and a Major Use Permit. Eventual decommissioning would occur at the end of the Project's useful life. The site previously included agricultural operations.

COMMENTS AND RECOMMENDATIONS

The Department offers the following comments and recommendations to assist the County in adequately identifying and/or mitigating the Project's significant, or potentially significant, direct and indirect impacts on fish and wildlife (biological) resources.

1. The Department has responsibility for wetland and riparian habitats. It is the policy of the Department to strongly discourage development in wetlands or conversion of wetlands to uplands. We oppose any development or conversion that would result in a reduction of wetland acreage or wetland habitat values, unless, at a minimum, project mitigation assures there will be "no net loss" of either wetland habitat values or acreage. Development and conversion include but are not limited to conversion to subsurface drains, placement of fill or building of structures within the wetland, and channelization or removal of materials from the streambed. All wetlands and watercourses, whether ephemeral, intermittent, or perennial, should be retained and provided with substantial setbacks that preserve the riparian and aquatic values and maintain their value to on-site and off-site wildlife populations. Mitigation measures to compensate for impacts to mature riparian corridors must be included in the DEIR and must compensate for the loss of function and value of a wildlife corridor.
 - a) The project area supports aquatic, riparian, and wetland habitats; therefore, a jurisdictional delineation of the creeks and their associated riparian habitats should be included in the DEIR. The delineation should be conducted pursuant to the U. S. Fish and Wildlife Service wetland definition adopted by the Department.¹ Please note that some wetland and riparian habitats subject to the Department's authority may extend beyond the jurisdictional limits of the U.S. Army Corps of Engineers.

¹ Cowardin, Lewis M., et al. 1979. Classification of Wetlands and Deepwater Habitats of the United States. U.S. Department of the Interior, Fish and Wildlife Service.

- b) The Department also has regulatory authority over activities in streams and/or lakes that will divert or obstruct the natural flow, or change the bed, channel, or bank (which may include associated riparian resources) of any river, stream, or lake or use material from a river, stream, or lake. For any such activities, the project applicant (or "entity") must provide written notification to the Department pursuant to section 1600 *et seq.* of the Fish and Game Code. Based on this notification and other information, the Department determines whether a Lake and Streambed Alteration Agreement (LSAA) with the applicant is required prior to conducting the proposed activities. The Department's issuance of a LSAA for a project that is subject to CEQA will require CEQA compliance actions by the Department as a Responsible Agency. The Department as a Responsible Agency under CEQA may consider the local jurisdiction's (lead agency) Negative Declaration or Environmental Impact Report for the project. To minimize additional requirements by the Department pursuant to section 1600 *et seq.* and/or under CEQA, the document should fully identify the potential impacts to the stream or riparian resources and provide adequate avoidance, mitigation, monitoring and reporting commitments for issuance of the LSAA.²
2. The Department considers adverse impacts to a species protected by the California Endangered Species Act (CESA), for the purposes of CEQA, to be significant without mitigation. As to CESA, take of any endangered, threatened, or candidate species that results from the project is prohibited, except as authorized by state law (Fish & G. Code, §§ 2080, 2085). Consequently, if the Project, Project construction, or any Project-related activity during the life of the Project will result in take of a species designated as endangered or threatened, or a candidate for listing under CESA, the Department recommends that the project proponent seek appropriate take authorization under CESA prior to implementing the project. Appropriate authorization from the Department may include an incidental take permit (ITP) or a consistency determination in certain circumstances, among other options (Fish and G. Code §§ 2080.1, 2081, subds. (b),(c)). Early consultation is encouraged, as significant modification to a project and mitigation measures may be required in order to obtain a CESA Permit. Revisions to the Fish and Game Code, effective January 1998, may require that the Department issue a separate CEQA document for the issuance of an ITP unless the project CEQA document addresses all project impacts to CESA-listed species and specifies a mitigation monitoring and reporting program that will meet the requirements of an ITP. For these reasons, biological mitigation monitoring and reporting proposals should be of sufficient detail and resolution to satisfy the requirements for a CESA ITP.
3. To enable the Department to adequately review and comment on the proposed project from the standpoint of the protection of plants, fish, and wildlife, we recommend the following information be included in the DEIR.

² A notification package for a LSA may be obtained by accessing the Department's web site at <http://www.wildlife.ca.gov/Conservation/LSA>.

- a) The document should contain a complete discussion of the purpose and need for, and description of, the proposed project, including all staging areas, collector systems, substation(s), battery energy storage systems, gen-tie lines, and access routes to the construction and staging areas.
- b) A range of feasible alternatives should be included to ensure that alternatives to the proposed project are fully considered and evaluated; the alternatives should avoid or otherwise minimize impacts to sensitive biological resources, particularly wetlands. Specific alternative locations should be evaluated in areas with lower resource sensitivity where appropriate.

Biological Resources within the Project's Area of Potential Effect

4. The document should provide a complete assessment of the flora and fauna within and adjacent to the project area, with particular emphasis upon identifying endangered, threatened, sensitive, and locally unique species and sensitive habitats. This should include a complete floral and faunal species compendium of the entire project site, undertaken at the appropriate time of year. The DEIR should include the following information.
 - a) CEQA Guidelines, section 15125(c), specifies that knowledge on the regional setting is critical to an assessment of environmental impacts and that special emphasis should be placed on resources that are rare or unique to the region.
 - b) A thorough, recent floristic-based assessment of special status plants and natural communities, following the Department's Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Natural Communities (see <https://www.wildlife.ca.gov/Conservation/Plants/Info>). The Department recommends that floristic, alliance-based and/or association-based mapping and vegetation impact assessments be conducted at the Project site and neighboring vicinity. The Manual of California Vegetation, second edition, should also be used to inform this mapping and assessment (Sawyer et al. 20083). Adjoining habitat areas should be included in this assessment where site activities could lead to direct or indirect impacts off-site. Habitat mapping at the alliance level will help establish baseline vegetation conditions.
 - c) A current inventory of the biological resources associated with each habitat type on site and within the area of potential effect. The Department's California Natural Diversity Data Base in Sacramento should be contacted at www.wildlife.ca.gov/biogeodata/ to obtain current information on any previously reported sensitive species and habitat, including Significant Natural Areas identified under Chapter 12 of the Fish and Game Code.
 - d) An inventory of rare, threatened, endangered and other sensitive species on site and within the area of potential effect. Species to be addressed should include all those which meet the CEQA definition (see CEQA Guidelines, § 15380). This should include

3 Sawyer, J. O., T. Keeler-Wolf and J.M. Evens. 2009. A Manual of California Vegetation, Second Edition. California Native Plant Society Press, Sacramento.

sensitive fish, wildlife, reptile, and amphibian species. Seasonal variations in use of the project area should also be addressed. Focused species-specific surveys, conducted at the appropriate time of year and time of day when the sensitive species are active or otherwise identifiable, are required. Acceptable species-specific survey procedures should be developed in consultation with the Department and the U.S. Fish and Wildlife Service.

Analyses of the Potential Project-Related Impacts on the Biological Resources

5. To provide a thorough discussion of direct, indirect, and cumulative impacts expected to adversely affect biological resources, with specific measures to offset such impacts, the following should be addressed in the DEIR.
 - a) A Planning Agreement for the North and East County Multiple Species Conservation Program (MSCP; Planning Agreement) plans between the County, the Department, and the U.S. Fish and Wildlife Service was executed on May 16, 2014. The Planning Agreement guides the planning and preparation of both MSCP plans including, among other criteria, defining the parties' goals and commitments, defining the scope of the conservation planning areas and establishing an interim project review process intended to meet the preliminary conservation objectives and preserve options.

The Project is adjacent to an East County MSCP Focused Conservation Area. The Department recommends that the DEIR analyze the location, design, and compliance with the guidance provided in the Planning Agreement's Interim Review Process to facilitate the successful implementation of the Proposed Project and MSCP Plans.

- b) A discussion of potential adverse impacts from lighting, including polarized light reflected from the solar facility, noise, human activity, exotic species, and drainage should also be included. The latter subject should address: project-related changes on drainage patterns on and downstream of the project site; the volume, velocity, and frequency of existing and post-project surface flows; polluted runoff; soil erosion and/or sedimentation in streams and water bodies; and post-project fate of runoff from the project site. The discussions should also address the proximity of the extraction activities to the water table, whether dewatering would be necessary, and the potential resulting impacts on the habitat, if any, supported by the groundwater. Mitigation measures proposed to alleviate such impacts should be included.
 - c) Discussions regarding indirect project impacts on biological resources, including resources in nearby public lands, open space, adjacent natural habitats, riparian ecosystems, and any designated and/or proposed or existing reserve lands (e.g., preserve lands associated with a NCCP). The Project is adjacent to several conserved mitigation lands, Bureau of Land Management land and Anza Borrego Desert State Park. The DEIR should fully evaluate potential direct and indirect project impacts to wildlife corridor/movement areas, including impacts due to changes in human and vehicular access to undisturbed habitats in adjacent areas.
 - d) The zoning of areas for development projects or other uses that are nearby or adjacent to natural areas may inadvertently contribute to wildlife-human interactions. A discussion of possible conflicts and mitigation measures to reduce these conflicts should be included in the environmental document.

- e) A cumulative effects analysis should be developed as described under CEQA Guidelines, section 15130. General and specific plans, as well as past, present, and anticipated future projects, should be analyzed relative to their impacts on similar plant communities and wildlife habitats.

Mitigation for the Project-related Biological Impacts

6. The DEIR should include measures to fully avoid and otherwise protect Rare Natural Communities from project-related impacts. The Department considers these communities as threatened habitats having both regional and local significance.
7. The DEIR should include mitigation measures for adverse project-related impacts to sensitive plants, animals, and habitats. Mitigation measures should emphasize avoidance and reduction of project impacts. For unavoidable impacts, on-site habitat restoration or enhancement should be discussed in detail. If on-site mitigation is not feasible or would not be biologically viable and therefore not adequately mitigate the loss of biological functions and values, off-site mitigation through habitat creation and/or acquisition and preservation in perpetuity should be addressed.
8. For proposed preservation and/or restoration, the DEIR should include measures to perpetually protect the targeted habitat values from direct and indirect negative impacts. The objective should be to offset the project-induced qualitative and quantitative losses of wildlife habitat values. Issues that should be addressed include restrictions on access, proposed land dedications, monitoring and management programs, control of illegal dumping, water pollution, increased human intrusion, etc.
9. The Department recommends that measures be taken to avoid project impacts to nesting birds. Migratory nongame native bird species are protected by international treaty under the Federal Migratory Bird Treaty Act (MBTA) of 1918 (Title 50, § 10.13, Code of Federal Regulations. Sections 3503.5 and 3513 of the California Fish and Game Code prohibit take of all raptors and other migratory nongame birds and section 3503 prohibits take of the nests and eggs of all birds. Proposed project activities (including, but not limited to, staging and disturbances to native and nonnative vegetation, structures, and substrates) should occur outside of the avian breeding season which generally runs from February 1-September 1 (as early as January 1 for some raptors) to avoid take of birds or their eggs. If avoidance of the avian breeding season is not feasible, the Department recommends surveys by a qualified biologist with experience in conducting breeding bird surveys to detect protected native birds occurring in suitable nesting habitat that is to be disturbed and (as access to adjacent areas allows) any other such habitat within 300 feet of the disturbance area (within 500 feet for raptors). Project personnel, including all contractors working on site, should be instructed on the sensitivity of the area. Reductions in the nest buffer distance may be appropriate depending on the avian species involved, ambient levels of human activity, screening vegetation, or possibly other factors.
10. The Department generally does not support the use of relocation, salvage, and/or transplantation as mitigation for impacts to rare, threatened, or endangered species. Studies have shown that these efforts are experimental in nature and largely unsuccessful.

11. Plans for restoration and revegetation should be prepared by persons with expertise in southern California ecosystems and native plant revegetation techniques. Each plan should include, at a minimum: (a) the location of the mitigation site; (b) the plant species to be used, container sizes, and seeding rates; (c) a schematic depicting the mitigation area; (d) planting schedule; (e) a description of the irrigation methodology; (f) measures to control exotic vegetation on site; (g) specific success criteria; (h) a detailed monitoring program; (i) contingency measures should the success criteria not be met; and (j) identification of the party responsible for meeting the success criteria and providing for conservation of the mitigation site in perpetuity.

CONCLUSION

The Department appreciates the opportunity to comment on the NOP to assist the County in identifying and mitigating Project impacts on biological resources.

Questions regarding this letter or further coordination should be directed to Eric Hollenbeck, Senior Environmental Scientist Specialist at (858) 467-2720 or Eric.Hollenbeck@wildlife.ca.gov.

Sincerely,



Gail K. Sevens
Environmental Program Manager

ec: Office of Planning and Research, State Clearinghouse, Sacramento
Eric Porter, USFWS



DEPARTMENT OF PARKS AND RECREATION
COLORADO DESERT DISTRICT
200 PALM CANYON DRIVE
BORREGO SPRINGS, CA 92004
760-767-4037

Lisa Ann L. Mangat, *Director*

April 22, 2019

County of San Diego
Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

PROJECT NAME: JVR ENERGY PARK
PROJECT NUMBER(S): PDS2018-GPA-18-010, PDS2018-REZ-18-007,
PDS2018-MUP-18-022
ENV. REVIEW NUMBER: PDS2018-ER-18-22-001

To Bronwyn Brown and Relevant County of San Diego Staff:

Thank you for the opportunity to comment on the proposed JVR Energy Project as the County of San Diego begins to draft the project's Environmental Impact Report (EIR). The California Department of Parks and Recreation (CDPR) manages the Colorado Desert District and Anza-Borrego Desert State Park® (ABDSP), the largest state park in California. We think it is vital that the following elements be studied in the environmental review process and included in the EIR.

Adjacent Land Ownership: At the time of this comment letter submission, there are 1,080 acres of land directly adjacent to the project that are owned in fee title by the Anza-Borrego Foundation (ABF) that are managed by the California Department of Parks and Recreation under a 2016 lease agreement as part of ABDSP. It is very likely that by the time the project EIR is drafted, a land transfer currently in process will be complete and all ABF lands will be owned in fee title by the State of California and be part of ABDSP.

“The Project Issues Discussed in the Document” section of the Notice of Preparation is incomplete. The project is directly adjacent to lands managed by CDPR as part of ABDSP. ABDSP lands also continue north of the project area and the proposed project will be visible from various locations in the State Wilderness north of Interstate 8. We think it important that Recreation/Parks be included in issues evaluated in the EIR.

The following are topic areas examined in the environmental review process and included in the EIR because of potential impacts that may affect State Parks lands, resources, mission, and operations:

BIOLOGICAL AND NATURAL RESOURCES:

Habitat, Biodiversity, and Wildlife Connectivity: In 2007, The Nature Conservancy purchased the 1,080 acres adjacent the proposed project area as an interim step in transferring ownership to California Department of Parks and Recreation. In 2012, title was transferred to the Anza-Borrego Foundation 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 such as this project in the San Diego border region fragments habitat and threatens wildlife corridors between these communities.

In a report released in June of 2007, The Conservation Biology Institute identified three objectives of the 2007 acquisition by the Nature Conservancy:

- 1) Conserve habitat designated as the Southeast San Diego recovery unit (Jacumba habitat complex) for the federally endangered Quino checkerspot butterfly (*Euphydryas editha quino*) (USFWS 2000):
- 2) Buffer the entrance to the Carrizo Gorge which provides a water source for the federally endangered and state threatened Peninsular bighorn sheep (*Ovis canadensis nelsoni*);
- 3) Build a connection between the Carrizo Gorge in ABDSP and the international border to maintain landscape-scale connectivity functions in this region of San Diego County and cross border connectivity with habitat in Baja California.

In light of these objectives identified when the property was first acquired for preservation, the proposed could negatively affect the biological resources of the area.

The environmental review of this project must include the wildlife connectivity through the Peninsular Ranges between Mexico and the United States.

Temperature: *The Photovoltaic Heat Island Effect: Larger solar power plants increase local temperatures*, a 2016 article from the journal *Nature* describes effects of +3-4°C over wildlands temperature due to changing vegetative structure, reflective value, and may ultimately become a “heat island” in arid ecosystems.

<https://www.nature.com/articles/srep35070#article-info>

Precipitation: Another 2016 article from the journal *Nature*, *Impact of solar panels on global climate*, indicated that in one study simulation, solar panels resulted in a 20 percent decrease in precipitation in the desert and arid environments.

<https://www.nature.com/articles/nclimate2843>.

Water and Hydrology: Potential for reduced precipitation by the project and groundwater depletion by the project’s construction and ongoing maintenance should be evaluated in the larger context of potential watershed impacts to Carrizo Creek, Carrizo Canyon, and Carrizo Marsh in ABDSP. Analysis and restoration efforts in the Carrizo watershed and biologically important riparian areas may be significantly impacted by

groundwater depletion. The project could potentially alter existing drainage patterns and absorption rates. The project could potentially degrade water quality in the basin.

Riparian areas: The area looks to be within natural southern drainage of the Jacumba and In-ko-pah Mountains, and Carrizo Gorge. The riparian drainage route could potentially affect both San Diego and Imperial counties, including the communities of Jacumba Hot Springs and Ocotillo. This project area could also potentially interrupt natural drainage flow lines through the area. The project could affect the amount of surface water or natural bajada areas, often used by wildlife and rare plant communities.

Storm water runoff: The proposed project appears to be in a flood zone. Project area may create, increase, or contribute to runoff greater than the surface runoff, causing increased flooding on or off site. Evaluation of related impacts and drainage issues are of concern to ABDSP as they may impact park access points.

Soil: Vegetative removal, project construction and road building during the project, to include ongoing infrastructure and road maintenance will create dust and potential erosion of already fragile soil types. Soil degradation including increased wind or water erosion, salinity, loss of organic matters, fertility decline, pH level, compaction, surface sealing, and mass movement or contamination, should all be evaluated for impact.

Air Quality: This area is located within the San Diego Air Basin. The area is subject to frequent hazy conditions at sunrise, followed by rapid daytime dissipation as winds pick up and the temperature warms. Natural air flows could be interrupted by the proposed project. Dust potential throughout the life of the project needs to be evaluated for impact on air quality, ABDSP, its visitors, wildlife, and plant communities.

Light: Impacts resulting from the vast area of reflective panels on ambient light levels should be evaluated for impacts to wildlife visitors, including birds and insects. Wildlife may mistake the large solar array as water, thereby diverting migrating birds and insects in search of water and rest.

Biologic Resources – Although the area is fallowed agricultural fields, the area provides suitable habitat and nesting for approximately 60 migratory birds and other year round dwelling plant and animal residents or habitat types.

Source: <https://apps.wildlife.ca.gov/bios/?tool=cnddbQuick>; List CNDBB Species for Jacumba Quad. April 2019).

ARCHAEOLOGICAL AND CULTURAL RESOURCES TOPICS:

Prehistoric Cultural Resources: Four recorded archaeological sites, including one rock art site, may overlook the project and could have their native setting impacted by the project.

Setting is used to evaluate site integrity when determining eligibility for the National Register of Historic Places and is defined by National Parks Service as “the physical

environment of a historic property that illustrates the character of the place. Integrity of setting remains when the surroundings of an aid to navigation have not been subjected to radical change. Integrity of setting of an isolated lighthouse would be compromised, for example, if it were now completely surrounded by modern development.”

These four sites have not been evaluated for the National Register of Historic Places, but if they are eligible this project could affect the setting and therefore their integrity.

It is important that a qualified archaeological survey team visit all the sites and see if they overlook the valley and proposed solar installation. If so, it is very important that these sites be evaluated for eligibility for the National Register of Historic Places to determine how the solar installation may affect that eligibility. Colorado Desert District archaeologists can assist a team of qualified archaeologists in this effort.

RECREATION AND PARK TOPICS:

CDPR is tasked with expanding access to parks and making parks relevant to all Californians. CDPR is concerned that visual impacts to the view shed, sense of place, and setting of the ABDSP land adjacent to the project will negatively impact potential visitor use of that park land. The sheer magnitude of this large solar project may permanently negatively impact the visitor experience because the project will be so visible and present, even while in the park. Careful consideration and evaluation of those impacts on park land and park visitors is very important.

Since the project is directly adjacent to the park, access issues need to be evaluated. The question as to whether the change in land use and the necessary general plan amendment is in the best interest of the citizens of Jacumba Hot Springs, San Diego County, and California needs to be fully addressed.

Wilderness: The California Wilderness Act begins with the following language: “In order to assure that an increasing population, accompanied by expanding settlement and growing mechanization, does not occupy and modify all areas on state-owned lands within California, leaving no areas designated for preservation and protection in their natural condition, it is hereby declared to be the policy of the State of California to secure for present and future generations the benefits of an enduring resource of wilderness.” The proposed project area sits directly adjacent to California State Parks designated Anza-Borrego Desert State Park Wilderness.

HEALTH AND UNDERSERVED COMMUNITY TOPICS:

Access to parks, nature, and the outdoors is documented as necessary for the health of children and adults. In the February 2015 publication, *A New Vision for California State Parks, Recommendations of the Parks Forward Initiative*, recommended actions include expanding access to parks in underserved areas. The proposed project may negatively impact that access for the underserved in the community of Jacumba Hot Springs and should be evaluated.

PROJECT INFRASTRUCTURE:

The proposed project size and proximity may negatively affect State Park land aesthetics, view shed, dark sky designation, and recreation potential. The infrastructure impact of a project this size in a rural setting should be carefully considered. How will people be impacted by the project and does it warrant the change in land use and general planning that the County of San Diego has already in place?

Please keep me informed as the environmental review and planning processes continue. If you have any questions, please contact Terry Gerson.

Sincerely,



Gina Moran
District Superintendent
Colorado Desert District

NOP Comment Letter
Organizations



San Diego County Archaeological Society, Inc.

Environmental Review Committee

4 April 2019

To: Ms. Bronwyn Brown
Department of Planning and Development Services
County of San Diego
5510 Overland Avenue, Suite 310
San Diego, California 92123

Subject: Notice of Preparation of a Draft Environmental Impact Report
JVR Energy Park
PDS2019-GPA-18-010, PDS2018-REZ-18-007, PDS2018-MUP-18-022

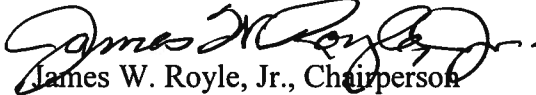
Dear Ms. Brown:

Thank you for the Notice of Preparation for the subject project, received by this Society last month.

We are pleased to note the inclusion of cultural resources in the list of subject areas to be addressed in the DEIR, and look forward to reviewing it during the upcoming public comment period. To that end, please include us in the distribution of the DEIR, and also provide us with a copy of the cultural resources technical report(s).

SDCAS appreciates being included in the County's environmental review process for this project.

Sincerely,


James W. Royle, Jr., Chairperson
Environmental Review Committee

cc: SDCAS President
File

BACKCOUNTRY AGAINST DUMPS

PO Box 1275, BOULEVARD, CA 91905

DATE: 4-7-19

TO: Bronwyn Brown, PDS via Bronwyn.brown@sdcounty.ca.gov

FROM: Donna Tisdale, President; and as an individual tisdale.donna@gmail.com; 619-766-4170

RE: JVR ENERGY PARK: PDS2018-GPA-18-010, PDS2018-REZ-18-007, PDS2018-MUP-18-022, PDS2018-ER-18-22-001 – NOTICE OF PREPARATION (3-7-19) & CEQA INITIAL STUDY - PRELIMINARY PROJECT COMMENTS

Our non-profit Board of Directors has authorized me to submit comments in opposition to BayWa's Jacumba Valley Energy Park. The name is deceiving because it represents industrial scale energy sprawl that is just the opposite of what most people would consider a park, especially in our backcountry area.

I hereby fully incorporate by reference the comments on this Project that I submitted for the Boulevard Planning Group on April 7, 2019.

Regards,

Donna Tisdale, President

BOULEVARD PLANNING GROUP

PO Box 1272, BOULEVARD, CA 91905

DATE: April 7, 2019

TO: Bronwyn Brown, PDS via Bronwyn.brown@sdcounty.ca.gov

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

RE: JVR ENERGY PARK: PDS2018-GPA-18-010, PDS2018-REZ-18-007, PDS2018-MUP-18-022, PDS2018-ER-18-22-001 – NOTICE OF PREPARATION (3-7-19) & CEQA INITIAL STUDY - PRELIMINARY PROJECT COMMENTS

At our regular meeting held on April 4th, after a public discussion with Jacumba and Boulevard residents on the pros and cons of the project, our Group voted to authorize the Chair to submit comments in opposition to JVR Energy Park. The vote passed with 5 yes, 0 no, 1 abstention (Keane) and 1 absent (Excused-Goodnight).

Ironically, the April 8 comment deadline is just one of two 8 + hour days that SDG&E has informed locals that power will be shut off this week starting at 7:30 or 8:30 AM. This seems to happen to backcountry communities far too often, while energy from these massive projects continues to flow to distant customers—even when we our power is shut-off!

A reminder that PDS's Mission Statement applies to all communities, including Jacumba Hot Springs and they should step up to protect and defend residents the way San Bernardino and Los Angeles County has—instead of overriding significant and cumulatively significant impacts:

- **Planning & Development Services: Our Mission¹**
Through operational excellence and attention to customer service, we strive to balance community, economic, and environmental interests to ensure the highest quality of life for the public of San Diego County.

First and foremost, San Bernardino County Board of Supervisors recently banned industrial scale solar on private land. Staff should recommend that San Diego County Board of Supervisors should do the same in order to prevent further damage and harm to predominantly low-income environmental justice communities that are already bearing an undue and disproportionate burden of these massive and incompatible energy projects that serve distant consumers.

- **Los Angeles Times:** On February 28, 2019, the Supervisors for California's largest county voted 4-1 to ban the construction of large solar and wind farms on more than 1 million acres of private land, responding to residents who say they don't want renewable energy projects industrializing their rural desert communities northeast of Los Angeles².

¹ <https://www.sandiegocounty.gov/content/sdc/pds.html>

² <https://www.latimes.com/business/la-fi-san-bernardino-solar-renewable-energy-20190228-story.html>

- **PV-Magazine:** “More than one million acres (~1,600 square miles) of this will be closed off to large-scale solar and wind development. The San Bernardino County Board of Supervisors voted 4-1 to ban “utility-oriented renewable energy” in fourteen communities and in “rural living zoning districts” throughout the county. What the board has designated as “community-oriented renewable energy” (CORE), will be allowed. This includes rooftop or on-site solar projects, as well as “shared energy generation to be used primarily by local users”, a designation which could include community solar projects. The primary distinction appears to be whom it serves. According to county documents, if more than 50% of a project’s output is sold “to the energy grid”, then it is not CORE and will not be allowed”.³
- **In 2015, The Los Angeles County Board of Supervisors unanimously approved a motion by Mayor Michael D. Antonovich to ban utility-scale wind turbines in the unincorporated areas of Los Angeles County**⁴ “...The motion also directed the Department of Public Health to report back in 60 days on a protocol for requiring soil tests to detect Valley Fever when developing renewable energy projects in the Antelope Valley... ‘Wind turbines create visual blight on the desert landscape, generate noise, impact wildlife and contradict the county’s [ordinance from the Dark-Sky Association] in the Antelope Valley,’ says Antonovich. ‘Our residents have consistently opposed wind turbine development that would create an industrial backdrop similar to what Kern County has allowed in the Tehachapis.’”

The Project application is incomplete per the County’s requirements, and for purposes of the Permit Streamlining Act (Government Code § 65920 et seq.). To date, we have not received any grading plans or documentation disclosing how much grading will be required; or if valuable top soil will be sold or removed off-site as has reportedly happened to unsuspecting farm owners in Imperial County who saw their top soil being hauled away. Along with other deficiencies, Greenhouse Gas Emissions must be fully analyzed in DEIR, including life-cycle analysis and long-haul transportation of project components, off-gassing from electrical and energy storage components, loss of carbon sequestration through soil disruption and grading, and potential toxic fumes generated by project fires.

Basic objections: The project is not needed; there are better alternatives closer to consumers; it is too large, too close, and potentially too dangerous for the community. Direct, indirect and cumulatively significant impacts outweigh any alleged benefits. There is no proposed open space or trails. The project would destroy tourism-based businesses like the Jacumba Hot Springs Spa (that already reportedly suffered a loss of sale due to Project and related impacts). It would also destroy existing farmland , potential much-needed housing options, historic Ketchum Ranch buildings and related open space; and replace them with visually intrusive, habitat destroying, high density sea of solar and electrical infrastructure including large inverter/battery storage units that will generate noise and electrical emissions in a currently quiet location. It will further industrialize and add cumulatively significant insult to injury for the backcountry; and much more.

³ <https://pv-magazine-usa.com/2019/03/01/san-bernardino-county-bans-large-scale-solar-wind-in-some-areas/>

⁴

BETTER ALTERNATIVES ARE AVAILABLE THAT DON'T DOMINATE AND DESTROY RURAL COMMUNITIES, PUBLIC HEALTH AND SAFETY, QUALITY OF LIFE & RURAL PROPERTY VALUES:

- According to a recent **Voice of San Diego article(3-26-19)**⁵ by local renewable energy expert, Bill Powers of Powers Engineering, and Jay Powel, a member of the City's Sustainable Energy Advisory Board, the potential for solar siting just in the City of San Diego [exceeds 4,000 megawatts](#)⁶, or enough to largely satisfy the city's electricity needs.
- **San Diego Union Tribune article (1-15-19) on another solar siting survey**⁷: **There's a lot more solar San Diego can tap, siting survey says**⁸:
 - *"Survey identifies best sites for solar. The Solar Siting Survey identified approximately 500 megawatts of solar opportunities for large scale deployments within San Diego. More than 75 percent of the sites were found on parking lots and structures".*
 - *The 500 MW potential noted above just looks at sites 1 MW and above.*
 - *The Clean Coalition says if smaller solar projects are considered, far greater opportunity exists. The total becomes 1 GW if the minimum project size is 500 kW. The potential doubles again if the minimum is dropped to 100 kW, for a total 2 GW solar potential in the city.*
- Please take notice that both solar siting surveys referenced in the two bullet points above, only cover the City of San Diego *and not San Diego County's much larger area of opportunity.*
- **The Coalition for Clean Energy's Wholesale Distributed Generation**⁹ and **North Bay Resiliency Initiative**¹⁰ proposals can serve as a guide for San Diego area Community Choice Energy entities that will reduce reliance on distant and destructive industrial scale energy sources (like JVR) and fire prone transmission lines like Sunrise Powerlink and Southwest Powerlink.
 - Wholesale distributed generation (WDG) refers to distributed energy generation, often commercial-scale solar that interconnects to the distribution grid and serves local loads while avoiding any use of the transmission grid. Rather than serving one customer, these systems can serve an entire community, while avoiding the expensive, inefficient transmission lines required by remote power generation.

⁵ <https://www.voiceofsandiego.org/topics/opinion/san-diego-should-make-the-most-of-once-in-a-generation-shot-to-re-examine-sdgc-deal/>

⁶ https://www.google.com/get/sunroof/data-explorer/place/ChIJSx6SrQ9T2YARed8V_f0hOg0/

⁷ <https://www.sandiegouniontribune.com/business/energy-green/sd-fi-solar-siting-survey-20190115-story.html>

⁸ <https://clean-coalition.org/solar-siting-survey-san-diego/>

⁹ <https://clean-coalition.org/wholesale-distributed-generation/>

¹⁰ https://clean-coalition.org/wp-content/uploads/2019/03/North-Bay-Community-Resilience-Initiative-Master-Webinar-15_rf-4-Apr-2019.pdf

Total Ratepayer Cost of Solar						
PV Project size and type	Distribution Grid					T-Grid
	100 kW roof	500 kW roof	1 MW roof	1 MW ground	5 MW ground	50 MW ground
Required PPA Rate	12-15¢	9-12¢	8-10¢	6-8¢	4-7¢	3-6¢
T&D costs	0¢	0¢	0¢	0¢	0¢	2-4¢
Ratepayer cost per kWh	12-15¢	9-12¢	8-10¢	6-8¢	4-7¢	5-10¢

11

- There is absolutely no need to dominate and destroy already overburdened and disproportionately impacted and predominantly low-income rural communities like Jacumba Hot Springs and Boulevard.
- Regarding California’s path towards 100% renewables, California Public Utilities Commission President Michael Picker suggested recently that we could soon return “the kind of crisis we faced in 2000 and 2001.” The rapid abandonment of existing reliable energy sources makes the state, in the estimate of the Institute for Energy Research, “vulnerable to rolling blackouts.”¹²

ENVIRONMENTAL JUSTICE APPLIES TO THE JACUMBA COMMUNITY THAT IS PREDOMINANTLY LOW-INCOME WITH MANY RESIDENTS LIVING/ SURVIVING ON SERIOUSLY LIMITED INCOMES:

- The JVR solar project footprint dwarfs the size of the Jacumba Hot Springs, a designated border Colonia, where many residents are elderly with pre-existing health issues and severely limited incomes. They do not have many, if any, affordable options; especially for those who live in older trailers in the trailer park immediately west of the JVR project boundaries.
- CEQA, at its heart simply demands that a government agency fully contemplate and disclose the foreseeable consequences of its actions and avoid unnecessary environmental risks.
- California Office of Attorney General Office Health In all Policies Task Force has the following Goals created in 2010 by Executive Order S-04-10, the Health in All Policies Task Force¹³ is charged with identifying “priority programs, policies, and strategies to improve the health of Californians while advancing the goals of improving air and water quality, protecting natural resources and agricultural lands, increasing the availability of affordable housing, improving infrastructure systems, promoting public health, planning sustainable communities, and meeting the climate change goals.”
- The Attorney General sits on the Task Force, along with officers of 18 other California state agencies, departments, and offices. Their identified goals include the following:
 - All California residents live in safe, healthy, and affordable housing.
 - California's decision makers are informed about the health consequences of various policy options during the policy development process.
 - Environmental Justice & Healthy Communities¹⁴

¹¹ <https://clean-coalition.org/wholesale-distributed-generation/>

¹² http://capitolweekly.net/amid-renewable-energy-california-shortage-looms/#disqus_thread

¹³ <https://oag.ca.gov/environment/communities/policies>

¹⁴ <https://oag.ca.gov/environment/communities>

- "Environmental Justice" is defined in California law as the fair treatment of people of all races, cultures, and incomes with respect to the development, adoption, implementation, and enforcement of environmental laws, regulations, and policies. (Cal. Gov. Code, § 65040.12, subd. (e).)

PROBABLE ENVIRONMENTAL EFFECTS @ PAGE 1: GREEN HOUSE GAS EMISSIONS, POPULATION & HOUSING AND RECREATION SHOULD ALL BE ADDED TO THE ISSUES INCLUDED IN THE EIR/MUP.

- Project effects on human health, social and economics, are part of the environment and must be fully analyzed, including potentially significant effects on health and safety, quality of life, use and enjoyment of property, property values, potential loss of life-time investments, increased fire insurance costs or loss of insurance due to potential approval of the 90 MW JVR Energy Park solar project and related infrastructure, all of which represent individually and cumulatively significant increase in wild fire ignition sources and fire fighting impediments/hazards.
- Fire fighters will need to wait for a fire to burn out of the project area to avoid potential electrical /toxic fumes hazards, thereby allowing a fire to potentially increase in size of blow out of control.
- BayWa r.e advertises that they are part of the €16 billion BayWa Group.¹⁵
- Corporate gain often results from externalizing many Project related costs to the impacted community and the environment. By doing so, many true costs become lost in analysis because the true cost is non-quantifiable and neither the community nor the environment have effective advocates to recoup the true damages.
- We are requesting that BayWa and any other related property owners be required to offer PROPERTY VALUE PROTECTION AGREEMENTS to willing community members to help mitigate the very real overall negative impacts their project represents to a rural community and residents who have invested in Jacumba to enjoy a quiet and affordable rural lifestyle.
- Some form of similar protection agreements should be provided for low-income renters who have few if any viable or affordable alternatives for moving if the project becomes unbearable.
- **Green House Gas Emissions:** The EIR must analyze not only the greenhouse gas emissions from Project construction and operation, but also its lifecycle emissions, including those associated with both the manufacturing and the transporting of the Project components. Currently, the Initial Study indicates that related impacts are less than significant.
 - **IEEE Spectrum article (11-14-2014) by Dustin Mulvaney: Solar Energy Isn't Always as Green as You Think**¹⁶:
 - This article reviews some of the problems and struggles to keep photovoltaics green including life-cycle issues of mining, production, green house gas emissions, hazardous chemicals and byproducts, disposal and more.

¹⁵ <https://us.baywa-re.com/en/about-us/baywa-re/company-information/>

¹⁶ <https://spectrum.ieee.org/green-tech/solar/solar-energy-isnt-always-as-green-as-you-think>

- **Population & Housing:** The project is far too close to existing residences and may cause some homes to become toxic and unlivable due to project generated noise, vibrations, electrical pollution and more. There are limited affordable alternatives for those impacted.
- **Recreation:** The 20-acre Jacumba Park and community center will be intruded upon and the use and enjoyment of the park will be significantly degraded by this project. Visits to the park will not be as relaxing or enjoyable with a visually intrusive electronically buzzing solar project and industrial chain link fence topped with barbed wire right next door.
 - The project is divided by Old Hwy 80 that is frequently used by locals and visitors as a walking and bicycle route for pleasure and exercise.
 - The Active Transportation Plan (ATP) for Jacumba shows Proposed Bicycle Facilities all along Old Hwy 80 and along Carrizo Gorge Road that will be negatively impacted.¹⁷
 - Local recreation on public and private land, including Anza Borrego Desert State Park and BLM recreation areas at higher elevations, with views of this project, will be negatively impacted by this massive industrial conversion of former dairy and organic farmland and all the visual, acoustic, and overall disruptive impacts that go with it.
 - Round Mountain is adjacent to the project and is located mostly within Anza Borrego Desert State Park and, according to Dudek's Figure 1-3 Project Environmental Setting graphic at page 29 in the JVR Energy Park Project Description dated November 2018.
 - The Jacumba Airport is used mostly for recreational glider flights. Flying over glaring solar project components will not be as enjoyable as current views, or as safe.
 - Updrafts of super-heated air from the solar project may be very problematic and potentially dangerous for aircraft using the airport.

REGIONAL MAP @ PAGE 2:

- The regional map used in the NOP should have included the proposed locations and proximity of all the solar project components, similar to the Kimley-Horn preliminary plot plans for the JVR Energy Park issued 1/22/19.
- The project footprint dwarfs the predominantly low-income rural community of Jacumba Hot Springs.
- The project is far too large and crowds the town. It should be denied outright or, at a minimum, vastly reduced with significantly increased setbacks from town boundaries and other existing residences, the park, Old Hwy 80, flood channels, and Round Mountain/Anza Borrego Desert State Park (ABDSP), and the airport.

CEQA INITIAL STUDY:

- **# 5 PAGE 1:** The project description is not compatible with findings of the Mountain Empire Subregional Plan¹⁸ or Jacumba's Vision statement included in their Jacumba Subregional Group Area¹⁹ adopted 8-3-2011

¹⁷ <https://www.sandiegocounty.gov/content/dam/sdc/pds/advance/activetransportationplan/ATPcommunityJacumba.pdf>

¹⁸ https://www.sandiegocounty.gov/content/dam/sdc/pds/docs/CP/MTN_Empire_CP.pdf

¹⁹ https://www.sandiegocounty.gov/content/dam/sdc/pds/docs/CP/Jacumba_CP.pdf

- **Vision Statement for Jacumba:** Jacumba is a diverse community. The ratio of young to older citizens is about even, which makes the vision diverse as well. We want schools for the young, as well as much needed services, like fire protection, police, and medical care, and still not lose the wonderful feeling that is Jacumba. Clean air, beautiful scenery, superb climate, and no congestion or traffic. The community supports new development that is compatible with, and preserves the natural and historical environment, including water resources, and protects existing neighborhoods, manages growth to reinforce the rural small town character of the area, which includes agriculture, open space, and trails as important elements of the community. The community supports the provision of adequate public services by new development without compromising existing levels of service or burdening existing residents with the costs of growth. We hope someday to become the jewel of the backcountry
- **Mountain Empire Subregional Plan # 2 Land Use Element @ page 6: (excerpt)**
 - All residents of the Mountain Empire Subregion are aware of the importance that must be given to protecting the unique quality of the area's natural resources. Existing trees, rock outcroppings, hillsides, and meadows are significant resources that contribute to the character and beauty of the Subregion.
 - **Residential Goal @ page 7:**
 - The Mountain Empire Subregion is generally characterized by single family residential development on large lots outside the Rural Villages, and generally undeveloped meadows, open spaces, and hillsides. The ability to experience large open spaces and views to distant hills is essential to preserving the Subregion's present quality of life.
 - **KETCHUM RANCH SPECIFIC PLAN AREA @ page 13:**
 - The Ketchum Ranch Specific Plan proposes a multi-use concept, a residential community with recreational and visitor oriented commercial uses on approximately 1,300 acres next to Jacumba. The Ketchum Ranch Specific Plan proposal shall create a community in harmony with the existing town of Jacumba and provide services to the existing residents of Jacumba. It will also be sensitive in its design to the natural and historical resources of the Jacumba area. Adequate provisions shall be made to prevent periodic flooding originating at the Mexican border.
 - **SCENIC HIGHWAYS GOAL #8 at page 27: (emphasis added):** ESTABLISH A NETWORK OF SCENIC HIGHWAY CORRIDORS WITHIN WHICH SCENIC, HISTORICAL AND RECREATIONAL RESOURCES ARE PROTECTED AND ENHANCED. FINDINGS There are five scenic corridors identified on the Scenic Highways Figure C-5 in the County General Plan Conservation and Open Space Element that pass through the Mountain Empire Subregional Plan Area. 1. Tecate Road (State Route 188), from the Mexican border north to State Route 94; 2. Potrero Valley Road, from State Route 94 to Potrero County Park; 3. Interstate 8, from State Route 79 east to the Imperial County Line; 4. State Route 94, through

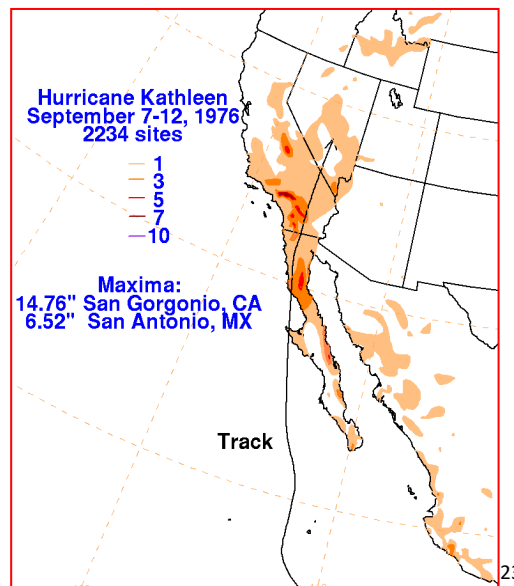
Tecate, Potrero, Boulevard, and Jacumba; 5. Old Highway 80 through Boulevard and Jacumba.

▪ **Appendix A: Resource Conservation Areas:**

- **Figure 2@ page A-3:** Please note that while other community planning areas include Resource Conservation Areas there are zero RCA's in Jacumba or Boulevard Planning Areas, where scenic and unique transitional areas and resources between the mountains and the desert are located and disproportionately impacted.
- **2003 designation of Jacumba as a Colonia²⁰**, was intended to help the JCSD qualify for grants to upgrade and improve its water system *to serve the existing community. NOT to serve commercial industrial utility projects owned by wealthy developer residing in distant areas.*
- Will any JCSD wells, as potentially indicated by wells being located within the project boundaries, be used for this project; and how does this comply with the Colonia designation and related JCSD grants when it will not be serving the existing community?

FLOODING:

- Jacumba is not immune to flooding, including flooding from Hurricane Kathleen in 1976²¹ that washed out parts of I-8 and did about \$1.25 million in damage to 25 miles of San Diego and Arizona Eastern railroad tracks between Jacumba and Ocotillo²².



- The photos below (by Danielle Thomas) are included in an East County Magazine article of a flash flood in Jacumba²⁴, including the project site south of Old 80 (left) and north of Old 80 with Round Mountain in the background (right).

²⁰ <http://bosagenda.sdcounty.ca.gov/agendadocs/doc?id=0901127e8008686c>

²¹ [https://en.wikipedia.org/wiki/Hurricane_Kathleen_\(1976\)](https://en.wikipedia.org/wiki/Hurricane_Kathleen_(1976))

²² <http://original.trainlife.com/magazines/pages/773/50488/october-1976-page-4>

²³ <https://www.wpc.ncep.noaa.gov/tropical/rain/kathleen1976.html>

²⁴ <https://www.eastcountymagazine.org/flash-flood-jacumba-hot-springs>



PROJECT DESCRIPTION # 8 @ PAGE 2:

- **PV Modules**
 - How many square feet of surface are represented by approximately 300,000 PV modules?
 - The PV module selection should be disclosed during public comment so the public has the opportunity to research and comment on any potential issues and concerns related to that specific module and any project using that module can be made.
 - Again, the guaranteed useful life is module specific.
 - Pile driving of each beam 10-15 feet into the ground should be analyzed for noise and vibrations.
- **Electrical Collection System**
 - This system should be buried.
- **Inverters, Transformers & Associated Equipment**
 - The photo below was taken by Donna Tisdale in September 2013 at one of the industrial solar projects built on productive farm land in Western Imperial County, south of I-8.



- This section should disclose that the project includes at least 25 inverter/transformer units, how large each unit is, and how loud each unit will be.
- The actual type of inverters/transformers should be disclosed during public comment—not after-the-fact.
- **Electromagnetic fields (EMF) electromagnetic interference (EMI) and electrical pollution in general.**
 - **Electrical Magnetic Interference (EMI) and Radio Frequency Interference (RFI) are common electrical pollution problems that must be addressed²⁵**, especially when the project is proposed so close to non-participating residents.
 - Wind and solar projects dump energy into the ground when they are curtailed and when harmonics pose a threat to their own equipment. That transient/stray voltage moves off-site and into homes and businesses through plumbing and other grounded equipment. Energy can also be radiated through the air and inducted into occupied structures through utility lines.
 - **French farmers say wind turbines and solar panels have killed hundreds of their cows²⁶**
 - Cows are being killed by electricity travelling through the ground, farmers claim
 - French farmer says hundreds of cows being killed by solar panels and turbines
 - Cattle in Brittany began losing weight and eventually died so land was tested
 - Electrical current was said to be found coming through the earth and the water
 - **Majid Bagheri Hosseinabadi, Narges Khanjani, Mohammad Hossein Ebrahimi, Bahman Haji & Mazaher Abdolahfard (2019) The effect of chronic exposure to extremely low-frequency electromagnetic fields on sleep quality, stress, depression and anxiety, *Electromagnetic Biology and Medicine*, 38:1, 96101, DOI: 10.1080/15368378.2018.1545665**
 - *Abstract: (emphasis added): “Exposure to extremely low-frequency electromagnetic fields (ELF-EMF) is inevitable in some industries. There are concerns about the possible effects of this exposure. The present study aimed to investigate the effect of chronic exposure to extremely low-frequency electromagnetic fields on sleep quality, stress, depression and anxiety among power plant workers.*
 - *In this cross-sectional study, 132 power plant workers were included as the exposed group and 143 other workers were included as the unexposed group. The intensity of ELF-EMF at work stations was measured by using the IEEE Std C95.3.1 standard and then the time weighted average was calculated. Sleep quality, stress, depression and anxiety were measured by using the Pittsburgh Sleep Quality Index Questionnaire; and the Depression, Anxiety and Stress Scale.*
 - *The workers in the exposed group experienced significantly poorer sleep quality than the unexposed group. Depression was also more severe in the exposed group than the unexposed group (P = 0.039). Increased exposure to ELF-EMF had*

²⁵ <https://www.solar-electric.com/reducing-electromagnetic-interference-pv-systems.html>

²⁶ <https://www.dailymail.co.uk/news/article-6855801/French-farmers-say-wind-turbines-solar-panels-killed-hundreds-cows.html>

a direct and significant relation with increased stress, depression, and anxiety. Sleep quality in technicians with the highest exposure was significantly lower than the other groups.

- *This study suggests that long-term occupational exposure to ELF-EMF may lead to depression, stress, anxiety and poor sleep quality.”*

- **Electromagnetic field (ELF-EMF) on cytokines of innate and adaptive immunity,**

Electromagnetic Biology and Medicine, 38:1, 8495, DOI: 10.1080/15368378.2018.1545668²⁷

- *Abstract: (emphasis added) “Extremely low frequency electromagnetic field (ELF-EMF) is produced extensively in modern technologies. Numerous in vitro and in vivo studies have shown that ELF-EMF has both stimulatory and inhibitory effects on the immune system response. This review was conducted on effects of ELF-EMF on cytokines of innate and adaptive immunity. Mechanisms of ELF-EMF, which may modulate immune cell responses, were also studied. Physical and biological parameters of ELF-EMF can interact with each other to create beneficial or harmful effect on the immune cell responses by interfering with the inflammatory or anti-inflammatory cytokines. According to the studies, it is supposed that short-term (2-24 h/d up to a week) exposure of ELF-EMF with strong density may increase innate immune response due to an increase of innate immunity cytokines. Furthermore, long-term (224 h/d up to 8 years) exposure to low-density ELF-EMF may cause a decrease in adaptive immune response, especially in Th1 subset.”*

- **EUROPAEM EMF Guideline 2016 for the prevention, diagnosis and treatment of EMF-related health problems and illnesses²⁸:**

Igor Belyae, Amy, Horst Eger, Gerhard Hubmann, Reinhold Jandrisovits, Markus Kern, Michael Kundi, Hanns Moshhammer, Piero Lercher, Kurt Müller, Gerd Oberfeld, Peter Ohnsorge, Peter Pelzmann, Claus Scheingraber, Roby Thill: Published Online: 2016-07-25 | DOI: <https://doi.org/10.1515/reveh2016-0011>:

- *Abstract (emphasis added):*
- *“Chronic diseases and illnesses associated with non-specific symptoms are on the rise. In addition to chronic stress in social and work environments, physical and chemical exposures at home, at work, and during leisure activities are causal or contributing environmental stressors that deserve attention by the general practitioner as well as by all other members of the health care community. It seems necessary now to take “new exposures” like electromagnetic fields (EMF) into account. Physicians are increasingly confronted with health problems from unidentified causes. Studies, empirical observations, and patient reports clearly indicate interactions between EMF exposure and health problems. Individual susceptibility and environmental factors are frequently neglected. New wireless technologies and applications have been introduced without any certainty about their health effects, raising new challenges for medicine and society. For instance, the issue of so-called non-thermal effects and potential long-term effects of low-dose exposure were scarcely investigated prior to the introduction of these technologies. Common electromagnetic field or EMF sources: Radio-frequency radiation (RF) (3 MHz to 300 GHz) is emitted from radio and TV broadcast antennas, WiFi access*

²⁷<https://www.researchgate.net/publication/329451963> A review on the effects of extremely low frequency electromagnetic field ELF-EMF on cytokines of innate and adaptive immunity

²⁸<https://www.degruyter.com/view/j/reveh.2016.31.issue-3/reveh-2016-0011/reveh-2016-0011.xml>

points, routers, and clients (e.g. smartphones, tablets), cordless and mobile phones including their base stations, and Bluetooth devices. Extremely low frequency electric (ELF EF) and magnetic fields (ELF MF) (3 Hz to 3 kHz) are emitted from electrical wiring, lamps, and appliances. Very low frequency electric (VLF EF) and magnetic fields (VLF MF) (3 kHz to 3 MHz) are emitted, due to harmonic voltage and current distortions, from electrical wiring, lamps (e.g. compact fluorescent lamps), and electronic devices. On the one hand, there is strong evidence that longterm exposure to certain EMFs is a risk factor for diseases such as certain cancers, Alzheimer's disease, and male infertility. On the other hand, the emerging electromagnetic hypersensitivity (EHS) is more and more recognized by health authorities, disability administrators and case workers, politicians, as well as courts of law. We recommend treating EHS clinically as part of the group of chronic multisystem illnesses (CMI), but still recognizing that the underlying cause remains the environment. In the beginning, EHS symptoms occur only occasionally, but over time they may increase in frequency and severity. Common EHS symptoms include headaches, concentration difficulties, sleep problems, depression, a lack of energy, fatigue, and flu-like symptoms. A comprehensive medical history, which should include all symptoms and their occurrences in spatial and temporal terms and in the context of EMF exposures, is the key to making the diagnosis. The EMF exposure is usually assessed by EMF measurements at home and at work. Certain types of EMF exposure can be assessed by asking about common EMF sources. It is very important to take the individual susceptibility into account. The primary method of treatment should mainly focus on the prevention or reduction of EMF exposure, that is, reducing or eliminating all sources of high EMF exposure at home and at the workplace. The reduction of EMF exposure should also be extended to public spaces such as schools, hospitals, public transport, and libraries to enable persons with EHS an unhindered use (accessibility measure). If a detrimental EMF exposure is reduced sufficiently, the body has a chance to recover and EHS symptoms will be reduced or even disappear. Many examples have shown that such measures can prove effective. To increase the effectiveness of the treatment, the broad range of other environmental factors that contribute to the total body burden should also be addressed. Anything that supports homeostasis will increase a person's resilience against disease and thus against the adverse effects of EMF exposure. There is increasing evidence that EMF exposure has a major impact on the oxidative and nitrosative regulation capacity in affected individuals. This concept also may explain why the level of susceptibility to EMF can change and why the range of symptoms reported in the context of EMF exposures is so large. Based on our current understanding, a treatment approach that minimizes the adverse effects of peroxynitrite – as has been increasingly used in the treatment of multisystem illnesses – works best. This EMF Guideline gives an overview of the current knowledge regarding EMF-related health risks and provides recommendations for the diagnosis, treatment and accessibility measures of EHS to improve and restore individual health outcomes as well as for the development of strategies for prevention.”

- **Effects of Exposure to Electromagnetic Fields: 833 Studies²⁹**; Posted February 1, 2018 on **Electromagnetic Radiation Safety by Joel M. Moskowitz, Ph.D. Director Center for Family and Community Health, School of Public Health University of California, Berkeley :**
 - Government and industry-linked scientists often claim that the research on the effects of exposure to electromagnetic fields (EMF) is inconsistent, and that more research is needed before precautionary warnings are issued or regulatory guidelines are strengthened.
 - Although most of the research on cell phones has focused on radio frequency radiation (RFR), these wireless devices also produce extremely low frequency electromagnetic fields (ELF EMF). The International Agency for Research on Cancer of the World Health Organization classified ELF EMF “possibly carcinogenic to humans” (Group 2B) a decade earlier than RFR.
 - Dr. Henry Lai, Professor Emeritus at the University of Washington and Co-Editor-in-Chief of the journal *Electromagnetic Biology and Medicine*, has compiled summaries of several areas of the research on the biologic and health effects of exposure to RFR and ELF EMF. His sets of abstracts which cover the period from 1990 to 2017 constitute a comprehensive collection of this research.
 - Dr. Lai finds that the preponderance of the research has found that exposure to RFR or ELF EMF produces oxidative stress or free radicals, and damages DNA. Moreover the preponderance of RFR studies that examined neurological outcomes has found significant effects.
 - The evidence for DNA damage has been found more consistently in animal and human (in vivo) studies than in studies of cell samples (in vitro).
 - The abstracts can be downloaded from the BioInitiative web site³⁰.
 - Top Line Results Radiofrequency radiation: ☐
 - 90% (n=180) of 200 oxidative stress (or free radical) studies report significant effects.
 - 64% (n=49) of 76 DNA comet assay studies report significant effects.
 - 54% (n=25) of 46 in vitro studies report significant effects. ☐ 80% (n=24) of 30 in vivo studies report significant effects.
 - 72% (n=235) of 325 neurological studies report significant effects.
 - Extremely low frequency electromagnetic fields:
 - 87% (n=162) of 186 oxidative stress (or free radical) studies report significant effects.
 - 74% (n=34) of 46 DNA comet assay studies report significant effects.
 - 68% (n=21) of 31 in vitro studies report significant effects.
 - 87% (n=13) of 15 in vivo studies report significant effects
 - **Sample Noise Emission Values of a three phase commercial solar inverter**
 - The table below is from the NOISE REPORT ODOT Solar Highway Project: West Linn Site Clackamas County, it shows the dBA noise level of commercial

²⁹ <https://www.saferemr.com/2018/02/effects-of-exposure-to-electromagnetic.html>

³⁰ <http://bioinitiative.org/research-summaries/>

inverters at the Clackamas solar project. Understanding the dBA noise from a commercial inverter is an important component in siting an inverter at solar project.³¹

Table 3. Inverter Noise Levels at Various Distances with Four Inverters at IM7

Location of Source (number of inverters)	Noise Level at 50 Feet	Receiver Location	Distance from Source to Receiver	Noise Level from Inverters at Receiver
	dBA		(feet)	Leq/dBA
I10 (3)	64	RM6	800	40
IM5 (3)	64		360	47
IM7 (4)	65		2040	33
I10 (3)	64	RM8	1280	36
IM5 (3)	64		1800	33
IM7 (4)	65		216	52
I10 (3)	64	R11	224	51
IM5 (3)	64		544	43
IM7 (4)	65		1336	36

Note: Locations of inverter pads can be see on Figure 3.

- **Collector Substation**
 - Industry is well aware that along with the potential for electrical pollution to move off-site through the air and ground from solar project and substations, there is also the potential for substation noise to leave the site through air and ground pressure waves that can be perceived at distance.
 - **Cautions and recommendations from the Electrical Engineering Portal³² include the following:**
 - Substation Noise Sources to take into consideration:
 - Continuous audible sources ☒ Continuous radio frequency (RF) sources
 - Impulse sources
 - Equipment noise levels
 - Attenuation of noise with distance
 - **Noise Abatement Methods to take into consideration:**
 - Reduced transformer sound levels
 - Low-impulse noise equipment ☒ RF noise and corona-induced audible noise control
 - Site location
 - Larger yard area
 - Equipment placement ☒ Barriers or walls
 - Active noise cancellation techniques
- **Switchyard**
 - Switching gear would be a total of 60 feet tall and should require a height limit waiver.
 - Remotely controlled SCADA system (no local employee) also creates Radio Frequency Electromagnetic Radiation and potentially other emissions if the system is wireless.
- **Photos below were taken by Donna Tisdale (September 2013)** of solar project components located in western Imperial County, south of I-8 and Hwy 98. They give an idea of actual visual

³¹ <https://electrical-engineering-portal.com/audible-substation-noise>

³² <https://www.civicsolar.com/support/installer/articles/electrical-noise-emissions-solar-pv-inverter-charger>

conversion from previously productive farmland/open space into industrial scale solar clutter/sprawl.



- **Energy Storage System = Fire hazard**

- Is this Energy Storage system (ESS) needed or necessary?
- 26 enclosures/containers 45' long x 9' high x 8' wide will stand out visually from the sea of 300,000 approximately 7' tall PV modules.
- Each of the 26 containers = 16 air conditioning units that will consume lots of energy and make lots of noise / vibrations that will carry in the generally quiet rural area.
- SDG&E has reportedly already met CPUC mandated 165 MW of energy storage procurement with 30 MW Escondido ESS (400,000 batteries), and five other systems that all use lithium-ion battery technology.³³
- Photo below shows battery containers at SDG&E's Escondido Energy Storage facility as published and described below in a Utility Dive article (12-6-16)³⁴ as an example of what the proposed 25 units may look like.

³³ <https://www.sandiegouniontribune.com/business/energy-green/sd-sdge-energystorage-20170421-story.html>

³⁴ Utility Dive 12-6-16: <https://www.utilitydive.com/news/inside-construction-of-the-worlds-largest-lithium-ion-battery-storage-faci/431765/>



- Using a battery to meet demand peaks means it will likely be fully charged and discharged nearly every day. That puts a lot of strain on lithium batteries, which degrade as they get older and are cycled more often.
- Under SDG&E's contract, AES must maintain the batteries' nameplate capacity and performance for 10 years, after which the utility takes responsibility for the project. Typically this is done two ways — by oversizing a battery project upfront or by adding new cells during operation to support capacity.
- The statement above, indicates that more batteries will be added as old batteries degrade. Degraded batteries are reportedly less stable.
- In addition, Invenery has already proposed a 100 MW Energy Storage System next to SDG&E's rebuilt Boulevard Substation (**PDS 2017-ZAP-17-006**).
- **Some ESS systems include coolant pumps, fans, exhaust manifolds, and radiators that use ethylene glycol.**³⁵
 - Ethylene glycol (HOCH₂CH₂OH)³⁶ is a colorless, syrupy liquid. It can harm the eyes, skin, kidneys, and respiratory system. Ethylene glycol can cause death if swallowed. Workers may be harmed from exposure to ethylene glycol. The level of exposure depends upon the dose, duration, and work being done.
- **2018 IFC Battery Room Protection Automatic smoke detection system per Section 907.2. Signage on or near battery room doors**³⁷: Cautionary markings to identify hazards with specific batteries (corrosives, water reactive, hydrogen gas, Li-ion batteries, etc.)
- Do the batteries release toxic/highly toxic gases during charging, discharging, and normal use?
 - **2018 IFC Battery Specific Protection Systems that release toxic/highly toxic gases during charging, discharging and normal use must comply with Chapter**

³⁵ At page 29: <https://www.nfpa.org/-/media/Files/News-and-Research/Resources/Research-Foundation/Symposia/2016-SUPDET/2016-Papers/SUPDET2016BlumLong.ashx?la=en>


³⁶ <https://www.cdc.gov/niosh/topics/ethylene-glycol/default.html>

³⁷ At page 21: <https://www.iccsafe.org/wp-content/uploads/Energy-Storage-Systems-Fire-Safety-Concepts-in-the-2018-IFC-and-IRC.pdf>

60³⁸ Exhaust ventilation is required for system that produce combustible gases during normal use Spill control and neutralization required for systems with liquid electrolytes.

- **Gas Safety risks in Li-Ion battery charging rooms³⁹:**
 - Li-Ion batteries when overcharged or short circuited are overheated and catch fires
 - Li-Ion battery fires have caused great concern because of risks due to spontaneous fires and intense heat generated by such fires
 - As a result of the above-said a lethal amount of toxic Hydrogen Fluoride Gas, HF is generated.
 - HF from Li-Ion battery fires can pose severe gas safety risks in confined spaces like battery charging rooms, renewable energy storage plants in solar or wind power plants
 - The electrolyte in Li-Ion battery is flammable and generally contains Lithium Hexa- fluoro -phosphate (LiPF₆)
 - In the event of overheating due to overcharging or short circuiting and backed by high temperature, the electrolyte in Li-Ion batteries will vaporise liberating toxic gases like CO, CO₂, HF (hydrogen fluoride)
 - The moisture and humidity will further exacerbate the situation generating more HF (reaction of LiPF₆ with water or humidity)
 - Typical HF concentration expected can be as high as 20-200 ppm of HF (NIOSH/USA Safety limit , TWA:3 ppm HF, STEL: 6 ppm HF)

SCIENTIFIC REPORTS


Correction: Author Correction

OPEN **Toxic fluoride gas emissions from lithium-ion battery fires**

Fredrik Larsson^{1,2}, Petra Andersson², Per Blomqvist² & Bengt-Erik Mellander¹

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Accepted: 28 July 2017
Published online: 30 August 2017

Lithium-ion battery fires generate intense heat and considerable amounts of gas and smoke. Although the emission of toxic gases can be a larger threat than the heat, the knowledge of such emissions is limited. This paper presents quantitative measurements of heat release and fluoride gas emissions during battery fires for seven different types of commercial lithium-ion batteries. The results have been validated using two independent measurement techniques and show that large amounts of hydrogen fluoride (HF) may be generated, ranging between 20 and 200 mg/Wh of nominal battery energy capacity. In addition, 15–22 mg/Wh of another potentially toxic gas, phosphoryl fluoride (POF₃), was measured in some of the fire tests. Gas emissions when using water mist as extinguishing agent were also investigated. Fluoride gas emission can pose a serious toxic threat and the results are crucial findings for risk assessment and management, especially for large Li-ion battery packs.

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³⁸ At page 21: <https://www.iccsafe.org/wp-content/uploads/Energy-Storage-Systems-Fire-Safety-Concepts-in-the-2018-IFC-and-IRC.pdf>

³⁹ <http://www.alviautomation.com/lithium-ion-battery-fires-hydrogen-fluoride-detector/>

⁴⁰ https://www.researchgate.net/publication/319368068_Toxic_fluoride_gas_emissions_from_lithium-ion_battery_fires

Main Risks and Target Organs

Hydrogen fluoride is highly corrosive to all tissues.

Skin: Burns, necrosis; underlying bone may be decalcified.

Eyes: Burns.

Gastrointestinal: After ingestion, the oropharynx and the oesophagus are the primary sites of injury.

Heart: Systemic absorption occurs following skin exposure or ingestion; severe and rapid hypocalcaemia may ensue with cardiac dysrhythmia and arrest.

Lungs: After inhalation, severe pulmonary injury may occur with pulmonary oedema and bronchopneumonia.

Neuromuscular: Tetany may occur due to hypocalcaemia after systemic absorption.

- **Hydrogen Fluoride (Hydrofluoric Acid) 7664-39-3 Hazard Summary:** Hydrogen fluoride is used in the production of aluminum and chlorofluorocarbons, and in the glass etching and chemical industries. Acute (short-term) inhalation exposure to gaseous hydrogen fluoride can cause severe respiratory damage in humans, including severe irritation and lung edema. Severe eye irritation and skin burns may occur following eye or skin exposure in humans. Chronic (long-term) exposure in workers has resulted in skeletal fluorosis, a bone disease. Animal studies have reported effects on the lungs, liver, and kidneys from acute and chronic inhalation exposure to hydrogen fluoride. Studies investigating the carcinogenic potential of hydrogen fluoride are inconclusive. EPA has not classified hydrogen fluoride for carcinogenicity.⁴¹
- **Connector Line**
 - Will the 1,500' long gen-tie be placed underground? It should be similar to Tule Wind's requirement to place their gen-tie line underground south of I-8.



⁴¹ <https://www.epa.gov/sites/production/files/2016-10/documents/hydrogen-fluoride.pdf>

- **Control System**
 - SCADA also creates Radio Frequency Electromagnetic Radiation and potentially other emissions if the system is wireless that can have adverse impacts on people, wildlife, and through Electromagnetic Interference (EMI).
- **Roads**
 - The Project access road off of Carrizo Gorge Road should be made the main project entrance in order to help reduce traffic related impacts on the majority of Jucumba area residents.
 - Table 2: Other Public Agency Permits/Actions Required includes transportation permits for the movement of vehicles or loads exceeding the limitations on the size and weight contained in Division 15, Chapter5, Article 1, Section 355551,of the California Vehicle Code (1983)
 - The CalTrans permit for the vehicles / loads exceeding the size and weight limits indicate the real potential for road damage.
 - The project should be required to fully and timely repair any damaged roads to the satisfaction of the community.
- **Security Fencing**
 - A 7' high chain link fence with 3 strands of barbed wire on top, similar to the photo below taken at an Imperial County solar project, is more compatible with a prison than a massive energy project plopped right next to Jacumba residents.



- In comparison, the California Department of Correction’s McCain Valley Conservation Camp on McCain Valley Road in Boulevard, has a simple 3 strand barbed wire fence around their facility similar to most rural livestock fencing.
- The Project’s chain link fencing will reportedly include slating. The slating may create an additional major noise issue by clattering during high wind events.
- Debris will tend to pile up next to fencing during wind events and must be kept clean.
- **Lighting**
 - Promises to keep the lights shielded and pointed downward are often forgotten and ignored.
 - Dark skies are an important resource to residents and visitors alike and must be protected.

- Lighting installed at the adjacent gas stations at I-8 represents a perfect example of what not to do and where the County has failed to enforce protections. It sets a bad precedent.
- **Construction**
 - 36.5 million gallons of water (112 acre ft) for construction and 3.25 million annually for operation is a lot of water that will no longer move through the eco system and down into Anza Borrego Desert State Park through the Carrizo Gorge to feed springs and habitat that local wildlife is dependent upon.
 - These projects are also sold to County decision makers as job creation but the jobs don't benefit backcountry communities that bear the disproportionate project related health, environmental, and financial burdens.
 - If the project gets to the construction phase, the County should mandate a certain percentage of local workers be hired from impacted Backcountry communities, not from San Diego County at large.
 - To date, these massive local wind, solar, and transmission projects have hired out-of-state contractors who bring in their own crews, with maybe one or two token locals.
- **Operation and Maintenance**
 - The project would be an “unmanned facility that would be monitored remotely”.
 - Again, no local jobs.
 - A dedicated Project hotline must be provided for emergencies and complaints.
- **Facility Decommissioning**
 - Apparently, there is no Power Purchase Agreement, based on the lack of firm details.
 - No end date for this project translates into a permanent and irreversible impact and potentially larger future impact if the project is increased in size or energy at a later date, instead of being decommissioned.
 - Currently, recycling of solar panels is problematic.
 - PV modules are not classified as hazardous waste, but they contain hazardous materials.
 - **If Solar Panels Are So Clean, Why Do They Produce So Much Toxic Waste? Forbes article (5-28-18) included the following excerpts⁴²:**
 - The International Renewable Energy Agency (IRENA) in 2016 estimated there was about 250,000 metric tonnes of solar panel waste in the world at the end of that year. [IRENA projected](#) that this amount could reach 78 *million* metric tonnes by 2050.
 - Solar panels often contain lead, cadmium, and other toxic chemicals that cannot be removed without breaking apart the entire panel. “Approximately 90% of most PV modules are made up of glass,” [notes](#) San Jose State environmental studies professor Dustin Mulvaney. “However, this glass often cannot be recycled as float glass due to impurities. Common problematic impurities in glass include plastics, lead, cadmium and antimony.”
 - Researchers with the Electric Power Research Institute (EPRI) [undertook a study](#) for U.S. solar-owning utilities to plan for end-of-life and concluded that

⁴² <https://www.forbes.com/sites/michaelshellenberger/2018/05/23/if-solar-panels-are-so-clean-why-do-they-produce-so-much-toxic-waste/#5c735d50121c>

solar panel “disposal in “regular landfills [is] not recommended in case modules break and toxic materials leach into the soil” and so “disposal is potentially a major issue.”

- California is in the process of [determining how to divert solar panels](#) from landfills, which is where they currently go, at the end of their life.
- **Department of Toxic Substance Control : Informational Seminar for Proposed Photovoltaic Modules Regulations: 3-25-19 presentation (@ pages 13 & 18) (excerpts)⁴³:**
 - How are PV Modules Hazardous? • Heavy metals (Example: cadmium, lead, arsenic) • Published literature test results RCRA and non-RCRA Metals above toxicity threshold concentrations
 - Not all PV modules wastes are tested hazardous • Generators are responsible for the hazardous waste determination • Universal waste rule applies to wastes that are hazardous • Categorizing PV modules allows generators to manage the waste as universal waste without testing
 - PV Modules Draft proposed regulations § 66261.9 Requirements for Universal Waste • Describes what hazardous wastes are • Exempts PV modules from fully regulated hazardous waste requirements • Allows PV modules to be managed as universal waste under chapter 23.
 - **There will be tons of materials that will need to be disposed as electronic waste.**
- **Surrounding Land Uses and Setting**
 - Please deny the GENERAL PLAN AMENDMENT; REZONE; AND WAIVER OF Land Use Policy I-111 for Discretionary Permits Adjacent to the International Border
 - This project is not just a matter of increase in degree, but a major order of magnitude impact to visual and other important resources.
 - The photo below shows the Sunrise Powerlink construction yard located on the proposed JVR project site. Dust is from a helicopter landing, but most other construction activities also generate dust. The photo was sourced from Basin and Range Watch website. Their caption says this site “used to be Saltbush (*Atriplex canescens*)-filled valley almost to the border of Mexico”⁴⁴.



⁴³ <https://www.dtsc.ca.gov/HazardousWaste/upload/201903-Informational-Seminar-PVM-Final.pdf>

⁴⁴ <https://basinandrangewatch.org/SunrisePowerlink-Construction.html>

- There are also two existing gravel pits located on or near the project site near the area shown in the photo above.

ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED STARTING AT PAGE 10

- We agree with the determination that a full Environmental Impact Report (EIR) is required and with the determination of Potentially Significant Impact for the following factors, although potentially for additional or alternate reasons:
 - Aesthetics; Agriculture; Air Quality; Biological; Cultural; Energy; Geology & Soils;
- See additional comments regarding need to include Recreation, Green House Gas Emissions, and Population & Housing in the EIR.

VII. GREEN HOUSE GAS EMISSIONS:

- This section must address the increased Particulate Matter from grading and Green House Gas emissions from the use of diesel equipment, and potential to use less polluting options like natural gas, and other project GHG sources noted in these comments.
- The gen-tie line and project components will generate off-gassing and electrical pollution that radiates through the air and through increased ground currents.
- Sulfur hexafluoride (SF6)⁴⁵, an extremely potent Green House Gas used in electrical equipment. What are the impacts and proposed alternatives and mitigation?
- Installation, maintenance, and decommissioning and leakage from SF6 containing GIE.11 Closed-pressure equipment is the category of GIE that is the most susceptible to SF6 emissions. Emissions associated with sealed-pressure equipment mostly occur during the manufacturing process and at disposal. Below is an overview of potential sources of SF6 in transmission and distribution equipment, focusing on closed-pressure equipment. At the disposal stage, all equipment can release SF6. Therefore, proper handling, storage, and disposal procedures are critical to reduce emissions of SF6 into the atmosphere.”
- According to the EPA’s **Overview of SF6 Emissions Sources and Reduction Options in Electric Power Systems (2018)**⁴⁶, *“Potential sources of SF6 emissions occur from 1) losses through poor gas handling practices during equipment installation, maintenance, and decommissioning and 2) leakage from SF6-containing GIE.”*
- See comments on ESS system (pages 15-18) and potential GHG emission sources.

XIII. NOISE:

- Power conversion equipment, inverters (DC to AC), transformers, switchgears, PV module tracking motors, HVAC units and battery energy storage systems, and power lines, all make noise; complicated noise.
- **Solar Panels Create Noise Nuisance in Edgartown, Vineyard Gazette, by Olivia Hull (9-25-14)**⁴⁷

⁴⁵ <http://climate.columbia.edu/files/2012/04/GNCS-SF6-Factsheet.pdf>

⁴⁶ https://www.epa.gov/sites/production/files/2018-08/documents/12183_sf6_partnership_overview_v20_release_508.pdf

⁴⁷ <https://vineyardgazette.com/news/2014/09/25/solar-panels-create-noise-nuisance-edgartown>



- **Excerpts:**
- Smith Hollow is a quiet neighborhood in Edgartown where the ambient sounds include distant traffic and breeze moving through the trees.
- But this past summer, the installation of a new municipal solar array added a new sound to the mix: incessant humming that all but drowns out the other sounds at some Smith Hollow residences.
- As soon as the solar project went live, inverters, the part of the system that converts direct current from the sun to alternating current, began emitting noise on sunny days. Neighbors complained, and the town hired an expert to investigate.
- The inspection revealed that the sound coming from the inverters exceeds ambient sounds in all eight octaves by a significant margin, according to a report discussed by the town selectmen Monday.
- “The sound from the inverters is clearly in violation of the Mass. DEP Noise Policy, and also constitutes a noise nuisance, in my opinion, based on the sound level measurements reported here,” wrote Lawrence G. Copley, a sound engineer, in the noise assessment he presented to the town.
- Upon reading another paper, **Harmonics and Noise in Photovoltaics: PV Inverter and the Mitigation Strategies**⁴⁸, even a layman realizes that inverters generate high frequency noise of various sorts and complexities, often with weird harmonics.
- In another article the German inverter manufacturer SMA Solar Technology describes its experience sleuthing out persistent inverter noise emissions, analyzing⁴⁹:
 - structure-borne noise transfer paths
 - transfer of airborne noise and its effects
 - noise caused by vibrations
 - Resonance frequency testing
- Project components will also be subject to wind generated noise that results in potentially significant rattling of P V Modules, slatted chain link fencing and more.

XIV. POPULATION & HOUSING:

⁴⁸ <https://docplayer.net/17995775-Harmonics-and-noise-in-photovoltaic-pv-inverter-and-the-mitigation-strategies.html>

⁴⁹ <https://www.sma.de/en/partners/knowledgebase/reducing-noise-in-pv-power-plants.html>

- This section fails to address the loss of future housing potential on the almost 700 acres being converted to industrial solar.
- It also fails to address the potential abandonment of homes and loss of population due to the industrial conversion and project generated noise, low-frequency noise, electrical and visual pollution that could make homes unappealing, unsafe and/or unlivable.
- When the solar energy is not needed, and the sun is still shining, that energy is dumped into the ground and migrates offsite and can enter homes through plumbing and other grounded devices or equipment.
- This section contradicts the project Plot Plans that do show water supply line extensions through the project, with no real explanation of what they are for, what the source of water is or what the intended end use is.

XIX. UTILITIES AND SERVICE SYSTEMS:

- Excessive use of local groundwater resources can also impact supplies to the west into the Boulevard Planning Area where the vast majority of the Boundary Creek watershed and fresh water is located up gradient from Jacumba.
- Wells and springs on the west side of Jacumba, up through Bankhead Springs should be monitored prior to, during, and after this massive project is built and operating.
- During the last major construction project, using JCSD wells, several residents west of Jacumba reported significantly increased depth to water in their wells.
- The amount of energy this project will consume for all of the projects electronic components including HVAC units must be disclosed.

XX WILDFIRE

- The JVR project has the potential to ignite wildfires through attraction of lightning strikes and/or through electrical faults or other malfunctions in project components resulting in potentially hazardous fumes and waste.
- Battery storage represents additional sources of wildfire ignition and hazardous / toxic fumes generated by burning lithium ion batteries and thermal runaway events.
- **Energy Storage Systems Fire Safety Concepts in 2018 IFC and IRC: Hazard Mitigation Analysis:**⁵⁰
 - The HMA will evaluate the consequences of failure modes • Thermal runaway in a single battery array • Failure of the energy management system • Failure of ventilation system • Voltage surges on the primary • Short circuits on the load side of the batteries • Failure of the smoke or gas detection, fire suppression The fire code official is authorized to approve the hazardous mitigation analysis based on the HMA. The HMA is a tool to address unknowns with new technologies
- Specialty firefighting equipment and specially trained firefighters are needed and should be funded by this Project and housed within the community of Jacumba Hot Springs and not later transferred to other communities outside the project impact zone, as happened previously with

⁵⁰ <https://www.iccsafe.org/wp-content/uploads/Energy-Storage-Systems-Fire-Safety-Concepts-in-the-2018-IFC-and-IRC.pdf>

specialty foam firefighting equipment provided as mitigation for ECO Substation being transferred to Lake Morena.

- What good are the 10,000 gallon tanks when water cannot be used to fight electrical fires?

XXI. MANDATORY FINDINGS OF SIGNIFICANCE

- We strongly agree with and appreciate the FINDING OF POTENTIALLY SIGNIFICANT IMPACT that the project has the potential to result in adverse effects on human beings directly and indirectly and that this topic will be addressed in the DEIR.

PRELIMINARY PLOT PLANS DATED 11-1-18: THESE PLANS SHOULD HAVE BEEN POSTED ON THE COUNTY'S PROJECT REVIEW SITE FOR PUBLIC COMMENT:

- **2.3' setback from property lines to ground-mounted PV solar is ridiculous and must be extended for the sake of existing residents who will be exposed to potential hazards.**
- Drawing #100:
 - Shows 7 wells and 9 monitoring wells.
 - How many of the 7 existing wells will be used; and how much water will be allowed for project use?
 - Are any other local wells proposed for project use?
 - Mesquite Bosque is mapped. Bosque means woodland and woodland is a type of forest.
- **Drawing # 101**
 - The project is located far too close to the Jacumba Shell and Chevron gas stations, especially on the west side. The potential for fire or explosions jumping from on-site to off-site and vice-versa is significantly increased due to proximity. Setbacks must be increased.
 - This portion of the project is also far too close to Round Mountain that is partially located in Anza Borrego Desert State Park.
 - Shows location where a "tree will be removed" but does not disclose the type or size of the tree.
 - 10' Potential Future Water Easement passes near Monitoring Well P-5. What is this for?
- **Drawing #102:**
 - Shows a "structure to be demolished" but fails to disclose what type of structure it is.
 - Shows an extension of the 10' Potential Future Water Easement that appears to end on or near the non-participating APN 661-010-28 owned by Reagan A. Shallal.
 - What is the purpose of this 10' Potential Future Water Easement; what is the source of the water; and what is the intended end use of the water?
- **Drawing # 103**
 - Shows another 10' Potential Future Water Easement that appears to connect to the Ketchum Ranch Water Company Well located north of Seeley Avenue and just south of the San Diego & Arizona Eastern Railroad tracks.
 - The plans fail to identify the fact that the Jacumba Park is located immediately adjacent to the project.
 - The plans also fail to clearly identify the existing residences west of Laguna Street and north of Seeley Avenue that are far too close to project boundaries.

- Setbacks must be significantly increased along the residential neighborhoods to help protect public health and safety and reduce the nuisance effects of noise and electrical pollution.
- **Drawing #104:**
 - Demo of the historic Ketchum Ranch dairy buildings should be identified as such instead of just saying ‘demolish existing farm’.
 - The historic buildings should be preserved instead of demoed.
 - The farm buildings are located on a hill that is now proposed for PV modules.
 - How will these elevated project components be shielded with a 7 ‘ tall slatted chain link fence with 3 strands of barbed wire, or will the existing hill be graded flat? That would be a lot of dirt and rock to move.
 - How will the hillside installation impact any glare studies?
 - Several 10’ Potential Future Water Easements are shown on this drawing. Again, what is the purpose of these future water lines; what is the source and what is the end use?
 - Two private parcels (APN 660-150-06 – Jesus Barriga & APN 660-150-05 –Teodora Cesena et al) are located far too close the project boundaries.
 - Setbacks must be significantly increased for these properties or they should be offered buyouts if they are willing.
 - In addition, 3 existing wells are located in close proximity to these two non-participating parcels.
 - Do they have private wells that could be impacted? If so, those wells must be monitored as well.
 - To purposely surround private homes so closely with such high voltage equipment is unnecessary and blatantly asking for trouble.
 - The project setback should be increased for the Jacumba Airport as well.
- **Drawing #201:**
 - Drawing is hard to read.
 - It looks like a chain link gate that looks like the entrance to a prison.

INSURANCE RATES FOR RENEWABLES ARE RISING DUE TO INCREASED RISK. THIS NEW ISSUE SHOULD BE CONSIDERED BECAUSE IT RELATES TO POTENTIAL PUBLIC HEALTH & SAFETY.

- **April 4, 2019: Why Insurance Claims in Renewable Energy Industry Are Rising: Insurance Journal⁵¹ (excerpts)**
 - The frequency and severity of insurance claims in the U.S. renewable energy market have significantly increased over the last five years, meaning insurers and asset owners must reset their benchmark for renewable energy risks, according to an insurer that specializes in the renewable energy market.
 - According to California-based GCube Insurance, the claims burst can be attributed to component vulnerability, defective designs and changing original equipment manufacturer (OEM) warranties, along with extreme weather damage.
 - In particular, accelerated build times have caused an unusual amount of material damage during construction. As construction firms have come under pressure to build projects more efficiently and in shorter timeframes, less experienced personnel are being used to handle

⁵¹ <https://www.insurancejournal.com/news/national/2019/04/04/522873.htm>

increasingly complex equipment, resulting in a higher frequency and severity of claims, attendees were told.

- At the same time, component failure has meant higher costs. The increased complexity of components makes them harder to replace in isolation. In wind energy, with newer blades, any component damage may mean replacing the entire blade, which raises operation and maintenance costs, according to the insurer.

MITIGATION

- If this project manages to get approval over community opposition and any potential legal challenges, mitigation must be community-based and NOT fashioned to benefit other out of area human and natural communities or subregions
- If the project is phased in, then the components furthest from Jacumba's residential areas should be installed first.
- The project footprint should be significantly reduced. Significant reduction of the project footprint should move components much further away from existing residents and residential areas, the community park, community center, the airport, and Old Hwy 80, including removal of all the project components currently identified on Drawing # 103 of the Plot Plans dated 11-1-18.
- Free energy should be provided for the life of project for all residents and business owners in the Jacumba Planning Area, including those who may be out of the planning area but whose views and quality of life are impacted.
- Property Value Protection Agreements and reimbursement for increased insurance rates or cancellation of insurance policies due to increased fire / hazard risk related to the Project.
- Permanent Open Space should be designated including all project land west of the existing rail line, including all of Round Mountain, at least 100 feet or so along the western perimeter that abuts residential areas, and south of Old Hwy 80.
- A trail system should be designed and built at Project's expense that will make it easier for residents and visitors to access the Anza Desert State Park and Anza Borrego Foundation-managed areas south of I-8, including Round Mountain.
- Regardless, no amount of mitigation can or will off-set what will be permanently and irretrievable lost as a result of all or part of the Project being approved.

There is absolutely no valid reason to approve the 90 MW JVR Energy Park solar project beyond perceived corporate greed and government short-sightedness.

- There are far better alternatives located within the City of San Diego and urban/suburban boundaries of San Diego County that don't require conversion of green field sites.
- The direct, indirect, and cumulatively significant impacts place an undue burden on the predominantly low-income and designated Colonia, Jacumba Hot Springs.
- BayWa's JVR solar project unnecessarily and unethically places some of our most physically and financially vulnerable residents at risk.

Thank you for consideration of these comments...



587 Palm Canyon Dr.
Suites 110 & 111
P.O. Box 2001
Borrego Springs, CA 92004

(760) 767-0446
www.theabf.org

April 8, 2019

Bronwyn Brown,
Land Use and Environmental Planning Manager
County of San Diego
Planning and Development Services
5510 Overland Ave, Suite 310
San Diego, CA 92123

Project Name: JVR Energy Park
Project Numbers: PDS2018-GPA-18-010; PDS2018-REZ-18-007; PDS2018-MUP-18-022
Environmental Review Number: PDS2018-ER-18-22-001

Dear Ms. Brown,

This letter is being submitted on behalf of the Anza-Borrego Foundation in response to the Notice of Preparation document for the proposed JVR Energy Park. We ask that the following information be considered as the County of San Diego begins to draft the Environmental Impact Report.

The proposed project site is adjacent to 1,080 acres owned in fee title by the Anza-Borrego Foundation and managed by the California Department of Parks and Recreation under a 2016 lease agreement as part of Anza-Borrego Desert State Park. The property is in the process of being transferred to Anza-Borrego Desert State Park and the transfer will likely be complete by the end of 2019.

In 2007, The Nature Conservancy purchased the 1,080 acres as an interim step in transferring ownership to California Department of Parks and Recreation. In 2012, title was transferred to the Anza-Borrego Foundation to hold title 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.

In a report released in June of 2007 by The Conservation Biology Institute, they identified three objectives of the 2007 acquisition by the Nature Conservancy:

- 1) Conserve habitat designated as the Southeast San Diego recovery unit (Jacumba habitat complex) for the federally endangered Quino checkerspot butterfly (*Euphydryas editha quino*) (USFWS 2000):
- 2) Buffer the entrance to the Carrizo Gorge which provides a water source for the federally endangered and state threatened Peninsular bighorn sheep (*Ovis canadensis nelson*);
- 3) Build a connection between the Carrizo Gorge in Anza-Borrego Desert State Park (ABDSP) and the international border to maintain landscape-scale connectivity functions in this region of San Diego County and cross border connectivity with habitat in Baja California.

In light of these objectives identified when the property was first acquired for preservation, a project of this size as proposed, would have severe negative impacts to the biological resources of the area.

The CEQA Initial Study does not list recreation as being impacted by this project, however we believe that this project would have significant impacts on the recreation potential to the adjacent park land as well as having negative impacts to the scenic vista.

We respectfully ask that Anza-Borrego Foundation be kept informed as the environmental review and planning process moves forward.

Sincerely,

A handwritten signature in black ink that reads "Brianna Fordem". The signature is written in a cursive, flowing style.

Brianna Fordem
Interim Executive Director
Anza-Borrego Foundation

April 8, 2019
The Real East County Fire Safe Council
39919 Ribbonwood Rd.
Boulevard, CA 91905
realeastcountyfsc@yahoo.com



Bronwyn Brown, Project Manager,

The Real East County Fire Safe Council encompasses the Jacumba area. Our major concern is fire related. Due to high winds and the proximity of this project to residents, this project presents a hazard to the entire town of Jacumba.

If this project is built, three sides of the town will be surrounded by solar projects. The town of Jacumba would have to be evacuated if a fire was started anywhere near these projects. There is only one road for all of the residents to use to evacuate in an emergency.

Because of the nature of the equipment, firefighters cannot fight a fire from either above or below the solar development. They will have to wait for the fire to come to them. This project is too close to the town for this to be acceptable.

Currently, the Jacumba fire station is a very small building on the opposite side of town. A new fire station is needed. We need a lot more firefighters trained in putting out electrical fires already with the number of electrical projects in the area. We also need the foam on hand to put out electrical fires.

An alternative to this project would be to increase the setbacks. This project should not be close to the town or any of the residences.

Respectfully,

Ken Daubach
President

NOP Comment Letter
Tribes

VIEJAS

TRIBAL GOVERNMENT

P.O. Box 908
Alpine, CA 91903
#1 Viejas Grade Road
Alpine, CA 91901

March 22, 2019

Phone: 6194453810
Fax: 6194455337
viejas.com

Bronwyn Brown
County of San Diego Planning & Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

RE: JVR Energy Park

Dear Mr. Brown,

The Viejas Band of Kumeyaay Indians ("Viejas") has reviewed the proposed project and at this time we have determined that the project site has cultural significance or ties to Viejas.

Viejas Band request that a Kumeyaay Cultural Monitor be on site for ground disturbing activities to inform us of any new developments such as inadvertent discovery of cultural artifacts, cremation sites, or human remains.

Please call me at 619-659-2312 or Ernest Pingleton at 619-659-2314 or email, teran@viejas-nsn.gov or epingleton@viejas-nsn.gov, for scheduling. Thank you.

Sincerely,



Ray Teran, Resource Management
VIEJAS BAND OF KUMEYAAY INDIANS

NOP Comment Letter
Individuals

Follow up in email

**SPEAKER SLIP
PUBLIC SCOPING MEETING FOR
NOTICE OF PREPARATION OF AN
ENVIRONMENTAL IMPACT REPORT (EIR)
FOR JVR ENERGY PARK**

(PDS2018-GPA-18-010, PDS2018-REZ-18-007, PDS2018-MUP-18-022)

MARCH 21, 2019

PLEASE PRINT LEGIBLY

NAME

David	Breechner
First	Last

PO Box 430 11 Frontage Rd

ADDRESS: Number Street City

Ocotillo, CA 92259 [REDACTED]

State Zip Telephone [REDACTED]

[REDACTED]
Email address

Soil depth penetration &
scraping / construction?

(both for panels & substation)

PO Box 61
Jacumba, CA 91934

**County of San Diego
Planning & Development Services
5510 Overland Ave, Ste. 310
San Diego, CA 92123
ATTN: Ms. Bronwyn Brown**

ATTN: Ms. Bronwyn Brown

I am a resident of Jacumba. I am against the proposed JVR Energy Park that would place thousands of solar panels on 691 acres in Jacumba Valley and within our village.

This project is wrong for our community. It will lower our property values, destroy scarce wildlife habitat, destroy our rural community character, and squander natural resources such as water and clear air. The JVR Park is NOT in keeping with land use descriptions found in the Mountain Empire Sub-Regional Plan, adopted on August 3, 2011. For those reasons, I request that county supervisors reject this project.

Anna Gardner

(print your name and sign)

F. Heath
PO Box 1558
Boulevard CA
91905

County of San Diego
Planning & Development Services
5510 Overland Ave, Ste. 310
San Diego, CA 92123
ATTN: Ms. Bronwyn Brown

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FRANCES HEATH *Frances Heath*

(print your name and sign)

m. Pratt
44632 Calexico
Jacumba, Ca
91934

County of San Diego
Planning & Development Services
5510 Overland Ave, Ste. 310
San Diego, CA 92123
ATTN: Ms. Bronwyn Brown

ATTN: Ms. Bronwyn Brown

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Maureen Pratt 

(print your name and sign)



County of San Diego

MARK WARDLAW
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
(858) 694-2962 • Fax (858) 694-2555
www.sdcounty.ca.gov/pds

KATHLEEN A. FLANNERY
ASSISTANT DIRECTOR

**JVR ENERGY PARK
(PDS2018-GPA-18-010, PDS2018-REZ-18-007, PDS2018-MUP-18-022)**

MARCH 21, 2019 EIR PUBLIC SCOPING MEETING - COMMENT SHEET

Dear Bronwyn Brown,

*Sending additional signatures "opposing" the project
in Jacumba, CA.*

Submit by Mail, Fax or Email. Comments must be received no later than April 8, 2019 at 4:00 p.m.

Bronwyn Brown, Project Manager
County of San Diego
Planning and Development Services
5510 Overland Ave., Suite 310
San Diego, CA 92123

Email: bronwyn.brown@sdcounty.ca.gov

FAX: (858) 694-2555

Phone: (858) 495-5516

Lorrie Ostrander April 6, 2019
Commenter Signature, Date

Lorrie Ostrander
Print Name

43577 Old Hwy 80
Address

Jacumba, CA. 91934
City, State, Zip Code





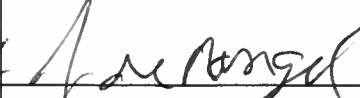
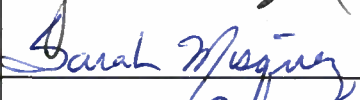


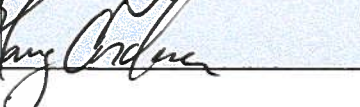
Petition to oppose The JVR (Jacumba Valley Ranch) Solar Project also known as The Jacumba Solar Park 90 mega watt solar generation and 20 mega watt storage facility. This project and others in the area are connected and not separate actions and cause cumulative impacts as noted in CEQA Article 20 Definitions. Section 15355. Cumulative Impacts.

Petition summary and background	This petition is directed at decision makers at the Jacumba Sponsor Group who some on Group may benefit financially, San Diego County, California Public Utilities Commission, and the general public who may think the Solar Project in close proximity to residents living in the community of Jacumba is safe and beneficial to the Community.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to deny the Jacumba Valley Ranch Solar Project projects based on significant, cumulative and disproportionate adverse impacts to: public health and safety, sleep deprivation & stress-related illnesses; noise, low-frequency noise, increased fire risk & insurances costs; loss of scenic landscapes & property values; light and electrical pollution; well water; wildlife; pets and livestock & habitat. Solar Panels and inverter, collection stations, and substations are planned far too close to homes & roads. Mail or email copies to: Dianne Jacob 1600 Pacific Highway, Rm335, San Diego, Ca. 92101 email: dianne.jacob@sdcounty.ca.gov

Printed Name	Signature	Address	Comment	Date
Maureen Pratt		44632 Calexico	oh hell no!	4-5-19
FRANCES HEATH		PO Box 1555 Bonaville	NOT enough WATER!	4-5-19
Greg Jones	GEORGE THOR	PAB 261 JUCUMBA	we don't need this crap	4-5-19
Irina Goshu	I Goshu	P.O. Box 68, 91934		4-7-19
Sandra Wood	Sandra Wood	44722 Old Hwy 80	Hell No!!!	4-7-19
Constance P. Ramstead	Constance P. Ramstead	44722 Old Hwy 80	adamantly Opposed	4-7-19
Vicko G AYALA		44674 Calexico Ave		4-7-19
Chris Vickers		44640 Calexico Ave		4-7-19

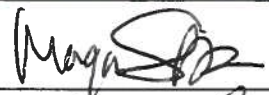
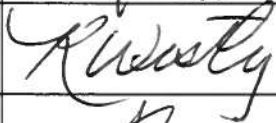



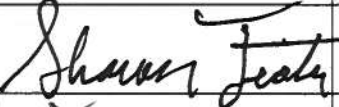


Petition to oppose The JVR (Jacumba Valley Ranch) Solar Project also known as The Jacumba Solar Park 90 mega watt solar generation and 20 mega watt storage facility. This project and others in the area are connected and not separate actions and cause cumulative impacts as noted in CEQA Article 20 Definitions. Section 15355. Cumulative Impacts.

Petition summary and background	This petition is directed at decision makers at the Jacumba Sponsor Group who some on Group may benefit financially, San Diego County, California Public Utilities Commission, and the general public who may think the Solar Project in close proximity to residents living in the community of Jacumba is safe and beneficial to the Community.
Action petitioned for	We, the undersigned, are concerned citizens who urge our leaders to act now to deny the Jacumba Valley Ranch Solar Project projects based on significant, cumulative and disproportionate adverse impacts to: public health and safety, sleep deprivation & stress-related illnesses; noise, low-frequency noise, increased fire risk & insurances costs; loss of scenic landscapes & property values; light and electrical pollution; well water; wildlife; pets and livestock & habitat. Solar Panels and inverter, collection stations, and substations are planned far too close to homes & roads. Mail or email copies to: Dianne Jacob 1600 Pacific Highway, Rm335, San Diego, Ca. 92101 email: dianne.jacob@sdcounty.ca.gov

Printed Name	Signature	Address	Comment	Date
Lorrie A. Ostrander		43577 Old Hwy 80, Jacumba	Health issues, concerned about our firefighters - Too Close to RV Park Residents	3/20/19
Ashley Consins		44465 Calexico Ave Jacumba	Too Close to town; sound; Concerns about health	3/20/19
JOSE RANGEL		44653 Holtville Ave, Jacumba	dangerous to Community Property Value down if this happens.	3/20/19
Sarah Miguez		44674 Old Hwy 80, Jacumba	No please!	3/20/19
Desiree Prince		39323 Clements St. Boulevard, CA	No Solar Field	3-20-19
Robert Carand		1951 Carrizo G. Rd	Enough is Enough	3-20-19
Nancy Cordova		1951 Carrizo Gorge Rd	Why us?	3-20-19

Petition to oppose The JVR (Jacumba Valley Ranch) Solar Project also known as The Jacumba Solar Park 90 mega watt solar generation and 20 mega watt storage facility. This project and others in the area are connected and not separate actions and cause cumulative impacts as noted in CEQA Article 20 Definitions. Section 15355. Cumulative Impacts.

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Printed Name	Signature	Address	Comment	Date
MORGAN STEVENS		P.O. Box 355 JACUMBA, CA 91934	No solar	3/22/19
Katrina Westley		PO Box 355 Jacumba, Ca 91934	We Solar	3/22/19
Demetrios Glasos		PO BOX 355 Jacumba, Ca 91934	NO! Solar!	3/22/19
Gina Southard		PO BOX 87 Jacumba, CA 91934	No solar	3/22/19
Preston Southard		PO Box 87 Jacumba, CA 91934	We No want solar	3/22/19
Shawn Fiala		44678 Old Hwy 80 Jacumba, CA 91934	No solar	3/28/19
Angela Slay		44622 El Camino Ave JACUMBA CA 91934	No Way! Solar!	3/22/19
Dorely Wise		44678 Old Hwy, 80 JACUMBA	Don't want it - Scared of Health 3/28/2019	3/28/2019

Printed Name	Signature	Address	Comment	Date
Wahed Jesso	Wahed Jesso	44475 Old Hwy 80	JACUMBA	3/20
Jacan C	Jacan C	44465 Calexico Ave	No Solar	3-20-19
Rajah Thomas	Rajah Thomas	44726 Old Hwy 80 Sp. 23	NO Big Energy	3/29
Steve Perumman	Steve Perumman	44250 Old Hwy 80		3/20/19
Myra Price	Myra Price	44556 Seeley Ave	No Solar	3/20
Naeline Rodgers	Naeline Rodgers	44726 Old Hwy 80 #12	NO Solar	3/20
Jessica Gardner	Jessica Gardner	PO Box 61, Jacumba 91844	No Solar	3/24/19
Blanca Casanova	Blanca Casanova	44473 Calexico Dr	No Solar	3/20/19
Heather Skains	Heather Skains	2816 Ribbonwood Ln 91934 Boulevard CA 91905	no solar	3/23/19
Sharon Burton	Sharon Burton	"	no solar	3/23/19
Jasmine Finney	Jasmine Finney	37813 Clover Trail Boulevard, Ca 91905	No Solar	3-20-19
Mike Finney	Mike Finney	" "	No Solar	3/20/19
Heather Schwartz	Heather Schwartz	1226 Camino St. JACUMBA CA 91905	No Solar Here!	3/23/19
Bradley Schwartz	Bradley Schwartz	" "	No Solar!!!	3-20-19

Sandra Wood

P.O. Box 43

Jacumba, Ca. 91934

County of San Diego
Planning & Development Services
5510 Overland Ave, Ste. 310
San Diego, CA 92123
ATTN: Ms. Bronwyn Brown

ATTN: Ms. Bronwyn Brown

I am a resident of Jacumba. I am against the proposed JVR Energy Park that would place thousands of solar panels on 691 acres in Jacumba Valley and within our village.

This project is wrong for our community. It will lower our property values, destroy scarce wildlife habitat, destroy our rural community character, and squander natural resources such as water and clear air. The JVR Park is NOT in keeping with land use descriptions found in the Mountain Empire Sub-Regional Plan, adopted on August 3, 2011. For those reasons, I request that county supervisors reject this project.

Sandra Wood - Sandra Wood

(print your name and sign)

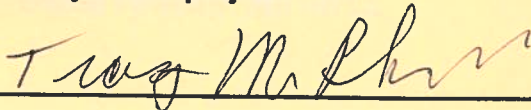
Tracy McPherson
44612 Calexico
Jacumba, CA 91934

County of San Diego
Planning & Development Services
5510 Overland Ave, Ste. 310
San Diego, CA 92123
ATTN: Ms. Bronwyn Brown

ATTN: Ms. Bronwyn Brown

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(print your name and sign)
Tracy McPherson



County of San Diego

MARK WARDLAW
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
(858) 694-2962 • Fax (858) 694-2555
www.sdcounty.ca.gov/pds

KATHLEEN A. FLANNERY
ASSISTANT DIRECTOR

JVR ENERGY PARK (PDS2018-GPA-18-010, PDS2018-REZ-18-007, PDS2018-MUP-18-022)

MARCH 21, 2019 EIR PUBLIC SCOPING MEETING - COMMENT SHEET

I am a resident of Jacumba and if these
solar panels go up it will affect all
of our animal life and all of are
beautiful habitats and will make many
animals extinct and i hope that never
happens,

Submit by Mail, Fax or Email. Comments must be received no later than April 8, 2019 at 4:00 p.m.

Bronwyn Brown, Project Manager
County of San Diego
Planning and Development Services
5510 Overland Ave., Suite 310
San Diego, CA 92123

Email: bronwyn.brown@sdcounty.ca.gov

FAX: (858) 694-2555

Phone: (858) 495-5516

Ellie Schwartz

Commenter Signature, Date

Ellie Schwartz

Print Name

1224 Cambo St

Address

Jacumba Ca 91934

City, State, Zip Code



County of San Diego

MARK WARDLAW
DIRECTOR

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JVR ENERGY PARK
(PDS2018-GPA-18-010, PDS2018-REZ-18-007, PDS2018-MUP-18-022)

MARCH 21, 2019 EIR PUBLIC SCOPING MEETING - COMMENT SHEET

I AM A Homeowner of Several Homes in Jacumba, and have resided since 2014. IF The County is Not Aware This is A Small Town Consisting of "Generational Families," Native Families, All Ages, Disabilities/Disabled, Reclusive, Health-Related Concerns, Families, Children and The Unborn to Come. The Environmental Impact is Not looking at The Environment in Which "We The People," Live in! As A Home-owner we do not want The Area "Re-Zoned" for land use, it is A Residential Town- of People, with History Here in Jacumba. The County Needs to Realize that The Impact on Biological, Archeological, Hydrology, Transportation, Utilities, Gorgeous View spots, Astrology, Travel & Tourism, Nature, Animal life, and Truly How Does This Benefit JACUMBA NOT SPRINGS AS IT SEEMINGLY TAKES AWAY SO VERY MUCH!

Submit by Mail, Fax or Email. Comments must be received no later than April 8, 2019 at 4:00 p.m.
Bronwyn Brown, Project Manager
County of San Diego
Planning and Development Services
5510 Overland Ave., Suite 310
San Diego, CA 92123

Email: bronwyn.brown@sdcounty.ca.gov
FAX: (858) 694-2555
Phone: (858) 495-5516

Heather Schwartz
Commenter Signature, Date
HEATHER SCHWARTZ
Print Name
1226 Carrizo Street
Address
JACUMBA CA 91934
City, State, Zip Code

(P.O. BOX 2750
Mail: El Cajon, CA 92021)



County of San Diego

MARK WARDLAW
DIRECTOR

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KATHLEEN A. FLANNERY
ASSISTANT DIRECTOR

JVR ENERGY PARK (PDS2018-GPA-18-010, PDS2018-REZ-18-007, PDS2018-MUP-18-022)

MARCH 21, 2019 EIR PUBLIC SCOPING MEETING - COMMENT SHEET

JVR Energy Project is HUGE. It changes and redefines the community of Jacumba Hot Springs. This project was already impacted property values and desirability. Unlike the existing solar power plant east of this project, which is hardly visible and away from the town, this project will overpower and dominate the town. This will kill this town. Removing the PV modules from parcel 103 and 104 would still provide a feasible project and not destroy the viewshed and community character. Water use for construction & maintenance will be huge. What good does this project do for the community. Firemen need to be trained and stay here. Need monetary support for the project

Submit by Mail, Fax or Email. Comments must be received no later than April 8, 2019 at 4:00 p.m.

Bronwyn Brown, Project Manager
County of San Diego
Planning and Development Services
5510 Overland Ave., Suite 310
San Diego, CA 92123

Email: bronwyn.brown@sdcounty.ca.gov

FAX: (858) 694-2555

Phone: (858) 495-5516

Joseph Carmody 3/21/19
Commenter Signature, Date

Joseph Carmody
Print Name

961 Forest Gate Rd Campo
Address

Campo CA 91906
City, State, Zip Code

**SPEAKER SLIP
PUBLIC SCOPING MEETING FOR
NOTICE OF PREPARATION OF AN
ENVIRONMENTAL IMPACT REPORT (EIR)
FOR JVR ENERGY PARK**

(PDS2018-GPA-18-010, PDS2018-REZ-18-007, PDS2018-MUP-18-022)

MARCH 21, 2019

PLEASE PRINT LEGIBLY

NAME

<u>KATHY</u> First	<u>BROCK</u> Last
-----------------------	----------------------

42086 OH 80 JACUMBA
ADDRESS: Number Street City 91934

CA 91934 [REDACTED]
State Zip Telephone

[REDACTED]
Email address

Using what we have lots of - wind
& sun. Vertical wind towers - New Zealand
type that withstands high wind -
Combine with solar using graphite
wind catcher up high with circular
solar collector underneath.
Also Denmark experimenting with
using rocks as heat storage
(heated to 600° F.)
Smaller footprint saving some
farmland.



County of San Diego

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DIRECTOR

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KATHLEEN A. FLANNERY
ASSISTANT DIRECTOR

JVR ENERGY PARK (PDS2018-GPA-18-010, PDS2018-REZ-18-007, PDS2018-MUP-18-022)

MARCH 21, 2019 EIR PUBLIC SCOPING MEETING - COMMENT SHEET

Possibility of leaving a corridor for residential
parallel to old 80 so town water hitch up ect. instead
of having to drill your own well. Pay to have extensive
electrical tie in. Fire protection.

- Seely Ave to Ranch House -

100yr stoppage of residential growth.

astronomical impact (Night Sky) (Dark Sky)

Submit by Mail, Fax or Email. Comments must be received no later than April 8, 2019 at 4:00 p.m.

Bronwyn Brown, Project Manager
County of San Diego
Planning and Development Services
5510 Overland Ave., Suite 310
San Diego, CA 92123

Email: bronwyn.brown@sdcounty.ca.gov

FAX: (858) 694-2555

Phone: (858) 495-5516

Lash Roe March 21 2019
Commenter Signature, Date

LASH ROE
Print Name

P0373 44668 Brawley ave
Address

91934-0373
City, State, Zip Code



County of San Diego

MARK WARDLAW
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
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KATHLEEN A. FLANNERY
ASSISTANT DIRECTOR

JVR ENERGY PARK (PDS2018-GPA-18-010, PDS2018-REZ-18-007, PDS2018-MUP-18-022)

MARCH 21, 2019 EIR PUBLIC SCOPING MEETING - COMMENT SHEET

Why does this project have to be so close to the community. There is more open land east of here that would not impact people, homes, and community as severely as this current one. What does our community benefit from this project. Seems as if Los Angeles is the only area benefited. There seems to be an agenda against small communities as more and more projects dump on us.

Submit by Mail, Fax or Email. Comments must be received no later than April 8, 2019 at 4:00 p.m.

Bronwyn Brown, Project Manager
County of San Diego
Planning and Development Services
5510 Overland Ave., Suite 310
San Diego, CA 92123

Email: bronwyn.brown@sdcounty.ca.gov

FAX: (858) 694-2555

Phone: (858) 495-5516

Myra Price
Commenter Signature, Date

Myra Price
Print Name

P.O. Box 354 Jacumba
Address

Jacumba, CA 91934
City, State, Zip Code



County of San Diego

MARK WARDLAW
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
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MARCH 21, 2019 EIR PUBLIC SCOPING MEETING - COMMENT SHEET

I would like for this to just go away. I moved here 38 years ago to get away from all of this B.S. I want to look outside and see Gods Country and you want to cover it up and take all this beautiful nature away from us. I am on social security and its hard for me to pay the higher electric bill now. I won't be able to afford to live when it goes up again. Unless you are going to reimburse us for our ~~tighter~~ higher bills, Please just go Away!!!

Submit by Mail, Fax or Email. Comments must be received no later than April 8, 2019 at 4:00 p.m.

Bronwyn Brown, Project Manager
County of San Diego
Planning and Development Services
5510 Overland Ave., Suite 310
San Diego, CA 92123

Email: bronwyn.brown@sdcounty.ca.gov

FAX: (858) 694-2555

Phone: (858) 495-5516

Nadine Rodgers 3/21/19
Commenter Signature, Date

Nadine Rodgers
Print Name

P.O. Box 123
Address

Jacumba, Ca. 91934-0123
City, State, Zip Code

Sender: S. ray <8thgenfarms@gmail.com>

To: Brown, Bronwyn

Good Afternoon Ms. Brown,

Thank you for coming to Jacumba-Jacume to address our community's concerns and to endure our personalities.

Please forward copies of the EIR soliciting public comment in both Arabic and Spanish. The community intends to support and provide you with every resource available to ensure the efficacy of the democratic processes of land use and planning your office explained during your visit.

If you have any questions or concerns, please do not hesitate to contact me at any time.

Regards,
S. Ray

*Equitable Power * Equitable Protection * Equitable Provision*

www.8thgenfarms.com

Cultivating the Human Plant.

1267 Willis Street, Suite 200 * Redding, CA 96001 * 619.333.0223

Sender: Christine Cortese <christinecortese37@gmail.com>
To: Brown, Bronwyn

Hello, Ms. Brown;

I attended the Public Scoping Meeting for JVR Energy Park's EIR on March 21st, 2019, at the Highland Community Center in Jacumba Hot Springs. Here are my comments in response to your presentation.

Areas of specific concern regarding the proposed JVR Energy Park:

Property values. I own two small homes here and hope to sell them someday. A drop in property values is of great concern to me. It seems clear that at least some properties in town will suffer a direct loss of value which indirectly affects all the others.

Highest and best use: Is another energy installation actually the highest and best use of this site, particularly as we are in the midst of a housing crisis? I have a tenant who can't find anywhere else she can afford to live! And she works full time - for the County (as I used to do).

Fire protection. There are many questions I can't easily resolve by research about the ability of fire fighters to deal with both fires generated at large solar installations and wildfires encroaching upon said solar installations. The problem is, of course, that if this thing is built you will have both a town and a large solar installation that *are virtually merged together* and that will need to be protected using vastly different firefighting techniques. Any fires involving the solar facility will need foam - and there's no permanent foam truck in the back country. There needs to be a permanent foam truck in at least Boulevard, and, just as important, permanent trained staff to operate it in an emergency. And which will take priority - protecting the town or the facility? This is a massive problem which is *entirely avoidable*.

Current Industry: Jacumba Hot Springs Spa is the central economic draw for the town. If it is no longer in a scenic location it seems likely that the Spa will have difficulty attracting people who want to get away from it all.

Thermal effect. <https://phys.org/news/2016-11-solar-island-effect-large-scale-power.html> There seems to be little doubt that this installation will raise the temperature in Jacumba Hot Springs. Last summer my thermometer recorded 115F in the shade. Installing a facility that will raise the ambient temperature this close to an already hot small town is counterproductive at best.

Dark night skies. There is a widely interconnected community of astronomers who are vigorous defenders of a dark night sky. We need spaces in which to see the stars without the glow of artificial lighting. Surely the back country of San Diego County should be one of those places.

Economic Disparity between Unincorporated Areas and Corporations: If the JVR Energy Park permit is declined, they will find another site to develop. As a massive international energy corporation, this will not materially impact their bottom line or shareholder perception. However, if Jacumba Hot Springs must deal with the JVR Energy Park, it will have no such opportunity to rebound and go on to other things. New home construction will be permanently limited. Property values will drop. Fire fighting becomes much more troubling and problematic. Insurance will become harder to obtain. Utility costs will increase. Businesses will be negatively impacted. The microclimate will change for the worse.

My conclusions: This site should be fast tracked for housing development. This would actually be beneficial for Jacumba Hot Springs and future homeowners.

Thank you for allowing me to express my thoughts on this matter.

Christine Cortese
619-368-2176

Sender: Heather Schwartz <jarebangels@gmail.com>

To: Brown, Bronwyn

----- Forwarded message -----

From: **heather schwartz** <jarebangels@gmail.com>

Date: Fri, Mar 29, 2019, 9:22 AM

Subject: Jacumba JVR Solar Project Objection

To: <bronwyn.brown@sdcounty.ca.gov>, Cheryl Furr <cheryl.furr@yahoo.com>

Hello Bronwyn,

I am A Home Owner of 5 homes in Jacumba Hot Springs. My Family and I have been Residents of The Town since 2014. We have been providing Housing to Clients since 2014.

I hold A Position By Choice through Property Management and act as a Liason for The County of San Diego Housing and Development Services. We assist Families, Elderly, Disabled, and Veterans through the different programs. We offer and find homes to live in with their Choice Voucher Programs funded by The County of San Diego. We own these homes. We Contract with The County Of San Diego.

They Pay for these services to provide housing for all of the people that Qualify for these programs.

We are 1 of a group of people that Own Homes to assist in the same ways.

Our Tenants choose to live in a Small and Peaceful Town, away from The Big City, Away from The Noise, The Traffic, The Lights. These Tenants cope with their own challenges ranging from PTSD to Different Types of Mental Illness and have chosen to live in a Healing Environment in Jacumba.

Your Proposal of The Solar Project will Impact these Families Lives. I encourage you to interview this community. Due to many of the folks that live here that are impaired by Illness or Disability or Infirmities of some nature..they cannot always Attend meetings, nor write letters of opposition, or be a Strong Voice..Nonetheless They and We Have A Voice! We Oppose this Project!

We do not want A Solar Energy Park Crippling our Small Town Environment Period.

In doing this it will Impact Rental Situations which Are Stable Homes for The Clients I have mentioned and Furthermore will Impact Realestate Values within these homes and community.

Per Land Use Description we are A Residential Community. We do not want to change that, and by putting A Solar Field in Jacumba you would be destroying many Natural Habitats for Birds such as The Tri-Colored Red Winged Black Bird. You would be detracting from the Night Sky where Many Visitors and Locals Star Watch here and gather at Our Local SDAA Star Society on Tierra De Luna In Boulevard and The Desert View Tower.

You will be disrupting or uncovering and destroying Native American Artifacts from Yester Year and Beyond.

We Oppose this Solar Park in Jacumba..Bottom Line...Please Find another Location.

Bradley Heather and Cara Schwartz
1226 Carriso Street Jacumba Ca 91934

Sender: Heather Schwartz <jarebangels@gmail.com>
To Brown, Bronwyn
Subject: Fwd: Jacumba Valley Ranch Energy Proposal

Forwarded Community Leader E Mail to All Jacumba Community Members.

The Schwartz Family
Jacumba Ca 91934

----- Forwarded message -----

From: **GREG CURRAN** <gregcurran@sbcglobal.net>
Date: Thu, Apr 4, 2019, 6:16 PM
Subject: Jacumba Valley Ranch Energy Proposal
To:

Greetings Community Members - I don't usually send out messages out like this to the group but since this project will impact quality of life, the uniqueness of our community, the hiking areas that we use, the wildlife in the area etc. I felt that I would share this message with you all that was sent to me from Cherry, the owner of the Chinese Castle here in Jacumba.

I don't know how you feel about the massive, 691 acre, 300,000 photo-voltaic cell solar "park" that a private company is trying to build in Jacumba. I think it is a loser for the community and native wildlife. It clearly does not fit with the Mountain Empire Subregional plan approved by county supervisors on August 2, 2011.

If it is built, the darn park will consume (and fence off) all of the vacant farm land on both sides of Old Highway 80 and north to I-8. It will also flank the west end of the Jacumba airport runway on three sides and flank the senior center/community park, the trailer park, and few residences on on two sides.

The public comment period for the JVR Energy Park proposal ends at 4 pm on Monday, April 8, 2019. Perhaps some of the Jacumba hikers' group might like to provide their comments on the plan that offers no benefit to the community (or visitors for that matter) in terms of open space or trails. If so, they should send their comments directly to:

Bronwyn.brown@sdcountry.ca.gov

The subject line of emails should read: JV Energy Park

Thanks in advance for helping me get the word out before the deadline period ends! **Please Share!**

Cherry
619-743-5224

Sender: Jun Y <queenoquail@gmail.com>

To: Brown, Bronwyn

Subject: How go do the right thing

I think that in the process in the building of the solar panels it will disrupt the nature of Jacumba. People go to Jacumba to see the wildlife and the natural hot springs, not solar panels. Solar panels will lower the amount of tourists Jacumba gets and the citizens of Jacumba will be horribly impacted by this. Having solar panels in a community like Jacumba is like getting rid of buildings in a big city. If you want Jacumba to not be negatively affected by a terrible thing, please don't add solar panels.

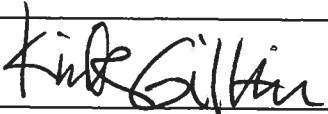
June

Petition to oppose The JVR (Jacumba Valley Ranch) Solar Project also known as The Jacumba Solar Park 90 mega watt solar generation and 20 mega watt storage facility. This project and others in the area are connected and not separate actions and cause cumulative impacts as noted in CEQA Article 20 Definitions. Section 15355. Cumulative Impacts.

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Printed Name	Signature	Address	Comment	Date
Martha Hazlett		Jacumba 91934 44589 Seeley, Pa Bldg 1	No Solar Here	4/4/19
Judie Stutler		#10 44726 Old Hwy 80	" "	4-26-19
Gabrielle Schultk		In-Ko-Pah Park Road 1	" "	4/4/19
David Townsend		1220 Cerrillo St Jacumba	" "	4/4/19
Valerie Moore		44600 Brawley Ave	NO SOLAR	4/4/19
KAREN Buck		44517 Brawley Ave	" "	4/4/19
CECIL TROXEL		3725 Moor Valley Rd	NO SOLAR	4/4/19
MARIA S. VILLEGAS		37715 Moon Valley Rd Boulevard, 91905	NO SOLAR	4/4/19

Printed Name	Signature	Address	Comment	Date
Sarah Misquez	Sarah Misquez	44674 Old Hwy 80 - Jacumba	No Solar Panels in Town of Jacumba	4/4/19
Debra Hamada	Debra Hamada	43101 Old Hwy 80 Jacumba		4/4/19
Dennis Tatum	Dennis Tatum	44465 Celestia St Jacumba	No Solar	4/4/19
Jim Booth	Jim Booth	44624 Brawley	No Solar	4-4-19
Rajah Thomas	Rajah Thomas	P.O. Box 3P.23 44726 Old Hwy 80	No Solar No ^{Big} Business	4-4-19
Crystal Lehman	Crystal Lehman	44668 Brawley AV	NO SOLAR!	4-4-19
Shawn Lehman	Shawn Lehman	44668 Brawley AV	NO SOLAR	4-4-19
Shanda Ray	Shanda Ray	P.O. Box 86	No Solar	4-4-19
Tammy Daubach	Tammy Daubach	39954 Ribbonwood Rd. Blvd. Ca. 91905	No solar!	4-4-19
Therese Daubach	Therese Daubach	39954 Ribbonwood Rd. BLVD, CA. 91905	Enough	4-4-19
Michele Strand	M Strand	PO Box 1424 Blvd 91905	too big too close to neighbors	4.4.19
DONNA TIDALE	Donna Tidale	PO Box 1275 Blvd 91905	NO SOLAR @ JACUMBA	4-4-19
ROBERT MAUPIN	Robert Maupin	9047 TRAMADRESCOR RD	NO SOLAR @ JACUMBA	4-4-19
Kevin Keane	Kevin Keane	38208 Tierra Real Rd		4-4-19
T.G. Farr Jr	T.G. FARR JR	PO Box 245	NO SOLAR	

Printed Name	Signature	Address	Comment	Date
Kirk Gilliam		44555 Old Hwy 80 Jaxumba, CA 91934	NO SOLAR!!	04/04/19

Sender: Celia Sigmon <csigmon@sdsu.edu>
To: Brown, Bronwyn; diane.jacob@sdcounty.ca.gov
Subject: JVR Energy Park in Jacumba CA

Celia Sigmon
PO Box 42
Jacumba, CA 91934
csigmon@mail.sdsu.edu

County of San Diego
Planning & Development Services
5510 Overland Ave, Ste. 310
San Diego, CA 92123

Dear Ms. Brown,

I have been a long-time resident of Jacumba (22+ yrs). Let me begin by saying that I am a supporter of all things related to increasing our reliance on green sustainable energy and decreasing our reliance on carbon-based energy. However, I oppose the proposed JVR Energy Park in the Jacumba Valley, and not solely for reasons related to NIMBY concerns. My reasons are three-fold:

1. The Energy Park is in direct violation of the Mountain Empire Sub-Regional Plan, adopted by the County Supervisors on Aug 3, 2011, and amended in 2016. This kind of plan takes an enormous amount of work to research and solicit public opinion to make sure that it represents the best interests of the community. I strongly urge the County Supervisors to maintain their commitment to this Plan.
2. The time and effort it took to establish this Plan clearly indicates exactly what the community will allow: development that "preserves the natural and historical environment, including... [reinforcing] the rural character of the area... while retaining the rural charm of the present living environment." This Energy Park is in direct conflict with our Plan and the expressed desires of this community.
3. My last reason is personal: the negative impact on related water issues and the negative fiscal impact on property values in the immediate area. This energy park is too close and will permanently impact the most issues that have everything to do with the land. There are many other areas further away that will not have the kind of lasting impact of this proposed project.

Our rural community, like many others, greatly rely on our county supervisors to hear our collective voices and to protect our interests. As a voting member of this community, I do not support the JVR Energy Park. I am hopeful that my elected representatives will do likewise.

Sincerely,

Celia Sigmon, Professor
Department of Rhetoric and Writing Skills
San Diego State University

Sender: Chris Willson <banshegal@gmail.com>

To: Brown, Bronwyn

Subject: JV Energy Park

Good Afternoon,

I wanted to write to voice concerns over the proposed massive Solar Park in Jacumba. As a long time resident of the back-country (I live in Boulevard), I have frequented the Jacumba area for years for hiking and off-roading in the Jacumba hills. There is something wild and beautiful about those rugged mountains that is less and less common in Southern California.

While the monetary goals are likely the priority, I can see no benefit that this project is offering the residents of the back country. This Solar Park will destroy the rugged and beautiful landscape that is the primary reason many of us chose to move 60 miles away from town. We wanted to raise our kids on a dirt road away from drugs and gangs, with trees and mountains for scenery. I for one commute to Mission Valley every day for work. When I come home, it's to the mountains and beauty. To put this solar farm out in our area gets it out of town into a rural community where the money-makers may believe no one will care. This Solar Field will be an eyesore and completely unnatural for this rural landscape that WE call home. Would you want a solar farm put in your back yard by your neighbors? Just because most in the city cannot SEE this, doesn't mean it's not in OUR back yards.

Please reconsider. We already get violent sex predators placed in "the sticks" why should this be the dumping ground for an ugly eyesore, is it because it's out of most people's sight? Try to see it from a resident's perspective. This is OUR back yard. We chose this back yard on purpose, for its beauty and remoteness. Please don't let this ugliness be dumped in our yard.

Thank you for your consideration.

Christine Willson

Boulevard since 2001

Sender: Greg Curran <gregcurran@sbcglobal.net>

To: Brown, Bronwyn

Subject: The subject line of emails should read: JV Energy Park

Dear San Diego County Representative,

I am opposed to the Jacumba Valley Energy Park. I am Co-Founder of Jacumba Hikers a group that hikes and explores the east county open spaces. We do several hikes in the Jacumba Hot Springs area that would be impacted by this project. Jacumba is a unique treasure in the high desert. This is a unique pocket of beauty and serenity for locals and visitors. A 691 acre, 300,000 photo-voltaic cell solar "park" would destroy this treasure, the wildlife that thrives here and the therapeutic benefits of all who live and visit here. I am a proponent of Clean Energy but there are more viable and logical locations for clean energy production ie. like at source production on roof tops, parking lots, buildings etc. in urban areas or areas with less of an impact in desert areas. Please be smart in planning such areas. Thank you. A concerned citizen of the rural mountain area.

Greg A. Curran - Jacumba Hots Springs, CA 91934

Sender: Kirk Gilliam <lightconnector@yahoo.com>

To: Brown, Bronwyn;

CC: Kirk Gilliam; Greg Curran

Subject: JV Energy Park

Hello, I am a resident of Jacumba Hot Springs in San Diego County California. I have lived there for over 30 years. As you probably know it is a high desert community with extreme natural beauty. I am totally in favor of alternative energy however I believe the proposed solar park will completely destroy and ruin the town's quality of life. I am a licensed electrician and I specialize in EMF remediation for homes and businesses. I help people who are sick recover by withdrawing electricity from their environment, usually where they sleep. It is one piece of the puzzle of chronic health problems we are facing today. I have studied the biological effects of electricity on humans and animals. I have seen countless examples of the deleterious effects electricity has on the health of people. Obviously arguments can be made for or against any subject. I'm sure they have many "experts" who say there is no problem but let me ask you this ..would you want to sleep next to hundreds of electrical panels?..whatever their voltage. When as a child we knew better than to sit right in front of the TV ..we have our own biological electrical magnetic field and we know when something is wrong. People need protection from "technology's side effects" and one purpose of our government is to protect us. Because Jacumba has natural hot springs which have health benefits and because some of the population is lower income with little voting power, it is a shame that big money tends to rule the day and decisions are made based on financial rather than human needs. I believe the added incentive to not have this industrial facility situated so close to Jacumba is the need to protect the pristine hot spring mineral water. This water has proven health benefits direly needed in today's industrialized world. It would create a tragic contradiction to have a health spa right next to an industrial facility pumping out electrical energy known to be detrimental to the human biological field. I'm not speaking just as an expert but as a human being and I absolutely know in my heart this will ruin that town. Jacumba and its mineral water are a rare and precious commodity in this era of Big corporate money which rolls over humanity in the name of technological progress. In my opinion one of our jobs as human beings is to make a stand for what is right. I plead for your help in our favor to stop this monstrosity. Thank you very much for your attention, sincerely Kirk Gilliam. (619) 884-9465

[Sent from Yahoo Mail for iPhone](#)

Sender: Linda Rae Anderson <mommasan66@gmail.com>

To: Brown, Bronwyn

Subject: Solar Park

I am not in favor of the Solar Park proposed for Jacumba. What positive impact would result from this? I can think of several reasons to oppose this.

1.) The environment impact. How would this affect water resources? What kind of petro-chemical residuals would result from this? The carbon footprint from plastics should be considered.

2.) Esthetics? Jacumba is a beautiful, relaxed community for the residents and visitors. How could this eyesore affect the residents, commerce and visitors of this community? And also eliminate hiking trails.

3.) Environmental impact on indigenous plants and animals?

Please consider these viewpoints as I am speaking for many that you may not hear from. I am in favor of Solar Energy, just not in this format. Better to have individual homes or install on large industrial buildings that are already built. Or as CA. law states that all new homes must be built inclusive of solar energy. Thank you for listening and taking this

seriously,

Linda Rae Anderson

Sender: Mary Rajknecht <bahiamaria@sbcglobal.net>

To: Brown, Bronwyn

Subject: JVR Energy Park

I am opposed to the JVR Energy Park slated to go in in Jacumba Hot Springs.

The Jacumba area is one of the most unique and sensitive areas we have here in San Diego County.

Big horn sheep, Mexican grey wolves, and golden eagles have been known to inhabit the area.

Old Hwy 80 has been designated a Historic Scenic Highway. Due to aesthetics of this scenic route, houses or businesses along the highway must be of certain colors. How can something as unsightly as a Solar Park be acceptable?

Native American peoples have been known to inhabit the area. The evidence is all around Jacumba with rock art on the boulders, and where pot sherds litter the ground.

A solar farm would be a detriment to any of our remaining back country open spaces.

Other places to put solar: Incorporate solar farms into the already disturbed lands of the wind farms; run them down the center of the Highways; put them on the top of every high-rise building in Los Angeles.

No on the JVR Energy Park.

Mary Rajknecht

Sender: Michele Strand <michelestrand@yahoo.com>

To: Brown, Bronwyn

Subject: JV Energy Park comments

Hello Ms. Brown,

This email is to voice my opposition to the proposed 691 acre energy "park" in Jacumba Hot Springs. In my opinion, the use of the word "Park" in the project name is in bad taste and sort of offensive.

I agree with and endorse the comments submitted by Ms. Donna Tisdale (personally and/or on behalf of the Boulevard Planning Group) as a member of the community and as a member of the Boulevard Planning Group.

I believe this project will negatively impact quality of life, raise micro-climate temperatures, create dust, may cause health problems including "Valley Fever", hiking areas will be negatively impacted as well as wildlife and the rural character of the area. I believe this project will drive away tourism from the healing waters of the Jacumba Hot Springs Resort located nearby. No one is going to drive out there to stay and be healed next to this proposed 691 acre monstrosity.

All projects have winners and losers. In this case, the people of the backcountry and the tourists are becoming the biggest losers when it comes to these industrial scale projects being located in our backcountry. We moved out here to get away from the hustle and bustle of city life. Not just this JV Energy Park project, but the accumulation of all of the existing and proposed projects is turning our once pristine and gorgeous scenic land into a dump.

As a native San Diegan, I am very depressed, anxious, and sad to see this happening before my very eyes. I am losing sleep and stressing out because I don't know what to do. Should I sell now? Where would I go? I'm already living in one of the most economical areas there is - how could I afford to move closer to town and still have some decent acreage and a nice-sized house? What will I do with my animals?

This project also does not fit with the Mountain Empire Subregional Plan approved by County Supervisors in August 2011.

I have heard more than one community member comment that, "This project is the nail in the coffin for our area". This sentiment is shared by a lot of the people that live in Jacumba Hot Springs and Boulevard.

We feel picked on and targeted. There are other areas within the City and County of San Diego (where the energy is actually consumed) that should take on some of the renewable energy mandate burden. Arizona has tons of shade structures with solar on top in parking lots all over the place. Why don't we?

It's also very hard to watch all of the beautiful and pristine "So San Diego" news ads on t.v. as well as the Sempra/SDG&E commercials talking about how they want to keep San Diego beautiful. If they really did care about our beauty, they would have undergrounded all the new lines instead of building new ones twice as tall, and 4 times as wide. It just looks terrible.

If this project and the other wind turbines projects in Boulevard get approved by you and built, I can only imagine that there will be a mass exodus from the area that will lead to local business closings and property values plummeting. I guess maybe then some judges will feel free to put even more sexually violent predators out here cheaper than the \$5k per month we pay now (instead of building a trailer park in the prison parking lot to keep the SVP's together and more easily guarded at more reasonable cost).

It seems like the "powers that be" want to chase the people out of San Diego's backcountry and turn it into a Large-Scale Industrial and Sexually Violent Predator Wasteland. It also seems like we could find other alternatives that don't destroy San Diego's scenic views that once gone, will never return. I love San Diego. Please love it too and be like San Bernardino and put a moratorium on these large scale projects. The people of San Diego and the tourists that come here deserve the best.

Respectfully submitted,
Michele Strand
PO Box 1424
Boulevard, CA 91905

Sender: Steve P. <perilmano@sdcglobal.net>

To: Brown, Bronwyn

Subject: JV Energy Park

I think this project is poorly planned. It is sited as if it was a pretty demonstration project but it is not. Why should the solar panels be as close to Old Hwy 80 as possible? They should be moved back so they are less obtrusive. I don't like it.

Steve Perelman

P.O. Box 375

Jacumba, CA 91934

Cherry Diefenbach
PO Box 792
Pine Valley, CA 91962
csdiefenbach@sbcglobal.net
619-743-5224

April 6, 2019

County of San Diego
Planning & Development Services
5510 Overland Ave, Ste. 310
San Diego, CA 92123
Attn: Ms. Bronwyn Brown

Subject: JVR Energy Park

Dear Ms. Brown,

I have owned a residence in Jacumba since 2012. My property overlooks the historic Ketchum Ranch which is the proposed site of the massive solar farm called JVR Energy Park. See April 2019 photo of the Jacumba Valley (below).



After receiving information about the proposed industrial-sized solar project via a notice of preparation dated March 7, 2019, I reviewed the Mountain Empire Sub-Regional Plan adopted by County Supervisors on August 3, 2011 and later amended in 2016 to see if such project was compatible. Surprise, surprise...this project clearly would not be an acceptable land use. The sub-regional plan which identifies elements important to the small rural town of Jacumba, reads in part:

“The community supports new development that preserves the natural and historical environment, including water resources, and protects existing neighborhoods, manages

growth to reinforce the rural character of the area which includes agriculture, open space, and trails...”

“Provide a land use pattern that will accommodate the forecast population increase, while retaining the rural charm of the present living environment.”

“Single family residential development on large lots outside the rural village with undeveloped meadows, open spaces, and hillsides. The ability to experience large open spaces and views to distant hills is essential to the preservation of the areas present quality of life.”

“Industrial development is not compatible with the goal of maintaining the rural character of the sub-region...”

“The Ketchum Ranch Specific Plan is a multi-use residential community with recreational and visitor-oriented commercial uses on approximately 1,300 acres that would be in harmony with the existing town, a plan sensitive in its design to the natural and historical resources of the Jacumba area.”

The language in the Mountain Empire Sub-Regional Plan clearly prohibits the placement of a 90 megawatt, industrial-size photo-voltaic (PV) farm on 691 acres of prime agricultural land in the heart of the Jacumba Valley, where it flanks private residences, our community park, and senior center on two sides.

Wanting to see firsthand the potential visual and noise impact of a large solar facility, I recently visited the massive solar farm located in the desert near Calexico. See April 2019 photos of the Calexico facility (below).





The proposed JVR Energy Park which consists of 300,000 PV modules, 26 battery storage units, an on-site collector sub-station, other associated infrastructure surrounded by a seven-foot high chain link/barbed wire fence and a large SDG&E switch-station immediately adjacent to the project would negatively impact the future economic vitality and quality of life for Jacumba residents in many ways. Specifically the JVR Energy Park would:

- Restrict the potential for population growth/residential expansion of Jacumba.
- Eliminate future agricultural land use as the project will scrape the top 12 inches of soil and compact it. Electro-magnetic radiation flowing through the solar panels for 35-years, will essentially sterilized the soil of all nutrients.
- Eliminate natural wildlife corridors, potentially impact important habitat of the endangered Quino Checkerspot butterfly, and drastically reduce existing food sources for avian populations of golden eagles, red-tailed hawks, owls, and tricolored blackbirds. It would also negatively impact habit and food sources for amphibians and reptiles: the spotted frog, geckos, coachwhip snakes, rosy boas, garter snakes, and small scavengers such as bobcats and antelope ground squirrels.
- Increase wildfire danger to the community associated with the solar farm's electrical infrastructure: battery storage, overhead transmission lines, and a SDG&E switch-station.



The insertion of another massive electrical facility into the wildfire-prone backcountry without properly trained local first responders equipped with electrical firefighting suppression equipment is a recipe for a community disaster. The placement of a 10,000 gallon water tank at both of the solar facility entrances as described in the major use permit does not provide any real protection. (A single family dwelling in the backcountry is required to have a 10,000 gallon water tank available for fire department use.)

-Lower already depressed property values of local residences due to effect of mechanical noise pollution: solar panel motors tracking the sun, low frequency humming of transformers, etc. that would disrupt the quiet, natural environment. Solar panel glare from 300,000 solar cells will also eliminate scenic vistas of Jacumba Valley. See April 2019 photo of Jacumba Valley (below).



-Remove landmark structures associated with the historic Mountain Meadow Dairy that have been a part of Jacumba's landscape since the late 1920s, and replace them with solar panels visible for several miles. (This dairy, which later became the Ketchum ranch/farm, was operated through the 1980s and it was Jacumba's largest employer.) Some of historic buildings deserve preservation and must be further evaluated.

-Most certainly draw down local aquifers with the enormous amount of water (several millions of gallons) that will be needed during the construction phase of the solar park and over the life of the project to periodically wash the dust off hundreds of acres of solar panels. Water quality in local creeks may also be adversely affected by potential contamination from leaking transformers and runoff that contains chemical agents used to control vegetation near solar panels.

-Damage recently resurfaced roads such as Old Highway 80 and Carriso Gorge Road. (Thousands of heavy trucks trips will be required during the construction phase.)

-Likely interfere with future glider operations at Jacumba's small 2,508-foot airstrip/glider port. The Jacumba airport is used primarily by glider pilots who rely on thermal

air currents to soar over the scenic Jacumba area. Radiant heat absorbed (and reflected) by thousands of nearby solar panels may adversely impact those thermals. The solar panels will introduce visual glare and add physical obstructions next to the runway which may pose problems for glider pilots and the pilots of small planes landing under emergency conditions.

-Significantly reduce visitor traffic to the Jacumba Hot Springs area due to visual blight created by an industrial facility that virtually obliterates the natural landscape. Cross-country and local cyclists, motorcycle and auto groups may chose alternative scenic highways instead of travelling on Old Highway 80. Any reduction in visitor traffic will negatively affect businesses already having a tough time. See April 2019 photo which shows historic dairy buildings located on the north side of Old Highway 80 (right). The JVR landscape plan as described on the Major Use Permit will not effectively screen the massive JVR solar farm. That plan proposes the planting of three non-native species of slow-growing oak trees, and shrubs like the Toyon, which are unlikely to be successful in the high desert clime of Jacumba. (Junipers, pines, cedars, spruce, desert willows, and even the fast-growing cottonwood trees that historically lined Old Highway 80 and woody shrubs like the elderberry would be better choices.) See 1952 aerial photo of Jacumba (below).



Based on the project's Major Use Permit and CEQA Initial Study documents, it will significantly impact the natural landscape by eliminating large swaths of wildlife habitat and reducing ground water resources. It will likely elevate ambient temperatures in the Jacumba area and help to dry out vegetation when warm Santa Ana winds blow across the acres of solar panels. This project will insert increased fire risks into the village core, and lower property values in the already economically disadvantaged community of Jacumba. The associated visual blight of an enormous solar park will certainly discourage visitors seeking the potential health benefits of Jacumba's natural mineral waters, or pursuing recreational activities such as hiking, bird watching, etc. It will also discourage new businesses from moving into town. In March 2019, a prospective buyer of the Jacumba Spa and Motel abandoned the idea when they learned that an industrial solar park may be built adjacent to the village of Jacumba. This massive solar farm would squander important land that could be used for more homes or that would support a return to Jacumba's agricultural roots.

From a local prospective, the placement of this large-scale energy park would be yet another "nail in the coffin" of our small community that continues to be California's dumping ground for "released" sexually violent predators. **If the project is approved, it will also set a county precedent that it is okay to construct industrial-sized, renewable energy projects immediately adjacent to senior centers, parks, and village centers.**

In February 2019, San Bernardino County Supervisors adopted a policy that has banned the construction of large solar and wind farms on private land, bending to the will of their constituents who say they don't want renewable energy projects industrializing their rural communities.

"...The policy approved by the supervisors prohibits utility-orientated renewable energy projects-defined as projects that would mostly serve out-of-town utility customers, rather than local power needs-within the boundaries of Community Plans adopted by more than a dozen unincorporated towns. Construction of utility-oriented solar and wind farms would also be banned in so-called Rural Living zones..."

www.latimes.com/business/la-fi-san-bernardino-solar-renewable-energy-story

San Diego County officials should follow San Bernardino's lead and consider the cumulative impacts of numerous industrial renewable energy projects on their constituents who live in Boulevard and Jacumba. These are people who moved to the backcountry in order to raise families or retire in a natural environment with clean air and scenic vistas.

While I am not against solar farms, or other forms of renewable energy, they do create huge and unnecessary footprints in our rural landscapes. A much more efficient approach to renewable energy generation is the creation of energy at its point of use. This can realistically be achieved by the placement of solar panels on new/existing rooftops and parking structures. If industrial-size facilities are needed, they are more appropriately located near the urban region where the energy is to be used or well away from residences in desert areas.

A solar park of this magnitude will engulf the small village of Jacumba and impose irreparable harm to the quality of life for its occupants. This project would never be considered as a compatible land use in the Del Mar Valley or even be placed adjacent to any other village center within the county. **Planners and county supervisors must there reject the JVR Energy Park project in its entirety. The energy that it would create can be easily generated by rooftop solar installments.**

Cherry Diefenbach

CC: Supervisor Dianne Jacob

Sender: Dan Lehman <dplehman46@yahoo.com>

To: Brown, Bronwyn

Subject: JV Energy Park

Dear Mrs. Brown,

I am writing this to express my total displeasure with these companies coming out to our community and building these projects and trying to "pretty them up" by calling them "park". They came through here and deposited these steel behemoths all through our mountain areas and say it will be a benefit for us. I think it is garbage. These things destroy our views and take away animal habitats. And oh by the way, when they want to do these projects that they know will meet with negative feed back they don't widely advertise ways for us to respond. I only found out about this from a counsel member from Boulevard and I live in Jacumba. If there is any way possible to stop this and maybe move it somewhere else, far away from here, please, try to make it happen.

DAN LEHMAN

To: Bronwyn Brown, Planning and Development Services

5510 Overland Rd Suite 310

San Diego, Calif. 92123

The following are comments and concerns of mine in regards to the JVR Solar Park (PDS2018-GPA-18-010, PDS2018-REZ-18-007, PDS2018-MUP-18-022)

Aesthetics:

Large concentrated photo voltaic arrays will diminish view shed quality and are in view along Historic Old Highway 80. This could diminish property values that were purchased and appraised for their views. In addition, this could diminish recreation and tourism to the area.

Air Quality:

Dust could be an issue due to winds. Dust control abatements need to be available 24/7 as once the ground is disturbed dust will be an issue as experienced on other projects, example when construction workers are off work, often no one is available to mitigate the problem of dust during off hours.

Biological:

The project area is home to Peninsular Big Horn sheep, Quino Checker Spot butterfly, Golden Eagle, Red Tail Hawk, Harris Hawk, Tri Colored Black Bird, Mountain Lions (cougars), and Turkey Vultures. Black Panthers are also native to California and Mexico. We currently have bobcats in close proximity of residences due to the incursion of their habitats of previous projects. The project area also could create. Barrier effects to these species and could diminish foraging and hunting areas. The project area is also within the Sonoran Desert region which is a diverse and fragile ecosystem. The region incorporates southern Arizona North to the Mogollon Rim, the southeastern corner of California drawing a line south From Needles to Palm Springs to San Diego, the state of Sonora, Mexico, the Baja California Peninsula of Mexico, and the Gulf of California. The projects need to be studied for cumulative impacts as there are many projects that have completed or are in construction and planning stages. The cumulative effects need to be evaluated from Imperial County and San Diego County.

Greenhouse Gas Emissions:

Construction phase will contribute to short term contribution of greenhouse gases from equipment working on the project. Long-term contribution is likely from loss of vegetation which is valuable in carbon sequestration during its lifecycle. The cumulative impacts need to be studied for this area.

Hazards and Hazardous Materials:

The project is next to the County Regional Airport and can pose a hazard to pilots of gliders that use the facility also the project is next to residential structures and could pose potential health and safety hazards to those residing next to project. Introducing electrical lines and other infrastructure could increase potential for wildfires. Studies for the area usually, state there is a low fire activity in the area; however, they do not take into account that these areas have little or no improvements or infrastructure and limited public access. The introduction of electrical lines, infrastructure, and people would increase the probability of a fire starts within this area. Overhead power lines and infrastructure would reduce the effectiveness of aerial firefighting resources, causing fire commanders to alter strategy and tactics. Fires could potentially become larger. The project area is within a Wick area which during a Santa Anna event could be catastrophic and devastating to San Diego as experienced in 2003 and 2007 conflagrations. Concentrated photo voltaics also pose a hazard to firefighters as the CPV arrays cannot be shut down only the inverters are shut down. The CPV array, array wiring, combiners, and home runs to inverters are fully energized at high voltages. Even at night when work lights and even moonlight can generate enough energy that could potentially be dangerous or lethal to firefighters. Another concern is lightning strike and attraction that the infrastructure may impose to the area and another potential ignition source for wildland fire. The cumulative impacts need to be studied for the area.

Hydrology and Water Quality:

The projects could substantially alter the existing drainage pattern of the site or area through alteration of the course, in a manner which will result in substantial on or off-site erosion or siltation and could substantially increase the rate or amount of surface runoff in a manner which would result in off-site flooding which could degrade water quality to Wells and Springs within the area. Furthermore, this could result in inundation by mudflows from the project areas. The community of Jacumba is totally dependent on wells and springs for their water needs. The cumulative effect of the projects has to be

studied thoroughly as water is the lifeblood of the community. Jacumba has unique resources which are hot water springs which support a local business and many other surrounding businesses in the area.

Noise:

Noise would be an issue during construction, as has been experienced by residents during the border fence construction, which proceeded 24/7 during construction and have experienced during the construction of Sun Rise Power Link. SDG&E requested and received waivers for hours and days of work increasing residents to more noise. Tule wind also created noise from the numerous trips of water trucks and construction equipment and vehicles. Inverters and appliances could also introduce noise into the area that was not present in the rural setting. This could potentially raise the ambient nighttime noise levels.

Public Service:

The area is currently served by two fire stations, which are Jacumba and Boulevard. This would require the stations to have specially trained firefighters with specialized equipment at the stations full time to respond to possible emergencies at site. Boulevard and Jacumba stations have a large call volume already due to I 8 traversing its response area. The projects have the potential of adding more responses to the stations call volume. The projects and as well as other projects in the area, need to be studied for the cumulative impacts to the area.

Recreation:

The projects would impact recreation as people come to the area for the view, dark skies, quiet, wildlife, and hiking. The views will be tarnished by the big CPV arrays and hiking areas could be decreased due to the large amount of land used for these projects. This will also diminish the main attraction to Jacumba which is the Hot Springs. The Jacumba was in escrow and fell out after announcement of the project. The cumulative impacts of all the projects in the area will have a significant impact on recreation and tourism to the area. These cumulative impacts need to be studied extensively.

Transportation:

Construction traffic will have an impact on local roads residents and wildlife. The construction traffic experienced with Sun Rise Power Link. There have been 50 or more trucks a day continuously traveling Highway 80, tractor-trailers hauling heavy equipment, water trucks, and pickup trucks as well as the traffic experienced from the Tule wind project. The vehicles many of them speeding and using cell phones while driving. There has been A large number of wildlife killed along the roads from construction

traffic. Old Highway 80 is showing signs of disrepair because of this traffic as well as other residential roads. The roads in the project areas were not designed for this traffic use. This needs to be studied for the cumulative impacts on these roads.

EMF and Radio Frequency Emissions:

This area needs to be studied and the effects of EMF and RFE on residents and wildlife. The level of exposure needs to be addressed and not taken as a single project but as a whole of all projects proposed in the area. This would show an accurate exposure level to the residents and wildlife. This needs to be studied for the cumulative impacts.

Cumulative impacts as stated in PRC Division 13 Environmental Quality Article 20

15355 Cumulative Impacts

"Cumulative Impacts" refer to two or more individual effects which, when considered together are considerable, or which compound or increase other environmental impacts.

(a) The individual effects may be changes resulting from a single project or a number of separate projects.

(b) The cumulative impact from several projects is the change in the environment which results from the incremental impact of the project when added to other closely related past, present, and reasonable foreseeable probable future projects. Cumulative impacts can result from individually minor, but collectively significant projects taking place over a period of time.

We hope you take these comments and concerns and address them to the full extent possible. If you have questions or need further clarification feel free to contact me. Thank you for your time and allowing me to comment on this project.

Regards,

Mark Ostrander

Jacumba Resident

clasictraclayer@att.net

Sender: Richard Handy <richhandy@live.com>
To: Brown, Bronwyn; Jacob, Dianne
CC: Parr, Matthew; Cherry Diefenbach
Subject: Comments on proposed JVR Energy Park

To the attention of:

Bronwyn Brown
Project Manager
County of San Diego
Planning and development Services
5510 Overlin Ave., Suite 310
San Diego, CA 92123

Dear Ms. Brown,

My name is Richard Handy, a ten year resident of Jacumba Hot Springs, and a life long resident of California. As I am older and intended to live out my retirement here in this beautiful rural small town, I am concerned that this project will threaten its beauty, uniqueness and ultimately, its very existence. These threats come in many forms and are not fully elucidated by my summation, but are major areas of concern to me and other members of the community to whom I have spoken. They include but are not limited to the following:

1. Destruction or degradation of the natural beauty of Jacumba and its environment.
2. Loss of property values. Home values will fall at the periphery and immediately adjacent of the project and eventually homes in the interior of the town will lose value because of this. The town already has several homes that are vacant, so the addition of others will create a domino effect on real estate values.
3. Glare from the panel arrays. Regardless of their anti-reflective coatings, the light reflected is enough to be quite annoying. Industry jargon touts the panels as "less reflective than glass", yet glass is quite reflective and depending on the angle of incidence and your position it can and will be blinding.
4. Light pollution. The plant will produce a significant light dome in an area that will affect amateur and professional astronomers adversely.
5. Obstruction of wildlife corridors. One of the attractions to both residents and tourists is the richness of diversity of Jacumba's wildlife. The proposed project eliminates several of the most important corridors for bird and mammal travel.
6. Loss of prime agricultural land. Soil excavation and compaction will permanently damage soil rendering it useless for future agricultural uses.
7. Destruction of plant and animal habitats. There are numerous species of birds, amphibians and mammals that use the land for natural habitat.
8. Downstream pollution from storm and emergency runoff. Inadequate treatment of storm or emergency runoff could contaminate the water table eventually leaking into the aquifer leading downstream to Ocotillo.
9. Disturbance or destruction of Native American cultural sites.
10. Damage to Old Highway 80. Already damaged by heavy use, infrequent or partial repair, this highway will require total re-pavement due to wear from the vehicles used for plant construction.
11. EMF noise or hum. Electrical hum or noise from transformers and power converters.
12. Tracking noise. Motors that turn the panels to track the Sun make a very audible sound. This noise will be heard far outside the project perimeter.
13. Increased summer heat. Dark colored surfaces re-radiate in the infrared or "heat" part of the spectrum. This increases the air temperature above the panels and would impact the town when prevailing winds were favorable.

14. Disturbed wind flow. Panels would impose a restriction of wind flow that would affect the wind patterns in town.
15. Curtailed Jacumba fire response due to county agreement to protect the solar plant.
16. Loss of property for future Jacumba Hot Springs residential and business growth.
17. Unsightly sprawling industrial utility plant right beside beautiful, rural Jacumba Hot Springs. There is no other town in California that would have such a large solar project butt up against its town limits. This 691 acre industrial footprint dominates the town in area diminishing the identity of historical Jacumba as an unique San Diego County hot springs resort.
18. Jacumba lies within the valley fever areas defined by the CDC. Valley fever, also called coccidioidomycosis, is an infection caused by the fungus Coccidioides. The fungus is known to live in the soil in the southwestern United States. Solar plant soil scraping and excavation will release significant amounts of dust laden with spores. The elderly are particularly vulnerable to this disease. Residents of the town are predominantly elderly.
19. Obsolescence of current solar voltaic cell technology may require refitting or shutting down the plant long before the proposed 35 year life of the project. No Provisions exist for this real possibility and the community has no input in this process. If the decision is made to shut down the plant early, panels may then be left to decay for 30 years before they must be removed.
20. Construction dust and noise. For an extended period, perhaps as long as a year or two, the noise of bulldozers, graders, ditch diggers and their loud "reverse alarms" will echo through our small quiet town. This is especially difficult for the residents that are adjacent to the project.

I urge you and the County of San Diego to reject this project as an inappropriate fit for the County, the town of Jacumba Hot Springs, its citizens, and its environment.

Most sincerely,

Richard H. Handy

Resident

P.O. Box 76

Jacumba Hot Springs, 91934

email: richhandy@live.com

Sender: Tim Burnett <tburn47@icloud.com>

To: jarebangels@gmail.com; Brown, Bronwyn

Subject: Fwd: Research papers to support AGAIST Jacumba Valley Energy Park project (JVR Energy Park)

Sent from my iPhone

Begin forwarded message:

From: Angie Ki <angiecki@gmail.com>

Date: April 7, 2019 at 7:53:42 PM PDT

To: Bronwyn.brown@sdcounty.ca.gov

Cc: Dan Evers <dan@rainforeststartproject.org>, Shawn Lehman <shawnlehman76@yahoo.com>, Sarah Misquez <sarah.misquez@sdcounty.ca.gov>, Rhonda Burt <h2oskier@pobox.com>, Charley the Handyman <chasmountaintop@gmail.com>, Anita Griffin <anita.griffin@live.com>, Megan Granger <megan.granger@meusd.k12.ca.us>, Jeanne Nelson <rsadieann@hotmail.com>, Deirdre Carter <dpcarter1@gmail.com>, Claudia Malburg <jcats50@aol.com>, Rosa Hidalgo <rosa@raycofuels.net>, Elizabeth Reisman <emr8282@yahoo.com>, David Breeckner <ivdmuseum@gmail.com>, Blanca Casavova <bcsnva@gmail.com>, Kayleah Gardipee <kylersmom907@gmail.com>, Carol Lewis <clewis@mtnhealth.org>, Zella R de Ibanez <zella@prodigy.net.mx>, Peter Falconer <pfalconer82@gmail.com>, Teresa US Post Office <tam1957@cox.net>, Michael Tanya's <aiau101@netscape.net>, Mary Rajknecht <bahiamaria@sbcglobal.net>, Joe Marshall <joe.marshall@att.net>, Merrilyn Pope <merrilynp44@icloud.com>, Walker Frankenberg <frankenberg4@netzero.com>, Lisa Stoffel <lisa.stoffel@meusd.k12.ca.us>, Susan Graham <susan7500@aol.com>, Earl Goodnight <blvdgoodnight@aol.com>, Michele Strand <michele@sandiegofootingrepair.com>, Jennifer Frankenberg <jfrankenberg@meusd.k12.ca.us>, Julie Atherton <jatherton@mtnhealth.org>, Aaron Feaser <afeaser@hotmail.com>, Armando Gallardo <chingon_98@hotmail.com>, Dan and Leona Grunow <roseacresfarm@hotmail.com>, Jennifer Stelly <jay12458@gmail.com>, Fire Safety Council <realeastcountyfsc@yahoo.com>, Jacari Cousins <ambassadorworshipcenter@gmail.com>, Helen Lopez <helenlopez@hotmail.com>, Heather Cunnington <heather.cunnington@meusd.k12.ca.us>, Jennifer Inman <jinman@meusd.k12.ca.us>, Debora and Darlene <debora@miracletouchhealingcenter.com>, Bob Lavoie <bobjl@hotmail.com>, Susan Hall <susan.rhythmworx@gmail.com>, Amanda Gonzales <agonzales@meusd.k12.ca.us>, Tanya Wilkins <tanyaaiau@gmail.com>, Kathy Granger <kathy.granger@meusd.k12.ca.us>, Eric Kallen <jacumbabirder@att.net>, "Regan A. Shallal" <reagan@raycofuels.net>, Craig Smith <w47coaster@yahoo.com>, Danielle Brannan <daniellelaurel@gmail.com>, sue Rose <srosemft@cox.net>, Gary Brannon <gary.brannon@meusd.k12.ca.us>, Al Somera <alsomera@sbcglobal.net>, Pam Lawless <pam.lawless@gcccd.edu>, shannon <shannon@jacumbaresort.com>, Bob Bordelon <bbordelon21@cox.net>, Julie Pence <countedxstiam@verizon.net>, Gary Garrison <gagsrus1@att.net>, Pastor Dan <jacumba_umc@sbcglobal.net>, Teresa Parker <teresa.sd@gmail.com>, Melanie Arledge <indoorgardensbymel@gmail.com>, Murphy Smith <themurfmurf@hotmail.com>, Bill Pape <billjacum@aol.com>, Katie Knuth <kknuth@mtnhealth.org>, Easter Matos <ematos@mtnhealth.org>, Connie Martin <courageousconnie@cox.net>, JCSD <jacumbawater@att.net>, Frank Buel <masili5@icloud.com>, Linda Braudawery <llkona@hotmail.com>, Becky Person <personre@gmail.com>, Beatrice Bachmeier <lacostabeauty@aol.com>, Ginette Gallego <ggallego@mtnhealth.org>, Donna Tisdale <tisdale.donna@gmail.com>, Jesse Nextera Marshall <jesse.marshall@nexteraenergy.com>, Daniel Gomez <dnlgmz8@live.com>, Wind Spirit Drum <windspiritdrum@yahoo.com>, Dessiree Prince <desip1934@gmail.com>, Mariah McKenzie <mariamckenzie@gmail.com>, Jacari Cousins <pastorjcouins@gmail.com>, Lucy Zertuche <lzertuche@gmail.com>, Robert Manning <rmanning2662@gmail.com>, Marijke Meditation McCandless <lmarijke@cox.net>, Darlene Wainscott <enelrad72@sbcglobal.net>, Heather Skains <hskains@yahoo.com>, Cameron Halls <challs450@live.com>, Don Bishop <bishop.don.e@gmail.com>, mie Moore <jamie.highdesertwellness@gmail.com>, Debbie Hamada <debbiehamada@hotmail.com>, Rich Handy <richhandy@live.com>, Mark & Lorrie Ostrander <clasictraclayer@att.net>, "Lorrie Ostrander. Jacumba" <marko159@att.net>, TIM BURNETT <tburn47@icloud.com>, Wilson Ki <wilsonki@yahoo.com>, "John Hogue. Jacumba" <john.hogue@cox.net>, dave@deanzasprings.com, helen@deanzasprings.com, "Duane Zugel. Jacumba. Tile" <duanezugel@gmail.com>, cowboyrealtors@yahoo.com, suzamtz@hotmail.com, "Cherry Diefenbach. Chinese house" <cstdiefenbach@sbcglobal.net>

BEVWOODWARD@att.com, Jose Acevedo <jose.acevedo@meusd.k12.ca.us>, Charlene Bradbury <char.brad48@gmail.com>

Subject: Research papers to support AGAINST Jacumba Valley Energy Park project (JVR Energy Park)

April 8th, 20119

**Attn: Bronwyn Brown
Land Use Environmental Planner | Project Planning
Tel: (858) 495-5516**

Greeting Ms. Brown and Community Members,

My husband, Wilson Ki, and I are opposing the proposed 691 acres with 300,000 photo-voltaic cells solar park plus a huge ECO Substation which is intended to be built in the town of Jacumba Hot Spring. Our concerns are of the harmful electromagnetic radiation which will be generated from this massive solar park. That is not counting the cumulative effects from the surrounding wind farms, geothermal and other solar projects in the neighborhood of East County areas.

We hereby enclose one of the many research papers Dr. Robert O. Becker did for the US government in case you may not have in your possession.

Dr. Becker is the father of electrophysiology/electromedicine, and he has been named as one of the most influential figures in the area of anti-EMF activism. He also was known for his work in bioelectricity and leading the early opposition to high-voltage power lines. <https://www.nysun.com/obituaries/robert-becker-84-raised-concerns-over-power-lines/79741>

**Addition Information on the harm of Electromagnetic Radiation
subject:**

https://en.wikipedia.org/wiki/Electromagnetic_radiation_and_health#Electric_power_transmission

The proposed JVR Energy Park will destroy not only the town of Jacumba but also the invisible harm of all residents in this small community. We urge you, and San Diego County's political representatives take a more in-depth look into the negative impact of this energy project for the people and communities surrounding the harmful JVR Energy Park.

We are grateful for your guidance and support, and we will be paying attention to our area's political representatives' decisions as well as voting action in this coming event. We would like our representative state clearly on their position on JVR Energy Park project. We are planning to publish their voting records via social and mainstream media in addition to setting a public education forum to educate the Jacumba community on public health issues as well as their voting right.

Last but not least, please review our enclosed peer-reviewed research document by Dr. Robert Becker as well as Exhibit A & B documents in case you don't have them in your procession. We are looking forward to your help and support to stop the JVR Energy Park in the town of Jacumba Hot Spring community and beyond.

Please feel free to contact me if you have any questions on Dr. Becker's research paper in regards to the harmful effect of electromagnetic radiation on human's health. We are also open for advice on how to approach other political representatives to take notice of this serious public health issue.

Best Regards,

Angie & Wilson Ki

Exhibit A

Cumulative Scenario – Reasonably Foreseeable, Approved, and Pending Projects

Map ID	Project	Type	Status	Distance From Project	Project-Related Impacts
W1	ENERGIA SIERRA JUAREZ WIND PROJECT I: Development of 400 MW of wind generation. Phase I (just north of the town of La Rumorosa in Mexico) is proposed to generate approximately 100 MW of energy with 45 to 52 turbines. Point of interconnection proposed with the ECO Substation (CAISO 2010).	PF-W	UC	Approx. 3 miles	Aesthetics, Air Quality, Biological Resources, Cultural Resources, and Hazards and Hazardous Materials (Fire)
W2	TULE WIND FARM: 12,239 acres of public lands, 186 MW, with 67 wind turbines. The project would deliver power through the project substation via a 138-kilovolt (kV) transmission line to run south to an interconnection with the proposed San Diego Gas & Electric (SDG&E) Rebuilt Boulevard Substation.	PF-W	A	Approx. 10 miles	Air Quality, Biological Resources, Cultural Resources, Public Services, and Hazards and Hazardous Materials (Fire)
W3	OCOTILLO EXPRESS LLC, CACA 051552: Development of 562 MW on 14,691 acres in two phases.	PF-W	Phase 1 = C Phase II = UC	Approx. 6 miles	Aesthetics, Air Quality, Biological Resources, Cultural Resources, and Noise
T1	ENERGIA SIERRA JUAREZ U.S. TRANSMISSION, MUP: 230 kV double circuit power lines leading to SDG&E ECO Substation near the Mexican border.	PF	A	Approx. 1 mile	Aesthetics, Air Quality, Biological Resources, Cultural Resources, and Hazards and Hazardous Materials (Fire)

T2	ECO SUBSTATION: East County (ECO) Substation, Rebuilt Boulevard Substation, and 13.3-mile 138 kV line between Rebuilt Boulevard Substation and ECO Substation.	PF	UC	Approx. 0.25 mile	Aesthetics, Air Quality, Biological Resources, Cultural Resources, Hydrology/Water Quality, Noise, and Hazards and Hazardous Materials (Fire)
S1	CHAPMAN RANCH SOLAR PROJECT: An approximately 2.9 MW photovoltaic solar project on an approximately 133-acre site. The disturbance footprint would be limited to approximately 25 acres.	PF-S		Approx. 9 miles	Aesthetics, Air Quality, Biological Resources, Cultural Resources, Noise, Public Services, and Hazards and Hazardous Materials (Fire)
S2	RUGGED SOLAR: Major Use Permit (MUP)-12- 007; MUP for the construction and operation of an 80 MW solar energy system on an approximately 765-acre site.	PF-S	A	Approx. 8 miles	Aesthetics, Air Quality, Biological Resources, Cultural Resources, Hydrology/ Water Quality, Noise, Public Services, and Hazards and Hazardous Materials (Fire)
F1	GOLDEN ACORN CASINO AND TRAVEL CENTER: State Clearinghouse (SCH) No. 2007071097: 33-acre expansion consisting of 150-room hotel, 900-space parking garage,	F	A	Approx. 12 miles	Aesthetics, Air Quality, Biological Resources, Cultural Resources, Noise, Public Services, Utilities,

Cumulative Scenario – Reasonably Foreseeable, Approved, and Pending Projects

Map ID	Project	Type	Status	Distance From Project	Project-Related Impacts
	surface parking, RV park, casino expansion, bowling alley, arcade, offices, retail, restaurants/food service, wind turbines, and water and wastewater improvements in three phases.				and Hazards and Hazardous Materials (Fire)
R1	STAR RANCH: Tentative Map (TM) 5459; subdivide 2,160.1 acres into 460 single-family residential lots, commercial uses, equestrian facility, helipad, water treatment facility, and wastewater treatment facility. (Residential)	R		Approx. 20 miles	Aesthetics, Air Quality, Biological Resources, Cultural Resources, Noise, Public Services, Utilities, and Hazards and Hazardous Materials (Fire)
R2	FREEDOM RANCH: MUP 74-011W1; Expand existing facilities from 50 beds to 125 in four phases. (Alcohol/Drug Treatment and Recovery Facility)	R		Approx. 20 miles	Aesthetics, Air Quality, Biological Resources, Cultural Resources, Noise, Public Services, Utilities, and Hazards and Hazardous Materials (Fire)
O1	BOULEVARD FIRE STATION: Project would replace existing fire station along Highway 94. The fire station would be 8,496 square feet including an apparatus bay, and would have a total footprint of disturbance of approximately 30,000 square feet of the 17.5-acre parcel. The site would include water tank facilities that would be filled infrequently as well as roadway improvements along its northern boundary and roadway access improvements to Manzanita Dulce. (Fire Station)	PF	UC	Approx. 10 miles	Aesthetics and Air Quality

O2	ROUGH ACRES FOUNDATION CAMPGROUND FACILITY; MUP-12-021; MUP for a campground/conference center. (wellness center and campground facility)	O	UR	Approx. 10 miles	Aesthetics, Air Quality, Biological Resources, Cultural Resources, Noise, Public Services, Utilities, and Hazards and Hazardous Materials (Fire)
O3	JCSD Capacity Increase: Project would involve creation of new well at existing monitoring well site (Park Well) to increase capacity of JCSD water supply.	O	UR	Approx. 3 miles	Hydrology Water Quality

Notes: PF = Public Facilities and Utilities; S = Solar; W = Wind; T = Transmission; F = Federal; R = Residential; O = Other; MUP = Major Use Permit; A = Approved; UC = under construction; UR = under review
C = Completed kV = kilovolt; MW = megawatt; ECO = East County; TM = Tentative Map.

Exhibit B

Approvals/Permits Expected to be Obtained

Government Agency	Action/Permit
County of San Diego	<ul style="list-style-type: none"> • Major use permit for compliance with Sections 1350, 2705, and 2926 of the County Zoning Ordinance • County right-of-way permits (construction permit, excavation permit, and encroachment permit) • Grading permit for compliance with County's Grading Ordinance • Improvement plans • Exploratory borings, direct-push samplers, and cone penetrometers permits • Waiver of Board Policy I-92 • Certification of the Final EIR – compliance with CEQA
Regional Water Quality Control Board	<ul style="list-style-type: none"> • Clean Water Act Section 401 – Water Quality Certification • General Construction Stormwater Permit
State of California Department of Fish and Wildlife	<ul style="list-style-type: none"> • 1602 Streambed Alteration Agreement
California Department of Transportation	<ul style="list-style-type: none"> • Transportation permits for the movement of vehicles or loads exceeding the limitations on the size and weight contained in Division 15, Chapter 5, Article 1, Section 35551, of the California Vehicle Code (1983)
U.S. Department of Homeland Security, U.S. Customs and Border Protection	<ul style="list-style-type: none"> • Consistency with U.S. Customs and Border Protection safety and access policies
U.S. Army Corps of Engineers	<ul style="list-style-type: none"> • Clean Water Act Section 404 Permit / Nationwide Permit – Dredge and Fill
U.S. Fish and Wildlife Service	<ul style="list-style-type: none"> • Section 7 – Consultation or Section 10a Permit – Incidental Take
Air Pollution Control District	<ul style="list-style-type: none"> • Air quality permit to construct
San Diego County Fire Authority	<ul style="list-style-type: none"> • Fire District Approval; Fire Service Agreement for County Service Area 135
California Public Utilities Commission	<ul style="list-style-type: none"> • Section 851 Advice Letter
Miscellaneous	<ul style="list-style-type: none"> • All other discretionary permits and approvals necessary from local, state and federal agencies with jurisdiction over the project.

ATTN: Ms. Bronwyn Brown

I am a resident of Jacumba. I am against the proposed JVR Energy Park that would place thousands of solar panels on 691 acres in Jacumba Valley and within our village.

This project is wrong for our community. It will lower our property values, destroy scarce wildlife habitat, destroy our rural community character, and squander natural resources such as water and clear air. The JVR Park is NOT in keeping with land use descriptions found in the Mountain Empire Sub-Regional Plan, adopted on August 3, 2011. For those reasons, **I request that county supervisors reject this project.**

Alisha Fish 

(print your name and sign)

Sender: Angie Adkins <evengelineadkins@yahoo.com>

To: Brown, Bronwyn

Subject: Jacumba solar power

Please mark me as a resident of the area against any more power projects in the East County.

Reasons against Solar include the water needed for cleaning the panels depletes already over used aquifer, the area will heat up to the extra panels storing heat, and the extra power lines cause electromagnetic interference. My daughter who has Aspergers is extremely sensitive to sound and can hear the electrical current when we drive past the solar farms in the Calxico/EI Centro area.

Wind power has its own set of issues. Noise again is an issue, and the power companies only make money due to the government subsidies.

I truly believe there are better places for these power generators, if the government insists on subsidizing the companies who build them.

As a taxpayer and voter, I respectfully request that you don't pursue these types of installations.

Thank you,

Evangeline Adkins

619-507-5511

Sender: Angie Ki <angiecki@gmail.com>

To: Brown, Bronwyn, +94

Subject: Research papers to support AGAIST Jacumba Valley Energy Park project (JVR Energy Park)

April 8th, 2011

Attn: Bronwyn Brown
Land Use Environmental Planner | Project Planning
Tel: (858) 495-5516

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Best Regards,

Angie & Wilson Ki

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BEVERLY J. WOODWARD *Beverly Woodward*

(print your name and sign)

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Cecil Troxel Cecil Troxel

(print your name and sign)

SAN DIEGO CA 920

09 APR 2023 PM 5 L



POSTCARD | USA

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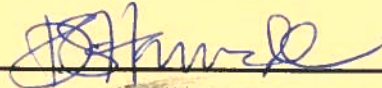
David Townsend



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DEBORA HAMADA 

(print your name and sign)

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Dennis Tatum 

(print your name and sign)

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Diana Sherwood

(print your name and sign)

Diana Sherwood

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Fred Riley

(print your name and sign)

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A handwritten signature in black ink, appearing to be 'J. Brown', written over a horizontal line.

(print your name and sign)

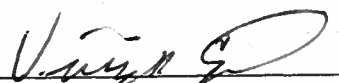

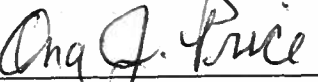


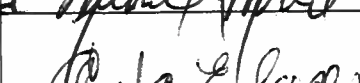
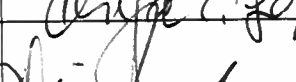
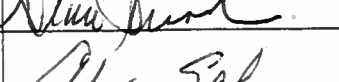

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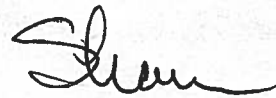

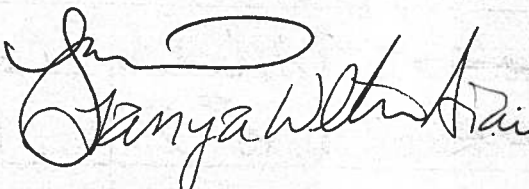
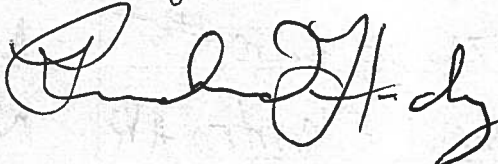
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Printed Name	Signature	Address	Comment	Date
GEORGE FLOOR		44635 Old Hwy 80 JACUMBA CA	UGLY	3/24/19
Chris Watson		44637 OH 80	Take away from natural beauty	3/25/19
MARILYN POLEN		512 Tierra Del Sol	Boulevard Ca 91905	3/25/19
ORRIN DAVIS		7298 Campbell R.R. A.P. Inc. CO.	not water L	3/25/19
DONALD BOSLER		1717 STARSHIP	JACUMBA CA. 91934	3-25-19
Scotty		1260 Heber St.	JACUMBA, Ca. 91934	3/25/19
RAYMOND		43417 Old 80	JACUMBA, CA 91934	3/25/19
JOANNE		43417 Old Hwy 80	JACUMBA CA 91934	3/25/19

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Name	Signature	Address Address	Comments	date
VIVIAN CRUZ		44726 old Hwy 80 #5	No Solar	3/21
Clinton Milholland		44726 old Hwy 80 #5	No Solar	3/21
Ona Price		44681 Elcentro AVE	No Solar	3/21
Patricia Marchand		44726 old Hwy 80	No Solar	3/21
Michael R. Marchand		44726 old Hwy 80 91939	No Solar	3/21
Ana E Lopez		44726 old Hwy 80 91939	No Solar	3-21
Diana Sheewood		44726 old Hwy 80 17	No solar	3-21
AS		44726 old Hwy 80 19	NO SOLAR	3/21
Shannon Ray Shaw		P.O. Box 86	NO SOLAR	3/21

NAME	SIGNATURE	ADDRESS	VOTE
S. Ray LASHROE		P.O. Box 86 Po 373 44664 Brawley Ave	NO SOLAR
Steve Powell		P.O. Box 19 91934	NO SOLAR
Laura Felten	Laura Felten	P.O. BOX 1356, BOULEVARD 91905	NO SOLAR
Marie J. Morgan	Marie J. Morgan	2912 Ribbonwood Rd Boulevard, CA 91905	NO SOLAR
Linda Shannon	Linda Shannon	PO BOX 1145 7 POST OFFICE 1527 Boulevard, Ca,	NO SOLAR
Jacari Cousins		PO BOX 331 Jacumba CA 91934	NO SOLAR
TANYA WIKINS-AIU	Tanya Wikins-Aiu	P.O. Box 381 Jacumba 91934	NO SOLAR
Richard Handy		P.O. BOX 76 Jacumba CA 91934	NO SOLAR

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Name	Signature	Address	Comments	date
Margaret SPENCER		44726 Old Hwy 80 Box 182 J-town 91934	SAVE JACUMBA VALLEY	3/21/19
Martha Hazlett		44589 Seeley Ave, 91934	too close to our community	3/21/19
Sandra Wood		44726 Old Hwy 91934	No Solar	3/21/19
Kathryn McGinnis		44726 Old Hwy 80	NO Solar	3/21/19
Shirley Perez		44726 Old Hwy 80	No Solar	3/21
George Floor		44635 Old Hwy 8 91906	NO Solar	3/21
Joseph Carmody		961 Forest Gate Rd Camp	Too Large, too close to town	3/21/19
Rob Romero		1771 LAKE MORENADI	NO SOLAR	
Tracy McPherson		44612 CALEXICO on 91934	NO Solar	3/21/19

OVER

— PETITION TO OPPOSE THE JVR —

<u>NAME</u>	<u>SIGNATURE</u>	<u>ADDRESS</u>	<u>COMMENTS</u>	<u>DATE</u>
HEATHER SCHWARTZ	Heather Schwartz	1226 Carriso Street JACUMBA CA 91934	NO JVR, SOLAR!	3/21/19
Brad Schwart	B. Schwart	P.O. BOX 2750 EL CAJON CA 92021		
		1226 Carriso Street JACUMBA P.O. 2750	NO Solar	3/21/19
Sandra Martinez	Sandra Martinez	P.O. BOX 375, JACUMBA 91934	No solar	-3-21-19
KATHY BROCK	Kathleen Brock	42086 OH 80 JACUMBA, CA 91934		3/21/19

SAVE FARMLAND &
WILDLIFE

2/20/19

Printed Name	Signature	Address	Comment	Date
Sharon Marsh	Sharon Marsh	44660 Hatfield	OPPOSED to Solar	3/25/19
Jenene Lambert	Jenene Lambert	44725 Hillside	OPPOSED to Solar	3-25-19
Richard Nelson	Richard Nelson	1262 N. Rail Rd St 91934	OPPOSED to solar	3-25-19
Donald Shirley	Donald Shirley	44501 BRAWLEY AVE.	OPPOSED TO SOLAR	3-25-19
Michael Rockefeller	Michael Rockefeller	1121 Railroad St	OPPOSED to Solar	3-25-19
Frank J Rokop	Frank J Rokop	44541 Seeley Ave	Opposed to Solar	3/25/19
ANTHONY LAUTZENHEISER	Anthony Lautzenheiser	44533 BRAWLEY AVE	OPPOSED	3/25/19
MONICA LAUTZENHEISER	Monica Lautzenheiser	44533 BRAWLEY AVE	OPPOSED	3/25/19
Paul Isham	Paul Isham	38155 Old Hwy 80	OPPOSED solar is dirty energy	3/25/19
Julie White	Wendy White	boulevard	OPPOSED	3/25/19
Conna Marshall	Conna Marshall	44567 Seeley	OPPOSED	3/27/19
Cherry Diefenbach	Cherry Diefenbach	44523 Old Hwy 80	OPPOSED ^{size solar} industrial	3/26/19

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Printed Name	Signature	Address	Comment	Date
Conna Marshall	Conna Marshall	44657 Seeley Jacumba	not a great thing Please	4-5-19
Jennifer Houle	Jennifer Houle	1209 N Railroad St	don't ruin our nature!	4/4/19
Maria Regalado	Maria Regalado	44600 Holtville Ave	Please don't ruin our ^{Nature}	4/04/19
Richard Handy	Richard Handy	44465 Old Hwy Jacumba	OPPOSED!	4/4/19
Diana Sherwood	Diana Sherwood	44726 Old Hwy ^{Ch} 80 101	no thanks!	4/4/19
Nadine Rodgers	Nadine Rodgers	44726 old Hwy ^{#12} 80	Go Away!!!	4/4/19
VIVIAN CLUZ	Vivian Cluz	44726 old Hwy ^{#5} 80	Go Away!	4/4/19
Cliffor Hanna	Cliffor Hanna	44975 old Hwy 80	NE	4-4-19

Printed Name	Signature	Address	Comment	Date
LASH ROE	<i>Lash Roe</i>	44668 BRAWLEY AVE	NO ON SOLAR FARM	4-4-19
Tom Holmes	<i>Tom Holmes</i>	Palm Springs	No on Solar	4-4-19
LAURENE BRADBERD	<i>Laurene Bradberd</i>	1951 Camino George Rd B-17	NO LOCAL SOLAR FARM	4/4/19
SHIRLEY PEREZ	<i>Shirley Perez</i>	44726 0108	NO SOLAR	4/4/19
VINCENT ANDRILLI	<i>Vincent Andrilli</i>	44659 CALLEXICO AVE	NO ON SOLAR	4/4/19
Patricia	<i>Patricia</i>	44323 BRAWLEY	NO	4/4/19
Rick Nelson	<i>Rick Nelson</i>	12620 Hill Rd St	NO NO	4/4/19
Sam Schultz		TOWER		8/4/19
Shelley Wieg	<i>Shelley Wieg</i>	44628 Old Highway	NO	4-4-19
Jesse Silva	<i>Jesse Silva</i>	37820 ROYAL RD	NO	4/4/19
Renee Bailey	<i>Renee Bailey</i>	P.O. box 154 Jucamba Ca	NO	
Alisha Fish	<i>Alisha Fish</i>	PO: box 154 Jucamba ca	NO	

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Printed Name	Signature	Address	Comment	Date
MIRE LOUISE		SD CA 92111 7123 CAMINO DE GRAZIA	DON'T DO IT!	3/22/19
ROSA WEBB		SD CA 92127 11019 Ave de los Cobos III	oppose it	3/22/19
HELY GOERTZEN		LA MESA CA 91941 9315 CARMICHAEL DR	OPPOSE!	3/22/19
CLINT CARTER		1189 SIERRA VISTA OCOTILLO CA 92259	OPPOSE!!	3/23/19
AUSTIN SENTER		89 Imperial Hwy OCOTILLO CA 92259	OPPOSE!!!	3/23/19
Neil Carter		1189 Sierra Vista ocotillo CA 92259	OPPOSE!!!	3/23/19
Claudia Kuller		29955 Canadiana Blvd Cucamonga CA 91906	OPPOSE	3/23/19

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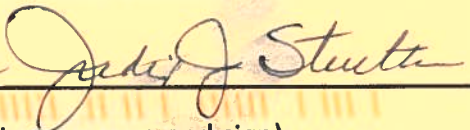
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Printed Name	Signature	Address	Comment	Date
RICK STEINER	<i>[Signature]</i>	44421 Old Hwy 80		4-5-19
Andray Leppo	<i>[Signature]</i>	1201 S. Badred		4-4-19
Michael Vient	<i>[Signature]</i>	1201 S. Badred		4-4-19
Catherine Weate	<i>[Signature]</i>	P.O. Box 141 44601 Old Hwy 80		4-4-19
Michael Rockefeller	<i>[Signature]</i>	1112 Railroad St	STOP	4-4-19
JOE D GRIFFIN	<i>[Signature]</i>	44537 Bradley Ave	90974	4-7-19
BEATRICE TURNER	<i>[Signature]</i>	44516 Seely Ave	90974	
Charles	<i>[Signature]</i>	P.O. BOX 61, 91934	HELL NO!!!	

ATTN: Ms. Bronwyn Brown

I am a resident of Jacumba. I am against the proposed JVR Energy Park that would place thousands of solar panels on 691 acres in Jacumba Valley and within our village.

This project is wrong for our community. It will lower our property values, destroy scarce wildlife habitat, destroy our rural community character, and squander natural resources such as water and clear air. The JVR Park is NOT in keeping with land use descriptions found in the Mountain Empire Sub-Regional Plan, adopted on August 3, 2011. For those reasons, I request that county supervisors reject this project.

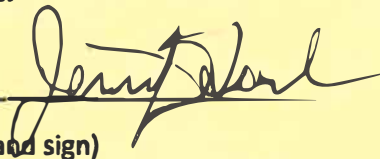
Judie Stutler 

(print your name and sign)

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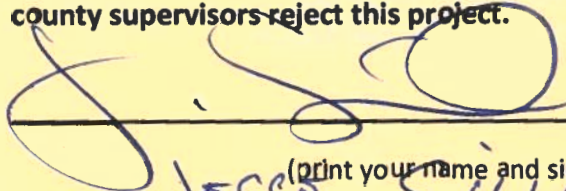
Jennifer Houle 

(print your name and sign)

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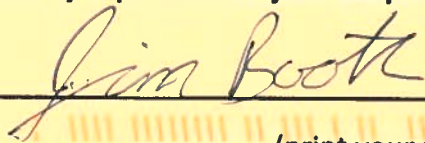
(print your name and sign)

Jesse Silva

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(print your name and sign)

Sender: Judy <judyalvarez50@hotmail.com>

To: Brown, Bronwyn

Subject: JVR Energy Park

County of Planning and Development

Attn: Ms. Bronwyn Brown

Dear Ms. Brown,

In hearing about the proposed JVR Energy Park, it is so disappointing that such a mismatch for such a small back country area is even being considered. Besides destroying the character of a quaint historic town (I have 100 year old pictures of my mom-in-law Ila Mary Horr standing in front of the Jacumba Hot Springs), it would be obstructing wildlife corridors and harmful to several locally endemic plants, animals, birds and butterflies. I would be happy to talk to anyone about my concerns as a naturalist and an archaeologist at 1 (619) 204-3272 as would my good friend Bill Howell (1 (619) 277-8163 who is the head instructor of Mission Trails Regional Park's Trail Guides Naturalist training class and the San Diego Natural History Museum's Canyoneer program who has spent numerous years hiking and observing nature in that area. Please say no to this proposed project! Thank you, Judy Alvarez

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KAREN Buck Karen Buck

(print your name and sign)

From: Tammy Daubach <dumptruck.01@wildblue.net>
Sent: Monday, April 08, 2019 3:52 PM
To: Brown, Bronwyn
Subject: JVR Comments

Bronwyn,

Although we are not residents of the town of Jacumba, we are very involved in Jacumba. Jacumba does not have a lot to offer, but this project would take away the opportunity of any growth to that community. Highway 8 already removed any reason for people to drive through Jacumba. If anyone would come to the town, all they would see is solar panels.

When Patrick Brown was an employee of Soitec, he set up the Mt. Empire School Foundation. The last project he did in Jacumba, the Jacumba Solar Farm, he bypassed his own foundation and instead did a one-time solar panel job for the school district. We have a hard time believing anything that he says or promises to the community of Jacumba. Other agencies that he promised that would benefit from the Jacumba Solar Farm, such as the local Fire Safe Council, did not benefit.

We really see this as just another push to get another solar project finished. These kinds of projects really need to be moved closer to their source of use, such as rooftops. This project is stealing from a town that cannot defend itself. They do not have the resources to fight this. Whatever this town has is being taken from them.

Insurance costs will definitely rise as a result of this and the company that implements the project will not get involved with that. Check out the facts, such as need vs. want.

Kenneth & Tammy Daubach
39954 Ribbonwood Rd
Boulevard, CA 91905
619-766-4033
dumptruck.01@wildblue.net

Sender: emailerc C <kfk402@gmail.com>

To: Brown, Bronwyn

Subject: hello purchasing land in jacumba, worries about the solar farm

i fear the emf pollution from the new solar farm and water quality. please help

Sender: Sage Sings <sagesings@hotmail.com>

To: Brown, Bronwyn

Subject: Proposed solar field in Jacumba Hot Springs

Good Morning,

I am writing to express my opposition of the proposed solar fields. I work at the Jacumba Spa and Resort and have many family members that live here. I don't support this proposed build because of the negative effects it will make to this community. Most of the folks that live here are retired and suffer different ailments. I worry about the health of myself, my family and my friends that live here... I vote NO!

Thank You,

Kimberly Lenahan
PO Box 1287
Boulevard, CA 91905
619-952-5943

Get [Outlook for Android](#)

Harris, Susan

From: Lash Roe <lroe1953@live.com>
Sent: Sunday, April 07, 2019 1:14 PM
To: Brown, Bronwyn
Subject: citizen comments
Attachments: Jacumba Hot Springs.odt

view on community wishes from a prospective Jacumba sponsor board member

JACUMBA HOT SPRINGS CALIFORNIA 91934

April 8 2019

As an incoming member the Jacumba sponsor group and a concerned citizen for 29 of Jacumba I have heard from the community that they are not in favor of having the JVR Energy Park or BayWa r.e. renewable energy (not in or near our community.)

These are some of the items you need to be aware of, and address.

Geological / Seismic

Soil Liquefaction a phenomenon where by a saturated or partially saturated soil substantially loses strength and stiffness in response to an applied stress. Usually an earthquake shaking or sudden change in a stress condition, causing it to become like a liquid.

So if we put 300,000 photo voltaic cells being supported by posts 10 feet to 15 feet in the ground of a dry lake bed with a water table that varies over time from 1 feet below the ground surface to 40 feet. These posts that are supporting sun tracking devices moving in the same direction at the same time. Essentially transmitting small but consistent vibrations into the earth beneath them.. The area is also on the end of a finger of the San Jacinto Fault line, and subject to earthquakes generated from the Laguna Salada FAULT system in BAJA California (the 7.1 Easter Sunday quake in 2010 , epicenter South of Guadalupe Victoria was strongly felt in Jacumba) This post would transmit and amplify ground movement and damage to aquifers. I was told by the Boots Parker who worked on the ranch over 50 years ago of a time when a tractor had to be pulled out of a sink hole on the property. So yes the property is prone to liquefaction.

Federal Endangered Species Act

The spotted frog (leopard frog) . Is one of those species and that is Native to Jacumba Hot Springs. In the 1980's it was one of the largest obstructions to obtaining residential Zoning Jacumba Valley Ranch. That was a 35 year debate on how the development would uniquely branch of the Leopard frog species. But to Clear the area completely of all vegetation and wildlife. That goes

beyond all concept of trying to preserve the local species that are only common to this area. During this drought I have noticed the frogs coming into town and living under rocks in our gardens. Then there are those that didn't. We can't allow their natural habitat to permanently be destroyed. There are many other species of reptiles, birds, and small animals that call that area home and have so for many of their generations. All life is to be honored, and is valued.

There must be an area designated as wetlands for the spotted frog and other native species.

Energy Vs Community

Taking this land to provide solar for distant cities in California requires us to sacrifice all potential for Jacumba Hot springs future development. It will literally be the final blow in the process begun by construction of the I-8. Don't San Diego's back country towns have intrinsic cultural value? Are they not an integral part of the complex and vibrant whole of this county? This may as well be Jacumba's last stand. Just because JVR Energy Park has funds to buy the property does not mean they have a moral right to have it rezoned. That is a risk any business .

If the County of San Diego decides to go forward with this project, which we do not recommend the only acceptable alternative would be to shrink the project , push it's perimeter much further from town itself and leave a wider space zoned residential so there is still room for the community to grow. Additionally there should be a means whereby the residents of Jacumba could be compensated for the loss of property value by providing electricity from their solar park at a reduced rate. In fact completely free electricity might begin to approach an equitable outcome. Otherwise don't put this project in this community.

1) Wetlands park area (needs to be added in)

2) Residential (already in affect) took 35 years to get

3) Major use permit (we would have to allow the change in zoning)

I am all for green energy there are better places for solar sites areas where there would not be habitable areas. Not part of National Parks, farm lands, places that are habitable for humans or endangered species.

So to Sum it up the people of my community that I have talked with do not want it this close to town.


Lash Roe

lroe1953@live.com **619-905-3822**

ATTN: Ms. Bronwyn Brown

I am a resident of Jacumba. I am against the proposed JVR Energy Park that would place thousands of solar panels on 691 acres in Jacumba Valley and within our village.

This project is wrong for our community. It will lower our property values, destroy scarce wildlife habitat, destroy our rural community character, and squander natural resources such as water and clear air. The JVR Park is NOT in keeping with land use descriptions found in the Mountain Empire Sub-Regional Plan, adopted on August 3, 2011. For those reasons, I request that county supervisors reject this project.

A handwritten signature in black ink, appearing to read "Paul Doe", written over a horizontal line.

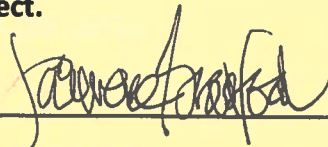
(print your name and sign)

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LAURENE BRADY



(print your name and sign)

77



County of San Diego

MARK WARDLAW
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
(858) 694-2962 • Fax (858) 694-2555
www.sdcounty.ca.gov/pds

KATHLEEN A. FLANNERY
ASSISTANT DIRECTOR

JVR ENERGY PARK **(PDS2018-GPA-18-010, PDS2018-REZ-18-007, PDS2018-MUP-18-022)**

MARCH 21, 2019 EIR PUBLIC SCOPING MEETING - COMMENT SHEET

To Bronwyn Brown,

We are sending to you signatures of residents who "do not" want this project. We are tired of being the dumping grounds. Cancer has risen since other projects have been placed in our communities, wells are dropping, wild life have been displace from their habitats, not to mention their food source, allergies have risen due to the removal of the chapparal being removed. Fire danger will rise for you cannot put out an electrical fire with water, a new fire station will be needed to house firefighters who have been trained for putting out the fires caused by solar panels. Please do not destroy what is left of our mountain range, our town and the wild life.

Submit by Mail, Fax or Email. Comments must be received no later than April 8, 2019 at 4:00 p.m.

Bronwyn Brown, Project Manager
County of San Diego
Planning and Development Services
5510 Overland Ave., Suite 310
San Diego, CA 92123

Email: bronwyn.brown@sdcounty.ca.gov

FAX: (858) 694-2555

Phone: (858) 495-5516

 Lorrie Ostrander 4/4/2019
Commenter Signature, Date

 Lorrie Ostrander
Print Name

 43577 OLD Hwy 80
Address

 Jacumba, CA. 91934
City, State, Zip Code

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Maria Regalado

(print your name and sign)

Maria Regalado

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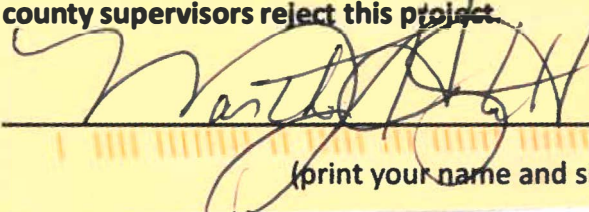
Maria S. Villegas Maria S. Villegas

(print your name and sign)

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Martha J.
Hazlett

(print your name and sign)

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Michele Wittias

(print your name and sign)

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Nadine Rodgers Nadine Rodgers

(print your name and sign)

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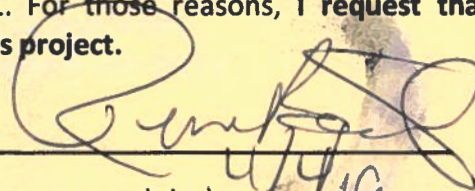
Raijah Thomas Raijah Thomas

(print your name and sign)

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Renee Bailey 

(print your name and sign)

4/9/19

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Richard Handy *Richard Handy*

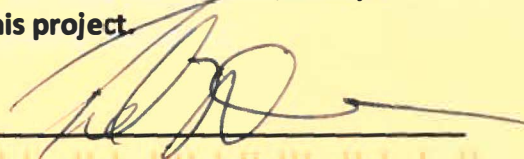
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Rick Nelson



(print your name and sign)

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Samuel Schultz

(print your name and sign)

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Sarah Misquez Sarah Misquez

(print your name and sign)

Sender: Scott Simpson <scott.simpcon@imperial.edu>

To: Brown, Bronwyn; Scott Simpson; Cherry Diefenbach

Subject: JVR Energy Park

Dear Ms. Bronwyn Brown:

I would like to add to my previous commentary that after reading more of the Notice of Preparation documentation prepared by the County of San Diego, the very real danger of FIRE has been identified by the county as a hazard should the JVR Energy Park be constructed in our community.

The last thing any community in California needs after the recently widespread fire disasters and related loss of life and property destruction is to add another substantial risk of FIRE right on the very edge of town here on our "Main Street" – Old Hwy 80.

Allowing the JVR Energy Park to be built in Jacumba so close to town is incredibly reckless; therefore, I oppose this project.

Scott Simpson

Concerned citizen of Jacumba

April 7, 2019
County of San Diego
Planning & Development Services
5510 Overland Ave, Ste. 310
San Diego, CA 92123
Attn: Ms. Bronwyn Brown

RE: JVR Energy Park

Dear Ms. Brown:

My name is Scott Simpson, and I have been a resident and home owner in Jacumba Hot Springs for twelve years. Jacumba Hot Springs is a mountain village with just a few hundred of us folks living here. It is a wonderful place. It is quiet. You can hear the owls at night and the morning doves at sun rise. There isn't a single traffic light telling you to stop. The air is clean. We have mountain views. We have the spa with its sulphur and magnesium mineral water that can soothe the body after a long day of work. We have a post office, a busy library, a community center and hiking trails. The area is historically significant to the Kumaiyah indigenous people and compared to most of Southern California, it is very unspoiled. We have the bluest skies you've ever seen and incredible star views on moonless nights.

Over the years, the townspeople have been presented with challenges. The most recent one was several years ago. A farmer grew many acres of greens using a type of fertilizer which led to an infestation of eye gnats. Those gnats, identified as a vector of disease, dove into your eyes the moment you set foot out of your house. They would quickly cloud around your head, so you couldn't paint your house or stand and talk with a neighbor without them continuously and torturously diving into and scraping our eyes. Mercifully, they are gone now. The townspeople had to unite to remove that scourge. We were successful, but we suffered for years from those gnats. When the farmer left, the eye gnats went pretty quickly, too. It's unfortunate that the farmer chose not to alter his agriculture practices. Because the land there is very fertile, people here hope another farmer might one day grow food there again, but more responsibly.

Now a corporation has purchased those same acres where the eye gnat infestation originated. And once again the townspeople are aligning to fight outside forces which are attempting to disrupt our lives.

Solar energy is wonderful, and we already have such a project out of sight, over a nearby ridge. But I disagree with having a massive solar energy presence in the town of Jacumba Hot Springs for the following reasons:

- 1) The land can be better purposed for responsible agriculture;
- 2) Alternatively, that land can be better purposed for future sustainable growth of the town (housing; commerce);
- 3) It would be right on the very edge of human dwellings and therefore would disrupt life here, especially during the construction phase;
- 4) Our most valuable natural resource-- water, would be wasted in great quantities as it would be used to wash the solar panels;
- 5) The project would be built along Old Hwy 80, which is our Main Street; such a massive energy production plant does not belong on a town's "Main Street";
- 6) The panels would be there for generations (I heard "35 years"!). That's a long time that the land cannot be used to grow food, and cannot be utilized for housing or commerce. And that also means 35 years of

water wasted on washing solar panels. Finally, it would be a 35-year eye sore on our “Main Street”.

Allowing this energy project in our town would sentence us to (a) no farming and (b) no responsible growth and (c) reduction of water in our aquifers for decades!

Furthermore, the company that is behind this project can surely find a better place to operate. In Southern California there are many thousands of acres of land with extensive sun exposure that is far enough from people so as not to disrupt their lives. There is no need to come here, disrupt our lives and rob us of our future. Please Ms. Brown and others, join us-- please help us to preserve our natural resources and keep the door open in Jacumba Hot Springs to responsible growth and projects that are in alignment with the inherent nature of our town.

Thank you,

Scott Simpson
Citizen of Jacumba Hot Springs

Ms. Shanda Ray
P.O. Box 86
Jacumba, CA 91934
April 8, 2019

Ms. Bronwyn Brown
Planning and Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

NOTICE OF PREPARATION OF ENVIRONMENTAL IMPACT REPORT (EIR) DOCUMENT FOR THE (JVR ENERGY PARK (PDS2018-GPA-18-010, PDS2018-REZ-18-007, PDS2018-MUP-18-022))

Thank you for the opportunity to comment on the above-mentioned document. My comments are recommendations regarding the analyses of potential impacts to air quality, fire services and facilities, mitigation measures for cultural resources, infrastructure capacity planning and the determinants of equity in human health and wellbeing as environmentally just service by San Diego public agencies under the California Environmental Quality Act (CEQA).

In section VIII. GREENHOUSE GAS EMISSIONS, regarding the perceived less than significant impact of JVR energy park on Earth's climate, the leading statement, *"These changes are now broadly attributed to GHG emissions, particularly those emissions that result from the human production and use of fossil fuels"*, is in contrast to the truth, or an integrated reality. There is one rule in ecology, biodiversity needs space. [The larger the area the area the greater the biodiversity](#). 1/10 of the world's population has encroached on natural terrestrial and marine habitats as a fundamental reason for the collapse of species populations and biodiversity worldwide. In 2004 scientists confirmed, if 1/10 of humanity continues to contaminate and disrupt nature at the current increasing rate, there will be a loss of [22% to 31% of species by 2050 in the optimistic scenario and a loss of 38% to 52% in the pessimistic scenario](#). You have confused the symptoms with the disease.

The classification into biomes (land and marine areas of similar weather, temperature, animals and plants) is no longer relevant. Scientists and researchers are currently classifying the Earth's ecology by using [Anthromes, or human biomes](#), to reflect anthropogenesis and our impact on the patterns and processes of our natural world.

Members of the lead agency under 40 years of age may consider whether their current trajectory is career based or merely a job maintaining a status quo that is not serving them. Consider the words of 15-year-old climate advocate Greta Thunberg, ***"... we have to speak clearly, no matter how uncomfortable that may be. You only speak of green eternal economic growth because you are too scared of being unpopular. You only talk about moving forward with the same bad ideas that got us into this mess, even when the only sensible thing to do is pull the emergency brake. You are not mature enough to tell it like it is. Even that burden you leave***

to us children. But I don't care about being popular. I care about climate justice and the living planet. Our civilization is being sacrificed for the opportunity of a very small number of people to continue making enormous amounts of money. Our biosphere is being sacrificed so that rich people in countries like mine can live in luxury. It is the sufferings of the many which pay for the luxuries of the few.

In a current reality and in future generations' hindsight, it is the individuals' [stupidity and delusion](#) , inspired by ownership, that will result in an increase in the Earth's average surface temperature commonly referred to as global warming. This rise in global temperature is associated with long-term changes in precipitation, temperature, wind patterns, and other elements of the Earth's climate system, known as climate change. Humans can only fake food, when the plant life is gone and steal water when there is none left, yet narcissistic individuals, in possession of data confirming climate changes are producing an array of adverse environmental impacts including water supply shortages, severe drought, increased flooding, sea level rise, air pollution from increased formation of ground level ozone and particulate matter, ecosystem changes, increased wildfire risk, agricultural impacts, ocean and terrestrial species impacts, food injustice, homelessness through human displacement, transmigration of pathogens and pests, among other adverse effects, lacked the courage to save themselves.

"[Functional stupidity](#) involves narrow thinking, where established frameworks are accepted uncritically...Most workplaces these days seek to encourage and cultivate critical thinking, reflection and 'out of the box' ideas, yet they often remain better at doing the opposite. Managers and subordinates follow organisational and professional templates and cultures without paying much attention to assumptions and beliefs...Outside the box, stupidity often rules."

To be stupid, selfish, and have good health are three requirements for happiness, though if stupidity is lacking, all is lost - Gustave Flaubert

- **AIR QUALITY ANALYSES IMPACT**

VIII. GREENHOUSE GAS EMISSIONS — Would the project: a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? LESS THAN SIGNIFICANT IMPACT.

COMMENT:

1. The report/mitigation should extend to the lead agencies identification of all potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips).

Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., substations,), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

2. The report/mitigation should extend to the lead agencies quantification of criteria pollutant emissions and compare the results to the recommended regional significance thresholds found in the National Ambient Air Quality Standards (NAAQs) for pollutants that harm health, the environment, and cause property damage.
3. The report/mitigation should extend to quantify electromagnetic radioactive criteria pollutant emission ranges and compare the results presented by the World Health Organization in Environmental Health [Criteria 137](#)- Geneva, Switzerland 1993. All electrical and electronic devices create electromagnetic fields or EMF around them when used and also emit electromagnetic radiation or EMR. This includes solar panels and solar inverters. In 2002, [the International Agency for Research on Cancer \(IARC\)](#), a component of the World Health Organization, appointed an expert Working Group to review all available evidence on static and extremely low frequency electric and magnetic fields (12). The Working Group classified ELF-EMFs as “possibly carcinogenic to humans,” based on limited evidence from human studies in relation to childhood leukemia.

- **FIRE SERVICE AND FACILITIES –**

1. The report/mitigation should extend to the cost, scope and impact on fires safety in expected fulfillment of the pending NFPA 855 Standard for the Installation of Stationary Energy Storage Systems (ESS).

An ESS is defined as “one or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time to the local power loads, to the utility grid, or for grid support.”

Before we get into the body of the proposed standard, it would be good to look at excellent information provided in the several annex sections, in particular:

- Annex B: Battery Energy Storage System Hazards.
- Annex C: Fire-Fighting Consideration (Operations).
- Annex D: Overview of Engineering Storage Systems Technologies.
- Annex F: A Short History on Station Storage Battery Systems.

Annex B provides examples of the specific fire hazards involved with a wide variety of battery types including lithium-ion batteries. Annex F contains information currently appearing in other codes and standards.

Chapter 4 provides general requirements for ESS systems and comes right out of the gate by letting us know what the major issue is.

“4.1.1 General ESS Gas Release. ESS shall not release toxic or highly toxic gas creating conditions in excess of the permissible exposure limit (PEL) in the room or space in which they are located during normal charging, discharging, and use.”

Under certain conditions, Chapter 4 requires a hazard mitigation analysis which must address the following failure modes:

- Thermal runaway condition in a single module or array
- Failure of an energy storage management system
- Failure of a required ventilation or exhaust system
- Voltage surges on the primary electric supply
- Short circuits on the load side of the ESS
- Failure of a required smoke detection, fire detection, fire suppression or gas detection system

The following guidance is provided for the AHJ reviewing the analysis.

“4.1.4.2. The AHJ shall be permitted to approve the hazardous mitigation analysis as documentation of the safety of the ESS installation provided the consequences of the analysis demonstrate the following: (1) Fires will be contained within unoccupied ESS rooms for the minimum duration of the fire resistance rating specified in 4.3.6. (2) Suitable deflagration protection is provided where required. (3) ESS cabinets in occupied work centers allow occupants to safely evacuate in fire conditions. (4) Toxic and highly toxic gases released during normal charging, discharging and operation will not exceed the PEL in the area where the ESS is contained. (5) Toxic and highly toxic gases released during fires and other fault conditions will not reach concentrations in excess of immediately dangerous to life or health (IDLH) level in the building or adjacent means of egress routes during the time deemed necessary to evacuate from that area. (6) Flammable gases released during charging, discharging and normal operation will not exceed 25 percent of the LFL.

Table 4.4.2 contains a list of fire safety features required for indoor ESS installations. The table makes a distinction between dedicated-use ESS buildings and nondedicated-use buildings. Separation, smoke and fire detection, and fire suppression will be required for indoor installations in either case.

Regarding separation: “4.3.6 Separation. Rooms or spaces containing ESS shall be separated from other areas of the building by fire barriers with a minimum fire resistance rating of two

hours and horizontal assemblies with a minimum fire resistance rating of two hours, constructed in accordance with the local building code.”

The requirements for fire suppression system reflects the lack of good information on how to properly protect these systems with sprinklers or alternate suppression systems.

The following is from Annex Section A.4.11.1: “Thermal Runaway. While nonwater-based fire suppression has been shown to be effective at suppressing Class B and Class C fires in ESS enclosures, current suppression agents, both water-based and nonwater-based, are probably not going to be able to stop thermal runaway. No published case studies, test reports or data generated to date indicate otherwise.

“The current protection concepts in NFPA 855, including size and separation, maximum-rated energy and elevation are designed to try and keep a thermal runaway event from propagating from one ESS unit to another, contain a fire within a room or outdoor walk-in unit and not allow it to compromise exposures.”

Currently, the standard contains design discharge criteria of 0.30 gal./min./ft.² over 2,500 ft.² for sprinkler systems. There is an option to use a different density based on the results of large-scale fire testing.

Alternatives to sprinklers also may be used if their effectiveness is supported by large-scale testing.

Battery Storage System Requirements

Chapter 9 deals specifically with battery storage systems. Table 9.2. Electrochemical ESS Technology-Specific Requirements indicates which general requirements must be met based on the type of battery technology used. Compliance features included in the table are exhaust ventilation, spill control, neutralization, safety caps, thermal runaway, explosion control and size/separation.

The proposed standard also contains specific requirements in Chapter 17 which address one- and two-family dwellings and townhouse units. The key provision of the chapter is the location requirements.

17.5.1. ESS shall only be installed in the following locations: (1) In attached garages separated from the dwelling unit living area and sleeping units in accordance with the local building code (2) In detached garages and detached accessory structures (3) Outdoors on exterior walls or on the ground located a minimum of 3 ft (914 mm) from doors and windows (4) In enclosed utility closets and storage or utility spaces.

“17.5.1.1. If the room or space where the ESS is to be installed is not finished, the walls and ceiling of the room or space shall be protected with not less than 5/8-in. Type X gypsum board.”

No suppression is required for one- and two-family dwellings but there is a requirement for detection.

“17.8.1. Interconnected smoke alarms shall be installed throughout the dwelling, including in rooms, attached garages and areas in which ESS are installed in compliance with local building code.”

The members of the technical committee for energy storage systems should be congratulated for their effort. It is an excellent standard, well-written, very comprehensible and ahead of the curve — the avalanche of battery storage systems that are coming.

And it bears repeating: This column is based on the standard as currently proposed and that changes are likely before we see the final document from NFPA. - [reference](#)

“The only thing firefighters fear more than fire is solar. So long as a solar panel is getting sunlight, it's impossible to turn off. “During daylight, there can be enough voltage and current to injure or even kill a firefighter who comes in contact with the energized conductors,” -Matthew Paiss, San Jose Fire Department.

In December of 2017, wildfires devastated portions of Ventura and Santa Barbara counties. At the time, what became known as the Thomas Fire was the largest wildfire in California’s history. The Thomas Fire burned [more than 280,000 acres](#) before it was finally contained on Jan. 12, 2018. The fire destroyed more than 1,000 structures including hundreds of homes. There was also a second, related fire that broke out in Ojai, a small city in Ventura County, located a little northwest of Los Angeles, about an hour later after a transformer [reportedly](#) exploded in a residential area on Koenigstein Road. So far, [170 homeowners and business owners](#) who suffered damage in connection with the [Woolsey Fire](#) that broke out in November 2018 have filed suit in Los Angeles and Ventura Counties claiming the utility’s electrical equipment was responsible for the fire. Meanwhile, [PG&E has announced that it will file for bankruptcy](#) since it is now drowning under “at least \$7 billion in claims from the [Camp Fire](#),” according to [news reports](#). The California Department of Forestry and Fire Protection has also [blamed PG&E](#) for some of the 2017 wildfires. The Camp Fire is now on record as the deadliest fire in state history in terms of fatalities and destruction to infrastructure. Williams, the PG&E CEO, has announced that she is stepping down.

2. The report/mitigation should extend to the cost, support, management, maintenance, acquisition and storage of materials and personnel required to effectively respond to Class C fires in the region. The formula for calculating the needed foam concentrate at a flammable liquid release is as follows: Area X Critical Application Rate (CAR) X Education Rate (ER) X 15 = Foam Concentrate Needed. "Area" refers to the area the spill occupies, usually in square feet, in this case, 1,345 acres.

a. Potential resources to be included:

[Type 1 Fire Engine](#)
[Type 3 Fire Engine](#)
[ALS Rescue Ambulance](#)
[BLS Rescue Ambulance](#)
[Foam Tender](#)
[Gator](#)
[HAZ MAT Apparatus](#)
[Heavy Rescue](#)
[Helicopter](#)
[Helicopter Tender](#)
[Firefighting Aircraft](#)
[Rehab Tender](#)
[Tractor Company](#)
[Fire Crew Support](#)
[Urban Search and Rescue](#)
[Water Tender](#)

b. Potential Training requirements to include:

- i. Fire Scenarios and Foam Policies AM Foams and their relevant standards, tank risk scenarios, understanding tank fires, case study review.
- ii. Familiarisation with the importance of foam testing, taking samples and meaningful measurements. Live fire exercises demonstrating foam types and techniques, and emergency planning and incident command scenarios.
- iii. An overview of current global legislation and best practice guidelines. Emergency planning for tank fires and significant emergencies as well as an understanding of specifying foam systems.
- iv. Practical fire ground awareness, equipment familiarization, Practical firefighting scenarios that include running fuel fires from a pressurized flange, tank-top rimseal fires as and manual v's automatic protection. Blevé and boilover simulators, transformer, electrical bund fires and a full surface tank fires.
- v.

c.

-
3. The report/mitigation should extend to identify the Critical and Minimum application rates at which Class C foam will extinguish wildfires under ideal conditions.

NEPA 11

“Tests have shown that foam may travel effectively across at least 100 feet of burning liquid surface”.

“Sometimes”

- **MITIGATION MEASURES FOR CULTURAL RESOURCES**

Due to the facts that the project is located within the area of sensitivity of the Campo Kumeyaay native peoples, the report mitigation should extend to implement the language below as mitigation measures:

- All ground disturbing activities performed on the project property shall be monitored by professional Native American monitors.
- The applicant shall retain one professional Native American monitor per excavation team to monitor all ground disturbing activities performed on the project property.

- **INFRASTRUCTURE/CAPACITY PLANNING - Regional Water Quality Control Board (RWQCB)**

b) Is the project tributary to an already impaired water body, as listed on the Clean Water Act Section 303(d) list? If so, could the project result in an increase in any pollutant for which the water body is already impaired? LESS THAN SIGNIFICANT IMPACT

JCSD's current habitual non-compliance under the monitoring requirements of the Safe Drinking Water Act, indicate an inability to support the continuous delivery of potable water to residents.

Regards,

S. Ray.

Ms. Shanda Ray
P.O. Box 86
Jacumba, CA 91934
April 8, 2019

Ms. Bronwyn Brown
Planning and Development Services
5510 Overland Avenue, Suite 310
San Diego, CA 92123

NOTICE OF PREPARATION OF ENVIRONMENTAL IMPACT REPORT (EIR) DOCUMENT FOR THE (JVR ENERGY PARK (PDS2018-GPA-18-010, PDS2018-REZ-18-007, PDS2018-MUP-18-022))

Thank you for the opportunity to comment on the above-mentioned document. My comments are recommendations regarding the analyses of potential impacts to air quality, fire services and facilities, mitigation measures for cultural resources, infrastructure capacity planning and the determinants of equity in human health and wellbeing as environmentally just service by San Diego public agencies under the California Environmental Quality Act (CEQA).

In section VIII. GREENHOUSE GAS EMISSIONS, regarding the perceived less than significant impact of JVR energy park on Earth's climate, the leading statement, *"These changes are now broadly attributed to GHG emissions, particularly those emissions that result from the human production and use of fossil fuels"*, is in contrast to the truth, or an integrated reality. There is one rule in ecology, biodiversity needs space. [The larger the area the area the greater the biodiversity](#). 1/10 of the world's population has encroached on natural terrestrial and marine habitats as a fundamental reason for the collapse of species populations and biodiversity worldwide. In 2004 scientists confirmed, if 1/10 of humanity continues to contaminate and disrupt nature at the current increasing rate, there will be a loss of [22% to 31% of species by 2050 in the optimistic scenario and a loss of 38% to 52% in the pessimistic scenario](#). You have confused the symptoms with the disease.

The classification into biomes (land and marine areas of similar weather, temperature, animals and plants) is no longer relevant. Scientists and researchers are currently classifying the Earth's ecology by using [Anthromes, or human biomes](#), to reflect anthropogenesis and our impact on the patterns and processes of our natural world.

Members of the lead agency under 40 years of age may consider whether their current trajectory is career based or merely a job maintaining a status quo that is not serving them. Consider the words of 15-year-old climate advocate Greta Thunberg, ***"... we have to speak clearly, no matter how uncomfortable that may be. You only speak of green eternal economic growth because you are too scared of being unpopular. You only talk about moving forward with the same bad ideas that got us into this mess, even when the only sensible thing to do is pull the emergency brake. You are not mature enough to tell it like it is. Even that burden you leave***

to us children. But I don't care about being popular. I care about climate justice and the living planet. Our civilization is being sacrificed for the opportunity of a very small number of people to continue making enormous amounts of money. Our biosphere is being sacrificed so that rich people in countries like mine can live in luxury. It is the sufferings of the many which pay for the luxuries of the few.

In a current reality and in future generations' hindsight, it is the individuals' [stupidity and delusion](#) , inspired by ownership, that will result in an increase in the Earth's average surface temperature commonly referred to as global warming. This rise in global temperature is associated with long-term changes in precipitation, temperature, wind patterns, and other elements of the Earth's climate system, known as climate change. Humans can only fake food, when the plant life is gone and steal water when there is none left, yet narcissistic individuals, in possession of data confirming climate changes are producing an array of adverse environmental impacts including water supply shortages, severe drought, increased flooding, sea level rise, air pollution from increased formation of ground level ozone and particulate matter, ecosystem changes, increased wildfire risk, agricultural impacts, ocean and terrestrial species impacts, food injustice, homelessness through human displacement, transmigration of pathogens and pests, among other adverse effects, lacked the courage to save themselves.

"[Functional stupidity](#) involves narrow thinking, where established frameworks are accepted uncritically...Most workplaces these days seek to encourage and cultivate critical thinking, reflection and 'out of the box' ideas, yet they often remain better at doing the opposite. Managers and subordinates follow organisational and professional templates and cultures without paying much attention to assumptions and beliefs...Outside the box, stupidity often rules."

To be stupid, selfish, and have good health are three requirements for happiness, though if stupidity is lacking, all is lost - Gustave Flaubert

1. AIR QUALITY ANALYSES IMPACT

VIII. GREENHOUSE GAS EMISSIONS — *Would the project: a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? LESS THAN SIGNIFICANT IMPACT.*

COMMENT:

1. The report/mitigation should extend to the lead agencies identification of all potential adverse air quality impacts that could occur from all phases of the project and all air pollutant sources related to the project. Air quality impacts from both construction (including demolition, if any) and operations should be calculated. Construction-related air quality impacts typically include, but are not limited to, emissions from the use of heavy-duty equipment from grading, earth-loading/unloading, paving, architectural coatings, off-road mobile sources (e.g., heavy-duty construction equipment) and on-road mobile sources (e.g., construction worker vehicle trips, material transport trips).

Operation-related air quality impacts may include, but are not limited to, emissions from stationary sources (e.g., substations,), area sources (e.g., solvents and coatings), and vehicular trips (e.g., on- and off-road tailpipe emissions and entrained dust). Air quality impacts from indirect sources, that is, sources that generate or attract vehicular trips should be included in the analysis.

2. The report/mitigation should extend to the lead agencies quantification of criteria pollutant emissions and compare the results to the recommended regional significance thresholds found in the National Ambient Air Quality Standards (NAAQs) for pollutants that harm health, the environment, and cause property damage.
3. The report/mitigation should extend to quantify electromagnetic radioactive criteria pollutant emission ranges and compare the results presented by the World Health Organization in Environmental Health [Criteria 137](#)- Geneva, Switzerland 1993. All electrical and electronic devices create electromagnetic fields or EMF around them when used and also emit electromagnetic radiation or EMR. This includes solar panels and solar inverters. In 2002, [the International Agency for Research on Cancer \(IARC\)](#), a component of the World Health Organization, appointed an expert Working Group to review all available evidence on static and extremely low frequency electric and magnetic fields (12). The Working Group classified ELF-EMFs as “possibly carcinogenic to humans,” based on limited evidence from human studies in relation to childhood leukemia.

2. FIRE SERVICE AND FACILITIES –

1. The report/mitigation should extend to the cost, scope and impact on fires safety in expected fulfillment of the pending NFPA 855 Standard for the Installation of Stationary Energy Storage Systems (ESS).

An ESS is defined as “one or more devices, assembled together, capable of storing energy in order to supply electrical energy at a future time to the local power loads, to the utility grid, or for grid support.”

Before we get into the body of the proposed standard, it would be good to look at excellent information provided in the several annex sections, in particular:

- Annex B: Battery Energy Storage System Hazards.
- Annex C: Fire-Fighting Consideration (Operations).
- Annex D: Overview of Engineering Storage Systems Technologies.
- Annex F: A Short History on Station Storage Battery Systems.

Annex B provides examples of the specific fire hazards involved with a wide variety of battery types including lithium-ion batteries. Annex F contains information currently appearing in other codes and standards.

Chapter 4 provides general requirements for ESS systems and comes right out of the gate by letting us know what the major issue is.

“4.1.1 General ESS Gas Release. ESS shall not release toxic or highly toxic gas creating conditions in excess of the permissible exposure limit (PEL) in the room or space in which they are located during normal charging, discharging, and use.”

Under certain conditions, Chapter 4 requires a hazard mitigation analysis which must address the following failure modes:

- Thermal runaway condition in a single module or array
- Failure of an energy storage management system
- Failure of a required ventilation or exhaust system
- Voltage surges on the primary electric supply
- Short circuits on the load side of the ESS
- Failure of a required smoke detection, fire detection, fire suppression or gas detection system

The following guidance is provided for the AHJ reviewing the analysis.

“4.1.4.2. The AHJ shall be permitted to approve the hazardous mitigation analysis as documentation of the safety of the ESS installation provided the consequences of the analysis demonstrate the following: (1) Fires will be contained within unoccupied ESS rooms for the minimum duration of the fire resistance rating specified in 4.3.6. (2) Suitable deflagration protection is provided where required. (3) ESS cabinets in occupied work centers allow occupants to safely evacuate in fire conditions. (4) Toxic and highly toxic gases released during normal charging, discharging and operation will not exceed the PEL in the area where the ESS is contained. (5) Toxic and highly toxic gases released during fires and other fault conditions will not reach concentrations in excess of immediately dangerous to life or health (IDLH) level in the building or adjacent means of egress routes during the time deemed necessary to evacuate from that area. (6) Flammable gases released during charging, discharging and normal operation will not exceed 25 percent of the LFL.

Table 4.4.2 contains a list of fire safety features required for indoor ESS installations. The table makes a distinction between dedicated-use ESS buildings and nondedicated-use buildings. Separation, smoke and fire detection, and fire suppression will be required for indoor installations in either case.

Regarding separation: “4.3.6 Separation. Rooms or spaces containing ESS shall be separated from other areas of the building by fire barriers with a minimum fire resistance rating of two

hours and horizontal assemblies with a minimum fire resistance rating of two hours, constructed in accordance with the local building code.”

The requirements for fire suppression system reflects the lack of good information on how to properly protect these systems with sprinklers or alternate suppression systems.

The following is from Annex Section A.4.11.1: “Thermal Runaway. While nonwater-based fire suppression has been shown to be effective at suppressing Class B and Class C fires in ESS enclosures, current suppression agents, both water-based and nonwater-based, are probably not going to be able to stop thermal runaway. No published case studies, test reports or data generated to date indicate otherwise.

“The current protection concepts in NFPA 855, including size and separation, maximum-rated energy and elevation are designed to try and keep a thermal runaway event from propagating from one ESS unit to another, contain a fire within a room or outdoor walk-in unit and not allow it to compromise exposures.”

Currently, the standard contains design discharge criteria of 0.30 gal./min./ft.² over 2,500 ft.² for sprinkler systems. There is an option to use a different density based on the results of large-scale fire testing.

Alternatives to sprinklers also may be used if their effectiveness is supported by large-scale testing.

Battery Storage System Requirements

Chapter 9 deals specifically with battery storage systems. Table 9.2. Electrochemical ESS Technology-Specific Requirements indicates which general requirements must be met based on the type of battery technology used. Compliance features included in the table are exhaust ventilation, spill control, neutralization, safety caps, thermal runaway, explosion control and size/separation.

The proposed standard also contains specific requirements in Chapter 17 which address one- and two-family dwellings and townhouse units. The key provision of the chapter is the location requirements.

17.5.1. ESS shall only be installed in the following locations: (1) In attached garages separated from the dwelling unit living area and sleeping units in accordance with the local building code (2) In detached garages and detached accessory structures (3) Outdoors on exterior walls or on the ground located a minimum of 3 ft (914 mm) from doors and windows (4) In enclosed utility closets and storage or utility spaces.

“17.5.1.1. If the room or space where the ESS is to be installed is not finished, the walls and ceiling of the room or space shall be protected with not less than 5/8-in. Type X gypsum board.”

No suppression is required for one- and two-family dwellings but there is a requirement for detection.

“17.8.1. Interconnected smoke alarms shall be installed throughout the dwelling, including in rooms, attached garages and areas in which ESS are installed in compliance with local building code.”

The members of the technical committee for energy storage systems should be congratulated for their effort. It is an excellent standard, well-written, very comprehensible and ahead of the curve — the avalanche of battery storage systems that are coming.

And it bears repeating: This column is based on the standard as currently proposed and that changes are likely before we see the final document from NFPA. - [reference](#)

“The only thing firefighters fear more than fire is solar. So long as a solar panel is getting sunlight, it's impossible to turn off. “During daylight, there can be enough voltage and current to injure or even kill a firefighter who comes in contact with the energized conductors,” -Matthew Paiss, San Jose Fire Department.

In December of 2017, wildfires devastated portions of Ventura and Santa Barbara counties. At the time, what became known as the Thomas Fire was the largest wildfire in California’s history. The Thomas Fire burned [more than 280,000 acres](#) before it was finally contained on Jan. 12, 2018. The fire destroyed more than 1,000 structures including hundreds of homes. There was also a second, related fire that broke out in Ojai, a small city in Ventura County, located a little northwest of Los Angeles, about an hour later after a transformer [reportedly](#) exploded in a residential area on Koenigstein Road. So far, [170 homeowners and business owners](#) who suffered damage in connection with the [Woolsey](#) Fire that broke out in November 2018 have filed suit in Los Angeles and Ventura Counties claiming the utility’s electrical equipment was responsible for the fire. Meanwhile, [PG&E has announced that it will file for bankruptcy](#) since it is now drowning under “at least \$7 billion in claims from the [Camp Fire](#),” according to [news reports](#). The California Department of Forestry and Fire Protection has also [blamed PG&E](#) for some of the 2017 wildfires. The Camp Fire is now on record as the deadliest fire in state history in terms of fatalities and destruction to infrastructure. Williams, the PG&E CEO, has announced that she is stepping down.

2. The report/mitigation should extend to the cost, support, management, maintenance, acquisition and storage of materials and personnel required to effectively respond to Class C fires in the region. The formula for calculating the needed foam concentrate at a flammable liquid release is as follows: Area X Critical Application Rate (CAR) X Education Rate (ER) X 15 = Foam Concentrate Needed. "Area" refers to the area the spill occupies, usually in square feet, in this case, 1,345 acres.

a. Potential resources to be included:

[Type 1 Fire Engine](#)
[Type 3 Fire Engine](#)
[ALS Rescue Ambulance](#)
[BLS Rescue Ambulance](#)
[Foam Tender](#)
[Gator](#)
[HAZ MAT Apparatus](#)
[Heavy Rescue](#)
[Helicopter](#)
[Helicopter Tender](#)
[Firefighting Aircraft](#)
[Rehab Tender](#)
[Tractor Company](#)
[Fire Crew Support](#)
[Urban Search and Rescue](#)
[Water Tender](#)

b. Potential Training requirements to include:

- i. Fire Scenarios and Foam Policies AM Foams and their relevant standards, tank risk scenarios, understanding tank fires, case study review.
 - ii. Familiarisation with the importance of foam testing, taking samples and meaningful measurements. Live fire exercises demonstrating foam types and techniques, and emergency planning and incident command scenarios.
 - iii. An overview of current global legislation and best practice guidelines. Emergency planning for tank fires and significant emergencies as well as an understanding of specifying foam systems.
- c. Practical fire ground awareness, equipment familiarization, Practical firefighting scenarios that include running fuel fires from a pressurized flange, tank-top rimseal fires as and manual v's automatic protection. Blevé and boilover simulators, transformer, electrical bund fires and a full surface tank fires.
3. The report/mitigation should extend to identify the Critical and Minimum application rates at which Class C foam will extinguish wildfires under ideal conditions.

NFPA 11

“Tests have shown that foam may travel effectively across at least 100 feet of burning liquid surface”.

“Sometimes”

4. MITIGATION MEASURES FOR CULTURAL RESOURCES

1. Due to the facts that the project is located within the area of sensitivity of the Campo Kumeyaay native peoples, the report/mitigation should extend to implement the language below as mitigation measures:
 - All ground disturbing activities performed on the project property shall be monitored by professional Native American monitors.
 - The applicant shall retain one professional Native American monitor per excavation team to monitor all ground disturbing activities performed on the project property.

2. The applicant and lead agent shall enter into an agreement with the tribal representatives of the 600 generations of San Diego's Kumeyaay people as a condition of project approval, in which the Viejas band of Kumeyaay representatives shall be identified to provide the following mitigation services:
 - (1) Consultation and project support during the project planning stages related to cultural resources and mitigation under the California Environmental Quality Act (CEQA), Public Resources Code section 21080.3.1, subdivision (b), (d) and €.
 - (2) Professional Native American monitoring procurement.
 - (3) Management of Native American monitoring activities and related project oversight.

5. INFRASTRUCTURE/CAPACITY PLANNING - Regional Water Quality Control Board (RWQCB) and Unethical Behaviour.

Assuming past behaviour is the best indicator of future behaviour, the inconsistencies in the Notice of Preparation documentation and the obvious contradictions to the truth are troubling at best and criminal at worst.

There are significant legal challenges to ethical administration and implementation of the project on multiple levels (e.g. not a single initiative, legislative implications and procedures not followed.)

- (a) "Section X – Hydrology and water quality of the Initial Study (pp 27-31 of the report <https://www.sandiegocounty.gov/content/dam/sdc/pds/ceqa/JVR/NOP/Final%20NOP%20-%20Figure%20-%20Initial%20Study.pdf>) discusses there will be several potentially significant impacts related to water quality and supply. Specifically in regards to supply (Section X, part d), a Groundwater Investigation Report will be prepared and this topic will be addressed in the draft EIR. The lead agency is JVR Energy Park and consultant contact is David Hochart from Dudek. **Shawn will work on getting a copy of this Groundwater Investigation Report to us, so that we can evaluate the capacity.**

Lastly, the **NOP was filed with the State Clearinghouse on 3/1/19 and SWRCB Water Quality (i.e. I believe our division) was checked to be part of the distribution list to provide comments. While I have not yet received a copy of the NOP from this list, I was able to find it on the County's website at the above links and I appreciate Shawn contacting us regarding this matter.** – email 3/21/19, cc: S. Sterchi, [-State Water Resource Control Board](#)

- (b) On 3/21/19 a request was made to the lead agency for translated copies of NOP documents to include the large number of Spanish speaking residents in the Southeastern Sub-Empire Region of San Diego County. Equitable ability to participate in the public solicitation of comments has been denied by the lead agency.
- i) San Diego County is relying on the lead contractor (DUDEK) for the purposes of environmental assessment of impact to human health and wellbeing, while simultaneously engaging in grant making transactions and gifting stipends to major stakeholders and land owners in the region.
 - ii) Regional leadership has a long history of perpetuated aggression evidenced by the 10+ year stagnant decision-making framework that has effectively held community resident's hostage to white nationalism.
- (1) Over the last ten years, according to data analyzed by the Anti-Defamation League (ADL), "73.3% of all domestic extremist-related killings have been perpetrated by right-wing extremists, compared to 23.4% perpetrated by terrorists motivated by Salafi-jihadism and 3.2% by left-wing extremism."
- (2) Last year, domestic extremists killed at least 50 people in the United States and "every one of the perpetrators had ties to at least one right-wing extremist movement," and "[w]hite supremacists were responsible for the great majority of the killings." These attacks are on the rise. "The number of terrorist attacks by far-right perpetrators rose over the past decade, more than quadrupling between 2016 and 2017," according to the Center for Strategic and International Studies.

“ A popular Government, without popular information, or the means of acquiring it, is but a Prologue to a Farce or a Tragedy; or, perhaps both

James Madison

 POPULAR INFORMATION

1. The report/mitigation should extend to insure the application of democratic principles of inclusion, majority rules/minority rights, an informed, educated majority and a reasonable standard of living, required under the law, as follows:

- I. Future Legislative Acts. An initiative measure is invalid if it directs a legislative body to perform a legislative act in the future. An illustration of this is *Marblehead v. City of San Clemente* (1991) 226 Cal. App. 3d 1504, where an initiative required the city council to revise zoning ordinances to reflect the concepts expressed in the measure.
- II. Delegation to Legislative Body. When State law provides that certain actions are delegated to the local legislative body, and discretion must be exercised by that body, the courts will find such actions are not subject to control by initiative and referendum. For example, in *Committee of Seven Thousand v. Superior Court* (1988) 45 Cal. 3d 491, the Court held that state law enabling local governments to engage in decisions regarding funding and location of highways precluded an initiative measure on the subject. (See also *Citizens for Jobs and the Economy v. County of Orange* (2002) 94 Cal.App.4th 1311, 1128-29; *City of Burbank v. Burbank-Glendale-Pasadena Airport Authority* (2003) 113 Cal.App.4th 465, 474.)
- III. Interference with Essential Government Functions. In *City of Atascadero v. Daly* (1982) 135 Cal.App.3d 466, the Court held that a local initiative measure that redefined the term “special tax” and that curtailed the power of the city to raise revenue was an unlawful attempt to impair essential governmental functions through interference with the administration of the City’s fiscal powers. (See also *Citizens for Jobs*, supra, 94 Cal.App.4th 1311, 1124; 1327-28; *Rossi v. Brown* (1995) 9 Cal.4th 688, 703 [“If essential governmental functions would be seriously impaired by the referendum process, the courts, in construing the applicable constitutional and statutory provisions, will assume that no such result was intended”]; *Gieger v. Board of Supervisors* (1957) 48 Cal.3d 832, 837-840)
- IV. Matters Beyond the Power of the Electorate to Enact Through the Initiative Process. As a general matter, acts that would be illegal if taken by the legislative body, are also beyond the power of the people to adopt by initiative or referendum. For example, a proposed initiative measure which, if approved, would result in altering the terms of private parties cannot be adopted by initiative. (See e.g., *Calfarm Ins. Co. v. Deukmejian* (1989) 48 Cal.3d 805 [Prop. 103 requirements to cut insurance rates by 20% and prohibiting insurance companies from voiding policies was unconstitutional impairment of contract, but severance clause allows other provisions to take effect].)
- V. Other examples of illegal acts arise in the context of contract and development approvals, private real estate interests, and collusion with major stakeholders, i.e., that a measure would result in a “taking” or would create a land use scheme that is inconsistent with the general plan or state land use laws.

6. ENVIRONMENTAL JUSTICE – SAN DIEGO PUBLIC AGENCY ROLES AND RESPONSIBILITIES UNDER CEQA

ENVIRONMENTAL JUSTICE (EJ)= defined as the fair treatment of all people, regardless of incomes with no one group bearing a disproportionate burden.

ADDRESSING POTENTIALLY DISPROPORTIONATE IMPACTS = Addressing potentially disproportionate requires a proactive EJ Analysis to better quantify potentially disproportionate impacts related to project footprints.

CEQA requires analysis of “significant physical impacts”, Alternatives & possible mitigation measures, while the intention is clearly consideration of the social and economic cumulative impacts that may result from a particular project.

- i) Many factors may contribute to a disproportionately high and adverse human health or environmental impact, including: social, psychosocial, economic, physical, chemical or biological determinants.
- ii) Special consideration of the public health impacts on already overburdened, disadvantaged communities must be considered.

1. The report/mitigation should extend to identify, analyse and compare data as follows:

- i) Proactive consideration of social, demographic, economic factors on disproportionately overburdened community.
- ii) Establish an existing conditions baseline for the census tracts surrounding the unincorporated areas of San Diego County.
- iii) Compare that existing conditions data to the data for the rest of the census tracts and the County as a whole.
- iv) Impact Analysis = to examine the proposed General Plan Amendment and Rezoning, with measures to implement the Healthy Communities Transformation Initiative (HCTI) methodology developed by [HUD’s Office of Lead Hazard Control and Healthy Homes \(OLHCHH\)](#), The HCI framework defines what constitutes a healthy community along with the range of neighborhood-level conditions that support human development and health outcomes.

(a) Potential Sources to utilize:

- Community EJ Listening Session (SFE 2014)
- BVHP Community Health Assessment (DPH/SFE 2011)
- DPH Report on BVHP (2006)
- Environmental Racism Report (HR C2003)
- SF Indicators Project
- Cal EnviroScreen

(b) Primary Environmental Justice indicators to consider:

Health, ie. prevalence of asthma rates, low-birth weights, etc.

Educational attainment levels

Income disparities

Others, local cost of living

Access to Nutritious food

Equitable protection under the law (e.g. sexually violent predator ration to elderly citizen)

CEQA defines "Environment" as the physical conditions which exist within the area which will be affected by a proposed project including land, air, water, minerals, flora, fauna, ambient noise, and objects of historical or aesthetic significance. The area involved shall be the area in which significant effects would occur either directly or indirectly as a result of the project. The "environment" includes both natural and man-made conditions.

1. The report/mitigation should extend to the aesthetic significance of denying Jacumba citizens their right to landscape situated within wider concerns about "just transitions" and global climate justice as defined by *UNESCO, Final Declaration of the UNESCO International meeting on 'The International Protection of Landscapes', Florence Declaration on Landscape, 2012.*

Drawing on preliminary empirical research undertaken in southwestern Ontario in 2015...

[opposition to] solar farms is based on arable land and food justice concerns, and in both cases, grounded their resistance in a generalized claim, which might be termed a "right to landscape". In these accounts, landscape pertains to "the expression of the relationship between people and environment" with a recognition of "landscape [as] a common good" and "the right to the landscape [as] a human necessity."

Regards,

S. Ray

Sender: Shawn, Fiala <shawnfiala@gmail.com>
To: Brown, Bronwyn
Subject: JCR Solar Project

Dear Bronwyn,

I am a homeowner in Jacumba Hot Springs and I am writing about the proposed Jacumba JVR Solar Project. It is my belief that the sentiment conveyed herein represents the sentiment of the majority of the townspeople that I speak with and that are long time residents here in Jacumba. That sentiment is that the Solar Project would change the character and environment of our small community in significant ways that would be to the detriment of our people and way of life here in Jacumba Hot Springs. I am but one voice but my voice is joined in an overwhelming chorus of our citizens who speak loudly and clearly that this Solar Project is wrong for Jacumba and wrong for the people who live here!!!

We say **NO** to the JVR Solar Project!

Shawn Fiala
44682 Old Highway 80
Jacumba CA 91934

ATTN: Ms. Bronwyn Brown

I am a resident of Jacumba. I am against the proposed JVR Energy Park that would place thousands of solar panels on 691 acres in Jacumba Valley and within our village.

This project is wrong for our community. It will lower our property values, destroy scarce wildlife habitat, destroy our rural community character, and squander natural resources such as water and clear air. The JVR Park is NOT in keeping with land use descriptions found in the Mountain Empire Sub-Regional Plan, adopted on August 3, 2011. For those reasons, I request that county supervisors reject this project.

Shelley Wise Shelley Wise

(print your name and sign)

From: Mr Powell <stevepowell40@gmail.com>
Sent: Monday, April 08, 2019 3:09 PM
To: Brown, Bronwyn; Steve Powell
Subject: JVR Energy Park Comments

Dear Bronwyn Brown,
Project Manager
County of San Diego
Planning and Development Services.

Here are my comments related to the JVR Energy Park per March 21, 2019 EIR Meeting due not later than today 04/08/2019 at 4:00 PM.

Comment #1

The Major Use Permit shows that they intent on removing a road that is over 70 years old and is used for access to 12 parcels of land that has been owned by private individuals for just as long.

A this point in time, that includes myself and 6 other independent land owners.

The MUP Drawing Number 100 shows total blocking of that long existing access road to 12 parcels/with 7 owners APN numbers;

661-020-08-00
661-020-12-00
661-020-13-00
661-020-14-00
661-020-15-00
661-020-16-00
661-020-17-00
661-020-18-00
661-020-19-00
661-020-20-00
661-020-21-00
661-020-22-00

This area consist of the entire 661-020 sheet of parcels and contains over 26 acres.

This one issue is unacceptable and has legal merit on it own not withstanding the adverse environmental impact it will have to the open use and enjoyment of mentioned land.

Comment #2

Proximity to the Historic South Eastern San Diego County City of Jacumba Hot Springs.

Encroaching on residential properties

Stifling future residential and commercial growth.

Taking away major portion of lands available for expansion of the town to thrive.

Due to the length of time planned for such a project, this with affect the area for over 3 Decades and closer to Half a Century.

Causing damage to untold generations to come.

Property Values
Business Establishments.
Residential Growth.

Future Commerce Potential.

Once in place, this solar development will permanently cause extinction to this already fragile struggling city.

Who is going to want to visit a historic town full of folklore with a giant sea of 300,000 solar panels starting within 100 feet of the start of town? And surrounding it fully to East, North and the South.

Comment #3

Hazardous to one of the few San Diego County Airports available. Any aircraft and its occupants trying to use the airport could suffer from potential solar sun glare and dangerous distraction.

In point, have you ever driven that 15 minutes when the sun is in your face, or rearview mirror. Magnify that 300,000 solar panels surrounding the airport at the optimal wrong time to fly in and out of the airport. These times will constantly exist and be a hazard to this airport and its pilots and passengers due to the proximity. And, will exist in the most dangerous time of operating an aircraft. That is during take offs and landings. Any possible blinding glare or distraction could cause catastrophic results.

Comment #4

The general location of a project this size is just wrong. It is basically going to kill the future prospects of an entire community and affect its citizens for 30 miles around it who enjoy and use the town of Jacumba, its Library, Post Office, and its Current and Potential Local Businesses. And to add, all the Local Current and Future Residents for the next Half Century. This is a huge impact to this community with devastating consequences.

Comment #5

There are multiple other reasons beyond my ability to explain that were discussed at the aforementioned meeting which will no doubt be submitted.

Thank you,
Sincerely,
Steven J. Powell - e-signed 04/08/2018 03:05 PM

Steven J. Powell - Property Owner and Concerned Citizen.
P.O. Box 19
Jacumba Hot Springs, CA 91934
928-951-3000

Sender: Suza Mtz <suzamtz@hotmail.com>
To: Brown, Bronwyn
Subject: Proposed Jacumba Energy Park Project

Dear Mr. Brown,

I am writing in regards to the proposed JVR Energy Park in Jacumba. I am a member of the Jacumba Hot Springs Resort Spa and have been one for over 3 years now. I am concerned that the 691 acre, 300,000 photo-voltaic cells proposed tower with it's accompanying ECO substation will greatly impact the quality of life in Jacumba. The amount of harmful electromagnetic radiation produced by this proposed project will certainly generate many ill effects to the health of Jacumba residents and visitors. I am further concerned about the negative impact on the water, wildlife, and fire threats to the area. I urge you to reconsider granting this energy project permission to proceed with its development without further investigation into the negative health impact for the people and surrounding communities of Jacumba.

I personally, will be inclined to cancel or not renew my membership at the Jacumba Hot Springs Resort Spa if this project is built in Jacumba. Other members of the Resort Spa community, feel the same way and this will undoubtedly lead to negative consequences for the local Jacumba economy and local tourism in the area.

Attentively,

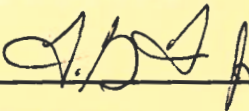
Suzanne Martinez
Jacumba Hot Springs Resort Spa Member
619-410-5627

Sent from [Outlook](#)

ATTN: Ms. Bronwyn Brown

I am a resident of Jacumba. I am **against the proposed JVR Energy Park that would place thousands of solar panels on 691 acres in Jacumba Valley and within our village.**

This project is wrong for our community. It will lower our property values, destroy scarce wildlife habitat, destroy our rural community character, and squander natural resources such as water and clear air. The JVR Park is NOT in keeping with land use descriptions found in the Mountain Empire Sub-Regional Plan, adopted on August 3, 2011. For those reasons, I **request that county supervisors reject this project.**


EG. FARR, JR 

(print your name and sign)

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Valerie Moore Valerie Moore 

(print your name and sign)

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VERA L. SHIRLEY

Vera L. Shirley

(print your name and sign)

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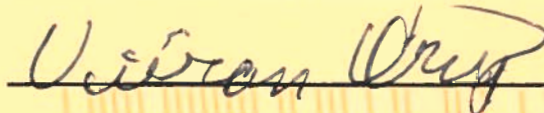


VINCENT RINI (print your name and sign)

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(print your name and sign)

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Clifford Hames (print your name and sign)



County of San Diego

MARK WARDLAW
DIRECTOR

PLANNING & DEVELOPMENT SERVICES
5510 OVERLAND AVENUE, SUITE 310, SAN DIEGO, CA 92123
(858) 694-2962 • Fax (858) 694-2555
www.sdcounty.ca.gov/pds

KATHLEEN A. FLANNERY
ASSISTANT DIRECTOR

JVR ENERGY PARK (PDS2018-GPA-18-010, PDS2018-REZ-18-007, PDS2018-MUP-18-022)

MARCH 21, 2019 EIR PUBLIC SCOPING MEETING - COMMENT SHEET

I WOULD REALLY LIKE TO SEE JACUMBA ^{BE ABLE} CONTINUE
 TO GROW AS A NICE RURAL COMMUNITY OF PEOPLE;
 NOT SOLAR TRACKERS THAT WILL DRIVE ALL THE
 PEOPLE OUT OF THE AREA. PEOPLE, LIKE US NEED
 NATURE, WATER, PLANTS AND LIVABLE HABITATS TO
 CONTINUE TO GROW HEALTHY. WE DO NOT WANT
 TO KILL OFF ALL OUR NATURE WE HAVE HERE.
 OUR WILDLIFE OF ANIMALS ARE VERY IMPORTANT TO US AND
 THE ECO STRUCTURE. WE DO NOT HAVE RESOURCES HERE
 IN JACUMBA TO FIGHT OFF THE DANGERS OF FIRES
 THAT COULD IGNITE FROM AN ENORMOUS SOLAR FARM.

ONLY FOAM CAN PUT OUT ELECTRICAL FIRES THAT WOULD RUN
 Submit by Mail, Fax or Email. Comments must be received no later than April 8, 2019 at 4:00 p.m. THROUGH A
 Bronwyn Brown, Project Manager SOLAR AREA

County of San Diego
 Planning and Development Services
 5510 Overland Ave., Suite 310
 San Diego, CA 92123

Laura Felten 3/25/19 (Continue on back)
 Commenter Signature, Date

Email: bronwyn.brown@sdcounty.ca.gov

LAURA FELTEN
 Print Name

FAX: (858) 694-2555

P.O. Box 1356
 Address

Phone: (858) 495-5516

BOULEVARD, CA 91905
 City, State, Zip Code

JACUMBA GETS HOT ENOUGH HERE IN THE
SUMMER AND WE NEED TO SUSTAIN ALL WE
HAVE NATURALLY AND NOT KILL OFF THESE PLANTS
THAT GIVE US LIFE, BEAUTY AND OVERALL HEALTH.
LETS TAKE CARE OF THE PEOPLE WHO LIVE HERE
IN OUR COMMUNITY. WE NEED FRESH AIR,
AND WE TAKE OF OUR ENVIRONMENT BY PLANTING;
NOT DESTROYING; AS YOUR SOLAR PEOPLE ARE ASKING FOR.