

From: [Cherry Diefenbach](#)
To: [Smith, Ashley](#); [Cox, Greg](#); [Jacob, Dianne](#); [Roberts, Dave](#); [Horn, Bill](#); [Ron-Roberts](#)
Cc: pvmwc@juno.com
Subject: Re: Soitec Solar Development
Date: Sunday, October 11, 2015 2:42:04 PM

Dear Supervisors,

As a longtime resident/homeowner in Pine Valley, I am requesting the County Board of Supervisors reject the Revised Final Program Environmental Impact Report (RFEIR) and all other related documents for the Soitec Solar Development project for the following reasons:

Both the Soitec original EIR and RFIR documents which describe a bulk water sale of up to 16 acre-feet of non-potable groundwater extracted from the Pine Valley Mutual Water Company (PVMWC) Well #5 to the Rough Acres Water Company were never provided by County Planners to our local Pine Valley Planning Group for review and comment. This represents a significant oversight by the County Planning and Development Services project manager because local PV residents were not given an opportunity to provide their elected representatives with input or comments in support of or against this project.

It is true that members of our local PVMWC board did discuss the draft Soitec Solar project with its proposed bulk water sales to Rough Acres Mutual Water Company during their September 23, 2013 Board meeting. The minutes from that meeting read: "The Board reviewed the draft of a contract for the Rough Acres Mutual Water Company Project and their purchase of the water from the PVMWC. After Flip Boerman (the Water Company manager) reviewed a few minor corrections with the Water Board, he advised them that our legal counsel has reviewed it thoroughly and once the final contract is drawn up, it will come back to them for final approval and signature." (To view minutes of PVMWC Board meetings, shareholders must personally visit the Water Company office.)

Sadly, the PVMWC Directors failed to provide their 752 shareholders (or the PV residents at large), any notice that the Water Board was even considering the approval of this large water sale to an entity outside of Pine Valley. It is noted here that the PVMWC Board agenda for that particular meeting only listed the non-descript categories of "New Business" and "Old Business" and that it did not list the topics that were to be discussed. (This is a clear violation of the Brown Act.) The PVMWC Board of Directors also failed to post information about this proposed water sale at our local Post Office community bulletin board. They also failed to provide information about this proposed water sale to their shareholders or to address its potentially negative impacts on our Pine Valley resources (local groundwater, including non-participating private wells and residential streets) to our local Planning Group.

In the seven months that led up to the PVMWC's ultimate approval of the Rough Acres bulk water sales on April 7, 2014, local residents, shareholders in the Company, and the PV Planning group were again omitted from the County's planning process and were aware of the PVMWC Board's decision. The minutes on the April 7, 2014 meeting under Old Business, read as follows: "The Board reviewed a contract titled 'The Supply of Water by and between PVMWC and Rough Acres Water Company.' "After some discussion, Mr. Cook made a motion to accept the agreement as written; second by Mr. Hobson. Motion passed unanimously." The agenda for this Board meeting simply read "Old Business and it failed to mention that this bulk water contract would be discussed at the meeting. (This is

another violation of the Brown Act.) As this email is being sent, it should be noted here that many PVMWC shareholders have already signed a petition which requests that our PV Water Board cancel this particular bulk water sales agreement with the Rough Acres Water Company.

Shamefully it was only within the last several months, that local Pine Valley residents and Water Company shareholders have become aware of the bulk water sales contract and the potentially negative impacts that the Soitec project may have on our community resources. They are rightfully concerned about bulk water extraction on the natural environment during a declared state-wide drought. They are also angry about the significant impact that as many as 600 huge and very heavy water tankers (which weigh about 60,000 pounds) will have on our local community streets where county road signs warn, "Semi trailers are not recommended." These roads have inadequate or non-existing road shoulders or sidewalks and they are the same roads that are used by our local equestrians and pedestrians. Since Pine Blvd. and Valley View Trail are already in bad need of resurfacing, and given the potential safety risk posed by 8,000 gallon tankers sharing our narrow, winding community roads, we have asked our local Water Board of Directors how these tankers will safely access Well #5, and about mitigation for damage to our roads. Their reply was, "You should ask the County that question." Clearly their response illustrates how a narrow focus and a flawed planning process can have unintended and potentially negative consequences on the Pine Valley community.

In summary, I request that County Supervisors reject the overall Soitec Solar project because of its unlawful failure to solicit input from Pine Valley residents about a project that will most certainly impact our local PV resources. I also request that future projects which identify resources which will come from communities located outside a project area boundary be included in the County's official planning and review process.

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On Thursday, October 1, 2015 2:28 PM, "Smith, Ashley" <Ashley.Smith2@sdcounty.ca.gov> wrote:

This email is to inform you that the Revised Final Program Environmental Impact Report (RFPEIR) for the Soitec Solar Development Project can now be viewed at the following website: <http://www.sandiegocounty.gov/content/sdc/pds/ceqa/Soitec-Solar-RFPEIR.html>.

The Soitec Solar Development project is scheduled for the October 14, 2015 Board of Supervisors hearing. The hearing documents will be posted at <http://www.sandiegocounty.gov/content/sdc/cob/bosa.html> in advance of the hearing.

Sincerely,

Ashley

Ashley Smith, Land Use/ Environmental Planner
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