



Energia Sierra Juarez U.S. Transmission Line Project

Final Environmental Impact Statement

Volume 3 – Comments and Responses Document

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**U.S. Department of Energy
Office of Electricity Delivery and Energy Reliability
Washington, DC 20585**

**Cooperating Agency – County of San Diego
San Diego, CA**

Table of Contents

VOLUME 1 FINAL ENVIRONMENTAL IMPACT STATEMENT

Distribution Letter

Cover Sheet

Summary	S-1
S.1 Background and Overview	S-1
S.2 Purpose and Need	S-2
S.3 ESJ Project Objectives	S-5
S.4 Cooperating Agency.....	S-5
S.5 Alternatives Analyzed	S-5
S.5.1 Alternative 1 – No Action	S-6
S.5.2 Alternative 2 – Double-Circuit 230-kV Transmission Line	S-6
S.5.2.1 Site Access	S-6
S.5.2.2 Design Features.....	S-9
S.5.2.3 Construction.....	S-9
S.5.3 Alternative 3 – Single-Circuit 500-kV Transmission Line.....	S-10
S.5.4 Alternative 4 – Revised Routing for Double-Circuit 230-kV Transmission Line (Applicant’s Preferred Alternative) or Single-Circuit 500-kV Transmission Line.....	S-10
S.6 ESJ Wind Project in Mexico and Impacts in the United States	S-13
S.7 Alternatives Considered but Dismissed from Detailed Analysis	S-14
S.7.1 Alternative Transmission Line Route	S-15
S.7.2 Underground Transmission Line.....	S-15
S.7.3 Existing Western Energy Coordinating Council Transmission Corridor	S-16
S.8 Public Participation.....	S-17
S.8.1 Issues Within the Scope of this EIS.....	S-18
S.8.2 Issues Outside the Scope of this EIS	S-19
S.8.3 Issues Raised During Public Comment Period.....	S-22
S.9 Comparison of Potential Environmental Impacts Among Alternatives	S-25
S.9.1 Biological Resources	S-25
S.9.2 Visual Resources	S-33
S.9.3 Land Use.....	S-34
S.9.4 Recreation.....	S-34
S.9.5 Cultural Resources	S-34
S.9.6 Noise	S-36
S.9.7 Transportation and Traffic.....	S-37
S.9.8 Public Health and Safety.....	S-37

Abbreviation List

S.9.9 Fire and Fuels Management.....S-39

S.9.10 Air Quality and Climate Change.....S-40

S.9.11 Water ResourcesS-40

S.9.12 Geology and Soils.....S-42

S.9.13 Socioeconomics.....S-43

S.9.14 Environmental Justice.....S-43

S.9.15 Services and Utilities.....S-43

S.10 Connected Actions.....S-44

S.11 Cumulative Impacts.....S-45

S E C T I O N 1 Introduction 1-1

1.1 Background 1-4

1.1.1 Overview of the ESJ U.S. Transmission Line Project Presidential Permit Process 1-4

1.1.2 Description of the ESJ U.S. Transmission Line Project..... 1-5

1.2 Purpose and Need 1-8

1.3 ESJ Project Objectives 1-8

1.4 Cooperating Agency..... 1-8

1.5 Public Participation and the NEPA Process 1-9

1.5.1 Public Scoping 1-9

1.5.1.1 Issues Within the Scope of the EIS 1-11

1.5.1.2 Issues Outside the Scope of the EIS 1-13

1.5.2 Public Review of the Draft EIS..... 1-15

1.5.2.1 Summary of Issues Raised During Public Comment Period 1-16

1.5.3 Final EIS and Record of Decision..... 1-20

1.5.3.1 Preferred Alternative 1-20

1.6 Organization of this Environmental Impact Statement..... 1-20

S E C T I O N 2 Proposed Action and Alternatives 2-1

2.1 Proposed Action..... 2-1

2.2 Applicant’s Project Overview 2-1

2.3 Alternative 1 – No Action Alternative 2-2

2.4 Alternative 2 – Double-Circuit 230-kV Transmission Line 2-2

2.4.1 Project Location and Design..... 2-2

2.4.2 Additional Engineering Details..... 2-9

2.4.3 Project Construction and Operations..... 2-10

2.5 Alternative 3 – Single-Circuit 500-kV Transmission Line..... 2-12

2.6 Alternative 4 – Revised Routing for Double-Circuit 230-kV Transmission Line (Applicant’s Preferred Alternative) or Single-Circuit 500-kV Transmission Line 2-13

2.7 Applicant Proposed Measures Applicable to All Alternatives 2-15

2.8 Alternatives Considered but Dismissed from Detailed Analysis 2-20

2.8.1 Existing Western Energy Coordinating Council Transmission Corridor 2-20

2.8.2 Alternative Transmission Line Route (Route B)..... 2-21

2.8.3 Underground Transmission Line..... 2-21

2.9 East County Substation (Connected Action) 2-24

2.9.1	ECO Substation Switchyard and SWPL Loop-In Location	2-25
2.9.2	ECO Substation Switchyard Design	2-25
2.9.3	Potential Revised ECO Substation Switchyard and SWPL Loop-In Location.....	2-32
2.10	ESJ Wind Project in Mexico.....	2-32
2.11	Comparison of Impacts of Alternatives	2-35
2.11.1	Biological Resources	2-35
2.11.2	Visual Resources	2-40
2.11.3	Land Use.....	2-40
2.11.4	Recreation.....	2-41
2.11.5	Cultural Resources	2-41
2.11.6	Noise	2-42
2.11.7	Transportation and Traffic.....	2-43
2.11.8	Public Health and Safety.....	2-44
2.11.9	Fire and Fuels Management.....	2-45
2.11.10	Air Quality and Climate Change.....	2-46
2.11.11	Water Resources	2-47
2.11.12	Geology and Soils.....	2-48
2.11.13	Socioeconomics.....	2-48
2.11.14	Environmental Justice.....	2-49
2.11.15	Services and Utilities.....	2-49
2.12	DOE's Preferred Alternative.....	2-50
 S E C T I O N 3 Affected Environment, Impacts, and Mitigation..... 3-1		
3.0	Levels of Significance	3-2
3.1	Biological Resources	3-3
3.1.1	Affected Environment.....	3-3
3.1.2	Environmental Impacts	3-25
3.1.3	Mitigation Measures.....	3-47
3.2	Visual Resources	3-49
3.2.1	Affected Environment.....	3-49
3.2.2	Environmental Impacts	3-55
3.2.3	Mitigation Measures.....	3-87
3.3	Land Use	3-89
3.3.1	Affected Environment.....	3-89
3.3.2	Environmental Impacts	3-93
3.3.3	Mitigation Measures.....	3-97
3.4	Recreation	3-99
3.4.1	Affected Environment.....	3-99
3.4.2	Environmental Impacts	3-100
3.4.3	Mitigation Measures.....	3-106
3.5	Cultural Resources.....	3-107
3.5.1	Affected Environment.....	3-109
3.5.2	Environmental Impacts	3-113
3.5.3	Mitigation Measures.....	3-119

Abbreviation List

3.6	Noise	3-121
3.6.1	Affected Environment.....	3-122
3.6.2	Environmental Impacts	3-122
3.6.3	Mitigation Measures.....	3-133
3.7	Transportation and Traffic.....	3-135
3.7.1	Affected Environment.....	3-135
3.7.2	Environmental Impacts	3-139
3.7.3	Mitigation Measures.....	3-146
3.8	Public Health and Safety.....	3-147
3.8.1	Affected Environment.....	3-147
3.8.2	Environmental Impacts	3-149
3.8.3	Mitigation Measures.....	3-157
3.9	Fire and Fuels Management.....	3-159
3.9.1	Affected Environment.....	3-159
3.9.2	Environmental Impacts	3-163
3.9.3	Mitigation Measures.....	3-168
3.10	Air Quality and Climate Change.....	3-171
3.10.1	Affected Environment.....	3-171
3.10.2	Environmental Impacts	3-179
3.10.3	Mitigation Measures.....	3-189
3.11	Water Resources	3-191
3.11.1	Affected Environment.....	3-191
3.11.2	Environmental Impacts	3-200
3.11.3	Mitigation Measures.....	3-204
3.12	Geology and Soils.....	3-205
3.12.1	Affected Environment.....	3-205
3.12.2	Environmental Impacts	3-210
3.12.3	Mitigation Measures.....	3-214
3.13	Socioeconomics	3-215
3.13.1	Affected Environment.....	3-215
3.13.2	Environmental Impacts	3-218
3.13.3	Mitigation Measures.....	3-222
3.14	Environmental Justice.....	3-223
3.14.1	Affected Environment.....	3-223
3.14.2	Environmental Impacts	3-225
3.14.3	Mitigation Measures.....	3-226
3.15	Services and Utilities.....	3-227
3.15.1	Affected Environment.....	3-227
3.15.2	Environmental Impacts	3-228
3.15.3	Mitigation Measures.....	3-230
3.16	Unavoidable Adverse Environmental Impacts	3-233
3.16.1	Biological Resources	3-233
3.16.2	Visual Resources	3-233
3.16.3	Noise	3-233

3.16.4	Traffic and Transportation	3-234
3.16.5	Fire and Fuels Management	3-234
3.16.6	Air Quality and Climate Change	3-234
3.16.7	Water Resources	3-235
3.16.8	Geological Resources	3-235
S E C T I O N 4 Connected Actions (ECO Substation and SWPL Loop-In)		4-1
4.1	Environmental Analysis of Connected Actions	4-1
4.1.1	Biological Resources	4-3
4.1.2	Visual Resources	4-6
4.1.3	Land Use	4-9
4.1.4	Recreation	4-11
4.1.5	Cultural Resources	4-12
4.1.6	Noise	4-14
4.1.7	Transportation and Traffic	4-15
4.1.8	Public Health and Safety	4-17
4.1.9	Fire and Fuels Management	4-19
4.1.10	Air Quality and Climate Change	4-21
4.1.11	Water Resources	4-24
4.1.12	Geology and Soils	4-26
4.1.13	Socioeconomics	4-27
4.1.14	Environmental Justice	4-29
4.1.15	Services and Utilities	4-29
S E C T I O N 5 Cumulative Impacts		5-1
5.1	Methodology	5-1
5.2	Reasonably Foreseeable Action Identification	5-2
5.2.1	Sunrise Powerlink Transmission Line	5-7
5.2.2	SDG&E East County Substation Project	5-7
5.2.3	Tule Wind Energy Project	5-9
5.2.4	Campo Shu'luuk Wind Energy Project	5-9
5.2.5	SDG&E Manzanita Wind Project	5-10
5.2.6	Jewel Valley Project	5-13
5.2.7	Express Wind Projects (Palm Canyon Wash and Sugarloaf Mountain)	5-13
5.2.8	Renewergy Wind Project	5-14
5.2.9	Existing Kumeyaay Wind Turbines	5-14
5.2.10	Imperial Valley Solar Project	5-14
5.2.11	La Rumorosa I Project and other Potential Wind Projects in Northern Baja	5-14
5.2.12	Ketchum Ranch Project	5-15
5.2.13	U.S. Border Patrol Boulevard Station	5-15
5.2.14	Campo Casino Expansion	5-16
5.2.15	County of San Diego General Plan Update	5-16
5.2.16	South Coast Resource Management Plan Revision	5-16
5.2.17	Eastern San Diego County Resource Management Plan Revision	5-17

Abbreviation List

5.2.18 East County Multiple Species Conservation Plan..... 5-17

5.2.19 Solar Energy Development..... 5-17

5.3 Cumulative Impacts Analysis 5-18

5.3.1 Biological Resources 5-18

5.3.2 Visual Resources 5-22

5.3.3 Land Use..... 5-24

5.3.4 Recreation..... 5-26

5.3.5 Cultural Resources 5-27

5.3.6 Noise 5-28

5.3.7 Transportation and Traffic..... 5-28

5.3.8 Public Health and Safety..... 5-29

5.3.9 Fire and Fuels Management..... 5-29

5.3.10 Air Quality and Climate Change..... 5-30

5.3.11 Water Resources 5-31

5.3.12 Geology and Soils..... 5-32

5.3.13 Socioeconomics 5-32

5.3.14 Environmental Justice..... 5-33

5.3.15 Services and Utilities..... 5-33

S E C T I O N 6 Irretrievable and Irreversible Commitment of Resources..... 6-1

6.1 Land..... 6-1

6.2 Water..... 6-1

6.3 Construction Materials 6-1

6.4 Biological and Cultural Resources..... 6-2

S E C T I O N 7 Short-Term Use and Long-Term Productivity..... 7-1

S E C T I O N 8 Applicable Laws, Regulations, Permits, and Executive Orders 8-1

S E C T I O N 9 Consultation and Coordination..... 9-1

S E C T I O N 10 References..... 10-1

S E C T I O N 11 List of Preparers..... 11-1

S E C T I O N 12 Glossary..... 12-1

VOLUME 2 APPENDICES

Appendix A Scoping Report

A.1 Energia Sierra Juarez Transmission Line Project Scoping Report (September 2009)

A.2 Notice of Intent to Prepare an Environmental Impact Statement (February 25, 2009)

Appendix B

Project Details

- B.1 Alternative 2 and 3 Preliminary Plot Plans – Drawings P01 to P10, Revision 1 (June 2009)
- B.2 Alternative 2 and 3 Preliminary Grading Plans – Drawings C01 to C08, Revision 1 (June 2009)
- B.3 Alternative 4A and 4B Preliminary Plot Plans – Drawings P11 to P20, Revision 1 (June 2010)
- B.4 Alternative 4A and 4B Preliminary Grading Plans – Drawings C09 to C16, Revision 1 (June 2010)
- B.5 Transmission Tower and Monopole Details
- B.6 Estimated Equipment and Vehicle Requirements and Utilization Table
- B.7 County of San Diego Rural Fire Protection District letter (David Nissen, Division Chief) to County of San Diego Department of Planning and Land Use, indicating acceptance of the Fire Protection Plan (July 15, 2009). The date of the Fire Protection Plan that was reviewed is not indicated.
- B.8 Short Form Fire Protection Plan (Hunt Research Corporation 2009)
- B.9 County of San Diego Fire Authority letter (Paul Dawson, Fire Marshal) to County of San Diego Department of Planning and Land Use, indicating acceptance of the September 10, 2009 Fire Protection Plan (November 25, 2009)
- B.10 County of San Diego Rural Fire Protection District letter (June 17, 2011)
- B.11 County of San Diego Department of Planning and Land Use Memorandum from Jim Bennett, Groundwater Geologist, to Patrick Brown, Project Planner, regarding groundwater supply (May 4, 2010)
- B.12 County of San Diego Department of Planning and Land Use Form 399W, Project Water Availability Form, signed by the Jacumba Community Services District on July 8, 2010
- B.13 Phase I Environmental Site Assessment (AECOM 2009)
- B.14 FAA Determinations of No Hazard to Air Navigation

Appendix C

Biological Resources Technical Report

- C.1 2008 & 2009 Quino Checkerspot Butterfly Survey Reports
- C.2 Floral Species Documented on and Adjacent to the ESJ U.S. Transmission Line Project Site
- C.3 Special-status Plant Species Known or Potentially Occurring at the ESJ U.S. Transmission Line Project Site
- C.4 Wildlife Species Observed/Detected on the ESJ U.S. Transmission Line Project Site
- C.5 Special-status Wildlife Species Known or Potentially Occurring at the ESJ U.S. Transmission Line Project Site
- C.6 Special-status Wildlife Species Known or Potentially Occurring at the ESJ U.S. Transmission Line Project Groundwater Well Access Road

Abbreviation List

- C. 7 March 26, 2009, Comment Letter from USFWS: Comments on the NOI to Prepare an EIS, Energia Sierra Juarez U.S. Transmission, LLC
- C. 8 February 23, 2010, Letter from DOE to USFWS: Initiation of Informal Consultation under Section 7 of the Endangered Species Act
- C.9 March 24, 2010, Letter from USFWS: Request for Informal Section 7 consultation of the Proposed Energia Sierra Juarez Transmission Line
- C.10 March 8, 2011, Letter from DOE to USFWS: Conclusion of Informal Consultation Under §7 of the Endangered Species Act pursuant to 50 CFR 402.08

Appendix D

Cultural Resources

- D.1 Native American Correspondence
- D.2 April 18 U.S. Department of Energy Section 106 Findings for the Energia Sierra Juarez U.S. Electric Transmission Line Project
- D.3 Final Archaeological and Historical Investigations for the Energia Sierra Juarez U.S. Gen-Tie Line Project Jacumba, California (May 2010)
- D.4 Draft Archaeological and Historical Investigations for the Energia Sierra Juarez U.S. Major Use Water Extraction Permit (MUP) Application Jacumba, California (February 2011)

Appendix E

Noise Analysis

- E.1 Audible Noise Performance for the Construction Activities Associated with the Energia Sierra Juarez U.S. Gen-Tie Project in San Diego County, California (October 2009) (applies to Alternative 2 and 3)
- E.2 Audible Noise Performance for the Construction Activities Associated with the Energia Sierra Juarez U.S. Gen-Tie Project in San Diego County, California (May 2010) (applies to Alternative 4A and 4B)
- E.3 Typical Electrical Transmission Conductor Specifications

Appendix F

Air Quality Calculations and Summary Tables

Appendix G

Agency Consultation

Appendix H

Conflict of Interest

Appendix I

Distribution List

LIST OF TABLES

Table S-1	230-kV Route and 500-kV Route Parameters	S-11
Table S-2	Land Disturbance for Alternative 4 – Revised 230-kV or 500-kV Routes.....	S-12
Table S-3	Summary of Impacts by Resource Area	S-49
Table 1-1	ESJ Application Time Line	1-5
Table 2-1	230-kV Route and 500-kV Route Parameters	2-6
Table 2-2	Land Disturbance	2-11

Table 2-3	Land Disturbance for Alternative 4A (Revised 230-kV Route) and Alternative 4B (Revised 500-kV Route).....	2-15
Table 2-4	Summary of Impacts by Resource Area	2-51
Table 3.1-1	Vegetation Communities and Habitat Types	3-7
Table 3.1-2	Impacts to Vegetation Communities and Habitat Types.....	3-27
Table 3.1-3	Impacts to Vegetation Communities and Habitat Types for the 500-kV Alternative (Alternative 3).....	3-46
Table 3.2-1	Summary of the Visual Quality Assessment at Each KOP Based on Design with Transmission Towers.....	3-58
Table 3.2-2	Summary of the Visual Quality Assessment at Each KOP Based on Design with Monopoles.....	3-59
Table 3.2-3	Assessment of Potential Visual Resource Impacts	3-81
Table 3.5-1	Prehistoric Archaeological Sites and Isolated Artifacts in the Project APE	3-112
Table 3.5-2	Known Prehistoric Archaeological Sites Affected by Construction of the 230-kV Transmission Line.....	3-116
Table 3.5-3	Known Prehistoric Archaeological Sites Affected by Construction of the 500-kV Transmission Line.....	3-116
Table 3.5-4	Known Prehistoric Archaeological Sites Affected by Construction of the Revised Routes.....	3-119
Table 3.6-1	Typical Sound Levels.....	3-121
Table 3.6-2	Typical Sound Levels for Construction Equipment.....	3-125
Table 3.6-3	Foul Weather Noise Analysis.....	3-127
Table 3.6-4	Foul Weather Noise Analysis (500-kV Route)	3-130
Table 3.6-5	Foul Weather Noise Analysis (Revised 230-kV and 500-kV Routes).....	3-132
Table 3.7-1	Traffic Volumes in the Vicinity of the Alternative Corridors.....	3-137
Table 3.7-2	Level of Service Guidelines for San Diego County Public Roads	3-138
Table 3.7-3	Level of Service Descriptions.....	3-138
Table 3.7-4	Accident Data in the Project Vicinity (2007).....	3-139
Table 3.8-1	Typical Magnetic Field Levels for Electrical Transmission Lines.....	3-149
Table 3.10-1	Ambient Air Quality Standards.....	3-173
Table 3.10-2	Attainment Status Summary – San Diego County.....	3-174
Table 3.10-3	Ambient Air Quality in Project Vicinity – Regional Maxima and Averages	3-175
Table 3.10-4	Ambient Air Quality in Project Vicinity – Compliance History	3-176
Table 3.10-5	Emissions Significance Thresholds	3-179
Table 3.10-6	Estimated Equipment and Vehicle Use During Construction	3-181
Table 3.10-7	Estimated Maximum Construction Emissions.....	3-183
Table 3.10-8	Estimated Maximum Construction GHG Emissions	3-185
Table 3.10-9	Estimated Vehicle Use for Transport of Wind Turbines.....	3-189
Table 3.10-10	Estimated Wind Turbine Trucking GHG Emissions.....	3-189

Abbreviation List

Table 3.12-1	Characteristics of Project Area Soils.....	3-206
Table 3.13-1	Population and Estimated Growth for San Diego County and Affected Subareas.....	3-216
Table 3.13-2	Total Housing Units and Estimated Growth for San Diego County and Affected Subareas.....	3-216
Table 3.13-3	Total Employment and Estimated Growth for San Diego County and Affected Subareas.....	3-216
Table 3.14-1	Population and Ethnicity for Areas Near the Alternative Corridors.....	3-224
Table 3.14-2	Population below the Poverty Threshold for Areas near the Alternative Corridors.....	3-224
Table 4-1	ECO Substation Project EIR/EIS Estimated Construction Emissions for ECO Substation Switchyards and SWPL Loop-In.....	4-22
Table 5-1	Past, Present, and Reasonably Foreseeable Future Actions That May Cumulatively Affect Resources of Concern.....	5-3
Table 5-2	Cumulative Impacts to Habitat.....	5-19
Table 5-3	Total Impacts to Specific Vegetation Communities Affected by the ESJ U.S. Transmission Line Project due to Present and Reasonably Foreseeable Projects in the Vicinity.....	5-20
Table 8-1	List of Potentially Required Permits/Approvals.....	8-1
Table 8-2	Federal Environmental Statutes, Regulations, and Orders.....	8-2
Table 9-1	Summary of Consultation Letters and Coordination Meetings.....	9-1
Table 9-2	Additional Agency Communications.....	9-7
Table CR-1	Summary of Revisions to the Draft EIS.....	CR-5
Table CR-2	Directory of Commenters and Corresponding Comment Document.....	CR-12

LIST OF FIGURES

Figure S-1	Project Regional Map.....	S-3
Figure S-2	Project Vicinity Map.....	S-4
Figure S-3a	EIS Alternatives 2 and 3.....	S-7
Figure S-3b	EIS Alternatives 4A and 4B.....	S-7
Figure S-4a	Property Boundaries and Proposed Conservation Easement Area – Alternatives 2 and 3.....	S-31
Figure S-4b	Property Boundaries and Proposed Conservation Easement Area – Alternatives 4A and 4B.....	S-31
Figure S-5	Projects Considered in Cumulative Impacts Analysis.....	S-46
Figure 1-1	Project Regional Map.....	1-2
Figure 1-2	Project Vicinity Map.....	1-3
Figure 2-1a	EIS Alternatives 2 and 3.....	2-3
Figure 2-1b	EIS Alternatives 4A and 4B.....	2-3
Figure 2-2	Typical Steel Lattice Towers.....	2-7

Figure 2-3	Typical Steel Monopoles	2-8
Figure 2-4	Alternative Route B (Dismissed) in Relation to Alternatives 2, 3, 4A and 4B	2-22
Figure 2-5	East County (ECO) Substation Switchyards and SWPL Loop-In	2-26
Figure 2-6	East County (ECO) Substation Switchyards Layout.....	2-27
Figure 2-7	SWPL Loop-In Typical Structure.....	2-31
Figure 2-8	Typical Wind Turbine	2-34
Figure 3.1-1	Designated Critical Habitat and Regional Conservation Areas	3-6
Figure 3.1-2a	Biological Study Area – Alternatives 2 and 3.....	3-09
Figure 3.1-2b	Biological Study Area – Alternatives 4A and 4B.....	3-09
Figure 3.1-3a	Vegetation Cover Types in the Survey Area – Alternatives 2 and 3.....	3-11
Figure 3.1-3b	Vegetation Cover Types in the Survey Area – Alternatives 4A and 4B.....	3-11
Figure 3.1-4a	Permanent Impacts to Vegetation Communities and Other Cover Types – Alternatives 2 and 3	3-13
Figure 3.1-4b	Permanent Impacts to Vegetation Communities and Other Cover Types – Alternatives 4A and 4B	3-13
Figure 3.1-5a	Property Boundaries and Proposed Conservation Easement Area – Alternatives 2 and 3	3-29
Figure 3.1-5b	Property Boundaries and Proposed Conservation Easement Area – Alternatives 4A and 4B	3-29
Figure 3.2-1	Locations of Candidate Key Observation Points	3-52
Figure 3.2-2	Representative Views of the ESJ U.S. Project Site from Selected KOPs	3-54
Figure 3.2-3a	KOP 3 (Existing Conditions)	3-60
Figure 3.2-3b	KOP 3 (Visual Simulations with Transmission Line).....	3-61
Figure 3.2-4a	KOP 6 (Existing Conditions)	3-65
Figure 3.2-4b	KOP 6 (Visual Simulations with Transmission Line).....	3-67
Figure 3.2-5a	KOP 9 (Existing Conditions)	3-71
Figure 3.2-5b	KOP 9 (Visual Simulations with Transmission Line).....	3-73
Figure 3.2-6a	KOP 10 (Existing Conditions)	3-77
Figure 3.2-6b	KOP 10 (Visual Simulations with Transmission Line).....	3-79
Figure 3.2-7	KOP 6 (Visual Simulation with Wind Turbines).....	3-83
Figure 3.2-8	KOP 7 (Visual Simulation with Wind Turbines).....	3-84
Figure 3.2-9	KOP 11 (Visual Simulation with Wind Turbines).....	3-85
Figure 3.3-1	County Land Use Designations in the Project Vicinity.....	3-91
Figure 3.4-1	Recreational Resources and Special Land Designations in the Project Vicinity	3-101
Figure 3.4-2	Representative Views of the ESJ U.S. Project Site from Surrounding Recreational Areas.....	3-104
Figure 3.5-1	Cultural Resources Area of Potential Effect – Alternatives 2 and 3	3-108
Figure 3.5-2	Cultural Resources Area of Potential Effect — Alternatives 4A and 4B.....	3-111
Figure 3.7-1	Roadways in the Project Vicinity	3-136

Abbreviation List

Figure 3.7-2	Potential Wind Turbine Transportation Routes.....	3-144
Figure 3.9-1	Fire Hazard Severity Zones in the Project Vicinity.....	3-160
Figure 3.9-2	Boulevard Fireshed.....	3-162
Figure 3.11-1	Surface Hydrologic Features in the Project Region.....	3-193
Figure 3.11-2a	Surface Hydrologic Features in the Project Area – Alternatives 2 and 3.....	3-195
Figure 3.11-2b	Surface Hydrologic Features in the Project Area – Alternatives 4A and 4B.....	3-195
Figure 3.11-3	Site Photographs.....	3-197
Figure 3.12-1a	Soil Types in the Project Vicinity – Alternatives 2 and 3.....	3-207
Figure 3.12-1b	Soil Types in the Project Vicinity – Alternatives 4A and 4B.....	3-207
Figure 3.13-1	SANDAG Defined Major Statistical Areas and Subregional Areas.....	3-217
Figure 4-1	East County (ECO) Substation Visual Simulations.....	4-8
Figure 5-1	Projects Considered in the Cumulative Impacts Analysis.....	5-6
Figure 5-2	Location and Details of Tule Wind Energy and SDG&E ECO Substation Projects.....	5-11
Figure 5-3	Visual Simulation of Projects Considered in Cumulative Analysis (From KOP 6).....	5-25

VOLUME 3 COMMENTS AND RESPONSES DOCUMENT

CR.1	Introduction	CR-1
CR.2	Public Review Process	CR-1
CR.3	Summary of Issues Raised During the Public Comment Period	CR-2
CR.4	Overview of Changes to the Draft EIS	CR-5
CR.5	Comments and Responses.....	CR-11

Abbreviations Used In This Work

°C	degrees Celsius
°F	degree Fahrenheit
µg/m ³	micrograms per cubic meter
AC	Advisory Circular
ACEC	Area of Critical Environmental Concern
APE	Area of Potential Effect
APM	applicant-proposed measure
ATV	all-terrain vehicle
B.P.	before present
BGEPA	Bald and Golden Eagle Protection Act
bgs	below ground surface
BHP	brake horsepower
BLM	U.S. Bureau of Land Management
BMP	Best Management Practice
C	combustion particle
C ₂ H ₃ Cl	vinyl chloride
CAAQS	California Ambient Air Quality Standards
CAISO	California Independent System Operator
CAL FIRE	California Department of Forestry and Fire Protection
Cal-ISO	California Independent System Operator
Caltrans	California Department of Transportation
CARB	California Air Resources Board
CCR	California Code of Regulations
CDFG	California Department of Fish and Game
CDWR	California Department of Water Resources
CEQ	Council on Environmental Quality
CEQA	California Environmental Quality Act
CFR	Code of Federal Regulations
CH ₄	methane

Abbreviation List

cKOP	candidate key observation point
cm	centimeter
CNDDDB	California Natural Diversity Database
CNEL	Community Noise Equivalent Level
CNPS	California Native Plant Society
CO	carbon monoxide
CO ₂	carbon dioxide
Conservation Program	East County Multiple Species Conservation Program
County DPLU	County of San Diego Department of Planning and Land Use
CPUC	California Public Utilities Commission
CRMP	Conceptual Resource Management Plan
CUPA	California Unified Program Agency
CWHR	California Wildlife Habitat Relationships
dB	decibel
dBA	A-weighted decibel
DOE	U.S. Department of Energy
DOT	U.S. Department of Transportation
E&E	Ecology and Environment, Inc.
E.O.	Executive Order
EA	Environmental Assessment
ECO Substation	East County Substation
EDAW	EDAW, Inc.
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EMF	electromagnetic field
ESA	Endangered Species Act
ESJ	Energia Sierra Juarez U.S. Transmission, LLC
FAA	Federal Aviation Administration
FCC	Federal Communications Commission
FEMA	Federal Emergency Management Agency
FERC	Federal Energy Regulatory Commission
FHWA	Federal Highway Administration
FIRM	Flood Insurance Rate Maps

FR	Federal Register
Gen-Tie	Generator-tie line
GHG	greenhouse gases
GIS	Geographic Information System
GWP	global warming potential
H ₂ S	hydrogen sulfide
ha	hectares
HFC	hydrofluorocarbon
HHD	heavy heavy duty
hp	horsepower
Hz	hertz
I	Interstate
ICAPCD	Imperial County Air Pollution Control District
IEC	International Electrotechnical Commission
IPCC	Intergovernmental Panel on Climate Change
kcmil	one thousand circular mils
km	kilometer
KOP	key observation point
kph	kilometers per hour
kV	kilovolt
kV/m	kilovolt per meter
kW	kilowatt
lb/day	pounds per day
LD	light duty
L _{dn}	day night level
L _{eq}	equivalent level
LOS	level of service
m	meter
MBTA	Migratory Bird Treaty Act
MD	medium duty
mg/L	milligrams per liter
mph	miles per hour
MSA	Metropolitan Statistical Area

Abbreviation List

MSDS	material safety data sheet
msl	mean sea level
MW	megawatts
N ₂ O	nitrous oxide
NAAQS	National Ambient Air Quality Standards
NAHC	Native American Heritage Commission
NCCP	Natural Community Conservation Program
NEPA	National Environmental Policy Act
NESHAPs	National Emission Standards for Hazardous Air Pollutants
NGL	Natural Gas Liquids
NHPA	National Historic Preservation Act
NIEHS	National Institute of Environmental Health Sciences
NO ₂	nitrogen dioxide
NOI	Notice of Intent
NO _x	nitrogen oxides
NPDES	National Pollutant Discharge Elimination System
NRHP	National Register of Historic Places
NSPS	New Source Performance Standards
NSR	New Source Review
O ₃	ozone
OHV	off-highway vehicle
Pb	lead
PEA	Proponent's Environmental Assessment
PFC	perfluorocarbon
PM ₁₀	fine particulate matter with diameter no greater than 10 microns
PM _{2.5}	fine particulate matter with diameter no greater than 2.5 microns
ppmv	parts per million by volume
QCB	Quino checkerspot butterfly
qty	quantity
RBC	Rocks Biological Consulting
RDA	Rural Development Area
RDEIR/SDEIS	Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement

REC	recognized environmental condition
RMP	Resource Management Plan
ROC	reactive organic compound
ROD	Record of Decision
ROG	reactive organic gas
ROI	region of influence
RWQCB	Regional Water Quality Control Board
SANDAG	San Diego Association of Governments
SCAQMD	South Coast Air Quality Management District
SDAB	San Diego Air Basin
SDAPCD	San Diego Air Pollution Control District
SDCWA	San Diego County Water Authority
SDG&E	San Diego Gas and Electric Company
Sempra	Sempra Generation (or Sempra U.S. Gas and Power)
SF ₆	sulfur hexafluoride
SHPO	State Historic Preservation Officer
SIP	State Implementation Plan
SO ₂	sulfur dioxide
SO ₄	sulfates
SPS	Special Protection System
SRA	Subregional Area
SRMA	Special Recreation Management Area
SWMP	Stormwater Management Plan
SWPL	Southwest Powerlink
SWRCB	State Water Resources Control Board
TDS	total dissolved solids
tons/yr	tons per year
TSCA	Toxic Substances Control Act
U.S.	United States
U.S.C.	United States Code
USACE	U.S. Army Corps of Engineers
USEPA	U.S. Environmental Protection Agency
USFS	U.S. Forest Service

Abbreviation List

USFWS	U.S. Fish and Wildlife Service
USGS	U.S. Geologic Survey
V/m	volts per meter
VKT	vehicle kilometers traveled
VMT	vehicle miles traveled
VOC	volatile organic carbons
WHO	World Health Organization

Comments and Responses Document

CR.1 Introduction

Volume 3 provides the comments received on the draft EIS, and DOE's responses to those comments. All comments received were considered in the preparation of the final EIS. The remainder of this volume provides an overview of the public review process (Section CR.2), a summary of issues raised during the public comment period (Section CR.3), a summary of changes made to the draft EIS (Section CR.4), and a set of comments and responses to comments (Section CR.5).

CR.2 Public Review Process

The draft EIS was distributed to interested agencies, organizations, and the general public for review and comment in September 2010 (75 FR 57005; Notice of Availability issued September 17, 2010). The draft EIS and Notice of Availability are also available on the ESJ U.S. Transmission Line project website: <http://www.ESJProjectEIS.org/index.htm>. Notification of draft EIS availability was sent to those that have subscribed to the project website mailing list.

DOE held three public hearings on the draft EIS during the comment period (Jacumba, California on October 5, 2010; Boulevard, California on October 6, 2010; and San Diego, California on October 7, 2010), which closed on November 1, 2010. The dates and times of the hearings were announced on the project website and in local news media. The hearings provided interested parties with an additional opportunity to comment on the draft EIS and to participate in the decision-making process. The hearings included a presentation by DOE and an oral comment session in which attendees were invited to formally enter their comments on the draft EIS into the public record. Transcripts of the public hearings were recorded by a court reporter and are available both on the project website and in Section CR.5 of this Comment and Response Document.

DOE responded to written comments from 43 government officials, organizations, and individuals. DOE continued to consider comments received since the close of the public comment period up until September 2011. All comments that DOE responded to are presented below in Section CR.5 of this EIS Comments and Responses Document, together with DOE's responses. Note that the project website provides copies of certain letters that were received well after the close of the comment period for which DOE does not provide a written response. DOE has reviewed these recent comments and found them to be similar to comments received previously that have been addressed in this EIS Comments and Responses Document. (DOE will continue to post such comments as they arrive for a while as a public service.)

CR.3 Summary of Issues Raised During the Public Comment Period

The following are some of the major topics of comments submitted during the public comment period. These major issues include topics that appeared frequently in the comment documents or are of broad interest or concern. The reader may find this section useful as an executive summary of the comments and responses found in Section CR.5 of this CRD.

Transmission of Non-renewable Energy. Commenters questioned the project's purpose and need, and asserted that the cross-border transmission line could eventually become available for fossil-fueled generation. As discussed in Section 1.5.1, ESJ has assured DOE that the proposed electrical transmission line is intended to be used only for renewable generation. Accordingly, any alternative future use of the transmission corridor would require a new or revised Presidential permit application to be filed with DOE and would be subject to a new and separate NEPA review. Therefore, the possible use of the line for non-renewable energy is not deemed reasonably foreseeable at this time and is outside the scope of this EIS.

Distributed Electricity Generation as an Alternative. As noted in Section 1.5.1.2, commenters asked for consideration of distributed small-scale electricity generation, such as solar panels in urban settings, as an alternative to large-scale wind energy development and associated long-distance transmission lines. Alternative approaches for energy generation are outside the scope of the EIS because they do not respond to DOE's purpose and need, which (as discussed in Section 1.2) is to respond to the ESJ request for a Presidential permit.

Additional Project Alternatives. Commenters asked for consideration of the use of existing transmission lines in Mexico (e.g., the Western Energy Coordinating Council Path 45 transmission line in northern Baja California, which crosses the U.S.-Mexico border near San Diego). The EIS has been revised to include consideration of the potential use of the existing Western Energy Coordinating Council (WECC) transmission corridor as an alternative to the applicant's proposed project. A new subsection, Section 2.8.1, discusses why the potential of a direct interconnection to Mexican transmission lines using the WECC transmission corridor was considered but dismissed from detailed analysis.

Commenters requested additional analysis of the alternative of installing the transmission line underground. Revised discussion of this alternative is provided in Section 2.8.3 of this final EIS, but DOE has not altered its conclusion that this is not a reasonable alternative.

Connected Actions. Several comments asserted that the Sunrise Powerlink transmission line is a connected action because the existing Southwest Powerlink has insufficient electrical capacity to support the full buildout of the ESJ Wind project, and thus the ESJ U.S. Transmission Line project could not proceed without the additional capacity that Sunrise would provide.

Commenters also asked that the whole of the SDG&E ECO Substation project be considered a connected action. As discussed in Section 1.5.1.2, DOE considers only the first points of interconnection with the electrical transmission grid (i.e., SDG&E's ECO Substation switchyard facility and SWPL loop-in) to be connected actions. The additional SDG&E ECO Substation Project components beyond the switchyards and loop-in are not considered connected actions to the ESJ U.S. Transmission Line project.

Cumulative Projects. Several comments indicated additional projects that should be addressed in the cumulative impact assessment, including several renewable energy development projects in the border region, as well as land use developments in Boulevard and other nearby communities. Certain projects were added to the list of cumulative projects and these projects were considered in the cumulative impacts assessment. Some projects could not be included due to the lack of sufficient information for assessment.

Cross-Border Biological Resource Impacts and Mitigations. Several comments asked for additional information about potential cross-border impacts of the ESJ Wind project on birds (particularly golden eagles) protected under the Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act. DOE has incorporated additional information and analysis into Section 3.1 of the final EIS regarding potential impacts from ESJ Wind project activities in Mexico on the San Diego County golden eagle population whose daily range spans the border between Mexico and the United States.

Commenters asked for additional analysis of potential cross-border impacts to Peninsular bighorn sheep and provided photographs of incidental sightings of bighorn sheep. The EIS is expanded in response to comments to include further discussion of potential impacts to bighorn sheep, including potential cross-border impacts.

Commenters asked that DOE impose mitigation on the ESJ Wind project. DOE is not in a position to require mitigation measures to be implemented in Mexico. The final EIS identifies some of the mitigations that are included in the Mexican permit for the ESJ Wind project.

Visual Resource Impacts. Commenters indicated that views of the transmission lines, combined with other planned developments, would diminish the visual character of the project area, including nighttime visual impacts if the transmission towers are lighted. The EIS has been revised to provide further discussion of cumulative visual impacts.

Fire Hazards. Several comments, including comments from the County of San Diego Rural Fire Protection District, expressed concern about the adequacy of existing fire response resources and applicant-proposed measures to address potential construction-related and long-term fire hazard risks. The EIS is revised to include information on developments since the draft EIS was published, including the applicant's agreement with the fire district, its commitment to several fire protection measures to address fire district concerns, and the district's response.

Several comments requested further analysis of the potential cumulative fire hazard impacts of the combined introduction of industrial wind turbines (including the ESJ Wind project in Mexico), new substations, and new transmission lines. These combined projects would increase fire hazards in the project area, which has a high fire hazard severity rating due to dry conditions and high winds. Several examples of wind turbine accidents and fires were presented, and some commenters suggested that increased fire hazards would also result in increased fire insurance rates, which would be a socioeconomic impact.

With respect to comments regarding potential fire hazards originating from the ESJ Wind project, the EIS is expanded to include information about design features that could be installed on individual wind turbines to reduce the probability of a fire, e.g., lightning arresters and

thermal monitoring systems that detect temperature increases and automatically shut off the generating system above a critical thermal threshold. Example measures from the Tule Wind project in southern San Diego County are listed and referenced. It is not known whether the ESJ Wind project, located as it is in Mexico, plans to incorporate these or other specific fire prevention and control measures. The final EIS identifies some of the mitigations that are included in the Mexican permit for the ESJ Wind project, including the requirement for a Fire Protection Plan.

Water Resources. The County of San Diego and other commenters asked for expanded discussion of potential impacts from the use of groundwater from a groundwater well for use during construction. The EIS is updated to include a description of the project's proposed use of an existing groundwater well, and an analysis of potential impacts to the local groundwater basin based on the County of San Diego's detailed analysis of potential groundwater impacts.

Socioeconomic Impacts. Some commenters asserted that the project would enable economic development and employment in the project region, while, on the other hand, other commenters expressed concerns that the project would facilitate the export of American jobs, increase the U.S. dependence on foreign energy, and undermine American environmental and labor laws. Impacts of the project on employment and economic conditions in the project area are considered in Section 3.13. However, the topics of labor policy and California energy policy are outside the scope of the NEPA process. DOE will consider comments on these topics as well as all other comments received in this proceeding in the course of evaluating the Presidential permit application.

Some comments expressed concern about potential impacts on property values and tourism income in the project area. These topics are discussed in Section 3.13, which has been expanded to include discussion of additional reviews of available research on potential impacts to property values and tourism income.

Environmental Justice. Several commenters expressed concern that local communities, which include low income and minority populations, would experience reduced property values, reduced tourism income, and be disproportionately impacted by the ESJ U.S. Transmission Line project, in combination with other proposed projects. The EIS discussions of environmental justice impacts have been expanded to include more information on this topic. Commenters also questioned statements in the draft EIS concerning the absence of low-income populations in the project area. Updated census data were added to the EIS, and it was determined that, with the addition of 2009 data, the data now indicate that one of the census tracts in the vicinity of the alternative corridors is considered low income, as compared to the County. Although the new data do change the EIS conclusion regarding the presence of low-income populations in the surrounding area, the data do not change the conclusion that minority and low-income populations, within the meaning of Executive Order 12898, would not experience disproportionately high and adverse impacts from the proposed action.

Backup Generation. Commenters asked that the impact assessment include potential impacts from the use of fossil-fueled generation that could be required for backup generation when the ESJ Wind turbines are idle. The EIS provides additional discussion on the topic of back-up

generation for renewable energy sources. The issue of grid reliability will, however, be considered by DOE external to the NEPA process.

Mitigation Measures. Commenters requested clarification as to how the potential mitigation measures identified in the EIS would be implemented. They also urged DOE to require mitigation for the ESJ Wind project in Mexico. DOE clarifies the role of the NEPA document to identify potential mitigation measures in a manner appropriate for evaluating their potential effectiveness in mitigating impacts. Should the Presidential permit be issued to ESJ, it could include mitigation measures as required conditions of the permit. As previously noted, DOE is not in a position to require mitigation measures to be implemented in Mexico.

CR.4 Overview of Changes to the Draft EIS

Table CR-1 lists the substantive revisions to the draft EIS as a result of public comments. These revisions are reflected in Volumes 1 and 2 of this final EIS.

Table CR-1 Summary of Revisions to the Draft EIS	
EIS Section	Substantive Revisions from Draft EIS to Final EIS
EIS Volume 1 Main EIS Volume	
Front matter	Updated cover sheet and table of contents; added this summary of substantive revisions from the draft EIS to the final EIS.
Summary	Updated the EIS Summary to be consistent with the final EIS analysis. Included updated summary of impacts and mitigations.
1.0 Introduction	Clarified DOE's purpose and need for the ESJ U.S. Transmission Line project.
	Added discussion of distributed electrical generation and use of existing transmission lines in Mexico as alternatives that are outside the scope of this NEPA document.
	Updated the EIS chronology and public review process.
	Added summary of issues raised during the EIS public comment period.
	Identified DOE's preferred alternative as the newly added Alternative 4A (Revised 230-kV Route).
2.0 Project Description	Added details of revised transmission line routes (Alternatives 4A and 4B), including new Figure 2-1b.
	Added details of the applicant's proposed groundwater well that would be used for construction water supply.
	Clarified that tower or pole lighting would not be required by the U.S. Border Patrol.
	Updated the applicant-proposed measures based on new information from the applicant regarding fire protection and traffic control measures.

Table CR-1 Summary of Revisions to the Draft EIS	
EIS Section	Substantive Revisions from Draft EIS to Final EIS
	<p>Added discussion of the potential use of the existing transmission lines in Mexico as an alternative that is outside the scope of this NEPA document.</p> <p>Updated the status of the ECO Substation project environmental review process.</p> <p>Added description of the revised ECO Substation location, which is the basis for ESJ's description of revised transmission line routes (Alternatives 4A and 4B).</p> <p>Updated the comparison of impacts of alternatives based on updated analyses of each discipline.</p> <p>Updated the summary of impacts (Table 2-4).</p> <p>Identified DOE's preferred alternative as the 230-kV transmission line on lattice towers, in the revised alignment (Alternative 4A).</p>
3.0 Affected Environment, Impacts and Mitigation	<p>Clarified the extent to which DOE used the County of San Diego environmental review guidelines in the preparation of this EIS.</p> <p>Added discussion to all resource topics of potential impacts associated with the revised transmission line routes (Alternatives 4A and 4B).</p> <p>Added discussion to all resource topics of potential impacts associated with the proposed groundwater well use.</p>
3.1 Biological Resources	<p>Updated status of DOE's consultation with USFWS, which was concluded in March 2011.</p> <p>Updated discussion of baseline conditions for special status species, including Peninsular bighorn sheep and golden eagles.</p> <p>Added further discussion of potential impacts to large avian species from electrocution, and discussion of potential impacts from nighttime lighting of transmission towers or poles.</p> <p>Added discussion of potential impacts of helicopter use on biological resources during construction.</p> <p>Added further discussion of cross-border migration patterns and potential cross-border impacts to Peninsular bighorn sheep, golden eagles, and other species of concern.</p> <p>Revised Mitigation Biology-1 (Worker Training) to clarify that a qualified biologist would provide the biological resources training to contractor personnel both prior to construction and prior to major (non-routine) repair and maintenance during operations.</p>

Table CR-1 Summary of Revisions to the Draft EIS	
EIS Section	Substantive Revisions from Draft EIS to Final EIS
3.2 Visual Resources	Added reference to the recent designation of segments of Old Highway 80 and I-8 as scenic highways in the County of San Diego General Plan.
	Clarified the location of nearby residences and corresponding key observation points.
	Added minor clarifications to discussion of transmission line visual impacts and potential cross-border visual impacts, including a change in the visual setting since the draft EIS was published due to the construction of several new wind turbines in the Sierra Juarez mountains in Mexico (unrelated to the ESJ Wind project), and their visibility from the U.S.
	Revised Mitigation VIS-2 to specify “dulled metal finish and nonspecular conductors.”
3.3 Land Use	Updated the County of San Diego General Plan status (plan update was approved August 3, 2011) and revised the project location General Plan land use designation (the site was re-designated to Rural Land, 80-acre parcels).
	Clarified the location of residences relative to the alternative corridors.
3.4 Recreation	No substantive changes were made to this section.
3.5 Cultural Resources	Added discussion of the historic status of Old Highway 80.
	Added discussion of the site-specific cultural resources analysis of the groundwater well construction site.
	Added Figure 3.5-2 to indicate the revised transmission line route alternatives (Alternatives 4A and 4B).
	Added mitigation Cultural-2 which would require subsurface cultural investigations for the proposed groundwater well access road.
	Added mitigation Cultural-3 which would require subsurface cultural investigations of the revised 500-kV Route (Alternative 4B), if constructed.
3.6 Noise	Added table listing the corona discharge sound level estimates for the revised transmission line routes (Alternatives 4A and 4B).
	Clarified the description and location of project area noise receptors.
3.7 Transportation and Traffic	Clarified and updated I-8 highway traffic statistics.
	Updated the discussion of wind turbine transportation scenarios based on applicant-provided information, which confirmed that turbines would be transported across the Otay Mesa border crossing.
	Added discussion of a Traffic Control Plan, which would be prepared in accordance with County Planning standard requirements.

Table CR-1 Summary of Revisions to the Draft EIS	
EIS Section	Substantive Revisions from Draft EIS to Final EIS
	Revised traffic-related mitigation measures to include a requirement to coordinate with CAL FIRE.
	Added discussion of potential limitations on aerial fire-fighting efforts due to the presence of the transmission lines.
3.8 Public Health	Clarified the types of hazardous materials and hazardous wastes that could be generated during construction, and added references to applicable laws and regulations.
	Updated mitigation Public Health-1 to include a provision to ensure that imported soil is free of contamination.
3.9 Fire and Fuels Management	Added discussion of the Development Agreement executed with the Rural Fire Protection District and revised fire protection mitigations specific to the ESJ U.S. Transmission Line project, as recommended by the RFPD.
	Corrected the local fire response capability statistics and response procedures for the project area based in input from the RFPD.
	Clarified discussion regarding the frequency of fuel management under the transmission lines.
	Added further discussion of potential impacts to the U.S. from wind turbine fires, failures and associated hazards from the ESJ Wind project in Mexico.
	Added further discussion of the project's potential to result in increased fire hazard and impacts to local fire fighting capabilities.
	Added discussion of potential limitations on aerial fire-fighting efforts due to the presence of the transmission lines.
	Added the applicant-proposed measure to prepare and implement a Construction Fire Plan.
	Added reference to fire-related documents and correspondence, provided in Appendix B of the EIS.
3.10 Air Quality and Climate Change	Updated construction emissions estimates based on the applicant's revised estimates of soil hauling requirements.
	Added discussion of the potential CO2 sequestration capacity of alkaline soils and related potential project impacts due to soil disturbance.
	Added discussion of potential air quality and greenhouse gas emissions due to wind turbine back-up generation.
3.11 Water Resources	Described the aquifer testing results conducted by the County of San Diego for the planned groundwater well usage during construction.
	Clarified discussion of surface water features to indicate that no surface water features traverse the U.S.-Mexico border in the project area.

Table CR-1 Summary of Revisions to the Draft EIS	
EIS Section	Substantive Revisions from Draft EIS to Final EIS
	Added discussion of groundwater quality and quantity at the planned construction groundwater well, based on County of San Diego reports.
3.12 Geology and Soils	Clarified certain soil descriptions and potential for erodibility.
3.13 Socioeconomics	Updated Census data with 2010 statistics, to the extent available.
	Added discussion of the potential for short-term, minor impacts to tourism in the project area.
	Added further discussion of the project's potential to result in decreased property values and increased fire insurance rates.
3.14 Environmental Justice	Updated the income and ethnicity data with 2010 statistics, as available. These new statistics indicated a change in the project area to "low-income."
3.15 Utilities and Services	Added discussion of the International Boundary and Water Commission permit requirement for monuments.
	Updated the mitigation to include coordination with CAL FIRE.
3.16 Unavoidable Impacts	Added description of potential unavoidable impacts on Transportation and Traffic.
4.0 Connected Actions	The analysis of potential impacts and recommended mitigations related to the ECO Substation switchyards and SWPL loop-in are revised to incorporate relevant information from the ECO Substation Draft EIR/EIS.
	Added description of the revised ECO Substation location, and discussion of potential impacts of this location in comparison to the original proposed site.
5.0 Cumulative Impacts	Added several projects to the cumulative impact analysis, including several wind energy projects; revised Figure 5-1 to show the location of these projects.
	Updated the status of several projects that were already included in the draft EIS cumulative impact analysis.
	Revised the cumulative impacts analysis to more clearly address the sum of impacts from past, present and reasonably foreseeable actions.
6.0 Irretrievable and Irreversible Commitment of Resources	No changes were made to this section.
7.0 Short-Term Use and Long-Term Productivity	No changes were made to this section.
8.0 Applicable Laws, Regulations, Permits, and DOE Orders	Added the International Boundary and Water Commission permit requirement to the list of required permits.

Table CR-1 Summary of Revisions to the Draft EIS	
EIS Section	Substantive Revisions from Draft EIS to Final EIS
9.0 Consultation and Coordination	Updated the record of consultations to include local agency contacts, including Rural Fire Protection District and other local agency offices.
10.0 References	Added references for correspondence and documents used to prepare the final EIS.
11.0 List of Preparers	Updated the list of preparers.
12.0 Conflict of Interest	No changes were made to this section.
Volume 2 Appendices	
Appendix A: Scoping Report	No changes were made to this appendix.
Appendix B: Project Details	Added plot plans and grading plans for the revised transmission line routes (Alternatives 4A and 4B). Added engineering design drawings for the transmission structures indicating dimensions of phase separation (relevant for potential impacts to large avian species from electrocution).
	Added documentation from ESJ and the County of San Diego Fire Authority and Rural Fire Protection District, indicating concurrence with the applicant's Fire Protection Plan, and concurrence on fire-related mitigation measures.
	Added a groundwater supply analysis prepared by the County San Diego geologist and a project water availability form signed by the Jacumba Community Services District. Added the Phase 1 Environmental Site Assessment prepared for the project parcels.
Appendix C: Biological Resources Technical Report	Added excerpts from the applicant's 2010 biological resources technical reports prepared for the groundwater well access site (east of Jacumba) and for the revised alternative routes (Alternatives 4A and 4B).
	Added DOE's March 8, 2011 letter to U.S. Fish and Wildlife Service indicating the outcome of consultation with the USFWS.
Appendix D: Cultural Resources	Added DOE's April 18, 2012 letter to the California State Historic Preservation Officer requesting concurrence on DOE's findings regarding Section 106 of the National Historic Preservation Act.
	Replaced the applicant's March 2010 cultural study for the transmission line alternative routes with the May 2010 cultural study for transmission line area; the May 2010 study includes both the original alternatives (Alternatives 2 and 3) and the revised routes (Alternatives 4A and 4B).
	Added the applicant's 2010 cultural resources technical report prepared for the groundwater well access site.
Appendix E: Noise	Added the applicant's May 2010 noise analysis for the revised alternative routes (Alternatives 4A and 4B). Added vendor specifications of typical electrical conductor designs.

Table CR-1 Summary of Revisions to the Draft EIS	
EIS Section	Substantive Revisions from Draft EIS to Final EIS
Appendix F: Air Quality Calculations	Revised air quality emissions estimates based on further analysis of PM10 impacts since publication of the draft EIS, based on applicant's revised construction planning assumptions.
Appendix G: Agency Consultation	Added U.S. Dept. of Defense January 12, 2011 letter of non-objection to the project.
	Added U.S. Dept. of State's January 27, 2011 letter of non-objection to the project.
Appendix H: Conflict of Interest	No changes were made to this appendix.
Appendix I: Distribution List	Added the EIS distribution list.
Volume 3 Comments and Responses	
Volume 3 Comments and Responses	Added Volume 3 Comments and Responses. Section CR.5 of this volume provides reproductions of the written letters and oral comment transcripts on the draft EIS (left side of page), and DOE's response to the comments (right side of page).

CR.5 Comments and Responses

This section presents authentic reproductions of the comment documents received during the public comment process, including transcripts of oral comments given during the three public hearings on the draft EIS. Each comment document has been assigned a numerical designation, and each delineated comment within a comment document is marked by a bar in the margin and a unique comment number (e.g., 200-1). Responses to delineated comments are displayed to the right of the comment.

Comments are divided into separate categories, as follows:

- Public officials (100 series; 8 comment documents)
- Federal agencies (200 series; 4 comment documents)
- State and local agencies (300 series; 6 comment documents)
- Organizations and interest groups (400 series; 23 comment documents)
- Individuals (500 series; 8 comment documents)
- Oral transcripts from the October 2010 public hearings on the draft EIS (600 series; 3 transcript documents)

DOE responded to written comments from 43 government officials, organizations, and individuals (in some cases the same person or organization sent more than one letter, resulting in a total of 49 comment documents). DOE continued to consider comments received since the

close of the public comment period up until September 2011. All comments received are presented here, together with DOE’s responses. Note that the project website provides copies of certain letters that were received well after the close of the comment period for which DOE does not provide a written response. DOE has reviewed these recent comments and found them to be similar to comments received previously that have been addressed in this Comments and Responses Document. (DOE will continue to post such comments as they arrive for a while as a public service).

Table CR-2 provides a directory of the commenters and the corresponding comment document, with the page where the comment and response can be found. Comment letters are also available on the project website at http://www.esjprojecteis.org/deis_comments.htm.

The majority of the oral comments received during the draft EIS public hearings (600 series) were also contained in the written comments. Therefore, responses to most of the oral comments are addressed in the responses to the corresponding written comments, except where there was no corresponding written comment, or where the commenter did not provide written comments.

Table CR-2			
Directory of Commenters and Corresponding Comment Document			
Commenter	Organization/Affiliation	Comment Identifier	Page
Public Officials (100 series)			
Congressman Robert Filner	U.S. Congress, 51st District, California	101	100-1
Congressman Robert Filner	U.S. Congress, 51st District, California	102	100-10
Senator Harry Reid	U.S. Senator, Nevada	103	100-11
Assemblymember V. Manuel Perez	California Assembly, District 80	104	100-15
Mayor Jerry Sanders	Mayor of San Diego	105	100-17
Donna Tisdale	Boulevard Planning Group	106	100-19
Donna Tisdale	Boulevard Planning Group	107	100-60
Donna Tisdale	Boulevard Planning Group	108	100-83
Federal Agencies (200 series)			
Kathleen Goforth	U.S. Environmental Protection Agency	201	200-1
Patricia Port	U.S. Department of the Interior	202	200-13

Table CR-2 Directory of Commenters and Corresponding Comment Document			
Commenter	Organization/Affiliation	Comment Identifier	Page
John Merino	International Boundary and Water Commission, U.S. Section	203	200-14
Jose Nunez	International Boundary and Water Commission, U.S. Section	204	200-15
State and Local Agencies (300 series)			
Scott Morgan	California Governor's Office of Planning and Research State Clearinghouse and Planning Unit	301	300-1
Dan Otis	California Natural Resources Agency, Department of Conservation, Division of Land Resource Protection	302	300-3
Gerald Zimmerman	Colorado River Board of California	303	300-4
Greg Holmes	California Department of Toxic Substances Control	304	300-6
Eric Gibson	County of San Diego Department of Planning and Land Use	305	300-9
Cynthia Eldred	San Diego Rural Fire Protection District	306	300-30
Organizations and Interest Groups (400 series)			
Stephan Volker	Backcountry Against Dumps	401	400-1
Shannon Dougherty	San Diego Audubon Society	402	400-36
Nick Ervin	Desert Protective Council	403	400-43
Joseph Rowley	Sempra Generation	404	400-48
Robert Balgenorth	State Building and Construction Trades Council of California	405	400-50
Lorena Gonzalez	San Diego and Imperial Counties Labor Council	406	400-51

Table CR-2 Directory of Commenters and Corresponding Comment Document			
Commenter	Organization/Affiliation	Comment Identifier	Page
Jim Mahler	American Federation of Teachers Guild, Local 1931	407	400-53
Valentine Macedo	Laborer's International Union of North America Local 89, San Diego, California	408	400-55
Valentine Macedo	Laborer's International Union of North America Local 89, San Diego, California	409	400-56
Matt Kriz	Painters and Allied Trades District Council 36	410	400-57
Micah Mitrosky	International Brotherhood of Electrical Workers (IBEW) Local 569	411	400-59
Cindy Chavez	South Bay AFL-CIO Labor Council	412	400-63
Tom Lemmon	San Diego County Building and Construction Trades Council, AFL-CIO	413	400-64
Nicole Capretz	Environmental Health Coalition	414	400-65
Corinne Wilson	Center on Policy Initiatives	415	400-68
Robyn Purchia	Adams Broadwell Joseph and Cardozo (for IBEW)	416	400-70
Robyn Purchia	Adams Broadwell Joseph and Cardozo (for IBEW)	417	400-155
Joseph Powell	San Diego and Imperial Counties Mechanical and Allied Crafts Council	418	400-215
Michael Langford	Utility Workers Union of America	419	400-217
Jose Luis Olmedo	Comite Civico Del Valle	420	400-219
Micah Mitrosky	IBEW Local 569	421	400-221
Elizabeth Klebaner	Adams Broadwell Joseph and Cardozo (for IBEW)	422	400-223
Alberto Abreu	Sempra Generation	423	400-424

Table CR-2 Directory of Commenters and Corresponding Comment Document			
Commenter	Organization/Affiliation	Comment Identifier	Page
Individuals (500 series)			
Mark Ostrander	Individual	501	500-1
Brendan Hughes	Individual	502	500-7
Derik Martin	Individual	503	500-8
Aaron Quintanar	Individual	504	500-17
Charles and Laurie Baker	Individual	505	500-19
David Paez-Ramirez	Individual	506	500-30
Jean Public	Individual	507	500-48
Barbara Broz	Individual	508	500-49
Public Hearing Transcripts (600 series)			
Various speakers	Transcript of the Jacumba public hearing, October 5, 2010	601	600-1
Various speakers	Transcript of the Boulevard public hearing, October 6, 2010	602	600-59
Various speakers	Transcript of the San Diego public hearing, October 7, 2010	603	600-129

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OCT-25-2010 MON 05:23 PM CONGRESSMAN BOB FILNER

FAX NO. 16194227290

P. 01

CONGRESSMAN BOB FILNER

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Fax Cover Sheet

Date: 10-25-10 Time: 1720 PST

To: Dr. Jerry Pell Fax: 202 318 7761
Principal NEPA Document Manager Phone: _____

From: John Riccio, Community Rep. - Congressman
Filner

Number of Pages (including cover sheet): 3

Message: letter RE: (Docket No. PP-334)
Draft Environmental Impact Statement for
the Proposed Energia Sierra Juarez (ESJ)
U.S. Transmission Line - Presidential Permit
Application

BOB FILNER
51ST DISTRICT, CALIFORNIA
VETERANS' AFFAIRS COMMITTEE
CHAIRMAN
TRANSPORTATION AND INFRASTRUCTURE
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October 25, 2010

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Dr. Jerry Pell
Principal NEPA Document Manager
Office of Electricity Delivery and Energy Reliability (OE-20)
U.S. Department of Energy
1000 Independence Avenue, SW.
Washington, DC 20585

Dear Dr. Pell:

I am writing you in direct opposition to Sempra Energy's application on behalf of Energia Sierra Juarez U.S. Transmission, LLC (ESJ) for a Presidential Permit to construct a cross-border transmission line between Northern Baja California, Mexico and San Diego County (Docket No. PP-34). Attached is my letter to Department of Energy Secretary, Steven Chu, dated November 6, 2009, recommending denial of the application and the reasons for my opposition to the project.

Since late 2009, my objections have grown with receipt of additional constituent concerns and the attached letter to Secretary Chu, dated August 11, 2010, written by Michael Mowrey, Vice President of the International Brotherhood of Electrical Workers (IBEW), opposing the project application on behalf of their approximately 725,000 members.

The IBEW letter listed project issues that would undermine several stated goals of the Obama Administration:

- It would facilitate the export of American jobs.
- It would increase the United States' dependence on foreign energy.
- It would undermine American environmental and labor laws.

My constituents have raised concerns with the following project issues that I concur with:

- There is no Power Purchase Agreement.
- Sempra has already stated they will not build the wind energy project until it is needed. This and other wind energy projects may never come to fruition, leaving the cross-border power line available for access for fossil fuel fired energy with an amended permit.

RESPONSE TO 101-1: The comments provided in this letter are similar to comments provided in Congressman Filner's November 6, 2009, letter to DOE, provided herein on page 100-5. DOE responded to Congressman Filner in a letter dated December 3, 2009. In a subsequent letter exchange, Congressman Filner's letter dated February 17, 2010 was responded to by DOE in a letter dated March 20, 2010. DOE will consider these comments, as well as all other comments received in this proceeding, before making a final determination on the permit application.

Potential socioeconomic impacts associated with short-term jobs from the ESJ U.S. Transmission Line project are addressed in EIS Section 3.13. Comments pertaining to the merits of the project with respect to labor policy, federal energy policy, and California utility regulations are outside the scope of the NEPA process. As noted above, DOE will consider these comments before making a final determination on the permit application.

Energia Sierra Juarez U.S. Transmission, LLC (ESJ) proposes to build a transmission line that crosses a U.S. border, and has applied to DOE for a Presidential permit. DOE issues Presidential permits under Executive Order (E.O.) 10485, as amended by E.O. 12038. DOE did not initiate, nor is it funding, the proposed transmission facility. The purpose and need for DOE's action is to respond to the ESJ request for a Presidential permit, and DOE's role is limited to deciding whether to issue a Presidential permit. However, DOE regularly sets conditions (such as reliability limitations or mitigation measures) for Presidential permits; in the normal course of events, DOE would consider reasonable alternatives to the proposed project, including route adjustments, to avoid an adverse impact.

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Dr. Jerry Pell
October 25, 2010
Page 2

- 101-1
- Importing wind energy from Mexico only increases reliance on foreign energy sources.
- 101-4
- ESJ relies on SDG&E's controversial and litigated Desert Deathlink (Sunrise Powerlink) and ECO Substation. Both will result in increased utility rates, eminent domain, and reduced property values for my constituents and increased/guaranteed profits for Sempra, their subsidiaries, and shareholders.
- 101-5
- The introduction of industrial wind turbines, new substations, and new transmission lines increases fire risk in a low-income area of high fire danger, high winds, and understaffed and funded volunteer fire departments.
 - Rural fire insurance rates have already increased significantly due to the extensive damages resulting from the 2003 and 2007 firestorms and other large fires, some of which were sparked by SDG&E equipment.
- 101-6
- ESJ and cumulative projects may result in even higher increases in rural fire insurance rates beyond the abilities to pay in these hard economic times. Fire policies may be canceled outright if deemed too risky.
 - Property value reductions in an area that is already hard-hit with a high level of foreclosures.
- 101-7
- Significant and cumulative impacts to the endangered Peninsular Bighorn Sheep and Golden Eagles protected under the Bald and Golden Eagle Protection Act, and other sensitive species, that occupy the cross-border area impacted by the entire ESJ project, the Desert Deathlink, and other projects.
- 101-1
- The importation of, and reliance on, foreign energy sources, the exportation of American jobs, the significant and cumulative negative impacts to rural low-income communities, protected species, and critical bi-national wildlife habitat and corridors compel me to request that you deny Sempra's Presidential Permit Application for their Energia Sierra Juarez wind energy project.

Sincerely,

BOB FILNER
Member of Congress

BF/jr
2555674

Enclosures

RESPONSE TO 101-2: With respect to a power purchase agreement, DOE notes that according to a Sempra Generation press release dated April 19, 2011, San Diego Gas & Electric (SDG&E) has entered into a 20-year contract for up to 156 megawatts (MW) of renewable power to be supplied from the first phase of the ESJ U.S. Transmission Line project. (Sempra Generation 2011a; available online at: http://public.sempra.com/newsreleases/viewPR.cfm?PR_ID=2599&Co_Short_Nm=SE). However, it should be noted that whether or not the applicant has such an Agreement is beyond the purview of both the NEPA process and consideration of the Presidential permit application.

RESPONSE TO 101-3: The EIS acknowledges that the applicant is free at some future time to submit an application for an amendment to the Presidential permit to allow use of the transmission line to carry fossil-fueled power generation. However, should the application for this Presidential permit be approved, the permit would be conditioned on use of the line only for renewable energy. As stated in Section 1.5.1.2 (Issues Outside the Scope of the EIS), any new or revised Presidential permit application filed with DOE would be subject to a new and separate NEPA review. The permit presently under consideration would not allow for such alternative future uses of the transmission line. Therefore, the possible use of the line for non-renewable energy is outside the scope of this EIS.

In its comment letter to DOE (comment 404-1, provided herein), ESJ reiterated its previous communication to DOE that the import capacity of the transmission line in the Presidential permit would be limited to the physical capacity of the line (1,250 MW) and that power on this line be limited to renewable energy projects.



International
Brotherhood of
Electrical
Workers

Edwin D. Hill
International President
Lindell K. Lee
International Secretary - Treasurer
Michael Mowrey
International Vice President
Ninth District

August 11, 2010

Secretary Steven Chu
U.S. Department of Energy
100 Independence Avenue, SW
Washington, DC 20585

Subject: Sempra Energy Application for Presidential Permit PP-334

Dear Secretary Chu:

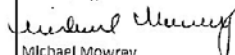
We are writing today to request the Department of Energy please deny Sempra Energy's application on behalf of Baja Wind U.S. Transmission, LLC (now known as Energia Sierra Juarez U.S. Transmission, LLC) for a Presidential Permit to construct a cross-border transmission line between Northern Baja Mexico and San Diego County (Docket Number PP-334).

The transmission project proposed in this application would undermine several goals of President Obama's Administration. Specifically:

1. It would facilitate offshoring American jobs: Sempra's cross-border transmission lines would enable the company to build energy projects in Mexico and import the energy into the United States instead of building them here in the United States where the power is being used. This is the wrong direction at a time when we should be creating jobs here to revive our economy and put Americans back to work.
2. It would increase the United States' dependence on imported energy: The Administration has emphasized the need for America to become energy independent and to reduce our reliance on imported energy from overseas. Approving cross-border transmission lines to import energy from Mexico into California is the exact opposite of this goal. Our nation's economic future and security depends on developing energy infrastructure here within our own borders.
3. It would undermine American environmental and labor laws: A core component of President Obama's campaign platform was his commitment to a green economy that could usher in a new period of environmental and economic prosperity. Approving cross-border transmission lines undermines this vision by enabling Sempra Energy to deliver energy to the United States from facilities not built according to American labor and environmental standards.

If we are to reclaim America's middle class, we need to eliminate opportunities for corporations to offshore our jobs, exploit workers and raid natural resources. This applies both within our own borders and beyond them. For these reasons, we respectfully request that you reject Sempra's application.

Fraternally,


Michael Mowrey
International Vice President

MM/rja

2600 Ventures Oaks Way • Suite 250 • Sacramento, California 95833-4221 • (916) 567-0381 • FAX (916) 567-0385 • www.ibewninthdistrict.org

101-1

As noted in the EIS, the ESJ Wind project in Mexico would be constructed in phases, with a maximum potential generating capacity of 1,250 MW. In its August 16, 2011, communication to DOE, ESJ stated that it has interconnection requests for 1,120 MW.

ESJ also states that it may sell some of the wind power from phases beyond the first within Mexico in addition to the U.S., such that the potential total amount of wind-generated electricity on the ESJ line ultimately may well be less than 1,250 MW.

ESJ indicated that the likelihood of any such sales to Mexico is not known at this time, and the details of the timing and amounts of sales to Mexico (or for that matter, the U.S.), with the exception of the SDG&E contract, are also unknown at this time.

In April, 2011, SDG&E and Sempra Generation announced that they had reached an agreement to purchase and sell up to 156 MW of energy from ESJ, from the Phase 1 portion of the project located in Ejido Jacume. ESJ indicated that it has signed no other power supply contracts. This correspondence is available on the project website, at http://www.esjprojecteis.org/docs/deiscomments/ESJDEIScomment-Abreau_Alberto_Sempra_2011-08-16.pdf, and is provided in this Comment Response Document as comment 423.

The ESJ stated objective for the proposed transmission line is to transport electrical power generated by the ESJ Wind project in Mexico to the U.S. In its December 18, 2007, application, ESJ indicated that "the proposed

OCT-25-2010 MON 05:29 PM CONGRESSMAN BOB FILNER FAX NO. 16194227290 P. 05

BOB FILNER
51ST DISTRICT, CALIFORNIA
VETERANS' AFFAIRS COMMITTEE
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CONGRESS OF THE UNITED STATES
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November 6, 2009

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Steven Chu
Secretary of Energy
United States Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Dear Secretary Chu:

I am writing to recommend the denial of Sempra Energy's (Sempra) Presidential Permit Application (PP 334) for a cross-border 500 kV transmission line because it is not in the best interest of my constituents in San Diego and Imperial Counties. I am intimately familiar with the history of this issue and the groups of people involved. Therefore, I urge you to carefully consider my argument and conclusions.

This transmission line, in combination with the proposed 1,250 MW Sierra Juarez wind energy project in Baja California, Mexico, will connect with the existing San Diego Gas & Electric (SDG&E) Southwest Powerlink 500 kV line at the proposed 85-acre East County (ECO) substation in Jacumba, California. Sempra Energy, a parent company of SDG&E, has no export wind contracts. If PP-334 is approved, it would likely result in the approval of the ECO substation at Jacumba, by the California Public Utilities Commission (CPUC), because of the promise of export wind development in Baja California by Sempra. The approval of the ECO substation project would reward Sempra's affiliate SDG&E with a \$270 million windfall at ratepayer expense even if no single export turbine is ever built.

In the August 28, 2009 letter to the Department of Energy (DOE), Sempra clarified the PP 334 application claiming that the interconnection from Baja California will be an interconnection between a single generator and the proposed ECO substation. However, transmission lines in the U.S. are generally required to be open access as long as a wheeling fee is paid to the transmission line owner. Sempra's insistence that the 1,250 MW interconnection with the ECO substation will create a generator tie is misleading. In actuality the 1,250 MW line will be under the exclusive control and use of Sempra.

The DOE must not reinforce anti-competitive behavior by granting a Presidential Permit to Sempra. Sempra has a history of exploiting the Baja California assets for inappropriate financial gain. In 2006, Sempra was ordered to pay the state of California \$70 million for violating the terms of its 10-year supply power contract. Also in 2006, Sempra settled a lawsuit for \$377 million with Southern California cities for natural gas price fixes during the 2000-01 energy crisis.

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transmission line is expected to reduce the region's dependence upon conventional fossil fuel fired generation plants, and improve the region's ability to meet future electrical energy requirements." According to the application, the project would also help California utilities meet the renewable energy portfolio standards specified in California Executive Order S-14-08, which requires that, by the end of 2020, 33% of retail electricity sales be generated from renewable energy sources. (DOE has not evaluated these statements.)

Comments questioned how DOE could be assured that the transmission line in Mexico would continue to operate consistent with the assumptions and analyses contained in the EIS.

Comments also stated that DOE should place conditions in the Presidential permits requiring that ESJ Wind abide by the same regulatory requirements as if they were constructed within the United States. The Record of Decision (ROD) and Presidential permit, if granted, would specify the purpose for the project as being limited to renewable resources, and that any changes to the project purpose with respect to transmission of renewable resources would require a Presidential permit amendment. The ROD will not address regulatory compliance in Mexico.

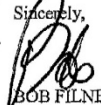
At the conclusion of the Presidential permit review process, based upon the entire record, including the environmental analysis contained in the EIS, DOE will determine whether the issuance of a Presidential permit would be consistent with the public interest. DOE also has the power "to attach to the issuance of the permit and to the exercise of the rights

Volume 3
Comments and Responses

OCT-25-2010 MON 05:30 PM CONGRESSMAN BOB FILNER FAX NO. 16194227290 P. 06

Steven Chu
November 6, 2009
Page 2

- 101-1 Sempra asserts that if wind power is imported from Baja California to SDG&E's proposed ECO substation, it will fill the Southwest Powerlink and require construction of a second 500 kV known as the Sunrise Powerlink. The proposed Sunrise Powerlink transmission line will expand markets for Sempra's existing natural gas-fired generators in Arizona and Baja California which will cost nearly \$2 billion, and with no assurance that it will carry any renewable energy.
- 101-8 Mexico has no investment tax or production credits for renewable energies. It is these credits that have made wind energy cost-competitive in the United States. The Mexican electric company, the Comisión Federal de Electricidad (CFE), has already stated publicly that up to 800 MW of wind generation can be transmitted on existing CFE lines that already serve the northern Sierra Juarez wind development area. These lines are integrated with the SDG&E grid through Western Electricity Coordinating Council (WECC).
- 101-1 Sempra's track record does not show that it will develop or manage the Baja California wind energy resources properly. If the DOE approves Sempra's PP 334 application, it will result in a grant of full control over the flow of renewable energy from Baja California which would not be in our region's best interest. Therefore, I urge you to deny Sempra's application.

Sincerely,

BOB FILNER
Member of Congress

cc:

Anthony Como, Director
Permitting and Siting, U.S. Department of Energy
1000 Independence Avenue
Room 6H-050, OE-20
Washington, DC 20585

BF/wl
2526378

granted thereunder such conditions as the public interest may in its judgment require" (Executive Order 10485, as amended by Executive Order 12038).

Imposition of such conditions would be addressed in the Record of Decision.

DOE is not in a position to require mitigation measures to be implemented in Mexico. However, the EIS does identify some potential mitigation measures relevant to the wind project in the context of discussing the potential for impacts in the United States, and for the information and guidance of the applicant and such other parties as may be in a position to implement these measures.

RESPONSE 101-4: With regard to connected actions, the EIS acknowledges the switchyard and loop-in portions of the proposed ECO Substation as a connected action to the ESJ U.S. Transmission Line project. As outlined in Section 1.1.2, DOE considers only the first points of interconnection with the electrical transmission grid (i.e., SDG&E's ECO Substation switchyard facility and SWPL loop-in) as connected actions; therefore, the additional SDG&E ECO Substation Project components beyond the switchyards and loop-in are not considered connected actions to the ESJ U.S. Transmission Line project.

DOE has determined that the Sunrise Powerlink Project is not a connected action to the ESJ U.S. Transmission Line project. The Council on Environmental Quality (CEQ) definition of connected action (40 CFR 1508.25(1)) states, in part, that actions are connected if they:

- (i) Automatically trigger other actions which may require environmental impact statements.
- (ii) Cannot or will not proceed unless other actions are taken previously or simultaneously.
- (iii) Are interdependent parts of a larger action and depend on the larger action for their justification.

The ESJ U.S. Transmission Line project is not dependent on Sunrise because the ESJ U.S. Transmission Line project will interconnect to the grid using the Southwest Powerlink via a loop-in from the ECO substation (i.e., not Sunrise Powerlink). Further, Sunrise Powerlink Project construction is underway and will be completed regardless of whether or not the ESJ U.S. Transmission Line project goes forward. The Sunrise Powerlink project is considered in the cumulative impact assessment in this EIS.

Comments pertaining to the merits of the project with respect to California utility regulations, potential for eminent domain, and project profitability are outside the scope of the NEPA process. DOE will consider these comments as well as all other comments received in that proceeding in the course of making a final determination on the permit application.

Additional discussion of the project's potential to result in decreased property values and increased fire insurance rates has been added to Section 3.13.

RESPONSE TO 101-5: Additional discussion of the project's potential to result in increased fire hazard and impacts to local fire fighting capabilities has been added to Section 3.9. Also refer to response to comments 306-1 through 306-9 for a discussion of fire fighting issues.

RESPONSE 101-6: Additional discussion of the project's potential to result in decreased property values and increased fire insurance rates has been added to Section 3.13, and this topic is discussed in more detail in response to comment 107-2.

RESPONSE 101-7: Additional discussion of the project's potential to impact Peninsular bighorn sheep populations, golden eagles, and other sensitive species in the project area has been added to Section 3.1. Refer to response to comment 108-7 for further discussion related to bighorn sheep. Refer to response to comment 108-8 for a discussion of potential eagle impacts.

RESPONSE 101-8: The EIS has been revised to include consideration of the potential use of the existing Western Energy Coordinating Council (WECC) transmission corridor as an alternative to the applicant's proposed project. As discussed in Section 2.8.1, the potential of a direct interconnection to Mexican transmission lines using the WECC transmission corridor was considered but dismissed from detailed analysis for several reasons. The WECC Path 45 transmission corridor generally runs in an east-west orientation through northern Baja, Mexico, and connects to the California grid at an existing international border crossing in San Diego County. According to the applicant, the WECC transmission corridor would not provide enough

interconnection capability with the U. S. grid to deliver the capacity of the ESJ Wind project and would not meet reliability objectives when local renewable resources are unavailable (CPUC/BLM 2011a). This alternative would also have greater impacts because substantial changes to transmission lines would be required in Mexico. Import capacity of CFE into the United States is limited to 800 MW and, therefore, would not be able to accommodate the planned generation of 1,120 MW¹ from the ESJ Wind Project without substantial upgrades. The applicant maintains that such upgrades would require detailed studies and new international agreements that would likely delay delivery of power from the ESJ Wind project. Furthermore, the proposed project reflects the shortest distance between the ESJ Wind project and the ECO Substation, so any other potential routing would be longer with likely commensurate greater impacts. The ECO Substation EIR/EIS (pages C-48 to C-50) also concluded that use of WECC Path 45 would not meet the objectives of the project:

“ECO System Alternative 6 [the Path 45 interconnection alternative] would not meet project objectives criteria or feasibility criteria. This alternative would not be able to interconnect all of the ESJ Gen-Tie Project or all the region’s planned renewable generation and, therefore, would only marginally meet project objectives.”

¹ As noted in response to comment 101-1, electricity generated from subsequent phases of ESJ Wind development could be partitioned between the U.S. and Mexico.

BOB FILNER
51ST DISTRICT, CALIFORNIA
VETERANS' AFFAIRS COMMITTEE
CHAIRMAN
TRANSPORTATION AND INFRASTRUCTURE
COMMITTEE
AVIATION
HIGHWAY AND TRANSIT
WATER RESOURCES AND ENVIRONMENT



CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES

December 7, 2010

The Honorable Steven Chu
Secretary of Energy
United States Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Exec-2010-017561

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website: www.house.gov/filner

RESPONSE TO 102-1: Refer to response to comment 101-1.

The comments provided in this letter are similar to comments provided in Congressman Filner's November 6, 2009 letter to DOE. DOE responded to Congressman Filner's November 6, 2009 letter in a letter dated March 20, 2010. DOE will consider these comments as well as all other comments received in this proceeding before making a final determination on the permit application.


Dear Secretary Chu:

I am writing in opposition to a Presidential Permit application by Energia Sierra Juarez LLC, a subsidiary of Sempra Energy, to build a high-voltage transmission line across the international border between northern Baja Mexico and San Diego County, California. If constructed, this line will facilitate the importation of electrical energy from Mexico, placing at risk up to 20 green energy projects proposed for California's Imperial Valley. In addition, the transmission line proposed in the Presidential Permit application undermines several goals of President Obama.

Electrical generation in the U.S. benefits our country by creating jobs here at home and contributing to American energy independence. The construction of a cross-border transmission line will enable Sempra to build generation facilities in Mexico and further contribute to our dependence on foreign energy.

I appreciate your attention to this matter.

Sincerely,


BOB FILNER
Member of Congress

BF/ek
2559841

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HARRY REID
NEVADA

MAJORITY LEADER

United States Senate
WASHINGTON, DC 20510-7012

July 5, 2011

Mr. Jeffrey Lane
Assistant Secretary for Congressional and Intergovernmental Affairs
U.S. Department of Energy
Forrestal Building, Room 7B138
1000 Independence Avenue, SW
Washington, DC 20585-0800

Dear Mr. Lane:

103-1

Enclosed is a letter I have received from Mr. David Jones.

I would appreciate your reviewing this situation and providing answers to my constituent's concern. Please send your reply directly to Mr. Jones, and send a copy of your response to me.

Thank you for your cooperation and assistance.

My best wishes to you.

Sincerely,



HARRY REID
United States Senator
Nevada

HR:db

RESPONSE TO 103-1: Potential socioeconomic impacts associated with short-term jobs from the ESJ U.S. Transmission Line project are addressed in EIS Section 3.13. Comments pertaining to the project with respect to labor policy (“jobs”), national energy policy, California utility regulations, etc., are outside the scope of the NEPA process. DOE will consider these comments as well as all other comments received in this proceeding in the course of preparing the Record of Decision on the Presidential permit application.

The applicant proposes to build a transmission line that crosses a U.S. border, and has applied to DOE for a Presidential permit. DOE issues Presidential permits under E.O. 10485, as amended by E.O. 12038. DOE did not initiate, nor is it funding, the proposed transmission facility. The purpose and need for DOE’s action is to respond to the applicant request for a Presidential permit. DOE’s role is limited to deciding whether to issue a Presidential permit. However, DOE regularly sets conditions (such as reliability limitations or mitigation measures) for Presidential permits, and DOE does consider reasonable alternatives to the proposed project, including route adjustments, to avoid an adverse impact.

At the conclusion of the Presidential permit process, based upon the entire record, including the environmental analysis contained in the EIS, DOE will determine whether the issuance of a Presidential permit would be consistent with the public interest. DOE also has the power “to attach to the issuance of the permit and to the exercise of the rights granted thereunder such conditions as the public interest



David R. Jones
Business Manager / Financial Secretary

Charles T. Stetson
President

April 14, 2011

REC'D APR 19 2011

The Honorable Harry Reid
Senate Majority Leader
Lloyd D. George Building
333 Las Vegas Blvd. South
Suite 8016
Las Vegas, NV 89101

Dear Senator Reid:

On behalf of more than 3,700 members of the International Brotherhood of Electrical Workers Local 357 in Las Vegas, I write in opposition to Sempra Energy's application on behalf of Baja Wind U.S. Transmission, LLC (now known as Energia Sierra Juarez U.S. Transmission, LLC) for a Presidential Permit (Docket Number PP-334) to construct a cross-border transmission line between Mexico and California (see attached map). The transmission project proposed in this application would undermine several goals of President Obama's Administration:

1. **It would facilitate the export of American jobs:** Sempra's cross-border transmission line would enable the company to build energy projects in Mexico instead of building them here in the United States. This moves our economy in the wrong direction at a time when we should be putting Americans back to work.
2. **It would increase the United States' dependence on imported energy:** The Administration has emphasized the need for America to become energy independent. Approving cross-border transmission lines to import energy from Mexico into the United States is the exact opposite of the President's stated goal. Our nation's economic future and security depends on developing energy infrastructure within our own borders.
3. **It would undermine American environmental and labor laws:** Construction of a cross-border transmission line will undermine the President's vision by enabling Sempra to deliver energy to the United States from foreign facilities not built to our labor or environmental standards.

On behalf of my entire membership, I want to personally thank you for your assistance last year assuring that the 200 plus jobs at Copper Mountain's 48 megawatt project, another Sempra site, went to IBEW Nevada residents. Without your assistance, Sempra most likely would have imported labor from who knows where to build that project. Sempra is currently adding an additional one half megawatt to that site without IBEW Nevada residents even though Copper Mountain was named the "Solar Project of the Year" (see attached). Once again, Sempra doesn't care about using local labor, providing U.S. jobs or building within our borders.

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may in its judgment require" (Executive Order 10485, as amended by Executive Order 12038).

Pursuant to that authority, every Presidential permit issued by DOE for the construction, operation, maintenance, or connection of international electric transmission lines contains a condition that prohibits the permit holder from making any physical changes to the permitted transmission line or from changing the way the transmission line is operated without first obtaining permission from DOE. Therefore, if a permit holder connected its permitted transmission lines to power plants that operated substantially differently from the representations made in the permit application and in the associated NEPA analysis, it would constitute a change in the way the transmission lines were operated and would require additional review by DOE.

If a permit is granted, DOE will determine whether the public interest, as noted in EIS Section 1.2 (Purpose and Need), warrants the imposition of any additional conditions regarding mitigation measures. Imposition of such conditions would be addressed in the Record of Decision. DOE is not in a position to require mitigation measure to be implemented in Mexico. The EIS does identify some potential mitigation measures relevant to the wind project in Mexico, but these are identified in the context of discussing the potential for impacts in the United States and for the information of the applicant and other parties that may be in a position to implement these measures.

The applicant's stated objective for the proposed transmission line is to transport electrical power generated

Page 2

With unemployment in the construction industry at its worst in a generation, we cannot afford to export even one construction job out of the United States as Sempra is proposing to do. For these reasons, we respectfully request that you protect jobs for Nevadans by opposing Sempra's Energia Sierra Juarez cross-border transmission line proposal.

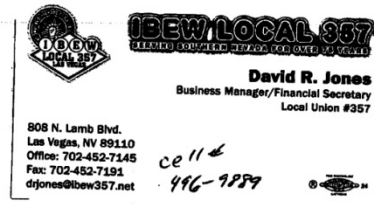
103-1

Sincerely,



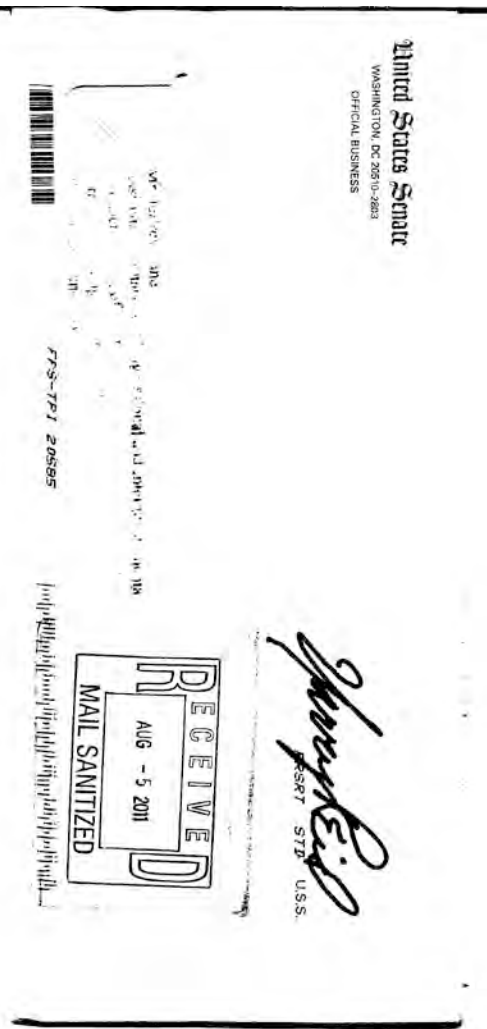
David R. Jones
Business Manager/Financial Secretary
IBEW Local Union 357

Cc: Darrel Thompson
Johnny Simpson, IBEW 569, San Diego, CA



by the ESJ Wind project in Mexico to the U.S. In its December 18, 2007, application, the applicant indicated that all power generated by Phase 1 of its proposed ESJ Wind project would be exported to the U.S. and that "...the proposed transmission line is expected to reduce the region's dependence upon conventional fossil fuel fired generation plants, and improve the region's ability to meet future electrical energy requirements." According to the application, the ESJ U.S. Transmission Line project would also help California utilities meet the renewable energy portfolio standards specified in California Executive Order S-14-08, which requires that, by the end of 2020, 33% of retail electricity sales be generated from renewable energy sources.

(In its August 16, 2011 communication to DOE, ESJ clarified this point: "[T]he 1,250 MW reflects the capacity of the gen-tie line and we do in fact have interconnection requests for 1,120 MW. Our presidential permit request is for 1,250 MW and the amount of interconnection requests we have made to this point is incidental to the amount requested in our application for the Presidential Permit. We reaffirm our request for a 1,250 MW capacity limit for the Presidential Permit. Sempra has publicly stated many times that we believe there is enough wind capacity in the region for ESJ to sell power to both the US and Mexico markets. However, any such sales to Mexico may or may not reduce the amount injected onto the gen-tie line to below 1,250 MW. As to the likelihood of any such sales to Mexico, although we think such sales are a possibility, we do not believe they should be characterized as "likely" at this time and we certainly would not characterize them that way. As to the details of the timing and amounts of sales to Mexico



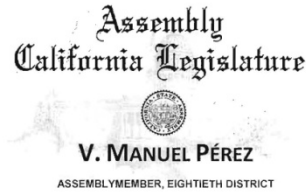
(or for that matter, the US), with the exception of the SDGE contract, such details are unknown at this time. In April [2011], SDG&E and Sempra Generation announced that they had reached an agreement to purchase and sell up to 156 MW of energy from ESJ, from the Phase 1 portion of the project located in Ejido Jacume. ESJ has signed no other power supply contracts.”) This correspondence is available on the project website:

http://www.esjprojecteis.org/docs/deiscomments/ESJDEIScomment-Abreau_Alberto_Sempra_2011-08-16.pdf

DOE has received several comments regarding alternatives considering different sources of power generation and ways to distribute power. As is explained in text added to Section 1.5.1.2, distributed energy alternatives, such as small scale solar panel applications in urban settings, are outside the range of reasonable alternatives analysis because they do not respond to DOE’s purpose and need.

RESPONSE TO 104-1: Refer to response to comment
103-1.

STATE CAPITOL
P.O. BOX 942849
Room 4117
SACRAMENTO, CA 94249-0043
(916) 319-2080
FAX (916) 319-2180



STANDING COMMITTEES:
CHAIR, Jobs, Economic
Development & the Economy
Aging & Long-Term Care
Health
Government Organization
Veterans Affairs

July 18, 2011

Dr. Steven Chu
Secretary
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585

Dear Secretary Chu:

I write you today to request the denial of a Presidential permit (Docket Number PP-334) to Energia Sierra Juarez U.S. Transmission, LLC (ESJ-U.S.). As proposed, this permit would authorize ESJ-U.S. to construct, operate, maintain, and connect an electric transmission line that crosses the U.S.-Mexico international border approximately ten miles from Imperial County, California.

104-1 To date, my offices have received numerous phone calls and letters from constituents in the district who share equal concerns about the potential negative impact this cross-border transmission project will have on our local workforce and local economy. By building energy projects in Mexico and connecting into the Southwest Powerlink transmission line, ESJ-U.S. will displace possible development in California's Southwest desert region. As you may already be aware, unemployment rates in rural communities, like Imperial County, have seen those numbers reach as high as 28% last summer. These same rural communities however, are also rich in land, water, and natural resources which make them prime for a green collar economy. Rather than building infrastructure and training a skilled workforce south of our border, let's help build our own communities first.

Just this past April, Governor Brown signed into law legislation that requires all California energy providers to purchase 33 percent of their energy from clean, renewable energy sources by 2020. As a state which possesses vast development potential from geothermal, solar, wind, and biomass sources, it is crucial that we move aggressively towards meeting our state's renewable energy goals while simultaneously encouraging investment from potential developers into our rural communities and regions.

DISTRICT OFFICES

RIVERSIDE COUNTY
45-677 Oasis St., Indio, CA 92201
(760)342-8047 / FAX (760) 347-8704

IMPERIAL COUNTY
1625 W. Main St. #220, El Centro, CA 92243
(760) 336-8912 / FAX (760) 336-8914

Volume 3
Comments and Responses

Dr. Steven Chu
Secretary, U.S. Department of Energy
Page 2

104-1

As Chairman of the Assembly Committee on Jobs, Economic Development, and the Economy and now recently appointed to head the Select Committee on Renewable Energy Economy in Rural California, my number one priority is to foster job creation and economic stimulus here in the United States. Therefore, I once again urge you to deny the Presidential permit request from ESJ-U.S.

Thank you for your time and please feel free to contact me directly if you have any questions regarding this matter, I can be reached in my Capitol office in Sacramento at 916-319-2080.

Sincerely,



V. MANUEL PÉREZ
Assemblymember, District 80

cc: Governor Jerry Brown
Senator Barbara Boxer, U.S. Senate
Senator Dianne Feinstein, U.S. Senate
Congressman Bob Filner, U.S. Congress
Senator Juan Vargas, State Senate
Anthony J. Como, U.S. Department of Energy



JERRY SANDERS
MAYOR

September 2, 2011

Secretary Steven Chu
U.S. Department of Energy
1000 Independence Ave., SW
Washington, DC 20585

RE: Energia Sierra Juarez Wind Generation Project - Sempra Generation

Dear Secretary Chu:

I urge your expedited review and approval of the Presidential Permit application submitted by Sempra Generation for the Energia Sierra Juarez (ESJ) Project. The benefits, both environmental and financial, associated with the ESJ facility are well documented.

105-1

The Energia Sierra Juarez project is an important element of a broader regional strategy to improve the diversity and reliability of San Diego County's renewable energy supply. The power from this facility will be sold to our local utility, San Diego Gas & Electric (SDG&E). Thus, ESJ is tapping into a regional renewable resource for the benefit of San Diego residents and businesses while allowing California to move closer to meeting its 33% renewable mandate and greenhouse gas reduction goals.

As you know, President Obama and Mexico's President Calderon have called for greater cross-border collaboration on renewable energy development. ESJ is exactly the kind of project that furthers that stated objective.

California and Baja already share critical transmission interconnections, but more importantly, Southern California and Baja are economically connected. ESJ is a key project which furthers the San Diego/Imperial County/Baja economic mega-region. Projects created in Baja have positive direct and indirect effects on job creation in Imperial and San Diego Counties, and vice versa. The ESJ project will support hundreds of local construction jobs throughout the mega-region and increase local spending substantially.

CITY ADMINISTRATION BUILDING, 302 C STREET, SAN DIEGO, CALIFORNIA 92101 (619) 236-6330

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RESPONSE TO 105-1: Potential socioeconomic impacts associated with short-term jobs from the ESJ U.S. Transmission Line project are addressed in EIS Section 3.13. Other comments pertaining to the merits of the project with respect to labor policy (“jobs”) and California energy policy are outside the scope of the NEPA process. DOE will consider these comments as well as all other comments received in this proceeding in the course of preparing the Record of Decision on the Presidential permit application.


Volume 3
Comments and Responses

Page Two
Secretary Steven Chu
September 2, 2011

105-1

The need for renewable energy in San Diego County is clearly apparent to public agencies and the ratepayers we represent. I appreciate your attention to this important matter. Please take action now to ensure the economic prosperity and energy reliability of San Diego County and its 3 million residents.

Sincerely,


JERRY SANDERS
Mayor

CC: Senator Dianne Feinstein
Senator Barbara Boxer

DOE ESJ DEIS Oct 7, 2010 hearing in San Diego

Public comments from Donna Tisdale, PO Box 1275, Boulevard, CA 91905

619-766-4170, donnatisdale@hughes.net

Once again, I am representing myself as an individual, the Boulevard Planning Group, Backcountry Against Dumps, the Protect Our Communities Foundation.

The ESJ is proposed by Energia Sierra Juarez, a subsidiary of Sempra Generation which is a subsidiary of Sempra Energy. Sempra Energy had revenues of \$12 billion in 2006, \$11 billion in 2008, and \$ 8 billion in 2009. In a 2006 report they reported they had provided investors with an average annual return in excess of 15%.

It was announced in the attached Sept 28th press release, that Luis Tellez, who currently serves as chairman of the board and chief executive officer of the Mexican Stock Exchange, was re-elected to join Sempra Energy's board of directors.

106-1 The press release also states that "As a government official, Tellez was a key player in crucial policy decisions to improve the structure of the Mexican economy, agriculture, infrastructure and energy."

One can surmise that Mr. Tellez has likely been handsomely rewarded for no doubt helping Sempra with their multi-billion dollar investments in their natural gas infrastructure in Mexico, with shepherding those projects, and the ESJ project, through the Mexican permitting agencies. Sounds like very a convenient and profitable partnership for both Sempra and Tellez. I believe a large part of that profit has come at the expense of the Mexican people, their impacted communities, and their resources.

I am providing a copy of the map showing Sempra's Natural gas pipelines in Northern Baja. One pipeline runs through the ESJ lease area. A new water line was installed through the same area in the last few years. In the future, a gas-fired power plant could be built in the ESJ area that could access the proposed cross-border power line with an amended Presidential Permit.

Mexican Social /environmental Justice issues:

ESJ Is an export only wind energy project. It is my understanding that under Mexican law, Sempra can write off 100% of the cost of their ESJ turbine project through an accelerated depreciation tax incentive for renewable energy projects.

Therefore, the Mexican people will bear the financial burden of building Sempra's wind energy project that will not provide any energy whatsoever to Mexico. They will be subsidizing 100% of the ESJ wind energy that will be exported for use by American consumers.

If that is not a social/environmental injustice I don't know what is.

RESPONSE TO 106-1: In a comment letter to DOE (comment 404-1, provided herein), Sempra reiterated its previous communication to DOE that the import capacity of the transmission line in the Presidential permit would be limited to the physical capacity of the line (1,250 MW) and that power on this line would be limited to renewable energy projects. Any proposal for future transmission of nonrenewable energy on the proposed line would require either a new Presidential permit application or an amendment to the existing permit to be filed with DOE, which would be subject to a new and separate NEPA review process, including public review and comment.

Potential socioeconomic and environmental justice impacts on the Mexican people are beyond the scope of the EIS. With regard to the Mexican permit for the ESJ Wind project, DOE reviewed a partial translation of the Mexican MIA permit (or La Manifestacion de Impacto Ambiental, modalidad regional [MIA-R]). The permit requires a baseline study (at least one year) of potential impacts to birds (including migratory species) and bats prior to the operation of the proposed wind farm. If the baseline study shows that birds and bats could be adversely impacted, the permit requires future mitigation to protect or minimize adverse impacts on these bird and bat populations. The EIS is revised to include this information.

This is just one of many examples of how Sempra runs rough shod over the Mexican people and their resources while reaping incredible profits from their self-serving actions.

106-1 It has been stated that the Mexican environmental permit for this project has been approved. DOE must understand that the first approval is heavily conditioned. Those conditions include: 1) A 1 year avian study 2) A change in land use designation away from Forest Lands 3) Sempra is required to provide specifics on turbine manufacturers, GPS locations for each turbine, road, and project accessory.

All of these conditions must be met at least 6 months prior to any construction. The Mexican approvals are far from a done deal, which is why they told the press that they will not build the project until it is needed. The project may never be built and this Presidential Permit can then be amended to allow the transmission of non-renewable energy from Sempra's multi-million dollar Mexican Natural Gas infrastructure, including their existing gas line that runs through the Energia Sierra Juarez lease area.

Local US social / environmental justice issues:

It has been falsely stated that the locally impacted US communities of Jacumba and Boulevard **are not low income and there are no environmental justice issues.**

I am providing these printouts from greatschools.org. Our two rural communities share two campuses. My two youngest granddaughters attend these schools.

The printouts show that Jacumba Elementary with grades K-2 has 50 students with 62% participating in free or reduced-price lunch program. The state average is 51%. 28% are English learners. The state average is 24%.

106-2 Clover Flat Elementary in Boulevard with grades 3-6 has 84 students with 91 % participating in free or reduced lunch program. The state average is 51%. English learners are 23% with State average at 24%.

We have a higher number of Native American students with 8% at Jacumba Elementary and 12% at Clover Flat. The state average is less than 1%.

One would assume that the vast majority of students on the Mexican side at Jacume and La Rumorosa are of Latino heritage.

106-3 For the record, I am handing you a documentary we did on the Sunrise Powerlink that ESJ relies on. I am also submitting 42 pages I printed off of our Backcountry Against Dumps website to show you the extent of number of large scale energy and transmission projects that represent significant and cumulative negative impacts to our natural resources, our low-income communities, our local property values, our quality of life and more.

As I have stated previously, our groups will be submitting much more detailed comments by the November 1st deadline. Thank you

RESPONSE TO 106-2: The commenter states that EIS conclusions regarding the absence of low-income communities in Jacumba and Boulevard are inaccurate and provides data showing the number of English-language learners and students eligible for free or reduced price lunch in local schools as evidence for the dispute.

The Environmental Justice impact analysis on low-income and minority populations was performed in accordance with Executive Order 12898, which states that “Low income populations in an affected area should be identified with the annual statistical poverty thresholds from the Bureau of the Census’ Current Population Reports, Series P-60 on Income and Poverty. In identifying low-income populations, agencies may consider as a community either a group of individuals living in geographic proximity to one another, or a set of individuals (such as migrant workers or native Americans), where either type of group experiences common conditions of environmental exposure or effect.” Free and reduced-price meal eligibility is not a basis for identifying low-income populations. Children from households above the poverty level may still qualify for free or reduced-price meals, so a community’s percentage of children receiving free and reduced-price meals is typically higher than the same community’s percentage of families below the poverty level. Accordingly, while DOE agrees that school lunch data provide useful insight into the demographic characteristics of the project area, these data are not used as determinants when determining potential impacts to low income populations.

Sempra Energy names Luis Téllez to corporate board of directors

Media Contact: Sabra Lattos
Sempra Energy
(877) 340-8875
www.sempra.com

Financial Contact: Glen Donovan
Sempra Energy
(877) 736-7727
investor@sempra.com

SAN DIEGO, Sept. 28, 2010 – [Sempra Energy](http://www.sempra.com) (NYSE: SRE) today announced that Luis Téllez has been re-elected to join the company's board of directors.

Téllez, who currently serves as chairman of the board and chief executive officer of the Mexican Stock Exchange, has broad experience in public service in Mexico, having served in several cabinet positions in the administrations of President Felipe Calderon and former President Ernesto Zedillo.

Téllez previously was a member of Sempra Energy's board of directors during 2006, before he was appointed by President Calderon to serve as Mexico's Secretary of Communications and Transportation, a post he held until last year.

"We are pleased to have Luis Téllez serve again on our board of directors," said Donald E. Felsing, chairman and chief executive officer of Sempra Energy. "Mr. Téllez has a distinguished career in both the public and private sectors in Mexico, with extensive experience in finance and energy."

As a government official, Téllez was a key player in crucial policy decisions to improve the structure of the Mexican economy, agriculture, infrastructure and energy.

Prior to 2006, Téllez was a managing director of The Carlyle Group investment firm. From 2001 to 2003, he served as an executive vice president of DESC, S.A. de C.V., one of Mexico's largest industrial companies.

As Mexico's Secretary of Energy from 1997 to 2000, Téllez designed and implemented an ambitious program to restructure the Mexican electricity sector, allowing broader private involvement in the generation, distribution and transmission of electricity. In 1998 and 1999, Téllez headed Mexico's oil diplomacy efforts and played a key role in restoring stability in international oil markets and oil prices.

Téllez holds a bachelor's degree in economics from the Instituto Tecnológico Autónomo de México, summa cum laude, and a Ph.D. in economics from the Massachusetts Institute of Technology. He has served on the board of directors of FEMSA, Grupo Mexico, BBVA Bancomer, and Global Industries. Téllez is the Mexican associate of McLarty Associates and is a member of several nonprofit organizations including the Mexican Council of Foreign Affairs and Bioersivity based in Rome. Téllez has been named "Global Leader of Tomorrow" by the World Economic Forum and "Leader for the New Millennium" by *Time* magazine.

Sempra Energy now has a total of 11 board members. Téllez will serve on the board's Compensation and Corporate Governance committees.

Sempra Energy, based in San Diego, is a Fortune 500 energy services holding

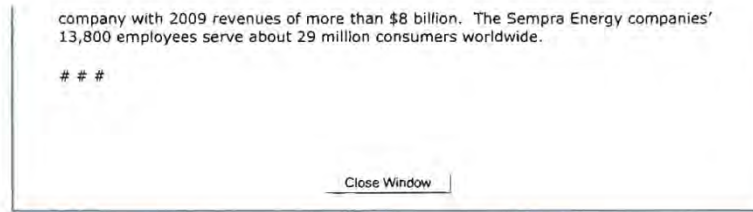
http://public.sempra.com/newsreleases/viewnr.cfm?PR_ID=2532&Co_Short_Nm=SF 10/27/2010

In regard to minority populations, Executive Order 12898 states that "Minority populations should be identified where either: (a) the minority population of the affected area exceeds 50% or (b) the minority populations of the affected area is meaningfully greater than the minority population percentage in the general population or other appropriate unit of geographic analysis...the selection of the appropriate unit of geographic analysis may be a governing body's jurisdiction, a neighborhood, census tract, or other similar unit that is to be chosen so as to not artificially dilute or inflate the affected minority population" (Executive Order 12898: Section 1-101 or CEQ 1997).

The income and ethnicity data in Section 3.14 has been updated with more recent statistics, which include the most recent census survey in 2010. For the 2010 Census, the community of Jacumba is treated as a Census-Designated Place, so data specific to Jacumba have been added to the tables in Section 3.14. In addition, State of California information has been added to facilitate a comparison of local data to statewide averages. Because income data was not collected for the 2010 Census (<http://2010.census.gov/2010census/data/>), these data come from the U.S. Census Bureau's 2005-2009 American Community Survey, the most recent available income level data. The American Community Survey (ACS) is an ongoing survey conducted by the U.S. Census Bureau that provides data every year. The Draft EIS analysis used the 2005-2008 data, which indicated that the census tract in which the project area and surrounding areas are located was not considered low income, as compared to the County of San Diego.

Press Releases

Page 2 of 2



However, with the addition of 2009 data, the Survey now indicates that one of the census tracts in the vicinity of the alternative corridors is considered low income, as compared to the County. Although the new data do change the EIS conclusion regarding the presence of low-income populations in the surrounding area, the new data do not change the conclusion that minority and low-income populations, within the meaning of Executive Order 12898, would not experience disproportionately high and adverse impacts from the proposed action.

RESPONSE TO 106-3: DOE has reviewed the 42-page excerpt from Backcountry Against Dumps (BAD) website (article titled “BAD files federal lawsuit”), BAD's 1-hour documentary “A Question of Power”, and BAD’s comments regarding the County of San Diego’s Renewable Energy/Wind Turbine Ordinance. The article includes information regarding Sunrise Powerlink project; links to the organization’s legal complaint and press release; and other documents portraying the negative impacts of industrial scale wind energy projects on the environment, health and safety, property values, and community character.

The topics of these comments, namely the Sunrise Powerlink project and other wind energy projects in San Diego County, are addressed in EIS Section 5 as sources of potential cumulative impact. Comments regarding connected actions are addressed below in response to comment 108-4. Comments regarding cumulative projects are addressed below in response to comment 305-35.

http://public.sempora.com/newsreleases/viewnr.cfm?PR_ID=2532&Co_Short_Nm=SF

10/7/2010



<http://www.backcountryagainstdumps.org/images/011.png>

10/7/2010

Volume 3
Comments and Responses

Student Teacher Ratio Clover Flat Elementary School - Boulevard, California - CA#from.... Page 1 of 3



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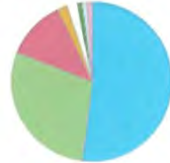


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Students

Student Ethnicity 



Ethnicity	This School	State Average
White	52%	28%
Hispanic or Latino	29%	49%
American Indian or Alaska Native	12%	<1%
African American	2%	7%
Asian	2%	8%
Multiple or No Response	1%	3%

<http://www.greatschools.org/cgi-bin/ca/other/5981>

10/7/2010

Student Teacher Ratio Clover Flat Elementary School - Boulevard, California - CA#from.... Page 2 of 3

Pacific Islander	1%	4.1%
Unspecified	1%	n/a

Source: CA Dept. of Education 2006-2008

[How Important is Cultural Diversity at Your School? >](#)

Student Subgroups 

	This School	State Average
Students participating in free or reduced-price lunch program	91%	51%
English language learners	23%	24%

Source: CA Dept. of Education 2007 state & average data for 2006-2008

[The Achievement Gap: Is Your School Helping All Students? >](#)

Home Languages of English Learners 



Language	This School	State Average
Spanish	100%	85%

Source: CA Dept. of Education 2007-2008

[Bilingual Education: Overview and Online Resources >](#)

[Compare with student information from nearby schools](#)

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Volume 3
Comments and Responses

Student Teacher Ratio Clover Flat Elementary School - Boulevard, California - CA#from.... Page 3 of 3



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<http://www.greatschools.org/cgi-bin/ca/other/5981>


10/7/2010

Student Teacher Ratio Jacumba Elementary School - Jacumba, California - CA#from..He... Page 1 of 3




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Students

Student Ethnicity ⓘ



Ethnicity	This School	State Average
White	52%	28%
Hispanic or Latino	30%	49%
American Indian or Alaska Native	8%	<1%
African American	2%	7%
Asian	2%	8%

Source: U.S. Dept. of Education, 2005

http://www.greatschools.org/ca/ca/other/5983

10/7/2010

Energia Sierra Juarez U.S. Transmission Line Final EIS

100-27

May 2012

Volume 3
Comments and Responses

Student Teacher Ratio Jacumba Elementary School - Jacumba, California - CA#from..He... Page 2 of 3


[How Important is Cultural Diversity at Your School? >](#)

Student Subgroups 

	This School	State Average
Students participating in free or reduced-price lunch program	62%	51%
English language learners	28%	24%

Source: CA Dept of Education 2011-2012
 Adjusted for academic 2008-2009

[The Achievement Gap: Is Your School Helping All Students? >](#)

Home Languages of English Learners 



Language	This School	State Average
Spanish	100%	85%

Source: CA Dept of Education 2011-2012


[Bilingual Education: Overview and Online Resources >](#)

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Sunrise Powerlink and Industrial Wind Energy

<p>What's Happening Now</p>	<p>BAD FILES FEDERAL LAWSUIT</p> <p>February 16, 2010 -A lawsuit was filed today to stop construction of San Diego Gas and Electric's "Sunrise Powerlink" transmission line through southern Imperial and San Diego counties. The lawsuit was filed in the Federal Eastern District Court in Sacramento. You can read the complaint here and our press release here.</p>	<p>Legal Document PDF downloads:</p> <p>BLM- ESCMP Volker protest 1-7-08.pdf</p> <p>ESJ-County Scoping comments 3-27-09.pdf</p> <p>CNF - hunter - Sunrise 7-09.pdf</p> <p>Volker- letter to CNF - Sunrise Powerlink 7-9-09.pdf</p> <p>ECO Sub - Volker protest 9-14-09 [1].pdf</p> <p>Volker-Forest Plan ruling and Sunrise 10-8-09.pdf</p> <p>Volker_BLM & FWS_ 10-8-09[1].pdf</p> <p>ESJ-Filner opposition letter 11-6-09.pdf</p> <p>ESJ-Volker to Pell DEIS scoping 11-18-09.pdf</p> <p>Volker to SWRCB- Sunrise 12-14-09.pdf</p>
<p>Who is BAD and how can you help?</p>		
<p>Description of the new Campo Landfill</p>		
<p>History of the Campo Landfill</p>		
<p>Contact Elected Representatives</p>		
<p>Sunrise Powerlink and Industrial Wind Energy</p>		
<p>Local, State, and Federal Issues</p>		
<p>Recycling Resource Guide</p> <p>Donate</p>		

http://www.backcountryagainstdumps.org/sunrise_powerlink.html

10/13/2010

The map above shows the most recent version of the Sunrise Powerlink routing. More than a year after the Public Utilities Commission (PUC) and Bureau of Land Management (BLM) approvals, the route is still being adjusted. The impacts to our communities and wildlands are still being studied and mitigation measures are still in the drafting stages. All of this should have been completed prior to project approval. There are multiple interrelated projects that are proposed in and/or impact Eastern San Diego County, Western Imperial County and Northern Baja. If approved, they represent significant and cumulative impacts that will forever change the open rural landscapes, intact habitats, current quality of life and property values. **The Sunrise Powerlink and related projects are not a done deal.** There are more permits and approvals needed. SDG&E still has some major hurdles to cross and the wind energy projects are in the initial environmental review stages. The grassroots coalition of our group, BAD, along with The Protect Our Communities Foundation (POC) and the East County Community Action Coalition (ECCAC), have a good team of passionate volunteers and a well-qualified aggressive attorney. Together, we plan to do all we can to overturn the existing federal approvals for Sunrise and to block those that are still to come. The federal approval violated the National Environmental Policy Act (NEPA), the Endangered Species Act (ESA), the National Heritage Protection Act (NHPA), the Administrative Procedures Act (APA) and more. Public support for our efforts are key. The Utilities Consumer Action Network and Center for Biological Diversity have filed suit at the state level for violations of the California Environmental Quality Act (CEQA).

http://www.backcountryagainstdumps.org/sunrise_powerlink.html

10/13/2010

The rush to wind energy, especially the Department of Interior's fast-tracking of projects and exorbitant federal stimulus funding on wrong-headed large scale remote projects that require expensive and destructive new transmission, can be compared to the detrimental rush to add MTBE to gasoline to reduce air quality impacts that resulted in contaminated groundwater and the forced abandonment of wells, and using food stock to produce ethanol. These two very expensive mistakes were widely and wrongly supported prior to the realization of the incredibly expensive negative impacts. We predict the same type of backlash and future retreat from industrial wind energy. Community groups throughout the world are at the forefront of the battle to stop these massive projects.

Don't let foreign and domestic for-profit corporations destroy our communities and sensitive wild lands to develop industrial wind energy projects, and related infrastructure (including Sunrise Powerlink), that represent increased fire threat and reduced property values for us, in order to provide energy for consumers in urban areas throughout southern California. There are better and cheaper ways to produce renewable energy at and near the point of use.

For articles reports, documents, photos and videos on the very real and negative impacts of industrial scale wind energy on the environment, public health and safety, property values, quality of life, go to:

www.windaction.org
www.wind-watch.org
<http://www.windturbinesyndrome.com/>
<http://www.caithnesswindfarms.co.uk/page4.htm>
<http://www.batr.net/cohoctonwindwatch/>
www.epaw.org
www.na-paw.org

Examples of available information:

Property value impacts from industrial wind projects: <http://www.windaction.org/faqs/24176>
Wind farm oil taints Martinsburg well: <http://www.windaction.org/news/13367?theme=print>
Cover up of wind turbine noise issues: <http://www.timesonline.co.uk/tol/news/environment/article6954565.ece>
Wind energy produces stray dirty energy: <http://www.windaction.org/news/24759>
Dangerous health impacts from industrial wind turbines: <http://www.windaction.org/faqs/24875>
New York Times: With wind energy, opportunity for corruption: http://www.nytimes.com/2009/12/14/world/europe/14wind.html?_r=1&pagewanted=all
Comments from a regretful wind farm participant (farmer): http://www.windcows.com/files/What_have_I_done_2.pdf
Modern turbines produce dangerously "Dirty" electricity: <http://www.windaction.org/documents/2095>

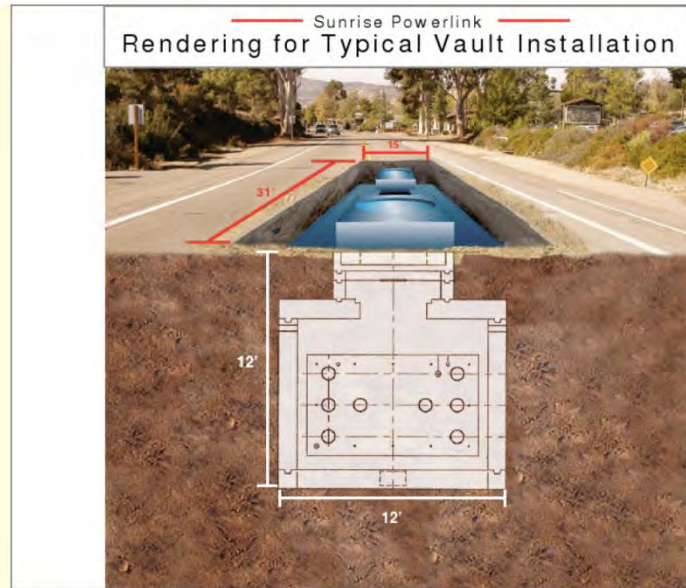
SDG&E's Sunrise Powerlink:

In 2004-2005, BAD became active in the battle to stop the Bureau of Land Management's (BLM) downgrades to Visual Resource Management Classifications in the McCain Valley Resource and Conservation Area, SDG&E's controversial \$1.9 billion 120-mile 500kV transmission line, and the use of public land for industrial wind energy. The BLM's unwarranted changes in Visual Resource classification, from pretty to ugly, were made specifically to accommodate the Spanish owned Iberdrola Renewables proposed 200 MW Tule Wind project and a new utility corridor (where no powerlines now exist) for the Sunrise Powerlink. Tule Wind is proposing approximately 130 giant turbines that will tower over the land at a height of 400-500 feet. Without the BLM making those unjustified land use changes/downgrades, Tule Wind and Sunrise Powerlink would not be allowed uses in that ruggedly beautiful and environmentally fragile area. McCain Valley is currently used as a popular public access recreation, including Lark Canyon OHV Park and Campground, and retreat area for a wide

variety of folks—including those who just want to get away to soothe their souls in a quiet peaceful place, enjoying the extensive views and communing with nature and the abundant wildlife.

The Sunrise Powerlink is growth-inducing in that it will support large-scale speculative wind and solar energy projects. It will also result in negative impacts to the Cleveland National Forest, and other sensitive and scenic lands both public and private—not to mention the people who live here and enjoy the current rural quality of life, visitors who spend money in local shops, and the wildlife that rely on the existing and unfragmented habitat. The so-called Environmentally Superior Southern Route was approved by the politically appointed California Public Utilities Commission on October 31, 2008 and by the Bureau of Land Management in January 2009 without the benefit of the in-depth environmental review process that was conducted for the proposed route through the Anza Borrego Desert State Park. The CPUC and BLM approvals disregarded the CPUC's Assigned Administrative Law Judge's proposed decision denying the Certificate of Public Convenience and Necessity. The ALJ's proposed decision stated that Sunrise Powerlink was not needed and if constructed could result in very significant costs to ratepayers and extensive environmental damage: http://docs.cpuc.ca.gov/PUBLISHED/NEWS_RELEASE/93078.htm

6.2 miles of 230 kV line will be buried under Alpine Boulevard (Historic Rt 80), the main business district and important community access route. 40 of the underground vaults will be buried under the street, staggered on opposite sides of the road every 2,000 feet (see illustration below). The construction for the underground section will take up to two years, frequently limiting access to just one lane. Concerns have been raised with the proximity to Alpine Elementary and the new Alpine High School, and homes. Concerns have also been raised with potential explosions that do occur in underground vaults that blow manhole covers hundreds of feet and spew fire and molten debris. Supervisor Dianne Jacob has requested an economic analysis for the impacts to Alpine businesses.



Industrial wind energy projects require extensive grading for new turbine pads, new access roads, new substations and transmission lines—all of which can result in significant scarring and erosion. Blasting may also be required. These actions can result in negative impacts to surface and groundwater quality, quantity and flow—including private domestic wells and springs and seeps that wildlife rely on. Turbines and transformers require copious amounts of fluids/oils that can leak or spill resulting in contamination of surface and groundwater resources. There are reports that oil leaking from turbines has contaminated nearby wells.

Much of the environmental review and mitigation work is being conducted now—a full year after the official approval of the project. This cart-before-the-horse approval violated state and federal environmental law including the California Environmental Quality Act, the National Environmental Policy Act, the Endangered Species Act, the Federal Land Policy and Management Act, the Administrative Procedures Act, the National Historic Preservation Act and more.

BAD has partnered with The Protect Our Communities Foundation (POC) and the East County Community Action Coalition (ECCAC) to fund our joint efforts to educate the impacted rural communities and decision makers and to mount a defense. Together, we do public outreach to keep communities informed, we file public comments, protests, and legal challenges where we feel we can be the most effective—and where others groups have chosen to ignore the scope and scale of pending damage from the industrialization of our open and uncluttered landscapes and rural communities. See the list below. We also raise funds to support our mutual efforts and goals.

http://www.backcountryagainstdumps.org/sunrise_powerlink.html

10/13/2010

In late 2008, BAD and our Stubborn Mule Productions produced and distributed a grassroots documentary on the Sunrise Powerlink: A Question of Power. At the time of production, no route had been selected and few of the impacts from the southern route, including the actual route and impacted properties, were fully disclosed or properly understood. We heard that the documentary created a stir at the PUC offices just prior to the assigned Administrative Law Judge's issuance of his proposed decision to deny the Certificate of Public Convenience and Necessity.

See BAD's Sunrise Powerlink one hour documentary, A Question of Power at:

<http://video.google.com/videoplay?docid=2122441201953611718&ai=Zrj8SL6JNaXcqAPek9D3DA&q=a+question+of+power&hl=en#>

For the official CPUC Sunrise Powerlink project site with historic documents go to:

<http://www.cpuc.ca.gov/environment/info/asp/sunrise/sunrise.htm>

For more details on the BLM approval and Record of Decision go to:

<http://www.blm.gov/ca/sl/en/info/newsroom/2009/january/09-18sunrise.html>

For an interesting summary of the Sunrise Powerlink history go to:

http://www.dpcinc.org/new/sunrise_powerlink_history.pdf

You can still take action to protect the Cleveland National Forest from Sunrise Powerlink!

- Write a letter to Cleveland National Forest Supervisor, Will Metz. His decision is pending.
- Tell him why you value the Cleveland National Forest and why it should be protected. Ask him to do a supplemental environmental statement (SEIS) and to hold local public hearings. The original review of the southern route was hastily pulled together and is seriously inadequate.
- Letters can be mailed to Will Metz, Cleveland National Forest Supervisor at 10845 Rancho Bernardo Road, Suite 200, San Diego, CA 92127.
- Metz is hearing from SDG&E and their lobbyists and supporters. He needs to hear from those who are impacted and who care about the Forest and the increased threat of wildfire and other damages like the burying of Sunrise Powerlink under Alpine Boulevard.



Photo by Bill Parsons. The historic McCain ranch house sits on the banks of Tule Creek in McCain Valley, north of I-8. It was occupied continuously from the late 1800's or early 1900's until the 1980's by various members of the extended McCain family who settled in the area in the 1860's. Dick McCain was the last occupant who left the property after it was purchased by the State Department of Corrections for the McCain Valley Conservation Camp. This important piece of local history will be negatively impacted by SDG&E's controversial Sunrise Powerlink which is slated to be built just several hundred feet east of the house through the Tule Creek 100-year floodplain. It was not mentioned in the EIR/EIS because the historic and cultural resource surveys were not properly conducted for the selected route—they are being conducted after the approval. A sense of time and place, and a step back into history, will be lost. McCain Valley was also home to local Native Americans for thousands of years prior to the arrival of homesteaders. Cultural resources are abundant throughout the area. The significant and cumulative negative impact to historic and cultural resources will be part of our federal complaint.

http://www.backcountryagainstdumps.org/sunrise_powerlink.html

10/13/2010

Joint Actions against Sunrise Powerlink and related projects taken and pending by BAD, POC & ECCAC:

- Appeal of the Bureau of Land Management's approval of the Sunrise Powerlink, filed with the Interior Board of Land Appeals (IBLA), by the Law Offices of Stephan Volker, with a request for an injunction to stop construction. The Appeal was granted standing, but the request for stay was denied.
http://www.cpuc.ca.gov/environment/info/aspn/sunrise/tisdale_req_for_stay.pdf
- IBLA Reply Brief, to be filed by the Law Offices of Stephan Volker, in response to SDG&E's opposition to our appeal. Multiple letters to the US Forest Service have been filed by the Law Offices of Stephan Volker, and jointly under POC letterhead, regarding the Sunrise Powerlink. We laid out the legal requirements for the Forest to conduct a legitimate Environmental Impact Statement for the Sunrise Powerlink routethrough the Cleveland National Forest and the necessary amendment to the Forest plan.

Multiple Freedom of Information Act requests for pertinent documents to various agencies have been filed by the Law Offices of Stephan Volker and under POC letterhead.

- Federal complaint/ case challenging the federal approvals for the Sunrise Powerlink project will be filed by the Law Offices of Stephan Volker
- Legal comments submitted in response to Dept of Energy's Environmental Scoping Report for Sempra's proposed Energia Sierra Juarez 1,250 MW cross-border wind energy and 500 kV transmission line project
- Legal comments submitted in response to SDG&E application to the State Water Resources Control Board for a water quality permit for the Sunrise Powerlink. The application was lacking in the required documentation, and included inaccurate and contradictory information.
- Intervention in the Center for Biological Diversity's legal challenge to the wrong-headed April 2009 federal decision to reduce occupied designated Bighorn sheep habitat by 50%, will be filed by the Law Offices of Stephan Volker. The federal action reduced the Sunrise Powerlink impacts in designated critical bighorn habitat from two dozen towers down to a dozen or so.
- Legal review and comments submitted, by the Law Offices of Stephan Volker, on San Diego County's revised Renewable Energy/Wind Turbine Ordinance which significantly reduces setback requirements from the current 8 times the height of the turbine. The proposed changes will open up private land, 5 acres and more, to industrial wind energy projects throughout the unincorporated areas of San Diego County.

Many of the documents noted above are posted at www.protectourcommunities.org. The Protect Our Communities Foundation is a 501 c(3) non-profit and serves as our financial umbrella organization in our legal struggle against multiple energy and transmission projects. Donations are the critical key to winning these important battles—and they are tax deductible.

Iberdrola Renewables' 200 MW Tule Wind Project

Iberdrola is a Spanish owned utility. They acquired Scottish Power (and PPM Energy) in April 2007. They claim world leadership in wind energy with more than 2,000 MW across the US. In 2009, they received close to \$600 million in US tax payer funded federal stimulus grants for wind energy and smart grid projects. They have applied for hundreds of millions more for 2010. Tule Wind will reportedly apply for a 30% grant of project costs from American Recovery and Reinvestment Act stimulus funds. See linked article below on stimulus funds and green jobs that

are going overseas:

http://www.allgov.com/ViewNews/US_Sends_Most_Clean_Energy_Stimulus_Fund_to_Other_Cour

Their Boulevard Tule Wind project was started in 2004, under the name of Pacific Wind Development, LLC, with BLM's approval for several MET towers for wind testing. The Boulevard Planning Group and others protested the MET towers as controversial and as being the precursor to industrial wind energy production. An application to install additional MET towers in McCain Valley is pending at the BLM. Iberdrola proposes approximately 100 turbines on approximately 15,000 acres of public BLM land in McCain Valley, west of McCain Valley Road. Unfortunately, the local OHV club reportedly sold out to Iberdrola by supporting the project in return for mere trinkets: new vault toilets and sunshades. BAD was turned away when we attempted to provide information on the impacts to health and safety and the need to keep the turbines away from public use areas. Even some turbine manufacturers recommend a 1,300 foot safety zone and encourage workers to stay out of that danger zone. **Turbines will impact the Lark Canyon OHV Park and campground and the Cottonwood campground. Visual and noise intrusions will also impact adjacent Anza Borrego Desert State Park, several Wilderness Areas, Areas of Critical Environmental Concern and designated bighorn sheep habitat.** Industrial wind turbines do not belong in or near a park land, campgrounds or recreation areas—especially those that cater to families and those that provide for wilderness experiences and protection of endangered and at risk species.

Multiple public and private properties are involved: The project also includes approximately 1,600 private acres of Hamann Companies Rough Acres Ranch, with 7-12 turbines both east and west of McCain Valley Road. State Lands Commission land is included in the project area along with the Ewilaapayp Indian Reservation north of La Posta near the Cleveland National Forest and Pacific Crest Trail, with an estimated 25 or so turbines. Hamann Companies made the front page of the San Diego Union Tribune in late 2009, along with Sempra and SDG&E, for their alleged illegal campaign funding provided to our Assemblyman Joel Anderson, in excess of legal limits, through out of area Republican committees. See this link for one of several articles referring to the Hamanns: <http://www.signonsandiego.com/news/2009/dec/11/anderson-fined-donation-violations>

The Fair Political Practices Commission fined Anderson \$20,000 but for some unknown reason they failed to reprimand or fine the politically savvy Hamann Companies, Sempra or SDG&E for their apparent participation in the laundering of funds. It does take two to tango. The FPPC stated that they are short on funds. No subpoenas were issued. There is some speculation that District Attorney Bonnie Dumanis may be considering criminal charges against the Anderson donors noted above. A thorough criminal investigation seems to be warranted and should be conducted.

The wind turbines will tower between 400-500 feet in height and will loom over the area, dominating the currently uncluttered and scenic recreation and wildlife management area, transforming it into a whirling, blinking and noisy industrial zone to serve the urban use basins. The turbines will be visible from miles around including views from across neighborhoods in the Boulevard/Manzanita, Bankhead Springs, and Jacumba areas, the Lark Canyon and Cottonwood Campgrounds, the Anza Borrego Desert State Park, the Carrizo Gorge Wilderness Area, the In-Ko-Pah Mountains Area of Critical Environmental Concern, the Table Mountain Area of Critical Environmental Concern, which is reportedly sacred to local Native American culture and tradition, the Sawtooth Mountain Wilderness Area and Wilderness Study Area, and from I-8 and Historic Route 80. There are also many historic and cultural sites that will be impacted throughout the area. At one point the McCain Valley was proposed as an Area of Critical Environmental Concern due to its high value biological (bighorn sheep) and cultural resources. The old McCain Ranch house on Tule Creek is one such historic resource that deserves protection. The extended McCain family were some of the first homesteaders to settle in the area. Native American elders have stated that McCain Valley and other impacted areas are rich in cultural resources, including reported village sites. These important landscapes are of traditional cultural concern.

There are numerous private properties on McCain Valley Road and Ribbonwood Road that will be seriously impacted by the construction, noisy operation, and maintenance of this major industrial project. The turbines and new transmission lines, substations and transformers that

go with them, represent a significant and increased threat of wildfire ignition from malfunctioning turbines and related transformation and transmission equipment. Iberdrola is careful to state that "...no ground fires have been started as a result of a faulty wind turbine in one of our projects" (Tule Wind handout to the San Diego Regional Chamber of Commerce-Public Policy Committee - Feb 17, 2009). They fail to mention that fires that have burned their turbines and many others across the globe.

Some turbine fires have spread to the ground through flaming fluids and debris. According to fire fighters who work near Palm Springs and elsewhere, numerous turbine-sparked fires have burned surrounding areas. On December 7, 2009 the existing 50 MW Kumeyaay Wind facility on the Campo Reservation near I-8 was reportedly struck with lightning which resulted in an extended shutdown to replace damaged blades on all 25 turbines and other components: http://www.campo-nsn.gov/press/campo_news_12-08-2009.html. Later, the management company was quoted in the San Diego Union Tribune that there was no lightning strike and it was 70 mph winds that damaged the blades: <http://www.signonsandiego.com/news/2010/jan/13/damaging-blow/>. Regardless, the wind facility was shut down for an extended period of time. BAD believes that the highly flammable and drought stricken area, where they are proposing to install the Tule Wind and other projects, represents a much higher degree of risk than many other locations throughout the country and the world. The area has been identified as a High Fire Danger Area by authorities. See quote from San Diego County document below. And of course there are better cheaper and less destructive ways to generate renewable energy at or close to the point of use that do not destroy wildlands or require extensive new transmission lines and corridors.

Here is a link to a video of a smoldering Iberdrola turbine in Spain dated 9-11-08: <http://www.windaction.org/videos/17958>

Here is a link to an article regarding a wind turbine fire at an Iberdrola project at their Locust Ridge 1 project in Pennsylvania: <http://www.windaction.org/news/21321>

Here is a link to an article regarding a tower collapse and fatality at a PPM (Iberdrola) project in Oregon: <http://www.komonews.com/news/local/9383316.html>

Here is another news bite on an Iberdrola turbine fire in Spain dated 11-17-10: <http://greenenergydirect.org/411.com/2010/01/17/wind-turbine-fire-in-spain.html>

Here is a slide show of wind turbine accidents: <http://www.youtube.com/watch?v=ppLh5pGX3qQ&feature=related>

Here are several more links with flaming and self-destructing wind turbines: Turbine brake failure and explosion: <http://video.google.com/videoplay?docid=8174226968688178689#docd=504493202651338360>

2007 fire near Palm Springs: <http://www.youtube.com/watch?v=4N4HQv-UyUo>
<http://www.youtube.com/watch?v=HKkTUy2sYQ&NR=1>

Turbine fire in Solano County: http://www.youtube.com/watch?v=ch-2m4A_6NQ&feature=fvw

Turbine collapse in OK: <http://www.youtube.com/watch?v=ZbMO7ufATBc&feature=rela>

Compilation of wind turbine accidents and failures: <http://cc.bingj.com/cache.aspx?q=collapse+wind+turbine+photos&d=5046858667516288&mkt=en-US&setlang=en-US&w=4c62376c.ad37e2dd>

The 2-page Federal Notice of Intent for Iberdrola's Tule Wind (dated 12-29-09): <http://edocket.access.gpo.gov/2009/pdf/E9-30779.pdf>

Link to map of Tule Wind project: http://www.backcountryagainstdumps.org/sunrise_powerlink.html

CPUC link to Tule Wind and ECO Substation Notice of Project review (dated 12-23-09)
www.cpuc.ca.gov/environment/info/dudek/ECOSUB/PEA_ECOSUB.htm This link has maps and other important information. Iian Fischer is the CPUC project manager and can be reached at: 415-355-5580 ph, 415-703-2200 fax, ecosub@dudek.com, California Public Utilities Commission, 505 Van Ness Avenue, San Francisco, CA 94102.

The County MUP project manager is Patrick Brown who can be reached at 858-694-3011 or patrick.brown@sdcountry.ca.gov

The Boulevard Planning Group voted to officially oppose the Tule Wind project, at their November 5, 2009 meeting, based on public health and safety, environmental, economic, aesthetic and other significant and cumulative impacts. Contact: Donna Tisdale, Chair 619-766-4170, donnatisdale@hughes.net, PO Box 1272, Boulevard, CA 91905

Ed Clark, Director of Business Development for Iberdrola Renewables can be contacted at (866) 753-5577, edmund.clark@iberdrolausa.com or tulewind@communityspeakup.com. Ed has disingenuously stated at public meetings that there are no noise impacts from wind turbines and that property values will go up in the surrounding areas. We strongly disagree with Ed—who gets paid to promote wind energy. Iberdrola also sent around a mailer asking for community support and offering private meetings.

A federal and state NEPA/CEQA environmental review process for Tule Wind officially started in December 2009. A Major Use Permit (MUP) was filed with the County of San Diego in October 2009 to address the impacts of a new access road (across a 100 year floodplain), transmission lines and easements for those parts of the project that are slated for private land under the County's authority. The County's Environmental Scoping Letter for the Tule Wind Major Use Permit P09-019, ER: 09-21-001 (dated 10-28-09) states that **"The Department of Planning and Land Use has completed review of the project design and has determined that the project may expose people or structures to a significant risk of loss, injury or death—involving wildland fires because the project is adjacent to and/or within wildlands that have the potential to support wildland fires."**

The following three photos, by Bill Parsons, show the beautiful McCain Valley where Tule Wind is proposed. Under intense lobbying from Iberdrola, and against the local community desires, the BLM downgraded the Visual Resource Management Classification for the McCain Valley National Cooperative Land and Wildlife Management Area from pretty to ugly, stating the area was so degraded that had lost its value. Does it look degraded to you? The new classification allows turbines and a new corridor for SDG&E's 500 kV Sunrise Powerlink where no lines currently exist.



http://www.backcountryagainstdumps.org/sunrise_powerlink.html

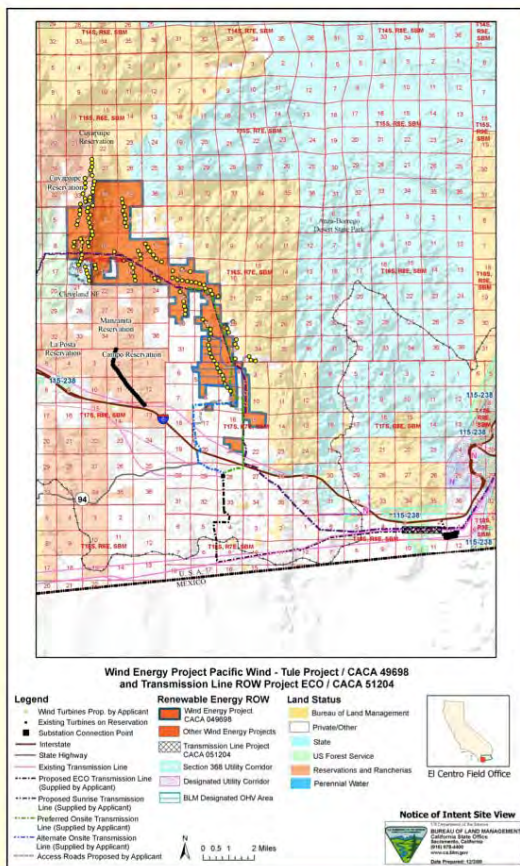
10/13/2010



This map, from the Tule Wind Notice of Intent, shows the layout of Iberdrola's Tule Wind project across the McCain Valley National Cooperative Land and Wildlife Management Area, Hamann Companies Rough Acres Ranch, State Land Commission land, and Ewiipaiip (Cuyapaiip) tribal land. Private properties are along the southwest and southeast sections of the project. Other impacted areas include the Azna Borrego State Park, several wilderness areas, the Pacific Crest Trail and designated bighorn habitat.

http://www.backcountryagainstdumps.org/sunrise_powerlink.html

10/13/2010



These photos show examples of the threat posed by the addition of hundreds of industrial turbines into wildland areas and rural neighborhoods. The turbine collapse photos were taken by Brian Hulke.

http://www.backcountryagainstdumps.org/sunrise_powerlink.html

10/13/2010



Sempra's proposed 1,250 MW Energia Sierra Juarez (ESJ) cross-border wind energy and transmission project proposed for this

http://www.backcountryagainstdumps.org/sunrise_powerlink.html

10/13/2010

highly visible Baja ridgeline
as viewed from Tierra Del Sol in Boulevard:



Energia Sierra Juarez, LLC is a wholly owned subsidiary of Sempra Generation which is a subsidiary of Sempra Energy, a San Diego based Fortune 500 energy services holding company with 2008 revenues of \$11 billion. Sempra is also the parent company of San Diego Gas & Electric that is promoting the Sunrise Powerlink, the ECO Substation and a new 160-300 MW wind project on the tribal lands of the Campo Kumeyaay Nation. At build out, the ESJ project could include up to 625 (2 MW) wind turbines and at least one new 500 kV cross-border transmission line. More lines would come in the future. The ECO Substation is designed for a massive expansion. The ESJ wind turbines are proposed to be built in phases starting just south of the US/Mexico border east of Jacumba and Ejido Jacume, north of the town of La Rumorosa, about 70 miles east of San Diego. The new ESJ transmission line will connect to SDG&E's proposed ECO Substation and a new substation in Mexico. They will then connect to the existing 500 kV Southwest Powerlink and then to the yet-to-be-built 500 kV Sunrise Powerlink. It has been determined by the California Independent Systems Operator, and admitted to in Sempra ESJ documents that, due to the load limitations of the Southwest Powerlink, the Sunrise Powerlink is needed to move any new energy over 80 MW out of the area.

What Sempra does not discuss is the fact that their existing Bajanorte Gasoducto LNG (natural gas) pipeline (see map below from Sempra's website), connected to their new \$ 1 billion plus Energia Costa Azul LNG receipt terminal on the Baja coast, and a brand new waterline, both pass through the ESJ lease area. With approval of the ESJ project, the three necessary ingredients for a new gas fired power plant will exist at Jacume: gas, water, and transmission. This fact leads to a reasonably foreseeable future gas-fired power plant, similar to their existing Termoelectrica gas-fired power plant west of Mexicali that feeds into the US grid via a cross-border power line that connects to the Imperial Valley Substation and the Southwest Powerlink. Sempra is claiming the Department of Energy Presidential Permit will limit the line to carry only renewables. However, a permit amendment could be applied for later to allow fossil fuel energy to access the cross-border line. Sempra has a whole herd of well paid and politically connected lobbyists in California, Washington, and in Mexico. We believe that a permit amendment to allow transmission from a new gas fired power plant will be applied for when things quiet down and the economics and market forces support the construction and operation. After all, wind energy is intermittent and it requires a reported average of 70% of the wind farm capacity in base-load generation for back up when the wind is not blowing or the project is shut down for damage or maintenance.

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10/13/2010



The ESJ wind turbines, if ever approved and installed, will be in the 1.5 MW to 3 MW range which means they will stand an average of 400 to 600 feet in height. Originally, Sempra and the Dept of Energy proposed a limited Environmental Assessment (EA) for project review. They downplayed the project as just a 1/2 mile transmission line—like it existed in a vacuum. BAD and others opposed the EA as inadequate for such a massive project, connected to other massive projects, in such an environmentally and culturally sensitive area. The Department of Energy agreed and is now requiring a full Environmental Impact Statement (EIS) that is expected for release for public comment in early 2010. The EIS Scoping period closed in 2009. The County of San Diego is also reviewing the cross-border transmission line for impacts to properties under County jurisdiction.

Congressman Bob Filner and County Supervisor Dianne Jacob has expressed their opposition/concerns in writing. The County of San Diego has submitted extensive comments as well raising serious concerns with the project and others. Congressman Filner sent a letter to Department of Energy Secretary Chu asking that the Presidential Permit Application (PP-334) be denied.

Opposition to this export-only project is also growing on the Mexican side of the border, along with a backlash against Sempra in general and their use. Serious allegations have been made against Sempra, with a call for an investigation into the company's actions on other projects. Here is the text of a radio report:

Politicians say Sempra project illegal

Written by George Gale
Monday, 14 December 2009
(Mexican politicians want a congressional investigation of Sempra)

http://www.backcountryagainstdumps.org/sunrise_powerlink.html

10/13/2010

Energy)...Sempra is constructing a natural gas pipeline. The project will carry natural gas from Ensenada to Mexicali. Diputado Enrique Acosta Fregoso is leading a group from the PRI political party in demanding the investigation. They accuse Sempra of violating Mexico's open market laws and creating a monopoly. They also accuse Sempra of providing bribes to obtain Baja California officials to obtain permits to construct the pipeline as well as a power plant near Mexicali. They say Sempra was allowed to skirt Mexico's environmental process as well as other demands required before a permit is approved. Sempra has not responded to the accusations.

Here is the link to another article regarding the call to investigate Sempra's actions: <http://translate.google.com/translate?hl=en&sl=es&tl=en&u=http%3A%2F%2Fwww.el-mexicano.com.mx%2Fnoticias%2Festatal%2F2009%2F12%2F10%2F381857%2Fproponer-acosta-fregoso-investigar-caso-sempra.aspx>

There are also Environmental Justice concerns with the questions regarding the fairness of Sempra's contracts with the ejidos. Word has leaked out alleging that Sempra paid a meager \$50,000 to one ejido with lots of promises of jobs and shared revenue. One article stated that Baja land owners were offered between \$400-500 per turbine. However, on the US side, the average is a reported \$4,000 to \$10,000 per turbine. Most US leases usually include a confidentiality gag order regarding lease terms and production information. Who advised the ejidos before the contracts were signed? Was a qualified third party involved—one that does not have financial ties to Sempra? How will the ejidos and other property owners be able to track the energy sold to the US to make sure they are getting their fair share?

For more information on Sempra's Energia Sierra Juarez project, including public and agency comments, go to:

The Department of Energy project website: <http://www.EJprojectEIS.org>
County project manager, Patrick Brown at 858-694-3011 or Patrick.brown@sdcountry.ca.gov
CPUC project manager, Iain Fisher at 415-355-5580 or ecosub@dudek.com



The photo above, shows a view of the Sierra Juarez Mountains where Sempra's ESJ project is proposed, with Boulevard's Jewel Valley in the foreground. The photo was taken from Tierra Del Sol Road on the Tecate Divide. The backcountry area impacted by these wind and transmission projects has already been scientifically identified in the Las Californias Binational Conservation Initiative as globally rare and significant Mediterranean mosaic with diverse species and critical bi-national wildlife corridors. **The ECO Substation will require a new 138kV line to run north/south and east/west through private properties in Jewel Valley. The ECO Substation will be located at the base of the Sierra Juarez, east of Jacumba. The location is visible just over the left side of the sunlit boulder formation in the center of this photo.** The line visible over the same boulders is the US/Mexico borderline. The photo viewpoint is from Tierra Del Sol Road which runs along the Tecate Divide. Tierra Del Sol is also targeted for industrial wind energy. According to County Recorder documents, Invenergy Wind Development, LLC has easement grant agreements, signed in 2008, with property owners Larry Fossett, Joseph Norton and Jesus Calderon. We believe these individuals are absentee owners, in the Tecate Divide area, who do not live in Boulevard and would not have to live with the negative impacts. An unsolicited lease/easement agreement was offered to Ed and Donna Tisdale, of Morning Star Ranch, which was rejected outright.

**SDG&E's proposed ECO Substation
in Jacumba and Boulevard relies on the Sunrise Powerlink:**

SDG&E's proposed 60-plus acre ECO Substation east of Jacumba, including a new 2-acre Boulevard Substation, will connect to Sempra's proposed Energia Sierra Juarez and the proposed Sunrise Powerlink via the existing Southwest Powerlink. Iberdrola's 200 MW Tule Wind project, and the new 160-300MW SDG&E/Invenergy/ Campo Nation wind project will also connect to the

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10/13/2010



This is the current rustic view of the future home for the new 2-acre Boulevard Substation from Historic Route 80. The home, in the rear, will be removed along with the outbuildings and potentially some mature oak trees. This residential use and view will change to an industrial use. As an Investor Owned Utility, SDG&E has the right of eminent domain and can force property owners to sell their property to them or to allow a utility easement through it.



http://www.backcountryagainstdumps.org/sunrise_powerlink.html

10/13/2010

This photo shows the existing 1/4 acre Boulevard Substation which sits off the road and is much less visible from Historic Route 80

These industrial projects represent increased threat of wildfire from malfunctions, weather damage and other accidents. Here are links to videos and photos of fires and explosions at electrical substations, transformers, and underground vaults, all of which are needed for Sunrise Powerlink and industrial wind projects:

2007 Florida substation explosion: http://www.c001stuff.com/547/Power_Plant_Substation_Explosion/

Substation fire in San Leandro: <http://www.youtube.com/watch?v=QUddfDVV9uY&feature=related>

2009 Ottawa substation: <http://www.youtube.com/watch?v=Dnp8Spx5kTg&feature=related>

Unidentified location: http://www.youtube.com/watch?v=MZcl_sx_z-to&feature=related

Test at 500 kV EI Dorado substation near Boulder City Nevada: <http://www.youtube.com/watch?v=h1kNY5xiy5k&feature=related>

Underground transformer fire: http://www.youtube.com/watch?v=0_iLmAB3leA&NR=1

2007 new high voltage line fire: <http://www.youtube.com/watch?v=2PaeU3G3F6Y&feature=related>

San Francisco underground vault fire: <http://www.youtube.com/watch?v=68PKJan6ilU&feature=related>

Vault fire stops traffic: <http://www.youtube.com/watch?v=mPHHr75qWAA&feature=related>

**SDG&E / Invenergy / Campo Kumeyaay
Nation's
160-300 MW industrial wind project:**

There are currently no new details available on this project beyond than those that were announced in June 2009: <http://www.signonsandiego.com/news/2009/jun/11/wind-farm-project-set-campo-reservation/>

A December 2009 press release, regarding Campo Tribal Chairwoman Monique La Chappa's Diverse Women in Business award (nominated by Sempra), reports that the new wind project will eventually expand to 300 MW. (http://www.campo-nsn.gov/press/campo_news_12-04-2009.html)

We do know that Iberdrola Renewables had a MET tower installed on adjacent BLM land in the Shockey Truck Trail area for several years. According to Iberdrola's Ed Clark, their Shockey Truck Trail MET tower was removed in 2009, along with another one located near Table Mountain in Jacumba, after it was determined that the wind energy resources in those two locations did not meet Iberdrola's requirements for an economically viable wind energy project. We also know, from personal conversations with wind energy developers who worked on Kumeyaay Wind project, that the area targeted by Invenergy and SDG&E was not up to their qualifications either, so they focused on the current Kumeyaay Wind site instead. Perhaps SDG&E and Invenergy have lower standards, or need less wind.

The Bureau of Indian Affairs has agreed with BAD that a full Environmental Impact Statement is needed for the new 160-300 MW wind turbine project, instead of the originally proposed Environmental Assessment.

A Notice of Intent will reportedly be printed in the Federal Register in early 2010 with a 75-day comment period. Two local public hearings are tentatively planned sometime after the first of the year in 2010. One will be held at Mountain Empire High School and one will be held at the Campo tribal offices. BAD will try to keep the community at large informed.

The new Campo wind turbine project will reportedly connect to SDG&E's proposed ECO Substation through a new 138 kV line connecting at the proposed new Boulevard Substation. The ECO Substation will connect to the existing 500kV Southwest Powerlink east of Jacumba near the US/Mexico border at the boundary of San Diego and Imperial Counties. However, documents for other related projects indicate that the controversial Sunrise Powerlink will be needed to move any new energy out of the area over the current 80 MW of existing capacity. All of the actions noted above will impact public and private properties, along with the Campo's tribal lands, with significant and cumulative impacts.

Invenergy installed 5 MET towers for wind testing in the fall of 2009 to determine economically viable wind resources and potential wind turbine location. Four of them are south of I-8. One is north of I-8 and west of the existing 25 turbines at the existing Kumeyaay Wind facility. One more MET tower was proposed for the proposed Campo Landfill site, south of Hwy 94 just west of BIA Route 10, but was denied by the Bureau because of the landfill proposal and the documentation of the endangered Quino Checkerspot Butterfly onsite. The Campo Landfill is entering the final Supplemental Environmental Impact Statement review period after over 20 years of back and forth and the comings and goings of multiple private developers. The Campo Landfill was the subject of a book entitled *The Campo Landfill War* by Dan McGovern.

The ridge lines where the 5 MET towers now stand, show proximity to tribal homes and off-reservation properties and homes. This proximity could prove detrimental to the health and safety of those residents if and when industrial turbines are approved and installed. The wind energy project is supported by the current tribal leadership for economic development, but there have been reports of internal dissent with tribal members who oppose the further industrialization of their ancestral lands. The tribe will eventually own the project. There are concerns that the tribe will be left with obsolete turbines that have had all the tax credits and incentives drained from their value, at a time when they will require increased expenditures on maintenance, upgrades, and demolition. We do not know who will be held responsible for removing the turbines once they become obsolete or are no longer in operation. The tribe could turn to the federal tax payer at some point to fund a cleanup.

Wind turbines have an average 20-30 year lifespan before they need to be replaced. When decommissioning the turbines, the composite makeup of the blades reportedly makes it difficult to recycle them or to grind them up to use as fuel. The Campo Nation's existing 50 MW Kumeyaay Wind facility was installed in 2005. There were reported problems with faulty turbine blades. In 2007, one turbine blade shattered and shed a huge piece. We have noted blade removal on a regular basis. Our questions on how far the shattered pieces flew and where they landed were not answered. Several of the turbines, including the one that had a blade shatter, are extremely close to I-8 and raise concerns over public health and safety in the event of future blade shedding or tower collapse. The December 7, 2009 a severe storm with 70 mph winds resulted in the removal of all 75 blades from all 25 turbines. Were they repaired or replaced? If they were simply replaced, where were the damaged disposed of? What was the cost to transport and dispose of them?

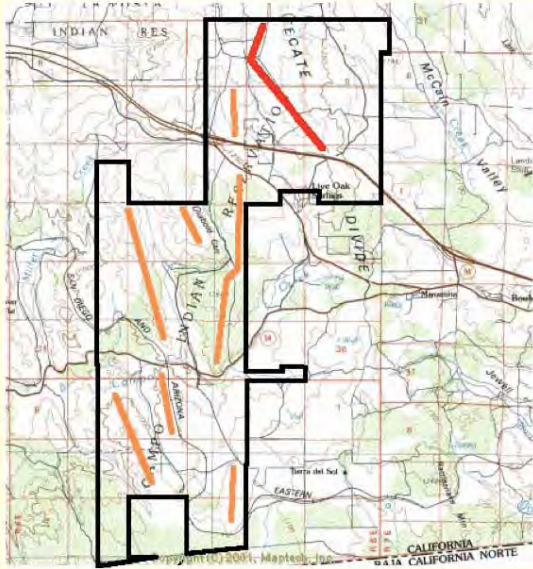
Both SDG&E and Invenergy are well-financed corporations with tons of money to spend on lobbyists, consultants and lawyers which they aggressively use to make the most money for their shareholders/owners. Invenergy also has several easement agreements. Quite often the local leaseholders and impacted communities are run over rough shod and left to suffer the consequences. However, sometimes the proponents' over inflated egos and self-confidence gets in the way of their better judgment. They may vastly underestimate/misjudge the power of the people when roused to defend their families, their property values, their quality of life, and their communities in general. Time will tell whether they succeed—or not.



The photo above is from the San Diego Union Tribune (John Gibbins 01-12-10). The linked article discusses the removal of all 75 blades from the 25 turbines at Kumeyaay Wind due to damage suffered in a December 7, 2009 storm where winds topped 70 mph.: <http://www.signonsandiego.com/news/2010/jan/13/damaging-blow/>

The map below shows the potential locations for the Campo Kumeyaay Nation's new wind energy project. The source is a power point posted online from a presentation at UCSD by Michael Connolly who was a tribal councilman at that time. The red line shows the location of the existing Kumeyaay Wind's twenty-five 2-MW turbines (see photo above). The orange lines are ridgelines where Invenergy has installed MET towers to test the wind. Iberdrola Renewables, developer of the Tule Wind project, had a MET tower in place for several years near the bottom left of this map, on BLM Land near Shockey Truck Trail. Iberdrola removed their MET tower in 2009 and informed Donna Tisdale that the wind resources in that location did not indicate that wind energy would be economically viable for them. The orange line on the bottom right of the

map was targeted for a MET tower, but the Bureau of Indian Affairs reportedly denied it because the location is currently proposed for the long-stalled 600 acre Campo Landfill project. The Supplemental EIS for the Campo Landfill is due out for public comment in early 2010.



Absentee landowners and locals aligned with big wind and big development:

- **Hamann Companies** has a Major User Permit application in with the County for 12 industrial turbines on 1,600 acres of their 2,000 plus acre Rough Acres Ranch in McCain Valley. Three members of the Hamann family reportedly contributed \$30,000, over the allowed limit, to Assemblyman Joel Anderson but were not charged by the FPPC. There is speculation that the District Attorney may file charges. The Hamann's property is part of the Tule Wind project along with the hundred or so turbines on BLM lands and the 25 or so on the Ewiiapaiip (Qiyapaipe) Reservation.
- **Hamann Companies** also supports the Sunrise Powerlink and the ECO Substation—both needed for Tule Wind. None of the Hamann family members live in the impacted area. They reportedly misrepresented the need for new access roads for the wind energy site to the County and BLM, saying they were needed for residential use. They reportedly failed to mention their plans for commercial industrial wind energy. John Gibson is the project manager. He does not live here either.
- **Greg Lansing of Lansing Companies** wrote letters opposing the Sunrise Powerlink which crosses his 2,000 plus acre Big Country Ranch property in McCain Valley. However, he was previously part of a \$12 million deal, with SDG&E, for industrial wind energy that was revealed in, and fell through because of, El Cajon Superior Court case # 37-2008-0006173

http://www.backcountryagainstdumps.org/sunrise_powerlink.html

10/13/2010

between Lansing and a partner named Kevin Smith. Lansing owns approximately 10,000 acres in Boulevard including the Empire Ranch which is on the Tecate Divide, which is targeted for industrial wind projects. Lansing does not live here. He supports major residential, commercial and industrial development.

- **Mountain Empire Business Association (MEBA)** supports industrial wind energy and related infrastructure. SDG&E's Don Parent is a MEBA member and helped run their recent auction held at Lansing's Empire Ranch. Other members include Randy Lenac, Dan Lawrence, Ken Venable, Larry Smith, Judy Cochran, Brit Coupens of Invenergy LLC, and Monique La Chappa Campo Tribal Chair.
- **Save Our Rural Economy (SORE)** advocates for new higher density "incubator villages" in the backcountry like those proposed at Star Ranch and supported by Lansing and Hamann Companies. Rich Volker (attorney and real estate) and Lonnie Sole (World Solar) are Campo property owners and have signed SORE letters as Co-Chairs. Rich Volker has represented Invenergy at several Boulevard Planning Group meetings and is often seen in the company of Brit Coupens of Invenergy. Randy Lenac has also signed SORE letters and is often seen in the company of SDG&E and Invenergy.
- **HOPE of Mtn Empire (HOPE)** is a political organization founded by Randy Lenac and friends. They claim to support the enhancement of rural communities. However, they reportedly support industrial wind energy and related infrastructure which can result in much reduced property values with less appeal for buyers. Supporting the industrialization of the backcountry, with hundreds of 50 story turbines and multiple new power lines, and substations, does *not* enhance our rural atmosphere and open landscapes that most of us love and enjoy—and that add value to our properties.

San Diego County's New Renewable Energy / amended Wind Turbine Ordinance:

March 26, 2010 is the deadline for the 30 Day comment period on San Diego County's proposed Negative Declaration for zoning ordinance amendments for Solar and Wind energy. The changes may allow industrial wind turbines on legal lots 5 acres and larger as a Major Impact Services and Utilities use type which requires a Major Use Permit. The changes significantly reduce the currently required setbacks from 4-8 times the turbine height to just 1-3 times the height of the turbine. This means you could have a 500 foot tall whirling, blinking, groaning, blade throwing, lightning attracting, oil leaking power generator within 500 feet of your private / public road, and from open space easements. They could be allowed within 600-1,500 feet of your property line, existing residence or occupied civic buildings. These reductions in setbacks fly in the face of global calls to increase setback to a minimum of 1-2 miles due to serious public health and safety issues and impacts.

See the County's wind/solar zoning amendment documents here:
<http://www.sdccounty.ca.gov/ciplu/ceqa/POD09-006.html>

Zoning ordinance changes were lobbied for by Invenergy Wind, SDG&E, SEMPRA, Iberdrola Renewables, Scott Debenham of Debenham Energy, and others, to remove public health and safety restrictions and setbacks that the developers felt were too onerous. The Board of Supervisors voted to pursue those changes on February 25, 2009. The only folks that raised an alarm were the Boulevard Planning Group, the Campo Planning Group, and the Potrero Planning Group. It is our understanding that more information will be made available when the draft ordinance, noted below, is released for public comment in early 2010. Steve Volker the attorney for BAD, The Protect Our Communities Foundation, and the

East County Community Action Coalition, will be submitting formal comments on the draft ordinance to ensure significant setbacks between industrial wind. **Public participation is important to let the Board of Supervisors know that we do not want to live in a major industrial zone.**

County project contact: Carl Stiehl (858) 694-2216 or Carl.Stiehl@sdcountyca.gov

Topic:	Solar and Wind Energy Ordinance, POD 09-006
Summary:	<p>The project proposes to update the County of San Diego's Zoning Ordinance, Departmental Policies and Departmental Forms with regards to Solar and Wind Energy Regulations. A portion of the project will be in accordance with previous Board action. The update is needed because there have been changes to California State Law and may be additional changes to State Law in legislation making it necessary to update the Zoning Ordinance.</p> <p>To achieve the stated purpose of updating the Zoning Ordinance and Departmental Policies/ Forms DPLU staff will research current California State Law and other jurisdiction's local ordinances as well as current solar and wind technologies.</p>
Status:	<p>Planning Commission: 2010</p> <p>Board of Supervisors: 2010</p>
Contact:	<p>Carl Stiehl (858) 694-2216</p> <p>Email: Carl.Stiehl@sdcountyca.gov</p>

Where do our elected officials stand?

- **US Senators Feinstein and Boxer** have done nothing to help despite many requests.
- **Congressman Bob Filner** opposes the Sunrise Powerlink and proposed wind energy projects.
- **New Congressman Duncan D Hunter** has written letters to the Cleveland National Forest on Sunrise Powerlink and has publicly stated that industrial wind energy is not needed in East County. He also opposes the Campo Landfill.
- **CA Senator Denise Ducheny** has done nothing to help us. She wrote a letter to oppose Sunrise route proposed to go through the Anza Borrego Desert State Park but would not provide a copy and did not respond to numerous requests to oppose the selected route. Her husband, Al Ducheny is a director on the Anza Borrego Foundation.

- **Assemblyman Joel Anderson** officially supports the SDG&E's Sunrise Powerlink and the ECO Substation. FYI: Anderson was recently fined by the FPPC for illegal campaign contributions from SDG&E, Sempra, and Hamann Companies. Hamann Companies Rough Acre Ranch, in McCain Valley, is part of the Tule Wind project. The politically savvy contributors were neither charged or fined.
- **County Supervisor Dianne Jacob** has been our constant ally in these battles—so far.
- **County Supervisors Ron Roberts, Greg Cox and Bill Horn appear to support all wind and power line projects.**
- **The elected Boulevard Planning Group** has formally opposed all these nasty projects.
- **The appointed Jacumba Sponsor Group** voted to support Sempra's Energia Sierra Juarez but will reconsider that vote at their January 26th meeting. A change to an elected group should be pursued.
- **The elected Campo Planning Group** has opposed the Sunrise Powerlink and written to the Forest. However, it is our understanding that some individual members that were elected in 2008 (HOPE candidates) do support industrial wind energy and the impacts and infrastructure that goes with it. This should be made an issue in the 2010 elections.
- **The elected Campo Kumeyaay Nation Council** supports industrial wind energy and the Campo Landfill as economic development. Campo Chair, Monique La Chappa has signed letters of support for SDG&E's ECO Substation and Sempra's Energia Sierra Juarez project. That support is ironic because the Campo Band formally opposed the Sunrise Powerlink's southern route. The ECO Substation, Energia Sierra Juarez, and the Campo Nation's proposed 160-300MW wind energy project with SDG&E and Invenergy, all rely on the construction of the Sunrise Powerlink. Internal dissent has been reported by some tribal members stating that they do not support the landfill project and they do not want more industrial wind turbines. These issues will most likely arise in the next tribal elections.

More information on the negative health impacts of industrial wind energy

For more information on the dark side of wind energy on public health and safety, quality of life, property values, the quiet enjoyment of your property, aesthetics, radar, television and internet reception and more, go to: www.windaction.org and www.wind-watch.org. There you will find a wide variety of articles, opinions, documents, reports, videos, and photographs related to just about every aspect of industrial wind energy. You can also go to North American Platform Against Windpower at www.na-paw.org or European Platform Against Windpower at www.epaw.org. Or just Google "wind turbine fires". There is a ton of information out there. Do your own research and put it to use. Click here for a statement you can use to educate friends, family, and decision makers <http://www.na-paw.org/na-paw-statement-p.php>. Click here for a National Wind Watch brochure with a concise summary of the issues: <http://www.wind-watch.org/publication/windbrochure.pdf>.

Here is a link to a list of important documents: <http://www.windaction.org/?tab=topdocs>.

Here is a link to a British article (Sunday Times 12-13-09) regarding a cover up of wind turbine noise issues in a government report: <http://www.timesonline.co.uk/tol/news/environment/article6954565.ece>

Wind Turbine Syndrome by Dr. Nina Pierpont

Dr Pierpont and others have researched complaints of the very real impacts of industrial wind energy on human health. Pierpont's book is available via her website at www.windturbinesyndrome.com. Peer reviews of Dr. Pierpont's book (which some wind energy proponents claim don't exist) and lots of other important information and links are available at that site.



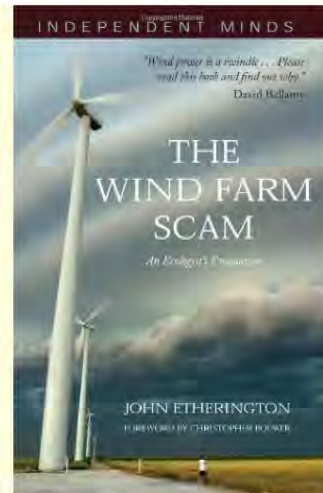
Here is an excerpt from Dr. Pierpont's testimony to the New York State Legislature Energy Committee in March 2006:

The symptoms start when local turbines go into operation and resolve when the turbines are off or when the person is out of the area. The symptoms include:

1. Sleep problems: noise or physical sensations of pulsation or pressure make it hard to go to sleep and cause frequent awakening.
2. Headaches that are increased in frequency or severity.
3. Dizziness, unsteadiness, and nausea.
4. Exhaustion, anxiety, anger, irritability, and depression.
5. Problems with concentration and learning.
6. Tinnitus (ringing in the ears).

Not everyone near turbines has these symptoms. This does not mean people are making them up; it means there are differences in susceptibility. These differences are known as risk factors. Defining risk factors and the proportion of people who get symptoms is the role of epidemiologic studies. These studies are under way. Chronic sleep disturbance is the most common symptom. Exhaustion, mood problems, and problems with concentration and learning are natural outcomes of poor sleep.

Here is a link to health survey of residents near a Mars Hills wind project:
<http://www.windaction.org/documents/20497>



***The Wind Farm Scam* by John Etherington**

The book, which sold out the first two printings right away, argues that the drawbacks of wind power far outweigh the advantages. Wind turbines cannot generate enough to reduce global CO2 levels to a meaningful degree. Nor can wind power generate a steady output, which requires back-up coal or gas-fired power plants that significantly negate the advertised savings in green house gas emissions. Ecological drawbacks include damage to habitats, wildlife, and far-from-insignificant aesthetic considerations. Dr. Etherington, a retired Reader in Ecology at the University of Wales, Cardiff, and from a Thomas Huxley Medalist at the Royal College of Science and a former co-editor of the International Journal of Ecology, argues that wind power is excessively financed at the cost of consumers who have not been fully informed that their bills are subsidizing an industry that cannot be cost efficient. Glen Scheede, former US Presidential adviser on energy, and one of the leading worldwide analysts and commentators on wind power, was quoted as saying, "***The book should be required reading for every high school, college, and university student. It explains wind energy, and its limitations and environmental insults, in easily understood terms. It explains why wind will never provide a significant, reliable source of energy.***" The book is available at: <http://www.amazon.com/Wind-Farm-Scam-John-Etherington/dp/1905299834>

Alternatives to the Sunrise Powerlink and remote renewables

http://www.backcountryagainstdumps.org/sunrise_powerlink.html

10/13/2010

Remember that the PUC's Assigned Administrative Law's (ALJ) proposed decision stated that the project was not needed and it was too expensive for ratepayers and too destructive to the environment. Even the inadequate Environmental Impact Statement / Report ranked the selected so-called Environmentally Superior Southern Route transmission line as number 4 on the list of 8 alternative projects.

Here are numbers one-three that outranked Sunrise:

- New In-Area All Source Generation Alternative
- New In-Area Renewable Generation Alternative
- LEAPS Transmission-Only Alternative

Here are some reports regarding better alternatives:

In Our Backyards is a report on how decentralized distributed energy generation represents the single most feasible means to produce renewable energy at a broad scale without reliance on environmentally destructive long-distance transmission lines like the Sunrise Powerlink. Former ALJ Steven Weissman, who was assigned to the Sunrise Powerlink case for the PUC, contributed to this report. Weissman is now teaching at Berkeley. Read the report at: [http://www.law.berkeley.edu/files/In_Our_Backyard_Dec_3_2009\(1\).pdf](http://www.law.berkeley.edu/files/In_Our_Backyard_Dec_3_2009(1).pdf)

Bill Powers, San Diego Smart Energy 2020, October 2007, promotes renewable energy projects at or near the point of use. An estimated 5,000 MW of capacity exists on commercial buildings and already disturbed lands near the urban use area. Photo Voltaic prices have dropped drastically since this report was written, making them cost competitive with large scale remote projects. The full report is available at: www.etechnical.org

The Better Way by Alliance for Responsible Energy Policy as it appeared in the Desert Report: <http://www.allianceforresponsibleenergy.org/The%20Better%20Way.pdf>

Feed In Tariffs: Big utilities like SDG&E have worked to fight/ gut the Feed In Tariff program in California. They do not want the average citizen or public entity to be able to generate their own power via solar panels, residential scale wind turbines, combined heat and power, or other options. Nor do they want to be forced to pay fair market prices for the extra energy that those property owners would feed back onto the grid. Currently, the extra energy is basically donated to the utilities with the generator receiving a credit. The utilities want to continue their monopolies and the guaranteed profits they currently get from adding new infrastructure like the Sunrise Powerlink. For more information go to www.fitcoalition.com.

Installing solar panels and / or residential scale wind turbines: There are new tax credits, leasing options, and programs to finance the cost of generating your own power through annual payments added to your property taxes, that make it easier to generate your own renewable energy. The County of San Diego is finalizing their plans to allow you to finance your project through your property taxes.

Energy Conservation and Efficiency: The first goal in reducing energy use and the need for more damaging large scale projects is to take personal responsibility to reduce your use of energy through conservation and efficiency. Make sure your buildings are properly insulated and all gaps around windows and doors are sealed. Swapping out single pane windows for dual pane windows and using Energy Star rated appliances can reduce your energy consumption by a large degree. The simple act of unplugging equipment while not in use can also reduce use. Share your concerns and ideas with your schools, churches, landlords and employers. Get everyone involved. For more information go to Flex Your Power at <http://www.flexpower.org/> and http://virginiasierraclub.org/greatfalls/issues/Vampire_flyer.pdf

**For more information on going green
visit:**

The Utility Consumer Action Network:

http://www.ucan.org/energy/energy_efficiency_alternatives/solar_panels/install_solar_save_green

The Center for Sustainable Energy: <http://energycenter.org/>

[What's Happening Now](#) | [Who is BAD and how can you help?](#) | [Description of the new Campo Landfill](#)
[History of the Campo Landfill](#) | [Contact Elected Representatives](#) | [Sunrise Powerlink and Industrial Wind](#)
[Energy](#)
[Local, State, and Federal Issues](#) | [Recycling Resource Guide](#)

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This page, *Sunrise Powerlink and Industrial Wind Energy*, was last updated April 4, 2010

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From: donnatisdale@hughes.net
Sent: Friday, October 08, 2010 3:48 PM
To: Pell, Jerry; patrick.brown@sdcountry.ca.gov
Subject: Wind energy symposium Oct 29-31 & turbine fire photos
Attachments: Blvd PG to Sec Int wind invest 5-21-10.pdf; pic27393.jpg; pic06292.jpg; pic14962.jpg; pic14214.jpg; pic12527.jpg; pic26807.jpg; pic13194.jpg; pic08705.jpg; pic14713.jpg; pic07011.jpg; pic18913.jpg; pic06693.jpg; pic19664.jpg; pic26203.jpg; pic28995.jpg; pic17762.jpg; pic14381.jpg

Hello Dr. Pell and Patrick,

As promised, here is the link to the GLOBAL WIND INDUSTRY AND ADVERSE HEALTH EFFECTS: Loss of Social Justice? The Waring House Inn and Conference Center, Picton, Prince Edward County, Ontario October 29-31, 2010

http://www.windvigilance.com/2010_symposium_details.aspx

Here is the link you requested to the 42 pages I printed out from our non-profit's website and handed in last night:

http://www.backcountryagainstdumps.org/sunrise_powerlink.html

I was told that after I left the hearing last night, and Julia Greiss showed the flaming turbine photos, there were questions and a request for copies of the photos.

107-1 I believe I have attached all the photos that were displayed. I do not have all the information on each photo, but I may be able to track

some of them down if necessary. There are many more photos at and much more information at www.windaction.org and www.wind-watch.org

None of the displayed photos were taken at our existing wind farm.

The two articles, linked below, show photos of the leaking, damaged and headless turbines at Campo Kumeyaay Wind facility.

They also discuss the removal of all 75 blades from the 25 turbines at Kumeyaay Wind due to damage suffered in a December 7, 2009 storm where winds topped 70 mph:

<http://www.signonsandiego.com/news/2010/jan/13/damaging-blow>

<http://www.eastcountymagazine.org/node/2734>

Photos of the Harris fire are included in East County Magazine article linked above.

107-2 AT two of your ESJ hearings, you heard from Dennis Bergland and Mark and Lorrie Ostrander on how the Harris Fire, the Cedar Fire and the Witch Creek Cedar Fire storms have raised our fire insurance rates. Many people were were cancelled altogether. Yes, a state insurance fund is available, but I understand it is not cheap. The fire storms that were caused by SDG&E's equipment also rates our utility rates and prompted SDG&E to declare they will shut-off our power during high wind events with low humidity--a frequent occurrence for our area.

RESPONSE TO 107-1: The commenter provided various articles, website information, and photographs regarding potential adverse health effects of wind turbines and accidents, fires and other problems at wind farms both within and outside of San Diego County. The EIS at Section 3.9 (Fire and Fuels Management) discusses the potential fire risks associated with wind turbines and potential cross-border impacts to the U.S. from the ESJ Wind project. The EIS acknowledges that wind turbine towers have collapsed and that some turbines have caught fire. Smoke from a significant fire could be visible from the U.S. Although the closest ESJ Wind turbine to the U.S. would be about 1 mile (1.6 km) south of the U.S.-Mexico border (EIS Figure 1-2), the vast majority of turbines would be substantially farther south; therefore, the risk of a fire spreading from the ESJ Wind Project turbine development area to the U.S. is considered low.

RESPONSE TO 107-2: The EIS acknowledges that the presence of transmission lines in fire-prone areas increases fire-related risks (Section 3.9.2.3). In certain cases, utilities including SDG&E have been investigated as having potentially caused or contributed to wildfires. For example, in the case of the 2007 Witch Creek, Rice, and Guejito fires, media reports indicate that SDG&E agreed to pay \$14.3 million to the state to settle claims that its poor maintenance caused the fires, plus an extra \$400,000 in reimbursement to the CPUC. SDG&E did not admit causing the fires, but did issue an apology for obstructing investigators seeking causes of the fires (<http://www.eastcountymagazine.org/taxonomy/term/1877>).

107-3 | The 25 Kumeyaay turbines are 2 MW Gamesa. I was informed by a Campo tribal member and the former head of the Campo EPA that a crew from Spain was imported to install the turbines and even flew in to change the turbine fluids. Kumeyaay Wind did not undergo a EIR or EIS. They got through on an EA.

I have also attached the Boulevard Planning Group letter to the Secretary of Interior requesting an investigation into the catastrophic failure at Kumeyaay Wind. The letter is dated May 21, 2010. To date, we have had no response. The discarded turbine blades, and other damaged equipment, still litter the ground at the base of each turbine. The FAA required lights still do not operate properly, if at all.

Thank you for holding the local hearings. I hope you fully consider our justified concerns with ESJ and the many other projects proposed for our ruggedly beautiful cross-border area.

Regards,

Donna Tisdale
619-766-4170

DOE has found no empirical evidence that proximity to transmission lines necessarily results in higher fire insurance rates. The California Insurance Commissioner's office has not collected data on this topic (George Yen, Chief, Rate Specialist Bureau, Personal Communication February 2011) and no relevant published reports have been found.

The California Fair Access to Insurance Requirements (FAIR) plan, the state fund mentioned by the commenter, offers insurance only after three other insurance companies have declined to insure the property. Rates for the FAIR plan are approved by the Insurance Commissioner and must not be excessive or discriminatory and must be sufficient to reflect risk exposure and historical loss exposure. Further, additional charges for brush/wildfire are eliminated at 200 feet from the home (www.cfpnet.com). The location of transmission lines in relation to the structure is not considered in calculating the rate (John Boeden, Vice-President Underwriting and Operations, California FAIR Plan Association, Personal Communication June 2011).

RESPONSE TO 107-3: See response to comment 107-1.

BOULEVARD PLANNING GROUP

P.O. BOX 1272, BOULEVARD, CA 91905

May 21, 2010

Ken Salazar, Secretary of Interior

Department of the Interior
1849 C Street, N.W.
Washington DC 20240

**RE: REQUEST TO INVESTIGATE CATASTROPHIC FAILURE AND ACCIDENTS
AT KUMEYAAY WIND FACILITY & TO DENY FURTHER CATEGORICAL
EXCLUSIONS FOR MET TEST TOWERS NEAR PRIVATE LAND.**

Dear Secretary Salazar,

Our group is an elected community land use group advisory to the County of San Diego. The Boulevard Planning Area covers private land surrounding /abutting the Campo tribal lands in eastern San Diego County. Tribal members registered to vote in the area vote in our elections. **With this letter we are requesting three very important actions from you:**

- **Please conduct an investigation into the catastrophic failure and string of accidents at Kumeyaay Wind facility on the Campo Reservation.**
- **Address timely and proper disposal of damaged turbine blades and waste oil.**
- **Please deny further Categorical Exclusions for MET Towers for industrial wind energy projects on tribal lands within at least one mile of private lands.** *MET test towers represent industrial wind turbines. They are controversial and should be subject to the NEPA review process, public notice, and comment.* Six MET towers have been installed on the Campo Reservation by Invenergy Wind with more being planned in close proximity to private land and residences. Industrial wind projects represent negative impacts to public health and safety, quality of life, property values, and more. Impacted residents / property owners have a right to participate in the MET tower location process.

Call to investigate catastrophic failure and accidents at Kumeyaay Wind

Our group voted unanimously to send this letter requesting a formal investigation into the catastrophic failure at the Kumeyaay Wind facility during a significant weather event on December 7, 2009 where winds reached a reported 70 mph. The turbines are located on the Campo Reservation adjacent to Interstate 8. Witnesses driving on I-8 reported seeing a huge

Boulevard Planning Group to Secretary Salazar 5-21-10

Page 1

electrical blue light flash that started near the center of the string of 25 Gamesa 1.5 MW turbines that lit up the sky and then arced out to all the turbines in both directions. See the linked articles: <http://www.eastcountymagazine.org/node/2734> and <http://www.signonsandiego.com/news/2010/jan/13/damaging-blow/>.

Another resident, a Manzanita tribal member who lives near the turbines, witnessed the same blue flash and arcing event from their yard and informed me that the following morning they saw large chunks of blades flopping and dropping as the damaged turbines continued to spin. The witness suspected that the brakes had become inoperable through a systemic failure. Employees were also seen collecting turbine parts. At various times since the 2005 startup of Kumeyaay Wind, witnesses have seen turbine and blade parts being collected from traffic lanes and center divider of adjacent I-8.

We are lucky that the December 7th electrical meltdown did not occur during a dry high-wind event which could have resulted in a catastrophic fire storm in this high fire danger zone. Eastern San Diego County, subject to Santa Ana wind events, suffered massive wildfires triggered by high winds and powerlines in 2003 and 2007. Other historic fires have devastated East County before, burning almost to the coast. Industrial wind turbines are subject to malfunction and to burst into flames spitting flaming debris onto the ground and vegetation around them. We see them as fire ignition sources in a remote area with limited emergency service capabilities.

Kumeyaay Wind facility was inoperable from the December 7th storm through March 2010. After extensive and repeated day and night crane work, the final turbine finally went back on line in late April. We suspect the last turbine, near the center of the string of turbines, may have been involved in the original failure and suffered the most damage. It is still undergoing frequent crane work.

The FAA required red warning lights located atop the 325 foot turbines do not appear to be in full operation. Some do not appear to be operating at all, while some are operating but are much dimmer than they were prior to the December 7, 2009 catastrophic failure event which took them all out. It is our understanding that the entire project has been plagued with problems since that failure which appears to have been electronic in nature.

After Kumeyaay Wind's failure, arguments ensued between insurance carriers, the turbine makers, and the project operators over who was at fault. Was the failure caused by a turbine / blade design flaw, a problem generated during construction / installation, operator error, a combination of problems, or what? There were online reports that the failure had become the topic of risk management conferences due to the incredibly expensive insurance payouts to replace the damaged turbine parts and to pay for the lost power generation.

Was /is the site properly grounded? Was / is it wired properly?

The original statement that the turbines had been struck by lightning in the December 7th storm was later denied. It has been speculated that the turbine blades had been turned to the wrong position which may have allowed too much friction to build up on the blades that then discharged creating the blue light ball and arcing. There are also concerns with the grounding of the turbines. It is our understanding that the re-bar in a properly constructed foundation is a key part of the grounding system. Sufficient bonding is required inside the foundation to allow lightning and fault currents to pass.

If bad or damaged wiring is involved it can lead to loss of turbine control and tower collapse. Here is a linked article on the investigation of collapsed wind turbine tower in New York state that was traced back to "questionable" wiring that did not allow the turbine to be properly controlled. <http://www.brighterenergy.org/10427/news/wind/noble-environmental-power-faces-questions-over-wind-turbine-collapse/>.

The investigation into the New York turbine collapse reportedly uncovered "a number of instances where best practices may not have been followed in terms of monitoring operations and where compliance with quality assurance/quality control measures and manufacturer's recommendations for inspection and maintenance of turbines may not have been fully implemented by Noble". The New York Public Service Commission stated that, "We must make sure that those installing and operating wind turbines do so properly". We hope you agree.

Where will the damaged blades and waste oil be disposed?

The December 7th storm damage resulted in all 75 blades from all 25 turbines being removed and replaced along with some of the nose cones. The damaged and discarded blades are still littering the ground at the base of the turbines, visible from I-8 and surrounding areas. It is our understanding that due to their composite makeup these multi-ton 150 foot or so long blades cannot be easily recycled and must be disposed of in a special manner. The cost to long-haul these huge blades, one per truck, to a distant special disposal facility must be incredibly expensive. There are also significant amounts of waste oil and hydraulic fluid generated by these enormous wind turbines. Where does it go? What are the waste storage / handling / disposal plans at this and other wind energy projects on the lands under your jurisdiction? Who is in charge of enforcing them? The Kumeyaay Wind facility is located within the federally designated Campo / Cottonwood Sole Source Aquifer which means we are totally reliant on our at-risk groundwater resources. Protection of our shared and priceless water resource is critical.

Kumeyaay Wind accidents

Tuesday, April 19th, several workers were injured by a high-voltage arc flash while inside a turbine nacelle at Kumeyaay Wind. One worker was struck in the face and was airlifted out. <http://www.signonsandiego.com/news/2010/apr/20/one-worker-in-campo-accident-remains-hospitalized/>.

We have also received information that a large wind turbine motor was recently dropped during installation via a heavy duty crane and that a vehicle sitting on the ground below was crushed. Luckily, we heard that no workers were injured in this accident.

Who is responsible for quality control / assurance / oversight & regulation?

Is someone monitoring the accident rates at this and other wind energy projects on federal lands? Can more be done to prevent them? As you know, state and county agencies generally have no authority over operations conducted on tribal or other federal land. Our community cannot go to them for help with this project. Kumeyaay Wind is a private operation, approved through a lease agreement by the Bureau of Indian Affairs. It is located on sovereign tribal land that is held in trust by your agency. The Campo Band has informed us they are not in control of the project, in fact, they reportedly did not even receive any revenue from the project until last year, four years after it went into operation.

Our question to you, sir, is who is ultimately responsible for oversight and regulation of the Kumeyaay Wind energy project and those that are currently under consideration for the Campo, Manzanita and Ewiiapaayp tribal lands, and the Tule Wind project which is proposed on a combination of BLM and tribal lands--all of which fall under your jurisdiction? Does the buck stop with you? Please tell us.

Documentation of concerns

For your information, we have attached a copy of our well-researched letter submitted on February 15th during the formal comment period for the joint NEPA/CEQA review for the ECO Substation, Tule Wind and Energia Sierra Juarez projects. Tule Wind is proposed on both BLM land and tribal land, under your jurisdiction. The Bureau of Indian Affairs is a cooperating agency. A copy was previously provided directly to John Rydzik at the Pacific Regional Office.

Please contact me at 619-766-4170 or domatisdale@hughes.net with any questions you may have. We thank you in advance to your prompt reply.

Sincerely,

Donna Tisdale, Chair

cc: Dale Morris, Pacific Regional Director

Robert Eben, Acting Superintendent, So Cal Agency

Interested Parties



































BOULEVARD PLANNING GROUP

P.O. BOX 1272, BOULEVARD, CA 91905

Dr. Jerry Pell

November 1, 2010

NEPA Document Manager

Office of Electricity Delivery and Energy Reliability

Washington, DC 20585

Via e-mail: Jerry.Pell@hq.doe.gov

DOE /EIS-0414: DEIS FOR SEMPRA GENERATION'S ENERGIA SIERRA JUAREZ PRESIDENTIAL PERMIT APPLICATION (PPA-334)

Dear Dr. Pell,

We thank the DOE for doing the right thing by agreeing to do an EIS and for holding local DEIS hearings in the impacted communities. We hope that you will do the same when the Final EIS is released for public comment.

At our regular public meeting, held on October 7th, our land use advisory group voted unanimously to send updated comments on the ESJ DEIS, with a request to include the Sunrise Powerlink as a Connected Action, and additional cumulative impact projects that include the new Boulevard Border Patrol Station. Border Patrol Agent Henry Soule, has advised our group that approximately \$30 million in funding was recently approved for the new Boulevard Border Patrol Station on Ribbonwood Road. Despite our request for an EIS to address multiple concerns, the large station was approved in a residential area with a FONSI. Ribbonwood Road is also the proposed access route for Tule Wind, which is considered under cumulative impacts when it should be a connected action.

The ESJ DEIS Stakeholder Comment log (starting at page 29) refers to our group as a "Citizen Group". Group members are actually elected to serve four year terms on the County's advisory land use planning group for the Boulevard Planning Area, at staggered general elections every two years. Three seats are up for election on the November 2nd ballot. The California Fair Political Practices Commission and the County of San Diego consider planning group members as "public officials".

Due to time limitations and the number of major project reviews this group is dealing with, these comments are not as in-depth as we would like them to be. This submission is in addition to the public statements, made on behalf of this group, at the three DOE public hearings held on Oct 5-7, 2010, and those comments previously submitted on behalf of myself and this group. Those previous comments include but are not limited to the following:

RESPONSE TO 108-1: Section 5 has been updated in the final EIS to include the Boulevard Border Patrol Station project in the cumulative impact assessment.

With regard to the status of Boulevard Planning Group's members as elected public officials, DOE understands that the Boulevard Planning Group, as with other legally authorized Community Planning Groups within the County of San Diego, consists of publicly elected officials who advise and assist the County of San Diego officials on matters of planning and land use affecting the group's area. The referenced Stakeholder Comment Log is contained in the EIS Scoping Report, which was published in September 2009 and is provided as Appendix A to the EIS. A footnote has been added to Section 3.3 (Land Use) to describe the Boulevard Planning Group.

RESPONSE TO 108-2: As noted in the Draft EIS Section 1.5.1, scoping comments, including Boulevard Planning Group's previous comments related to OE Docket No. PP-334, were considered and addressed during preparation of the EIS.

108-2

- **March 21, 2008:** OE Docket No. PP-334 comments: Application for Presidential Permit; Baja Wind US Transmission (AKA La Rumorosa Wind and Energia Sierra Juarez).
- **June 23, 2008:** Donna Tisdale to Ellen Russell at DOE requesting delayed scoping hearings due to the Recirculation of the EIR/ Supplementary EIS for Sunrise Powerlink based on Sempra's La Rumorosa Wind Energy Project (now ESJ).
- **September 3, 2008:** Response to OE Docket NO-PP-334: Notice of Intent to Prepare an Environmental Assessment for Sempra Generation's Baja Wind, U.S. Transmission, LLC. & Request for a full Environmental Impact Statement.

We support the No Action Alternative:

- There is no need to import energy from, and export jobs, to Mexico.
- There is no compelling need to approve, construct and rely on additional cross-border energy infrastructure in such an environmentally sensitive, geographically rugged, fire-prone, and volatile section of the US/Mexico border that is under the influence of heavily armed and violent Mexican drug cartels, with escalating attacks.

Purpose and Need and Project Objectives have not been proven:

It is our strong opinion that the ESJ project is not needed and would be contrary to the public interest and natural resources in a variety of ways including but not limited to the following.

108-3

- Sempra's alleged objective to "...reduce the regions' dependence on fossil fuel fired generation plants, and to improve the region's ability to meet future electrical energy requirements" have not been proven. Their objective should be considered speculative.
- Power demands have dropped significantly.
- Wind energy is intermittent unpredictable and unreliable. It requires backup generation up to 90% of installed capacity.
- Companies like Sempra will also get paid to provide the gas to the new and existing gas-fired backup power generators. Their own reports confirm this.
- Generators are currently paid a higher price for wind energy, they sell the energy a second time as renewable energy credits to those that need to reduce their emissions. This increases utility rates during times of economic hardship for families and business.
- Wind energy is not sustainable without huge taxpayer funded subsidies, incentives, grants, tax breaks and use and transformation of public lands and wildlife habitat.
- Increased domestic supplies and decreased demand of natural gas has reduced costs to the degree that makes it hard to justify and support expensive and unreliable wind energy.
- In the 1980's, President Reagan pulled President Carter's economically unsustainable props for renewable energy when oil prices dropped significantly.
- History is repeating itself. Exorbitant and unsustainable government spending on renewable energy will come to an end (maybe with this election) and large-scale remote wind and solar projects, that need extensive, expensive, and destructive power lines, will need to become self supporting and competitive in a free market. They will fail and

RESPONSE TO 108-3: The commenter's stated preference for the No Action Alternative is noted. Comments pertaining to the economic merits of the project for the applicant are outside the scope of the NEPA process. DOE will consider these comments as well as all other comments received in this proceeding before making a final determination on the permit application.

With respect to the ESJ Wind project's compliance with Mexican laws and regulations, the EIS states at Section 1.5.1.2:

The Mexican government has been involved in the evaluations of the environmental impacts associated with the wind project in Mexico. Further, the ESJ Wind project would be constructed in accordance with all applicable Mexican laws, standards, rules, and regulations. The agencies in Mexico with potential jurisdiction over the activities proposed within Mexico include the Comisión Federal de Electricidad, Comisión Reguladora de Energía, Secretaría de Medio Ambiente y Recursos Naturales, and Instituto Nacional de Ecología.

This assumption is maintained. In the normal course of events, it is reasonable to assume the applicant would comply with applicable Mexican regulations.

With respect to the intermittent nature of wind generation, the potential need for and source of back-up generation is speculative and DOE has no basis upon which to make conclusions regarding back-up generation. This is an electrical grid management issue that is addressed by the Independent System Operator (ISO) and it is well beyond the scope of the EIS.

will need to be decommissioned. Projects abandoned in the 80's are an indication of what's to come.

- Like the price of oil in the 80's, the price of natural gas has now dropped dramatically with the discovery of huge domestic natural gas (shale) resources, increased drilling, and supplies.
- The assumption of compliance with Mexican laws and regulations is speculative.

Backup documentation:

Sempra 2009 Annual Report / CEO's Letter to Shareholders:
<http://www.sempra.com/annualreport/pdf/2009SempraAnnualReport.pdf>

In 2009, Sempra Energy® delivered a total shareholder return of 36 percent...We have a fundamental market view that natural gas is going to be the fossil fuel of choice in North America for decades to come. This view is based on the fact that federal and state policies are calling for reduced greenhouse-gas emissions, along with increased use of renewable energy resources. **Natural gas is the cleanest of the fossil fuels and recent discoveries ensure that it should be available at a reasonable price for a sustained period.** In the United States, many new coal-fired power plant projects have been canceled and nuclear power has a long development timeline. **Furthermore, most renewable energy resources are intermittent, meaning they cannot operate at all times — only when the sun is shining or the wind is blowing.** Therefore, natural gas will continue to play a critical role as the favored generation fuel, especially when renewable energy is unavailable. In the past five years, we have invested nearly \$12 billion in new natural gas infrastructure, renewable generation and our California utilities. Our infrastructure projects will facilitate the delivery of energy supplies to our customers well into the future and are expected to provide us with a predictable, long-term earnings stream. Over the next five years, our capital investment plan will increase to \$14.6 billion, about 75 percent of which will go toward supporting our California utilities, Southern California Gas Co. (SoCalGas®) and San Diego Gas & Electric® (SDG&E®). Both utilities benefit from operating in a environmental policies. Page 35: **Starting in the third quarter of 2009, SDG&E's liability insurance premiums increased significantly, by approximately \$40 million annually, due to the increased costs of wildfire coverage.** In addition to the increased insurance premiums, Sempra Energy, including the Sempra Utilities, has substantially lower insurance coverage, particularly with respect to any future wildfire liabilities. The maximum loss recovery due to a wildfire incident from insurance carriers is now \$400 million compared to \$1.1 billion in the previous policy year. SDG&E filed a request with the CPUC in the third quarter of 2009 for recovery of the incremental insurance premiums, but without such recovery, our financial results could be adversely impacted. In regard to the 2007 wildfire litigation, before giving effect to any amounts that it may recover from other defendants and potentially responsible parties, SDG&E expects that the aggregate costs that it may incur in resolving the remaining unreserved wildfire claims will substantially exceed its insurance coverage. **If its liability for the three wildfires were to exceed the remaining insurance, SDG&E will file with the FERC and the CPUC to recover the excess amount from utility customers.** SDG&E is continuing to evaluate the likelihood, amount and timing of any such recoveries. If

The issue of grid reliability will be considered by DOE external to the NEPA process. Before a Presidential permit may be issued or amended, the DOE must determine that the proposed action will not adversely impact the reliability of the U.S. electric power supply system.

DOE reviewed various studies conducted on the topic of back-up generation for renewable energy sources. Some studies indicate that no new generation additions are required when the electrical grid is sufficiently robust and flexible to accommodate intermittent renewable generation additions. Other studies indicate that even with fossil fuel capacity additions, overall fossil generation capacity and overall emissions will be reduced because of the addition of renewable resources to the mix (California Energy Commission 2007b).

The California Energy Commission's (CEC's) Scenario Analyses of California's Electricity System: Preliminary Results for the 2007 Integrated Energy Policy Report (September 2007, CEC-200-2007-010-SD; available online at: <http://www.energy.ca.gov/2007publications/CEC-200-2007-010/CEC-200-2007-010-SD.PDF>) concludes that "Increased penetration of preferred resources reduces greenhouse gas emissions significantly, even when dispatchable resources to assure reliability are taken into account" (page 3). The study also shows that even with new fossil generation additions, the total amount of fossil generation in the system is reduced over time as renewable generation resources are added to the system.

SDG&E were unable to conclude that recovery from utility customers is likely, either on a current basis or in the future, SDG&E's and therefore Sempra Energy's earnings would be materially adversely affected to the extent that it resolves wildfire claims or obtains sufficient information to establish reserves for amounts that exceed its remaining insurance, even though all or a portion of such amounts (including amounts already paid in settlements with homeowner insurers) may ultimately be recovered from other defendants and potentially responsible parties, or from utility customers in subsequent reporting periods. Cash flow would also be adversely affected by any delays in obtaining such recoveries. We provide additional information concerning these matters in Notes 16 and 17 of the Notes to Consolidated Financial Statements." (emphasis added)

Wind energy market has collapsed:

Reuters: October 25, 2010: <http://www.reuters.com/article/idUSLDE69J19N20101025?pageNumber=1>

"...Vestas, the world's No. 1 builder of wind turbines ahead of U.S. giant General Electric (GE.N), surprised the market in August by posting second-quarter losses and cutting its 2010 earnings outlook as customers delayed orders. [ID:nLDE67H0D2]

After a plunge in orders in 2009, when the U.S. wind turbine market seized up due to the financial crisis that hit funding for energy infrastructure projects around the globe, a long-awaited 2010 upturn has proved elusive.

GE rattled recovery hopes on Oct. 15 when it posted a steeper-than-expected drop in group revenues, partly because wind turbines sales fell 32 percent in the third quarter and wind orders were down 15 percent. [ID:nN15165353]

In a conference call for analysts, GE's Chief Financial Officer Keith Sherin noted that the wind market had "really collapsed in the U.S..."

Natural gas is king in US energy drive:

Abundant supply, lower prices are taking shine off billion-dollar plans for wind farms, nuclear reactors:

<http://www.telegram.com/article/20101017/NEWS/10170375/1002/RSS01&source=rss>

October 17, 2010: "NEW YORK — By unlocking decades worth of natural-gas deposits deep underground across the United States, drillers have ensured that natural gas will be cheap and plentiful for the foreseeable future. It's a reversal from a few years ago that is transforming the energy industry.

The sudden abundance of natural gas has been a boon to homeowners who use it for heat, local economies in gas-rich regions, manufacturers that use it to power factories and companies that rely on it as a raw material for plastics, carpet and other everyday products. But it has

An IEEE paper (Operational Impacts of Wind Generation on California Power Systems by Makarov, Loutan, Ma and de Mello, May, 2009; see <http://www.caiso.com/23ec/23ecd8894a6e0.pdf>; page 1047) indicates that if wind generation increases by 6,700 MW from 2006 levels, the load following capability and regulating capacity needs in the CAISO area are "not expected to create any operational concerns because it falls within the ramping capability of existing units." In other words, adding 6,700 MW of wind generation within the CAISO control area from 2006 levels would not be expected to require that any new generating facilities be constructed to handle the intermittency of the renewable additions, because existing units would be capable of addressing the variability in wind generation.

A May, 2010 NREL publication (Western Wind and Solar Integration Study, prepared by GE Energy for the National Renewable Energy Laboratory, May, 2010; see http://www.nrel.gov/wind/systemsintegration/pdfs/2010/wwsis_executive_summary.pdf; page 24) prepared for the purpose of investigating the operational impact of up to 35% energy penetration of wind, photovoltaics and concentrating solar power in the WestConnect group utilities in Arizona, Colorado, Nevada, New Mexico, and Wyoming, concludes that: "[C]ommitment of additional reserves is not needed to cover variability in the study footprint." Thus, this study also concludes that no new generation additions are required to address wind and solar intermittency.

Sempra's July 1, 2011 letter to DOE provides additional information on this topic. This letter is provided on the project website at:

http://www.esprojecteis.org/docs/Sempra_Response_to_DOE_Questions_2011-07-01.pdf.

upended the ambitious growth plans of companies that produce power from wind, nuclear energy and coal. Those plans were based on the assumption that supplies of natural gas would be tight, and prices high.

Billions of dollars' worth of plans to build wind farms and nuclear reactors have been delayed or scuttled, including Constellation Energy's Calvert Cliffs nuclear project in Maryland. The company signaled this week it was in peril because of higher-than-expected financing costs

... Natural gas, which had traded at about \$2 per 1,000 cubic feet in the 1990s, hit nearly \$15 in 2005. It is now about \$3.50, driven lower by reduced industrial power demand and rising production by drillers who are learning to make a profit from shale gas at ever lower prices

... "Clearly \$4 gas challenges the economics of just about every other form of electricity generation," says Richard Myers, vice president for policy development at the Nuclear Energy Institute, an industry group. "If you take a snapshot, today, it looks bleak."

E.ON warns over backup for renewables

The Guardian UK: June 4, 2008:

<http://www.guardian.co.uk/environment/2008/jun/04/energy.renewableenergy>

"One of Britain's leading energy providers warned yesterday that Britain will need substantial fossil fuel generation to back up the renewable energy it needs to meet European Union targets. The UK has to meet a target of 15% of energy from renewables by 2020.

E.ON said that it could take 50 gigawatts of renewable electricity generation to meet the EU target. But it would require up to 90% of this amount as backup from coal and gas plants to ensure supply when intermittent renewable supplies were not available. That would push Britain's installed power base from the existing 76 gigawatts to 120 gigawatts.

Paul Golby, E.ON UK's chief executive, declined to be drawn on how much the expansion would cost, beyond saying it would be "significant". Industry sources estimate the bill for additional generation could be well in excess of £50bn.

E.ON's calculations are part of what the company calls its energy manifesto - designed to draw attention to what Golby described as Britain's "trilemma" - balancing the priorities of carbon, costs and energy security..."

U.S. House Committee on Science and Technology Energy and Environment Subcommittee: Testimony of Robert J. Michaels, PhD:

<http://gop.science.house.gov/Media/hearings/energy10/jun16/Michaels.pdf>

June 16, 2010—"Over the past few years wind power has grown strongly, largely fueled by subsidies and regulatory requirements. Over that same period a revolution in fossil fuels has taken place, but without such subsidies or regulations. The technologies to access natural gas in

11-1-10 Blvd Planning Group comments DOE/EIS-0414: ESJ DEIS

Page 5

108-3

108-3

shales, tight sands and coal seams have come of age. They can now reach hitherto unimagined volumes located all around the nation at current prices, and with what most agree are minor environmental impacts. The nation's gas reserves are massively increasing, and the history of oil and other minerals strongly suggests that early estimates of reserves will turn out to have been far too low.¹⁴ America can probably look forward to literally centuries of its own clean, safe, competitively produced, and truly secure fuel. Looking forward also means looking backward. Abundant gas means less need for power from coal and uranium, and from uneconomic renewables as well. Gas-fired generation is cost effective, fuel-efficient, environmentally acceptable almost everywhere, and already an integral part of almost every utility's power supply. The future belongs to the efficient, and it is time to abandon the mistaken belief that efficiency and renewable are synonyms.

....Newer research has found that increasing the scale of wind operations sometimes produces a strikingly perverse outcome. Gas marketer Bentek Energy examined a seeming paradox in Texas and Colorado: Large increases in wind power production were responsible for decreases in the output of coal-burning generators, but emission of pollutants from those plants had actually increased, and CO2 emissions were unchanged.⁹ Operating data showed how wind's variability meant that coal units had to make many quick output adjustments, and that those adjustments were responsible for the added pollution. Bentek's controversial conclusion was that the total load in the area could have been produced with lower total emissions had the wind units never existed."

San Diego City RFP to Execute a long term ground lease with the City for the subject site to construct a reclaimed water cooled, gas fired power plant of no less than 200 megawatts (gross) of electrical generating capacity.

See item 3 at page 6 of the linked RFP: <http://www.sandiego.gov/bcweb/pdf/10007363.pdf>

Wind Energy Ghosts: Andrew Walden edits hawaiiexpress.com.

http://www.americanthinker.com/2010/02/wind_energys_ghosts_1.html

February 20, 2010—"Although carbon credit schemes often assign profitable carbon credits to wind farm operators based on a theoretical displacement of carbon emitted by coal or natural gas producers, in reality these plants must keep burning to be able to quickly add supply every time the wind drops off. The formulae do not take into account carbon emitted by idling coal and natural gas plants nor the excess carbon generated by constant fire-up and shut down cycles necessitated to balance fluctuating wind supplies...laws requiring large wind producers to be allowed to tie into the existing utility grid "Renewable Portfolio Standards" forcing utilities to buy intermittent wind generated electricity."Renewable Energy Certificates" tradable separately from the electricity itself to sell to companies needing to meet the portfolio standards. A 10-year "Production Tax Credit" that now equals \$.019/kWh. Accelerated depreciation allowing tax write-off using an accelerated 5-year double-declining-balance method (40% per year). In early 2009 the Socialist government of Spain reduced alternative energy subsidies by 30%. Calzada continues: "At that point the whole pyramid

11-1-10 Blvd Planning Group comments DOE/EIS-0414: ESJ DEIS

Page 6

collapsed. They are firing thousands of people. BP closed down the two largest solar production plants in Europe. They are firing between 25,000 and 40,000 people..." "What do we do with all this industry that we have been creating with subsidies that now is collapsing? The bubble is too big. We cannot continue pumping enough money. ...The President of the Renewable Industry in Spain (wrote a column arguing that) ...the only way is finding other countries that will give taxpayers' money away to our industry to take it and continue maintaining these jobs." That "other country" is the United States of America. Waxman-Markey seems dead, and Europe's southern periphery is bankrupt. But the wind-subsidy proposals being floated in Congress suggest that American political leaders have yet to understand that "green power" means generating electricity by burning dollars."

Why rise of wind farms is a ticking time bomb

<http://www.windaction.org/news/29502>

108-3

Capacity has doubled but fears over quality remain

October 15, 2010 by Stephen Chen in South China Morning Post

"Dr Gao Hu, deputy director of the National Development and Reform Commission's Centre for Renewable Energy Development and an author of the report, said that the wind-power boom on the mainland in recent years had left behind quality "time bombs" that, if not quickly and properly replaced, would blow up the industry's long-term growth.

Some turbines installed three or four years ago have already begun to show signs of ageing, with issues ranging from oil leaks and gearbox malfunctions to blades snapping, Gao said. They were supposed to last for a decade with little maintenance.

In China, more than 70 per cent of these troubled turbines were made by domestic manufacturers. Because they are made to meet lower standards than those overseas, "our nightmare is an outbreak of quality issues across the country", Gao said.

"It has not happened yet, but if it happens, the time is likely to be 2011 or 2012, a generally accepted make-or-break point for the turbines."

Connected Actions:

The ECO Substation Switch Yards and SWPL Loop-In are the only recognized ESJ Connected Actions. The DOE cannot slice and dice the ESJ project, the connected action projects, and cumulative impacts to suit themselves and Sempra. Again, we direct you to the following:

108-4

See Sunrise Powerlink FEIR/EIS Figure ES-1:
<http://www.cpuc.ca.gov/Environment/info/aspn/sunrise/toc-feir.htm>

11-1-10 Blvd Planning Group comments DOE/EIS-0414: ESJ DEIS

Page 7

RESPONSE TO COMMENT 108-4: The EIS

acknowledges the switchyard and loop-in portions of the proposed ECO Substation as a connected action to the ESJ U.S. Transmission Line project. As outlined in Section 1.1.2, DOE has determined that only the first point of interconnection with the electrical transmission grid (i.e., SDG&E's ECO Substation switchyard facility and SWPL loop-in) is a connected action; therefore, the additional SDG&E ECO Substation project components beyond the switchyards and loop-in are not considered connected actions to the ESJ U.S. Transmission Line project.

DOE has determined that the Sunrise Powerlink project is not a connected action to the ESJ U.S. Transmission Line project. The CEQ definition of connected action (40 CFR 1508.25(1)) states, in part, that actions are connected if they:

- (i) Automatically trigger other actions which may require environmental impact statements.
- (ii) Cannot or will not proceed unless other actions are taken previously or simultaneously.
- (iii) Are interdependent parts of a larger action and depend on the larger action for their justification.

The ESJ U.S. Transmission Line project is not dependent on Sunrise because the ESJ U.S. Transmission Line project will interconnect to the grid using the Southwest Powerlink via a loop-in from the ECO substation (i.e., not Sunrise Powerlink). Further, Sunrise Powerlink project construction is underway and will be completed regardless of whether or not the ESJ U.S. Transmission Line project goes forward. The Sunrise Powerlink project is considered in the cumulative impact assessment in this EIS.

108-4

It shows the following projects as Connected Actions, making the ESJ DEIS inconsistent with previously certified federal actions::

- **Sempra Presidential Permit and related facilities** (connected action and indirect effect)
- **SDG&E's ECO Substation**, including the new 2- acre Boulevard Substation and 13.3 miles of 138 kV transmission lines, is put forward as one project—not two separate projects.
- **Stirling Energy Systems Solar Two LLC Project** (now Imperial Valley Solar with approved and protested joint CEC/BLM EIR/EIS and ROD for the 6,500 acre project)
- **Esmerelda-San Felipe Geothermal Project** (status unknown)

Since the Sunrise Powerlink FEIR and ROD are certified (unless and until overturned in court), this discrepancy needs to be rectified in the ESJ FEIS.

The current joint PUC/BLM CEQA / NEPA review of the ECO Substation includes the entire ECO Substation project, without excluding the 600 % increase in the Boulevard Substation and 13.3 miles of new 138 kV, with eminent domain impacts, the 200 MW Tule Wind Project, and Sempra's 1,250 MW Energia Sierra Juarez project.

See the current PUC/BLM ECO Substation, Tule Wind and ESJ project review page at: www.cpuc.ca.gov/environment/info/dudek/ECOSUB/PEA_ECOSUB.htm. The DEIR/EIS is expected to be released for public review and comment any day now.

How can these projects be connected at one end by state and federal agencies but not the other? They can't be. These discrepancies need to be corrected in the ESJ DEIS.

The following projects should also be addressed as Connected Actions:

- **SDG&E's Existing Southwest Powerlink** (ESJ will be looped into SWPL via ECO Substation)
- **SDG&E's Sunrise Powerlink** (approved / needed to move ESJ energy over 80 MW /not built / unresolved state and federal litigation)
- **SDG&E's Entire ECO Substation including Boulevard Substation and 13.3 miles of new 138kV line** between Boulevard and Jacumba (pending DEIR/EIS with Intervenor)
- **Imperial Valley Solar**(Approved and protested FEIR/EIS) with SDG&E's 300 MW Power Purchase Agreement voluntarily signed at above Market Referent Prices.
- **Esmerelda - San Felipe Geothermal** (status unknown)
- **Tule Wind** (pending joint DEIR/EIS for Tule Wind, ECO Substation & ESJ)

SDG&E and Sempra have repeatedly tied ESJ to the ECO Substation and Sunrise--when it suited them--and denied it when it did not suit them. They can't have it both ways

Other projects listed by the commenter as connected actions (i.e., Stirling Energy Solar Two project, Esmerelda-San Felipe Geothermal project, existing SWPL, and Tule Wind) were not identified as connected actions because these projects could proceed independently of the ESJ U.S. Transmission Line project. However, some of these projects are considered in the cumulative impact analysis, as described in Section 5 (Cumulative Impacts), as updated for this final EIS.

The applicant's letter of July 1, 2011 (available online at: http://www.esjprojecteis.org/docs/Sempra_Response_to_DOE_Questions_2011-07-01.pdf) discusses this issue, arguing that the Sunrise Powerlink project is not a connected action because it does not depend upon the ESJ U.S. Transmission Line project. Construction of Sunrise is occurring and is projected by the San Diego Gas & Electric company to be completed in mid-2012 without regard to the outcome of the ESJ U.S. Transmission Line project. The letter goes on to maintain that ESJ is not dependent on Sunrise because ESJ can interconnect to the grid (via the Southwest Powerlink) and deliver its power without it; ESJ has requested interconnection service, which is a physical interconnection to the grid at a certain point (in this case to the Southwest Powerlink via a loop in from the ECO Substation).² The ability to interconnect does not automatically convey the ability to receive Transmission Service (the ability to inject power into the grid and to move that energy from a generator's point of interconnection to

² Currently, in the Cal-ISO queue, at positions 159A, 183, and 215. The Cal-ISO Interconnection Queue is periodically updated and lists energy-related facilities that have submitted requests to interconnect to the existing electric transmission system. The list as of February 2012 is available online at: <http://www.caiso.com/Documents/ISOGeneratorInterconnectionQueue.pdf>. Refer to the California ISO for the most recent report, at: <http://www.caiso.com/>. For the current report, enter the phrase "Cal-ISO Interconnection Queue" in the search function.

In an April 11, 2008 letter, similar to the May 30, 2008 letter referenced in footnote 2 at page 5-16 of the ESJ DEIS to the PUC/BLM, Sempra's Alberto Abreu, argued against inclusion of their ESJ project, and the related SDG&E proposed ECO Substation at Jacumba, as Connected Actions in the Sunrise Powerlink DEIR/EIS, claiming they were neither connected nor indirect actions.

The PUC's Assigned Administrative Law Judge and Commissioner for the Sunrise Powerlink project, rejected Sempra's argument that they were not connected actions. Why does the DOE feel compelled to take the opposite stance? The conflicting and inconsistent actions of the DOE, the PUC and BLM will no doubt carry some weight if and when the expected DOE approval of Sempra's PPA goes to federal court. The Sempra letter was previously posted on the PUC's Sunrise project page, but was not accessible at the time this letter was written. The Tisdale letter sent to Ellen Russell on June 28, 2008, that addresses Sempra's April 11, 2008 letter is referenced on page 2 of this letter.

SDG&E's own website at: <http://www.sdge.com/sunrisepowerlink/renewable.html#>, clearly states that "Eastern San Diego County, northern Mexico and the Imperial Valley have the potential to produce thousands of megawatts of clean solar, geothermal and wind energy. The Sunrise Powerlink will provide a transmission corridor for these much-needed resources to reach customers in San Diego." The following information was excerpted directly from the SDG&E website:

108-4

"Access to Renewable Energy

One of the Sunrise Powerlink's principle goals is to bring renewable energy from remote areas where it can be generated most effectively to coastal cities and towns for use by customers. The 117-mile Sunrise Powerlink will transport vast amounts of renewable energy from the resource-rich Imperial Valley region to residences and businesses in San Diego. This 500-kilovolt electric "superhighway" will have the capacity to carry up to 1,000 megawatts of clean power, or enough energy for 650,000 homes.

Eastern San Diego County, northern Mexico and the Imperial Valley have the potential to produce thousands of megawatts of clean solar, geothermal and wind energy. The Sunrise Powerlink will provide a transmission corridor for these much-needed resources to reach customers in San Diego.

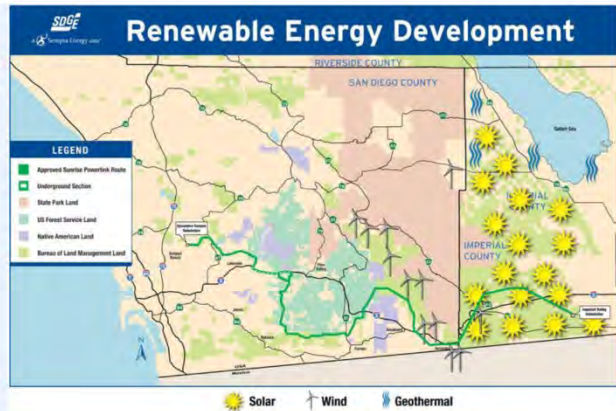
In addition to facilitating renewable energy development, the Sunrise Powerlink will bolster the local economy and put people to work. The Sunrise Powerlink will create 400-500 construction jobs in the local community, facilitate thousands of "green" jobs from proposed renewable projects in the Imperial Valley region and inject \$1.7 billion directly into the U.S. economy.

SDG&E has contracts with several renewable energy projects in the Imperial Valley. Several of these are listed below, along with details about the overall solar, wind and geothermal energy potential of the Imperial Valley region. When completed in 2012,

another point on the grid). Therefore, generators may receive Interconnection Service, allowing them to physically interconnect, but there will still be limitations on their ability to receive Transmission Service. While Sunrise increases the amount of transmission service that can be provided to all generators in the Imperial Valley area, ESJ and other generators can still deliver their power without Sunrise, according to the applicant.

the Sunrise Powerlink will access these resources and help create cleaner, more environmentally-responsible future for California

The Clean Energy Connection to The San Diego Region



[Enlarge Map](#)

The transmission line will tap into valuable green resources generated from the sun, wind, geothermal heat and other sources. Experts have identified the San Diego/Imperial/Baja Norte mega-region as one of the best locations in the country to generate electricity from renewable energy sources....

WIND

The mountain ridges of Eastern San Diego County and Northern Baja California are an excellent source of wind power. The Campo Indian Reservation developed the nation's first wind farm on tribal lands in 2006. These wind turbines generate 50 megawatts or enough electricity to power nearly 33,000 homes in SDG&E's service territory.

In June 2009, the Campo Band of Mission Indians of the Kumeyaay Nation, Invenergy and SDG&E jointly announced a plan to begin development work on tribal lands for a wind energy project capable of generating



up to 160 megawatts of clean energy, or enough to power 104,000 homes. The additional capacity of the Sunrise Powerlink will help free up the existing Southwest Powerlink to carry this clean energy to San Diego. SDG&E is also in the early stages of agreements with the Manzanita tribe to develop wind generation on their lands. Several other Eastern San Diego County and northern Mexico wind projects are in the development stages. "

###

BLM District Advisory Council Report October 2010: Tule Wind and ECO Substation Connected Actions:

http://www.blm.gov/pgdata/etc/medialib/blm/ca/pdf/cdd/upcoming_dac_meeting.Par.29837.File.dat/DAC%20Report%20Oct%202010%20EC%20rev1.pdf

"A Notice of Intent was published on December 29, 2009 to prepare an Environmental Impact Statement (EIS) for the Proposed Tule Wind Project and the Proposed East County Substation Project, San Diego County, CA. **BLM is analyzing the two projects (Tule Wind Project and ECO Substation) together as connected actions under one EIR/EIS with CPUC as the CEQA lead and BLM as the NEPA lead.** BLM and CPUC are preparing a joint EIR/EIS and plan to have a Notice of Availability for the draft out this fall."

SDG&E's ECO Substation is proposed as one whole project with the following components: <http://www.cpuc.ca.gov/environment/info/dudek/ECOSUB/ECOSUB.htm>

- Construction of a 500/230/138 kilovolt (kV) substation in Eastern San Diego County
- Construction of the Southwest Power link (SWPL) loop-in, a short loop-in of the existing SWPL transmission line to the proposed ECO Substation
- Construction of a 138 kV transmission line, approximately 13.3 miles in length, running between the proposed ECO Substation and the rebuilt Boulevard Substation
- Rebuild of the existing Boulevard Substation
- Rebuild of the White Star Communication Facility.

SDG&E's ECO Substation will be built to allow for the following massive expansion:

- Five 500 kV bays
- Nine 239 kV bays
- Nine 138 kV bays
- Four 500/230 transformer banks
- Three 230/128 kV transformer banks
- One or more 500 kV series capacitors
- Two 230 kV , 63 MVAR shunt capacitors
- Four 12 kV, 180 MVAR shunt reactor banks
- One 230 kV static VAR compensator

108-4

- The maximum amount of oil required for the transformers at the ECO Substation will be approximately 569,800 gallons

108-4 **The new Boulevard Substation will be built to allow for the following for up to 4 gen-tie lines. And more wind and high profile solar energy projects are being negotiated on over 10,000 acres of ranchlands that currently serve as unfragmented habitat and wildlife corridors and scenic resources**

Cumulative Impact Projects

The Cumulative Impact list should include these currently unlisted projects :

- Sunrise Powerlink future 500 kV and 230 kV expansions as shown in FEIS:
[http://www.cpuc.ca.gov/environment/info/asp/sunrise/feir/figs/Figure%20E0101-6 SWPL Alternatives 500kV Future Expansion.pdf](http://www.cpuc.ca.gov/environment/info/asp/sunrise/feir/figs/Figure%20E0101-6%20SWPL%20Alternatives%20500kV%20Future%20Expansion.pdf) ;
[http://www.cpuc.ca.gov/environment/info/asp/sunrise/feir/figs/Figure%20B-12a Future%20Expansion 230kV CentralEast Sycamore.pdf](http://www.cpuc.ca.gov/environment/info/asp/sunrise/feir/figs/Figure%20B-12a%20Future%20Expansion%20230kV%20CentralEast%20Sycamore.pdf)
- ESJ future phases as referenced in the DEIS and elsewhere.
- ECO Substation future expansions (see more details below).
- SDG&E's wood to metal pole swap with much taller and industrial appearing poles.
- US Border Patrol Station proposed for Ribbonwood Road at I-8 in Boulevard (Approved FONSI & approximately \$30 million funding)
- SDG&E's 57 MW Manzanita Wind energy project on Manzanita Reservation (BIA is in possession of tribal resolution to proceed with DOI NOI).
- The existing 50 MW Kumeyaay Wind facility on the Campo Reservation (No EIS)
- The existing Campo Golden Acorn Casino and expansion plans (EA no EIS)
- Projects shown on BLM Renewable Energy Projects Map that was displayed at the Boulevard hearing on October 6th Ocotillo Wind Express Sugarloaf Mountain and Palm Canyon Wash, TelStar Energies Shell Canyon, National Quarries-Sawtooth. The map was prepared by ECFO and dated 1-28-10.

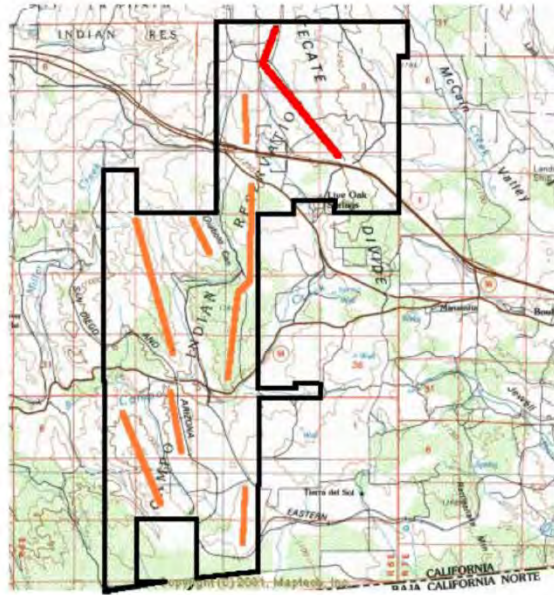
108-5

Figure S-5 at page S-33: Map of Projects Considered in Cumulative Effects

Analysis: This map should be corrected to show the entire Campo Reservation for the Invenergy / SDG&E wind energy project. The 6 MET towers, already installed with Categorical Exclusions from the BIA, cover most of the reservation's ridges as shown in the map below. The red line is the location of the existing 50 MW Kumeyaay Wind facility and the orange lines are potential locations for new turbines. The map was included in a presentation from Campo tribal member Michael Connolly at UCSD on September 26, 2008, and was posted online. It is backed up by the MET tower location map provided by John Rydzik at the BIA's Sacramento Area Office:

RESPONSE TO 108-5: The referenced projects have been considered as candidates for cumulative projects, and appropriate revisions have been made to Section 5 (Cumulative Impacts), including revisions to Table 5.2-1 and Figure 5-1. ESJ future phases have been considered in the EIS impact assessment. Refer to response to comment 108-4 for discussion of the Sunrise Powerlink project. Refer to response to comment 305-35 for additional discussion of updates to the EIS cumulative impact assessment.

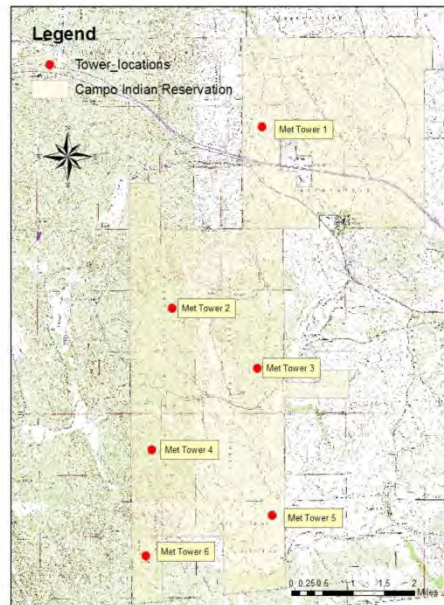
108-5



SDG&E/Invenergy MET Tower Locations on the Campo Reservation

The map below was provided, upon request, by John Rydzik at the Bureau of Indian Affairs in the Sacramento Area Office, with a note that MET tower 5 was moved and installed just to the north of the location noted on the map, to avoid the proposed Campo Landfill site. However, after over two decades, on May 27, 2010, the Campo Band voted to rescind the landfill leases and terminate the project--based on environmental concerns. That means the landfill site is likely available for the installation of turbines. Some of the MET towers are located adjacent to private property and will need to be disclosed as a precursor to an industrial wind energy project in any potential real estate sales. There is evidence that this will result in reduced property values.

108-5



Impacted community correction for Table at 5.2.1:

Table 5.2.1 lists the proposed Campo wind project as impacting the Campo community. While it impacts the Campo tribal community, it also impacts private land in the Boulevard Planning Area that extends to the western boundary of the Campo Reservation. See the linked San Diego County planning area map: http://www.sdcounty.ca.gov/dplu/gpupdate/docs/bos_oct2010/E_lu/boulevard.pdf

SDG&E's 57 MW Manzanita Wind energy project

San Diego Business Journal (4-19-10): <http://www.sdbj.com/news/2010/apr/19/wind-energy-companies-bringing-renewable-power-reg/>

"SDG&E is also planning a number of infrastructure enhancement projects such as the Sunrise Powerlink, a 120-mile transmission line proposed to carry renewable energy from the Imperial 11-1-10 Blvd Planning Group comments DOE/EIS-0414: ESJ DEIS

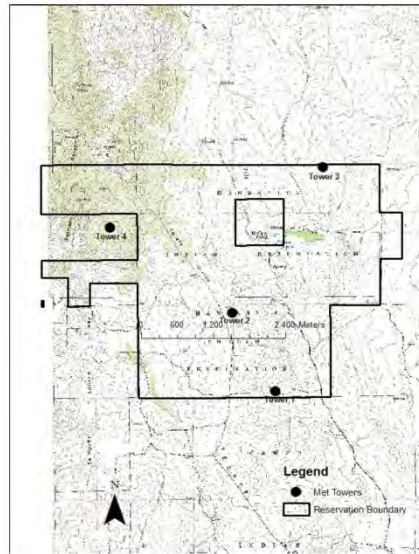
Valley to San Diego, and a new electric substation that will help deliver renewable power into the grid while enhancing energy reliability for customers, Larson said.

The company is in the early stages of another planned wind farm on the Manzanita Indian Reservation in East County. The planned project, which could come online as early as 2012, is expected to generate 57 megawatts of power. This month, SDG&E plans to install four meteorological towers to collect wind data for the site, according to Larson. The proposed project doesn't have a price tag yet":

MET Tower locations map for SDG&E's Manzanita Wind energy:

This map was also provided by John Rydzik with a disclaimer that MET tower 4 is located on land that has been incorporated into the Reservation. There are private properties in the Boulevard, Campo and Pine Valley Planning Areas that will be impacted by this project and the Sunrise Powerlink project that will run north and west of Manzanita Reservation lands. Contact John Rydzik at : John.Rydzik@bia.gov

108-5



**More background documentation of conflicting statements
by Sempra and SDG&E and project inconsistencies**

In an April 11, 2008 letter to the PUC/BLM, similar to the May 30, 2008 letter referenced in footnote 2 at page 5-16 of the ESJ DEIS, Sempra Generation's Alberto Abreu argued against inclusion of their ESJ project, and the related SDG&E proposed ECO Substation at Jacumba, as Connected Actions in the Sunrise Powerlink DEIR/EIS, claiming they were neither connected nor indirect actions. The PUC's Administrative Law Judge and Commissioner assigned to the Sunrise Powerlink project, rejected Sempra's argument. Why does the DOE feel compelled to take the opposite stance? Just because the applicant says so? The conflicting and inconsistent actions of the DOE and the PUC and BLM will no doubt carry some weight if and when the expected DOE approval of Sempra's PPA goes to federal court. The referenced Abreu letter was previously posted on the PUC's Sunrise project page, but was not accessible at the time this letter was written. The Tisdale letter sent to Ellen Russell on June 28, 2008, that addresses Sempra Generation's April 11, 2008 letter, is referenced on page two of this letter.

See **Figure ES-1 of the Sunrise Powerlink EIR/EIS** where the Sempra Presidential Permit and related facilities (ECO Substation and ESJ Wind turbines) are identified as Connected Actions Indirect Effects: <http://www.cpuc.ca.gov/Environment/info/aspen/sunrise/toc-feir.htm>

108-5

SDG&E's own website at: <http://www.sdge.com/sunrisepowerlink/renewable.html#>, clearly states that "*Eastern San Diego County, northern Mexico and the Imperial Valley have the potential to produce thousands of megawatts of clean solar, geothermal and wind energy. The Sunrise Powerlink will provide a transmission corridor for these much-needed resources to reach customers in San Diego.*"

The following information was excerpted directly from the SDG&E website

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One of the Sunrise Powerlink's principle goals is to bring renewable energy from remote areas where it can be generated most effectively to coastal cities and towns for use by customers. The 117-mile Sunrise Powerlink will transport vast amounts of renewable energy from the resource-rich Imperial Valley region to residences and businesses in San Diego. This 500-kilovolt electric "superhighway" will have the capacity to carry up to 1,000 megawatts of clean power, or enough energy for 650,000 homes.

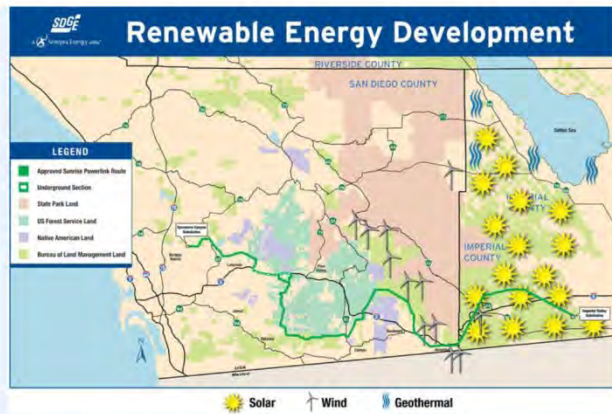
Eastern San Diego County, northern Mexico and the Imperial Valley have the potential to produce thousands of megawatts of clean solar, geothermal and wind energy. The Sunrise Powerlink will provide a transmission corridor for these much-needed resources to reach customers in San Diego.

In addition to facilitating renewable energy development, the Sunrise Powerlink will bolster the local economy and put people to work. The Sunrise Powerlink will create 400-500 construction jobs in the local community, facilitate thousands of "green" jobs from proposed renewable projects in the Imperial Valley region and inject \$1.7 billion directly into the U.S. economy.

SDG&E has contracts with several renewable energy projects in the Imperial Valley. Several of these are listed below, along with details about the overall solar, wind and geothermal energy potential of the Imperial Valley region. When completed in 2012, the Sunrise Powerlink will access these resources and help create cleaner, more environmentally-responsible future for California

The Clean Energy Connection to The San Diego Region

108-5



[Enlarge Map](#)

The transmission line will tap into valuable green resources generated from the sun, wind, geothermal heat and other sources. Experts have identified the San Diego/Imperial/Baja Norte mega-region as one of the best locations in the country to generate electricity from renewable energy sources....

WIND

The mountain ridges of Eastern San Diego County and Northern Baja California are an excellent source of



11-1-10 Blvd Planning Group comments DOE/EIS-0414: ESJ DEI

wind power. The Campo Indian Reservation developed the nation's first wind farm on tribal lands in 2006. These wind turbines generate 50 megawatts or enough electricity to power nearly 33,000 homes in SDG&E's service territory.

108-5

In June 2009, the Campo Band of Mission Indians of the Kumeyaay Nation, Invenery and SDG&E jointly announced a plan to begin development work on tribal lands for a wind energy project capable of generating up to 160 megawatts of clean energy, or enough to power 104,000 homes. The additional capacity of the Sunrise Powerlink will help free up the existing Southwest Powerlink to carry this clean energy to San Diego. SDG&E is also in the early stages of agreements with the Manzanita tribe to develop wind generation on their lands. Several other Eastern San Diego County and northern Mexico wind projects are in the development stages. "

Significant and Cumulative Biological Impacts

ESJ, Connected Action projects and related facilities will result in significant and cumulative impacts to trans-boundary Peninsular Bighorn Sheep (ESA), Golden Eagles (BGEPA & MBTA), mountain lions, bats, and other sensitive species including but not limited to hawks, falcons and vultures. These projects will result in significant and cumulative fragmentation of habitat and potential type conversion due to project sparked wildfires. There are inconsistencies between the DOE DEIS, the Sunrise Powerlink FEIR/EIS, and the pending joint PUC/BIM review of the ECO Substation, Tule Wind and ESJ.

108-6

Peninsular Bighorn Sheep:

As you know, at the ESJ DEIS hearings in Jacumba, local property owners relayed their personal sightings and provided photographs of Bighorn Sheep in the area. At the Jacumba Sponsor Group meeting held on Oct 26th, Steve, a resident of De Anza Springs Resort near Table Mountain, reported seeing a group of Bighorns south of I-8 just east of the ESJ project site. Bighorns have also been sighted in the last year west of Jacumba and Boundary Creek, near McCain Valley Road and Old 80 and the northern end of McCain Valley. Residents have also seen Bighorns west of Ribbonwood on several occasions in the last few years. Sempra's own ESJ researchers reported seeing at least three distinct herds of Bighorns during several days of searching the ESJ project area for Golden Eagles. See this link: <http://blogs.sandiegozoo.org/blog/2009/03/23/golden-eagle-helicopter-survey/>

108-7

Figure 3.1.2 at page 3-6: Designated Critical Habitat and Regional Conservation Areas: This figure shows the boundaries of the Critical Habitat for the Peninsular Bighorn Sheep as redrawn in May 2009. However, the Center for Biological Diversity and others have filed suit challenging the controversial reduction of critical habitat solely to benefit commercial interests—not the endangered Bighorns. Case No 09 CV 2216 W was filed on October 9, 2009. At the time of Sempra's original 2007 PPA filing, and SDG&E's filings for the Sunrise Powerlink's CPCN, and

11-1-10 Blvd Planning Group comments DOE/EIS-0414: ESJ DEIS

Page 18

RESPONSE TO COMMENT 108-6: Potential project impacts to biological resources are described in Section 3.1 of the EIS. Additional analysis of potential biological resource impacts has been added in Section 3.1 (Biological Resources) of the EIS, and in Section 5.3.1 (Cumulative Impacts). Refer to response to comments 108-7 through 108-10, below.

RESPONSE TO COMMENT 108-7: EIS Section 3.1 (Biological Resources) is expanded in response to comments to include further discussion of potential impacts to bighorn sheep, including potential cross-border impacts. Incidental observations of federally-listed endangered Peninsular bighorn sheep (PBS; *Ovis Canadensis nelsoni*) are described in Section 3.1.1.6. This discussion has been updated to reflect additional observations. However, the locations of the sightings described by the commenter are anecdotal and not rigorously documented.

Based on discussion with USFWS, DOE understands that the ESJ U.S. Transmission Line project would be located approximately 2.3 miles (3.7 km) southwest of the nearest designated critical habitat for PBS; as a result, the proposed ESJ U.S. Transmission Line project would not result in the destruction or adverse modification of such habitat. Nonetheless, the EIS at Section 3.1.2 acknowledges that the species can deviate from the critical habitat areas.

The ESJ U.S. Transmission Line project area includes some of the key foraging habitat requirements (e.g., valley bottoms and washes) identified as primary constituent elements for bighorn sheep recovery, as demonstrated by anecdotal reports of sheep occurrences in the project vicinity. Hence the project would result in the permanent

SDG&E's early planning for the ECO Substation, the Critical Habitat boundaries covered the occupied project area and the Jacumba Wilderness Area that is impacted by all these connected actions. It is our opinion that SDG&E and Sempra played a heavy hand in having these critical protective boundaries significantly reduced for their own economic benefit. It is our concern that David Hayes, number two man at Department of Interior, and former Sempra and SDG&E lobbyist on Sunrise Powerlink and transmission corridors, may have weighed in on these project decision despite denials to the contrary, and a perceived conflict of interest.

108-7 The following is an excerpt from a report from Conservation Biology Institute and Terra Peninsular released in April 2010: *Maintaining a Landscape Linkage for Peninsular Bighorn Sheep*: <http://consbio.org/maintaining-a-landscape-linkage-for-peninsular-bighorn-sheep>

"The most imminent threats to the integrity of this wilderness area are the renewable energy projects proposed for wilderness areas in both California and Baja California. The new wind energy project proposed by Sempra—Energia Sierra Juárez—includes up to 1,000 wind turbines, 2,930 ha of temporary impacts, 2,190 ha of permanent impacts, 1,230 km of transmission lines, 6 substations, and 900 km of roads. The major areas of impact will be in the Jacume, La Rumorosa, Cordillera Molina, and Sierra de Juárez ejidos. The energy generated by this system will be transported across the border to California as part of the Sunrise Powerlink (SDG&E). If approved, this project will fragment the Sierra Juárez, open it to greater human access, and destroy the wilderness values of this landscape. The potential impacts to wildlife, including bighorn sheep, have not been assessed, and there currently is no program proposed to monitor the effects of the construction and operation on wildlife."

Significant and cumulative impacts to Golden Eagles

from ESJ, Tule Wind, Sunrise Powerlink, :

46 pairs were reported to be in San Diego County in 2007, down from an estimated 108 pairs at the end of the 20th century.

108-8 **The USFWS recently recommended a 6-mile buffer between wind turbines and Golden Eagle nests at the Summit Wind in Oregon.**

Scotland recently acted to protect Golden Eagles from wind turbine plans.

So why are these wind energy and transmission projects being allowed to impact a significant percentage of the remaining Golden Eagles in San Diego County?

Golden Eagles are known to be in our trans-boundary area and can range 100 miles or more. Locals have sighted Golden Eagles in the last year in Jacumba, Boulevard, McCain Valley, and last week in No Mirage near Ocotillo and the Yuha ACEC.

loss of a small amount of potential foraging habitat for the species within the project footprint. This habitat loss represents a very small portion of the foraging habitat available to bighorn sheep in the region, and is not likely to adversely affect the sheep population. With regard to the potential for the project to create a barrier to sheep movement and result in habitat fragmentation, there are limited empirical data pertaining to bighorn sheep avoidance of transmission lines. The FWS, in its Certificate of Right-of-Way Compatibility³ issued to Southern California Edison for the Devers-Palo Verde No. 1 500 kV transmission line, stated that “Data currently available do not indicate any discernable impact on movement of bighorn sheep across the existing single transmission line ROW.” This finding suggests that the ESJ transmission line by itself would not serve as a deterrent to sheep movement through the area following construction.

The EIS acknowledges that incidental sightings of bighorn sheep have been made in the ESJ Wind project area and that cross-border impacts could occur to the extent that there is cross-border migration and intermixing between herds. In an April 2010 report titled “*Maintaining a Landscape Linkage for Peninsular Bighorn Sheep*” researchers from the Conservation Biology Institute identified habitat loss from wind farms in the Sierra Juarez mountains as a potential issue for sheep, but the study does not mention this development as a source of loss of intermixing (Conservation Biology Institute, 2010).

³ U.S. Fish and Wildlife Service, Certificate of Right-of-Way Compatibility, Kofa National Wildlife Refuge, 1 March 1989.

Golden Eagle impacts reported in Sunrise Powerlink FEIS did not include a survey of selected route. However, SDG&E's May 15, 2010 Project Modification Report (page 3-23) for the selected southern route states "*Preliminary results of the 2010 survey indicate there are nine nest areas within a 4-mile radius of the modified Project's impact area.*"

The information below reporting at least four more nests in the ESJ project area was excerpted from the linked blog, after initial ESJ Golden Eagle surveys by applicant consultants:
<http://blogs.sandiegozoo.org/blog/2009/03/23/golden-eagle-helicopter-survey/>

Golden Eagle Helicopter Survey

Posted at 10:12 am March 23, 2009 by James Sheppard

"During the second week of March, I participated in a helicopter survey of [golden eagles](#) and their nests along the rugged, remote, and spectacular ridges and canyons of the Sierra de Juárez Mountains in Baja California, Mexico. The survey was conducted under the auspices of Sempra Energy, which is obligated by the state government to provide a percentage of their power production through clean and renewable sources.

The northern section of the survey covered habitat that was mostly barren, jagged rock, but we were able to locate four nests and spot several golden eagles in the less-desolate central and southern sections. We also observed red-tailed hawks and turkey vultures, as well as three distinct herds of bighorn sheep that were grazing among the giant barrel cacti on the steep slopes.

...The GPS coordinates of the nests were recorded so that researchers can travel into the area to catch wild eagles for the next phase of the project. At least six free-ranging golden eagles will be fitted with miniaturized GPS transmitters so that their movement patterns can be monitored remotely over the next two years. The data from the eagles will be analyzed to characterize their movement patterns and habitat use across seasons. Data on the movements of the California condors that are being reintroduced to the Baja peninsular by the San Diego Zoo will also be included...."

Golden Eagle impacts in Sunrise Powerlink FEIS, did not survey selected route. However, SDG&E's May 15m, 2010 Project Modification Report (page 3-23) does cover the selected southern route. It states: "*Preliminary results of the 2010 survey indicate there are nine nest areas within a 4-mile radius of the modified Project's impact area.*"

Sunrise Powerlink: Impact B-7H: Direct or indirect loss of golden eagle or direct loss of habitat (Class I for nests within 4,000 feet; Class II in existing transmission corridor):
<http://www.cpuc.ca.gov/environment/info/aspen/sunrise/feir/D02%20Biology.pdf>

"The golden eagle is a highly sensitive species in San Diego County because of its high rate of decline(Unitt, 2004). "San Diego County's eagle population has dropped from an estimated 108

11-1-10 Blvd Planning Group comments DOE/EIS-0414: ESJ DEIS

Page 20

EIS Section 3.1 (Biological Resources) is expanded in response to comments to include further discussion of potential cross-border impacts to bighorn sheep.

RESPONSE TO 108-8: EIS Section 3.1 (Biological Resources) and Section 5 (Cumulative Impacts) are expanded in response to comments to include further discussion of potential impacts to golden eagles, including potential cross-border impacts. The San Diego Zoo's Institute for Conservation Research (ICR) has been conducting golden eagle and California condor studies in the ESJ Wind project region in Mexico. Discussion of the San Diego Zoo's research program as of January 2012 is provided in Section 3.1 and an executive summary published by ICR is available on the project website, at: http://www.esjprojecteis.org/docs/San_Diego_Zoo_2012_ICR_Executive_Summary_2012-01-31.pdf. This multiyear research effort's principal goals are to evaluate populations of golden eagles in the area, determine movement patterns of condors and resident golden eagles, assess risks to the population from wind turbine installations, and develop recommendations on project design, construction, and operation to avoid golden eagle and California condor mortality as a result of the project.

These research efforts were started in 2009 and are still in process. The research has included helicopter and ground surveys for golden eagles and their nests. ICR reports that the nearest active golden eagle nest in Mexico is located approximately 38 miles [62 km] southeast of the property boundary for the Phase 1 portion of the ESJ Wind project, but within the larger ESJ Wind project area.

108-8

pairs at the beginning of the 20th century to about 53 pairs at the century's end..." (Unitt, 2004). Currently, there are approximately 46 pairs of golden eagles in San Diego County (Bittner, 2007). Golden eagles are large birds of prey found primarily in the West and across Canada and Alaska. Most pairs nest on cliff ledges (some in trees on steep slopes) and hunt in nearby grassland, sage scrub, or open chaparral. A single pair can have several nest sites in an area and may rotate nests in different years. The golden eagle is very sensitive to human activity, especially in the vicinity of its nesting area(s), and even distant construction activity (or maintenance activity; see Section D.2.16, Impact B-12) could cause abandonment of a nest, subsequent reproductive failure, and continuing decline of the species. These impacts would be significant according to Significance Criteria 1.e., 1.f., 1.g, and 1.h. Significance Criterion 1.e. states that the Proposed Project would have a substantial adverse effect on the breeding success of the golden eagle. Significance Criterion 1.f. states that the Proposed Project would directly or indirectly cause the mortality of a special status species. Significance Criterion 1.g. states that the Proposed Project would result in the abandonment of migratory bird nests and/or eggs. Significance Criterion 1.h. states that the Proposed Project would take golden eagles, eagle eggs, or any part of an eagle. Human activity within 4,000 feet of nest site is considered significant and not mitigable to less than significant levels (Class I), especially if there is direct line-of-sight between the nest site and the human activity, or if the human activity occurs above the nest site in elevation (Bittner, 2007). Exceptions to this are if the activity within 4,000 feet of the nest site (without direct line-of-sight and activity is below the nest site) occurs where there is already an existing disturbance such as a highly utilized road or utility corridor with existing large structures, or if the project is underground (Bittner, 2007)."

108-8

East County Community Action Coalition posting dated March 23, 2009: (excerpt) <http://www.eastcountyaaction.org/what-is-at-stake/golden-eagle-mortality-an-acceptable-loss-with-powerlink/> "Contributed with permission of Thomas N. Stephan, President, California Raptor Advancement Group or C.R.A.G.

Thomas Stephan is the President of the California Raptor Advancement Group. Stephan explained to one our participants that Eagle habitat consists of two different types of topography: a vertical environment with a commanding view of the foraging habitat below. These are usually cliffs and grasslands, respectively. Stephan explains that in the case in the El Monte Valley in Lakeside (which is where a section of the route is scheduled to go), if poles are erected in the valley or anywhere in view of the valley, the Eagles WILL use them to hunt from. "This will invariably electrocute them", states Stephan. Stephan points to the recent San Diego Union Tribune newspaper article. In this article the Company's' power lines were described by SDG&E to have started hundreds of fires. SDG&E then listed the causes of those outages. Second on the list of causes were "birds". What kind of birds? Birds with a wingspan big enough to cross the phases of a KV line", says Stephan. The grey cylinder "transformer" cans are a real hazard as well. Stephan states that SDG&E has electrocuted thousands of wild raptors, three of

The Condor population in Mexico is concentrated in an area over 100 miles (160 km) south of the border, and there are no Condors in the wild in San Diego County. Among other items, the ICR report concludes and recommends:

1. With only one incursion in nine years by California condors into the ESJ Phase 1 area it appears that the risk of impact to the California condors reintroduced in Mexico is relatively small, although this may change as the population continues to grow.
2. The limited sightings of golden eagles in the ESJ Phase 1 area and lack of suitable nesting habitat appears to indicate a limited potential risk of impact.

ESJ has indicated that it intends to continue this study effort in order to obtain further understanding of golden eagle populations and their territories as well as to monitor condor movements.

This ongoing study indicates that there is low potential for eagle and condor mortality impact however, population impacts could still occur due to the wind turbines' contribution to cumulative effects.

Because of the expanded analyses of potential impacts to golden eagles and condors in Section 3.1 of the Final EIS, DOE concludes that the potential for impact on the U.S. environment as a result of operation of the ESJ Wind project is appropriately analyzed in the EIS.

Stephan's falconry birds and never mitigated a dime for it, all in the name of profit. "They will kill the El Monte Valley's eagles too if allowed to proceed", warns Stephan.

For more information please visit the [North American Falconers Associations' website](#) and order the DVD "Raptors at Risk" (not for the squeemish).



Transmission lines can also cause "large birds feathers to ignite, causing fires." This is also stated in the EIR. (Copyrighted photo, printed with permission by Brad Weinert in an East County Community Action Coalition posting on March 23, 2009) "

Forest Service efforts to Shield for raptors:

Plan would cut access to hikers and climbers / San Diego Union Tribune
http://www.signonsandiego.com/uniontrib/20070123/news_1n23forest.html

January 23, 2007-- "The U.S. Forest Service aims to limit access to four well-known hiking and rock-climbing areas in San Diego County's backcountry in an effort to restore dwindling populations of golden eagles and prairie falcons."

Many other raptors are also placed at risk by these projects individually and cumulatively.

Cumulative Impacts to trans-boundary to mountain lions

The information below was excerpted from the Nature Conservancy website at: <http://www.nature.org/wherewework/northamerica/states/california/projectprofiles/mountainlion.html> (Note the path followed by a single tracked mountain lion, in the map below, and compare it to maps of the ESJ project, Sunrise Powerlink and Tule Wind).

"We know that lions need large areas of habitat," says Dr. Scott Morrison, the Conservancy's science director in California. "So studying them can help us identify the places where we should focus our conservation efforts."

RESPONSE TO 108-9: EIS Section 3.1 is updated to include further discussion of the mountain lion, and potential impacts to this species.

108-8

108-9

Researchers have captured and affixed tracking collars to more than 50 mountain lions since the study began in 2001. As the project enters its second decade, new **data from those collars are revealing the challenges facing wildlife** in the hills of southern California, a region where intensive and rapid development is having a profound impact on native species.

Consider the recent travels of M53, a young male lion captured in the backcountry of San Diego County by the study's field team, led by veterinarian Dr. Winston Vickers.

M53 ventured 40 miles south from where he was collared until he reached the U.S.–Mexico border—and then he kept going.

¡Bienvenidos a México!

He continued south for another 50 miles, traversing the Sierra Juarez mountain range, before circling back north to California. Over the course of eight months, **M53's international jaunt took him across a 200-square-mile area.**

Along the way, he roamed across numerous public and private conservation lands, including [Bureau of Land Management](#) holdings in California and a national park in Mexico. Many of the lands he traveled through are managed by partners in the study, including [California State Parks](#) and the [California Department of Fish and Game](#).

108-9

M53 also journeyed through a number of properties threatened by development and made several dangerous highway crossings. And that creates a key conservation challenge: making sure that human land use doesn't sever the habitat connections needed by wildlife

Parque to Palomar: A Critical Link

The Conservancy and partners on both sides of the border are working to ensure that California's habitats stay ecologically connected to those of Baja California. A key priority is to link the Parque Nacional Constitución de 1857 with [Palomar Mountain State Park](#).

The northwest corner of Mexico is recognized as a global hotspot of biodiversity. Although many of its habitat types are currently under-represented in the region's network of protected areas, Morrison is optimistic that greater protection is possible.

"The Sierra Juarez range is a rare expanse of wilderness in this part of the world," Morrison says. "There's a growing recognition of its importance to the livelihoods of people who live there and the watersheds of the coastal cities and agricultural valleys. So **there is an opportunity to link protecting biodiversity with safeguarding important ecosystem services.**"

This GIS map traces the movement of a single male mountain lion from California to Mexico and back. This information shows us how important it is to protect large and interconnected natural landscapes in order to help mountain lions survive

108-9



The habitat needs of wide-ranging species underscore the importance of large-scale conservation. Understanding how a lion like M53 moves around southern California is helping conservationists prioritize places to protect so wildlife will have more room to roam in the future.

Dr. Scott Morrison, Nature Conservancy's science advisor for the Conservancy's California Program, included the following comments on his blog at: <http://blog.nature.org/2010/07/of-lions-and-border-lines/>

"..But there are still vast regions of northwest Baja California that are remarkably intact and undeveloped when compared to the areas just north of the border. The Sierra Juarez mountain range, for example, is one of the few true wilderness areas remaining in the globally imperiled [Mediterranean biome](#) of North America.

Things are changing, though. And fast.

Both sides of the border are experiencing intense development. Residential sprawl, border security infrastructure and now industrial-scale renewable energy projects **threaten to sever the ecological connection between the mountains of the north and those in the south.**

108-9

To understand the importance of that connection, simply [examine the tracks of the GPS-collared mountain lion](#) that roamed from the United States to Mexico and back.

He reminded us that the success of our conservation work in this region depends on our ability to preserve habitat on both sides of the border as well as the corridors between them. This is especially important as climates change and plants and animals need room to move.

What I see in the Sierra Juarez is a (fleeting!) opportunity to protect a vestige of *las Californias*, where iconic species like California condor and [bighorn sheep](#) can thrive..."

###

Effects of wind turbines on wildlife livestock and domestic animals:

Summary of Recent Research on the Adverse Health Effects of Wind Turbines

Oct 20, 2009: <http://www.wind-watch.org/documents/wp-content/uploads/ADVERSE-HEALTH-EFFECTS-OF-WIND-TURBINES.pdf>

Excerpt starting at page 15: "Scientists have concluded that wind turbines placed near important wildlife areas have a long-term, irreversible effect upon these habitats. The effect is cumulative and increases the longer the turbines are in place"

Biologists are concerned not only with collision mortality which seems to be critical when turbines are sited on migratory flyways (and takes a greater toll on raptors, waterfowl and songbirds), but even more with long-term habitat disturbance, degradation and abandonment.

108-10

Animal studies are an important tool used in modern medicine to determine harm to human health. Reports of adverse effects on animals are considered to be cautionary.

There is growing evidence that animals are affected even more severely than humans by the low frequency noise and vibrations from industrial wind turbines. This has serious implications for our treaty obligations to protect endangered and threatened species which depend on ever shrinking sensitive natural habitats. It also reinforces and provides further caution on the human health issues already listed above

It appears that animals are even more susceptible to low frequency noise than humans. The animal kingdom relies upon a wide range of sound frequencies inaudible to humans. It has to be remembered that within these sensitive habitats where almost no background noise is experienced, the low frequency noise and vibration projected (and transmitted through the earth) by industrial wind turbine operation is most certainly threatening or confusing to wildlife. The hearing and vibration sensitivity of most creatures in the wild is far more acute than human sound perception.

RESPONSE TO 108-10: The potential impact to domestic animals related to wind turbine operations would be limited to areas within Mexico and is thus not within the scope of this EIS.

Confusion by sound emanations can lead to the failure of hunting success, self defense and ultimately survival. Snakes, for example, which rely extensively upon their perception of vibration, are particularly sensitive to habitat disturbance from industrial developments. The noise pollution at higher frequencies may explain the catastrophic effect wind turbines are having on bats, a significant keystone species within the balance of nature. Permeating a large area of natural habitat with extraneous noise pollution will have obvious repercussions for the survival of species dependent on the special characteristics of these unique refuges and, as has been observed by biologists, lead to permanent abandonment

108-10

Farmers in Ontario have observed health problems with their livestock which began shortly after the wind turbines were installed. Awareness of the research cited by Buxton (above) indicating endocrine and cardiovascular effects from noise would certainly support the symptoms observed by Ontario farmer Ross Brindley who lives near the Kingsbridge wind turbine development near Goderich. According to a report in the December 2008 Better Farming Magazine, his cattle exhibited aggressive and erratic behaviour, "including the kicking of newborn calves, prolapsed birthing, weight loss, decline in fertility, a high incidence of mastitis, calves being deformed at birth and a high incidence of stillbirths." After being driven out of business as a result of problems suffered by his beef cattle herd, Brindley is suing Hydro One Networks Inc. and Edmonton Power Corporation (EPCOR).

5.5. Goats

In the same context, the BBC recently reported that 400 goats in Taiwan had died after eight wind turbines were installed close to their grazing land. "The goats looked skinny and they weren't eating. One night I went out and the goats were all standing up; they weren't sleeping", the farmer reported. The Council of Agriculture suspects that noise may have caused the goats' demise through lack of sleep. The power company, Taipower has offered to pay part of the cost of building a new farmhouse elsewhere."

###

Turbine selection deferral unjustly denies full project / impact review

108-11

Based on the ESJ DEIS (page 5-9), Sempra has deferred selection of turbine manufacturer and model until after the DOE approves their PPA. Therefore we are being denied the right and opportunity to comment on a significant feature of the ESJ project and potential trans-boundary impacts. All turbines have design flaws and significant operation and management costs and issues. Based on these issues, different models may carry a higher risk, a higher fire potential and higher insurance rates for both the project and for impacted rural residents

RESPONSE TO 108-11: The EIS acknowledges the fire risk of turbines causing wildfires that could spread to the U.S. (Section 3.9). The EIS is updated with additional discussion of wind turbine failures and associated hazards.

The visual simulations and discussion provided in the EIS at Section 3.2 indicate the project components that would be visible from key vantage points within the U.S. The EIS is revised to acknowledge the potential cross-border visual impact from land scarring at the ESJ Wind project site. Based on the distance between the wind turbines and visual receptors in the U.S., and intervening topography, any land scarring associated with the turbines would not be highly visible from the U.S.

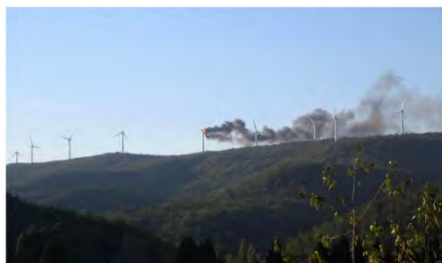
The applicant has indicated that the turbine vendor selection process is still in progress as of the time of publication of this final EIS. Therefore, DOE has no further information that would change the analysis of cross-border impacts associated with wind turbine development.

Public health and safety issues:

Upended turbine base Goldenstedt Germany 10-28-02



Turbine fire in France 9-19-10



Turbine lightning strike Germany



108-11

Road closed after blaze at North Wales windfarm:

<http://www.dailypost.co.uk/news/north-wales-news/2010/10/28/road-closed-after-blaze-at-north-wales-windfarm-55578-27555927/>

Oct 28 2010 by Kate Forrester, Daily Post

"A WIND turbine burst into flames, shutting a rural road for hours. The blaze at the 25-turbine Tir Mostyn and Foel Goch windfarm in Nantglyn, Denbighshire, lasted for about two hours. Debris left behind by the fire forced North Wales Police to close Drws-y-Buddel, between the site and Pentrellyncymer Outdoor Education Centre. Tir Mostyn is capable of annually lighting up to 15,500 properties, but all 25 turbines were shut down for safety reasons yesterday.

The fire broke out at about 6pm on Tuesday but no precise cause has been released. Local councillor Paul Marfleet said: "I had several calls from concerned residents who saw the fire, which burned for over two hours.

"I went up to the site and the police and fire service were there, but there was little they could do to tackle a fire 75 metres above the ground and I did sympathise."

A fire service spokesman said a crew from Denbigh attended the scene, but took no action. An engineer from Hg Capitals, who run the site, was called to deal with the blaze but no-one from the company was available for comment last night.

Cllr Marfleet added: "I have been looking into this on the internet and it seems it is quite a common thing. "Turbines are catching fire quite regularly – it's something to do with the gearbox overheating." These particular turbines are very close to trees and there was a lot of debris left behind in them this morning."

Vestas turbine failure following lightning strike *July 2, 2009*

Credits: <http://www.lr-online.de>. Windaction.org wishes to express our thanks to Mr. Wilfried Heck for providing the English translation of this story.

Description:

A fierce storm on the afternoon of July 2, 2009 destroyed portions of an industrial wind turbine located between Brieske and Schwarzheide in Germany. Pieces, as shown in this photo, flew 150 meters through the air landing about 50 meters from federal highway Nr. 169. No one was injured. The approximately 40 meter blade broke several trees as it cut a track through the forest. The blade showed signs of lightning damage. The turbine was a Vestas V80- 2MW with a height of 140 meters.



Keep out! May, 2009: <http://www.windaction.org/pictures/21709>

Credits: submitted to Windaction.org

Description:

108-11

This sign outside the Cedar Creek wind energy facility forbids the public to walk the land near the Pawnee Buttes in Colorado. After centuries of this land being open to people, this historic area now serves as an industrial power facility.

Noble Environmental turbine collapse - March 6, 2009

<http://www.windaction.org/pictures/20344>

Credits: Michael Fellion

Description:

On March 6, 2009 a turbine collapsed at the Altona, NY wind energy facility erected by Noble Environmental. This, and other images, were taken by a resident who flew over the scene.



Vestas turbine burns; firefighters standby *September 26, 2008*

<http://www.windaction.org/pictures/21983>

Description:

These firefighters are following standard protocol for burning turbines. This involves standing by and permitting the turbine to burn out while arresting potential spread from fragments that fall to the ground.



108-11

Searsburg VT catastrophic turbine failure - 1 *September 15, 2008*

<http://www.windaction.org/pictures/18387>

Description:

Turbine #10 of the 11-turbine Searsburg wind facility in Searsburg VT collapsed on September 15 in high wind conditions. One of the turbine blades hit the base causing the tower to buckle and the nacelle and rotor assembly to crash to the ground.



Visual Impacts

Whirling industrial wind turbines skylined in Washington 8-9-10

108-11



Turbine access road cefn croes Wales 2003





Visual Impacts

Whirling industrial wind turbines skylined in Washington 8-9-10

108-11



Turbine access road cefn croes Wales 2003



RESPONSE TO 108-12: As is explained in text added to Section 1.5.1.2, distributed energy alternatives, such as small scale solar panel applications in urban settings, are outside the range of reasonable alternatives analysis because they do not respond to DOE's purpose and need.

**Examples of Domestic Alternatives to ESJ:
These are just a few of the many...**

Walmart installed solar panels on its East Lake store in Chula Vista as part of plans to add 20-30 more systems in the Southwest to provide 20-30% of energy at those locations. San Diego UT on October 22, 2010):

UCSD PART OF \$1.6 MILLION SMART-GRID GRANT THURSDAY, OCTOBER 21, [HTTP://WWW.SIGNONSANDIEGO.COM/NEWS/2010/OCT/21/UCSD-PART-16-MILLION-SMART-GRID-GRANT/](http://www.signonsandiego.com/news/2010/oct/21/ucsd-part-16-million-smart-grid-grant/)



JOHN R. MCCUTCHEN / U-T

"Photovoltaic panels double as sun shades for cars atop the Hopkins Parking Structure at UCSD. The panels are one small part of the university's attempt to become a national model for implementing new power technologies.

The University of [California San Diego](#) will host a project designed to test not only the most efficient way to run an electrical grid, but the most economical. The campus is interesting to researchers because of the way its power system is run. About 82 percent of the power used there is generated there. "

Water Authority to Install Solar Power Systems at Three Facilities

System to save ratepayers \$1.7 million:

http://www.sdcwa.org/news/2010_1014_SolarPowerSystem.phtml

"....The solar power systems will be installed in the parking lot and on the roof of the Water Authority's Kearny Mesa headquarters and its Fred A. Heilbron Operations Center in Escondido. They will also be installed atop several large structures at the Twin Oaks Valley Water Treatment Plant north of San Marcos.

108-12

108-12 The photovoltaic systems use solar panels and inverters to convert sunlight to electricity. This eliminates the need for additional water consumption to operate the systems. Installation is expected to be complete by summer 2011.

Borrego Solar estimates that the systems will generate enough renewable energy to meet 60 percent of the power needs for the Kearny Mesa and Escondido facilities and more than 20 percent of the power needs for the treatment plant.

The systems combined will produce 2.8 million kilowatt hours (kWh) of electricity annually, enough to power 30,000 homes. The systems are being installed at no cost to the Water Authority under a 20-year power purchase agreement with Borrego Solar. Borrego Solar will be responsible for capital costs of design and construction. Sun Edison will be monitoring the system's production with its Client Connect solar monitoring service and will provide the long-term operation and maintenance for the systems."

Conclusion

108-13 Once again we have run out of time to complete our review and comments. The ESJ project, the Connected Action Projects and the Cumulative Impact projects will result in staggering and unwarranted impacts to our rural low income communities and the natural environment.

There are Environmental Justice issues related to our rural area being targeted and overrun with major unnecessary industrial projects that will transform our open and scenic landscapes into unsettling perpetual motion visual intrusions. Rendering them unappealing for residents and visitors alike.

108-14 There are also issues of increased utility rates and reduced property values for a form of energy that is not a base load source or economically sustainable without excessive subsidies. Where is the mitigation funding for fire protection services. Sempra Generation and sister company SDG&E must be made to pay for the burdens they are placing on us.

108-13 These turbine projects have not been studied enough to truly know the real long-term impacts to humans and wildlife. The information trickling out from those already impacted is alarming.

Please deny the ESJ Presidential Permit. It is not in the best interest of our rural sacrifice zone and those of us who move here to enjoy the beauty, the quiet, and the natural state of the land and abundant and diverse wildlife.

Sincerely,

/s/

Donna Tisdale, Chair

RESPONSE TO 108-13: DOE has analyzed the visual impacts of the proposed transmission line in Section 3.2. Section 3.13 discusses socioeconomic impacts, and Section 3.14 discusses the potential for environmental justice impacts. Impacts of the connected actions are addressed in Section 4, and Sections 5.3.2, 5.3.13, and 5.3.14, respectively, discuss cumulative impacts to visual resources, socioeconomic conditions, and environmental justice.

RESPONSE TO 108-14: Refer to response to comment 306-3 for discussion of mitigation funding for fire protection services.