November 3, 2010

Dr. Jerry, Pell NEPA Document Manager
Office of Electricity Delivery and Energy Reliability
OE-20
US Department of Energy
Washington, DC 20585

Dear Sir:

I am writing in regards to the Energia Sierra Juarez U.S. Transmission Line Project DEIS. There are some areas of concern that I would like to address.

501-1 1) Visual Impacts: States Permanent Moderate long-term adverse impacts, after project construction is completed. I would argue that it would be Major from a resident standpoint. I moved to the area because of the visual beauty and the open panoramic views. The community also relies on these views for the tourist trade which is the Majority of the economy for local business. The area is also applying for Dark Skies recognition for Amateur Astronomers and the business that support them. The FAA lighting would affect this status. The existing power towers that have now installed the lighting have contributed to light pollution in the area more would just increase it to the point that the application would probably be null and void.

501-2 2) Biological Impacts: States that Mountain Lion habitat is low per USFW discussion no surveys were conducted. Two Mountain Lions have been sited in the area one's range was from Boulevard to Inko Pah and the other from the Desert to McCain Valley. I know that two lions have GPS collars and are monitored. DEIS states Big Horn Sheep low and not in the area. Big Horn Sheep have been photographed and seen in the area. Photographs were submitted at the Boulevard DEIS hearing by a resident in attendance. The Biological impacts would change when cumulative impacts taken from past, present and future projects. San Diego has a very unique environmental ecology not found anywhere else in the world. You can go from one eco environment to another within six miles and find different species of plants and animals where you would have to travel fifteen hundred miles or more elsewhere in the United States to experience. In my humble opinion a two to three week biological survey is not adequate to ascertain environmental impacts. San Diego County's environment is very fragile and impacts could be very dramatic and devastating to the ecology.

501-3 3) Fire and Fuels Management: 3.9.1.3 Fire Fighting Services states Station 48 is staffed by One full time firefighter and four volunteers. This is not correct. The station number is 47 and currently has no staffing paid or volunteer. In the last year the station may have had staffing 14 days out of 365 days. Fire Hazards would increase as a result of these projects. Many of these communities do not have full time paid fire departments and rely on Volunteers and Reserves. Some communities do not even have any staffing of there fire stations due to lack of Volunteers and Reserves. San Diego County is in a fire prone environment and has suffered through many large wildfires note 2003 and 2007. To add more projects, would increase the threat and potential to start wildfires, whether they be 3 percent or 100 percent will unnecessarily submit the citizens to the potential loss of life and or property. The environment would also suffer from the increase numbers of wildfires. Many of the projects have stated proudly that there project has a low fire potential start stated in percentages. I ask, what is an acceptable casualty rate? I would hope your answer is that we should have no casualties. These projects also present new problems to firefighting resources both on the ground and aerial. This would create life safety issues to firefighters and would require different tactics be deployed to fight the fire. This would allow the fire to become larger and potentially more devastating,

501-4 4) Socio Economics: DEIS states Minor Short Term adverse impacts to property values due to visual impacts. The visual impacts would not be short term so I do not understand how property value decrease
501-5 would be short term as the main value is the visual aesthetics. The DEIS does not address the probable increase of Fire Insurance to residents due to increased fire risk.

RESPONSE TO 501-1: The referenced impact assessment conclusion applies to the proposed transmission lines in the U.S., as viewed from key observation points in the U.S. EIS Section 5.3.2 provides further discussion of cumulative visual impacts, and acknowledges that the ESJ U.S. Transmission Line project, combined with other proposed project structures, would introduce additional industrial character wherever they are viewable. The combined size and character of the introduced structures, as well as the large number of structures required for the respective projects, would result in considerable structure contrast, view blockages, and skylining in the region.

DOE is not aware of any official initiative to apply for Dark Sky status. DOE understands that Dark Sky status is a designation made by a private organization, the International Dark-Sky Association, and that communities' eligibility for this designation is determined on a case-by-case decision by that organization. Accordingly, DOE cannot specifically assess eligibility for this designation. As discussed in Section 2.4.3, it is expected that the proposed transmission line would not be lighted at night, as both FAA and the U.S. Border Patrol have indicated that the proposed transmission line structures would not require night-time lighting. In Section 3.2.2, the EIS acknowledges that if authorities in Mexico were to require nighttime lighting for wind turbines there, such lighting would be visible from the U.S. The text has been revised to indicate that this lighting could affect astronomical viewing from the U.S.; as discussed above, however, DOE is not in a position to comment on whether this could affect the potential "dark sky" status of areas in the U.S. Section 5.3.2 has been

– 2 – November 3, 2010

501-6 5) Environmental Justice: DEIS states No disproportionately high or adverse impacts to low-income or minority populations are anticipated. If higher Fire Insurances rates occur this would impact low income and minority renters due to increased rent costs. The area has a very high low income and minority population per capita than other areas of the County. These families also rely on tourist to sell there crafts and items that they produce from cottage industries. This group would also be affected from the diminishing tourist trade due to the visual impacts from the project.

501-7 6) Cultural Resources: DEIS states that Minor potential for impacts to unknown cultural resources. San Diego County is very rich with Archaeological Resources. The project area is in an Archaeological District. The Boulevard Jacumba area has many recorded sites with new ones being found continuously. These sites are both historic and pre historic sites with some being multi component. Old Highway 80 is now a Historic Highway and is also part of the tourist attraction to the area. I question whether the impacts would be considered Minor when the cultural resource is unknown. Could a potential site discovered during construction be significant or is it assumed that it would be insignificant before discovery?

501-8 In the past, projects have promised benefits to the communities because of the construction showing little to no actual benefits to the community. The project completes the company leaves most times with damage to the roads, property damage, and lost business due to construction. The area is already economically depressed, low income families, and higher unemployment than other areas of the County. These projects would further exacerbate the struggling communities trying to recover. This project will be out of Country and would not help the unemployment and would potentially result in outsourcing jobs. In these times trying to reduce our dependency for foreign energy, it seems we are moving towards more foreign dependency. The list of projects shown in DEIS for cumulative impacts missed the Border Patrol Station in Boulevard, The Border Fence, Truck Haven Geo-Thermal project, and the numerous other planned Solar Projects on BLM land. In the past these lands were held by BLM to protect habitat. Now it seems the Federal Government is in the energy business, on lands that were previously hands off.

In conclusion, I hope you take the comments stated into serious consideration and also look at the cumulative impacts of past, present, and future projects as a whole and not individually when determining the total impacts. Lastly, it is my hope that you would look at all the impacts on the communities in the project area that are struggling to come back from previous project impacts. We truly are a David fighting a Goliath. There are better alternatives such as, roof top solar on existing structures situated on already disturbed ground and small wind generation at the same. We are told to move away from creating companies too big to fail and here we are creating one with government help. I can only hope that you will not overlook all aspects and that we do not create another Gulf Oil spill scenario because of lack of due diligence and prudence. Thank you for your consideration of these comments and allowing me to participate in this process.

Sincerely,

Mark Ostrander /s/

43577 OLD HWY 80 • JACUMBA, CALIFORNIA • 91934
PHONE: (619)766-9046 •

revised to include discussion of cumulative impacts in the region from increased nighttime lighting.

RESPONSE TO 501-2: 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. EIS Section 3.1 is updated to include further discussion of the mountain lion, and potential impacts to this species. Response to comment 108-7 provides additional discussion of Peninsular bighorn sheep population, migration patterns, and migration corridors. DOE's March 8, 2011 letter to USFWS indicates the outcome of consultation with the USFWS, including consultation on potential impacts of the ESJ U.S. Transmission Line project on Peninsular bighorn sheep. This letter is added to EIS Appendix C. Additional analysis of potential cumulative biological resource impacts has been added in Section 5.3.1 (Cumulative Impacts).

RESPONSE TO 501-3: Refer to response to comments 306-1 through 306-10 for an updated discussion of fire protection measures that have been incorporated into the project based on information provided by the San Diego Rural Fire Protection District. Section 3.9.1.3 of the EIS is revised to include updated information regarding local fire staff and equipment availability.

RESPONSE TO 501-4: The EIS at Section 3.13.2.3 acknowledges that potential impacts to property values are related primarily to impacts to visual resources from the presence of transmission lines and wind turbines. As noted in the analysis, substantial research regarding views toward transmission lines was presented in the Sunrise Powerlink RDEIR/SDEIS, Section D.14.5.1 (CPUC/BLM 2008b).

DOE reviewed the following additional studies related to property value effects from transmission lines and wind turbines, and the EIS at Section 3.2 is augmented with this information.

High-Voltage Transmission Lines: Proximity, Visibility, and Encumbrance Effects, prepared by James A. Chalmers, PhD, and Frank A. Voorvaart, PhD. This study was published in the Appraisal Journal, Summer 2009, and concludes:

> *"There is no evidence of systematic effects of either proximity or visibility of 345-kV transmission lines on residential real estate values….The professional literature cited, combined with the results reported here, support the position that a presumption of material negative effects of HVTLs on property values is not warranted."[page 239]*

The full text of this study is available online at: http://www.msti500kv.com/uploads/docs/High%20Voltage.pdf

The Impact of Wind *Power Projects on Residential Property Values in the United States: A Multi-Site Hedonic Analysis* by Ben Hoen, Ryan Wiser, Peter Cappers, Mark Thayer, and Gautam Sethi. This study was prepared by the Ernest Orlando Lawrence Berkeley National Laboratory in December 2009, and concludes:

> *"The various analyses are strongly consistent in that none of the models uncovers conclusive evidence of the existence of any widespread property value impacts that might be present in communities surrounding wind energy facilities. Specifically, neither the view of the wind facilities nor the*

> *distance of the home to those facilities is found to have any consistent, measurable, and statistically significant effect on home sales prices. Although the analysis cannot dismiss the possibility that individual homes or small numbers of homes have been or could be negatively impacted, it finds that if these impacts do exist, they are either too small and/or too infrequent to result in any widespread, statistically observable impact."[page iii]*

The full text of this study is available online at: http://eetd.lbl.gov/EA/EMP/reports/lbnl-2829e.pdf. A summary presentation of the study is available online at: http://eetd.lbl.gov/EA/EMP/reports/lbnl-2829e-ppt.pdf.

Also see "*Field Guide to Wind Farms and their Effect on Property Values*" published by the National Association of Realtors at: http://www.realtor.org/library/library/fg509#topicb

RESPONSE TO 501-5: Refer to response to comment 107-2 for a discussion of fire insurance rates. 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 501-6: Analysis described in the EIS determined that the area has low income and minority populations, as the commenter suggests. However, the potential impacts to these populations that are mentioned by the commenter have not been determined to be high and adverse. Specifically, analysis described in the response to comment 107-2 finds no indication that the project would increase fire insurance rates. Also, Section 3.13 has been

updated in the final EIS to discuss potential impacts to tourism; the analysis described here finds it unlikely that the project would diminish tourism. Refer to response to comment 106-2 for further discussion of potential environmental justice impacts.

RESPONSE TO 501-7: The applicant has proposed several measures which are consistent with established protocol for cultural resource impact avoidance and mitigation. These measures are listed in EIS Section 2.7 and discussed further in Section 3.5 (Cultural Resources). As discussed in response to comment 305-20, the applicant-proposed measures are revised to indicate that ESJ will implement cultural resource construction grading monitoring and a potential data recovery program, to be developed in accordance with the County of San Diego Guidelines for Determining Significance and the Report Format and Content requirements. The program would be conducted by a County of San Diego Qualified consultant.

EIS Section 3.7 is updated to include a discussion of a segment of historic U.S. Highway 80, site number P-37-024023, that has been determined to be a contributing element to the resource's listing on the National Register of Historic Places as a "historic property" and on the CRHR (CEQA Guidelines Section 15064.5) as a "historic resource" under Criterion A. The road segment is located on the southern boundary of the proposed JCSD groundwater well access road (AECOM 2011a). The proposed JCSD water well access road would not alter any of the character defining features of the segment of P-37-024023, Old Highway 80, located directly south of the APE. Therefore, project construction or operation activities are not expected

to adversely impact to this resource.

RESPONSE TO 501-8: Sections 5.3.13 and 5.3.14 have been revised to provide additional discussion of cumulative impacts on socioeconomic conditions and environmental justice, as discussed in the comment. Section 5 has been revised to include consideration of the projects mentioned in the comment as potential sources of cumulative impact.

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.

From: esjprojecteis-comments [mailer@esjprojecteis.com]
Sent: Saturday, October 30, 2010 8:42 AM
To: Rob Wurgler; Tim Murphy; Megan Schwartz; Jerry Pell
Subject: New Energia Sierra Juarez Transmission Line EIS comment from Brendan

Brendan Hughes has entered the following comment:

502-1 I believe the Energia Sierra Juarez transmission project is flawed by its very nature. It aids in the industrialization of Mexico's wild lands. DOE should not be facilitating this destruction any more than it should be facilitating the widespread destruction of habitat in the US in the form of massive solar and wind projects. DOE should focus on distributed renewables, such as rooftop solar, and if necessary site large renewable projects on previously-disturbed agricultural and mining lands. The mountain habitats of Baja and Alta California are a non-renewable resource that should not be sacrificed for profit when valid alternatives exist.

502-2 Additionally, this project has the potential to have impacts on the peninsular bighorn sheep that are not analyzed in the EIS. Even though USFWS does not think bighorns will occur within the project area, they also probably didn't think bighorns would present themselves in the footprint of the Imperial Solar Project on the floor of the Imperial Valley. The project proponent should do more extensive studies for bighorn sheep and potential disruption of habitat connectivity.

Thank you for your consideration.

NOTE: Please do not mail me paper documents regarding this project. I would like to only receive electronic notices and documents. Thank you.

Contact Information:
Phone: 760-780-8042
E-Mail: jesusthedude@hotmail.com
Affiliation:
Address: 61093 Prescott Trail
Joshua Tree, CA 92252

RESPONSE TO 502-1: The commenter's preferences are noted.

DOE has no jurisdiction over the proposed wind development in Mexico; the analysis of potential impacts related to the ESJ Wind project in Mexico is limited in scope to those impacts that have a potential to impact the U.S.

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 502-2: Response to comment 108-7 provides additional discussion of Peninsular bighorn sheep population, migration patterns, and migration corridors. DOE's March 8, 2011 letter to USFWS indicates the outcome of consultation with the USFWS, including consultation on potential impacts of the ESJ U.S. Transmission Line project on Peninsular bighorn sheep. This letter is added to EIS Appendix C.

Comments to EIS for the Energia Sierra Juarez Transmission lines

Mr. Pell I am a local homeowner who owns a home and 175 acres just North of the impacted area.

After review of the Environmental Impact Statement (EIS) I see many errors and opinions that are not substantiated with facts.

Section 3.1 States the area has a Moderate Value for Wildlife.

Jacumba has a vast resource of wildlife. This web site lists species in Jacumba that are unique and only found in this are in San Diego County and California. http://www.sdnhm.org/research/birds/sdmamm.html

This section also states that the only Bighorn sheep observed were a small group more than 4.5 miles NE of the alternate corridor.

I have many photos that dispute this. I have attached a photo that was taken at Boulder Park less than 1.5 miles from the impacted area. I have also attached a photo with much more than a "small group" of sheep. 503-1

California Fish and Game Biologist for this area has done extensive research in this area and believes as do many others that the Peninsular Bighorn Sheep use the mountains just South of the border as a corridor to the north. The "cumulative" affect of the Power lines, Sub Station and some 1200 wind machines will decimate these animals.

It appears as if the Bighorn sheep were studied for a total of less than 4 weeks in the EIS. Many conditions during the time of the study are not what normally occur such as drought, and seasonal movement. California DFG biologist Mr. Botta is a wealth of information on the sheep and other animals in the area yet he was never contacted for this study. All information was compiled by a few out of town people who were working for Sempra.

Section 3.4 states that the developed check points on I-8 & Hwy 80 makes the area Industrial and Utilitarian.

This is simply an opinion. I have attached a photo from the top of Table Mountain just North of the impacted area. Nothing in this photo is "Industrial & Utilitarian" Look for your self at the photo and it's real stretch to call one border fence and a temporary border patrol station in a vast open area and rural setting Industrial and Utilitarian. 503-2

RESPONSE TO 503-1: Response to comment 108-7 provides additional discussion of Peninsular bighorn sheep population, migration patterns, and migration corridors. DOE's March 8, 2011 letter to USFWS indicates the outcome of consultation with the USFWS, including consultation on potential impacts of the ESJ U.S. Transmission Line project on Peninsular bighorn sheep. This letter is added to EIS Appendix C.

DOE distributed the Draft EIS to the California Department of Fish and Game, Region 5 (see comment letter 301 from the California Office of Planning and Research, list of reviewing agencies). DOE has not received comments on the Draft EIS from this agency. DOE has reviewed the department's comment letter on the Draft EIR/EIS for the combined ECO Substation, Tule Wind, and ESJ U.S. Transmission Line projects. Although these comments were not specific to the ESJ U.S. Transmission Line project, Section 3.1 is updated with appropriate revisions in response to the department's comments on that document, as they relate to the ESJ U.S. Transmission Line project.

RESPONSE TO 503-2: The EIS text referenced in the comment describes several built features in the project area and indicates that the presence of each of the individual features is industrial and utilitarian in nature, and that incongruity disrupts the intactness, unity, and, in instances, vividness of the viewshed (ICF Jones and Stokes 2010b). However, the visual assessment as a whole acknowledges that the project setting has high scenic resource value. Refer to the visual assessment in Section 3.2, which acknowledges and describes the scenic resource values of the project area. The project's potential contribution to cumulative visual impacts is discussed in Section 5.3.2.

The Border stations are Mobil and are not preeminent in nature. They are the only structures other than two houses in the area. There is no industry here.

I have attached a photo of what the pristine area looks like now and what the long range plan of Sempra is which is to decimate the land with thousands of wind machines, 58 acres of sub stations/ transformers and 10 acres of tie in lines going into Mexico. This will change this rural setting to one of Industrial Blight.

503-2

This is the area the EIS calls "Industrial & utilitarian?

The link below is what Sempra wants the area to look like and the EIS is trying to potray the area as already industrialized which simply isn't true.

http://www.cpuc.ca.gov/Environment/info/aspen/sunrise/rdeir/figs/fig_2-3-7b_kvp84_table_mountain_simulation.pdf

503-3 Section 3.6 in noise lists traffic in the area as Average Annual Daily Traffic of 15,000 vehicles.

RESPONSE TO 503-3: A footnote has been added to Section 3.7 (Transportation and Traffic) to clarify the methodology for obtaining average annual daily trip estimates and indicate the possibility that weekend and holiday traffic may account for greater vehicle trips than average weekday travel. This distinction is also noted in Section 3.6.1.2 (Noise impacts associated with construction). The EIS acknowledges that increased sound levels due to an increase in traffic due to construction may be noticed at the two isolated residences along Old Highway 80 between Carrizo Gorge Road and the proposed route. However, construction-related trucks would use the roadway within the hours allowed by the County of San Diego, and the increase in sound levels – irrespective of the baseline traffic levels – would not exceed the County's noise threshold for construction activities.

503-3 This is very misleading. The majority of the traffic in this section of the I-8 freeway is that of recreational vehicles on weekends and holidays. Some 250,000 people visit Glamas Dunes on Thanksgiving alone. The majority of those people use the I-8 freeway in this area to get to Glamis. If you discount this Holiday you end up with very little daily traffic. My home is located some 1,500 feet from I- 8 and the traffic on this highway comes to a complete stop after 10:00 pm on the weekdays.

The EIS Report is written in a fashion where it paints a photo of this area unlike what it actually is.

503-4 Section 3.9 shows with its map that the impact area is located adjacent to a zone listed as being a Very High Hazard for Fires. This project in conjunction with the others has a cumulative affect on fires and simply makes no sense given the lack of resources in the area and Mexico. Fires and wild animals have no boundaries.

There is not a full time Fire Department within 40 miles of the impacted zone. When I pulled permits for my house I had to turn my plans into the closet fire district and it was located in Jamul, Ca some 55 miles away. CDF or Cal Fire stations/ personnel are seasonal and not full time occupied stations. All other stations are volunteer. Relying on the Campo Indians for major brush fires in the area is just not prudent or realistic.

503-5 Section 3.11 talks about water resources in the area. The information is based on Hydrology reports from 1980????????

Ground Water data is over 25 years old! Much has changed in this area since then, Bort Farms, and a 10-year drought were not even considered but are a huge impact on the ground water in this area. My neighbors well just north of the impacted area is over 1,000 feet deep and he gets less than 5 gallons per minute. Well in Jacumba are drying up and the water table is dropping at alarming rates. Your use of 780,000 gallons from a "brackish" source could be just enough to cause the town and possibly the region to run dry of water.

In Summary this project is all wrong for this sensitive area. The EIS study is based On little fact and a lot of assumptions. Time spent in the field was limited and some of The data collected or reported is 20 years old, other data is simple not true or reported in A Way that is very misleading such as the fire data, traffic and the presence of wild life.

Please review attached photos; the PDF's couldn't be attached to this word document.

Thank You

Derik Martin

RESPONSE TO 503-4: Refer to response to comments 306-1 through 306-10 for an updated discussion of fire protection measures that have been incorporated into the project.

RESPONSE TO 503-5: The EIS is updated at Section 2.4 to include a description of ESJ's proposed groundwater extraction from a non-potable well in Jacumba. Section 3.11 (Water Resources) is also updated to include a discussion of potential impacts associated with the proposed groundwater use based on a groundwater impact study completed by the County of San Diego. Cumulative impacts on water supply, resulting from the proposed action in combination with other past, present, and future actions, are addressed in Section 5.3.11.

View the Wildlife - Desert Bighorn
Boulder Park

Pell, Jerry

From: derik martin [milpas@prodigy.net]
Sent: Monday, November 01, 2010 4:35 PM
To: Pell, Jerry
Subject: Sheep Photos Public comment EIS
Attachments: moutain springs 2 071.JPG; moutain springs 2 123 - Copy.JPG; moutain springs 2 124.JPG; moutain springs 2 134.JPG

503-6 Dr. Pell here are some of the Photos I took near the area of Impact. I have many more and have seen up to 13 sheep in one location, much different than what the EIS reports. These sheep are located just below Desert Tower near where the Sun Rise Power Link will go.

In addition to the sheep I had deer, fox, Turkey Voultures and a very large Red Tail Hawk all in a matter of two days of photo taking. I had over 100 photos of wildlife.

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RESPONSE TO 503-6: DOE appreciates the commenter's photographs of bighorn sheep in the project area. Refer to the response to comment 503-1 for a discussion of bighorn sheep in the project area.

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Pell, Jerry

From: Aqsurf@aol.com
Sent: Monday, November 01, 2010 7:37 PM
To: Pell, Jerry
Subject: Energia Sierra Juarez DEIS Comments

AARON QUINTANAR
1946 Sixth Avenue, San Diego, CA 92101
Telephone: 619.231.5923 Email: Aqsurf@aol.com

November 1, 2010

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

I am writing you to express opposition to Energia Sierra Juarez U.S. Transmission's (ESJ) application for a Presidential Permit to build a cross-border transmission line between the U.S. and Baja California, Mexico (OE Docket Number PP-334).

Department of Energy is required to determine whether a project described in a Presidential Permit application is in the public interest. This determination is based on an examination of environmental impacts, reliability of the U.S. electric power supply system, and other relevant factors. The direct and indirect environmental impacts will be significant/non-mitigable if the ESJ project is approved. The ESJ project's impacts must be considered cumulatively, this is to say that all related project impacts including projects located in Mexico must be considered in the analysis. Alternatively, the Department of Energy is required to consider the impacts in the U.S. from connected actions in a foreign country. The connected action in Mexico that will have direct and
504-1 indirect environmental impacts in the U.S. is Sempra Energy's proposed Energia Sierra Juarez wind energy project (ESJ-Mex).

The ESJ-Mex industrial energy project includes a 700,000-acre general project area and proposes the construction and installation of up to 1,000 wind turbines, 900kms of roads, substation(s), transmission lines, and maintenance facilities. Mexico's environmental ministry, Secretaria de Medio Ambiente y Recursos Naturales (SEMARNAT) granted the wind project a conditional approval. The approval's legal standing is tenuous at best and subject to legal challenge. It is in fact a request for additional information disguised as a conditional approval. SEMARNAT attached sixteen (16) conditions to the approval, ten (10) are evidence of fundamental deficiencies in the environmental assessment submitted by Sempra's ESJ-Mex. It is clear that the document analyzing the environmental impacts for the ESJ-Wind would not meet CEQA or NEPA standard. This is a critically important fact because all of the energy generated by ESJ-Mex is destined for California. The California Public Utilities Commission shall not be permitted to authorize any ESJ-Mex power purchase agreements because the Mexican sited projects do not meet CEQA standard. If the Presidential Permit application is approved, it would in effect be approving a transmission line to nowhere in violation to the public interest.

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RESPONSE TO 504-1: The "public interest" issue is outside the scope of the environmental impact analysis, but, as alluded to by the commenter, will be considered in the course of reaching a decision on whether to issue the Presidential permit. Refer to the response to comment 101-1 for further discussion of the scope of the EIS as it relates to the applicant's purpose and need. As noted before, DOE has no jurisdiction over the proposed wind project in Mexico. Impacts in the U.S. resulting from the wind development in Mexico are addressed in appropriate subsections of Section 3 and are included in the discussions of cumulative impacts in Section 5.3.

504-2 The ESJ project and connected actions in Mexico will result in harmful impacts on the U.S. Federally listed Peninsular bighorn sheep. Bighorn sheep populations require wide tracts of land in order to maintain meta-population genetic connectivity, and provide food and water. Critical lands have been identified on both sides of the border in the Jacumba/Jacume region. The ESJ Draft Environmental Impact Statement identifies critical habitat and known populations as being 2-miles away from the project site. Recent sightings and photographs of bighorn sheep in the ESJ project area seriously call in to question this conclusion. Additionally, connected actions in Mexico (ESJ-Mex) will impact U.S. bighorn sheep populations due to a decrease in genetic diversity, decreased habitat, and a loss of critical migratory pathways.

504-3 The Jacumba/Jacume region along with the Sierra Juarez mountain range are known habitat for federally protected bird species and serve as a critical migratory bird pathway. The region is the historic habitat of the California condor. Current conservation efforts are succeeding and therefore the inevitable extension of habitat will include the region. The region is also known habitat for federally protected Golden and Bald Eagles. Wind turbines and electrical transmission lines are known hazards to eagles, condors, and other raptors. This is especially true for juveniles who are attracted to new structures within their ranges and habitats. The environmental assessment submitted and approved by SEMARNAT failed to adequately account for internationally listed avian species, migratory pathways, avian impacts, or international treaties (Migratory Bird Treaty Act and the Bald and Golden Eagle Protection Act). A Presidential Permit should not be granted to the ESJ project when fundamental connected actions in Mexico have not been fully vetted and will result in serious impacts on U.S. species that transcend geographic boundaries.

504-4 The ESJ project described in the Presidential Permit and its connected actions will severely and negatively impact a globally recognized biodiversity region. Habitat fragmentation due to ESJ and its connected actions will result in the breaking up of natural habitats into small isolated patches. The creation of small patches produces edge effects whereby ecosystem processes begin to breakdown. The probability of wild fires will greatly increase.

504-5 Finally, it is important to recommend project alternatives such as the deployment of in-basin decentralized renewable energy, i.e. solar. This would move forward President Obama's goals of creating new domestic jobs, decrease dependency on foreign energy sources, and effectively eliminate harmful impacts to the region's extremely valuable wildlands and wildlife.

Sincerely,
Aaron Quintanar

2

RESPONSE TO 504-2: Response to comment 108-7 provides additional discussion of Peninsular bighorn sheep population, migration patterns, and migration corridors. DOE's March 8, 2011 letter to USFWS indicates the outcome of consultation with the USFWS, including consultation on potential impacts of the ESJ U.S. Transmission Line project on Peninsular bighorn sheep. This letter is added to EIS Appendix C.

RESPONSE TO 504-3: DOE did not find any further information in available literature that indicates that the ESJ U.S. Transmission Line project is located in a known bird migration corridor. The EIS now contains a more robust analysis and discussion of impacts in the U.S. to the local area population of golden eagles, as well as updated information related to studies of California condors by the San Diego Zoo in Section 3.1 of the document.

RESPONSE TO 504-4: Refer to response to comment 401-14 for a discussion of the project's potential effects on regional conservation initiatives. Cumulative impacts related to fire are discussed in Section 5.3.9.

RESPONSE TO 504-5: 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 and other types of electrical generation, are outside the range of reasonable alternatives analysis because they do not respond to DOE's purpose and need.

Thank you for the opportunity to comment on the Draft Energia Sierra Juarez U.S. Transmission Line Project. We understand the DEIS was an action on the part of the DOE in response to an ESJ-U.S. request for a Presidential permit because the project crosses the U.S.-Mexico border. After reading parts of the substantial DEIS for this project, we have comments to offer for consideration.

505-1 Briefly stated, we support Alternative 1 - No Action, and recommend the DOE not to issue a Presidential permit for the ESJ U.S. Transmission Line so the line would not be built. We are recommending this action because we believe it is not in the public interest based on the cumulative impacts that were identified with regard to visual and biological resources, recreation, and fire and fuels management. We disagree with some of the conclusions in the DEIS, and offer some of ours for consideration.

VISUAL RESOURCES

The DEIS states,

> "With regard to visual resources, the combined presence of the actions considered in the cumulative analysis would result in an increase in industrializaton of the landscape, diminished visual quality, and an increase in visual contrast in eastern San Diego County and western Imperial County. The combined size and character of introduced structures associated with each action would result in considerable structure contrast, view blockages, and skylining in the region and could cumulatively cause long-term, major impacts to the existing visual character of the region."

We disagree with the conclusion in the DEIS that because the ESJ U.S. Transmission Line project would be a relatively small contributor to the cumulative impacts to visual resources when combined with the impacts of other past, present and reasonably foreseeable future actions in the area, that it would then be considered a minor but long-term impact.

505-2 Although it is true the transmission line itself is only 0.65 miles in distance on the U.S. side of the border, it SETS A PRECEDENCE with the purpose of connecting with transmission to be built in Mexico. Thus, it will be the first cross-border transmission line and will open up numerous opportunities for Mexico to build large-scale wind turbine projects that will connect to it. The ESJ Wind project Phase I wind turbines will be located only 0.7 mile south of the U.S. border. There are already other future phases for large-scale wind turbine projects proposed that will also be built in the Sierra Juarez Mountains in Mexico. In our opinion, the purpose of connecting to these large-scale wind turbine projects in Mexico AND its implications must be taken into consideration. The ESJ U.S. Transmission Line will be a MAJOR contributing factor as the FIRST LINKAGE TO A HUGE CHANGE IN THE VISUAL CHARACTER OF THE REGIONAL AREA because it will facilitate future large-scale wind turbine projects that will be built in Mexico. Together, these projects could result in a MAJOR INCREASE IN THE INDUSTRIALIZATION of the landscape and affect people residing in or visiting the area for recreational activities in both the U.S. and Mexico.

The ESJ Wind project Phase I could consist of up to a maximum of 52 wind turbines that would be built in Mexico.

The DEIR states,

RESPONSE TO 505-1: Refer to responses below.

RESPONSE TO 505-2: The project's potential contribution to cumulative visual impacts is discussed in Section 5.3.2. The discussion of cumulative impacts to visual resources has been updated and expanded to provide more explicit acknowledgement of the magnitude of the cumulative impacts on visual resources in the project vicinity and of the contributions to this impact from the ESJ U.S. Transmission Line project.

DOE is considering only this single Presidential permit application in this general vicinity; there has been no proposal of a larger program of cross-border transmission between Baja California, Mexico, and the U.S. Any future requests for cross-border transmission projects, whether here or elsewhere, would be reviewed separately as an entirely new matter. DOE's decision on this permit would not predetermine or set a precedent for decisions on any other applications that DOE might receive.

"Wind turbines constructed in Mexico as part of the EJS Wind project would be visible from several U.S. locations, including locations in or near the communities of Jacumba and Boulevard; Interstate 8; Old Highway 80; Anza Borrego Desert State Park; and BLM-administered lands, including Table Mountain (ACEC), Jacumba Wilderness, and certain lands in the Yuha Desert."

"Predicted visual impacts from wind turbines in the U.S. would be moderate to high for viewers at observation points in Jacumba and Table Mountain ACEC. and low-to-moderate for viewers at an observation point on Interstate 8. During clear weather, aviation safety lighting on wind turbines (if lighting is required by Mexican agencies) would also be visible from viewing points in the U.S."

"Future phases would increase the number of wind turbines in Mexico."

505-2 "These impacts are unavoidable, major and permanent. NO MITIGATION IS AVAILABLE to reduce the impact to minor levels short of relocating the project to an entirely different location."

The specifications for the wind turbines according to the DEIS, are:

"The total height of the combined tower structure and rotor blades would likely be up to 431 feet. The rotor diameter could be approximately 333 feet. The total distance from blade tip at the six 'o clock position to the ground surface would be at least 97 feet. Up to approximately 30 percent of the wind turbine units would be lighted."

Unfortunately, the U.S. cannot mitigate the adverse impacts from the ESJ Wind project that are UNAVOIDABLE, MAJOR, AND PERMANENT to a minor level. The project is located in Mexico and outside U.S. jurisdiction. If the U.S. does not have control of the adverse impacts from this project or any other future large-scale wind turbine projects to be built in Mexico to our visual and biological resources, or any other issues that arise when building them adjacent to our border with Mexico, we should not build this line to connect with their line. In our opinion, this is not in the public interest and one of the reasons we recommend Alternative 1 - No Project.

As for our opinion of large scale wind turbines:

WE DEPLORE THEM BECAUSE WE CAN'T IGNORE THEM!!!

505-3 These types of large-scale wind turbines are an eyesore. They are gigantic and have monstrous fan blades that rotate 'round and 'round, have red lights that blink off and on at night, and are noisy. They also have a myriad of other adverse impacts, especially on bird and bat populations. They are not eco-friendly and not "green" energy. The wind turbines located on the Campo Indian Reservation have already had malfunctions. Under certain conditions, they could potentially be an ignition source for a catastrophic fire if a Santa Ana condition with strong winds was present and a malfunction occurred. These gigantic structures and associated infrastructure would be hazards to aerial firefighting.

There are better renewable energy sources such as small solar and small wind that can be

RESPONSE TO 505-3: 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.

505-3 located onsite where the energy is used eliminating the need for mega wind farms in the backcountry of either the U.S. or Mexico. It would not be necessary to build the miles and miles of auxiliary infrastructure associated with them that ruin the visual resources if we use these other sources of renewable, onsite energy. For example, the BLM uses solar energy to pump water into its reservoirs at Cottonwood Campground in McCain Valley. The County of San Diego just established an ordinance for small solar and small wind that we support.

RECREATION

The DEIS Summary states,

> "To the extent that distant views of the surrounding landscape are a valuable component of recreational use of the region, then any diminishment of this character is considered an indirect and potentially major impact to recreational resources. Accordingly, once operational, the ESJ U.S. Transmission Line project structures, in combination with the other actions considered in the analysis, would result in indirect impacts on recreational use of BLM-managed lands."

We again disagree with the conclusion that the ESJ U.S. Transmission Line would have a minor but long-term contribution to the major adverse cumulative impact on recreational users like us in the region. The DEIS states the effect would be minor because the transmission towers would not substantially change the character of the views from these areas due to the tendency of transmission towers to blend in with the surrounding desert landscape when viewed from a distance because the new towers would be substantially similar in appearance to the existing SWPL transmission towers. But, as the DEIS also clearly states, ANY diminishment is considered potentially major.

505-4 The Bureau of Land Management, Anza-Borrego Desert State Park, County of San Diego, and the Sawtooth, Carrizo Gorge, and Jacumba Wilderness Areas and Table Mountain (ACEC) have many recreational opportunities to enjoy and experience in this regional area. We like to hike, jeep, camp, star gaze, take photos of animals, birds, wildflowers, waterfalls, landscape features, etc. while frequently visiting here and have done so for decades. Some of the existing transmission towers and lines already adversely affect our ability to view or take pictures of the surrounding landscape when we do the things we like to do out here because of their scale. (Please see attached photos.) In reference to this project, the proposed towers and lines would be similar to the existing ones and be seen from numerous surrounding recreational destinations people like us visit specifically for the VIEWS they offer.

Transmission towers are tall, linear, unnatural, structures. Many times their powerlines have brightly colored orange and white balls attached to them, as they do in this area, so they show up better for border patrol personnel to avoid when pursuing illegal border crossers by helicopter. Some towers have red lights on top at night and, in some areas, even the lines hanging between them have lights on them. Some lines form unnatural scallop patterns that go on for as far as the eye can see, snaking all in a row over ridgetops and through valleys. Some of the lines are even rainbow-colored now. Some lines glint in the sunlight and rivers of shining steel seem to "flow" over the landscape when observed at some locations, especially at sunset. When located near ridgetops, skylining occurs and the tower design and attached lines with balls hanging on them are obvious. When taking pictures of the landscape while

RESPONSE TO 505-4: The EIS at Section 3.2 describes the visual resource setting and acknowledges the industrial nature of the proposed transmission lines. The EIS discusses the potential impacts to the viewshed from several key observations points, including views toward the proposed transmission lines from recreation areas. The discussions in Section 5.3.2 and 5.3.4 regarding cumulative impacts to visual resources and the resulting cumulative impacts to recreation have been updated and expanded to provide more explicit acknowledgement of the magnitude of the cumulative impacts and the degree to which the ESJ U.S. Transmission Line project would contribute to these impacts. The transmission line "buzz" described in the comment is sound resulting from the corona effect. Section 3.6.2 includes assessment of corona sound impacts from the ESJ U.S. Transmission Line project and Section 3.4.2 acknowledges the potential for corona sound to diminish the recreational experience.

hiking at ground level, towers interfere with the subject to be photographed, whether near or distant. When seen from above, their lines disrupt the continuity of the natural landforms and can visually disect it. They can also "buzz". Adding ANY more towers and powerlines only diminishes and devalues the VIEW and intrude upon the outdoor experience of being in a rural, open space area which is one of the main reasons people like us come to visit the area.

The BLM highlights the views in the area on its website. Two of the three reference books we use when coming to this area are Jerry Shad's, "Afoot and Afield San Diego County" and Lowell and Diana Lindsay's "The Anza-Borrego Desert Region".

Jerry Shad's book states, "East of Jacumba, pressed against the California-Baja border, lies a series of scenic peaks and valleys in the Jacumba Mountains affording vistas of two counties and two nations. Although American mapmakers consider this rugged area to be a part of the Jacumba Mountains, it is more closely associated with the 100-mile long Sierra Juarez, Baja's northernmost link in the chain of Peninsular Ranges." He describes a hike to Blue Angels Peak and the border marker nearby, among others. He states, "Blue Angels peak, one of several crags along a high north-south ridge spanning the two Californias, happens to be the highest point in "Alta" California within 6 miles of the international border." People who
505-4 hike on this particular trail or the surrounding high-elevation peaks nearby would be negatively affected upon looking west while viewing the proposed project in its valley setting because it is adjacent to this public area. Referring to Valley of the Moon, Jerry Shad's book states, "Strolling through the aptly named Valley of the Moon, you might think that a square-mile patch of Joshua Tree National Park has been magically transported there - minus the famous Joshua trees. Ponderous outcrops of granitic rock, seamed with horizontal and vertical cracks, ring the valley. Old four-wheel-drive trails meander amid the statuesque boulder heaps on the valley's south side. Photographers should be here early or late in the day, when the sun bathes the stone battlements in warm light, and crisp shadows march across the valley."

Lowell and Diana Lindsay's book states, "South fork of Boulder Creek. Enticing destinations for hikers, riders, and backpackers just ahead include the Elliott Mine, Valley of the Moon (headwaters of Pinto Canyon), and the Jacumba Wilderness. It just doesn't get any better than this for training and practice in orienteering, map and compass work, and GPS because of the abundance of named checkpoints, known in Baja Spanish as "picachos," in all directions: Quirk, Gold, Tahe, Blue Angels Peak, Whip and Nopal. After a hard soaking rain, many of the little creeks in Valley of the Moon flow with water."

We have hiked and jeeped in this part of the regional area several times in different seasons, along with our children when they were growing up and still do, and it's as incredible as they say it is, especially Valley of the Moon! Once you get back into these places, modern-day technologies disappear from the landscape and the outdoor experience takes over.

Lowell and Diana Lindsay's book states, "The old mining roads visible to the northwest (left) climbing up onto Table Mountain, are closed to vehicles now but offer excellent hikes with superb views from the 4000' summit" We have seen the views from this public area in the past which is directly north of the project site, and they would be adversely affected when looking south down upon the project site in its valley setting.

The DEIS states,

"The transmission line would encroach upon the views and compromise the integrity of the largely intact desert setting, but the overall change to the views from recreation areas would be low."

Another related adverse visual action mentioned in the ESJ DEIS that would compromise the integrity of the largely intact desert setting of the project site besides the presence of the transmission line itself is the damage to the land to build it. Land scarring from clearing land of vegetation/habitat for wildlife for the ESJ Transmission Line is approximately 10 acres and will remain that way permanently for the life of the project for fire prevention purposes. In addition, the ECO substation switchyard will destroy another 74.3 acres, and another 14.5 acres will be annihilated by the SWPL Loop-In. The total amount of acres to be cleared and have cumulative adverse impacts by these three projects is approximately 100 acres!

The two other projects mentioned above to be considered that are connected with the project would also have tall structures and lines that would be viewed from high elevations in the surrounding recreation areas.

505-4 Our favorite regional area to visit here is one of those included to be considered: McCain Valley where the Tule Wind project is to be located. In his book, Jerry Shad describes this area: "The area between County Highway S-2 in the south end of Anza-Borrego Desert State Park and the BLM's McCain Valley Resource Conservation Area constitutes some of the most wild, beautiful, and serene territory in San Diego County. With the exception of a few hunters chasing game in certain seasons, the east margins of McCain Valley Resource Conservation Area are essentially hikers' domain." That description is true and is what lures us to McCain Valley and the three Wilderness Areas located in this regional area.

Additionally, the transmission line continues on into Mexico for a greater distance than the portion located on the U.S. side. This continuation of the line over the U.S.-Mexican border, with or without the ESJ Wind project Phase I figured in, would still need roads and electrical substations to support it in Mexico as it does in the U.S. The amount of total acreage for this part of the project that will also cause land scarring from clearing and will be viewed from high elevations in the surrounding public recreational areas in the U.S. are not included. There will also be adverse visual impacts when viewing vehicles and personnel in the area when they do maintenance work.

In our opinion, a short distance of transmission line can still have an INDIRECT AND MAJOR ADVERSE CUMULATIVE IMPACT on recreational resources and its users, like us, depending on where it located and is being viewed from: both near and far, or at ground level or high elevations, along with the associated land scarring in a largely intact desert setting. These impacts increase even more when considered with the ECO substation switchyard and SWPL Loop-In projects, connected projects in Mexico and the regional area. Our previous comments on large-scale wind turbines in Mexico under Visual Resources would also apply here. The industrial structures in this area already intrude upon and DIMINISH THE CHARACTER and affect recreational users like us. We need to "draw the line", not build this line, or ANY more in this area.

505-5 BIOLOGICAL RESOURCES

We are concerned for all the wildlife and vegetation to be destroyed by the ESJ U.S.

RESPONSE TO 505-5: Response to comment 108-7 provides additional discussion of Peninsular bighorn sheep population, migration patterns, and migration corridors. DOE's March 8, 2011 letter to USFWS indicates the outcome of consultation with the USFWS, including consultation on potential impacts of the ESJ U.S. Transmission Line project on Peninsular bighorn sheep. This letter is added to EIS Appendix C.

Transmission line, ESJ Wind, and by all the other associated projects under consideration in this regional area. More specifically, we are concerned with one terrestrial and two groups of avian species identified in the DEIS: the bighorn sheep, and the raptors and bats.

Local residents claim that in the past they have observed bighorn sheep roaming around and foraging in the area where the ESJ U.S.Transmission Line will be located. Bighorn sheep are also known to roam and forage in the designated critical habitat only two miles east of the project site. There are two websites on Google that people display photos of bighorn sheep: Hwy. 8 below the Desert View Tower and the Goat Trestle located near the Motrero Palms. However, try as we might, we have never been fortunate enough to have seen any in this area, but have seen some in other areas of the desert.

The DEIS states,

> "The designated critical habitat and known populations of the Peninsular bighorn sheep are approximately 2 miles from the project site; thus, project construction would not affect the designated critical habitat for this species. However, vegetation clearing within the right-of-way and the main access road would result in permanent impacts to potential forage material for this species."

505-5 We assume that if clearing the land would result in permanent impacts to potential forage material for this species, then it was considered possible for bighorn sheep to potentially be in this area to forage. Bighorn sheep roam around and forage at will according to their environment and seasonal changes, as all wild animals do, and the ESJ U.S. Transmission Line would reduce the acreage for them to do so and intrude upon its largely intact desert setting.

The DEIS also states,

> "In addition, the construction and operation of the wind facilities, coupled with elevated levels of human activity from workers and visitors to the wind farm, could alter wildlife behavior, including possible avoidance of the area."

When referring to the Table Mountain ACEC nearby, Lowell and Diana Lindsay state in their book, "Noteworthy species include the Peninsular bighorn sheep, the golden eagle, and the mule deer."

On the BLM's information board at Cottonwood Campground in McCain Valley, an informational paper posted on the Sawtooth Wilderness Area states, "Historically, Peninsular bighorn sheep made their home here, and today's transient sheep use the area." Another paper posted alongside it on McCain Valley states, "East of the valley, in several steep canyons, oasis of native fan palms are found. These islands of vegetation provide habitat for many desert species, including a population of Peninsular bighorn sheep."

Jerry Shad's book states, "The palm-lined canyons known informally as "Four Frogs" and "Jacumba Jim" lie in the heart of the BLM's Carrizo Gorge Wilderness Area, a region whose east boundary abuts a large expanse of state wilderness in adjacent Anza-Borrego Desert State Park. The area supports a sizable herd of bighorn sheep most of the year. During the springtime lambing season, the sheep cross Carrizo Gorge and take up residence in the Jacumba Mountains. It later goes on to state, "This area can be used as an excellent

dry campsite, with a panoramic view of Carrizo Canyon and its many tributaries. Bighorn sheep "beds" (scuffed areas) and scat are common in this area."

We have thoroughly enjoyed hiking to sections of these remote, spring-fed palm oasis mentioned above, and have hiked to many others in the regional area because of the abundant variety of wildlife and vegetation they support. We always keep watch hoping to spot a bighorn sheep because viewing them in their natural habitat is always a thrill to those fortunate enough come across them. It is also exciting for us when we spot deer in McCain Valley. This is
505-5 another one of the reasons people like us come out here from the cities.

In our opinion, the above sources seem to indicate to us that bighorn sheep are known to roam and forage in areas of the Sawtooth Wilderness Area, McCain Valley and In-Ko-Pah Mountains, Carrizo Gorge Wilderness Area, Table Mountain ACEC, and the Jacumba Wilderness Areas! The ESJ U.S. Transmission Line, ESJ Wind project, and others to be built are located in a part of this regional area and the result would be permanent impacts to potential forage material for this species and activities that would potentially drive them out which would also affect the ability of people like us to view them in these areas. In our opinion, it is not in the best interest of the protected and endangered bighorn sheep or the public to build these projects here.

Regarding the ESJ Wind project on avian species, the DEIS states,

> '. . . but construction of the Phase I wind turbines could impact up to 7,500 acres of chaparral, pine forest and possibly some desert communities in Mexico that may support birds protected under the MBTA.
>
> " Future phases would increase this development footprint and thus potentially increase the impact to birds protected under the MBTA."

The report also states,

505-6

> ". . . operation of the turbines could result in the loss of migratory birds and migratory bats that collide with the turbine blades. Migratory raptors, in particular, may be vulnerable to collisions with wind turbines when hunting prey."

The Fact Sheet from the Center for Biological Diversity states, "Wind turbines at Altamont Pass kill an estimated 880 to 1,300 birds of prey each year, including up to 116 golden eagles, 300 red-tailed hawks, 380 burrowing owls and additional hundreds of other raptors including kestrels, falcons, vultures, and other owl species."

Wind turbines are giant, elevated "choppers" in the air. Both migrating and local raptors and bats will have a rotating gauntlet to manuever around that could have deadly consequences. We have seen local raptors such as the red-tailed hawk, Cooper's hawk, falcons, owls, and vultures use the updraft the mountains provide to soar above and hunt prey along the ridgetops where these large-scale wind turbines will be located. We have also seen bats in the area. The ESJ Wind project, along with the other large-scale wind turbine projects to be built in future phases in Mexico, would comprise an extremely large footprint of the Sierra Juarez Mountains, and could potentially have a wide-spread, devastating impact on some avian species.

505-7 ESJ has obtained an environmental permit from the Mexican government for the ESJ Wind

RESPONSE TO 505-6: DOE agrees that the potential impacts that ESJ Wind project would have on the U.S. are relevant to the DOE's decision to issue the Presidential permit. As such the EIS includes an analysis of the potential impacts of the ESJ Wind project on the U.S. These potential impacts are discussed for each discipline area in Section 3 of the EIS.

Additional analysis of potential biological resources impacts to the U.S. related to the ESJ Wind project has been added in Section 3.1 of the EIS. Refer to response to comment 201-3 for additional discussion of potential biological resource impacts of the ESJ Wind project on the U.S.

RESPONSE TO 505-7: DOE agrees that the potential impacts that ESJ Wind project would have on the U.S. are relevant to the DOE's decision to issue the Presidential permit. As such the EIS includes an analysis of the potential impacts of the ESJ Wind project on the U.S. These potential impacts are discussed for each discipline area in Section 3 of the EIS.

Additional analysis of potential biological resources impacts to the U.S. related to the ESJ Wind project has been added in Section 3.1 of the EIS. Refer to response to comment 201-3 for additional discussion of potential biological resource impacts of the ESJ Wind project on the U.S.

With regard to the Mexican permit for the ESJ Wind project, DOE reviewed a partial translation of the Mexican MIA permit (or La Manifestación de Impacto Ambiental, modalidad regional [MIA-R]). The permit requires a

505-7 project because the project is located in Mexico. In our opinion, it would not be in the public interest for the U.S. to approve a Presidential permit for the ESJ U.S. Transmission Line itself or the ESJ Wind project associated with it that would be facilitated by it. Both projects could affect the bighorn sheep foraging areas or drive them away, and the wind project could affect the avian species that currently reside or migrate through here. The full effect on bird and bat populations from the ESJ Wind project and future large-scale wind turbine projects in Mexico are currently unknown, so no mitigation measures currently exist. Again, if the U.S. does not have control of these projects to be built in Mexico, or know the potential adverse affects to our biological resources that cross into Mexico and what mitigation measures would be proposed, we should not build the line to connect to their line.

505-8 FIRE AND FUELS MANAGEMENT

The DEIS states,

> "With regard to fire and fuels management, the cumulative presence of the overhead transmission lines associated with the actions considered in this analysis would create multiple ongoing sources of potential wildfire ignitions for the life of each respective action."
>
> "Implementation of the Fire Protection Plan proposed by ESJ U.S. would reduce the probability of igniting a wildfire and reduce the impacts of fires when they occur; however, the potential for ignition would remain. Therefore, the ESJ U.S. Transmission Line project would have a MAJOR AND UNAVOIDABLE CONTRIBUTION to this cumulative impact."
>
> ". . . and creation of a potential obstacle to firefighting."

The last statement above is the most troubling to us about the ESJ U.S. Transmission Line and ESJ Wind projects, along with all the other regional projects, when considering the cumulative impacts these projects will have if a fire breaks out. It means that ANY fire from ANY source, including lightning, could spread out of control because transmission lines and wind turbines would hinder firefighting efforts to contain it, especially by air. The lives of people in the surrounding communities of Jacumba and Boulevard, and on the Campo Indian Reservation, along with the animal and plant communities in the area, could depend on the ability to effectively fight a fire. In our opinion, considering the risk, it is not in the public interest to build these obstacles in this rural setting that could limit our abilities to protect lives and resources.

505-9 In closing, we would like to express our opinion that this regional area is SPECIAL, JUST AS IT IS! That's why we come. Industrialization would desecrate its present RURAL CHARACTER and SOMETHING IRREPLACEABLE WILL BE LOST FOREVER! The "Great Outdoors" won't be so great here any more, just outdoors next to massive, industrial structures plastered all over the landscape with lines strung between them. In our opinion, recreation and industrial uses are INCOMPATIBLE.

The present experience to camp, hike, etc. at Cottonwood or Bow Willow Campgrounds, or Anza-Borrego Desert State Park for a weekend, or just to visit interesting places within the regional area for a day to enjoy the unique scenic beauty it has to offer would be GONE, and LOSING IT would QUENCH our desire to come out here in the first place. Our family

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.

RESPONSE TO 505-8: Refer to response to comments 306-1 through 306-10 for an updated discussion of fire protection measures that have been incorporated into the project.

RESPONSE TO 505-9: Refer to the visual impact assessment (Section 3.2) which acknowledges and describes the scenic resource values of the project area. The project's potential contribution to cumulative visual impacts is discussed in Section 5.3.2.

505-9 was fortunate to experience the wonders of this remote regional area with few modern man-made structures interfering. Will future generations be able to do the same? Public Lands in transitional areas such as these that are somewhat accessible by hiking or by jeep are few and far between in San Diego County. There's a sign posted by the State of California on the Pepperwood Canyon Trail in McCain Valley that reads, "FEATURES PROTECTED. THIS IS YOUR HERITAGE - HELP GUARD IT." That is what we are trying to do.

Sincerely, Charles E. Baker Jr., Laurie A. Baker

Charles and Laurie Baker
10217 Strathmore Dr.
Santee, CA 92071

Pell, Jerry

From: David E. Paez-Ramirez [pantaleon@inbox.com]
Sent: Monday, November 08, 2010 4:49 PM
To: Pell, Jerry
Cc: Archives; Busnss.Affrs
Subject: Commentary to Sunrise Powerlink / San Diego
Attachments: November_ReportCntyr-A-05a_2010.doc; November_ReportCntyr-A-05b_2010.doc

2:38 PM - PST

Dr. Pell,

Good afternoon . . . Apologies that my busy day has complicated sending this submission . . . I am sending the commentary (as Word docs.) today as afforded me by Patrick Brown last week . . . attached you will find 2 documents, A-05a, a two page letter / and A-05b, a Commentary Report - 14Pp. . . . thank you for your attention . . .

David Esteban Paez-Ramirez
www.transpathway.com
//////////////////

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1

November 5, 2010

U.S. Department Of Energy/ thru San Diego County Department Of Land Planning & Land Use

Re: Request for Commentary – Sunrise Powerlink

This commentary is submitted by D.E. Páez-Ramírez, as county resident, and in representation of development and supervision of 1,000 + acres of land in Baja California, a substantial portion of the territory dedicated to alternative energy production and electricity transmission.

Comments are in response to the county department's request for public comment on SEMPRA's proposed project to obtain land by grant from the county of a right-of-way for transmission of energy: Sunrise Powerlink.

A residential challenge has been raised objecting to use of San Diego county land, privately held, from willing contribution of rights-of-way by purchase in counter to the utility provider's claim that the land is essential to county and state residential interest, and that it's available by no other means than
506-1 by eminent-domain mitigation for a grid construction it proposes.

If the Imperial Valley production of electricity is truly the only possible source of renewable energy required by the state then yes a transmission line spanning the southern portion of the county is the sensible path.

If the generation source of itself characterized in proposal as a priority issue, is potentially misrepresented, construction of a grid to accommodate that power's conduction would render main point of request inequitable and not suitable to approval.

The report here submitted respectfully recognizes the DOE's insistent instruction that assent to the assertion by SEMPRA, and SEMPRA Generation, of the sourcing – of the energy production location – as being correctly far-distant in access be taken as a premise, that it is not part of a "connected action", and that commentary restrict itself as to opinion affecting construction of the Power Link only.

RESPONSE 506-1: As discussed in response to comment 101-1, comments pertaining to the merits of the project with respect to federal energy policy and California utility regulations 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.

For reasons to be outlined, I assert that the instruction is premature and the underlying assumption of the necessity of the route through the county should be again subject of further consideration to avert a potential misstep which by certain applicable NAFTA law may indicate appeal as recourse. It is within both county and DOE purview to regard NAFTA intentions. A reading of the commentary in report shall explain this assertion.

This report maintains that the county, deliberating construction of a 123 mile conduit, cannot in good faith dismiss as out of its purview, the foundation issue which makes the requirement of the Power Link a requisite.

Is the power production source's characterization and location distance valid, and its conveyance through the county at such an extraordinary length of transmission the only appropriate expenditure of capital funds in bringing
506-1 electricity to consumers?

Writing in representation of combined county resident interest, I point out that an alternative source for satisfaction of state requirements, and of residential consumption and use of electricity generated in compliance to dictates of Assembly Bill 32, can be obtained from nearby Mexico and transmitted through already existing grid line between that country and the United States.

Energy generation and transmission across borders in benefit by one country to another on the American continent is implicit to the design of mutual interests contained within the legislative dictates of the North American Free Trade Agreement. The Baja Wind (renamed: Energia Sierra Juarez) proposed project, SEMPRA Generation owned, does not of itself satisfy the greater intentions of NAFTA. The treaty's applicability is cited here.

Respectfully submitted for your attention, the following Report,

{ DEP }

David Esteban Páez-Ramírez
www.transpathway.com

14 Page Commentary Re:

SEMPRA Request For Approval of Sunrise Powerlink

SOURCE: SDG&E UNION-TRIBUNE

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Re: Sunrise Powerlink

I state in the letter introducing this report, observation of matters before the department in proposal for consideration by you and the federal government, that a perspective by the county exclusive in merely ratifying the intentions of SEMPRA alone, is perhaps not reflective completely of the better interests of the electorate of San Diego or of the complete logistical issues affecting decision-making, or, in the least, as presented by SEMPRA to the community thus far.

In compliance to a correct supply of energy into the county and state, a legislative enactment, AB 32 , indicates a requirement of state utility providers that they consider entering into Power Purchase Agreements reflecting that renewable resources comprise 20% of their energy sourcing out of electricity generation from renewable resources.

The Assembly Bill does not, though, specify that the utility companies be the sole source of producing the alternative energy required, but that they do enter into fair association compensating them in opening access to their transmission lines for delivery of renewable energy throughout California.

Trans-Pathway HOLDINGS, designated to be a California corporation, intends delivery of energy generated in NAFTA participating country, Mexico, a transmission into California through San Diego county, and delivery of that energy produced to applicable utility and its customers in the state. Our first developments are of a parcel exceeding 1,000 acres.

I. VOLUNTARY DISCLOSURE – Trans-Pathway HOLDINGS (TPH)

As premise, it has been shared with principals and friends-to-the-projects that 3 basic foundation points make up our intentions to develop and establish a number of approaches to Generation of Energy From Renewable Sources.

- We will commence production of electricity by Wind power and Solar energy collection on certain portions of Baja California territory, beginning with land controlled by us, located in Mesa de Otay.
  Those projects are identified as **Venture Project-** 1, and **VP-** 2.

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- We intend concurrent and subsequent energy development onto parcels identified and aggregated by us also in B.C., Mexico. We are completing negotiation in purchase of additional parcels along the western coast territory of the Baja California Peninsula – both interior placement of solar collectors and in-ocean placement of Wind turbines. These Acquisition Territories, energy-farms, are to be **Venture Project**- 3 thru VP- 9.

- The intended roll-out of subsequent acquisitions and energy generation are planned to extend in partnership throughout Mexico, where parcels have been identified, and in allied association with others.

Other U.S. entities hold similar plans of Mexico energy production. We consider our efforts to be of a leading nature because of strong connections and ties to pertinent agency and legislative favorability in Mexico for these initiating developments. And, a favorability for how those developments are keen to enhance and further the energy interests of both the United States and Mexico.

Walter Puffelis Gama, solely and through AC Group, Arroyos Cristal, S.A. de C.V., owns the first parcel of land already within Baja California and as of March, 2010 is entered into a Memorandum Of Understanding (MOU) which joins in collaboration to develop the parcel. Trans-Pathway HOLDINGS, a new company, is slated to be representative entity of interests formulated for associates of David Esteban Páez-Ramírez, a United States citizen; the company completing formation undertaking the developments outlined by the MOU.

II. SUNRISE POWER LINK

The Sunrise Powerlink is presented by its proponent, SEMPRA, as fulfilling a necessary conduit between energy primarily sourced in the Imperial Valley.

A Department Of Energy (DOE) evaluation has been accomplished in the most pertinent environmental review of what the Bureau of Land Management (BLM) regards as the routes of both the Baja Wind (now Energia Sierra Juarez) connectivity and Sunrise Powerlink; these being separate, land-usage-wise.

We assert though that treaty intention components outlined in NAFTA, though inconsequential to BLM findings, are expected to be influential to a San Diego County assessment as it and the DOE share a different mandate which would integrate concerns as to effect to the continent per NAFTA participation edict.

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The county perspective as to approval, or denial, of the Sunrise Powerlink is indeed separate from that of the BLM's more narrowed purview of land usage only. NAFTA considerations are of national and county purview, though. The EIR/EIS already prepared for BLM may not be sufficient to the county's (and DOE's) deliberation (perhaps it's as much a County Board of Supervisors matter) of economic/"Socioeconomic" impact through a wider continent impact consideration. It is the continent, through NAFTA eyes, which points up certain matters of salience for governmental consideration. Here both departments are alerted to elements cited as pertaining.

The DOE, in person of their Office of Electricity Delivery, cites on occasion a determination that some issues lie outside the scope of their impact studies, and are in mission specific activity perhaps correct in that conclusion. Perhaps items designated as being important by this report can be characterized as beyond an evaluation by either the DOE or the county in person of their Department Of Land Planning. But, voicing of public opinion (which is what all call-to-commentary requests accomplish), should that opinion be construed as allowing the department(s) cited to grant request – that construction of the Sunrise Powerlink proceed – would, in the view of this one commentary, interject an activity prematurely when dictates of NAFTA are not being observed.

Defiance of the treaty's applicability could occasion sanctions affecting one particular NAFTA country, the United States, when the treaty is not accorded sufficient attention to its regulations and intentions as legislated.

Elements of the treaty, to which the United States is participant, and in fact to the largest degree initiator, are to be observed within a schedule meaningful to either halt project, or in significant application, at least impose a procedural delay until an appropriate agency – or these same agencies named – adjust deliberations giving weight to the North American Free Trade Agreement.

The grid line proposed by SEMPRA is an ambitious one, fully outlining a commitment to create a transmission line it characterizes as integral and only solution to bring alternatively derived energy from renewable sources into San Diego and California localities applicable to complying with Assembly Bill 32.

The characterization of the Sunrise Powerlink as being integral to the greater interests of the region remains a matter not fully addressed when a discount of NAFTA is considered as occurring.

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III. REGIONAL / COUNTY / STATE / U.S. INTERESTS

Besides the mission perspective entrusted to an overview and supervision by the Department Of Planning And Land Use, general regional matters affecting the constituent quality of life of the county's residents also very much pertains in the department's representation to others outside the county of what it considers the interests of a majority of the inhabitants.

Whether or not the Sunrise Powerlink is a "connected action" – (as defined by 40 CFR 1508.25(a)1) and not completely satisfied by the BLM position, supported by its receipt of an EIR/EIS from the DOE, and in BLM's statements of its approval of the transmission link – is a definition perhaps moot should the Imperial Valley location for production of energy for the county's and state's needs – or even energy delivery through the ESJ sourcing – be inaccurate in SEMPRA's insistence as that location being most logical in its far distance, when this report's commentary identifies closer location in sourcing being that of NAFTA participant country Mexico. And that, at a site adjoined to *Southwest* Powerlink.

We understand that the Southwest Powerlink is characterized as not amply constructed to a capacity in carriage of the energy into the county that a realistic supply of Wind and Solar renewables for a large state would demand. But isn't that a function of political will, to regard – or disregard – a reconstruction of an existing link at a cost substantially less than what is proposed as new construction of a route such as the Sunrise Powerlink? Under a NAFTA influenced rubric a *fait accompli* acceptance that the desert of Imperial Valley, 123 miles to the county's East, is closer than an initiating Baja California renewable energy source 2 ½ miles from the San Diego border, at a more western point of entry, appears misjudged.

This year, the County of San Diego accepted DOE's invitation to be a cooperating agency with that U.S. department. Separate from the DOE Presidential permit application process, both Sunrise Powerlink and ESJ-U.S. have applied to the county for a Major Use Permit (MUP) for those projects, and the county now joins DOE in review of the impacts of such permitting in evaluation, and in accordance perhaps not comprehensively attentive enough to the impact potentials for adjoining countries as contained in NAFTA.

This being a given, according to this report's observation, knowing that a formal MUP will be forthcoming, even cooperative incidental recommendation to the DOE through its verbally recorded sessions by the county is as much a form of

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review of the overall energy requirements of the majority of the county electorate (and the entire region) as are the opinions and specific interests of any one segment of that electorate who are to be affected by decisions should a grant of abridgement of rights by one party over another prevail.

There is a qualifying rubric we wish to emphasize: it is that arrival at an equilibrium balancing all interests and prevailing in advocacy of the predominant interests of the majority of all county, and ultimately state, residents – and in this instance, participating NAFTA partners, is key point and of extreme scheduling importance. And yes, if only considering matter narrowly as out of scope of any NAFTA regulation, decision by United States DOE is understood to prevail. Bu,t we insist, not to a blanket schedule of finality which will trigger acceptance of request and render an appeal to NAFTA jurisdiction a perhaps onerous situation for the treaty participant, the U.S. This is not in any way our wish.

IV. NORTH AMERICAN FREE TRADE AGREEMENT / NAFTA

For quite some time in the 20th century, as reported by Sidney Weintraub in his book, *Free Trade between Mexico and the United States?*, it is noted that Mexico was strongly wedded to a highly protectionist set of policies in trade, investment, energy, and other sectoral policies. Weintraub analyzed the pathologies that existed then in the highly restricted bilateral trade between the two countries, Mexico and the United States, examining the until then foregone opportunities that cooperation would likely provide; and, as his book's title implied, recommended a bilateral trade agreement between them and their northernmost neighbor, Canada.

In 1984 the Brookings Institution published the book; in it Weintraub argued that relations between the two countries go well beyond circumstances of asymmetry between a wealthy and powerful United States and a much more insular in wealth and less powerful Mexico. That perceptive, visionary and quite contentious analysis resulted in what would become articulated as a treaty to approach benefiting the entire northern areas of America – Canada, the United States and Mexico. And for purposes of issue in our present review, NAFTA is expected to influence governmental decisions by counties, here in overview by DOE, at borders representing one of the countries named in treaty as participant.

The book's findings and recommendations became one of the bases for ratification of the North American Free Trade Agreement, NAFTA.

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I encourage the county, its land use department, and the DOE, to consider deliberation of the Powerline proposal in light of the treaty and its legislative elements which in turn encourage very broad perspectives by all government entities reviewing how NAFTA applies and how it guides evaluations which are to benefit all countries of the continent. Mexico and the U.S. here in particular.

How does such a broad philosophy exact attention by a sole county such as San Diego in 2010? Well, most primarily the NAFTA agreement has been given short shrift by counties such as San Diego bordering the countries precisely legislated to exact willing cooperation beneficial to their involved interests; this can change.

The Fed will be supplied by the county with a concluding answer as to the aggregate opinion of residents, and its own upon read of DOE report. And, how such perspectives reflect the matter of approving – or denying – a multi-million dollar expenditure – yes, at first phase put forth out of discretionary budgets held by the proponent, but eventually of energy consumer funds – towards construction proposed and characterized in proposal as eminently necessary.

Yet if the county, cognizant that it is more so a multitude of elements which involve themselves interdependently within the interactivity and welfare of its constituents, and which most influentially affects all weighted elements of land use and land planning, then who else as agency is a populace to imagine making decisions in its better interests if not the department and its project managers? And eventually the DOE itself.

What is pointed out is that more than just mere narrow perspective is required of the county when deliberating its position in reference to the Sunrise Powerlink. A report purporting to take into consideration the full county's land planning interests should take into consideration the full county's land usage interests within the broad scope of how all of a county's critical elements affect residents.

NAFTA, over the years, has generated a sunny set of hopes and a thunder storm of fears. This report encourages the region, in the bodies of the San Diego County Department Of Land Planning & Land Use, and the Department Of Energy, to themselves not fall prey too readily to myths and misrepresentations which malign the region.

And it is encouraged that the department(s) not so readily embrace the interests of one constituent over another when a wider review of positioning in the Americas indicates that the existing NAFTA partnership is as relevant for the

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county's attention as the request by the U.S. DOE that it report the energy opinions of 'region's' residents using only a narrow perspective as to regional issues. NAFTA is a treaty affecting the economies of the entire continent.

The DOE is encouraged to portray its observation of the area in ready embrace of NAFTA economic growth potential. After all it is the region in its expanse – both U.S. and Mexico – which is affected by a common share in the economic implications of environmental concerns: clean water, clean air quality, clean energy and the reduction of pollution everywhere in the sector where a United States citizen is breathing essentially the same air as its Mexican neighbor. Second hand smoke analogies unfortunately too appropriately come to mind.

There is economic as well as environmental cooperation to be pursued.

The hopes in balance to the fears which a 3-prong linear extension of country interests, Canadian, U.S. and Mexican is what lends cohesion to the region's viability within a global commerce perspective. This is the cross-border perspective still held by an international investment community inspecting the potentials of interactivity at the continent's three land defined borders.

NAFTA lends our two bordering countries of the Americas a perceived muscle when viewed by the world as committed economically and efficiently – prepared mutually to engage business independently but interactively on the international scene. NAFTA is what the DOE and county are asked to employ as instrument to sift meaningfully through the deliberation process presently before us. Cooperation regionally is what is asked of our decisions.

In origination of the treaty, Mexicans hoped that their country would rise to the first world; Canadians hoped that the agreement would compel the United States to comply with dispute-settlement mechanisms; and the United States hoped that NAFTA would put an end to undocumented migration from Mexico.

None of these hopes came true – immediately. They remain on hold; the recovery from economic crises provides plausible cover for now. But the opportunity still exists for agencies of the governments of all three countries to, when the opportunity emerges, as it does now, to extend into a serviceability intended by the treaty agreement. Here we encourage you to lengthen your viewpoint of landscape and see the wheel of interdependence in the county and Baja California yearning for a sanity employable on both sides of the border equation.

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Growth potential for the San Diego/Baja California region will miss its opportunity to increase meaningfully if the Sunrise Powerlink is afforded an approval which designates it as earning a significance which obviates the *significance* of a wider interpretation of what is region.

Mexico is just starting again to be viewed as a partner on the continent. The United States and its American attractiveness is the main foreign destination for Canadian and Mexican tourists, representing more than half of all visitors to the United States in the past two decades. At the same time, more than half of all Americans who venture abroad go no further than to our NAFTA neighbors.

In 2007, 19 million Americans visited Mexico, and 13 million visited Canada. Nearly 18 million Canadians and 14 million Mexicans visited the United States. A similar number of Mexicans proportionately - legal and economically viable Mexicans – as the number of Americans. These are welcome, NAFTA intended, tourists flowing correctly across their respective borders.

V. INTERNATIONAL POSITIONING

Internationally, the regional picture now even more requires that our three countries make more robust the originating intentions of NAFTA. Only direct regional extension of perspectives which will take into account the nature of constituencies being, yes, the actual populations inhabiting any one county's land area, but, also in broadening of perspective to encompass the possibilities for growth of a sister nation and its economic interests.

The nation states of Europe have evolved to still maintain their cultural singularities and independence, yet economically the world's investment community perspective is that they are also interdependent. The establishment of the European Union and interchange of Euro currency indicates initiation of that.

North American integration can be said to have stalled because China joined the World Trade Organization in 2001, and its exports to all three North American countries soon overtook the interests of the organization's other members. Interdependence between Canada, Mexico and the United States has taken a diminished position for a decade but is that always to be so?

Just as important in deliberation is that is this solely China's fault? The NAFTA countries are looked upon to lead the continent; the world expects a healthy emergence of a strong America – the entire continent not just one country

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nicknamed *America*. Wouldn't China benefit as well in the global scheme when the entire north American corridor bolstered its interdependence into a strong, coherent economy respectful to the territory usage interests of them each?

A robust growth in earning power for the populace of one country can readily improve the same growth for the citizenry of all three. Expansion of job creation means increase of buying power which affects the boost in acquisition of goods flowing internationally.

All this is inherently possible when inspecting the framework of a treaty introduced ten years ago and primed to perhaps be a keystone in making decisions that benefit us all. NAFTA is not an ancient dream. It can be the port in a confounding storm situation confusing too many at present. It is applicable.

NAFTA guidelines are legislated; its regulations – its intentions – yet have teeth. The consequence of ignoring NAFTA all these years has resulted in the decline of intra-regional economic cooperation as a percentage reduction of North America's commercial relationship with the world. What is a country to do?

VI. NAFTA APPLICABILITY

Once it was Mexico which was strongly wedded to a highly protectionist set of policies in trade, investment, energy, and other sectoral policies.

The county of San Diego is now, in the person of its Department Of Land Planning & Land Use, and finally the Department Of Energy, at risk for being too narrow in interpretation of its duty as being to report only 'raw dirt' energy commentary when considering the county's complexity of diverse opinions relative to the quality of life imbuing the spirit of energy use regionally. Energy is of issue for entire region.

The county – the departments – are called upon to not so readily accede to only one constituent's notion of what energy compliance, energy production interest, and energy provision state-wide means to all constituents. All regional constituents. Mexico cannot plan wisely until signal is given that something of economic benefit is meaningfully sparked at the border. Let's give that signal.

For us to perpetuate the deliberation pathologies that existed pre-treaty, back into a highly restricted bilateral commerce between the two NAFTA countries,

would signal a deplorable inspection of the opportunities before us. This would not result as the logically best course should that road be taken.

"Even if you are on the right road," parenthetically Will Rogers once said, "if you decide only to sit yourself down - you will be run over."

VII. PRESIDENTIAL PERSPECTIVE

Holding fast to a vision of an across-the-border effort to allow billions of dollars of energy to flow to the United States, one prominent U.S. politician traveled to Mexico to emphasize what was at that moment - and still prevails now – a dire need to stabilize an access to energy for the citizens of the U.S.

He was quoted as saying, "The quickest way to have impact on the energy situation is for us to work with Mexico, and a certain extent Canada, to build a policy for the hemisphere." He continued by saying, "We need more product, and it doesn't matter where the product comes from."

Those exact quotations come from reports in the media February 12, 2001. The visionary politician quoted was President George W. Bush. The comments are energy wise, the remarks seven months before events of 9/11 changed the complexion of international interaction—before bolder implementation of NAFTA.

But, still, the recovery which will meet American business efforts in the next upturn, expected in the next few years, will rely for its stability upon decisions made in these very months in all sectors critical to national growth. And in this case, growth of prestige for a continent. This report advises the county, and the DOE, to enter a cooperative campaign to strengthen all NAFTA enacted attempts to grow the region abundantly. It is this region's keen opportunity.

An access to clean energy – not just any energy – for citizens of both the United States and Mexico is one step in the right direction. It can start with a county at U.S./Mexico border making an energy decision not to immediately allow building of a transmission line narrow in Xenophobic view of a region as being only one country's domain, only one side of a border.

Having only one country and its favored utility to dictate what constitutes the sourcing of the renewable energy to a degree of funding demanding that a new transmission line be requisite for its very existence – is perhaps unnecessary.

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Perhaps it is good, though capital intrusive, to be aware that when an agency discounts the broad remedies available through the formulas of a treaty, that this particular treaty, NAFTA, provides its own court for appeal in recourse should remedies by any one nation too narrowly decide matters affecting potential in benefit by two commercially engaged – linked – countries.

Perhaps more enlightened agency minds can perceive benefits for dual NAFTA interests hovering validly on the horizon? Presently, how else could such a treaty be interpreted? NAFTA exists as congressional, and presidential edict.

The treaty has already been designed, the liquidity of its effectiveness has only to permeate the active philosophies of governmental departments affected. This report respectfully notifies the county that present deliberations require that NAFTA influence the present decision-making concerning the Powerlink.

This report emphasizes that a grid exists already between Mexico and the U.S.; Mexico's grid does not yet in general plug into the United States at all points, except for three connections— on the borders of California and Texas.

A decade ago expert observation described the linkage as requiring a re-tuning. President Bush agreed. Perhaps the present administration in consideration of all elements at hand, might too agree. NAFTA remains bi-partisan at its core.

Those grid lines, should the political will prevail, can easily be basis for expansion of capacity. In California I know that yearning for an energy resolution exists. It would be in a utility's better interest, as well as in the interest of the PUC representing the public good to divert attention from creating new linkage and bolstering instead existing connectivity. That, in light of NAFTA.

Land for generation of alternative energy sourcing lies in clear path connectivity between Baja California territory and California residential delivery of electricity, and an expenditure of capital in bolstering an in-place link between the two NAFTA countries of Mexico and the U.S. will cost substantially less than that to be required by construction of the Sunrise Powerlink.

Certain information contained in the text of the section above can be accessed by internet search entering the title as, BUSH DUE TO VISIT MEXICO TO DISCUSS OBTAINING ENERGY, January 12, 2001, *The New York Times*.

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VIII. UNITED STATES ENERGY SECURITY

When thinking energy, the average American can easily conjure the name, Saudi Arabia. If asked who else might be high on a top ten list of energy friends to the United States' interests you'd be surprised to find Mexico to be right in the top five. In fact, Mexico is consistently one of the top three exporters of oil to the U.S., along with Canada and Saudi Arabia.

On the outskirts of Houston, along the industrial ship canal, is a refinery known as Deer Park. It is the sixth largest refinery in the United States. It produces 340,000 barrels per day; a capacity which makes it a critical refinery for the greater Houston fuels market.

Yet it is likely that few Americans outside of the energy business have ever heard of the refinery or fully grasp the larger linkage between the United States and Mexico that it underscores.

In January of 2010 it was reported in the industry's *Journal Of Energy Security* that for over 15 years Mexico's Petróleos Mexicanos, (PEMEX) has operated a critical piece of the United States' energy matrix – both in terms of crude oil supply and refined products. Yes, Mexico delivers welcomed energy directly into the U.S. on a daily basis. For now though primarily in through Texas.

The U.S. facility is in partnership with U.S. business interests, continually supplies those interests, and is partially owned by PEMEX. And for global understanding – investment perspective – of energy security, this is a good thing.

Again, Mexico is already one of the primary global suppliers of energy to the United States. We at TPH are primed to make a Baja California/San Diego corridor in delivery of electricity derived from sustainable sources – of green energy – just as viable and healthy for a state of California connection as occurs daily in oil sourced product between Mexico and Texas. PEMEX's interior energy generation and its output oil shipped to the US is perhaps the world's most visible manifestation of the Mexico-US symbiotic relationship.

Deer Park is a remarkable two-way street of oil connections between the United States and Mexico – it is a microcosm of a healthy commercial relationship. The refinery offers superb insight into a key international piece of the broader energy security discussion in the United States. Why do we remain so oblivious to this?

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IX. SAN DIEGO / BAJA CALIFORNIA

The close proximity of the U.S. market works for oil sourced interactivity at the Texas border, why not also for our San Diego/Baja border?

Why, when this is a DOE advising one NAFTA country, not also a matter of validly supplying renewable energy cross border? At issue is growing largely the economies of both NAFTA countries neighboring in San Diego.

President Barack Obama, while early in his presidency, has pushed hard for a new international profile for the United States on energy and climate issues. Job creation could well be apportioned for robust manufacture of appliances – Wind and Solar – labor for their assembly, installation and maintenance in activity formulas equalized and correct to both NAFTA countries' expectations.

Jeremy Martin, as an author friend-to-the-region, an expert proponent of further cross-country symbiosis between Mexico and the U.S., upon which much of TPH philosophy as to renewable potential at the border is derived, can be produced to advocate that the county widen its range of view to consider all security issues affecting both populations of our region in such a way that does not just narrowly interpret land use and land planning at close of 2010 as a *fait accompli*.

CONCLUDING REMARKS

According to *Oil and Gas Journal* (OGJ), as of January 1, 2010 Mexico had 10.4 billion barrels of proven oil reserves. Is the U.S. to only look to Mexico for oil sourced generation of energy?

A simple car-window assessment of the Baja California landscape will indicate, if only anecdotally, that the sun shines extremely bright in Mexico on a consistent basis. And, certain assessments relate adequate Wind exists on the parcels identified by many of us – not just TPH – for generation of Alternative Energy.

I can only speak from my own experience, but as noted earlier, there are many U.S. entities with similar intentions for NAFTA-creative delivery of energy out of Mexico into California.

Our particular renewable sourcing of energy is poised to generate immediate delivery from a connection point regionally accessed easily, two and a half miles from the San Diego border, directly onto an existing grid.

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San Diego County and Department Of Energy is asked to recommend that the request be denied for construction of the Sunrise Powerlink due mainly to the narrow nature of the assertions made in the proposal as it exists presently. Imperial Valley is not the most logical, nor nearest, source of energy, nor is its transmission requiring a new grid be built the logical choice for this county.

SOURCE: SDG&E

UNION-TRIBUNE

15

From: INFO PEWTRUSTS.ORG [mailto:usacitizen1@live.com]
Sent: Friday, September 24, 2010 2:40 PM
To: Pell, Jerry; carol.bergstrom@hq.doe.gov; Como, Anthony; info@emagazine.com
Cc: americanvoices@mail.house.gov; comments@whitehouse.gov; sf.nancy@mail.house.gov; rush.holt@mail.house.gov; information@sierraclub.org; foe@foe.org; center@biologicaldiversity.org; info@earthjustice.org
Subject: PUBLIC COMMENT ON FEDERAL REGISTER FW: i oppo0se this project USING PUBLIC LAND AT ZERO OR LITTLE COST TO THE PROFITEER

507-1 I WANT THE PROFITEER IN THIS LINE PROJECT TO STOP USING PUBLIC LAND AT ZERO OR LOW COST FOR HIS TRANSMISSION LINES. THE PEOPLE OF THIS NATION WORKED VERY HARD TO SAVE THIS LAND FOR THEIR CHILDREN. THEY DID NOT WORK HARD AND PAY TAXES SO SOME ENERGY PROFITEER COULD COME ALONG AND DESTROY IT FOR HIS OWN PROFIT. FAR TOO OFTEN THE TAXPAYER CITIZENS AND THE TREASURY OF THE USA IS GETTING RIPPED OFF BY THE PROFITEERS WHO COME ALONG WITH BIG CAMPAIGN DONATIONS AND THEN GET THE RIGHT TO USE PUBLIC LAND FOR DESTRUCTIVE PROJECTS LIKE THIS. THIS PROPOSAL MUST GO THROUGH DEVELOPED LAND AND PAY PRIVATE OWNERS TO USE THEIR LAND. THEY NEED TO STOP USING THE PUBLIC LANDS AS THEIR PRIVATE DOMAIN TO MAKE BIG MONEY FOR THEIR OWN WALLETS. THIS IS NOT WHY USA TAXPAYERS SAVED THIS LAND. SO SOME SLEEZY PROFITEER COULD COME ALONG AND PAY US NOTHING FOR USE OF OUR LAND, DESTROY IT FOR THEIR OWN WALLET ENRICHMENT WHEN WE WANTED TO SAVEIT FOR OUR KIDS. THE PEOPLE OF THIS NATION ARE GETITNG RIPPED OFF.
I DONT THIN THE PROJECT SHOULD GO FORWARD IF THIS SLEEZY SKANKY IDEA OF USING PUBLIC LAND IS INVOLVED. LET THESE PROFITEERS PAY FOR THE PRIVATE LAND WHERE THIS PROJECT SHOULD GO. JEANPUBLIC 15 ELMS T FLORHAM PARKNJ0792

RESPONSE 507-1: The proposed location of the ESJ U.S. Transmission Line project is entirely on private land.

07/31/2011 09:26PM 18187938195 PAGE 01/01

EXEC-2011-008725

BARBARA BROZ
P.O. Box 5730
Sherman Oaks, CA 91413
(818) 971-5095

FACSIMILE TRANSMISSION - PLEASE DELIVER IMMEDIATELY

DATE: July 31, 2011 FAX NO.: 202-586-4403

TO: Dr. Steven Chu TOTAL PAGES: 1

FROM: Barbara Broz

RE: NO to Sempra's plan to outsource jobs

Dear Dr. Chu:

I strongly urge you to say NO to Sempra's plan to outsource American jobs.

508-1 Sempra Energy has asked the Department of Energy for a Presidential Permit to construct a cross-border transmission line, known as Energia Sierra Juarez, between Mexico and California to enable the company to import electricity into California from energy projects in Mexico.

Sempra Energy's plan to offshore green energy production to Mexico would result in as many as 15,000 lost U.S. jobs and nearly $300 million in lost local, state and federal tax revenue. 90% of the direct job losses would occur in Imperial County, California, which had the highest unemployment rate in the nation as of April 2011 at 27.9%.

Sempra's plan is a job killer. This flawed proposal to import energy instead of building projects here undermines President Obama's vision to create jobs. It is the wrong direction at a time when we should be building green energy projects in the state to put Californians back to work.

With construction unemployment at its highest in a generation, we can't afford to outsource even one construction job as Sempra is proposing to do.

Please say NO to Sempra's plan.

Thank you for your attention to and consideration of my view.

RESPONSE 508-1: The comment is noted.

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TRANSCRIPT OF PROCEEDINGS 10/5/2010

U.S. DEPARTMENT OF ENERGY

DRAFT ENVIRONMENTAL IMPACT STATEMENT

PUBLIC HEARINGS

for the Energia Sierra Juarez U.S.

Transmission Line Project

Tuesday, October 5, 2010

Jacumba Highlands Center

44681 Old Highway 80

Jacumba, California

Jane E. Wassel, CSR No. 2632, RMR, CRR

CLEAVES & ASSOCIATES (619) 238-1415

TRANSCRIPT OF PROCEEDINGS 10/5/2010

Page 2

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JACUMBA, CA, TUESDAY, OCTOBER 5, 2010, 7:13 P.M.

DR. PELL: Good evening. If I may have your attention, please. It looks like everybody that's coming this evening is pretty much here, and it's about 7:15 so I think it's about time we start.

Let me introduce myself. I'm Dr. Jerry Pell. I'm with the Department of Energy in Washington, D.C., and let me tell you a little bit about myself so you know who the person is behind the mic. I'm an environmental scientist. I have been with the Department of Energy for 34 years, and I've been doing environmental work of one kind or another for 40 years. And if you're wondering why I haven't retired yet, it's because I enjoy what I do and I especially enjoy the opportunity to come out and meet with you.

So I'm really glad to be here. And this is not my first visit to the area, by the way. I've come out before. I've toured the project site. I've toured the local community and generally have a pretty good feel for the area. In fact, on the way here this evening, we were early and we toured the project site again on the way down to the meeting.

As I said, I'm an environmental scientist. I grew up in Montreal, Canada. I got my doctoral degree

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at McGill University in Montreal, and when I was applying for graduate work I considered locating to California because I always had this dream of living out here and really liked the area, but didn't take that any further because I was afraid I would be too far from my family, so I come out to California with pleasure.

On my right is Patrick Brown. I will let Patrick introduce himself. Patrick represents San Diego County. San Diego County is the cooperating agency for the Environmental Impact Statement process that we're here for tonight.

MR. BROWN: Thanks, Jerry.

As Jerry said, I'm Patrick Brown. I work for the County planning department. I'm a project manager. I'm the project manager for basically all the renewable energy projects in the County. So I'm also the manager of the East County Substation, Tule Wind project which I'm sure you're all familiar with.

So the County appreciates DOE including them in this process to do this environmental review and, as Jerry said, we're a cooperating agency. We do have the local land use authority over the actual project itself which is the construction and operation of the generation-tie lines, so we're actually involved very deeply.

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A little bit of my background: I've worked for the County for over five years in the planning department. I'm a land use planner. I'm also an environmental planner and I do project management, so we wear three hats at the County. I've got a B.A. in planning from UC San Diego and also from San Diego State I have a Master's Degree in planning, so I guess I'm a planner but I'm a project manger now.

So anyway, thank you for everybody coming here tonight. I know it's kind of late and it's on a workday, but we really appreciate any comment that you guys can provide, and I'll give it back to Jerry.

DR. PELL: Thanks, Patrick.

Let me tell you how we're going to do this tonight. I'm going to give you a short presentation, a little slide show. You all have copies of the slide show. We made sure that it was preprinted so that I'm not going to take very long to read each slide in detail because you've got it on paper. I just want to go over a few highlights of why we're here, and I thought the best way to do that would be a slide presentation and then we will start the taking of comments.

What I'm looking for, Patrick, what we're both looking for, is comments that go specifically to the quality of the Environmental Impact Statement with

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1 regard to its adequacy, its accuracy, and its
2 completeness.
3 This is your opportunity to help us produce a
4 better document before we produce the final EIS, because
5 after the November 1st deadline for the public comment
6 period we will take the comments we have received from
7 meetings like this and plus whatever came in
8 electronically or through the mail and prepare the final
9 document which will address your comments in our
10 assessment for the final Environmental Impact Statement.
11 So what you say is important.
12 This is not a Q and A session. This is a
13 formal public hearing. We have a court reporter.
14 Patrick and I are not here to answer questions tonight.
15 We're here to get your input and your comments. We'd be
16 glad to discuss the project with you, but that will be
17 after I close the formal portion of the hearing.
18 I'm asking the speakers to use about
19 three minutes of time so that everybody gets a fair
20 chance to talk. And at the end, anybody that wants to
21 say anything will be invited to speak freely.
22 Let me make a few things clear about the
23 government's involvement in this project and our
24 interest in it. This is what we call a merchant project
25 proposed by a third party, in this case ESJ or Sempra

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Utilities. We have no vested interest in the outcome of the project either way. We are concerned only with whether or not to grant the Presidential permit based on the merits of the environmental impacts and other issues that we will consider including reliability of the grid and the public interest, but we are not supporting, endorsing, or in any way justifying the project. That's up to the applicant. We don't make any value judgments.

So your telling us you like it or don't like it or "We need it" or "We don't need it" is really outside the reason that we're here tonight. Those comments you would best make to your local regulatory permitting authorities in the County and the State, not to me as the Federal Government.

And on that note, I think I'll start going quickly through the slides and then we'll start the comment-taking process.

Oh, by the way, I should add in case you're wondering, the Environmental Impact Statement was prepared from monies provided by the applicant. Your taxpayer dollars did not go to the preparation of the analysis and your taxpayer dollars are not paying for the conduct of these meetings. And I thought some of you might be interested in hearing that.

Okay. So why are we here? Looking at the

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slides, if we can have the next slide, please. Well, I already went through introductions. I'm going to talk about the DOE NEPA process. NEPA is the National Environmental Policy Act. We're going to look over the Draft EIS as to what's in it and then we'll do the public comment period and then closing remarks.

Next slide, please. There's an executive order that came out of the White House a long time ago -- I think it was back in the '50s -- that requires any transmission line that wishes to be constructed across the border, either between the U.S. and Canada or the U.S. and Mexico, to come to the Federal Government for what's called a Presidential permit. The reason it's called a Presidential permit was because it came out of the White House Presidential executive order.

Over the years, it ended up in my office at the Department of Energy. And because the request for a Presidential permit is what we call a major Federal action, it activates the National Environmental Policy Act, and under the National Environmental Policy Act we have to do an environmental review. And those of you who have watched this project from its inception will recall that originally it started as an environmental assessment.

And initially I was not involved with the

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1 project. I came along a little bit later after it
2 started. Actually, I basically got involved when the
3 decision was made in February of '09 to go beyond an
4 environmental assessment and prepare a full-fledged
5 comprehensive Environmental Impact Statement.
6 And you received notification that we were
7 doing that back in February of '09 and that we didn't
8 have public meetings because we had public meetings
9 already on the environmental assessment, but we did have
10 another open scoping period which allowed you to provide
11 comments for us for the record, electronically or
12 otherwise. Those of you who have been to the Web site
13 know that all the scoping comments are public and on the
14 Web site.
15 It's been a long stretch from that decision to
16 tonight. The Environmental Impact Statement took a long
17 time to produce, and you can see the product of that
18 labor in the thickness of the volume. A great deal of
19 time, effort, and money went into its production. It
20 went through several layers of governmental review,
21 including a National Laboratory, the Department of
22 Energy, including our attorneys, and including our NEPA
23 experts. So it's been reviewed, re-reviewed, and
24 re-reviewed again which is why it took so long for us to
25 get here tonight. So we think it's a pretty

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1 comprehensive view of the project.
2 The public comment period on the draft expires
3 on November the 1st. It makes no difference whether we
4 hear from you tonight, whether you submit your comments
5 on our Web site or through the mail or through faxing
6 me. All comments are considered equally regardless of
7 how they're received.
8 So even though you're here tonight, even though
9 some of you are going to be speaking, you still have
10 time to provide whatever you would like by way of the
11 Internet through our Web site or through the mail or
12 however you would like us to receive it. So this is not
13 the only opportunity to comment, but it is an
14 opportunity to comment. You still have until, as I
15 said, November the 1st, and after that we will start the
16 process of going through all the comments to prepare a
17 final EIS.
18 Next slide, please. Actually, I pretty much
19 covered a lot of this already. The comments you provide
20 are all public. They will be on the Web site. In fact,
21 there's a comment there already. As I mentioned, we
22 have a court reporter here taking notes and when those
23 notes are complete, the transcripts of these hearings
24 will be put on the Web site, also.
25 As I mentioned before, we will then go into the

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1 process of preparing the final document. Once the final
2 document is complete, the Department of Energy will then
3 issue what's called a Record of Decision which
4 essentially is exactly what's it's called. It's the
5 decision the agency makes as to whether or not to grant
6 the Presidential permit, and if the decision is made to
7 grant it, that's an opportunity for us to attach
8 conditions to the nature of the permit.
9 If the Record of Decision is affirmative, we
10 will then issue the Presidential permit itself. That
11 would complete the application process. Now, that's
12 only from the Federal side. It doesn't in any way
13 replace or involve what the project needs to do with
14 regard to Patrick and the County or the public service
15 commission or what have you. This is only one permit
16 that the project requires. It's certainly not the only
17 permit the project requires.
18 The next two slides pertain to the County's
19 process, and for those next two slides I'll let Patrick
20 do them justice because he certainly has a lot more
21 knowledge than I do.
22 MR. BROWN: Thank you. As mentioned before,
23 the County's a cooperating agency with DOE on this, and
24 I think some things to understand is there's really two
25 actions that are happening. DOE is basically approving

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the ability of the power to go across the border. To actually do it, build it, operate it, maintain it falls under the County's local land use authority.

Now, something that I didn't know before this project ever came in is, well, why isn't that an SDG&E project and why isn't that like any other project? This is a little bit unique because it's what they call a generation-tie line. So the wind farm in Mexico will have, starting from the border, the U.S.-Mexico border, going up to the substation, that one-mile stretch is what they call a generation-tie line. That's owned by Sempra Generation, which is a different company than Sempra, the utility.

So utilities and power providers like Sempra Generation basically can't talk together and they can't communicate together. So that's why that generation-tie line basically falls to the County's local land use authority. So the County is in the situation because it's not a public utility, like the substation would have to have an application for what they call a major impact service utility under the zoning ordinance.

So Sempra Generation came in and applied for a Major Use Permit to build the one-mile transmission line. In doing that, that Major Use Permit also has another one that's tied to it which is here in Jacumba

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through the water service district for a groundwater extraction permit.

So there's basically two major use permits that are part of the County's process for the ESJ project. One is for the export of the groundwater from the service district for ESJ to use on their construction; the other one is for the construction and operation of the one-mile generation-tie line.

So as a cooperating agency, we're working with DOE to make this document here better. A lot of the information that Jerry did use and Entrix did use in this document was reviewed by the County previously. So we had been working with Sempra for basically about a year going through all their technical studies, all their CEQA technical studies, visual analysis, biology reports, storm water, all the typical reports that we would use in the County to get them to a level of adequacy that we were comfortable with, and that's what DOE has been using to create this.

So also that same technical information is what we provided to the CPUC for the East County Substation EIR. So at this point the County is working with the CPUC on a joint project I'm sure many of you are aware of, which is the ESJ project, the East County Substation project which runs from here in Jacumba all the way to

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Boulevard and upgrades the Boulevard Substation and then the Tule Wind project which feeds in there. So the County's working with BLM, CPUC, California State Lands, BIA, Bureau of Indian Affairs, on doing a comprehensive EIR and EIS for that project.

It's the County's intention that that document will be used to issue any major use permits for the Tule Wind project and the ESJ project. So the EIS, the County is not going to use this document to make its local land use decisions, but there will be separate meetings and separate processes that you can also provide comment on the actual -- this project through the CPUC process.

So just so we know that there's a differentiation between the two projects, this project is only for the crossing of the power across from one country to another. There still is another process for the local land use permit. So I believe that's it.

DR. PELL: That's it. Thanks, Patrick.

The next slide merely reviews what the project is. As most of you know, it's a proposal to construct and operate either a 230- or 500-kV transmission line that would run from the wind farm in Baja California north into the San Diego area. You know where the project is.

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These diagrams, I don't expect you to be able to study them from the handout. They're much too small. But if you go to the EIS, you will find pretty good reproductions of these maps in the EIS and they're electronically on the CD. And those of you that use the CD, you can electronically on the computer screen blow those maps up to look at the detail that you can't do on paper. So we tried to make those maps as informative as we possibly could.

The next slide indicates the fact that the project proposes to construct five either lattice towers, which are the standard transmission line towers that you normally see like, for example, the Southwest line that's right near us, or monopoles. That decision has not yet been made. The applicant would prefer a 230-kV route, but it depends on how the ECO Substation is finally configured as to whether to go with 230 or 500.

The length of the line on the U.S. side is .65 miles which is -- what? -- 3,200 feet, some such thing. And on the south side, south of the border, it runs about a mile to a substation within Baja California in which it connects to the proposed wind machines.

Next slide, please. This slide just summarizes the nature of the project on the Mexican side. My

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1 understanding is that the nearest wind machine to the
2 U.S. border is .7 miles south of the border.
3 This second bullet, "Wind turbines nearest to
4 the U.S. about .7 miles south of the U.S. border." All
5 other machines will be further away.
6 And the first phase, the first build-out of the
7 wind farm, will be about 52 machines roughly
8 representing 130 megawatts of power.
9 The next slide, please. In the course of
10 preparation of the Environmental Impact Statement, we
11 contacted and dealt with a great number of local and
12 regional agencies, including the Federal U.S. Fish and
13 Wildlife Service.
14 We were in contact with Indian tribes that were
15 invited to consult with us under the provisions of the
16 Bureau of Indian Affairs. We did do consultation with
17 the Campo tribe which was the only tribe that indicated
18 that level of interest.
19 We have been in communication with other
20 Federal and State agencies, including the Border Patrol,
21 Bureau of Land Management, Federal Aviation
22 Administration, EPA, and a host of California State
23 agencies. So we've done all the communications that we
24 thought were appropriate for the project.
25 Next slide, please. This is just a brief

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1 run-through of the environmental issues we looked at.
2 It's a comprehensive list. I hope we left nothing out.
3 I think we left nothing out. It really embraces the
4 entire spectrum of issues, everything from biological to
5 visual to fire and fuels management, cultural resources,
6 socioeconomics, environmental justice, what have you.
7 The next slide. This just summarizes what we
8 found in the report with regard to biological resources,
9 what the potential impacts would be. During
10 construction there would be some temporary habitat
11 disturbance and then, as the second bullet indicates,
12 permanent disturbance of some degree to about ten acres
13 of land, and the rest of the bullets you can read right
14 off the handout.
15 The next slide goes over a few of the special
16 status species that were looked at with regard to
17 Federally listed species with potential to occur in the
18 project area. Again, a lot of you are familiar with
19 these. The Quino checkerspot butterfly, no impacts
20 expected; California condor, very low probability of
21 occurrence; Peninsular bighorn sheep, critical habitat
22 is avoided by the project; arroyo toad, southwestern
23 willow flycatcher, Least Bell's Vireo, which is a bird
24 for those of you who don't know, low potential for
25 effect.

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1 Okay. Next slide. This is an issue that a lot
2 of you are interested in, of course, the visual
3 resources, visual impacts, and we had a professional
4 company that specializes in doing these things, do
5 visual simulations from a number of Key Observation
6 Points, which are abbreviated as KOPs in the EIS, and
7 you will see in the EIS the simulations of the before
8 and afters as to how we think a line and the wind
9 machines would look from these various Key Observation
10 Points.
11 By the way, this slide also notes that it looks
12 like lattice towers are probably preferable to monopoles
13 with regard to visual impact, which, by the way, was a
14 surprise to me.
15 UNIDENTIFIED VOICE: Yeah.
16 DR. PELL: Next slide. Again continuing visual
17 resources, potential mitigation for transmission lines,
18 some of the things that could be done to make them a
19 little bit less visible, again, you can read that off
20 the sheet or in the book.
21 The next slide after that, this is Table 2-3
22 which is really the heart of the EIS. This is the most
23 important single table or chart in the document which is
24 a detailed summary of all of the different potential
25 impacts. So I encourage you to study that table in the

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1 document. If you look at only one thing, this would be
2 the one thing to look at.
3 The slide after that reiterates again what I
4 said at the outset about the fact that your comments are
5 welcome. Use the address of the Web site. You would do
6 well to use that Web site. There's a comment provision
7 on the Web site for you to provide comments and upload
8 files.
9 The entire EIS is on that Web site. You can
10 download any part of it you wish electronically. Of
11 course, we also have the CDs up front at the sign-in
12 table. So you have the CD. Also, the CD is bound into
13 the summary volume. It's also bound into the complete
14 volume. So you do have the electronic copy of the
15 document, the wordsmithing on it, or what have you.
16 We say that the comment period closes on
17 November the 1st, but if for some reason you just simply
18 aren't able to make that deadline, all is not lost. We
19 will entertain receiving your comments after the 1st of
20 November. The exact wording is "to the extent
21 practicable." That means that if we can consider it we
22 will, whereas if it comes in on time we definitely will.
23 But November the 1st is not the last get. If you want
24 to get something in to us after that, we will consider
25 it as long as we're not so far along that it's too late

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to address the issue. So I would prefer, of course, that you respect the November 1st deadline if you possibly can.

The slide after that is the contact information. You are readily able to communicate with either me or Patrick or my contractor Entrix which is the consultant that prepared the EIS. They're here tonight. This is Tim Murphy who's running the slide show and the ladies at the registration desk, and also Alberto Abreu from Sempra is here as well and this is all his contact information, so we're not hiding from you.

And with that, that completes the formal presentation.

Abreu, did you want to say something? I'm sorry. Alberto. Forgive me.

MR. ALBERTO ABREU: I just wanted to --

DR. PELL: Will you use the microphone, please, Alberto, so we can hear you. If you can introduce yourself.

MR. ABREU: My name is Alberto Abreu with Sempra Generation. I'm director of project development in charge of ESJ.

I just wanted to clarify one thing that you said early on which I think was more of a slip of the

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1 tongue than anything else, which is this project has
2 been proposed by Sempra Generation, not Sempra
3 Utilities. Sempra Utilities has no involvement in the
4 generation-tie line or in the Mexican wind project that
5 you've evaluated in the EIS, and I just wanted to make
6 sure that was clear for the record.
7 DR. PELL: Thank you. I appreciate it. I
8 haven't been that clear on the distinction, so I
9 appreciate your clarifying us on that. Thanks a lot,
10 Alberto.
11 Now, are there any elected officials in the
12 audience this evening that would like to speak? As a
13 courtesy, we give first call for elected officials. Are
14 there any Federal, State, or local government officials
15 here that would like to comment?
16 MS. DONNA TISDALE: Local.
17 DR. PELL: Okay. Come up to the mic. Tell us
18 who you are and I look forward to hearing your comment.
19 MS. TISDALE: Donna Tisdale. I would like to
20 request a little extra time because I represent several
21 groups.
22 DR. PELL: Let's do it this way. By the way,
23 you are the first person to speak anyway because you're
24 the only person that got your name in in advance of the
25 September 30th cutoff.

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MS. TISDALE: I follow directions well.

DR. PELL: I'm glad to see somebody that does, because there were some late requests that I didn't receive in time to consider. Let's do it this way: Try to do an overview in the three minutes, see how it goes, and at the end of the list if there's more time, I will be delighted to have you back. Does that sound fair?

UNIDENTIFIED VOICE: The microphone's not working.

UNIDENTIFIED VOICE: Can't hear her.

MS. TISDALE: Hello, hello.

UNIDENTIFIED VOICE: Not working.

DR. PELL: Donna, take mine.

UNIDENTIFIED VOICE: It's not as high.

MS. TISDALE: Okay. Donna Tisdale. I'm representing myself as an individual, the Boulevard Planning Group, and Backcountry Against Dumps, a nonprofit. I'm also secretary of the Protect Our Communities Foundation --

DR. PELL: I'm sorry. I'm having trouble hearing you. Protective which?

MS. TISDALE: The Protect Our Communities Foundation, the East County Community Action Coalition, and San Diego Sierra Club. All the groups that I just mentioned have gone on record as opposing this

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Presidential permit for Energia Sierra Juarez and the installation of industrial wind turbines in this sensitive binational area. I've gone into detail as to our position.

Some project proponents and decision-makers see this area as a desert wasteland ripe for industrialization and sacrifice as a renewable energy zone to send energy to far-off cities. They see big dollar signs. We see the area as a living, breathing ecosystem that provides open, uncluttered vistas and recreation resources. It's rich with --

THE REPORTER: I'm sorry. You're going to have to slow down.

MS. TISDALE: It's very hard to speak publicly.

DR. PELL: You want the record to reflect exactly what you said.

MS. TISDALE: -- rich with unique, abundant, and varied vegetation, wildlife, and history. We love it and we will fight to keep it from being sacrificed.

601-1 If this line is approved, I think everybody here knows it will not be the last. It will be the first of many, because the ECO Substation is planned for massive expansion.

Sempra's August 28, 2009 letter to the Department of Energy urges the use of gen-tie instead of

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RESPONSE TO 601-1: Comments pertaining to the renewable energy market structure are outside the scope of the NEPA process. DOE will consider this comment before making a final determination on the permit application.

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transmission line. Gen-tie designation would limit the use of the Presidential-permitted line to just Sempra. Sempra will be the exclusive gatekeeper for any wind developer that wants to export to the U.S. market over that line, and this is a key issue, this Environmental Impact Statement. Department of Energy will be basically granting a monopoly control of the north Baja renewable export market to Sempra if they approve the application as is.

And I want to publicly request that Sempra's former lobbyist for Sunrise, David Hayes -- he's now the number two guy at the Department of Interior, very influential in the Obama Administration -- that he not have any influence or any input into this project or this decision.

601-3

Connected actions: La Rumorosa Wind Energy project, now ESJ, was considered to be a connected action, indirect effect, in the Sunrise Powerlink EIR/EIS. So how can DOE claim that ESJ is not a connected action to Sunrise?

The PUC/BLM-recirculated Draft EIR, Supplemental EIS made the following response to a comment from a letter of Department -- excuse me -- Center for Biological Diversity and Sierra Club, and that comment is No. G0018-3, quote, The La Rumorosa Wind

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RESPONSE TO 601-2: Comments pertaining to the renewable energy market structure are outside the scope of the NEPA process. DOE will consider this comment before making a final determination on the permit application. It is of interest to note that other comments have expressed the opposite concern, i.e., that the line could provide access to other generators. The nature of the Presidential permit is such that, it is issued specifically and solely to the applicant of record; any change of the permittee's identity could engender the need for a permit amendment application. See also the response to comment 505-2 in this regard.

RESPONSE TO 601-3: Refer to the response to comment 108-4.

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1 Energy projects was analyzed as an indirect effect
2 because in the Addendum to the Application for the
3 Presidential permit filed March 19, 2008, Sempra
4 Generation stated that Cal ISO had indicated that
5 Sunrise Powerlink or other transmission upgrade would be
6 necessary to deliver energy from the wind development in
7 the La Rumorosa area.
8 It would have been considered a connected
9 action except for the fact that the wind energy will be
10 generated in Mexico. Sorry. I have to write this down
11 so I don't go off track and display my anger.
12 Sempra can't have it both ways by telling
13 Cal ISO that they need Sunrise Powerlink or some other
601-3 14 identified transmission to move energy out of the area
15 and then claim to DOE that they don't need Sunrise.
16 Energia Sierra Juarez has not identified any other
17 transmission alternatives, so the transmission line for
18 the proposed wind energy project must be considered a
19 connected action.
20 ESJ DEIS connected actions for ECO Substation
21 and the Southwest Powerlink loop-in section at 4.1, DEIS
22 is written as though the Boulevard Substation expansion
23 and new transmission line connecting Boulevard and ECO
24 Substation is not included as a connected action. Just
25 the switchyards and loop-in are referenced.

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601-3 Because the ECO Substation project includes the Boulevard expansion, which is a 600 percent increase in size, and the 13-plus miles of new 138-kV line, those impacts must be included and addressed in this Draft EIS. Sunrise Powerlink EIS/EIR ID'd the ECO Substation that includes the Boulevard Substation and a 138-kV line as a connected action. The DOE/Sempra can't pick and choose what they want included.

601-4 Golden eagles are impacted by both ESJ wind turbines and power lines. They are protected under the Bald and Golden Eagle Protection Act, yet because no eagles were seen on the survey days --

DR. PELL: I'm sorry. "Yet the" something eagles?

MS. TISDALE: Yet because no eagles were seen on the survey days, the DOE claims there will be no impact. Sempra's hired researchers have documented golden eagles in the project area where turbines will be located. Golden eagles are also present in McCain Valley where Tule Wind is, which DOE recognizes as a connected action, and throughout the backcountry. I actually photographed a golden eagle on our ranch last Christmas.

Golden eagles and turkey vultures and other sensitive species range in wide area and should be

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RESPONSE TO 601-4: Refer to response to comments 108-8 and 201-3 for discussion of golden eagles. Note that DOE does not consider Tule Wind to be a connected action for this EIS. Rather, this EIS treats Tule Wind, Sunrise Powerlink, the 138-kV line to the Boulevard substation, and several other ongoing and proposed projects as potential sources of cumulative impacts. Section 5 presents DOE's assessment of cumulative impacts.

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1 considered as impacted by both the proposed power line,
2 ESJ turbines, Tule Wind turbines, Sunrise Powerlink, and
3 the new 138-kV line for ECO Substation.
4 On September 20th the Fish and Wildlife just
5 recommended that wind turbines be located no closer than
6 six miles from golden eagles' nests in order to reduce
7 impacts at the proposed Summit Ridge wind farm in
8 Oregon. Why is Tule Wind or ESJ any different?
9 Bighorn sheep: The Draft EIS states there are
10 no expected impacts to bighorn sheep because their
11 critical habitat is either 600 feet or three miles --
12 both of those were included -- east of the ECO
13 Substation loop-in. There are no records of bighorn
14 sighted within one mile of either site. I-8 is a
15 barrier to sheep movement, and the U.S. Fish and
16 Wildlife Service did not ask for bighorn surveys at the
17 site. We consider this absurd.
18 I just have to look at the Imperial Valley
19 Solar site as an example. Bighorn sheep were not
20 expected on site yet they were photographed there. It
21 was determined that the site contained important forage,
22 and U.S. Fish and Wildlife is now working on a take
23 permit for impacts to bighorn sheep. Locals know well
24 that I-8 is not a barrier to sheep movement. They cross
25 over it and under it on a regular basis. One witness

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has even reported finding a dead bighorn sheep immediately east of the proposed site.

This Presidential permit will allow for construction of hundreds of industrial turbines, wind turbines, that will impact bighorns in the Jacumba Wilderness area and in the Sierra Juarez and also connected actions in Tule Wind, McCain Valley. You cannot separate the power line impacts from the turbine impacts. They are all part of the same action.

601-5 We disagree with the cumulative impact list which should include the existing Southwest Powerlink and the border fence. The border fence did not undergo any environmental review, and we disagree with your dismissal of the environmental justice issues and much more.

We know the Department of Energy is prepared to rubber-stamp this project for Sempra despite the significant, cumulative impacts and violations of law just like the BLM approved for the Sunrise Powerlink, approved the Sunrise Powerlink for SDG&E, and today's announced approval of the Imperial Valley Solar project, another massive public landgrab for an unjustified, unproven renewable energy project.

Our grassroots coalition will be submitting much more extensive comments on the Draft EIS by the

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RESPONSE TO 601-5: DOE agrees that the border fence contributes to cumulative environmental impacts in the project area. Because it already exists, it is already affecting environmental conditions and its impacts on specific resources are acknowledged in appropriate subsections of Section 3. Additionally, Section 5.3.1 discusses impacts of the border fence on biological resources in the context of cumulative impacts. The EIS treats Sunrise Powerlink as a source of cumulative impacts.

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November 1 deadline, our attorney will, and we will continue to push renewable energy generation at or close to the point of use on existing structures and already disturbed lands.

I also wanted to note that the Department of Interior has not responded to our formal request to investigate the catastrophic failure at Kumeyaay Wind. I also want you to know that FAA has not enforced proper operation of those FAA lights since that catastrophic failure. They are still not working properly since last December. If you go out of here tonight on I-8, you will see that the white strobe lights are working but not the red FAA lights.

I also want to note that the original power purchase agreement from this project was withdrawn. There is no power contract for this project and Sempra has stated they will not build the project until they have that contract. Thank you very much.

DR. PELL: Ms. Tisdale, would you be able to leave your printed remarks with the reporter for her clarification?

MS. TISDALE: If she gives me her card, I will clean them up and send them to her.

DR. PELL: If we can do that, that will be great. By the way, I want to let you know that it's a

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pleasure meeting you after we exchanged all our e-mails.

MS. TISDALE: Yes. Thank you.

DR. PELL: And I look forward to your supplemental comments that you said would be coming in from your organization.

MS. TISDALE: Thank you.

DR. PELL: Thank you.

Okay. We now move on to Terry Weiner or "Winer," forgive me, Desert Protective Council.

MS. TERRY WEINER: Good evening. Good evening. Hi. My name is Terry Weiner. I'm the Imperial County Conservation and Projects coordinator for the Desert Protective Council. We are based in San Diego, California.

And tonight I would like to do two things: One, register our presence and our request that the Department of Energy deny the Presidential permit for these projects because of the inadequacy of parts of the EIS, which I have yet to thoroughly analyze. I've actually just begun to look at the documents. I'd rather wait until I can make some substantial comments, but we are glad that you're having this meeting and looking forward to submitting comments before the November 1st deadline.

DR. PELL: Thank you. I'll look forward to

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receiving those. Thank you very much.

We now move on to -- well, I was going to say Donna Tisdale, but we already heard from Ms. Tisdale. By the way, you didn't say you would like a final copy of the EIS. I assume you would.

MS. TISDALE: Yes.

DR. PELL: That takes us to Denis "Trafecant" with Protect our Communities Foundation.

MR. DENIS TRAFECANTY: Hello. My name is Denis Trafecanty from Santa Ysabel --

DR. PELL: I'm sorry.

MR. TRAFECANTY: -- California. I'm the president of the Protect Our Communities Foundation. I'm a member of the East County Community Action Coalition and the Backcountry Against Dumps.

I found it interesting to look at the back of this slide here under the County of San Diego emblem that says "The noblest motive is the public good." If that's the case, I submit to you that we don't need the ESJ at all.

601-6 There's a report that's been prepared by one of our board members of the Protect Our Communities Foundation. It's called the San Diego Smart Energy 2020 Plan. It explains how you could build all the rooftop solar you want in San Diego and cover those rooftops

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RESPONSE TO 601-6: 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 for this EIS because they do not respond to DOE's purpose and need.

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with the solar and residential rooftops. I don't use any energy from Sempra or SDG&E or Sempra Generation or whatever you want to call them.

I submit to you that they are in collusion with each other and also they got their hands slapped to the tune of in excess of $1 million which included money for the CPUC coffers and also for training their own executives on proper ethics in connection with the proposed Sunrise Powerlink.

I will send you this formal document so that you can read it and consider it. And if you believe the
601-6 conclusions of this report, then you wouldn't need Tule Wind, you wouldn't need ESJ, you wouldn't need these substations that are being built. That wouldn't be, as you say, the noblest motive is the public good. That wouldn't be in the eyes of public good if it wasn't needed.

I also submit to you that I'm a little bit concerned about the fact that taxpayers aren't paying for this meeting and all of the work that's done on this, because I do believe that if Sempra owns SDG&E and Sempra Generation and they generate a lot of money from ratepayers, maybe we won't call it taxpayers but let's call it ratepayers. I'm not a ratepayer because I have solar on my rooftop. I am tied to the grid, but I send

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more energy back to the grid than the -- the grid doesn't really need to send me any energy. I only keep it hooked up 'cause it's for the public good if I send energy back to the grid that I can't use.

So I question whether you've considered the alternatives. I don't know what we could do about

601-6 looking into the Mexico situation, but I hear talk about, you know, water lines, natural gas lines going back and forth to a Baja terminal, and all I hear about tonight is wind energy, renewable energy. 25, 26 years ago they talked about how they were going to use the Southwest Powerlink to bring geothermal energy into San Diego.

Well, I submit to you that there's 65 megawatts of energy, a maximum amount that's going 26 years later. I don't want to get hoodwinked again on something that is similar to what has happened in the past, especially considering the track record of this company called Sempra especially in the early '90s.

So please consider these comments. I'm not sure what would come across would be renewable energy. I believe pretty strongly that it's fossil fuel energy, and we will be sending a lot of comments to you and I will submit to you this report that I strongly suggest that you read. Thank you very much.

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DR. PELL: Thank you, Denis. I wanted to say a few things with regard to your remarks. First of all, with regard to the fact that the applicant paid for the EIS, actually I'm glad you mentioned it because it's worth clarifying. They paid for it, but the Department of Energy has managed the actual conduct of the EIS. In fact, the applicant has not seen the Draft EIS any sooner than you did. They got it at the same time you did. So the government really did manage that project even though the applicant was paying for it. They had no hand in the analysis itself except provide whatever information was asked of them. So I thought that was worth mentioning.

Ms. Tisdale, you mentioned a gentleman from the Department of the Interior. I've never heard his name before. So I can assure you that, to date at least, there has been no communication with that party. As I said, I've never heard of his name before.

MS. TISDALE: Are you the only person dealing with this within the Department of Energy?

DR. PELL: Directly, yes.

MS. TISDALE: Well, maybe indirectly.

DR. PELL: No. I would know about it.

MS. TISDALE: Well, just remember the name.

DR. PELL: Well, I have no reason to.

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Patrick asked me to mention also that they have no connection with that party either.

MR. BROWN: The County as well as DOE, we've -- were paid for directly by the applicant, so County funds or taxes don't go to development projects nor any of the CEQA review done on any of the studies or were reviewed by the applicant, so we're the same as them.

DR. PELL: Thank you. We go to great lengths to maintain a barrier between the development of the Environmental Impact Study and the applicant to ensure that it's objective and it's done the way we think it should be done, and I can assure you that that was certainly the case here.

I would like to now call on Derik Martin who's the next party to speak.

MR. DERIK MARTIN: My name is Derik Martin and I'm a local landowner here. This gentleman here spoke about his solar. I think that the pictures might show a little bit better how much solar you actually need to run a house. This is my house. It's 100 percent solar. That's 170 square foot.

DR. PELL: Are you entering that photograph into the record?

MR. MARTIN: Yes. You can have it.

DR. PELL: Would you, when you're through,

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1 leave it at the --
2 MR. MARTIN: I'm going to pass it around so the
3 people can see it and they can turn it in.
4 DR. PELL: Okay. When you turn it in, turn it
5 in to the front desk.
6 MR. MARTIN: Okay. Okay. So that's the impact
7 that I have, is 175 square feet. Everybody in the
8 United States, or at least here anyways in Southern
9 California, can have one of these. We wouldn't need any
10 of this stuff.
11 The other comment was about the sheep, and the
12 sheep in here it says they're not really affected
13 because they're two miles from critical habitat or this
14 ESJ is two miles from critical habitat. Well, sheep
15 don't know what's critical habitat and what isn't not
16 critical habitat.
17 And here's photos, and I'm not going to submit
18 all of them because there's too many of them but I'll
19 submit the top, say, four. These are over two miles
20 from critical habitat. These are about three miles on
21 the other side of this project that you're talking about
22 but really close to where the power line's going to be
23 going.
24 There's herds and herds of these sheep around
25 here. There's only 300 sheep left in San Diego County.

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I had a game camera set up for about three days. I got probably 50 to 60 pictures of bighorn sheep. If I set a game camera up on the Mexican side of the border, I can bet every nickel I have that I would have a lot more than what I have here as far as photos go. The sheep are pushed as far east as they can go. They're not going to go down into the Imperial Valley and live down there. It's too hot for them. There's nowhere else for them to go.

This impact is -- I mean, this was really brilliant the way that Sempra introduced this because it's three separate projects, and they're going to push each one as three separate projects; but to me it's one big huge inundation of baloney sold to the public as necessity, and it's going to impact the whole entire ecosystem.

And you can't just say it's just this little line that runs 3.6 miles across the border because that's not what it's all about. It's basically about a swath thousands and thousands and thousands of acres, probably about, I would guess just off the top of my head, an eighth the size of Borrego State Park. That's the area that you're going to disrupt.

DR. PELL: You're talking about in Baja California?

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1 MR. MARTIN: I'm talking about Borrego Park
2 here in San Diego.
3 DR. PELL: How is the transmission line going
4 to disrupt that amount over there?
5 MR. MARTIN: Because if you take -- the damage
6 you're doing -- you already have ten acres. You said
7 this little area here is going to disrupt ten acres.
8 Forget it. And I'm saying with the Southwest Powerlink
9 and this project and your transmission project, what's
10 that, a couple hundred acres?
11 DR. PELL: When you say "this project and the
12 transmission project," this project is the transmission
13 project. You're losing me.
14 MR. MARTIN: Okay. You got the Southwest
15 Powerlink; right?
16 DR. PELL: Southwest is an existing line.
17 MR. MARTIN: Okay. What's the one -- Sunrise
18 Powerlink.
19 MR. BROWN: Sunrise.
20 MR. MARTIN: You have the ESJ and then you have
21 the sub project. That's three projects.
22 DR. PELL: Okay. We're only here tonight to
23 address the ESJ.
24 MR. MARTIN: I understand. I'm saying the way
25 that Sempra introduced this is brilliant because you're

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only here for one item. You have to look at the big picture.

DR. PELL: You know that there is a separate EIS/EIR in preparation between the Federal Bureau of Land Management and the California Public Utilities Commission and they're going to be presenting their own EIR/EIS before too much longer. I expect to see that before Christmas. So you would really do well to review that document and attend those public hearings, as well.

MR. MARTIN: Okay. Yeah. Anyway, I'll submit these pictures. You can look at the sheep if you want.

DR. PELL: Can you tell us precisely what the vantage point was, where that camera was located?

MR. MARTIN: The camera was located at Mountain Springs which is just down the hill from Jacumba, probably -- I don't know. What, about three or four miles?

UNIDENTIFIED VOICE: Not even that.

MR. MARTIN: Not even that. So from where --

UNIDENTIFIED VOICE: Between a mile and a half, mile and three-quarters.

MR. BROWN: Are you going to submit --

MR. MARTIN: Here. Here's a photo. This shows where it's at.

MR. BROWN: Derik, are you going to submit

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1 formal comments?
2 MR. MARTIN: Yeah.
3 MR. BROWN: Okay. In your formal comments, try
4 to give like a parcel number or a coordinate of where
5 these photos are taken. That way, you know, they can
6 put a map or --
7 MR. MARTIN: Right.
8 MR. BROWN: -- otherwise it's just a --
9 MR. MARTIN: They weren't all taken at the same
10 spot and that's kind of my point, is the sheep don't
11 just wander in critical habitat. They wander where
12 there's food and water, and there's food and water on
13 both sides of the border and the climate's the same, you
14 know, and there's just a small area left where these
15 sheep are actually at and happens to be right here.
16 DR. PELL: Whichever ones of these photographs
17 you do wish to submit, please do follow up with
18 documentation as Patrick has suggested as to exactly
19 where the camera was, where it was taken, over what
20 length of time.
21 MR. MARTIN: Okay. And you know what? I can
22 take more, too. I mean, it's real easy. You go set the
23 camera up and there's sheep. You know, it's not like
24 there are plentiful sheep. There are separate herds of
25 sheep that show up for water.

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So anyway, I don't want to get too caught up on that. I wanted to make a couple more points. And I could -- now I've -- I don't remember exactly.

Anyway, my point was basically you've got to look at all three projects. I mean, I've got photos of sheep. I've got the photos of the -- and you mentioned the -- I call them vultures, the turkey vultures. I've got pictures of those, the hawks, foxes, coyotes. The sheep are of more interest because they are endangered and there's not too many of them left, and they're only in this one area that Sempra seems to want to put all this unnecessary alternative energy projects into.

So I'll go ahead and leave these in the back you said?

DR. PELL: Thank you very much. I look forward to whatever follow-up you care to provide us by the 1st of November.

The next speaker is Mark Ostrander.

MR. MARK OSTRANDER: My name is Mark Ostrander. I'm representing myself, O-s-t-r-a-n-d-e-r. I noticed on your cumulative impact for projects that you took for effect --

UNIDENTIFIED VOICE: Microphone.

MR. OSTRANDER: -- I didn't see on there the Eurus LLC solar project, the Truckhaven Geothermal

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1 project, the Border Patrol Station project in Boulevard,
2 and the border fence project as part of your cumulative
3 effects on this project.
4 Bighorn sheep the guy said when he was standing
5 right there, I seen them on the south side of the
6 freeway, south side of Old 80. They don't know any
7 boundaries. They go wherever the food or the water's
8 at.
9 In your cultural studies here, I didn't see any
10 mention of us being an archeological district. It's
11 very rich in archeological materials and finds. There's
12 historical and prehistoric stuff out there.
13 On the fire side, it says the impacts to -- you
14 know, there's going to be major impacts to firefighter
15 ability. That's true. Once those lines go in, you're
16 going to have air resource issues, trying to get air
17 resources in. It's going to affect ground operations.
18 And combined with all the other projects out here, all
19 these networks of lines that are going to go through,
20 that's just going to make it that much worse. The only
21 thing is remove all the vegetation underneath them, set
22 a barrier, but that's not going to happen.
23 Socioeconomics: You say minor short-term
24 property values. Currently property values in the area
25 have dropped. Any more drop -- you know, people are

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1 already upside down. Any more drops, that's going to be
2 probably major and that's going to affect what you're --
3 that's going to change your environmental justice there
4 too, because that is going to impact low incomes, that's
5 going to impact minorities, all kinds of things.
6 Those are my comments at this point.
7 DR. PELL: Thank you very much, Mark. I
8 appreciate that.
9 The next party that indicated an interest to
10 speak was Laurie Baker. By the way, Ms. Baker, you
11 didn't answer the question about whether you would like
12 a copy of the final EIS.
13 MS. LAURIE BAKER: If I can get it online, that
14 would just be okay.
15 DR. PELL: Great.
16 MS. BAKER: My name is Laurie Baker. I live in
17 Santee. I can --
18 UNIDENTIFIED VOICE: Use the microphone,
19 please.
20 MS. BAKER: Sorry. I come out to this area to
21 hike and we camp and we jeep out here. And I've made
22 some comments previously. I was confused about what
23 exactly this covered because of the cumulative impacts.
24 I didn't know if it covered the Tule and Indian
25 reservation and some of the -- this map right here.

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1 My comments are that the transmission line
2 would annihilate ten acres of vegetation and wildlife,
3 and I know they're going to compensate for that with
4 land somewhere else, but that doesn't help the
5 vegetation, wildlife in that particular area, and I
6 consider that a major destruction in this area.
7 It's still a major fire igniter. So if there's
8 a fire, it will spread to areas that surround the area
9 where the bighorn sheep and the golden eagles, the
10 people live, so there is no boundaries sometimes for
11 these fires. So the amount of miles something is from
12 the ignition source or the specific project could be a
13 lot bigger and affect the environment that way.
14 My main concern is the large-scale wind
15 turbines. There's no mitigation for them I understand,
16 and it will change the visual character out here. And
17 cumulatively if you put a lot of those wind turbines out
18 here, it's going to regionally change the character of
19 the whole area. So you have the visual character and
20 then you have the whole regional character that will be
21 affected by these wind turbines which have no mitigation
22 because they're so big. And when you come out here --
23 if you go on the Web site for the BLM, they highlight
24 expansive and scenic views out here and they'll list all
25 these different places. That's one of the main points

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they make, are the scenic views out here.

And the beauty is stark and striking. And if you're going to change from this rural designation that's out here and industrialize it, a lot of people like myself won't want to come out here anymore because that's what we come out here for, the wildlife, the vegetation.

And from the pictures that you have here, it's a major impact, and I don't know if something like that stops a project. I know that the character of the Cleveland National Forest was impacted by the Powerlink, and they changed mitigation measures and made exceptions and went forward with the project. I'm not sure if they can do that with this project, and that is one of my concerns.

And so we love this area. We love to come here, and this would really change the area dramatically. And that's just what I want to say.

DR. PELL: Thank you very much. I appreciate it.

The last person that indicated a desire to speak on the registration form is Kevin Smith.

MR. KEVIN SMITH: Hello. How are you doing? My name is Kevin Smith. I'm a developer and San Diego ratepayer.

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I've never quite seen an EIR that had no impact. It's kind of amazing, actually. My hat's off to you. I'm going to have to read from my phone because I typed it on the way.

601-7 I believe the Sunrise Powerlink was pushed by SDG&E for one simple reason: To provide Sempra an interconnect. Sempra was there for their -- was, per their application, to build an interconnection on both sides of the border that would carry the line to the existing south link, South Powerlink. There is no capacity on the South Powerlink. Why would Sempra be allowed to interconnect into a transmission line with an estimated 1,200 megawatts, into a transmission line that has no capacity?

Their own comments at the opening of this meeting is that there was a request of Sempra and not SDG&E. If this is true, then the ECO Substation is Sempra's cost. SDG&E is using the right of condemnation to build the ECO Substation for Sempra. Sempra has no right of condemnation. How did SDG&E become obligated to do the interconnection for Sempra? Sempra's to provide one mile of transmission, an interconnection tie line as you call it. That ended their responsibility in the middle of nowhere. Lucky they have SDG&E to build their substation just where they need it.

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RESPONSE TO 601-7: Refer to the response to comment 108-4 for discussion of the reasons why the Sunrise Powerlink is not considered a connected action for this EIS.

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1 They also say there's a 230- or a 500-kVA line.
2 They don't know? The substation, the ECO substation,
3 will be a 500 kVA. They're going to be pushing all
4 1,200 megawatts into that substation and then they'll
5 upgrade it and push it into Boulevard and will provide
6 the capacity to feed all 1,200 megawatts into the
7 Sunrise Powerlink. None of the power generated by
8 Sempra into La Rumorosa will or can go into the South
601-7 9 Powerlink as the EIR states.
10 The Sunrise Powerlink will be paid for by the
11 ratepayers of SDG&E. It costs $2 billion. It's simply
12 a cost of the interconnection for Sempra. The San Diego
13 residents should have never been allowed to be burdened
14 with Sempra's cost, and it is a flagrant abuse of the
15 China Wall. Thank you.
16 DR. PELL: Kevin, do me a favor. You indicated
17 on here that you would like a copy of the final EIS, but
18 I must tell you that --
19 MR. SMITH: I got it.
20 DR. PELL: No, no. You said you wanted a copy
21 of the final.
22 MR. SMITH: The final.
23 DR. PELL: That's the draft. But your
24 handwriting, your address and your e-mail address, are
25 not legible. Could you do me a favor. Take this back

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and --

MR. SMITH: If you have a card, I'll e-mail it to you. Can I --

DR. PELL: Sure.

MR. SMITH: Yeah, it's right there. I'd still like a card. Thanks.

DR. PELL: Thank you.

MR. SMITH: Thank you.

DR. PELL: I just got a new addition, Ben Schult, S-c-h-u-l-t, with The Desert Tower; is that correct?

MR. BEN SCHULTZ: My name is Ben Schultz. I'm the owner of Desert View Tower. We're a Federal Registered historic site, two --

UNIDENTIFIED VOICE: Use the microphone.

MR. SCHULTZ: I'm sorry. I hate this sort of thing and I don't want to do it. Ben Schultz. I'm the owner of the Desert View Tower. We're a Federal historic registered letter, two State historic sites, and a County historic site for Imperial and San Diego County.

601-8 First off, I didn't think this would come up as an issue. I want to support the issue of the bighorn sheep and their proximity to this project. I have a card that I actually sell commercially showing bighorn

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RESPONSE TO 601-8: Regarding reported sightings of bighorn sheep, refer to the response to comment 108-7.

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1 sheep within three miles of that project. I did not
2 realize I had to bring it in today.
3 I've actually seen bighorn sheep walking on the
4 freeway, called in several even federal departments to
5 try and get them off the freeway. There's no question
6 the big bighorn sheep are in the area.
7 I was also aware of a biological survey that
8 was done. The woman was from Massachusetts and spent
9 two weeks here looking over the area. Massachusetts was
601-8 10 not -- this is not a San Diego researcher. She was out
11 here, spent two weeks, and the bighorn sheep weren't
12 there. They only come down here mainly at Christmastime
13 and about now.
14 So I suppose I can get the gentleman over there
15 a picture of the bighorn sheep at the Desert View Tower,
16 which is within a three-mile range of the whole thing.
17 So I hope that establishes that. The biological survey
18 was done not inadequately.
19 Secondly, I'd just like to point out that
20 you're trying to characterize this as separate from
21 these other projects, a simple, clean hearing on this
22 one aspect of the project. I think the idea that you
23 would ignore the fact that you know that this has been a
24 corrupt project from the beginning including the
25 prostitutes that got the head of the -- who was the man

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who resigned who was the chairman of the energy committee in the public?

MS. TISDALE: I can't remember his name.

MR. SCHULTZ: Yes, hired by Sempra at $200,000. I mean, can you sit there and pretend that you didn't hear that little story? Maybe you didn't.

The fact is there is going to be a grand jury hearing on this sooner or later on this, and all we can do as public citizens sitting around having these little talks up against million-dollar lawyers is to remind you that we will remember that you were part of a corrupt process and that some day possibly justice will be done. We know you're part of this process, too. Your names are on the site. Sooner or later there is going to be -- your children are going to be looking up at you like, "Why were you part of that, Daddy?" Thank you very much.

DR. PELL: Ben, is it S-c-h-u-l-t-z or just --

MR. SCHULTZ: Yes.

DR. PELL: -- S-c-h-u-l-t?

MR. SCHULTZ: I don't particularly want to be on your list because I feel like I don't -- over the years I'll be on some damn list.

DR. PELL: No, that's fine. If you don't want to be on the list --

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MR. SCHULTZ: I don't like it.

DR. PELL: -- consider yourself off the list.

MR. SCHULTZ: Throw it away.

DR. PELL: Okay. You just saved us an extra mailing.

That completes the list of people that indicated that they wanted to speak.

Is there anybody else that would like to speak now? Because it's open mic time.

MR. MARTIN: Can I just say something real quick? There's a Web site that Sempra has for their projected plan in this area. It's not what you have up here. It's like 1,000 wind machines and it shows the transformers. It shows this line, the EIS line you're talking about. It's on the Sempra -- if you do a Google, search for Sempra proposed or Table Mountain, Google that, it's going to show you this just elaborate, industrialized power scheme that's just unfathomable.

I mean, it's just like why would they put that there, you know?

MR. SCHULTZ: But you don't know anything about it.

DR. PELL: Hold it.

MR. MARTIN: Sempra should be here with a photo showing that. What their real plan is is just to

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1 inundate this whole area with alternative energy to ship
2 it to San Bernardino, Riverside, L.A., or wherever.
3 DR. PELL: Excuse me. For the record, you are?
4 MR. MARTIN: Derik Martin.
5 DR. PELL: By the way, Sempra is here.
6 MR. MARTIN: Yeah. Where is the picture? They
7 should have that picture from their Web site that shows
8 what they really want to do to this area, because it's
9 not 52 wind machines.
10 DR. PELL: The Environmental Impact Statement
11 makes it very clear that this is just the first phase of
12 the build-out. We do acknowledge the fact that the
13 overall projected ultimate build-out of the wind machine
14 farm in Baja is about 1,200 megawatts, so --
15 MR. MARTIN: Well, where is the photo?
16 DR. PELL: That's very clearly stated in the
17 EIS and there's even a diagram in the EIS of the overall
18 development area that Sempra's indicated would be their
19 future build-out. So whatever information that is
20 available has been documented.
21 Who else wanted to speak, please? Just a
22 second. Yes?
23 MS. LORRIE OSTRANDER: My name is
24 Lorrie Ostrander. I'm a Jacumba resident, and my
25 concern is a fib that was given. We were told that a

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1 mile up the road, about a mile and a quarter up the
2 road, people from Washington, Arizona, and through other
3 states were out there drilling, and finally I asked what
4 was the drilling all about. Well, they were doing some
5 ground testing for the Sempra project that was going on
6 over the mountain. Why over here? For some reason they
7 couldn't do it over there, but they did it right close,
8 oh, about 1/16 of a mile away from our well. I don't
9 appreciate that. I don't appreciate being lied to.
10 UNIDENTIFIED VOICE: They're good at that.
11 DR. PELL: Okay.
12 MS. OSTRANDER: And we were lied to. The
13 testing was supposed to be done over there. This is
14 only the beginning of -- and like giving them water,
15 it's the beginning. Sorry, we're not dummies. We see
16 what goes on in Washington. We see what goes on in
17 other states.
18 I seen what happened in my own hometown up in
19 Northern California and now all these wind turbines are
20 just sitting there, half the times never being used. I
21 see over there at the reservation, sadly to say, our
22 ancestors are turning over because they're throwing the
23 land away. They don't look at the golden eagle. We
24 respect the bald eagle because it's our symbol of our
25 country, so is the golden eagle because it is part of

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1 the eagle family.
2 Our tress, we're already destroying our climate
3 with the weather change and everything, so let's do
4 more.
5 Can we resolve this? Yes. Cut back on your
6 energy. If you don't need it, if the sun is shining,
7 don't turn a light on. I was raised that way. You
8 leave a room, shut the light off. You're not watching
9 TV, shut it off. There are ways to save energy and not
10 destroy the water that we need, the land that we need,
11 the air that we need, and I'm sorry I'm boring you.
12 DR. PELL: No.
13 MS. OSTRANDER: No? The gentleman next to you.
14 DR. PELL: No.
15 MS. OSTRANDER: But anyway, I just see a lot
16 going on and I've lived up here in the mountain for
17 20 years, just shy of 20 years. For the first time I
18 have seen the mountain sheep, for the first time over by
19 Kitchen Creek. I'm on my way into town. Not even
20 50 feet away from the freeway road was a male and a
21 female bighorn. I broke down in tears because they're
22 being pushed away from their feeding grounds because
23 why? Man has to have more power. Man doesn't have to
24 have it.
25 DR. PELL: Could you --

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MS. OSTRANDER: Laurie Ostrander, resident of Jacumba and very proud to be here and fighting against this.

DR. PELL: Thank you.

MS. OSTRANDER: Thank you, sir.

DR. PELL: You're more than welcome.

Ms. Tisdale, you wanted to talk?

MS. TISDALE: I have two things. I forgot to mention when you leave here tonight, I would like you to look on the hillside. You'll see the five existing turbines' red lights. They blink at an odd pattern and if we see -- just, you know, multiply that by the number of turbines that are proposed and that will be the nighttime vision here.

And then I had something I wanted to show you on the map. The Campo Wind Energy proposal goes all the way down to the Mexican border. It doesn't stop right here. There's huge wind energy proposals that are shown on the BIM maps all throughout here. It's about 15,000 or more acres. There's met towers in the Cleveland National Forest, and there are wind energy proposals along the Tierra del Sol Road. Boulevard just hasn't announced them yet.

Hamann Companies is proposing solar on their property where they're also doing Tule Wind, so there's

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a lot of stuff that is just kind of still under the radar and it's very disturbing that it won't be included as overall impacts because there's much more than has been publicly announced, but it's in the works waiting.

DR. PELL: Any documentation you have that you'd like to submit would be appreciated.

MS. TISDALE: I will.

DR. PELL: Thank you.

UNIDENTIFIED VOICE: The attorney will submit it.

MR. SMITH: I'd like to speak again if you don't mind.

DR. PELL: Sure.

MR. SMITH: Because I can actually just verify exactly what she said is true, because I am actually a wind developer or tried to be, except it's -- I guess it's not for anybody other than Sempra. And so I can actually verify that Tule, Lansing, Boulevard, as an owner of one of the properties up here I was actually involved in and it's definitely happening.

DR. PELL: And again for the record, you are?

MR. SMITH: Kevin. That's all.

DR. PELL: Anybody else like to speak? Thanks, Kevin. Anybody else? We still have time. It's 8:26. I just want to make sure you all feel that you had

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adequate opportunity to comment. And if you did, I want to thank you for joining us tonight. I want to thank you for your thoughts. And if you want to hang around and talk to Sempra people or to my consultants or me, I'm glad to have you do that.

And with that, I may see some of you tomorrow night in Boulevard. If I do, great. If not, it's been a pleasure. Thank you.

(The proceedings were concluded at 8:28 p.m.)

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U.S. DEPARTMENT OF ENERGY

DRAFT ENVIRONMENTAL IMPACT STATEMENT

PUBLIC HEARINGS

for the Energia Sierra Juarez U.S.

Transmission Line Project

Wednesday, October 6, 2010

Boulevard Fire Station

39919 Highway 94

Boulevard, California

Jane E. Wassel, CSR No. 2632, RMR, CRR

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BOULEVARD, CA, WEDNESDAY, OCTOBER 6, 2010, 7:15 P.M.

DR. PELL: Good evening. Some of you were here last night at Jacumba. Those of you that were here before, welcome back. Hopefully you will contribute something new and different tonight.

Let me tell you about what we're doing here tonight. Let me identify myself first. I'm Dr. Jerry Pell. I'm an environmental scientist with the Department of Energy in Washington.

We're here because we have at DOE received an application for a Presidential permit, which I'll explain in a moment, for a transmission line that proposes to bring wind power from a new wind farm in Baja California to the southern area of San Diego; and that transmission line, because it would cross the border between Mexico and the United States, requires the granting of a so-called Presidential permit.

It's called a Presidential permit because it arose from an executive order from the White House requiring it, and that executive order was issued about 50 years ago, so it's not something new from this administration. It's been with the government for many years. And the office that handles it has now ended up at DOE where I am.

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So the matter of deciding whether or not to grant a Presidential permit is considered a major Federal action, and because of that it means that we're required to adhere to the National Environmental Policy Act, NEPA, N-E-P-A, which means that we have to do an environmental analysis.

There are three levels of environmental analysis that any project can have. The simplest one is what's called a categorical exclusion where you know there are no potential impacts and all you have to do is essentially write a memo to the file. The middle level is called an environmental analysis, and the most comprehensive, complete version of an environmental review is the Environmental Impact Statement which we're discussing here tonight.

You will recall that this project, if you've been following it from its beginnings, did start as an environmental assessment but has now developed into a full-fledged EIS; and the draft that was issued on September 17 is the reason why you're here tonight, because we want to hear your comments on what you think about the draft, its completeness, its adequacy, its technical correctness.

What we're not looking for is whether or not specifically you think the project is a good project or

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whether the project is needed, because that's outside environmental review. That's the kind of thing that would be best brought before your State and County officials where they would be able to consider those kinds of issues. We would not at DOE because it's a private sector project. So it's up to the applicant for them to decide whether or not it economically makes sense, whether it's needed or not, or whether it's going to be profitable. It's not a governmental issue.

So I want to start off with a brief slide show. You should have, if you picked it up at the registration counter in the kitchen, you should have a copy of the slide show. It looks like this. And the slides I'm going to show are exactly this, so I'm going to go through them very quickly just to summarize things and then we'll go into the actual comment period of the hearing.

By way of further introduction, as I was saying, I'm an environmental scientist. I've been doing environmental work for 40 years and I've been with DOE for 34. I started just after the original Arab oil embargo, and the only reason I haven't retired is because I like what I do and I especially like meetings just like this one where I can meet with you, so I'm glad to be here tonight.

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1 Let's go to the second slide, Tim. As I was
2 saying, as I just finished saying, the proposed Federal
3 action is whether or not to issue the Presidential
4 permit. We have a cooperating agency. Patrick Brown is
5 to my right and I'll introduce him in just a moment.
6 And as you will see in a couple of slides, the County of
7 San Diego has a separate process that they follow which
8 Patrick will review in just a couple of minutes.
9 I started mentioning before this section, "NEPA
10 Process to Date," that this started as an environmental
11 assessment, the original application to DOE,
12 December 2007, so it's been almost three years from the
13 time the initial application was submitted to the
14 issuance of the final Environmental Impact Statement.
15 And it was issued on the 17th.
16 The public comment period closes on November
17 the 1st. So regardless of what you say tonight or what
18 you hand us in tonight, you still have plenty of time to
19 send in additional information. How you send it in
20 doesn't matter. It's going to be given the same weight,
21 whether it's spoken or written or e-mailed. It really
22 makes no difference. It still gets the same review.
23 Next slide, Tim. So once the public comment
24 period closes -- all of the comments are going to be
25 public. So whatever you give us will be put on the Web

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for you to see, for everyone to see what everybody else said. The court reporter's transcript of the hearings will be on the Web site, also.

We will then enter the final EIS preparation stage of the process which is the point where we take all your comments under consideration and modify the EIS or revise it or update it, whatever is required to comply with the comments that you've made.

That leads to the final document. Once the final document is issued, the Department of Energy then will start preparing a Record of Decision, which is basically just how it sounds. It's the formal document that describes whether or not DOE decided to actually issue a Presidential permit and also whether there are any conditions attached to that Presidential permit.

If the agency does issue a positive Record of Decision, i.e., a Record of Decision recommending the issuance of the Presidential permit, then the Presidential permit itself would be issued immediately thereafter. So that's essentially the process.

And if you're asking how long it takes to prepare the final EIS, I can't really answer that because it depends on the nature of the comments that we receive from you between now and the 1st of November. Depending on the nature of the comments and how much

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additional analysis is required, that will drive how long it takes for us to complete the final EIS.

Now, let me introduce Patrick Brown who's with the County of San Diego, and I'll let him introduce himself and describe the County process.

MR. BROWN: Hi. Thank you everybody for coming tonight and everybody who came last night, welcome back again and I guess I'll see you tomorrow at the planning department.

I'm Patrick Brown. I'm a land use environmental planner for the County of San Diego. I work for the Department of Planning and Land Use. I'm also a project manager for the renewable energy projects for the County, so I'm also the project manager of the Tule Wind project, which I'm sure many of you are familiar with, and the ESJ project.

The County is a cooperating agency with DOE on this permit, and the reason why we're a cooperating agency is our actions basically layer almost right on top of each other. What Jerry's permitting is the action of the power going across the border. What the County would be permitting is the actual construction and operation of the generation-tie line itself. So it's actually two different permits that are being issued, but they're almost one and the same. That's why

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the County participated as a cooperating agency to have, you know, our environmental review basically be similar in a way.

The County's actually participating with the California Public Utilities Commission on a joint Environmental Impact Report and Environmental Impact Statement on what they call the East County Substation project. Are many of you familiar with that? Yeah. Okay.

So the environmental review that the County would use in its permitting process, which in this case for the generation-tie line would be a Major Use Permit which the first hearing body would be the planning commission and then on appeal would go to the Board of Supervisors, the County would rely on the East County Substation Environmental Impact Report to do its permitting. So although Jerry is doing this environmental review here, the County would not rely on this document at this point, you know, for its permitting discretionary process.

Now, in saying that, a lot of the information that Jerry and DOE and Entrix have used in this document was previously reviewed by the County. So when they submitted their application to DOE -- well, years later, basically in 2009 -- Sempra came in and submitted their

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Major Use Permit application with the County, and we began a sort of environmental review of the technical studies to the County's standards and our guidelines in determining significance and County noise ordinance and lighting ordinance and different, you know, mechanisms stuff as that.

We did do a lot of the review of that, and that information has been reviewed. I mean, it's not accepted in final by any means, but the County did review a lot of those technical studies like three times and got a lot of good changes done to that, and that's what Entrix used to develop this. So that's how we participated at this point with DOE on their action, but in saying that, we are participating with the PUC and BLM on the other document which is the one that we'll actually use.

Now, that document is not anticipated to come out probably until sometime in the next couple months here. It should be probably the end of this month or November is what the schedule's telling right now. It could be later; it could be sooner. But, though, any comments that you give Jerry tonight, you can also participate in that process with the PUC, and we'll be doing the same thing. We'll be out here having, you know, probably another two or three meetings, but it

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1 won't be on this document. It will be on the
2 East County Substation document which is the one that
3 the County will use.
4 I believe I covered off on that. That's it.
5 DR. PELL: That's it. Okay. By the way, the
6 Bureau of Land Management, which is a Federal agency of
7 the Department of the Interior, invited DOE to be a
8 cooperating agency in the ECO Sub environmental review
9 process. So we are a cooperating agency on the ECO Sub
10 analysis. And I can't predict what our travel budget
11 will be like, but, if possible, I'll be back here just
12 as an observer for the hearings on the ECO Sub, the EIS,
13 the EIR when that's issued by the CPUC and BLM, as
14 Patrick was saying in a month or so, I should be back
15 here.
16 MR. KEVIN SMITH: Did that just happen? Did
17 that just occur?
18 DR. PELL: I'm sorry. Did what just occur?
19 MR. SMITH: Did that just occur?
20 DR. PELL: Which?
21 MR. SMITH: What you just said, the ECO Sub
22 just -- the BLM asked you to join on the ECO Sub.
23 DR. PELL: Oh, some time ago.
24 MR. SMITH: Okay.
25 DR. PELL: Yeah, sometime ago.

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Kevin; right?

MR. SMITH: Yes.

DR. PELL: For the record. No, they invited us to be a cooperating agency sometime ago.

MR. BROWN: And, Kevin, the County is a cooperating agency with BLM on the BLM portions of the Tule Wind and ECO Sub project too, as well.

DR. PELL: By the way, if you're really that interested, the correspondence is a public record. So if you want to be -- I'd be glad to send you the copies of the letters. Just send me an e-mail. I think it might even be on our -- it might even be on the ECO Sub Web site. I'm just not sure.

MR. SMITH: Thank you very much.

DR. PELL: But it's all publicly and readily available.

Okay. So quickly, we're looking at what the project amounts to. As you probably know by now, it's to construct a transmission line, as I was saying, either 230,000 volts or 500,000 volts from the proposed wind farm across the border for about .65 miles until it connects to the proposed ECO Substation.

And the portion of the transmission on the Baja California side, on the Mexican side, that line runs about a mile to where it connects to the ESJ

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Jacumba Substation which is the first point of interconnection of the line on the Mexican side.

So what these diagrams -- you're not going to be able to do much with the diagrams on the screen, but in the book they're printed large and you can see them in great detail. You can see the two possible lines as to whether it's a 230- or 500-kV. The routes are very similar to each other. They're only apart by a very small amount. So the analysis looked at both, and you'll find the potential impacts from either included in the EIS.

Next slide, Tim. It's a very short transmission line on the U.S. side, so we're only looking -- one more. Whoop, no. Go back to the project design. There we go. On the American side, the line is about five towers in total, either lattice or monopole. We think that lattice would probably be environmentally preferred, but no decision has been made yet as to which type it will be.

The lattice is the standard which you usually see, like Southwest Powerline uses standard. The monopoles are just exactly what they say. It's a single pole. The book includes diagrams of both. You can see what they both look like, but it looks like the lattice type would probably blend into the background better

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than the monopole; but, again, as I said, no decision has been made.

So looking at the project in Mexico, what's really important here -- next slide, Tim -- is that the nearest wind machine to the border is about .7 miles away from the border, so there is nothing further north than .7 miles. All the other wind machines that the company's proposing to build in Baja California are further south. So the closest one is about three quarters of a mile from the border.

The project looks like it's going to be built in phases. The proposed first phase is about 52 wind machines.

And in the future phases, if they actually implement them, they would proceed further south from the first, so they'd be even further away and presumably less visual and you wouldn't be able to notice them because they'd be that much further away from the border.

Next slide, Tim. In terms of consultation and outreach with other agencies, we've worked with the U.S. Fish and Wildlife Service. We've sent out consultation letters to about 15 Indian tribes. I think only one said that they would be interested in formally consulting with us, which was the Campo tribe, and we

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1 did do that consultation with that tribe; and they
2 indicated that they were satisfied that all the
3 archeological and historical considerations were
4 properly being taken care of, so that consultation ended
5 satisfactorily.
6 We also have been in touch with the Border
7 Patrol, other cognizant Federal agencies like, as I was
8 saying before, the Bureau of Land Management, Federal
9 Aviation Administration, Environmental Protection
10 Agency, and then the appropriate California State
11 agencies, Fish and Game, Parks and Recs, State Historic
12 Preservation Officer, and obviously, of course, the
13 County itself. So the document is as thick as it is
14 because it's as comprehensive as we could possibly make
15 it within reason to make sure that we basically did it
16 correctly and completely.
17 And this slide which looks at the environmental
18 issues analyzed shows you the scope of the analysis. We
19 looked at every kind of environmental impact that's
20 normally considered under the National Environmental
21 Policy Act, everything from biological resources to
22 socioeconomics and environmental justice. So we feel
23 like it's quite complete. And, in fact, we even looked
24 at air quality, including carbon dioxide emissions
25 because of the concerns of global climate change.

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Just to summarize quickly what the impacts were that we found, under "Biological Resources," permanent disturbance from the project to about ten acres, and if you look at the lower slide on the right you'll see a green vertical line. That's an offset area the company's proposing to preserve to compensate for the ten acres of disturbed land, and that would be done in conjunction with the cooperation of the Bureau of Land Management. And it's described in great detail in the volume.

Next slide. Now, "Special Status Species," which I know you're quite interested in, just to summarize what we found, the Quino checkerspot butterfly, no impacts expected; California condor, very low probability; Peninsular bighorn sheep, and I know this is controversial from what we heard last night, critical habitat for the bighorn sheep is avoided by the project by a distance of at least two miles. And for the arroyo toad, the southwestern willow flycatcher, and the Least Bell's Vireo, which is a bird, low potential for effect.

And the other major area of concern to some of you, next slide, is visual impacts, visual resources, and we retained the services of a professional consulting firm that specializes in doing exactly this

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kind of analysis where they go to what they call Key Observation Points, or KOPs, and draw a visual representation of what they think you would see if the project were completed from those particular KOPs; and the County of San Diego was a major reviewer of that work, and so we have a lot of faith in the quality and accuracy of that analysis. And this is where it was determined that the lattice towers are probably preferable to monopoles which is a result of that study.

And looking at the next slide, which is also with regard to visual resources, we looked at some of the possible mitigation that could be made to reduce the visual appearance of the transmission line, and you can just read that for yourself.

The slide after that is the heart of the EIS. This is the single-most important table in the entire report, and this is the summary of impacts by resource area. So if you read nothing else, you certainly want to at least study this Table 2-3 because this is where the entire analysis is summarized in the document. And it goes on for several pages in the report.

Now, next slide, as I was saying, we look for your comments. You all have copies of the document. Anybody who you come across that wants a copy can readily obtain one. It's available electronically on

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the Internet on the project Web site. It's on the DOE NEPA Web site. And if anybody needs a paper or CD copy, we'd be glad to supply that.

The project Web site, esjprojecteis.org, has a provision on it for submittal of comments electronically which we think would really be great if you used it. You can upload attachments on the Web site directly. So if you want to send us Word files or Excel files or graphics files, whatever, you can actually upload those directly to our Web site from that Web page which you see mentioned there, esjprojecteis.org/involvement. You can also send them to me directly by e-mail or however you wish.

Now, we said earlier that the comment period closes on the 1st of November, but there's a but. And the but is if you simply can't make it by November the 1st for whatever reason or if you submit comments and then come across something that you think is really important that we should know about, we will still entertain your comments if they come in late to the extent that we can.

In other words, if we're at the printer with the final EIS and you send us in a comment, we won't be able to do anything about it. If you send us in a comment on November the 5th instead of November the 1st,

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we'll still be able to use it. So that November the 1st date is the date we would certainly hope you submit your comments by, but if you miss it, all is not lost. Okay? We're trying to be as flexible with you as we possibly can.

And if you want to reach any of us, we're all available to you by e-mail, by telephone. We're certainly giving you all the information you need to contact any of us. Entrix, that is Mr. Tim Murphy sitting over here, is the company that has been doing the actual writing of the EIS, and they're here. And if you want to talk to any of the experts that are here tonight -- Sempra's here tonight -- after the hearing, they certainly would be willing and glad to talk with you. So if you want to reach us, there's certainly no difficulty in doing that. And that completes the slide show.

And what I'd like to do now is actually go to the most important part of the meeting which is to take the formal comments. Here's another copy of entries. Thank you.

Are there any representatives, any elected officials here from State, local, Federal, whatever? No. Okay.

Any government agency officials, County?

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State? Okay. As a courtesy, we usually extend first opportunities to speak to elected officials or the government officials.

Now, Donna, you had indicated by e-mail that you wanted to be on the list to speak tonight and last night; is that not correct? Did you not want to speak tonight?

MS. TISDALE: Yes, I did.

DR. PELL: So then if that's the case, you're first up.

MS. TISDALE: Great. I don't like to turn my back to people. First of all, I do thank you for being here, but I'm getting really tired of having to defend our community from so many obnoxious projects. It's getting overwhelming.

And I also wanted to point out the beautiful picture on the wall there. The moon is rising over Sierra Juarez. So if those turbines were there -- this is from Boulevard -- those turbines would be silhouetted, some of them, on that ridgeline. And I also want to say that I can personally see the five turbines that are on the ridge now on the Sierra Juarez ridgeline from my ranch in Boulevard on Tierra del Sol area which is miles away, and especially at night you can see those lights.

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I wanted to say I'm representing myself, Donna Tisdale, as an individual, representing the Boulevard Planning Group, Backcountry Against Dumps, and the Protect our Communities Foundation. I'm also a member of the East County Community Action Coalition and the San Diego Sierra Club.

These comments are in addition to the ones that I made last night, and those will be submitted in writing by me and by the attorney representing several of the groups just mentioned. All the groups mentioned have voted to oppose the ESJ project in its entirety, and I did print this out for the reporter.

Industrial wind energy is not free as it's often implied. It carries huge financial costs and negative impacts to the environment, humans, wildlife, and livestock. Those effects are being felt worldwide resulting in a public backlash. Later this month a group of doctors and other professionals are holding an international symposium in Canada on the negative health impacts from wind turbines.

DR. PELL: Excuse me, Donna. I'd be very interested in learning about that if you have any information you could send me.

MS. TISDALE: I will send you the link.

DR. PELL: Please.

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MS. TISDALE: ESJ will impact Boulevard despite the fact that the project turbines will be installed in Mexico. Along with the related Boulevard Substation expansion, visual impacts from ESJ and Kumeyaay Wind will be used by decision makers to claim that the visual resources are already degraded so it's okay to install even more giant wind turbines here along with all the necessary transmission line substations. Our backcountry will be the ultimate rural sacrifice zone, and the cumulative impacts to a wide variety of resources will only multiply.

Alleged benefits of wind energy do not outweigh the negative impacts of local human and natural communities and to both utility ratepayers and U.S. taxpayers. Intermittent wind energy projects require an almost equal number of megawatts of gas-fired backup or other base load generation to balance the transmission grid for when the wind does not blow.

Claims that wind energy will reduce greenhouse gases need be backed up with documentation. Multiple reports show no net reduction in greenhouse gases from wind energy.

SDG&E's Michael Niggli was quoted in the San Diego Union on May 23rd --

DR. PELL: Excuse me. What was the name of

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that person again?

MS. TISDALE: Michael Niggli.

DR. PELL: Can you spell that for the reporter?

MS. TISDALE: Michael N-i-g-g-l-i.

DR. PELL: Thank you.

MS. TISDALE: -- was quoted in The San Diego Union-Tribune on May 23rd of this year saying, quote, People need to understand the intermittency challenge we have. Wind comes and goes, and on the hottest days of the year there's no wind, and you still need to provide power to your customers. These resources are not under our control but under the control of nature, unquote. And gas plants take up that slack and Sempra provides that gas. That's very convenient and very profitable.

More wind energy has actually resulted in more gas and coal-fired generation including in China, Germany, and Spain. Utility ratepayers and taxpayers pay a much higher price for an intermittent and unreliable energy resource and the necessary backup generation with all the related infrastructure.

A cost-benefit analysis should be done for all industrial wind energy projects, including Energia Sierra Juarez. Despite the fact that the turbines will be built in Mexico, the wind energy is for export only to California and impacts of that energy production will

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be felt in both countries. Those impacts would not occur without the Presidential permit for the necessary power line.

With impacts from connected actions and cumulative wind, solar, and transmission projects in addition to ESJ, there will be reduced property values, loss of rural community character, and quality of life overall. ECO tourists will no longer want to visit our area and spend their money here.

All the studies that show wind energy and the related infrastructure does not reduce property values have been funded by the wind industry or government-related groups that are pushing wind industry. Studies produced by experienced real estate appraisers do show significant property value impacts.

DR. PELL: Do you have access to any of those studies, Donna?

MS. TISDALE: Yes, I do.

DR. PELL: Will you share those with us, please?

MS. TISDALE: Yes, I will.

DR. PELL: Okay. Thank you.

MS. TISDALE: The increased number of 400- to 500-foot turbines, power lines, transformers, and substations result in an increased risk of wildfire and

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increased fire insurance rates and/or cancellation.

Low-frequency sound and vibrations and shadow flicker impacts on humans, livestock, and wildlife result in stress-related illnesses and disease. In Taiwan, a goat farmer lost most of his flock that starved to death due to stress and lack of sleep. Alpaca farmers elsewhere have had to relocate to save their herds after turbines were built nearby.

A woman named Paula Stahl wrote a letter a few years back --

DR. PELL: Paula who?

MS. TISDALE: Stahl, S-t-a-h-l.

DR. PELL: Thank you.

MS. TISDALE: -- wrote a letter a few years back describing how all the wildlife left the area after the construction of a 66-megawatt Mountaineer Wind Energy Center in West Virginia. And that's our future. We'll lose our wildlife.

Ambient noise levels in these quiet and rural natural areas are lower, especially at night, and sound carries further in our higher elevation and thinner air. Noise and vibration impacts can be felt up to several miles away. ESJ turbines will not only impact resources in Mexico, they will also impact the protected areas and wildlife that rely on those protections, areas of the

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Jacumba Mountain Wilderness and other areas.

We recommend that the DOE deny this permit and that Sempra's SDG&E get busy complying with energy efficiency requirements that only 37 percent of what they're required to be at and start building and supporting more renewable energy projects where the energy is used instead of destroying some of the most accessible wild places left in eastern San Diego County and northern Baja. Thank you.

DR. PELL: Thank you, Donna. Appreciate that. Any documents you can give us to support that statement will be greatly appreciated.

I'm sorry, Patrick. If you're going to ask her a question, ask it so that the reporter can catch it.

MR. BROWN: I want her to send me the link to the symposium.

DR. PELL: Next is Mark Ostrander.

MR. MARK OSTRANDER: I'm going to use the corner of the table here.

DR. PELL: Sure.

MR. OSTRANDER: Looking through your EIS, under 3.9.1.3, staffing levels at Jacumba Fire Station, it's the wrong station, number one, also says it's got one full-time firefighter and four volunteers. That is incorrect.

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I also noticed on your fire --

DR. PELL: Excuse me, Mark. Can you tell us what is correct?

MR. OSTRANDER: Staffing? You mean what the staffing level's currently?

DR. PELL: Well, you said it's not correct, so do you know what the staffing is?

MR. OSTRANDER: Zero.

DR. PELL: Zero?

MR. OSTRANDER: Zero staffing level.

DR. PELL: No full time, no volunteer?

MR. OSTRANDER: (No audible response.)

DR. PELL: In other words, no fire --

UNIDENTIFIED VOICE: You got it right.

MR. OSTRANDER: You might get someone in there in the event of a special staffing or something if there's extra bodies from Cal Fire to staff it, but that depends on what Sacramento decides to do on their staffing levels. So it's not a given. There is no staffing there.

602-1 Okay. I have a question on Map 3-123 which is your fire hazard severity zones. What is that map based on? It does not look like the fire hazard severity map that's used in the State as a standard, 'cause it's a lot different than that, and it's rated in different

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RESPONSE TO 602-1: The fire hazard severity map used for Figure 3.9-1 is from CAL FIRE, 2007, as noted in the figure sources. DOE reviewed the relevant fire hazard maps and confirmed that the CAL FIRE 2007 fire hazard severity map is the current adopted fire hazard severity zone map. As shown in the 2007 map, the ESJ U.S. Transmission Line project would be constructed primarily in an area that has a fire hazard designated of "very high." A more recent CAL FIRE map published in May 2008, which is not yet adopted, indicates a recommended designation of "Very High Fire Hazard Severity Zone" for the ESJ U.S. Transmission Line project site. This more recent map, if adopted, would appear to retain the currently adopted fire hazard severity rating for the project site. These fire hazard severity ranking maps are available online at: http://www.fire.ca.gov/fire_prevention/fire_prevention.php

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602-1 areas and very high and high and the boxes and everything, but I don't see who produced this map.

DR. PELL: Okay.

602-2 MR. OSTRANDER: Number of fires: It said the number of fires were 225 and that was since 1959. My question is, is how many of those fires were after 2000 when the climate change started happening and the fire activities picked up? You know, that's a pretty big statement to say from 1959. Were the fires more prevalent in 2000 or was this over -- so we need to maybe narrow that time down, because climate change has made a difference.

602-3 Socioeconomics: I think this is going to fall under -- but it was also under fire and hazards, fire insurance costs have already gone up in this area due to the wildfires that were out here. With the project going in, it's going to increase it more. We went from a seven to a nine under the ISO rating. That significantly increased fire insurance costs to residents out here. With another project, it's going to bring more fire hazard. That could bring us to feasibly a ten which will increase it significantly.

My last part of this is there is no mention at all that that cross-gen connect is going to bring green energy. They could put anything else on there I take

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RESPONSE TO 602-2: Section 3.9 is revised to indicate that in San Diego County as a whole, there have been several major wildfires in the past 10 years.

RESPONSE TO 602-3: The Insurance Services Office, Inc. (ISO) publishes information regarding its numerical grading system for fire protection, which is one determinant of fire insurance rates. That information indicates that the scores are based on a community's fire suppression capabilities. The presence of potential hazards in the area is not identified as a factor in the ISO score. Additional information is available online at: http://www.isomitigation.com/ppc/2000/ppc2007.html.

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it. So it's being sold as -- it's going to sell green, but what happens if they put fuel fire generation on it? Is it going to be allowed on that cross tie? That's my question.

DR. PELL: Thanks, Mark. Appreciate that. This issue of what the line would be used for also came up last night at Jacumba. I should say that we raised that issue. The Department of Energy raised that issue with Sempra, and we have in writing a letter from them that states that they would agree to a permit condition limiting the line to the use of only renewable energy. So we have looked into that.

MR. SMITH: Does DOE accept that letter as a condition?

DR. PELL: I can't answer that until the actual Record of Decision and Presidential permit are issued, Kevin, but we have that on the Web site. It's an official document, part of the application.

MR. SMITH: I'd like to make an official recommendation that you accept that responsibility.

DR. PELL: Would you hold that until you're up to speak, please, Kevin, because otherwise we're going to get all confused about who's saying what to --

MR. OSTRANDER: For my final comment I'll ask that same recommendation, that it be recommended that

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only green energy go onto that line for renewables.

DR. PELL: Okay. We'll add that to Mark's comments.

George Mireles, do I have that correct?

MR. GEORGE MIRELES: Yes. So the only thing we're talking about is just about the environmental impact and on -- right, from what you're saying at the beginning or is this just more of some other things?

UNIDENTIFIED VOICES: Say what's in your heart.

MR. MIRELES: Well, I have a few concerns 'cause there's been at least three SDG&E people, like people I've seen walk from their car to -- and I'm around in stores that they said that -- well, besides that power took most of the contract for the workers and everything, how they want to do all the work and how they're explaining it, my main concern was is that they were saying that "Oh, we just put this -- we're just going to put this line up and it's not really because we want to get the green energy. It's just that we want to put it up and then hope that the people be contract to get the green energy passes and everything. So you're -- it's not that you're guaranteed to have these green energy sources. It's just that you're hoping that you might get them."

And this is not something where I'm just making

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it up. This is coming from, you know, SDG&E people where -- you know, if this is a -- like the guy said, it was a green source and then why are they saying that it might not -- there's like a chance that we might not get it or you guys might not get those sources?

DR. PELL: Is that it?

MR. MIRELES: Yes.

DR. PELL: Thanks, George. I'm not going to say anything additional to what I just said before --

MR. MIRELES: Right.

DR. PELL: -- on that particular subject.

You don't have any names of the people who said any of these things, do you?

MR. MIRELES: I can probably get two of them out of three.

UNIDENTIFIED VOICE: They'll probably lose their job.

DR. PELL: Dennis Berglund.

MR. DENNIS BERGLUND: Well, we are local residents and speaking for ourself, we own a business here and we're professional electrical engineers.

602-4 We're concerned about this project primarily because when the Sunrise Powerlink was asked to be a renewable energy transmission line, SDG&E said they would refuse to build it if they had to commit to

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RESPONSE TO 602-4: Refer to the response to comment 305-1 for information on assurances that the transmission line would be used only to transmit electricity generated from renewable sources.

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33 percent renewable energy.

We think that you should insist and accept the letter that says that this will only be used for renewable energy, for several reasons. First of all, SDG&E has one and participates with another gas-powered power plant just across the border, within view of the border in Mexicali. As you probably know, they have a huge investment in an Ensenada LNG plant where they bring foreign gas into the country.

DR. PELL: Excuse me, Jane. Do you know that

602-4 word, Ensenada?

MR. BERGLUND: Liquefied, Ensenada, and liquefied natural gas. We know that there's a lot of natural gas, of course, in America. Well, Sempra has chosen to buy it in Indonesia and Russia and bring it over here. They have a 24-inch, I believe, high-pressured gas line running to Mexicali which is capable of firing more power plants, and I envision that this plant, because of their past actions, or this line would eventually be used for other than renewable energy unless there's a solid reason and a commitment in that regard.

Otherwise, it's rather amusing that we will build a freeway for energy across the border, but we have a real hard time having workers come across. So in

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other words, we'll use Mexico for our best interest but not their cultural.

602-5 The last item that I'd like to mention, because these are actual instances that have occurred in the past, is there needs to be a bond for removal of this equipment when it's unused. You're probably aware that there's projects all over the United States and in particular in California in the Palm Springs area and the Tehachapi area and the Tracy area, that there are derelict wind farms that are just sitting there.

Now, I have been told on some of these issues that "Oh, this is going to be a commitment," but unless there's a solid bond for removable, these things will sit there. And as you know, as the technology goes along, new technologies replace old technologies, and I can tell you that with these wind generators technology has moved along considerably just in the last few years.

As an example, they're using variable frequency drives now which means the whole drive mechanism is different. They probably wouldn't upgrade those. Secondly, they're moving all the material, all the mechanism, to the bottom so all the ones that have the mechanism up at the top will probably be unused. Unless there's a commitment to do something about that, what we'll end up with in 50 years is a bunch of derelict

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RESPONSE TO 602-5: A performance bond of this nature would be best addressed by local agencies that have the authority to monitor for compliance and provide enforcement. DOE will consider this as a potential mitigation in the Presidential permit.

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1 devices sitting there which will become an eyesore and
2 of no practical value.
3 Now, as regards to fire and fire insurance, I
4 will tell you as a resident out here, our insurance is
5 $4,000 a year for fire. Now, I don't know if any of you
6 people living in the city pay that kind of fire
7 insurance. Not only is our insurance $4,000, but it
8 goes up 4- to $600 a year. This will --
9 DR. PELL: Excuse me. Are you talking about
10 $4,000 a year for an average household?
11 MR. BERGLUND: Yes, we have an average
12 household. This particular residence is on eight acres
13 and we just negotiated it. In fact, we had one
14 insurance company that said, "You know, we really don't
15 want to do this anymore, but if you'll jump over all
16 these hurdles we'll let you." Well, we went to another
17 one, which was all right, but every year I've got to
18 tell you it goes up 4- to $600.
19 DR. PELL: Does the State have a program of
20 providing insurance of a private carrier-owned provider?
21 MR. BERGLUND: To my knowledge, no, not --
22 MS. BILLIE JO JANSEN: They do but it's not
23 cheap.
24 MR. BERGLUND: And I don't believe it fits
25 fire, does it?

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UNIDENTIFIED VOICE: Yes, it's for fire. It's just for fire.

MR. BERGLUND: Several years ago --

MS. JANSEN: It's only if no one else will take you.

MR. BERGLUND: Several years ago our fire insurance went up about 15- to $1,800 in one year and we said, "This is kind of unreasonable."

You know the answer we got back? "Well, you were just paying too little before." But we are in the highest rated fire area. And as Mark said, we can only see this go up. So it makes it very, very expensive to live up here in the country. Thank you.

DR. PELL: Thank you Dennis.

MR. BROWN: Dennis, I have a question for you. When you mentioned the bonding requirement, were you inferring the wind turbines in Mexico or the bonding for the removal of the five lattice towers and the lines? Because in this case here, that's the only thing that could be bonded. Is that what you're interested in or are you just talking in general?

MR. BERGLUND: Well, I'm talking primarily the wind, the tower. You know, the engineering on transmission lines is pretty antiquated. You know, I mean in the future of transmission lines is they're

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1 really going to be nonexistent. You know, our future is
2 just not going to be practical this way, and they're
3 finding that out with smart grid technology. What
4 they're really finding is you really shouldn't send this
5 stuff too far. So I'm not as worried about that. I'm
6 primarily worried about all the structures which have
7 that ability or the necessity to mature technologically
8 because the stuff will just be sitting there not used.
9 DR. PELL: You know we have no jurisdiction
10 over Baja California.
11 MR. BERGLUND: Well, if you don't have any
12 influence, you shouldn't be doing this line at all.
13 UNIDENTIFIED VOICE: Right, exactly.
14 UNIDENTIFIED VOICE: Yeah.
15 DR. PELL: Okay.
16 MR. BERGLUND: You're telling me you're going
17 to build a string, but I have no control of what the guy
18 is going to do on the other end of the string.
19 DR. PELL: I'm not telling you that I'm going
20 to build --
21 MR. BERGLUND: Well, as a scientist and a
22 doctor, you know, and I don't know what your doctorate
23 is in, but you wouldn't accept that premise.
24 DR. PELL: Dennis, I appreciate your comments.
25 Thank you very much.

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MR. BERGLUND: Very good.

MR. SMITH: Dennis, may I ask a question? Would your insurance go down at all if they put the lines underground?

MR. BERGLUND: I don't know that. I don't know that. You know, insurance companies are an interesting group. They need to make money and they're going to take the fringe groups and they're going to charge the more money, so there's always that process. You know, I tell people it costs more money to live in the country and they say, "Well, how can that be? All the poor people live in the country."

I say, "Give it a try."

MS. BILLIE JO JANSEN: Why do you think they're poor?

MR. SMITH: Because they said they were going to turn the power off when they thought there was a fire and maybe that would cause your insurance to go up? Maybe if they under-ground the lines it wouldn't go up.

DR. PELL: Gentlemen, can we return to the hearing, please.

MR. SMITH: Certainly.

DR. PELL: Kevin, you're next. Kevin Smith I believe.

MR. SMITH: When you started the conversation,

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1 last night you had mentioned that there was only
2 one mile that is in this EIR up to the substation that
3 was just up by the border, and today you said it goes
4 all the way to ECO.
5 Now, is the ECO to Domingo Lake or is ECO just
6 above the border?
7 DR. PELL: Excuse me. The .65 miles refers to
8 the length of the line from the U.S.-Baja border to ECO
9 Sub, and the one mile I was talking about is the
10 distance south of the border to the substation on the
11 Mexican side.
12 MR. SMITH: I was actually talking about, does
13 ECO run underneath the South Powerlink and over where
14 Domingo Lake is? Is that where the ECO is planned
15 currently?
16 MR. BROWN: The ECO Substation is as indicated
17 here, but there's a 138-kV transmission line that would
18 run over to Old Highway 80 and then from there shoot
19 north towards Boulevard. So it's an additional power
20 line that's not there now, would run within the existing
21 500-kV right of way with the Southwest Powerlink, and
22 then when it got right to about Old Highway 80 closer
23 towards Boulevard -- I don't have a map to show you. It
24 shoots due north or in that area.
25 MR. SMITH: But they call that one the ECO

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Substation?

MR. BROWN: That's part of the ECO Substation project, but it's a 138-kV power line. The actual substation itself is here as indicated in this map.

MR. SMITH: Okay.

MR. BROWN: Yeah. It's a component of that project.

MR. SMITH: So where is the power supposed to go to?

DR. PELL: I don't understand the question, Kevin. From where?

MR. SMITH: Well, we've got a lot whole of power we just put in a substation.

What are we going to do with it?

DR. PELL: It goes into the grid.

MR. SMITH: What grid? There's no grid there.

DR. PELL: You'd have to talk to the applicant about that.

MR. SMITH: I'm asking a serious question. You can't say what grid. Come on.

MR. BROWN: It loops in right there.

DR. PELL: The present expectation is that the ECO Sub would connect to the proposed Sunrise Powerlink.

MR. SMITH: No, no, no. It's not supposed to go to Sunrise Powerlink.

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UNIDENTIFIED VOICE: That's not correct.

MR. BROWN: To the existing Southwest Powerlink.

MR. SMITH: It's only going to go to the south link and there's no power on south link to get anywhere.

That's why I want to ask the question: What are you going to do with it?

DR. PELL: Well, to my understanding, and I'll ask Alberto Abreu from the company to amplify on it if he would like, is that the current situation on the Southwest Powerlink is it can accommodate up to 80 additional megawatts of energy. Beyond that, the burden would fall on the CPUC to provide a conveyance for the power to the grid.

Alberto, do you want to add anything to that?

MR. ALBERTO ABREU: Yes. The ESJ project is going to connect into the ECO Sub which is going to loop into the Southwest Powerlink. The Southwest Powerlink doesn't have a physical limitation as to how much energy can get on it. What it has is, the Cal ISO has a special protection scheme that they apply throughout their area, the Cal ISO control area, which limits how much power can be tripped off line if a line goes out.

So in other words, if Southwest Powerlink were to go out, or any other line for that matter, they limit

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1 the amount of generation that can be hooked up to that
2 line to a certain number so that if they have to trip
3 the line not too much energy gets lost. Right now that
4 limit is being approached, and there's 80 megawatts of
5 freeboard there between what that limit is and what's
6 actually connected to Southwest Powerlink. But that
7 limitation is purely a special protection scheme
8 limitation. It's not a physical limitation on Southwest
9 Powerlink.
10 What Sunrise or some other improvement like it
11 would do is it would allow the removal basically of that
12 limitation, because power can then flow in a different
13 direction, a different path. Then if Southwest
14 Powerlink goes down, the power that's being injected
15 into Southwest could then flow in a different path.
16 So the power would come in from our project,
17 would go into Southwest Powerlink, and, like I said,
18 there's no physical limitation on Southwest Powerlink.
19 Well, there is but we're not near that.
20 MR. SMITH: Well, they're 80 megawatts away
21 from it.
22 MR. ABREU: You're 80 megawatts away from a
23 special protection scheme threshold but --
24 MR. SMITH: That special protection scheme
25 threshold is exactly what the limit is. You cannot put

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more on there than that. The only reason that you can put more on it than that is just in the absence of a shutdown and no other time.

MR. ABREU: No, no, that's not correct. We can put all the 100 or whatever megawatts --

MR. SMITH: 1,000 megawatts?

MR. ABREU: We can put all the megawatts into that line. What happens then is that existing generation and future generation would then be curtailed under certain conditions of overload conditions on that line. So if you're putting that much power in, these other generators would be curtailed, but you can put all that power in there.

MR. SMITH: Well, that's very true as long as you can kick everybody else off.

MR. ABREU: Well, we won't do it.

DR. PELL: Let's not turn this into an argument.

MR. SMITH: I'm asking a question.

MR. ABREU: Cal ISO is the one that controls the grid and they're the ones that control who is on and not on.

MR. SMITH: But weren't they there first?

MR. ABREU: They were there first, but there are certain -- Cal ISO, the way it kicks people out of

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1 injecting power, it's an economic-based threshold. So
2 the lowest incremental cost generators get kicked off
3 last.
4 MR. SMITH: Oh.
5 MS. JANSEN: So does that mean that the people
6 participating in distributed generation from the local
7 communities will be the first off or the last?
8 MR. ABREU: I don't know the answer to that
9 question.
10 MR. SMITH: They would have to be last.
11 MR. ABREU: I don't know the answer to that
12 question.
13 DR. PELL: Okay. Let's get back to the
14 hearing, please.
15 MS. JANSEN: Well, that needs to be answered.
16 MR. SMITH: I'll ask her question again if you
17 don't mind. Does that mean the distributed generation
18 that would occur in any community or this community
19 would go off first or last?
20 DR. PELL: That's probably a question for
21 Cal ISO.
22 MR. ABREU: I think we may have an answer for
23 that.
24 DR. PELL: All right.
25 MR. SCOTT CRIDER: For the record,

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1 Scott Crider, C-r-i-d-e-r, Sempra Generation. Any
2 distributed generation resources would be accessing the
3 transmission grid, the Southwest Powerlink anyway, so it
4 would have zero impact.
5 MR. SMITH: Very good.
6 DR. PELL: Typically they're much lower
7 voltage.
8 MS. TISDALE: I do have a question on the
9 connection and priority, because SDG&E has a power-first
10 agreement with the Imperial Valley Solar that was just
11 approved and that's 300 megawatts, and Tule Wind also
12 has an agreement with SDG&E to use the Southwest
13 Powerlink through this substation, so who would have
14 priority, whoever gets built first?
15 MR. ABREU: Well, renewables are first in line.
16 They would not get kicked out, so you would first kick
17 off all the, basically, fossil-fired generators.
18 MS. TISDALE: Well, Tule Wind told us that
19 SDG&E had informed them that they would be kicked off
20 the grid, you know, whenever.
21 MR. ABREU: I wasn't privy to that
22 conversation, so I can't really comment on that; but the
23 way the system works is the low-cost incremental
24 generators get first access. So renewables, because
25 they have no incremental cost of generation, get on the

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line first.

MS. TISDALE: Well, I know that SDG&E has agreed to pay above-market record price for Stirling or Imperial Valley Solar and I know that wind energy is very expensive, so it -- I really don't --

MR. ABREU: It's not the cost of the generation, Donna. It's the cost of the -- basically the fuel cost and it's zero for renewables.

DR. PELL: Okay. We're getting well beyond the scope of the EIS at this point.

Kevin, did you have anything further you wanted to add?

MR. SMITH: No. That's good. Thank you.

DR. PELL: Thank you.

MS. TISDALE: It would be nice to get these answers on the public record, though. Everybody has a lot of questions.

MR. SMITH: Oh, I did have one other question I'd like to ask.

602-6 Is there going to be anybody doing inspections of any of the digging sites for archeological things? I know that the train is actually an archeological site. It's actually old enough now that it is considered historic. And there's been quite a bit of culture up here. It's normal and typical that somebody's always

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RESPONSE TO 602-6: Refer to Section 3.5.2 for information on the procedures the applicant would follow if unanticipated archaeological finds are encountered during project construction.

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602-6 present when any digging occurs in an undisturbed soil and even in disturbed soil most oftentimes. So I would think it would be typical and normal that you would have somebody here to pick up all the archeological things and stop anything if they do find anything. I'd like to make sure that that occurs.

DR. PELL: Okay. Thank you, Kevin. Fair point.

"Billiedo," I'm not sure. B-i-l-l-i-e-d-o; is that correct?

UNIDENTIFIED VOICE: Billie Jo.

MS. JANSEN: It's Billie Jo actually, Billie Jo Jansen, in Campo.

602-7 I look at this with a certain level of amazement, because we're allegedly developing a policy in this country of being independent in our energy generation, and yet I look at this and say, "Well, okay. We're giving taxpayer goodies to a large and monopolistic entity to go into another country and exploit their resources and bring it back here." And I'm looking at that and going, "How is that different from our relationship with the Middle East?"

And I might point out as well when you're thinking about a Presidential permit for such a thing, don't you need to think about the President's policy, as

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RESPONSE TO 602-7: 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. DOE will consider these comments as well as all other comments received in that proceeding before making a final determination on the permit application.

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well? And don't you need to think about how we're going to defend that resource if it comes to that?

We're doing that in the Middle East now. Mexico is less stable than most OPEC countries, and there's no end in sight for that. It's getting worse every year. I think this needs to be considered carefully.

I'm also going to sharply disagree with you on the inclusion of economic information. Social justice always has an economic component. In fact, it's the biggest part of social justice, is the economic

602-7 component.

We have impacts to the taxpayers who are helping to fund this, albeit indirectly. We have impacts to ratepayers. We have impacts to defenseless rural communities who are just being trampled and if that isn't social injustice, I don't know what is. We are paying more for our fire insurance so that other people can go get stuff from Mexico and bring it and sell it here. We're going to pay more for our electricity rates.

There's a strong economic component. And I'm not talking about the company's bottom line. I'm talking about our bottom line. These things need to be part of this assessment.

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DR. PELL: Billie Co, first of all, this is not --

MS. JANSEN: I'm not here to debate. I'm here to tell you what I think and that's what I think and I'm also going to put it in writing.

DR. PELL: That's great and I look forward to receiving that, but it's worth mentioning this is not a government project. This is a private sector --

MS. JANSEN: No, but we are helping to fund it. We are offering taxpayer goodies to these people.

DR. PELL: This is a private sector enterprise. There is no taxpayer money involved in the project. There is no vested interest.

MS. JANSEN: Okay. There's no taxpayer --

DR. PELL: May I finish, please?

MS. JANSEN: -- benefit, taxpayer beneficial grants, right.

DR. PELL: There is no taxpayer involvement in this project. There is no vested interest in this project by the government. We have no function other than to consider whether or not the permit is appropriate.

MS. JANSEN: Who is making up for the tax benefits that they get from doing renewable energy?

DR. PELL: I have no answer to that. That is

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completely beyond --

MS. JANSEN: That's because it's us.

DR. PELL: It's completely beyond what we're doing.

MS. JANSEN: No, it's not. It's part of this and it needs to be part of this. That's what I'm telling you.

DR. PELL: That's a proper question for the State and local authorities like the CPUC, like the County, like your local rating bodies --

MS. JANSEN: And you also --

DR. PELL: -- not for the Federal Government.

MS. JANSEN: -- should be looking out for us because we're ratepayers in this County.

DR. PELL: But the project is what we call a merchant project proposed by a private sector enterprise. It's what we call a third-party project. We have no vested interest in the outcome of the project. They are paying for the analysis. They are paying for these meetings. They are paying for the conduct of the environmental review. And the only taxpayer money that's involved at all perhaps is you could argue that my salary is taxpayer money, but that's the full extent of it.

MS. JANSEN: They also have tax benefits.

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1 Obama's administration has made a huge big deal out of
2 this.
3 DR. PELL: Not directly relevant to the
4 application for a Presidential permit, Billie Jo.
5 MS. JANSEN: I see.
6 MR. SMITH: Can I make a comment? It is
7 directly relevant.
8 DR. PELL: Okay. I don't want to turn this
9 into an argument session. If you have something
10 specific --
11 MS. JANSEN: There are economic impacts to the
12 people who live in these communities. There are
13 economic impacts to the ratepayers of approving this.
14 DR. PELL: Okay.
15 MS. JANSEN: And there needs to be a comparison
16 of how well we do if this is not built and how well we
17 do if it is.
18 DR. PELL: There's an environmental justice
19 analysis in the EIS. If you feel it's deficient, then
20 please document that in your subsequent written comments
21 and we will look at that.
22 MS. JANSEN: If those impacts were not
23 analyzed, it's deficient.
24 DR. PELL: Well, then you submit that to us in
25 writing with more clarification and I'll be glad to take

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25 writing with more clarification and I'll be glad to take

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a look at it.

MS. JANSEN: I hope you'll take a look at it based on my verbal comments which I presume were appropriately taken down. Thank you.

DR. PELL: You can do that as well, but if you would like to augment it, we would certainly welcome that.

Kevin, you wanted to add something?

MR. SMITH: Yeah. Going back to your comment that you want to make sure that everybody understands how this is, I don't understand where the power goes. I still don't understand where the power goes. And unless you understand where the power goes, you haven't finished your EIR. You can't just say it stops right there.

DR. PELL: I didn't say it stops anywhere. I'm telling you that it's of no relevance to me as to where it goes.

MR. SMITH: Then you're saying you don't care about the EIR.

DR. PELL: It's not an environmental impact. Once it enters the grid --

MR. SMITH: It isn't in the grid yet. It hasn't made it to the --

DR. PELL: Okay. The physical mechanism of

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1 getting to the grid is what we're looking at. The power
2 itself --
3 MR. SMITH: It didn't get to the grid.
4 DR. PELL: The power itself is beyond our
5 jurisdiction. That's an appropriate question for the
6 people that control rate making and power movement
7 within the State, like the CPUC, like Cal ISO --
8 MR. SMITH: I'm going to repeat myself.
9 DR. PELL: -- not for DOE.
10 MR. SMITH: I know you can talk fast, but I can
11 talk just as fast. It didn't make it to the grid. It's
12 not there. It stopped in the middle of a lawn. It
13 didn't go to the grid. I'll say it again: It didn't go
14 to the grid.
15 DR. PELL: Okay.
16 MR. SMITH: Look at the paper work. It doesn't
17 make it there. There's no connection in the wires. You
18 don't have it all the way there. Show me where it gets
19 to make the connection.
20 DR. PELL: You're asking me about the proposed
21 intent of the ECO Substation.
22 MR. SMITH: Yes, that one right there.
23 DR. PELL: And Patrick did --
24 MR. SMITH: There is no power line there. You
25 don't have a connection.

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1 DR. PELL: If you'll look at the diagram,
2 you'll see that there is a loop to Southwest Powerlink.
3 MR. SMITH: Yeah.
4 DR. PELL: Well, that's the connection.
5 MR. SMITH: Okay. Then why do you buy the
6 whole other loop for the other continuation at ECO
7 Substation? It doesn't have any capacity. No one has
8 ever gotten on a line without capacity. That is an EIR.
9 Do you just let anybody do anything because
10 they say they want to do it?
11 DR. PELL: Kevin, we've just gone over that
12 ground and the company did just answer you. Alberto did
13 explain it.
14 MR. SMITH: We didn't go over it at all. We
15 avoided it. We talked about how 80 megawatts is enough
16 to take 1,200. It's insanity.
17 DR. PELL: Moving right along -- thank you,
18 Kevin.
19 MR. SMITH: Thank you.
20 DR. PELL: -- Lorrie Ostrander? Oh, I'm
21 finished. No.
22 MR. BROWN: No, that's Ms. Ostrander.
23 DR. PELL: I'm sorry. Lorrie Ostrander, right.
24 Hello again.
25 MS. LORRIE OSTRANDER: Good evening, sir.

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1 Thanks for being here. And I have a couple of issues.
2 Of course, others have brought them up, but when we talk
3 about insurance, first of all, let it be known I am not
4 intelligent with all these abbreviations and
5 dah-dah-dah-dah-dah. Okay?
6 But anyway, I have concerns as far as what I
7 just received, information talking with my insurance
8 agent today. Our insurance went up $300 in one year. I
9 was shocked knowing that other things were going to go
10 up as well. And in order to bring it down at an
11 affordable yearly price, we had to up our deductible,
12 and that kind of hurts because he plans to retire this
13 year, but we'll do. We scraped before; we'll scrape
14 again.
15 We are trying to go as green as possible on our
16 own home and going through difficulties with certain
17 areas, but yet we're allowing others to put these
18 humongous fire hazard material all around us that does
19 medical damage to people. You can talk to people in our
20 community who are going through medical problems ever
21 since they went up. Okay.
22 Past meetings Sempra made a notation that our
23 property and in that area on the west of Jacumba town
24 was not going to be affected with anything. Last night
25 I brought up an issue that was a fib. For whatever

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1 reason, they could not do their ground control on the
2 other side east of Jacumba, on the other side of the
3 mountain. They brought it to our location, like 1/16 of
4 a mile away from our well, hard-core drilling for over a
5 month.
6 They left two big holes right there. They said
7 they were going to remove everything, which they did,
8 and now in these huge boulders on this property there's
9 holes. Who's going to fall in them? I'll tell you
10 who's going to fall in them and who's going to get sued.
11 I'll tell you who's going to get sued. International
12 travelers are going to fall in them and we're going to
13 get sued like we have in the past.
14 MS. JANSEN: Taxpayer costs.
15 MS. OSTRANDER: Yes, taxpayers' costs. Okay.
16 The reason why our insurance went up --
17 DR. PELL: You're talking about fire insurance,
18 Lorrie?
19 MS. OSTRANDER: Yes, yes, sir. Because of the
20 Harris Fire which was two years ago, who started that
21 fire? International travelers. The Cowboy Fire,
22 international travelers. In Mexico -- right at the end
23 of our property line is the border fence -- there isn't
24 a day that does not go by we witness fires being
25 started. As a matter of fact, sir, two of them this

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1 past summer were right on the hillside where the towers
2 are, the turbines.
3 What are you going to do to protect this
4 country from a country who cannot? Our firefighters
5 just recently on the Tecate Fire, to put out that fire
6 and protect the homes in Tecate, because their
7 firefighters couldn't do it, our firefighters went,
8 risking their lives and, once again, that's exactly what
9 we're doing. We're putting them on a fire line because
10 there's a country who doesn't care. They don't care
11 about their water supply for their people. They don't
12 care about their air ordinance, because if they did,
13 they would have better fuel instead of bringing it here
14 and it smells like rotten eggs.
15 And now we're letting the turbines come in.
16 There's an area where the turbines were destroyed in
17 last year's lightning storm -- we all well know about
18 it; it was all in the paper -- it is now a grave site
19 for those blades and the poles.
20 MS. JANSEN: You mean they haven't cleaned them
21 up?
22 MS. OSTRANDER: They have not cleaned them up
23 and you can still see them from Highway 8.
24 MR. BROWN: She's talking about the
25 reservation.

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1 MS. OSTRANDER: Yes. I was going to say it's
2 Federal, you know, bring it up with the Federal
3 Government and all that. But this is what I'm saying.
4 There's talk on the other side that the work that
5 they've done on that side, there's stuff that's yet to
6 be cleaned. Is this what we want in our backcountry?
7 No, thank you. We love the night airs, the stars.
8 That's why we all live out here.
9 But once again you guys just want to take away
10 life as we see it, the trees, the boulders. I got a
11 kick out of it when SDG&E and others said they were
12 going to replace the boulders. Excuse me. You can't
13 move those boulders and then expect to move them back.
14 The roads that have got to go in, by the time -- I'm
15 real quick.
16 DR. PELL: No, it's all right.
17 MS. OSTRANDER: By the time the SDG&E sends
18 somebody out to clear the poles on our property, it's
19 late in day. It's late October. And guess what? I've
20 already done it because I want to fire protect my
21 property. We do everything we can not only to protect
22 us but the one neighbor we have next to us.
23 So I just hope that you folks can, as far as
24 permitting, help the homeowners first that are trying to
25 go green. We're having a hard time. I don't see a use

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for these big turbines.

UNIDENTIFIED VOICE: Hear, hear.

DR. PELL: Lorrie, did you have a chance to read the fire hazard analysis in the EIS?

MS. OSTRANDER: I probably wouldn't get past the second sentence, sir, to be very honest with you.

DR. PELL: Do me a favor. Between now and November the 1st, give it a shot, try to read it, and if you think that we're missing stuff, let me know.

MS. OSTRANDER: Well, sir, I can almost guarantee you, being a firefighter's wife for 38 fire seasons and standing by that individual as well as all department's side, when I know that there's a fire and there are power lines and these new wind turbines going up and knowing that our pilots are jeopardizing trying to avoid and half the times on a very, very foggy night, which we do get up here on the mountains, you cannot see the lights. And when I know that those firefighters are fighting in a bad storm, wind and just all these conditions, and our pilots are up there trying to avoid, all we're doing is making a worse disaster for them. They cannot fight a fire a thousand feet on both sides. So what does that do? That puts us in a danger.

I live a half a mile away from power towers already. The turbines, I can see them from my property

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and knowing that that vision right there is what I used to be able to look at at night is really sad 'cause it's gone, and I don't want to see any more of that being taken away. Come out of the city once in a while and see the stars. People who came from the city and saw it and then they see all these wind turbines and everything, sure, they took pictures and they said, "Man, they make a lot of noise."

And I go, "Try and live there."

DR. PELL: Thank you.

MS. OSTRANDER: Thank you, sir.

DR. PELL: That's everybody that I had in writing that completed a form and said they wanted to speak, so now it's open mic. Anybody who wants to talk, we still have a half an hour to go. So if you would like to say something, please do.

Gentleman in the back?

MR. LARRY JOHNSON: I had a --

DR. PELL: Sorry. Would you please tell us your name.

MR. JOHNSON: Larry Johnson for REAL. I turned in a slip.

DR. PELL: You did?

MR. JOHNSON: Yeah.

DR. PELL: Did you mark on it that you wanted

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to talk? Because I didn't get it.

MR. JOHNSON: I checked towards the bottom of it.

DR. PELL: Okay.

MR. JOHNSON: Do you have it or somebody have it?

UNIDENTIFIED VOICE: I have it, but the speaker box isn't checked.

MR. JOHNSON: Okay. That's fine.

DR. PELL: No, no, no.

MR. JOHNSON: Sorry. I'm Larry Johnson from Campo and I'm a representative for REAL, Rural Economic Action League, which is a group throughout the whole Mountain Empire, and I would sort of like to come at this from a slightly different angle and sort of back into it, because I know you don't want us to say that we don't want it.

DR. PELL: You can say it. No problem.

MR. JOHNSON: But that's sort of what it is, but approaching it from the standpoint of the alternatives that you looked at, one was no project

602-8 which I think you can come at from the angle of saying why is this being proposed and what would be the benefit? And if Mexico has a project down there that would be for renewable energy -- and I really like

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RESPONSE TO 602-8: Section 2.8.1, which was added to the EIS in response to comments, addresses the potential of a direct interconnection to Mexican transmission lines using the WECC transmission corridor and explains that this alternative was considered but dismissed from detailed analysis. Refer to Section 2.8.1 and the response to comment 101-8 for more information.

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1 renewable energy; I think it's a good thing -- it sort
2 of comes about from the vision of how do you do all
3 this? How do you have renewable energy, wind energy,
4 and where is it generated and where is it used and how
5 do you get from here to there?
6 So all of these things are tied together, the
7 existing Sunrise Powerlink or the Southwest Powerlink,
8 the new proposed Sunrise Powerlink, and you look at all
9 these and they're like pipelines and you're trying to
10 fill them up and you're trying to send it from where
11 it's generated to San Diego or L.A. or wherever else it
12 goes.
602-8 13 And if you look at the one in Mexico, if
14 they're going to generate it, and they have the rights
15 to do that if they want to, but why not let them also
16 put in their distribution system to take it all the way
17 to the coast, then maybe up the coast, and then into
18 San Diego which would off-load that capacity or that
19 need for that capacity here on the power lines here?
20 That would make it more feasible, then, to use
21 more of the Southwest Powerlink for other things that
22 are going to happen or may happen that we maybe can't
23 stop some of those that will come in, so they would have
24 a different feed, get up and take it by their own means
25 to where they need to go, and so that would off-load

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1 some of it.
2 It would also mean that there would be less
3 disturbance here. If you combine that with the new
4 trends and so forth that they're talking about of
5 economizing, of using less power, of green design, and
6 you can see that there's trends already all over the
7 nation now where power consumption is going down,
8 buildings are getting better, the need for local
9 generation and the area where it's used and local
10 distribution and improving the grid network and the
11 smart grid in those systems, all of those fit together
602-8 12 and that's sort of a vision that was sort of skipped.
13 It was taking the old vision of "We're going to
14 do it the way we always did it and we're going to build
15 these power lines," and, sure, you can do it. You can
16 build them. You can put them up and you can run the
17 wires and you can do the generation, but there ought to
18 be another way to look at it.
19 And one way to sort of force the hand of that
20 would be to choose option number one which is no
21 project, and that forces them to say is that
22 economically viable in Mexico? If it is, then let them
23 run their power, bring it up, and cross it somewhere
24 else closer to where it's needed. That relaxes the need
25 on many of the power lines, the existing Southwest power

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1 line here for more capacity. And maybe the switching
2 rule that you're talking about, if that's not the
3 physical limitations of the line -- it's really a
4 technical guideline for the disturbance when you switch
5 off a load -- that might be handled some other way
6 within a smart grid system I think.
7 So there's lots of other ways that it could be
8 viewed and not put up as many towers and not spend as
9 much money on Southwest Powerlink, which this is sort of
10 heading towards, and not put the additional burden onto
602-8 11 the owners here, and there is an economic impact to
12 those.
13 So I think all of this to me says a different
14 vision says take option number one. Let them figure out
15 if it's profitable. Let them run it down there. That
16 relieves the load being carried by the lines up here
17 which is a different fight on different projects and so
18 forth. So that's my summary.
19 DR. PELL: Thank you.
20 Donna, you wanted to say something further?
21 MS. TISDALE: I just forgot that I brought this
22 map from the BLM that shows all the projects that are
23 proposed in this area. BLM.
24 DR. PELL: The title of this map is, for the
25 record, "El Centro Field Office Renewable Energy

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Projects."

MS. TISDALE: I believe it's dated January 2010.

UNIDENTIFIED VOICE: Sempra opened up an office down there in El Centro.

DR. PELL: Is there a date on the lower right-hand corner?

MS. TISDALE: It's up at the top.

MS. MEGAN SCHWARTZ: It's up at the top. It says January 2010, January 28, 2010.

DR. PELL: The agency that's labeled there?

MS. SCHWARTZ: Bureau of Land Management, El Centro Field Office.

DR. PELL: Thank you. Bureau of Land Management, El Centro Field Office.

MS. TISDALE: The Energia Sierra Juarez project is proposed right here, the border here. This is the Imperial Valley Solar project, 6,500 acres, that was approved. This is not included on the cumulative impacts.

DR. PELL: When you say "this," would you tell us what that is.

MS. TISDALE: I'm going to. It's the Ocotillo Express. It's about 15,000 acres of proposed wind energy that will abut the Jacumba Wilderness on the

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1 north side and Anza-Borrego Park on the west.
2 So this entire view shed, you would be able to
3 see Sierra Juarez project over here on Interstate 8,
4 which is now an open and very scenic area, will be
5 covered with 40-foot-tall solar panels, 500-foot-tall
6 turbines here, power lines coming through the way here,
7 Sierra Juarez turbines here. This is Tule Wind here.
8 This is the Campo Reservation. They've got plans all
9 the way down to the border, to modify this BLM land for
10 turbines, and over here is Tierra del Sol, Tecate Divide
11 where Lansing Industries wants to put -- they've got
12 plans for six or eight met towers now and they also have
13 plans for --
14 MR. BROWN: They will be.
15 MS. TISDALE: -- more, 20- or 30-foot-tall
16 solar panels as well as more solar panels over here. So
17 this entire area -- and there's met towers proposed out
18 here and in the Cleveland National Forest too if they're
19 not already up.
20 DR. PELL: Proposed by?
21 MS. TISDALE: Debenham Energy. This Debenham
22 Energy project shown here has been removed because the
23 Navy has withdrawn that land for the SEALs training. So
24 anyway, I just wanted all this information included.
25 I'd prefer you get a copy of this from the BLM.

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DR. PELL: We can do that. Thank you, Donna.
MS. TISDALE: Thank you.
DR. PELL: Okay. Anybody else want to speak?
MR. SMITH: In the EIR, do you look at costs associated with the financial burden of the people?
DR. PELL: I'm sorry, Kevin. Try again. I couldn't hear you because of all the rustling.
MR. SMITH: In the EIR, do you look at the financial burden to the people?
DR. PELL: No.
MR. SMITH: Ever?
MS. JANSEN: They should.
DR. PELL: No.
MS. JANSEN: It's an economic impact, negative.
MR. SMITH: Why wouldn't you?
DR. PELL: Because it involves rate making and it involves local authorities and it's outside the boundaries of what goes into an Environmental Impact Statement.
MS. JANSEN: There are other impacts.
DR. PELL: You look at socioeconomic impacts but not at rate making.
MR. SMITH: Okay. Great, because I wasn't talking about rate making. This is not about that. This is about the fact that each one of these people are

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1 going to be burdened with the burden of the carrying
2 costs of this. It is truly going to be billed onto
3 their bill, their utility bill, in the future. That's
4 what a ratepayer --
5 MS. JANSEN: And their fire insurance and, and,
6 and.
7 MR. SMITH: And I don't think it really has
8 been addressed how many people up here are fighting that
9 same -- because I have a house on four acres and I
10 understand what it's like to pay the insurance bill,
11 because they don't want to insure you at all. They
12 really want those suburb houses and I understand why.
13 But by the same token, if Sempra's going to
14 come out here and put up a bunch of tower lines and
15 bunch of turbines that pop into flames as we've seen on
16 the YouTube and everything else, don't you think that
17 they could put up a couple of firemen to help them?
18 Wouldn't that be a natural thing in your position to add
19 that?
20 DR. PELL: Okay.
21 MR. SMITH: Because I have off-sites and
22 impacts in every project I've ever done. I've never
23 seen a project where I didn't pay millions in off-sites
24 and impacts, and I don't see any inside of this EIR, not
25 any.

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DR. PELL: It's an interesting point. Thank you for bringing it up.

UNIDENTIFIED VOICE: Costs $4,000 for a telephone pole.

DR. PELL: Anybody else wish to speak on the record?

UNIDENTIFIED VOICE: On the record or off the record, four grand.

DR. PELL: Nobody else wishes to speak?

UNIDENTIFIED VOICE: No.

DR. PELL: Are you sure? Going once.

Okay. We're going to hang around a little bit longer if you want to talk to us off the record, and we'll be in San Diego County tomorrow night if you want to join us in the City.

MR. BROWN: That meeting is from 5:00 to 7:00, so it's not from 7:00. So if you get off work and you want to go to the planning department. It's in the planning department. You know where the planning commission room is, hearing room? It's on Ruffin Road annex.

DR. PELL: Let the record show the meeting is adjourned.

(The proceedings were concluded at 8:36 p.m.)

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U.S. DEPARTMENT OF ENERGY

DRAFT ENVIRONMENTAL IMPACT STATEMENT

PUBLIC HEARINGS

for the Energia Sierra Juarez U.S.

Transmission Line Project

Thursday, October 7, 2010

County of San Diego

Department of Planning and Land Use

5201 Ruffin Road, Suite B

San Diego, California

Jane E. Wassel, CSR No. 2632, RMR, CRR

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SAN DIEGO, CA, THURSDAY, OCTOBER 7, 2010, 5:12 P.M.

DR. PELL: I'll start by introducing myself. I'm Dr. Jerry Pell with the Department of Energy in D.C., and I'm with the Office of Electricity Delivery and Energy Reliability and I'm the project manager for the preparation of this Environmental Impact Statement.

And on my right is Patrick Brown with the San Diego County -- first thing I want to say, Patrick, is thank you for your hospitality in hosting this meeting tonight, and we'll introduce Patrick in greater detail in a moment.

But just by way of telling you how I'm going to run this thing, I have a short slide show to show you which you really don't need to stare at too carefully because it's just what I have as a handout. So if you picked up a copy of the handout, those are the slides you're going to be seeing on the screen, so you can just follow along from the written copy, and we will then take public comments for the record.

So let me introduce Patrick and then we'll start with the presentation.

MR. BROWN: Hi. I'm Patrick Brown. I'm with the County planning department. This is our planning commission hearing room, so I volunteered, we

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volunteered, this up for Jerry to give some of the folks that maybe get off work and can't get out in time to Jacumba or Boulevard or wherever, you know, to make the meeting. So I'm glad to see that many of you made it tonight so it wasn't a wasted offering. I'll actually mention this to the PUC on the East County Substation meetings, too. I think this has been rather successful at this point.

So I'm the land use environmental planner and project manager for the ESJ project for the County. I think a differentiation that needs to be made right upfront is that what Jerry's doing with DOE is for the Presidential permit. What the County's doing is for the County's Major Use Permit. Our processes are overlaid on top of each other. So that's why the County is a cooperating agency tonight, and I'll go into further detail later in the presentation.

DR. PELL: By way of additional introduction, I'm an environmental scientist. I've been with DOE for 34 years, and I've been doing environmental scientific work of one kind or another for 40 years. So why do I still do this? Why haven't I retired? Because I enjoy what I do and I enjoy being at meetings with you. So as long as I keep having fun, I'm going to keep going, as long as my health holds up. So why retire when there's

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1 good work to be done?
2 Turning to the slides, the -- all right. Make
3 sure I'm reading from the right slide. The reason why
4 the Federal Government's involved, as Patrick mentioned,
5 is because the project developer, Sempra, provided an
6 application, submitted an application, to the Department
7 of Energy to build a transmission line that would cross
8 the border from Mexico into the United States; and
9 there's an executive order that came out of the White
10 House that's on the books that's about 50 or 60 years
11 old -- I think it goes all the way back to the 1950s --
12 that requires Federal approval, an issuance of a permit,
13 to cross the border with a transmission line or to move
14 power across the border with a transmission line. So
15 that's why it's called a Presidential permit, because
16 the executive order obviously came out of the White
17 House.
18 So that's the basic history of it. And once
19 you have a Federal permit process, this immediately
20 means that you're required to follow the rules of the
21 National Environmental Policy Act to conduct the
22 appropriate environmental analysis. In this particular
23 case, the proposed project is what we consider to be a
24 major Federal action, which is a term of art, and the
25 nature of the project is such that we're now doing an

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1 Environmental Impact Statement.
2 The history of the project: If you look at the
3 slide, the original application came to us in December
4 of 2007, so it's almost three years from the application
5 to this report. So a lot of work has been done in the
6 interim. The process originally started with a
7 colleague of mine, not myself, as an environmental
8 assessment, and by February of '09 it was decided that
9 an environmental assessment was not adequate and that we
10 should do a full-fledged Environmental Impact Statement,
11 which is what we have now.
12 It was issued on September 17, and there's a
13 45-day comment period. The clock started ticking on
14 that September 17 date. It closes on the 1st of
15 November. So any material you want to submit subsequent
16 to tonight, between now and the 1st of November, whether
17 you want to submit it on our Web site, which is what I
18 would recommend, or send it to me directly by e-mail or
19 by regular mail, you still have until November the 1st
20 to provide additional material.
21 If you're going to send me something on paper,
22 please do not send it to DOE by regular mail because it
23 gets held up. It goes through security screening and it
24 literally fries the document. So I have received stuff
25 that has been xeroxed where the carbon particles that

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1 constitute the xerox ink dissolved into pages that are
2 all stuck together and you just take it out of the
3 envelope and throw it in the trash. You can't separate
4 the pages.
5 So if you're going to send me something to the
6 agency that's on paper, send it by FedEx or UPS or USPS
7 overnight or some similar service so it avoids the
8 security screening. Also, it delays it about two weeks.
9 So that's why it's actually best to submit it
10 electronically.
11 Once the comment period closes on the 1st of
12 November, all the comments will be made available on the
13 project Web site. Everything that we receive is public.
14 The transcripts that the court reporter is preparing
15 from the three nights, tonight and last two nights, will
16 be on that Web site.
17 We will then enter the final EIS preparation
18 phase which will essentially constitute responding to
19 the comments that came in during the comment period, and
20 then a final EIS will be issued and then DOE will
21 prepare a Record of Decision, which is exactly how it
22 sounds. It's the document that will summarize what was
23 in the EIS and which of the alternative actions the
24 government has decided to take.
25 And if you read the study, there are

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alternatives in the study, one of which is the no action alternative where the Record of Decision would recommend denying the Presidential permit. If the Record of Decision favors the Presidential permit, then we would issue the Presidential permit as a separate document, typically almost at the same time. So that's where we stand.

The next two slides pertain to the County's process, and at that point I will let Patrick do them justice because that's under his jurisdiction.

MR. BROWN: Okay. As I mentioned previously, the County is a cooperating agency with DOE, and the reason why we're a cooperating agency is the County is the permitting authority for the construction and ongoing operation of the proposed generation-tie line.

So Sempra made an application with the County for a Major Use Permit for a major impact service utility for the five lattice towers, or actually it will be four lattice towers, and the lines that go across from Mexico.

The County's been participating with the California Public Utilities Commission, BLM, on a joint EIR/EIS for the East County Substation. Because the gen-tie line was hooking into the East County Substation, the PUC considered it a connected action as

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well as they did with the Tule Wind farm.

So the document that the County would be using for the Major Use Permit for the environmental processing is not this EIS that's prepared by DOE, but it would be the EIR/EIS that's being prepared by the California Public Utilities Commission. We are what we consider a responsible agency. We're not the lead agency, but we're the responsible agency under CEQA for that process.

So I believe I covered up on that pretty good tonight. I'm getting better, third night.

DR. PELL: Good practice.

MR. BROWN: So anybody wants to know more about that, you know, feel free to contact me, but we're here participating. We're also providing comment as well, consistency comments and other comments, on how the project would affect the County.

And this EIS, just so you know, the County did review all the technical studies that were prepared for this, many of them I should say, for County standards and pursuant to our guidelines determined the significance. Entrix, the contractor, which is Tim and Megan there, they used the technical studies that the County had reviewed to make sure that they're in compliance with our ordinances and guidelines such as

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like the noise ordinance and lighting ordinance. They used those in preparation of this EIS, so we did have a hand in providing technical information per the County's standards.

DR. PELL: Okay. You mentioned Entrix. Patrick just mentioned Entrix, which reminds me I want to be on the record thanking Entrix, Tim and Megan and the staff, for doing all of the physical labor to put these meetings together and prepare the documents and bring all the materials to the meetings and set up slide projectors and what have you. So they've done a great job, and so I just want the record to note my appreciation.

Okay. The next slide is just a quick overview of the project itself. I assume if you're here, you probably know what it's about. The proposal is to construct a transmission line of either 230,000 volts or 500,000 volts from a proposed wind farm in Baja California that will connect the energy from that wind farm to the proposed ECO Substation, ECO being the East County Substation, of course.

The next slide, Tim, please. The length of the line on the U.S. side of the border is only .65 miles long which is, you know, 3,000-odd feet. So it only requires on the American side five towers to hold the

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1 line, and they can be either the standard conventional
2 lattice towers which you usually see on transmission
3 lines or monopoles.
4 If you look in the document, there are diagrams
5 there that show the two different styles. It's
6 interesting that the analysis seems to favor the
7 lattice-type tower as being less obtrusive visually than
8 the monopoles, which frankly was a surprise to me
9 because I would normally think the monopoles would be
10 less visible. So that's why we have these experts.
11 On the south side of the border, the line
12 extends for about a mile, I believe, to where it
13 connects to a substation that then goes to the wind
14 machines on the Baja California side.
15 Okay. The wind machines for the first phase of
16 the proposed project would number about 52 at a nominal
17 2 1/2 megawatts per machine, although the company tells
18 me they haven't picked a precise model or vendor yet.
19 You're looking at a proposed generation capacity in the
20 first phase of about 130 megawatts of power.
21 Long-term, as you'll see in the document, the
22 project is hoping to add additional phases for an
23 ultimate build-out that would equal approximately
24 1,250 megawatts in electrical capacity. All of those
25 additional build-outs would be south of the starting

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Phase 1 area. So all of the turbines, all of the wind machines, in subsequent phases would be further away from the U.S. border. The closest wind machine, I believe, to the border would be about .7 miles south of the border.

Okay. Next slide, Tim. In the process of conducting the preparation of the Environmental Impact Statement, we consulted with numerous appropriate agencies, both Federal, State, and local including the ones you see on the screen. Fish and Wildlife Service we consulted with.

We sent letters of invitation to consult to the known 15 Indian tribes in the general area, of which one actually elected to go to consultation with us and that was the Campo tribe, and that consultation process was completed satisfactorily in the fall of '09.

Other agencies we consulted with are the Border Patrol, as you might expect considering their presence in the area, Bureau of Land Management, Federal Aviation Administration with regard to aircraft concerns, Environmental Protection Agency, and several California State agencies including Fish and Game and Parks and Recs, the State Historic Preservation Officer, and, of course, Patrick's been involved on behalf of the County of San Diego.

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In terms of the environmental issues we looked at, they run the spectrum of all of the areas of potential environmental impact that is comprehensively included in a normal EIS, everything from biological resources to environmental justice, and you'll see all of that in the document.

Just to summarize a couple of the findings, biological resources, the report concludes that indeed there would be a temporary habitat disturbance during the construction phase of the line. Because of the installation of the towers, there'd be permanent disturbance to about ten acres. That's collectively adding up all the areas of all the towers and other physical plant that might be involved.

And there is a definite potential for increased fire risk as well which we can talk about, but it's well documented in the report.

With regard to special status species, some of these names will probably be very familiar to you. The Quino checkerspot butterfly was determined to undergo no impacts by virtue of the project; California condor, very low probability of occurrence in the project region; Peninsular bighorn sheep, critical habitat avoided. I understand that some of you have found that the bighorn sheep do stray from the critical habitat,

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1 but as far as the critical habitat area itself is
2 concerned, that is essentially two miles east of the
3 proposed site.
4 Other species, arroyo toad, southwestern willow
5 flycatcher, and a bird called the Least Bell's Vireo,
6 low potential for effect.
7 Next slide, please. Under Visual Resources, we
8 do find the transmission lines will be visible from
9 several Key Observation Points, which are abbreviated in
10 the document as KOPs. There are ways to reduce the
11 impacts including such things as, as I was mentioning
12 earlier, the lattice towers being preferable to
13 monopoles.
14 If you look in the document itself, you will
15 see a number of visual representations, and they're on
16 these charts on these easels over here on my left, that
17 show you representations of how they would look before
18 and after construction.
19 The next slide lists potential mitigation for
20 the transmission lines with regard to visibility. That
21 includes reduced reflectivity and visual contrast,
22 reduced color contrast, et cetera, but I will leave it
23 to you to look in the report itself where it's
24 documented in great detail.
25 The next slide refers to a Table 2-3 which I

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ask you to consider. If you look at no other part of the report, that is probably the heart of the Environmental Impact Statement because it summarizes in several pages the expected or potential impacts by resource areas, so I just wanted to bring that table to your attention. That table is reproduced in the summary as well as in the full-blown Environmental Impact Statement, also.

Next slide. Again, to reiterate, we look forward to hearing your comments on the adequacy, completeness, and technical accuracy of the analysis in the Environmental Impact Statement. You can send it to me directly or, as you see here on the slide, to our project Web site where you can also upload attachment files if you like.

The document's available on that Web site. It's also available on the DOE agency, Environmental Impact Statement NEPA office Web site. The address is on that slide as well, and again reminding you about the November 1st deadline.

Let me just add, if circumstances are such that you can't possibly meet that deadline or if you come across supplemental materials you think are important that you submit, you can come in later than November the 1st. But after November the 1st, it's on the basis of

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whether we can practically consider your comments. If you come in November 2nd or 3rd, of course, it's not going to be a problem. If you come in the following June, we might be at the printer and we would not be able to consider your comments.

So I ask you to please do try to make that November the 1st deadline, but if you can't make it, it's not too late. And if you have an issue that you want to discuss with me, then just call me or e-mail me or whatever and we'll be glad to discuss with you the submittal of subsequent documents or comments after that closing date.

All of the major contact parties that are involved with the project are shown in the handout or the slide. I'm there. Patrick's there. Tim Murphy, our consultant from Entrix who prepared the EIS sitting back there, is on there, as well as Alberto Abreu on behalf of Sempra. So we're not hard to get a hold of.

That completes the slides themselves, and we will now enter the taking of comments for the record.

Ms. Donna Tisdale who is with us tonight, was also with us in Jacumba and Boulevard, and she came up from down there to be here with us tonight and she asked me to make a special exception to let her go first because she has a meeting that she has to get back to as

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1 soon as she's through. So we'll extend the courtesy to
2 Ms. Tisdale to start off and then go on to the list.
3 I ask you to please keep in mind that you are
4 being transcribed by a court reporter, so please try to
5 speak slowly and articulate clearly so that she gets
6 down the words that you want her to record.
7 MS. DONNA TISDALE: Thank you and thank you for
8 letting me go first. Donna Tisdale and, once again, I'm
9 representing myself as an individual, the Boulevard
10 Planning Group, Backcountry Against Dumps, and the
11 Protect Our Communities Foundation.
12 The ESJ project is proposed by Energia Sierra
13 Juarez, a subsidiary of Sempra Generation which is a
14 subsidiary of Sempra Energy. Sempra Energy had revenues
15 of 12 billion in 2006, 11 billion in 2008, and 8 billion
16 in 2009. In a 2006 report, they stated they had
17 provided investors with an average annual return in
18 excess of 15 percent.
19 It was announced in the attached September 28th
20 press release that Luis Tellez, who currently serves as
21 chairman of the board and chief executive officer of the
22 Mexican Stock Exchange, was reelected to join Sempra
23 Energy's board of directors. The press release also
24 states that, quote, As a government official Tellez was
25 a key player in crucial policy decisions to improve the

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structure of the Mexican economy, agriculture, infrastructure, and energy, unquote.

One can surmise that Mr. Tellez has likely been handsomely rewarded for no doubt helping Sempra with their multibillion dollar investments in their natural gas infrastructure in Mexico, with shepherding those projects and this ESJ project through the Mexican permitting agencies, and it sounds like a very convenient and profitable partnership for both Sempra and Mr. 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'm 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 for 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.

On the Mexican social injustice -- social/environmental injustice issues on the Mexican side, ESJ is an export-only wind energy project. It's my understanding that under Mexican law, Sempra can write off 100 percent of the cost of their ESJ turbine

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1 project to an accelerated depreciation tax incentive for
2 renewable energy projects.
3 Therefore, the Mexican people will bear the
4 financial burden of building Sempra's wind energy
5 project that will not provide any energy whatsoever to
6 Mexico. They will be subsidizing 100 percent of the
7 building of the ESJ wind project that will be exported
8 for use for American consumers. If that is not a social
9 and environmental injustice, I don't know what is. This
10 is just one of many examples of how Sempra runs
11 roughshod over the Mexican people and their resources
12 while reaping incredible profits from their self-serving
13 actions.
14 It has been stated that the Mexican
15 environmental permit for this project has been approved.
16 Department of Energy must understand that the first
17 approval is heavily conditioned. Those conditions
18 include a one-year avian study, a change in land use
19 designation away from forest lands, and Sempra is
20 required to provide specifics on the turbine
21 manufacturers, GPS locations for each turbine, road, and
22 project accessory. All of these conditions must be met
23 at least six months prior to any construction.
24 The Mexican approvals are far from a done deal
25 which is why they told the press, why Sempra told the

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1 press, they will not build the project until it is
2 needed. The project may never be built, and this
3 Presidential permit can then be amended to allow the
4 transmission of nonrenewable energy from Sempra's
5 multibillion dollar Mexican natural gas infrastructure
6 including their existing gas line that runs through the
7 Energia Sierra Juarez lease area.
8 On the local U.S. social and environmental
9 justice issues --
10 DR. PELL: Excuse me, Donna. I just missed
11 that whole sentence. On the local?
12 MS. TISDALE: On the local U.S. social and
13 environmental justice issues, it has been falsely stated
14 that the locally impacted U.S. communities of Jacumba
15 and Boulevard are not low income and there are no
16 environmental justice issues.
17 I am providing two printouts from
18 greatschools.org. Our two rural communities share
19 two campuses. My two youngest granddaughters attend
20 these schools. The printout show that Jacumba
21 Elementary with grades K through 2 has 50 students with
22 62 percent participating in the free or reduced-lunch
23 program. The state average is 51 percent. 28 percent
24 are English learners. The state average is 24 percent.
25 Clover Flat Elementary in Boulevard with grades

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3 through 6 has 84 students with 91 percent participating in the free or reduced-lunch program. The state average is 51 percent. English learners are 23 percent with a state average of 24 percent.

We have a higher number of Native American students with 8 percent at Jacumba Elementary and 12 percent at Clover Flat. State average is less than 1 percent. One would assume that the vast majority of students on the Mexican side of Jacume and La Rumorosa are of Latino heritage.

For the record, I'm submitting 42 pages I printed off of our Backcountry Against Dumps Web site to show the extent of number and large-scale energy and transmission projects represent a significant, cumulative, and negative impacts to our natural resources, our low-income communities, our local properties, our quality of life, and more.

And as I have stated previously, our group will be submitting much more detailed comments by the November 1st deadline, and I will hand you copies of these pages.

And I also for the record include a copy of the documentary that our group put together on the Sunrise Powerlink which includes a video of the CEO, Sempra CEO, talking about how natural gas is a backup and it's

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needed for intermittent wind and solar.

DR. PELL: Donna, the 42 pages you referred to, is it possible for us to get that electronically?

MS. TISDALE: Yes, but I wanted to put it in the record because --

DR. PELL: That's fine. That's fine. It's just easier for us to --

MS. TISDALE: Oftentimes you give somebody a link and they never open it.

DR. PELL: No, but the reason I ask is if you give it to us electronically, then it's easy for us to post on the Web site for all to see. It just facilitates it.

MS. TISDALE: Thank you very much.

DR. PELL: There's 42 pages less of scanning.

MS. TISDALE: I understand. I just want it in the record. Thank you.

DR. PELL: Thank you very much, Ms. Tisdale.

We now move on to Johnny Simpson who's with the International Brotherhood of Electrical Workers.

MR. JOHNNY SIMPSON: Hi. My name is Johnny Simpson. I'm business manager of the International Brotherhood of Electrical Workers, Local 569, representing over 2,100 members throughout San Diego and Imperial counties. IBEW Local 569 is here

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today speaking in opposition to Sempra's energy application for a Presidential permit to construct a cross-border transmission line between northern Baja Mexico and San Diego County.

The transmission project proposed in this application would undermine several goals in Obama's administration. Specifically, one, it would facilitate offshoring of 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 where the power is being used. This moves our economy in the wrong direction at a time when we should be creating jobs in the U.S.

Two, it would increase the United States dependency upon imported energy. The administration has emphasized the need for America to become energy independent. Approving a cross-border transmission line to import energy from Mexico is the exact opposite of the President's stated goal. Our nation's economic future and security depends on developing energy infrastructure within our borders.

Three, it would undermine American environmental and labor laws. A core component of President Obama's campaign was his commitment to green

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1 economy that would usher in a period of environmental
2 advancement and economic prosperity. Construction of a
3 cross-border transmission line will undermine the
4 President's vision by enabling Sempra Energy to deliver
5 electricity to the United States from foreign facilities
6 not built to American labor and environmental standards.
7 If we are to reclaim America's middle class,
8 our nation must eliminate opportunities for corporations
9 to export our jobs, exploit our workers, and raid our
10 national resources. For these reasons, we respectfully
11 request the Department of Energy to reject Sempra's
12 application for a cross-border Presidential permit.
13 DR. PELL: Thank you very much, Mr. Simpson.
14 Appreciate that.
15 I now have Barbara Garcia representing the
16 Sierra Club.
17 MS. BARBARA GARCIA: Hello. My name is
18 Barbara Garcia and I'm here representing the Sierra
19 Club, San Diego, and their position in this matter.
20 The Sierra Club would like to express its
21 support in the denial of Sempra Energy's application for
603-1 22 this Presidential permit. The concerns are that this
23 application would severely undermine American
24 environmental and labor laws.
25 The Obama Administration expressed their

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RESPONSE TO 603-1: 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 merits of the project with respect to labor policy, federal energy policy, and California utility regulations are outside the scope of the NEPA process. DOE will consider these comments as well as all other comments received in that proceeding before making a final determination on the permit application.

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1 commitment to a green economy that could lead us --
2 THE REPORTER: I'm sorry. You're going to have
3 to speak a little bit slower.
4 MS. GARCIA: Sorry. The concerns are that this
5 application would severely undermine American
6 environmental and labor laws. The Obama Administration
7 expressed their commitment to a green economy that could
8 lead us into a new era of environmental and economic
9 prosperity.
10 By approving cross-border transmission lines,
11 you are undermining this goal by allowing energy to be
12 delivered into the United States by Sempra Energy from
603-1 13 facilities that are built outside of the U.S. and,
14 therefore, not in accordance with our labor and
15 environmental standards, not to mention allowing this
16 would facilitate the offshoring of American jobs.
17 Putting in cross-border transmission lines
18 would allow Sempra Energy to build energy projects in
19 Mexico and then import that energy into the U.S. instead
20 of building them inside where the power is being used.
21 This takes job possibilities away from Americans at a
22 time when we should be looking for every opportunity to
23 revive our economy and put Americans back to work.
24 Therefore, we respectfully request that you reject
25 Sempra's application.

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DR. PELL: Thank you very much, Ms. Garcia.

We now have Shannon Dougherty with San Diego Audubon Society.

MS. SHANNON DOUGHERTY: The San Diego Audubon Society is concerned about impacts to migratory birds including raptors, neo-traffic migrants, and winter-season avian visitors that may result from the construction of this transmission line.

We would like to see information detailing the survey methodology included in the final EIS and expect that a comprehensive survey approach is utilized including radar monitoring to assess nighttime migration and monitoring at different times of the year and day to capture seasonal variability in avian populations.

We'd also like to view the data that informed the determination that the project site is not located within a known migratory corridor or flyway. We are concerned that because the transmission line project site is located between two important montane bird areas --

DR. PELL: I'm sorry. What was that word again?

MS. DOUGHERTY: Two important montane, mountain, bird areas.

DR. PELL: Mountain bird areas.

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MS. DOUGHERTY: -- that live in the mountains in the Sierra de Juarez that are characterized by high ridgelines, foraging raiters and other migrants will be impacted. The project location is a potential and presumed avian corridor of birds moving from north to south along the cross-border ridgeline. In fact, Jacumba and In-Ko-Pah villages are locally recognized migrant traps due to the presence of seasonal water resources and agricultural influences.

Because this transmission line can impede the cross-border movement of birds as a result of connected actions in Mexico, we consider that Energia Sierra Juarez wind project to be an indirect impact of this project. We are concerned that construction of the proposed wind project and the associated transmission line can impede the cross-border movement of raptors and migratory birds and will affect bird behaviors in ways that significantly impact local populations.

We are specifically concerned with impacts to golden eagles since this project site is located within a known wintering location and is immediately adjacent to a confirmed breeding location for this species. Currently, electrocution on power lines is the largest source of mortality for this species. We would like to see detailed information on how these impacts will be

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1 mitigated in the final review document.
2 Lastly, there should also be a protocol in
3 place that ensures additional and adaptive mitigation
4 measures will be devised and implemented should avian
5 and other wildlife populations be negatively impacted
6 during project operations.
7 We would like to see a protocol in place that
8 would facilitate the sharing of monitoring data among
9 projects considered in the cumulative effects analysis
10 so that any cumulative impacts can be identified and
11 addressed in a timely and effective manner.
12 DR. PELL: Thank you very much. Appreciate it,
13 Shannon.
14 We now have Daniel Coffey.
15 MR. DANIEL COFFEY: Yes. I find myself --
16 first of all, my name is Daniel Coffey. My back is --
17 DR. PELL: I'm sorry. Could you do me a favor.
18 Could you come up a little bit closer because it would
19 make it easier for us to hear and for the court reporter
20 to hear you.
21 MR. COFFEY: Sure. My name is Daniel Coffey.
22 My background is in engineering and law and
23 environmental issues, and I also write an opinion column
24 for The Daily Transcript and I've written quite a lot,
25 something in the neighborhood of about 50 columns on

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1 renewable energy issues.
2 DR. PELL: What is The Daily Transcript?
3 MR. COFFEY: It's the official legal newspaper
4 for printing legal news or notices in the County of
5 San Diego and it's also a business newspaper that's read
6 by a variety of businesses.
7 DR. PELL: Specific to the County?
8 MR. COFFEY: Well, it's got an online presence.
9 So I don't know, but its service as the official notice
10 paper is for the County of San Diego. Its function as a
11 newspaper obviously reaches beyond the County, as do
12 most other online and/or print newspapers.
13 DR. PELL: Thank you.
14 MR. COFFEY: I find myself, having studied this
15 issue quite a lot, in support of it because it's a very
16 small project but its impact in terms of the renewable
17 energy profile that it brings to the Southwest is very
18 significant, because in the area where it is in northern
603-2 19 Mexico there isn't much use for that much energy in the
20 Mexican economy. There might be, but at the current
21 time it doesn't seem that that's something that they're
22 particularly interested in.
23 However, there's a great deal of use within the
24 United States and a great deal of need for renewable
25 energy which is not carbon-producing. And so as a

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RESPONSE TO 603-2: Refer to the response to comment 305-1 for information on assurances that the transmission line would be used only to transmit electricity generated from renewable sources.

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1 consequence, the other impacts that have to be weighed
2 against the benefits to the environment that this
3 particular project presents, at least in my mind, don't
4 equate. There's a huge benefit. There's a huge benefit
5 and a very, very tiny -- excuse me -- a very, very tiny
6 impact.
7 I understand that opponents of this project
8 have opposed basically everything having to do with
9 transmission or construction of any kind of project
10 having to do with energy production on the theory that
603-2 11 there's going to be a utilization of coal or natural gas
12 or something else that's going to be transmitted across
13 this line. My understanding is that that will not occur
14 and I think there's no provision for that within the
15 Presidential permit, so I see no downside for permitting
16 this particular project.
17 As far as the specific environmental issues,
18 I'm going to submit comments for the record, but I just
19 wanted to say, you know, as far as I can tell, this is a
20 very good project, being handled with extreme care, at a
21 very high level of environmental review, and that the
22 objections to it, you know, frankly don't seem to have a
23 lot of weight. So thank you very much.
24 DR. PELL: Thank you, Mr. Coffey. I appreciate
25 that.

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Somebody that's been with us before, let me welcome back Kevin Smith.

MR. BROWN: Cameo appearance.

MR. KEVIN SMITH: Actually, I am a supporter of wind energy and I heard what you said. I am not a supporter of an unfair advantage, and that's what I believe this is.

Sempra has the ability to pay for any interconnects they need, and in this choice they've chosen not to. They've placed the burden on SDG&E, and that's where I think if you were to do a little bit more research, you'd find out that would be the case.

603-3 They drop on the other side of the border where there's nothing -- on our side of the border, but there's nothing there for them to touch into and, voila, SDG&E puts in substations. That's unique. I wish I got that opportunity. The opportunities for us who try to develop wind are the exact opposite. We'll get no interconnect. We'll get no time. We'll get nothing. Write a check for a quarter of a million dollars and we can talk about it. We'll tell you what's on the line.

Don't tell us what's on the line. There's nothing on the south link. That's what Sempra's going into. There is no capacity. And I disagree with the 80, by the way. It's 40 that's available, but it sure

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RESPONSE TO 603-3: 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 the applicant's business practices are outside the scope of the NEPA process. DOE will consider these comments as well as all other comments received in that proceeding before making a final determination on the permit application.

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is a far cry from 1,200. Either way it shouldn't be allowed. Thank you.

DR. PELL: Thank you, Kevin.

That completes the list of speakers that I have in front of me, so it's now open mic to anybody who would like to speak. We'd be glad to entertain that.

Yes, ma'am.

MS. JULIA GRIESS: I'm sorry. I had one filled out already.

MR. BROWN: Anybody else? Just let us know.

MS. GRIESS: My name is Julia Griess. I'm a concerned citizen opposing the way SDG&E and Sempra have gone about securing property in this area.

It appears SDG&E and Sempra have breached the China Wall. I was involved in an 8,000-acre development near Donna Tisdale. My sister lost her home on 25 acres in 2003. If you have never been threatened by fire, it is horribly stressful and scary. I rescued her dog as flames licked my car on Interstate 8. We were the last car to leave. No fire trucks went down her street -- I don't know why I'm getting so emotional. No trucks went down her street and about 63 out of 100 homes were lost.

In behalf of Donna Tisdale living through that, it took about a year for her to recover her life because it took -- it was so long, so many homes had been lost.

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It took almost three months just to get a telephone pole installed in her area. So she gave up and moved back to the city, but I just thought I'd show you some of the images that Donna wanted me to share with you, if you want to see.

DR. PELL: Julia, do you have those in a format that we could provide on the Web site or --

MS. GRIESS: Sure, I could e-mail them to you.

DR. PELL: Please, because otherwise nobody other than the people here will ever see them.

MS. GRIESS: Yeah. Okay. Yeah, I can --

DR. PELL: Can you describe them for the record, what the photos are.

MS. GRIESS: This is a nighttime shot that was similar to what happened in the December 7th. I'm sorry. Yeah, the Boulevard, the 25 turbines that were there. There was witnesses that there was a blue glow and then the blue glow exploded and jumped to each wind turbine, I think pretty much destroying all the wind turbines. So all of the blades had to be replaced, and I believe the blades are still strewn around the area in Boulevard.

DR. PELL: Do you know whose wind machines they were?

MS. GRIESS: What's the name of it? It's a

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1 Spanish -- you mean the manufacturer of the wind
2 turbines?
3 DR. PELL: No, no, no, no. Who erected --
4 whose land were they on? Who owns them?
5 MR. SMITH: It's Campo's.
6 MR. BROWN: It's Campo.
7 MS. GRIESS: And then these were some other
8 images of when the blade releases from the wind
9 turbines. This is only 60 wind turbines in this
10 photograph.
11 This is another explosion and this is -- I
12 think in your IRS [sic] report it says that this is the
13 most airiest, driest area in California, so the chances
14 of fire, they live with it daily.
15 This is a -- it's a rural area with a wind
16 turbine that has caught fire.
17 And this is another wind turbine with the fire
18 going all the way up the -- well, I'm at a loss of words
19 here. This is probably close to the image that's out in
20 Boulevard with the 25 wind turbines.
21 This is a wind turbine to show the size of it
22 that has been knocked over.
23 And this is just another shot of the wind
24 turbine that has been knocked over.
25 MR. ROBERT THOMPSON: Were those in the County?

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DR. PELL: I'm sorry? Please identify yourself.

MR. THOMPSON: Oh, my name is Robert Thompson.

DR. PELL: I'd prefer that we didn't have --

MR. THOMPSON: Cross talk. Okay.

MS. GRIESS: Okay. Thank you very much for allowing me to speak. And I'll e-mail these. Donna e-mailed these, so I'll have her forward those to you.

DR. PELL: Great. Julia, just to make sure we have it right, is it J-u-l-i-a G-r-i-e-s-s?

MS. GRIESS: Yes.

DR. PELL: Thank you. Thank you very much. I'm just curious actually. Just as a little bit of a amateur photographer myself, how were those photos taken? Do you know? I mean, who happened to be at the vicinity at the time? Do you know?

MR. SMITH: That wasn't an actual, in Boulevard.

MS. GRIESS: Yeah, these aren't images of Boulevard.

DR. PELL: No, no. I'm talking about the wind machine photos that you showed.

MS. GRIESS: Oh, the December 7th in Boulevard? What happened on December 7th? I'm sorry. I don't understand your question.

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DR. PELL: You showed some photographs of a wind machine that was on fire.

MS. GRIESS: Well, there's multiple. They're just various --

MR. SMITH: I think she'll probably have an attachment that will have all the --

DR. PELL: I'm just curious about how those photos happened to be taken. That's all.

MS. GRIESS: Yeah, I'll forward you Donna's e-mail.

DR. PELL: Not an important question by any means.

MS. GRIESS: Okay.

MR. COFFEY: Could I ask a question for clarification? I think it's the same question that was being asked. Are those from this county or are they just from some place in the United States? That's the question you're really asking.

DR. PELL: Well, yes. I'd like to know the identity of the wind machines.

MR. COFFEY: Right, and where they really are.

MR. SMITH: They're not from -- I don't know.

(Reporter interruption in proceedings; discussion off the record.)

DR. PELL: Back on. Julia, I was just

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wondering if you could provide to us, at your convenience when you get a chance, some more information about specifically where those photographs were taken and when.

MS. GRIESS: Okay.

DR. PELL: And I wanted to make sure, I wanted clarification for the record, you do indicate that they were not from the local area, those wind machine fires?

MS. GRIESS: Yeah. They were actually forwarded to me from Donna, so I'll check with Donna. She just forgot to show the images, so she asked me.

DR. PELL: Thank you.

The next party I have is Denis Trafecanty who's with Protect Our Communities Foundation.

Is that correct, Mr. Trafecanty?

MR. DENIS TRAFECANTY: Yes, it is. Thank you. I spoke two nights ago, so I'm not going to repeat what I said before, so I'm going to add a few comments.

First of all, there's -- and I'm not an expert on this preserve, but there's what's called the Los Californias Binational Preserve that is located -- it's -- I'll wait until --

DR. PELL: I'm sorry.

MR. TRAFECANTY: This Las Californias Binational Preserve, it's like a joint project between

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the Mexican government and the U.S. government to establish a preserve for the Peninsular bighorn sheep so that the herds in Mexico could breed and go back and forth between the Anza-Borrego Desert State Park and Mexico, and I don't really think this -- that's an agreement between two countries whereby the intention is to preserve an endangered species.

DR. PELL: Denis, there's no Border Patrol fence along that section of the border?

603-4 MR. TRAFECANTY: No. I mean, when we were in Jacumba just two days ago, all you had to do was look at the border fence and it goes up this mountain and it stops. And there's no fence. It's just a fence doesn't prevent -- and it was intended for the Mexican government and the U.S. government to enable the two herds to commingle and, in fact, there's been sheep, like you heard two nights ago -- I wasn't at the Boulevard meeting last night -- that interact with each other, the herds do.

DR. PELL: And those herds go back and forth across the border beyond the termination of that fence at the mountain?

MR. TRAFECANTY: Yes. And then also -- so that's the intention. This is an endangered species. You heard two nights ago that there are a lot of people

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RESPONSE TO 603-4: Refer to response to comment 108-7 for discussion of Peninsular bighorn sheep populations and migration patterns.

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with evidence of bighorn sheep. I don't think this report really is sufficient from the standpoint of preservation of herds of sheep which should commingle.

I heard just a couple of things and I apologize for being late, but I do have another job besides this one, and Donna Tisdale mentioned this two nights ago, that the blades that had to be taken down in connection with that disastrous event that took place last winter are still laying on the ground.

603-5 I mean, the thing that troubles me so much with projects like this -- first of all, I don't think this ESJ is needed at all, this whole line, because you could either run that power into a Mexican line that was built years ago and bring it to San Diego that way or, like I said the other day, and I told you I would do this and I will do this, we can generate our own power here in San Diego, and you're going to see all kinds of jobs if you generate the power here in San Diego versus have a huge solar plant or a wind farm out there in the backcountry.

DR. PELL: Denis, excuse me for just a moment. When you say the wind blew the blades from the wind machine, are still lying on the ground, is that on the territory of the Campo tribe? Is that correct?

MR. TRAFECANTY: Yeah.

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RESPONSE TO 603-5: Section 2.8.1, which was added to the EIS in response to comments, addresses the potential of a direct interconnection to Mexican transmission lines using the WECC transmission corridor and explains that this alternative was considered but dismissed from detailed analysis. See Section 2.8.1 and the response to comment 101-8 for more information. 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 for this EIS because they do not respond to DOE's purpose and need.

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MR. SMITH: Yes.

MR. TRAFECANTY: Just makes the place look terrible, you know, for a beautiful wilderness area.

I wanted to mention some other thing that I just heard a little bit about, no fire was created on it. It's true there was no big huge forest fire. You usually don't get them in December when it's raining and cold. The humidity is high and the plants aren't ready to ignite as much, but I will tell you that the fire that was -- that you may not have -- I'm sure you heard about in connection with these hearings, but the fire that occurred in 2007 was an arcing power line due to wind that was estimated to be -- it could have been as -- I know the owner of the land, his name. It's the Tullock family, T-u-l-l-o-c-k, in Santa Ysabel.

He took me to where the lines were, and the arcing of the power lines with the clapping of the winds started that fire and it's been proven, and SDG&E and Sempra paid tons of money and the insurance costs are a lot higher as a result of it and they're trying to get the ratepayers to pay for their increased premiums. So fires will develop from things like wind turbines that explode and power lines that arc and stuff like that.

My main point -- I'm going to say a few other things before I sit down -- I don't think this project

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RESPONSE TO 603-6: Regarding fire risks associated with wind turbines, refer to the response to comment 108-11.

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is necessary. I don't think that we should be providing jobs for other countries when we need jobs for ourselves here in this country. I think that's very important.

I think that the President is not getting the facts about this. I don't think it's needed at all. I said that before, 'cause there are smarter energy solutions. There's a lot of sun here in San Diego and it's not much different from the amount of sun you create out in the desert.

We still at the Protect Our Communities Foundation and our attorneys are looking at the estimates of impact on wildlife, and all these projects are kind of interrelated. You know, you got the Tule Wind thing. You got the ESJ. You got the Solar Two project out in Imperial Valley. Those are all arteries to something that's not even needed which is called the proposed Sunrise Powerlink.

I question whether the whole Mexico development is real. I don't know but I question that. I don't know if the County and the -- I'm sorry. I'm a little mixed up.

DR. PELL: That's all right.

MR. TRATECANTY: -- that the Department of Energy is really looking into, is that really a real project down there or is it just, you know, someone's

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idea of a project? And will it happen? Let me see.

I plead with you to give more consideration than they are with things that occurred in the last 48 hours where there was not much consideration given to the environmental impacts at Ivanpah, the environmental impacts at Solar Two, and I'm hoping you won't do the same, and the environmental impacts at the proposed Sunrise Powerlink, which I'm sure you know is under litigation with the BLM and eventually with the Forest Service and hopefully with the -- and with the CPUC. So I wouldn't want something like this being developed to feed into a power line that might never be built, 'cause there's going to be a lot of fights about that proposed Sunrise Powerlink. Thank you very much.

DR. PELL: Thank you very much, Denis. I appreciate that.

Before we go on to the next speaker, I should have mentioned this at the outset, but let me mention it now while I remember to mention it, this is not a Department of Energy project nor is it -- correct me if I'm wrong, but nor is it a County of San Diego project. This is a private sector enterprise, technically known as a merchant project. The government has no vested interest in the outcome of the project or whether it's constructed or whether it's successful. So I just

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1 wanted to note that, that we're completely neutral with
2 regard to the merits or lack of merits of the project
3 itself.
4 The next speaker is John, is it Riccio? Is
5 that correct?
6 MR. JOHN RICCIO: I thought I checked that I
7 was not going to speak.
8 DR. PELL: Oh, I'm sorry. The box above
9 speaking wasn't checked at all --
10 MR. RICCIO: Okay. I'm sorry.
11 DR. PELL: -- and was handed to me, so I
12 assumed you wanted to make some remarks.
13 You do not want to make some remarks?
14 MR. RICCIO: No. I'm sorry. Just here to
15 observe.
16 DR. PELL: We'll mark you as a no.
17 MR. RICCIO: Thank you.
18 DR. PELL: Okay. Is there anybody in the group
19 that would like to speak? Because we do have some time
20 and I want to make sure that everybody has a chance to
21 tell us what you think. This is the last of three
22 hearings, so if you have some issues you want to share
23 with us, that's why we're here.
24 MR. COFFEY: I wouldn't mind supplementing my
25 statement just with a couple of points about --

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DR. PELL: Sure.

MR. COFFEY: -- the amount of offset.

DR. PELL: Tell us your name again for the record.

MR. COFFEY: Again, I'm Daniel Coffey for the record.

Something that I didn't raise in my earlier comments but I'd like to point out is that the build-out of the project in Mexico is in Mexico because that's where the wind is, and one of the sort of strange changes in the way that people have to think about energy is that you can't go mine it in the ground anymore. It's going to be adapted to. You have to go where it is.

So there happen to be structures in Mexico,

603-7 mountains and that sort of thing, that provide adequate wind supplies. You can't change that position. So the notion that you can't build transmission to where the wind is is just completely contrary to the basic idea of adapting to renewable energy, wind and solar. It would be like putting a solar plant on the North Pole. Well, what's the point? There's not much sun there. So you have to go where it is.

The second point is, is that this project has been delayed for years. And as part of a column that I

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RESPONSE TO 603-7: As discussed in Section 1.3, the applicant's stated objective for the proposed transmission line is to transport renewable electrical power, which 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," as well as to help California utilities meet the renewable 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.

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wrote, I decided I would do a calculation of how much carbon is put in the atmosphere every month of delay if you were to assume this were built out, and it turns out to be a gigantic number. Now, my estimates were something in the neighborhood of a billion pounds of CO2 a month. That --

DR. PELL: From what?

MR. COFFEY: From not building this project. In other words, to take the power from this project and replace it with something based on a carbon-based coal

603-7 or whatever you want to call it, you would produce roughly a billion pounds a month.

DR. PELL: Now, is that assuming full build-out or is that just assuming Phase 1?

MR. COFFEY: That's assuming full build-out.

DR. PELL: For the full 1,250?

MR. COFFEY: Right. But the point is, is that if you delay it a month or three or two years now, that's a huge amount of carbon that got put into the atmosphere that didn't need to.

And I've called in other meetings upon people who are opposing projects like this to justify their opposition based on the balance between what they're not putting in the atmosphere -- or what they are putting in the atmosphere by delaying these projects, because if

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you're really just going to get there but you're going to get there five years late because everybody wants to complain about it, that's a huge environmental cost that isn't being figured in, and it's due to people objecting.

If you're really never going to build it, that's a different matter altogether, but the reality is as climate change tells us, we have to build these

603-7 things and get out of the carbon business. So it's not like we have an alternative path or a choice.

And the other part of it is we don't have that many choices when it comes to renewable energy. There's geothermal, solar, wind. There just aren't that many. I mean, there's nuclear. There's a couple of others, but the basic idea is there isn't a panoply of choices. And so you have to build where it is, you have to build what you've got, and you have to do it soon because time is really not on our side. Thank you.

DR. PELL: Thank you. Actually, just as a matter of observation, as you know, the administration does support renewables, and one of the major reasons it does is simply because of the carbon issue with regard to global climate change.

And as was just noted, it is a fact that the greatest problem with renewables is the energy source is

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not necessarily where the people are that want and need the energy; and access between the source and the market for the energy, the transmission linkage, is one of the great hurdles to overcome in order to become more dependent on renewable energy, and that's an observation that pertains to the entire country, not specifically to the Southwest, and it's an issue that arises on almost every renewable energy project that you will read about or hear about in the news. It's a continually recurring issue, and I regret to say there are no easy solutions. If there were, hopefully we would know about them by now.

Yes, sir.

603-8 MR. THOMPSON: My name is Robert Thompson. I'm a developer, wind energy developer, and those statements would be true if it was true that that is the only place there is wind; but I am involved in a development now in the southeastern or eastern county of San Diego, and you know, we're ready, willing, and able to provide power and we're fairly close to a substation, a 230-kilovolt substation.

So that if SDG&E and Sempra Energy were really interested, they would be cooperating more fully with the local developers rather than chasing down these, you know, out-of-the-country resources that don't have any

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RESPONSE TO 603-8: 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. DOE will consider these comments as well as all other comments received before making a final determination on the permit application.

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of the hurdles that local developers have to go through and including we would be providing local jobs and dealing with local businesses. Thank you.

DR. PELL: Let me just ask you before you sit down, you say you're a local wind developer.

MR. THOMPSON: Yes.

DR. PELL: There are a number of independently developed wind projects either under construction or proposed in the country. In fact, Iberdrola, if I'm not mistaken, is a Spanish company.

What's preventing you from going forward with the wind project that you're familiar with?

603-8

MR. THOMPSON: Well, it would certainly help if we had some power purchase agreements available from SDG&E. And in order to even look at those, we have to put up $250,000 and simply to be told that there's nothing available.

In the meantime, suddenly there's a great demand for power from south of the border. And I realize they must have massive investments down there and they're only trying to support their massive investments, but, by the same token, we are in Southern California and we are trying to do business in Southern California.

DR. PELL: Tell me about that $250,000.

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That would be paid to whom?

MR. THOMPSON: The California Independent System Operators.

DR. PELL: Cal ISO?

603-8 MR. BROWN: That's for generation interconnection agreements.

MR. THOMPSON: Yeah, and that's just your application fee, period.

MR. SMITH: Upfront.

DR. PELL: Thank you.

Who else would like to speak, anybody? Sir?

MR. TRAFECANTY: Denis Trafecanty again. I just want to comment that -- I want to repeat something I said already. San Diego Smart Energy Plan, 2020 Plan, doesn't require additional transmission lines at $2 billion or another billion dollars of these artery lines which is ESJ, Tule Wind, Stirling Solar, and we will have sufficient energy, just like I do on my roof.

603-9 I have energy and I contribute energy to the grid without getting paid for it.

And there is a trend. I don't know if you listen to the radio. I don't watch TV much, but I sure hear a lot of ads and there's a lot of companies out there that are fighting the utilities and saying to the consumers by advertising that "We can put solar on your

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RESPONSE TO 603-9: 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, small-scale wind turbines, and other types of electrical generation, are outside the range of reasonable alternatives because they do not respond to DOE's purpose and need.

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roof for nothing or you can buy it yourself and get a 30 percent credit," and so I did that two years ago and I contribute to the grid with my simple 3.6-kV system.

DR. PELL: I'm glad to hear you have a successful installation. That's encouraging.

MR. TRAFECANTY: So I'm going to send you that Smart Energy Plan. It doesn't have anything about wind in it. You can't put a big wind turbine in the city obviously. There's smaller wind turbines. And utilization of a wind turbine isn't very much, just like with the utilization of even PV, photovoltaic. It's probably half a day, but then, of course, I take care of that by having a storage backup.

DR. PELL: What kind of storage do you use?

603-9 MR. TRAFECANTY: I have 18 batteries and I don't have to use them at night because my system is tied to the grid to maintain the rebate, but if the grid went down I would have lights. It would supply me lights all evening long, and then the next day the system would power up the batteries.

DR. PELL: Routinely when the solar cells are not receiving enough light to generate power, you're taking power off the grid; is that correct?

MR. TRAFECANTY: Yeah, but my net is a contribution to the grid. I could show you our annual

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statements. We get a bill once a year for $56, which is I think the transmission hookup cost, $5 times 12 months, something like that or something, and there's more and more people doing it.

And I just want to state also that those figures, for guys like me and my wife, they don't even get counted in the amount of renewable generation that's being generated, 'cause you have to be a bigger system for your numbers to be reflected anywhere.

It's coming. The technology's there. It doesn't require massive solar or wind in the desert. I

603-9 mean, we were talking about geothermal 25 years ago when they built the Southwest Powerlink, that they were going to fill it up with that energy and they got like 60 megawatts on it, on that line. It isn't much. And, yeah, they're saying they're going to do half the Salton Sea and all these projects are going on.

Heck, up in the Sierras they were going to put wind energy all across the dry Owens Lake, DWP was, and they finally made an announcement the other day or couple months ago that "Well, it's too muddy out there. We can't do it, so we might build it on the side of the lake." Some of these projects, I don't even think they're giving much thought to how they're going to develop them. That's a big project, DWP, and they had

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to back off what they were saying to the people up in Bishop.

DR. PELL: DWP stands for?

MR. TRAFECANTY: Department of Water and Power.

DR. PELL: Oh, okay.

MR. TRAFECANTY: It's a municipal utility in the L.A. area.

So I contend and I'm going to repeat it because this gentleman back here, I know he's very much in favor of the Sunrise Powerlink -- I read his articles -- and all I'm telling you is that we can do without all these projects and put, just like Kyocera does -- you should see the Kyocera facility. They've got it on their

603-9 parking lot rooftops, shade for the employees' cars on the buildings. Qualcomm's doing it and UCSD's doing it and San Diego State University's doing it, and everybody's going to be doing it. That's where the technology is.

DR. PELL: We're adding solar cells to the White House.

MR. TRAFECANTY: Yeah, and that was an embarrassment for the White House because initially they weren't even going to do it, and they got embarrassed so badly by it that they changed their minds. I read those articles. So, yeah, we're all going to have to change

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our minds on this.

You know, in Japan people put -- this is a funny story. People put solar panels on their rooftops that aren't even hooked up to anything because it's a status symbol to have panels. Some people that can't afford to put the whole thing together, they still put panels up to -- and that's what -- it's socially more

603-9 acceptable and it's going to be more and more acceptable.

And I think condo associations and developers are going to be given a lot of heat. The County should do that. They shouldn't let them build power, you know, big huge houses or buildings without putting your own solar on the roof. It's something that's real simple. I think it's going to happen.

And this is like the Edsel, this proposed Sunrise Powerlink. It's something that is going to make a lot of money for SDG&E, 'cause they get paid 11 or 12 percent on the project, but it's really not what we need. The rules need to change at the CPUC.

DR. PELL: Okay. Thank you so much.

Did you want to speak?

MR. DAVID EDICK: I would like to.

DR. PELL: Please.

MR. EDICK: My name is David Edick. That's

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E-d-i-c-k. I have no connection with this project other than the fact that I live in the county. I do have a considerable amount of energy background internationally. I study the issue and advise groups on it quite often.

From the specifics of this hearing, I think the research on the environmental side is significant. I would suggest following through with I think it was the Sierra Club representative -- no, it was the Audubon Society representative about improved data sharing on methodology. I think that's worthwhile.

Going outside the scope of the hearing as far as the issue of renewable energy, the State of

603-10 California has decided that there's a mandate for renewable energy as a percentage of the total demand in the state. We're going to supply a certain percentage from renewable sources.

In effect, they are telling us as consumers and producers in a way how we're going to produce energy, how we're going to supply ourselves, and so we've got this strange race for wind, for example, projects that are not really thought through. We have this pie-in-the-sky chase for solar and a technology that is still 20 or 30 years away in terms of being cost-effective on a grand scale, on a statewide scale.

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RESPONSE TO 603-10: Thank you for your comments. As discussed in Section 1.3, the applicant's stated objective for the proposed transmission line is to transport renewable electrical power, which 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," as well as to help California utilities meet the renewable portfolio standards specified in California Executive Order S-14-08.

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I support the development of the technology, but it's got to be paid for. Somebody's got to pay for the subsidies.

I think that the connection to the Mexican project is a good one. If California has a mandate to supply renewable energy to its consumers, so be it. Okay. Where are we going to get it? It's a big project.

603-10 I do appreciate the detail that goes into this hearing and to the environmental study. I got to tell you, around the world it's not done like this. Everybody gets a chance to speak their mind, and I think that's pretty cool. But we've made a decision at the State level that renewable energy, we've got to do a certain percentage of it and I think that that was, to be honest, an ill-considered decision because the costs of that decision were not adequately weighed.

I support the technology. I support the development. I also support careful consideration of the costs involved as we travel down a very interesting road here. Good luck to us all. Thank you.

DR. PELL: Thank you.

Kevin?

MR. SMITH: And an interesting add to actually both of their comments. He gets a bill of $56 a year

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for the transmission hookup, and I congratulate you, by the way. I think you're doing a stellar job. That won't be available anymore since we're going to spend $588 per customer, per customer. That means every one of SDG&E's customers is spending $588 to do the Powerlink, the Sunrise Powerlink alone. That's just getting scary. That's a lot of money for each customer to take on especially when they're supposed to get a bill of $56 for a hookup charge. That will go away.

If we are really serious about renewables, why aren't we buying $588 worth of panels that dropped to under a dollar a watt now? The numbers have come down tremendously on solar.

The interconnects for wind are insultingly cruel when you want to ask how much power is available on that grid. It's a simple question. They already know the answer, but they want a quarter of a million dollars to tell you, to study the interconnect. It's ridiculous. It's just to keep anybody out, anybody out.

There's one part in this where you talk about, on your EIR, just to get back to the facts, on page 4.9-7, you talk about 13.3 miles running west. I assume that's the line that runs parallel to the border under the south link. I thought that was not part of this EIR.

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MR. ALBERTO ABREU: What page is that?

MR. SMITH: 14.9 -- 4.9-7, in Chapter 4.

DR. PELL: I just want to -- Jane, that was Alberto Abreu.

MR. ABREU: Sorry.

MR. SMITH: Doesn't this EIR end at the ECO Substation?

MR. BROWN: Give me a page number, Kevin, please, on the bottom.

MR. SMITH: It's Chapter 4. It's 4.9-7.

DR. PELL: What's the page number on the bottom of the page?

MR. SMITH: You know what? Mine's blank. This is an August '09. So you dated them --

MR. BROWN: That's a copy you got.

MR. SMITH: So basically -- well, it's in the description of the 138-kV line, so if you could find that in the Sunrise Powerlink loop-in.

MS. MEGAN SCHWARTZ: Are you referring to a Sunrise Powerlink document?

MR. SMITH: Yeah.

MS. SCHWARTZ: That's not this document.

MR. SMITH: That's not?

MS. SCHWARTZ: No. That's a different EIR.

MR. SMITH: Well, I'm not reading that

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1 document. I know but --
2 DR. PELL: Maybe we should consider that after
3 the formal part of the hearing.
4 MR. SMITH: There you go. I thought we were
5 just in the open session, so ....
6 DR. PELL: Anybody else before we adjourn?
7 MR. COFFEY: Could I just say one last thing?
8 DR. PELL: Sure.
9 MR. COFFEY: There is a lot of discussion that
10 goes on with that much actual math, and my background's
11 chemical engineering so I've spent a lot of time doing
12 math calculations to tell myself the answer to questions
13 that I didn't necessarily know the answer to when I
14 started.
15 And I've read a lot of what other people do,
16 and there's a guy at Cal Tech who's done an estimate of
17 how much energy would we need to produce by way of
18 renewable and noncarbon-based systems, and he calls it
19 something in the neighborhood of 10 terawatts worldwide.
20 So in this country we utilize something between
21 100, roughly average about 100 tera BTU -- I'm sorry --
22 10 to the 16th BTU and it will require us to build every
23 conceivable kind of renewable energy system known to man
24 and a huge amount of it in order to meet the current
25 state of the energy demands that we have in this country

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1 and in the world. And that's not even counting growth.
2 So the notion that we can just say, "Oh, well,
3 we like this system but not that system or we want to
4 cherry-pick something," that is gone. That whole
5 concept is gone, and it grew up around a time when you
6 could burn coal and get a lot of energy or burn oil and
7 get a lot of energy. Now you have highly diffuse energy
8 systems that we're tapping into and we're going to need
9 a huge number of them in order to sustain a quality of
10 life, be able to pump water, to do all the kinds of
11 things that we just take for granted at the moment.
12 And it will require us to cut back 80 percent.
13 We'll have to produce 20 percent of our energy from
14 carbon-based systems and 80 percent from other systems
15 including renewable, and right now we only produce
16 2 percent for renewable.
17 So the notion that, you know, Mr. Trafecanty
18 can say, "Oh, we don't need this," we need it all,
19 unfortunately. And I think it does no good service to
20 suggest or to even go along with the idea that we don't
21 need it all, because it's not energy dense. It's going
22 to require a lot of infrastructure. We're going to have
23 to build it while the cost is cheap and work hard
24 together to get this thing done, because just argument
25 is no longer the answer. So thank you. That's my truly

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last comment.

DR. PELL: Thank you. You'll notice that DOE does support the wide spectrum of technologies.

Is that it? Nobody else? Going once, going twice, last chance.

I want to thank you all for coming out tonight. I think we've had a very rewarding and valuable evening and really appreciate being able to meet you in person. On that note, let the record show the meeting is adjourned at 6:31 p.m.

(The proceedings were concluded at 6:31 p.m.)

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