



# DIANNE JACOB

SUPERVISOR, SECOND DISTRICT  
SAN DIEGO COUNTY BOARD OF SUPERVISORS

June 7, 2010

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## SUNRISE POWERLINK PROJECT MODIFICATION REPORT COMMENTS

### SUMMARY

As the Supervisor representing the Second District of the County of San Diego, which includes all of Eastern San Diego County, I represent communities impacted firsthand by San Diego Gas and Electric's (SDG&E) controversial Sunrise Powerlink. Thank you for the opportunity to comment on the Project Modification Report (PMR). I am aware that the County of San Diego has submitted separate comments on the PMR.

I am in strong agreement with the County's conclusion that the PMR fails to sufficiently analyze the impacts of substantial changes now being proposed to the Final Environmentally Superior Southern Route (FESSR) and lacks proper documentation for the impacts caused by the proposed changes. In addition, as new research conducted by the California Public Utilities Commission (CPUC) indicates, advances in the field of solar energy have rendered the Sunrise project economically and environmentally obsolete.

For these overarching reasons, I call on the CPUC and the Bureau of Land Management (BLM) to abide by the California Environmental Quality Act (CEQA), the National Environmental Policy Act (NEPA) as well as Sunrise Pre-construction Mitigation Measure L-2b and order a Supplemental Environmental Impact Report/Statement for Sunrise.

Measure L-2b requires notification of and input from property owners directly impacted by the Sunrise alignment and construction-related activities.

**SUBSTANTIAL CHANGES AND MISSING DATA:**

The County's analysis concluded that in its present form, "...the PMR will not provide substantial evidence to support a determination under CEQA Guidelines section 15162 that no additional CEQA review is required." In addition, although the PMR claims that the project will result in fewer impacts to the environment than the FESSR, the backup studies that are the basis for this conclusion are not attached, nor are they sufficiently detailed in the document.

I am especially distressed that proper backup documentation and/or more thorough analyses were not provided for the changed project's impacts to a) fire safety, b) large new facilities, c) water usage and d) air quality. Also, it must be noted, as the County's comments detail, in discussions earlier this year, the County requested that SDG&E provide specific information regarding fire and water in its PMR. This request was ignored in the PMR.

**a) Fire safety data flawed:**

As the CPUC is aware from my previous comments on the Draft and Final EIR/S, I have serious concerns about the fire threat posed by Sunrise and have previously warned the CPUC that SDG&E data underestimates the severity of the fire threat, particularly with regard to wind speed. As the County's PMR comments state, the County has implored the utility to use County fire modeling which has been verified by BLM and CAL FIRE. SDE&E has refused. Based on County modeling, SDG&E data underestimates the number of homes threatened by more than 80% (2,650 homes compared to 1,400 homes) as well as downplays the potential area of impact. That the fire modeling in the EIR/S does not match other credible fire data is reason enough to require additional CEQA review.

Once again, I join with thousands of San Diegans who recall the destructive Santa-Ana-fueled firestorms of 2003 and 2007, and remind the CPUC of the finding of the EIR/S: the fire threat posed by routing Sunrise through the high-risk fire areas cannot be mitigated. Sunrise will impede the ability of firefighters to stop wildfires because aircraft cannot make drops where lines obstruct remote, rugged lands and canyons. CALFIRE firefighters cannot fight fire within 500 feet of an energized line, as indicated in the EIR/S.

I continue to believe that the Commission members who approved the FESSR for Sunrise ignored critical fire data that, when considered alongside the County's more accurate modeling, will shed new light on the high potential for additional catastrophic firestorms in Eastern San Diego County and beyond on par with the firestorms of 2003 and 2007.

**b) Landowners blindsided by new facilities not previously identified:**

As the CPUC is aware from my January 2010 letter to Commission President Michael Peevey, I do not believe residents in communities along the FESSR received adequate notification called for by CEQA. The simultaneous analysis of multiple routes in the far northern and far southern portions of an enormous region served to confuse, confound and distract property owners who would otherwise have commented on the Draft EIR/S.

The PMR adds a major new development related to my notification concerns. The PMR references the locations of large, new facilities that never appeared in the EIR/S, particularly a sizable construction yard and office complex in Alpine. The Alpine construction yard will result in significant temporary noise, aesthetic, lighting and air quality impacts to some 30 homes adjacent to the site.

The PMR states that Sunrise Mitigation Measure L-2b was satisfied by the notification to the community of the Draft EIR/S. Again, this measure requires SDG&E to notify property owners impacted by realignment and related activities and affords an opportunity for property owners to identify new impacts. I agree with the County that relying on the notice of the Draft EIR/S is not adequate. At the time of the Draft EIR/S, no project facilities were proposed adjacent to these homes. Consequently, there were no potential impacts to identify or mitigate. Residents now must be afforded their legal right under CEQA as well as under mitigation measure L-2b to comment on these new, unstudied and intensive uses.

**c) Water Usage Still Unclear:**

The areas through which Sunrise would traverse are groundwater dependant. It cannot be understated that groundwater availability and quality is a major concern for these communities. The PMR cryptically indicates that SDG&E proposes to utilize reclaimed water for "*the majority* of construction along the project alignment" (emphasis mine) but does not clearly state that SDG&E promises not to use precious groundwater supplies.

I support the County's position which asks that the PMR clearly state whether or not the project is going to use groundwater. It should be noted in the County's comments that the County stressed this to SDG&E earlier this year and anticipated receiving a groundwater study from SDG&E this spring.

I concur with the County that the water study mentioned in the PMR should be made available for public review and commitment letters be provided to substantiate the conclusions of the PMR.

In addition, the PMR identifies reclaimed water from the City of San Diego and the Padre Dam Municipal Water District "as *potential* primary sources" for this reclaimed water (emphasis mine). Distressingly, no agreements have been finalized, according to the PMR. Presently, the San Diego County Water Authority has issued a Drought Alert for 20 percent mandatory conservation. As a matter of sound public policy, municipal reclaimed water first should be allocated toward existing uses, not a highly contested construction project whose purposed benefits can be realized with less expensive, safer alternatives.

#### **d) Air Quality Information Missing, Dubious:**

In the entire 360-plus page PRM, many sections cry out for a Supplemental EIR/S, but none more than those dealing with air emissions. When the Commission approved the FESSR in December 2008, the adopted plan authored by Commission President Peevey admitted that Sunrise only makes economic sense for Californians if it is modeled on a 33% renewable energy mandate. In fact, Sunrise is premised on the whole idea that it will carry clean, renewable energy in keeping with Assembly Bill 32, the Global Warming Solutions Act spearheaded by the Governor that promises to reduce greenhouse gas emission to 1990 levels by 2020.

Now, however, the same project being billed by the Governor and SDG&E as necessary to meet AB-32 is disturbingly vague with its own air emissions data. A Supplemental EIR/S is absolutely necessary because the PMR introduces new helicopter, equipment and truck impacts that were never clearly identified in EIR/S, not documented in the PMR and based on outdated documents with questionable timelines.

The PMR states, "...there would not be a significant reduction in net emissions from the use of trucks, helicopters and equipment. The modified Project and FESSR would result in similar air quality impacts," (Page 3-6). The documentation for this claim is said to appear in two separate documents: the Sunrise Construction Emissions Monitoring Plan, (CEMP) from January 2010 and the Air Quality Mitigation Program for Construction Air Emissions from June 2009.

Unfortunately, as of noon on Friday, June 4, 2010, neither document had been posted on the Sunrise Project website. There is simply no way to verify these claims as of this writing.

I share the County's serious concerns that no data or analysis is provided in the PMR to substantiate SDG&E's conclusions in the "Air Quality and Traffic Impacts associated with Water Supply" section of the PMR (Page 3-61).

SDG&E states that "Because the heavy-duty truck trips were conservatively overestimated for the CPUC-approved *June 2009* (emphasis mine) Construction Emissions Monitoring Plan for the project, the transportation of reclaimed water does not cause the need to update the project air quality impact analysis and does not create and additional significant environmental impact analysis," (Page 3-61).

Because there are no final agreements in place with regard to reclaimed water usage, no specific data exists to have calculated the emissions created by the transportation of reclaimed water. SDG&E is basing its conclusion that its water plans won't result in new air emissions on a 2009 document prepared *before* the utility ever indicated it intended to use reclaimed water, *without* specific reclaimed water agreements to calculate the emissions and long *before* the final alignment was near completion.

More troubling, according to the CPUC, the CEMP submitted by SDG&E is dated January 21, 2010, not June 2009, as the PMR indicates. It is likely that SDG&E is confusing its own CEMP with its own Air Quality Mitigation Program for Construction Air Emissions. There is no way to know this for certain because neither document has been publicly accessible. This is unacceptable for any project, let alone one being promoted in the name of green energy.

Finally, assuming that the air quality impacts are "similar" as SDG&E expressly states in the PMR, the CPUC must ensure that Sunrise Mitigation Measure AQ-1h is enforced *exactly* as noted in Annex G of the EIR/S which states: "SDG&E shall secure *212 tons* (emphasis mine) per year of NOx reductions in San Diego County to satisfy this requirement... prior to commencing construction."

#### **NEW SOLAR FIGURES SHOW A CHEAPER, SAFER SOLUTION:**

Lastly, eye-opening data in the Phase 2B Renewable Energy Transmission Initiative (RETI), conducted, in part, by the CPUC, demonstrates that in-basin rooftop solar is more cost effective than developing renewable generation sources in the Imperial County and California desert areas, notwithstanding the fact that potential desert and Imperial County renewables can already easily travel on the existing 500 kV Southwest Powerline.

The RETI report shows that even residential photovoltaics (PV) using conventional polycrystalline silicon panels can compete now on cost-effectiveness with desert solar thermal plants without considering the additional cost of new transmission necessary to move desert solar power to demand centers.

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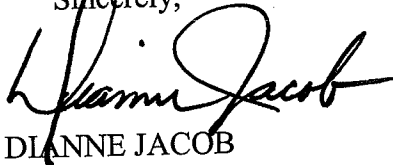
Commercial rooftop PV and wholesale ground-mounted Distributed Generation PV already produce lower-cost solar power than desert solar thermal plants at the projected installed cost for these plants. This alternative is far preferable to the terrible fire risks and unavoidable property damage associated with transmission lines like Sunrise.

**CONCLUSION:**

It is my very strong belief that a Supplemental EIR/S is absolutely necessary to comply with CEQA, NEPA and Sunrise Mitigation Measure L2-b. In addition, a Supplemental EIR/S is greatly needed alleviate intense community distrust that now exists against SDG&E and the members of the Commission who approved the FESSR. As I have previously communicated to the Commission, SDG&E's steadfast insistence that a southern route was absolutely not feasible greatly tainted the public notification process. Residents who listened to the information presented in the utility's massive public relations campaign have been penalized for trusting SDG&E.

Thank your for your thoughtful consideration of requiring a Supplemental EIR/S. If you have any questions, you can reach me or Jennifer Stone of my staff, at (619) 531-4766 or via e-mail at [Jennifer.Stone@sdcounty.ca.gov](mailto:Jennifer.Stone@sdcounty.ca.gov).

Sincerely,



DIANNE JACOB

Supervisor, Second District

cc:

The Honorable Dianne Feinstein, U.S. Senator

Tom Tidwell, Chief, U.S. Forest Service

Will Metz, Supervisor, Cleveland National Forest