

# PUBLIC SCOPING REPORT

**Environmental Impact Report /  
Environmental Impact Statement  
SDG&E East County Substation Project,  
Pacific Wind Development Tule Wind Project,  
and  
Energia Sierra Juarez U.S. Transmission, LLC, Energia Sierra  
Juarez Gen-Tie Project**

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## **Abbreviations and Acronyms Used in this Report**

AB	Assembly Bill
ACEC	areas of critical environmental concern
ALJ	Administrative Law Judge
BLM	Bureau of Land Management
CDFG	California Department of Fish and Game
CEQA	California Environmental Quality Act
CPUC	California Public Utilities Commission
DG	distributed generation
ECO	East County
EIR	Environmental Impact Report
EIS	Environmental Impact Statement
EMF	electric and magnetic field
ESJ Gen-Tie	Energia Sierra Juarez Generator Tie-Line Project
FAA	Federal Aviation Administration
GHG	greenhouse gas
NEPA	National Environmental Policy Act
NOI	Notice of Intent
NOP	Notice of Preparation
Iberdrola	Pacific Wind Development
kV	kilovolt
MV	megawatt
NHPA	National Historic Preservation Act
OHV	off-highway vehicle
O&M	operations and maintenance
PEA	Proponent's Environmental Assessment
PP	Presidential Permit
PTC	Permit to Construct
ROW	right-of-way
SB	Senate Bill
SDG&E	San Diego Gas & Electric Company
SHPO	State Historic Preservation Officer
SWPL	Southwest Powerlink
THPO	Tribal Historic Preservation Officer
USFWS	U.S. Fish and Wildlife Service

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## **1.0 OVERVIEW OF CEQA/NEPA SCOPING PROCESS**

### **1.1 Introduction**

San Diego Gas & Electric Company (SDG&E) has filed an application (A.09-08-003) for a Permit to Construct (PTC) with the California Public Utilities Commission (CPUC) for the proposed East County (ECO) Substation Project. The proposed ECO Substation Project would be located near the unincorporated communities of Jacumba and Boulevard, 70 miles east of downtown San Diego, in the southeastern portion of San Diego County, California. The proposed ECO Substation Project crosses federal lands administered by the U.S. Department of Interior Bureau of Land Management (BLM); therefore, SDG&E has also requested a right-of-way (ROW) grant from the BLM.

In considering the proposed ECO Substation Project, the CPUC and BLM have evaluated a range of projects to determine whether they are so closely related to the proposed ECO Substation Project as to be considered “connected actions” under the National Environmental Policy Act (NEPA) and “whole of the action” under the California Environmental Quality Act (CEQA). The CPUC, as lead agency under CEQA, and the BLM, as lead agency under NEPA, have determined that the Tule Wind Project, as proposed by Pacific Wind Development (a wholly owned subsidiary of Iberdrola Renewables), and the Energia Sierra Juarez Generator Tie-Line Project (ESJ Gen-Tie), as proposed by Energia Sierra Juarez U.S. Transmission, LLC, are so closely related to SDG&E’s proposed ECO Substation Project as to be considered "connected actions" under NEPA and “whole of the action” under CEQA. The Tule Wind Project would tie into the proposed Boulevard Substation rebuild component of the ECO Substation Project. As proposed, the ESJ Gen-Tie project would connect into the proposed ECO Substation in Jacumba. These two projects, along with the proposed ECO Substation Project, are collectively referred to as the Proposed PROJECT.

This public scoping report documents the CPUC’s and BLM’s CEQA and NEPA scoping process and the comments received for the Proposed Project. Specifically, this report describes the scoping activities and documents the written and verbal comments received on the CPUC’s Notice of Preparation (NOP) and BLM’s Notice of Intent (NOI) and comments received at the joint public scoping meetings held for the projects. This report serves as an information source to the CPUC and BLM in its determination of the range of issues and alternatives to be addressed in the Proposed PROJECT. The CPUC and BLM will use the comments received during the scoping period to:

- Identify key issues to focus the analysis
- Identify reasonable alternatives for analysis

- Present environmental impacts of the project and alternatives
- Identify ways to avoid or reduce environmental impacts
- Inform the agency decision-making process.

## **1.2 Summary of CEQA/NEPA Scoping Process**

The CEQA/NEPA scoping process provides government agencies, public and private organizations, and the general public the opportunity to identify environmental issues and alternatives for consideration in the EIR/EIS. The scoping process and results are an initial step in the CEQA/NEPA process.

As required by CEQA Guidelines §15082 (14 CCR 15000 et seq.), the CPUC issued an NOP on December 28, 2009, that summarized the ECO Substation Project and connected actions, stated its intention to prepare a joint EIR/EIS, and requested comments from interested parties. To comply with NEPA (40 CFR 1501.7), the BLM published the NOI in the Federal Register to prepare an EIS for the Proposed Tule Wind Project and the Proposed East County Substation Project (FR Vol. 74, No. 240, page 68860, December 29, 2009). The NOI serves as the official legal notice that a federal agency is commencing preparation of an EIS. The Federal Register serves as the U.S. Government's official noticing and reporting publication. Similar to the NOP, the NOI initiates the public scoping period for the EIS, provides information about the proposed project, and serves as an invitation for other federal agencies granted cooperating agency status to provide comments on the scope and content of the EIS. The NOP is included as Appendix A-1 and the NOI is included as Appendix A-2.

There were 171 public notices sent to stakeholders, including 15 copies to the state clearinghouse; 81 federal, state, and local agencies; 3 local libraries; 38 local organizations/stakeholders; and 34 Native American groups. The public notice, included as Appendix B-1, ran in the San Diego Union Tribune on December 28, 2009, and in the January 2010 edition of the Back Country Messenger, and was sent to the general distribution list of all those identified as property owners within a 2-mile radius of the Proposed PROJECT, which included more than 1,500 recipients. BLM issued a press release, included as Appendix B-2, regarding the NOI on December 29, 2009. The NOP, NOI, and public notice were also made available to the public on the CPUC's website for the ECO Substation Project at:

<http://www.cpuc.ca.gov/environment/info/dudek/ECOSUB/ECOSUB.htm>

The NOI and press release were also made available to the public on BLM's website for the Tule Wind Project at:

<http://www.blm.gov/ca/st/en/fo/elcentro/nepa/tule.html>

During the NOP/NOI comment period, the CPUC and BLM held two public scoping meetings on January 27, and January 28, 2010, in the communities of Jacumba (at the Jacumba Highland Center, 44681 Old Highway 80, Jacumba, California 91934) and Boulevard (at the Boulevard Volunteer Fire Department, 39223 Highway 94, Boulevard, California 91905), respectively.

The scoping meetings provided the public and government agencies the opportunity to receive information on the CEQA/NEPA process and on the proposed projects and to provide oral and written comments. Approximately 70 and 100 persons attended the scoping meetings in Jacumba and Boulevard, respectively, including representatives from local and state agencies, organizations, and private citizens.

The NOP and NOI were provided as handouts at the public scoping meeting (Appendix A). Additional materials provided to the public at the scoping meetings are contained in Appendix C and include the following:

- Appendix C-1 – Meeting Agenda
- Appendix C-2 – Written Comment Form
- Appendix C-3 – Speaker Registration Card
- Appendix C-4 – Scoping Meeting Presentation.

Appendix D includes scoping meeting sign-in sheets and completed speaker registration cards for the two meetings.

A court reporter recorded the two public scoping meetings and prepared transcripts of presentations and public comments. Copies of the meeting transcripts are included as Appendix E (January 27, 2010; Jacumba, California) and Appendix F (January 28, 2010; Boulevard, California).

The comment period for the NOP ended on February 10, 2010, and on February 12, 2010, for the NOI. Comments were accepted until February 19, 2010. In total, 60 letters were received: 24 from federal, state, and local agencies and organizations; 35 from individuals; and 1 from the Campo Band of Mission Indians. Comments received through March 7, 2010 are included in this scoping report. These comments are incorporated into the EIR/EIS project record and are documented and summarized in this public scoping report.

### **1.3 Agencies, Organizations, and Persons Providing Scoping Comments**

Individuals that commented during the scoping meetings are provided in Appendix D (speaker registration cards). Federal, state, and local agencies; private and public organizations; and the general public provided written comments during the public scoping period. Written comments received during the public scoping meetings and in response to the NOP/NOI are included in Appendix G. In summary, Table 1 presents the agencies, organizations, and private citizens that provided comments during the CEQA/NEPA scoping process, organized in the order they were received.

**Table 1  
Comments Received During Public Scoping Period**

Commenter	Date
<b>Federal, State, and Local Agencies and Organizations</b>	
San Diego County Archaeological Society, Inc. (James W. Royle, Jr.)	January 7, 2010
International Boundary and Water Commission United States and Mexico (USIBWC, Carlos Pena)	January 7, 2010
California Department of Transportation, District 11 (Jacob M. Armstrong)	January 12, 2010
Sierra Club, San Diego/Imperial Valley Chapter (Edie Harmon) with attachment from Joseph A. Zechman dated January 15, 2009	January 28, 2010
San Diego Renewable Energy Society (Richard Caputo)	January 29, 2010
San Diego Audubon Society (James A. Peugh)	January 29, 2010
JAM Investments, Inc. (Brett S. Jolley)	February 3, 2010
Congress of the U.S. House of Representatives (Congressman Bob Filner)	February 4, 2010
California Department of Parks and Recreation (Ronilee A. Clark)	February 10, 2010
California Department of Fish and Game, South Coast Region (Edmund Pert)	February 10, 2010
Energia Sierra Juarez U.S. Transmission, LLC (Joan A. Heredia)	February 10, 2010
Powers Engineering (Bill Powers)	February 10, 2010
Rasayana (William Vandivere)	February 10, 2010
Congress of the U.S. House of Representatives (Congressman Duncan Hunter)	February 11, 2010
County of San Diego, Department of Planning and Land Use (Eric Gibson)	February 12, 2010
Iberdrola Renewables, Inc. (Jeffrey Durocher)	February 12, 2010

**East County Substation/Tule Wind/Energia Sierra Juarez Gen-Tie Projects  
1.0 Overview of CEQA Scoping Process**

**Table 1 (Continued)**

Commenter	Date
San Diego County Board of Supervisors (Diane Jacobs)	February 14, 2010
Backcountry Against Dumps (Donna Tisdale)	February 15, 2010
Law Offices of Stephan C. Volker (On behalf of Backcountry Against Dumps, The Protect Our Communities Foundation, East County Community Coalition, and Donna Tisdale)	February 15, 2010
ORBA (Off-Road Business Associations, Inc.: Meg Grossglass)	February 15, 2010
Protect Our Communities (Denis Trafecanty)	February 15, 2010
Rural Economic Action League (Larry Johnson)	February 15, 2010
Mountain Health and Community Services, Inc. (Judith Shaplin)	February 17, 2010
Sierra Club San Diego Chapter	No Date
<b>Individuals</b>	
Gary C. Hoyt	January 23, 2010
Anonymous	January 27, 2010
Linda (no last name)	January 27, 2010
Derik Martin	January 27, 2010
Desi Vela	January 27, 2010
Richard Caputo	January 28, 2010
Ronald and Elizabeth Dahlgren	January 28, 2010
Peter H. St. Clair	January 30, 2010
Suzanne Bennett	February 1, 2010
John Gibson	February 4, 2010
Adam Rubio	February 5, 2010
Randy Lenac	February 6, 2010
Elizabeth Higgins	February 7, 2010
James Freeburn	February 10, 2010
Ken Daubach	February 11, 2010
Margaret Stahlheber	February 11, 2010
Dennis and Connie Berglund, Irene Timpa	February 12, 2010
Hali Carlson	February 12, 2010
Brit Coupens	February 12, 2010
Sherie Hubble	February 12, 2010
Mike Troy	February 12, 2010
Luke Gordon	February 15, 2010

**Table 1 (Continued)**

Commenter	Date
Chris Lawrick	February 14, 2010
The Mighty Q	February 14, 2010
Billie Jo Jannen	February 15, 2010
Michael and Sunny Jones	February 15, 2010
Cheryl Lenz	February 15, 2010
Chris and Christina Noland	February 15, 2010
Mark Ostrander	February 15, 2010
Donna Tisdale	February 15, 2010
Ken Venable	February 15, 2010
Donna Tisdale	February 16, 2010
Donna Tisdale	February 17, 2010
Donna Tisdale	February 18, 2010
Laurie Baker	None
<b>Tribal</b>	
Campo Band of Mission Indians (Monique La Chappa)	February 15, 2010
<b>Late</b>	
Donna Tisdale	February 20, 2010
Donna Tisdale	February 23, 2010
Donna Tisdale	February 25, 2010
Donna Tisdale	February 25, 2010
Donna Tisdale	March 2, 2010
Donna Tisdale	March 5, 2010
Donna Tisdale	March 7, 2010

## **1.4 Scoping Report Organization**

This public scoping report summarizes the comments and issues identified through the project’s scoping period, including the public scoping meetings. The CPUC and BLM will review and consider all the written and verbal comments received in preparing the EIR/EIS for the Proposed Project.

Section 2 provides summary information on SDG&E's, Pacific Wind Development’s, and Energia Sierra Juarez U.S. Transmission, LLC's stated project objectives and the respective

project descriptions and provides background information regarding each applicant's proposed project.

Section 3 provides an overall summary of the comments received and issues raised during the project's public review period, including verbal comments received during the public scoping meetings.

Section 4 provides a summary of future steps in the planning process and indicates opportunities for public participation in the environmental review process.

Section 5 includes a list of references used in preparation of this scoping report.

Following is the list of appendices that includes public scoping notices, scoping meeting materials, scoping meeting transcripts, and public comments received during the public review period.

A Notices

A-1 Notice of Preparation (posted December 28, 2009)

A-2 Notice of Intent (published in the Federal Register on December 29, 2009)

B Scoping Meeting Notices

B-1 Public Notice (December 28, 2009)

B-2 Public Notice (BLM, December 29, 2009)

C Scoping Meeting Materials

C-1 Meeting Agenda

C-2 Written Comment Form

C-3 Speaker Registration Card

C-4 Scoping Meeting Presentation

D Scoping Meeting Sign-In Sheets and Speaker Cards

D-1 January 27, 2010 Scoping Meeting Sign-In Sheet and Completed Speaker Registration Cards

D-2 January 28, 2010 Scoping Meeting Sign-In Sheet and Completed Speaker Registration Cards

E Transcript from scoping meeting January 27, 2010, Jacumba, California

F Transcript from scoping meeting January 28, 2010, Boulevard, California

G Comments Received During Scoping Period

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## **2.0 SUMMARY OF PROPOSED PROJECTS**

This section provides an overview of the ECO Substation, Tule Wind, and ESJ Gen-Tie projects located in east San Diego County, between 50–70 miles east of downtown San Diego, California.

### **2.1 SDG&E's East County Substation Project**

#### **2.1.1 SDG&E's Stated Project Objectives**

SDG&E's Proponent's Environmental Assessment (PEA) lists the following two basic objectives for the ECO Substation Project:

- To facilitate interconnection of renewable generation in southeastern San Diego County
- To improve reliability for the existing electric transmission system in the Mountain Empire region of San Diego County.

#### **2.1.2 ECO Substation Project Description**

The ECO Substation Project, as proposed by SDG&E, includes the following major components:

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

The Proposed PROJECT would provide an interconnection hub for renewable generation along SDG&E's existing SWPL 500 kV transmission line. In addition to accommodating the region's planned renewable generation, the project would also provide a second source for the southeastern 138 kV transmission system that avoids the vulnerability of common structure outages, which would increase the reliability of electrical service for Boulevard, Jacumba, and surrounding communities. The Proposed PROJECT would provide interconnection capability at three voltage levels, which would provide renewable generators the option to connect at a voltage level that is appropriately sized for their project.

The primary component of the Proposed PROJECT, the ECO Substation, is situated approximately 0.5 mile north of the U.S.–Mexico border and 0.5 mile west of the Imperial County border.

This project requires a PTC by the CPUC under CEQA and a Record of Decision from BLM under NEPA.

## **2.2 Pacific Wind Development's Tule Wind Project**

### **2.2.1 Pacific Wind Development's Stated Project Objectives**

Pacific Wind Development's EIR/EIS lists the following basic objectives for the Tule Wind Project:

- To provide energy generation, including an energy distribution system, to adequately meet the state's planned population growth and future generations' needs.
- To provide renewable energy to contribute to the goals of the California Renewable Portfolio Standard Program and Energy Report Update and contribute to the state's goal of increasing the renewable energy electricity mix to 33% by the year 2020.
- To assist the BLM and other agencies within the U.S. Department of the Interior to increase renewable energy production on federal lands as directed by the Energy Policy Act of 2005.
- To assist the County of San Diego toward achieving its energy goals and objectives by maximizing the development of renewable alternative sources of energy.

### **2.2.2 Tule Wind Project Description**

The proposed Tule Wind 200 megawatt (MW) project, consisting of approximately 124 wind turbines in the 1.5 to 3.0 MW range generating up to 200 MW of electricity, would be located in the McCain Valley in southeastern San Diego County, California. In addition to wind turbines and associated generator step-up transformers, the Tule Wind Project would include the following components:

- A 34.5 kV overhead and underground collector cable system linking the wind turbines to the collector substation
- A 5-acre collector substation and a 5-acre operations and maintenance (O&M) facility
- Four meteorological towers
- A 138 kV overhead transmission line running south from the collector substation to be

interconnected with the rebuilt SDG&E Boulevard Substation

- Newly constructed access roads and temporarily widened and improved existing access roads.
- For public safety, permanent fences would be erected around the collector substation, sonic detector and ranging system, and O&M facility.

This project requires a Record of Decision from BLM, a decision from the Bureau of Indian Affairs, a permit/easement from the California State Lands Commission, and a Major Use Permit from the County of San Diego. The County of San Diego will use the EIR/EIS to issue the Major Use Permit for its compliance with CEQA.

## **2.3 Energia Sierra Juarez U.S. Transmission, LLC's ESJ Gen-Tie Project**

### **2.3.1 Energia Sierra Juarez U.S. Transmission, LLC's Stated Project Objectives**

Energia Sierra Juarez U.S. Transmission, LLC has the following basic objective for the ESJ Gen-Tie Project:

- Provide generation-tie to only transmit renewable energy from a wind farm project proposed in northern Baja California, Mexico, to the proposed SDG&E ECO Substation.

### **2.3.2 ESJ Gen-Tie Project Description**

As proposed, the ESJ U.S. Gen-Tie Project would have the capacity to import up to 1,250 MW of renewable energy generated in northern Baja California, Mexico to the existing SWPL Transmission Line in southeastern San Diego County, California. The selected route would interconnect with the proposed ECO Substation and would be constructed on three to five 150-foot lattice towers or 170-foot steel monopoles, extending south from the point of interconnection for about 0.5 mile to the U.S./Mexico international border. Only renewable energy would be transmitted via the gen-tie line. The EIR/EIS will address the gen-tie line including any potential impacts to the U.S. associated with wind turbines constructed in Mexico.

This project requires a Presidential Permit (PP-334) from the U.S. Department of Energy and a Major Use Permit from the County of San Diego. The County of San Diego will use the EIR/EIS to issue the Major Use Permit for its compliance with CEQA.

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### **3.0 SUMMARY OF SCOPING COMMENTS**

This section of the report summarizes the comments raised by the public and agencies during the scoping process. This summary is based upon both written and verbal comments that were received during the NOP/NOI public scoping period and from the project scoping meetings held in Jacumba on January 27, 2010, and Boulevard on January 28, 2010. Table 1 provides a list of commenters including federal, state, and local agencies and organizations that provided written comments during the public review period. There were a number of environmental concerns raised during the public scoping process, which focused on the project's potential effects in several environmental categories. The scoping report summarizes the comments received according to the following major themes:

- Project description
- Human environment issues
- Natural environment issues
- Indirect and cumulative impacts
- Project alternatives
- EIR/EIS administrative and permitting issues.

#### **3.1 Project Description**

A commenter noted that the EIR/EIS should clearly define the purpose and need for all three projects. Also, the purpose of the ESJ Gen-Tie Project should be clarified if it would be solely used for renewable energy from Baja California, Mexico.

Regarding operations and maintenance of the facilities, several commenters expressed concern regarding the reliability of energy production and transmission, specifically during catastrophic events such as wildfires, seismic activity in the region, lightning strikes, and high winds that may stop operation of the wind turbines. In addition, a commenter expressed concern regarding the efficiency of the amount of energy produced from wind farm developments.

#### **3.2 Human Environment Issues**

##### **Aesthetics/Visual Resources**

The potential visual and aesthetic impacts of the wind turbine towers and associated aboveground transmission lines were identified as a public concern during the scoping process. Specific areas of concern included the visual appearance of the large number of wind turbines, associated aboveground transmission lines, the industrial nature of the substations, and

development of new access roads. The required Federal Aviation Administration (FAA) safety lighting, which would be placed atop the wind turbines, was also noted as a potential visual concern during public scoping. Commenters noted that the subject property and surrounding areas are predominantly open and undeveloped, and consequently, the proposed wind farm and transmission line developments could alter the existing landscape and diminish the wilderness experience for visitors in the area. Several commenters expressed concern that the project would severely impact the rural scenic value of the project area and impact views for landowners and users of the surrounding recreation and wilderness areas, which could reduce the visual appeal of the region potentially affecting tourism and revenue to local communities. Careful attention should be given to how the wind turbine array appears against the surrounding landscape and steps should be taken to minimize the visual impacts and make the wind turbines less obtrusive from key viewpoints. A commenter suggested that mitigation include moving turbine arrays away from wilderness, areas of critical environmental concern (ACEC), residential uses, and nearby campgrounds. Another mitigation suggestion was to underground the transmission lines to reduce visual resource impacts.

Commenters noted that the EIR/EIS should address light and glare effects that the projects' lighting would have on the night sky in the project area.

### **Wildfire Hazards**

A number of comments were raised regarding the increased risk of wildfire hazards due to the introduction of industrial wind turbines, new transmission lines, substations, and transformers. Commenters stated that these facilities would introduce a new ignition source in an already high fire-danger zone. One commenter suggested mitigation include undergrounding transmission lines to reduce the risk of fire. In addition, the potential for fire hazards was noted during the construction of the projects. One commenter noted that the EIR/EIS should incorporate all relevant wildfire occurrence information, including historic fire frequency, duration, and magnitude data, and that a complete understanding of fire hazards in light of the region's fire history be provided in the EIR/EIS.

Concern was expressed regarding the firefighting resources available to fight wildland fires in the project area. In addition, a commenter noted safety concerns related to low-flying aerial firefighting support and that the proposed transmission lines could cause a significant safety impact, especially in smoky conditions when the lines may not be visible or that aerial support would be halted due to the potential danger of flying into the transmission lines, thereby increasing wildfire hazards.

## **Wilderness and Recreation**

Public comments were received with regard to the project's potential effect on recreational use in the area. One commenter suggested that the environmental analysis needs to evaluate the project's potential direct and indirect impacts on the recreational uses in the area, including, but not limited to, off-highway vehicle (OHV) use, camping, hunting, photography, hiking, wildlife viewing, and rock climbing. In addition, commenters indicated that the County of San Diego is developing a system of interconnected regional and community trails and that the EIR/EIS should evaluate the Boulevard Community Trails and Pathways Plan for any potential conflicts with or impacts to the recreational use of existing and proposed trails. Commenters expressed concern over the projects' impacts to wilderness and environmentally sensitive areas, including the Carrizo Gorge Wilderness area, the Jacumba Wilderness Area, the Table Mountain ACEC, and the Anza-Borrego Desert State Park.

Concerns were expressed regarding new access roads proposed by the projects in regard to newly created access in recreational areas. A commenter noted that new roads into previously inaccessible areas would likely result in increased fire danger, invasive species distribution, vandalism, and disruption of habitat in remote natural resource areas due to increased public access. The commenter further describes that the Sunrise Powerlink project includes mitigation that requires current and new roads to be closed to the public due to safety, invasive species, and fire hazard concerns. If this mitigation is similar for the proposed projects, then more land would be closed to recreational uses in the project area due to the proposed projects.

## **Land Use**

Several commenters noted that the proposed projects would conflict with designated recreational and wilderness land uses in the project area. Commenters noted that the analysis should consider the rural community character, quality of life, and potential conflicts with the proposed infrastructure projects. In addition, the EIR/EIS should review the projects for consistency with the County of San Diego's General Plan goals and policies (including those of the General Plan Update currently in process), consistency with existing zoning, consistency with BLM's Eastern San Diego County Resource Management Plan/Record of Decision, and should consider conservation and preserves areas within and surrounding the project areas. Additional conservation initiatives in the region should be taken into consideration, including The Nature Conservancy's purchase of the Jacumba-Eade property in January 2008 for inclusion in the Anza-Borrego State Park; preservation programs in the County of San Diego's East County Multiple Species Conservation Plan; the Las Californias Binational Conservation Initiative; and the Parque to Park proposal, which seeks to connect Anza-Borrego State Park (and the Jacumba-

Eade property) with Baja California, Mexico's Parque Nacional Constitucion de 1857 and the Parque Nacional San Pedro Martir.

### **Noise**

A number of the commenters expressed concern regarding potential noise generated by operation of the proposed wind turbines and its effect on adjacent property owners and special-status animal species in the area. In addition, construction and operation noise of all project components, including emergency generators, and noise and vibration effects of required blasting should be analyzed in the EIR/EIS.

One commenter noted that additional noise could occur in the area due to helicopter noise during construction and maintenance activities associated with the ECO Substation project. A concern was expressed over the cumulative noise effect of existing border patrol and military helicopter activities in the project area.

### **Agricultural Resources**

Several comments were received during the public scoping period indicating that proposed transmission lines could restrict the acreage available for farming, which would result in not being able to farm the entire parcel and loss of income. A commenter expressed concern over project construction activities damaging existing potable water lines and the effect that will have on residents and farming activities.

### **Cultural Resources**

Comments were received during the public scoping period concerning the project's potential effect on cultural and historic resources in the area, and the need to conduct Native American consultation. The environmental analysis should provide a detailed analysis of the cultural resources, including Native American sacred sites, burial/cremation areas, and traditional cultural properties. Consultation for tribal cultural resources is required under Section 106 of the National Historic Preservation Act (NHPA), which requires a federal agency, upon determining that activities under its control could affect historic properties to consult with the appropriate State Historic Preservation Officer/Tribal Historic Preservation Officer (SHPO/THPO).

### **Population and Housing**

A commenter indicated that the analysis should consider whether or not the projects would attract new residents to the area by creating additional jobs, how this population growth would affect demand for housing and other services provided by local business, and how this demand would benefit the local economy. A commenter would like to know if new schools and public

safety services would be required due to a population/housing increase, and whether the cost of such services would be offset by increased property tax revenue.

### **Public Health and Safety**

Several comments were received regarding the proposed transmission lines and the potential health effects associated with electric and magnetic fields (EMFs) generated from high-voltage power lines. In addition, a commenter indicated that a potential leak or spill of petroleum or hydraulic fluids from construction equipment or other vehicles during project construction, operation, or maintenance could contaminate soils, surface waters, or groundwater. Another commenter expressed concern regarding the safety of the turbines with respect to the towers collapsing or losing blades.

### **Transportation**

A commenter indicated that permanent and/or temporary impacts to the County of San Diego-maintained road network need to be analyzed in the EIR/EIS. Due to new access roads associated with the transmission lines and turbines, the potential for an increase in trespassing that could adversely impact resources, including OHV use, should be considered in the EIR/EIS. One commenter suggested that mitigation include a road maintenance program that would require the project proponents to keep the public and private access road repaired and maintained as long as the projects are in operation.

### **Public Services and Utilities**

A commenter indicated that the analysis should review the number of reduced outages in the communities served by the existing Boulevard Substation due to development of the proposed ECO Substation project. In addition, the reliability benefits of the ECO Substation project and alternatives should be quantified.

A commenter expressed concern over project construction activities near roadways potentially damaging existing potable water lines. A few commenters suggested that mitigation should include a requirement that the project proponents prepare a Community Enhancement Plan that takes into account the unique needs and impacts of the rural communities of the project area. Some suggestions were to require funding/improvements of public services, including, but not limited to, facilities, equipment, and personnel capable of meeting the increased fire risks due to the proposed projects.

## Social and Economic Conditions

Commenters expressed concern regarding the potential impact of the project on their property values and businesses, and potential increase in vandalism through improved access to remote properties. Specific topics mentioned include increased property insurance due to increased risk of wildfire, rural blight due to the loss of recreational tourism, and impacts to local labor and suppliers.

A commenter noted that economic value of local jobs for in-basin distributed generation should be compared to the local jobs that would be created by the proposed industrial-size projects.

## Environmental Justice

A concern was raised regarding the projects' effects on low-income populations. The environmental analysis should address the potential for disproportionate adverse impacts to low-income populations.

## 3.3 Natural Environment Issues

### Biological Resources

Biological issues raised by the public and responsible agencies included potential direct, indirect, and cumulative impacts on special-status species known to occur in the region. Specific comments (among others) included potential impacts to rare plants, including but not limited to Tecate tarplant (*Deinandra floribunda*); and special-status wildlife species including but not limited to Peninsular bighorn sheep (*Ovis canadensis cremnobates*); arroyo toad (*Bufo californicus*); quino checkerspot butterfly (*Euphydryas editha quino*); Blainville's horned lizard (*Phrynosoma blainvillei*); southwestern willow flycatcher (*Empidonax traillii extimus*); golden eagle (*Aquila chrysaetos*); California condor (*Gymnogyps californianus*); and Swainson's hawk (*Buteo swainsoni*) and other raptors and sensitive migratory bird and bat species. The effects of the proposed projects on designated critical habitat for bighorn sheep and quino checkerspot butterfly should also be assessed. The EIR/EIS should address both direct and indirect impacts to fully protected species (bighorn sheep and golden eagle) and include specific avoidance and minimization measures. Several comments discuss the area being a habitat and wildlife movement corridor, as well as an intact cross-border corridor that is the subject of ongoing conservation efforts. In addition, commenters expressed concern that these projects would cause fragmentation of large natural habitats. Further, focused plant and animal surveys should be conducted by qualified biologists during the appropriate survey period(s) to detect the presence of special-status species and should be incorporated in the EIR/EIS analysis. One comment indicated that nocturnal surveys should be conducted to determine the degree of nighttime avian

use in the area. Project impacts should be assessed for all project components, including proposed infrastructure, transmission lines, roads, and staging areas. A commenter suggested that mitigation lands should be purchased within the impacted areas.

The effects on biological resources resulting from increased human presence and OHV use related to new access roads connecting project infrastructure should be assessed. The effects on biological resources resulting from groundwater use by the project should be assessed. The effects of increased ignition sources resulting in increased fire frequency leading to habitat type conversion and invasive species should be assessed. The indirect effects of noise and lighting on avian species, as well as erosion and dust, should also be addressed.

Comments indicated that a quantitative cumulative impact analysis should be completed for biological resources. This analysis should provide a discussion of the impacts to existing conservation areas as well as the implications to the preserve design of the draft East County Multiple Species Conservation Plan, including the 153 species that are proposed for coverage by the plan.

A number of comments were received concerning the project's potential effect on local and migratory bird and bat species. Concern was noted that some commenters felt the proposed turbines with their spinning rotors posed increased risk for bird collisions and mortality. Of particular concern to these commenters was the project's potential to harm, injure, or kill golden eagles and other birds of prey that may commonly use the area for nesting, hunting, and/or migration. Mitigation suggestions included the following: (1) shutting down turbines at times of high bird or bat activity; (2) delaying turbine start-up until wind speed reaches a certain threshold reducing the duration of operation, thereby decreasing the risk of bird mortality; and (3) bird/bat monitoring throughout the life of the project, with mandatory shut-downs required if significant problems occur. Several commenters noted that nighttime surveys and continued monitoring (including radar studies) should be conducted to evaluate bird activity in the project area. The California Department of Fish and Game (CDFG) indicated that the EIR/EIS should include a comparative analysis of the bird and bat survey protocol recommendations in the California State Energy Commission's "California Guidelines for Reducing Impacts to Birds and Bats from Wind Energy Development" and those that have been conducted for the Tule Wind project. In addition, a concern over avian injury and mortality was expressed due to electrocution by power lines.

The environmental analysis should identify and describe specific turbine types and their operating characteristics and consider alternative designs and operations that minimize adverse impacts to wildlife, including bird and bat species that are known to inhabit or use the project vicinity. Project design should give careful consideration to reducing perching or nesting opportunities, which would help mitigate the potential risk of bird and bat collisions.

A commenter noted that invasive plant species could be introduced in the project area through construction and maintenance vehicles or through import of fill material to the project area.

Several commenters suggested “restoration bonds” as mitigation for each project proponent, which would require complete decommissioning of all project components and restoration of the surrounding environment to its preexisting, natural condition, to occur immediately as the projects reach the end of their useful life. The bond should be a sufficient amount to complete the restoration prior to the beginning of construction. Further, the bond should be reviewed bi-annually for anticipated cost adjustments.

### **Hydrology and Water Quality**

A number of comments addressed the project’s potential impacts to local surface and groundwater resources. Specifically, it was requested that the EIR/EIS include an analysis of any potential groundwater usage for all three projects, including during construction. Surface and groundwater use should identify water volumes needed for construction and operation, the source of the water, and availability of the water. Use of groundwater should discuss the impact to plant and animal species that may rely on local water sources. Comments were also received requesting that the projects’ environmental analysis include a detailed evaluation regarding the potential for contamination of the groundwater aquifer due to construction and operation of the infrastructure facilities. Another comment addressed concerns that the project may potentially impact jurisdictional waters of the U.S. and State of California due to changes in surface water runoff. Further, a commenter noted that due to construction of foundations and roads, impervious surface area would be increased, thereby reducing the amount of groundwater recharge. The commenter is concerned about availability of a good water supply for agricultural purposes. In addition, concern was expressed by a commenter that following construction there will be increased erosion and sedimentation.

### **Air Quality/Global Climate Change**

Comments were received during the public scoping period concerning the project’s potential construction and operational impacts to the local air basin and global climate change. A few commenters noted that the environmental analysis needs to include an evaluation of greenhouse gas (GHG) emissions/climate change in accordance with CEQA guideline amendments in light of Assembly Bill (AB) 32 and Senate Bill (SB) 97. Another commenter noted the potential for the project to increase fossil fuel consumption due to possible construction of fossil fuel-based facilities that would tie-in to the substations. Therefore, the analysis should analyze the effects on GHG emissions, global warming, and air quality in the project area. Comments were also received regarding the project’s potential effect on global climate change caused by increases in GHG emissions, including carbon dioxide and other heat-trapping gases. The commenter noted

that studies have shown that undisturbed desert areas may sequester carbon dioxide in surprising quantities; therefore, the environmental analysis should evaluate whether the construction and operational activities associated with the project would affect the desert's ability to store carbon dioxide, and what effect that may have on global climate change. Further, the commenter noted that a full analysis of SF6 emissions from all project components should be provided. In addition, the commenter noted that local air quality and public health should be evaluated during construction and operation, specifically particulate matter during construction activities.

A comment was also received that the environmental analysis should consider the number of renewable projects that could be developed if the ECO Substation Project is developed, provide the number of fossil-fueled power plants that could be replaced if these renewable energy projects are developed, provide the GHG emission reductions created by the shift from fossil fuels to renewable energy in East County, and provide the percentage of the region's AB 32 targets that could be reached because of these reductions.

### **3.4 Indirect and Cumulative Impacts**

A number of commenters expressed concern that the project's environmental analysis should include anticipated indirect and cumulative impacts associated with construction and operation of the projects. Commenters felt that the project's environmental analysis should provide context for understanding the magnitude of project-related impacts by cumulatively considering the environmental effects of other proposed energy projects in the region, in addition to all past, present, and reasonably foreseeable projects or actions within the geographic range of the project area. Specifically, a commenter noted that a comprehensive cumulative analysis of the effects of past and future fires on the vitality of the remaining native chaparral acreage and other disappearing mountain and desert ecosystems should be considered in light of the proposed projects and other energy development and transmission projects planned in the region. Each of the topical impact sections analyzed in the project's environmental document should include indirect and cumulative impacts of the project and alternatives.

Specific comments received suggested that the additional energy generated by these and cumulative projects in the area could facilitate growth in the region, which has the potential to indirectly increase the project's environmental effects, which should be considered in the environmental analysis.

### **3.5 Project Alternatives**

A number of comments were received concerning alternatives to the proposed projects. Most of the commenters expressed the need for the environmental analysis to include a full and comprehensive range of alternatives that reduce identified impacts. Suggestions from

commenters regarding specific alternatives included distributed generation (DG); use of existing transmission lines in Baja California, Mexico; upgrading existing transmission lines in the U.S.; undergrounding proposed transmission lines; alternative transmission routes; alternative sites and configurations; conservation or decreased demand; and alternative technologies, including solar, combined wind and solar, nuclear, or other energy generators that achieve a majority of project objectives.

The CPUC and BLM should establish an independent set of objectives that do not unreasonably limit the environmental analysis of feasible alternatives including alternative sites. The environmental document should present the environmental impacts of the proposed action and the alternatives in comparative form to provide a clear basis for choice among options by the decision makers and the public. The environmental analysis should describe a consistent rationale used to determine whether impacts of the projects and projects' alternatives are significant or not.

### **3.6 EIR/EIS Administrative and Permitting Issues**

#### **Agency Permits/Consultation**

A commenter noted that the project should analyze the consistency of the project with state and local agencies and conduct joint environmental review with all responsible agencies. All required permits should be listed and discussed. A commenter requested that early consultation occur with the resource agencies, specifically the CDFG, BLM, and U.S. Fish and Wildlife Service (USFWS).

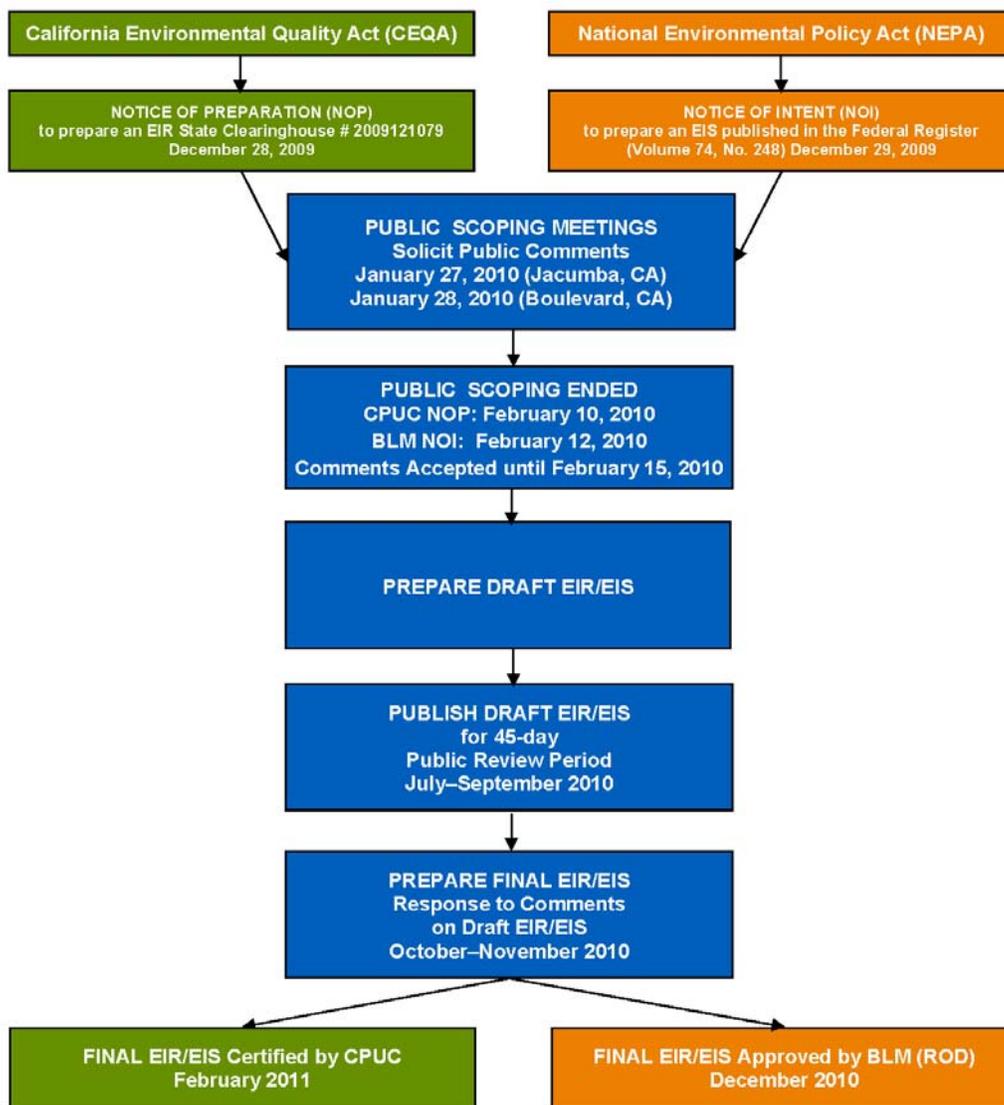
### **3.7 Issues Outside the Scope of the EIR/EIS**

General comments were received that noted support and others that were against the development of the projects. Some comments were received requesting addition to CPUC/BLM project mailing list or requesting copies of the project alignment maps. One commenter submitted a statement of qualifications requesting and opportunity to bid on construction of the ECO Substation Project and another person contacted the project information line offering security services for the proposed projects during construction and operation. Each of these requests have been satisfied and will not be addressed in the Draft EIR/EIS. A comment was also received requesting that due to the size of the projects that the public review time be extended.

## 4.0 SUMMARY OF FUTURE STEPS IN THE PLANNING PROCESS

The EIR/EIS process requires a team of interdisciplinary resource specialists to complete each step. An important part of the environmental planning process is engaging the public and relevant agencies from the earliest stages of and throughout the planning process to address issues, comments, and concerns. The steps of the CEQA and NEPA planning processes and agency authority and decisions to be made are described as follows. Figure 1 provides a summary of the EIR (CEQA) and EIS (NEPA) processes.

**Figure 1. CEQA/NEPA Process Flowchart**



## **Identification of Issues**

Issues associated with the project were identified through the scoping period, which initiated the planning process. The scoping process and the issues identified through the scoping process are documented in this scoping report.

## **Data Information and Collection**

Much of the necessary resource data and information will be compiled from existing studies prepared for the projects or through other local agencies. Additional data and information will be obtained from available sources to update and/or supplement existing data.

## **Preparing Draft EIR/EIS**

Based on collected data, including public comments, a description of the project and alternatives (including no action) will be developed. Only alternatives that meet CEQA and NEPA screening criteria will be considered in detail. Impacts that could result from implementing the project and alternatives will be analyzed and measures to mitigate those impacts will be identified where appropriate.

## **Draft EIR/EIS and Public Comment Period**

The next official public comment period will begin upon publication of the Draft EIR/EIS, which is anticipated to be in mid-summer 2010. This document will evaluate a range of project alternatives including a “No Action” alternative and a “Preferred” alternative and will generally include the following:

- Executive summary
- Introduction/overview (including purpose and need for the project)
- Description of projects and alternatives
- Environmental analysis (including impacts and mitigation measures to minimize impacts)
- Comparison of alternatives
- Other CEQA/NEPA considerations.

Upon completion of the Draft EIR/EIS, The CPUC will file a Notice of Completion with the California State Clearinghouse and the BLM will publish a Notice of Availability in the Federal Register and a 45-day public comment period will follow. Copies of the Draft EIR/EIS will be distributed to elected officials, regulatory agencies, and interested members of the public. The document will also be available online at the CPUC and BLM websites:

CPUC: <http://www.cpuc.ca.gov/environment/info/dudek/ECOSUB/ECOSUB.htm>

BLM: <http://www.blm.gov/ca/st/en/fo/elcentro/nepa/tule.html>

During this time, public comment on the Draft EIR/EIS will be received.

### **Response to Comments, Preparation of Final EIR/EIS, Notice of Determination, and Record of Decision**

After the public comment period, the CPUC and BLM will respond to comments and prepare a Final EIR/EIS. The availability of the Final EIR/EIS will be announced in the Federal Register, and a 30-day public protest period will follow. Copies of the Final EIR/EIS will be distributed to elected officials, regulatory agencies, and interested members of the public. The document will also be available online at the CPUC and BLM websites, as described previously.

After the Final EIR/EIS is completed, the CPUC will make a final decision for the ECO Substation Project. The Administrative Law Judge (ALJ) overseeing the PTC will write a draft decision based on the environmental documentation and testimony from parties to the proceeding. The ALJ and the CPUC will consider the final environmental document, along with other issues, during the preparation of the decision on the PTC application. The Notice of Determination for the ECO Substation Project is expected to be filed with the County of San Diego for CEQA purposes in February 2011.

For NEPA, following a 30-day Protest Period and concurrent 30-day Governor's Review, the BLM will resolve valid protests and prepare two separate Records of Decision (one for the ECO Substation and one for the Tule Wind project), which are anticipated to be released in December 2010. The Notice of Availability s for the two Records of Decision will be announced in the Federal Register.

Responsible agencies, including the County of San Diego, California State Lands Commission, and Bureau of Indian Affairs will also use the EIR/EIS for their permitting processes. Following certification of the EIR/EIS by the CPUC, the County of San Diego will use the EIR/EIS for their discretionary action under CEQA in their consideration of issuing the major use permits (Major Impact Service Utility) for the Tule Wind and ESJ Gen-Tie projects, as portions of those projects are within their jurisdiction. The County Planning Commission will make the final decision in considering and issuing the major use permits. Since portions of the Tule Wind Project will occur on lands under the jurisdiction of the California State Lands Commission (CEQA) and the Bureau of Indian Affairs (NEPA), they will use the EIR/EIS for consideration of their required discretionary actions, as will responsible resource agencies.

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## **5.0 REFERENCES CITED**

14 CCR 15000–15387 and Appendix A–L. Guidelines for Implementation of the California Environmental Quality Act.

40 CFR 1501.1–1501.8. NEPA and Agency Planning.

FR Volume 71. No. 169, page 51848. December 29, 2009.

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