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April 11, 2008

VIA E-MAIL sunrise@aspeneg.com

CPUC/BLM c/o Aspen Environmental Group 235 Montgomery Street, Suite 935 San Francisco, CA 94104

Re: Sunrise Powerlink Draft EIR/EIS

Dear CPUC/BLM:

Thank you for the opportunity to review and comment on the Sunrise Powerlink Project Draft EIR/EIS ("EIR"). These comments are submitted on behalf of Barratt American Incorporated ("Barratt"). Barratt recently obtained land use approvals from the City of Santee to develop the Fanita project, a master planned community in the City of Santee adjacent to the location of the proposed San Diego Community Power Project/ENPEX alternative ("ENPEX") described in the EIR. Please update the EIR to reflect that the Fanita project is approved and will include 1,380 residential units and associated commercial development, parks, open space and other amenities. Please also perform and update other ENPEX analyses, conclusions, and mitigation measures as necessary to ensure proper consideration is made of the Fanita development. Barratt hereby joins in the EIR comments submitted by the City of Santee. Additionally, please consider the following comments:

- 1. <u>ENPEX Location</u>. It is unclear where the ENPEX facility will be located. In some places, the EIR refers to Site 1D and in others it refers to Site 1B/1C of Figure E.6.1-3. Please confirm which is the correct site for the ENPEX alternative.
- 2. <u>Plan Inconsistencies</u>. The Fanita project is fully consistent with the City of Santee's long standing General Plan, which designates the areas adjacent to ENPEX for residential development. Adoption of the ENPEX alternative would be inconsistent with the City's General Plan. Please address this inconsistency.
- 3. <u>Compatibility</u>. The EIR states repeatedly that there is no residential development in the area surrounding the ENPEX alternative site. As noted above, however, residences will be constructed adjacent to the proposed ENPEX site pursuant to the Fanita project approvals.



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Please update the EIR to provide proper analysis of the impacts ENPEX may have on such residential uses. The updated analysis should include a discussion of land use, visual impacts, noise, air quality, health/safety and related impacts.

- 4. <u>Wildlife Corridor</u>. The Fanita project is required to construct a wildlife corridor though an area proposed for ENPEX development. The location of the wildlife corridor was selected with the approval of federal, state and local agencies. It is a key element of the Multiple Species Conservation Program ("MSCP") Subregional Plan, the City's draft MSCP Subarea Plan and the draft MSCP Subarea Plan of the Padre Dam Municipal Water District. The CPUC/BLM should avoid any alterative that may interfere with the functionality of this critical wildlife corridor. Otherwise, the EIR must be revised to include a discussion of these plan inconsistencies.
- 5. <u>Stowe Trail</u>. The EIR states that there are no recreational facilities near the ENPEX site. This is not true as development of the ENPEX alternative would block a regionally significant recreational trail known as Stowe trail. The EIR should be revised to include a discussion of impacts to Stowe Trail and other recreational trails and facilities in the area.

For the reasons discussed above, Barratt believes the ENPEX alternative is fundamentally inconsistent with the Fanita project. Therefore, we urge the CPUC/BLM to reject the ENPEX alternative and to approve instead the proposed project as described in the EIR.

Thank you for your consideration of these comments.

Verv truly yours

LUCE, FORWARD, HAMILTON & SCRIPPS LLP

JAC/

cc:

J. Michael Armstrong, Esq.

Mr. Nick Arthur

Shawn Hagerty, Santee City Attorney