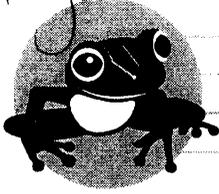


Dave Hogan



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*The Sun Won't Rise on the Sunrise Powerlink*  
Outline of Comments on the Second Scoping Notice  
February 8, 2007

The second scoping notice's inclusion of "no wires" alternatives is an important first step towards upholding the public interest and minimizing harm from the Sunrise Powerlink on nature and people

Bundled no-wires alternatives along and/or in combination with system alternatives are likely the only legitimate means to encourage energy efficiency and conservation, encourage local development of renewables and cleaner and more efficient fossil-fired generation, improve energy grid security, and reduce energy costs while simultaneously protecting people and nature.

SDG&E's preferred alternative and other stand-alone transmission alternatives clearly do not advance the public interest, are inferior to other alternatives to achieve project objectives, and should be eliminated from consideration in the EIR/EIS

"Basic Project Objectives" identified in the second scoping notice overly emphasize SDG&E's self-serving, transmission-biased agenda over the public good

Consideration of broad objectives is necessary to ensure that energy projects uphold public priorities to prevent global warming, encourage energy efficiency and conservation, and development of renewables and local cleaner and efficient fossil-fired generation before consideration of long distance, polluting, fossil fuels-based transmission. In contrast, SDG&E's Powerlink objectives are crafted so narrowly that their desired project becomes the only feasible alternative.

Powerlink "Basic Project Objectives" do not advance the public interest as represented by California's loading order, Renewable Portfolio Standard, and laws to reduce global warming because they appear overly focused on summarizing SDG&E's objectives vs. those that which would best advance the public interest;

The draft EIR/EIS should include at least two additional Basic Project Objectives: 1) to apply and advance the California's loading order, Renewable Portfolio Standard, and laws to reduce global warming; and 2) to uphold and advance state and federal laws and regulations to avoid, minimize, and mitigate any environmental harm;

The draft EIR/EIS should also include a thorough discussion of how each alternative will uphold and advance the public interest as reflected in California's loading order, Renewable Portfolio Standard, global climate change laws, and the National

Environmental Policy Act, California Environmental Quality Act, and other environmental law.

The second scoping notice does not appear to anticipate necessary evaluation in the draft EIR/EIS of transmission-based Powerlink alternatives' likely contribution to global warming

The draft EIR/EIS should include a thorough and independent discussion of how any particular Powerlink alternative will either contribute to or minimize global warming;

The draft EIR/EIS should include an independent and thorough analysis of SDG&E cost estimates

SDG&E's corrected Gridview model results submitted on January 19, 2007 indicate the in-basin combined-cycle alternative is less expensive than the Powerlink by over \$60 million/year. SDG&E augmented the corrected model one week later (January 26) and now claims that Sunrise is less expensive by \$80 million/year. The EIR/EIS should include a thorough, independent analysis of the legitimacy of SDG&E's January 26<sup>th</sup> modifications to the January 19<sup>th</sup> corrected Gridview model results.

The EIR/EIS should also include a thorough, independent assessment of the legitimacy of SDG&E's power cost calculations submitted by the company to support their claim that Imperial Valley renewable energy resources will be less costly than natural gas combined cycle generation in Baja California or Arizona, such that all foreseeable renewable generation in the Imperial Valley will automatically have a market at price rates necessary to justify construction without a long-term power contracts.

The second scoping notice does not appear to anticipate necessary evaluation in the draft EIR/EIS of the viability and cost of claimed Imperial Valley renewables

The Stirling Solar Project does not appear to be technologically or commercially viable.

Geothermal energy development appears significantly limited by market forces;

Geothermal and other renewable energy production is not likely to exceed existing and planned export capacity by the Imperial Irrigation District;

The Powerlink is not located near planned and viable wind energy sites;

The implications of reduced renewables availability on the purported need for the Powerlink should be thoroughly and independently evaluated in the draft EIR/EIS.

The draft EIR/EIS should acknowledge that ultimate control over the type of energy transmitted over the Powerlink rests with government agencies, not SDG&E, and consider the implications of this on the purported need for the Powerlink. The Powerlink will only transmit renewable energy to the extent this is available, reliable, and perhaps most importantly, contracted to SDG&E instead of the Imperial Valley Irrigation District or other agencies. Otherwise this is just another transmission line benefiting polluting and inefficient fossil-fuel and nuclear generators.

SDG&E is projecting renewable energy production in Imperial Valley in 2015 that is 114% of SDG&E's total predicted retail power sales. The EIR/EIS should address: 1)

The legitimacy of the assumption that 21,260 GWh of total renewable energy will be generated in Imperial Valley in 2015, and; 2) Identify the regulatory or other motivation likely to compel SDG&E to import more renewable energy than the 20% required under California law.

The second scoping notice does not appear to anticipate necessary evaluation in the draft EIR/EIS of the current or future capacity of existing or other planned transmission lines to accommodate delivery of Imperial Valley renewables

SDG&E has stated in both Powerlink applications that they can meet their Renewable Portfolio requirements with existing transmission facilities. SDG&E responses to UCAN data requests in January 2007 identify no cost or other constraints that might limit importation of 21,260 GWh of Imperial Valley renewables in 2015, a rate six times higher than that required to meet SDG&E's 2010 renewables requirements;

Expiration of California energy contracts in 2010 will release significant additional capacity for renewables transmission on the existing Southwest Powerlink;

The implications of the availability of alternatives for renewables transmission on the purported need for the Powerlink should be thoroughly and independently evaluated in the draft EIR/EIS;

Existing Imperial Irrigation District transmission lines and the proposed "Green Path North" would provide all necessary capacity for renewables transmission. The draft EIR/EIS should consider a combination of the Green Path North project with any combination of no wires alternatives and the Path 44 Upgrade Alternative to achieve project objectives. SDG&E's partnership with the Imperial Valley Irrigation District should facilitate consideration of the Green Path North as a feasible Powerlink alternative to move Imperial County renewables and achieve basic project objectives.

The second scoping notice appears to unreasonably exclude improved energy efficiency from any proposed "no-wires" alternative bundles

The second scoping notice appears to unreasonably exclude energy efficiency measures from the mix of possible no wires alternative bundles. The notice's reliance on SDG&E's Preliminary Environmental Assessment portrayal of limited future cost-effective energy efficiency (page 22) may be misplaced given the company's significant and obvious transmission bias. The draft EIR/EIS analysis of no wires alternatives should include a thorough independent analysis of the feasibility of possible energy efficiency measures.

Exclusion of energy efficiency from any of the proposed no wires alternative bundles is contrary to the second scoping notice statement that "Potential non-wires alternatives to the project consistent of energy efficiency, demand response, renewable generation, distributed generation, and clean fossil-fired generation."

The second scoping notice appears to neglect one of the single most likely sources of significant cumulative impacts from the Powerlink project – SDG&E and Sempra’s planned full loop

SDG&E maps and presentations on future transmission line projects from as recently as July 2005 portrayed the Powerlink as part of a larger project to connect the Imperial Valley Substation to the Serrano Substation near Riverside with 500kV lines. This link is clearly a reasonably foreseeable project directly related to the Powerlink. The environmental impacts of this link should therefore be fully disclosed and analyzed in the draft EIR/EIS, and measures identified to avoid, minimize, and mitigate any harm to people and nature;

Any future Full Loop Project would result in even greater unnecessary impacts to people and nature than the proposed Powerlink and exposes the true motives of SDG&E and parent company Sempra Energy: The Powerlink is just phase one of the companies’ master plan to extend the line north to expand their California market for imported cheap, polluting, fossil-fuel power from Sempra’s Mexicali power plant and others.

The second scoping notice doesn’t appear to identify one of the single most significant potential land use impacts from the Powerlink – The inappropriate and incompatible location of the project through Anza-Borrego Desert State Park and designated state wilderness

The second scoping notice appears to accept SDG&E’s premise that the company owns a 100ft. right-of-way for the entire 23 miles of Anza-Borrego Desert State Park traversed by the Powerlink (page 11). Yet evidence exists suggesting that SDG&E’s easement may be only 24ft. wide through portions of the park. The draft EIR/EIS should provide a thorough independent analysis of this apparent conflict including maps clearly identifying easement widths along the entire length of the line through the park, and include any documents establishing SDG&E’s park right-of-way.

The second scoping notice inexplicably neglects to identify most likely significant impacts of SDG&E’s preferred alternative and others on environmental issue areas

The word “significant” is used only twice in the second scoping notice to describe impacts to environmental issue areas and both are in reference to impacts to paleontological resources. The draft EIR/EIS should acknowledge the myriad significant impacts of the preferred alternative and others identified by the Conservation Groups in their first scoping comments and others, and identify measures to avoid, minimize, and mitigate harm to people and nature. Likely significant impact from the Powerlink include but are not limited to:

- Significant impacts to aesthetic and visual resources such as sweeping desert views and the pastoral Santa Ysabel Valley;
- Significant impacts to sensitive biological resources like bighorn sheep, California gnatcatchers, southern maritime chaparral, and mature oak trees;
- Significant impacts to the people of the Imperial Valley who must breath air polluted by power plants in Mexico;
- Significant impacts to existing land uses such preserves established for species and habitat protection under the San Diego Multiple Species Conservation Plan and to private property;

- Significant impacts to cultural resources such as Native American sites;
- Significant impacts to recreational opportunities in natural areas free of industrial development, and others.

All of the “Southwest Powerlink Alternatives” would result in significant impacts to environmental issue areas

The draft EIR/EIS should acknowledge the many significant impacts of the Southwest Powerlink Alternatives, including but not limited to:

- Significant incompatible land uses with Alternative BCD through the In-Ko-Pah Mountains Area of Environmental Concern, and with Alternative D through the Eagle Peak Roadless Area in the Cleveland National Forest;
- Significant impacts to mature oak trees, coastal sage scrub, California gnatcatchers, and Quino checkerspot butterfly habitat, and many other sensitive biological resources from all Southwest Powerlink alternatives;

The “BCD Alternative,” “Route D,” and “West of Forest” alternatives would likely result in the greatest number of significant impacts to environmental issue areas;

The “Existing Southwest Powerlink” alternative and “I-8 Alternative” would likely result in the fewest significant impacts to environmental issue areas;

The draft EIR/EIS should identify all necessary measures to avoid, minimize, and mitigate harm from any Southwest Powerlink Alternatives on people and nature.

The “Partial Underground 230kV ABDSP SR78 to S2 Alternative” should be eliminated from consideration in the draft EIR/EIS

This alternative is not feasible because it would require construction of towers inside designated state wilderness, impact bighorn sheep and their designated critical habitat, and vandalize the scenic San Felipe Valley among other significant impacts.

The MCAS Miramar Alternative should be eliminated from consideration in the draft EIR/EIS

This alternative is not feasible because it would result in significant impacts to sensitive species and habitats among other significant impacts.

Map figures should be corrected to reflect the true extent of Powerlink impacts on protected natural lands

Map Figure 2 should be revised to clearly identify designated Bureau of Land Management Areas of Environmental Concern including the Coyote Mountains Fossil Site, San Sebastian Marsh, Table Mountain, Yuha Basin, and West Mesa. The San Sebastian Marsh ACEC is not identified at all, and none of these areas are identified as areas of critical environmental concern on the map or legend.

“State Lands” identified in map figures 5 and 8 are preserve areas that should be identified as such and by name. The same is the case for Bureau of Land Management Land on map Figure 8 located immediately south of the Barona Reservation and

managed by the County of San Diego as a natural open space preserve. One state land area identified on Figure 5 located east of Highway 67 may actually be the County of San Diego's Boulder Oaks Open Space Preserve. Also, the County of San Diego's Sycamore Canyon Open Space Preserve should be shown on Figure 5.

"Other Federal Land" identified on map Figure 6 should be identified by its correct name, the "San Diego National Wildlife Refuge." The City of San Diego's "Del Mar Mesa Preserve," which includes and anticipates joint management of the National Wildlife Refuge properties and other protected public properties, should also be shown. Properties owned by the City and County as part of the Del Mar Mesa Preserve should also be shown. A magenta colored property inside the Del Mar Mesa Preserve does not appear to be identified in the legend.

Map Figure 8 should be revised to show the Eagle Peak and Sill Hill designated roadless areas and any others on the Cleveland National Forest.

Figures 6 and 7 should show the "Carmel Mountain Preserve" as well as City ownership inside the preserve.

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February 9, 2007

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**VIA HAND-DELIVERY, EMAIL & U.S. MAIL**

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San Diego Gas & Electric Company  
c/o C. Larry Davis, Esq.  
Sempra Energy  
101 Ash Street, Suite 1100  
San Diego, California 92101

Re: Scoping Report for the Proposed Sunrise Powerlink Transmission Project (the "Project")

Dear Sirs and Madam:

This firm represents Castle Euroasia Corp., a Nevada corporation and Zen Media Corporation, a Nevada corporation and related partners (collectively, the "Owners"), the owners of approximately 1,214 acres at the junction of Interstate 8 and Dunaway Interchange in Imperial County, California (collectively, the "Property"). The purpose of this correspondence is to provide input to the Applicant and implicated state and federal agencies (Agencies) with respect to the Project and to specifically object to what appears to be the preferred alignment of subject transmission lines, described as "Proposed Project 500KV" and/or "Imperial Valley FTHL Alternative) in Figure 2, Imperial Valley Link Alternatives Exhibit attached to the Notice of Second Round of Scoping Meetings ("Proposed Alignment"). This letter supplements the comments made by Mr. Benjamin

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Lynda Kastoll  
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Kwon at the scoping meeting held Monday, February 5, 2007 in El Centro and his written correspondence of such date.

The Property, which consists of more than 1200 acres, is located north and south of Interstate 8. The Property is in the process of being developed into a mixed-use project commonly referred to as Imperial Reserve (other names were previously used). At build-out, Imperial Reserve will contain over 3,800 residences, one or more lakes, a golf course, commercial developments serving both freeway commercial and the residential community, school and open space.

The Proposed Alignment cuts the master planned community in half from north to south. From both the ownership's and real estate market perspectives, the Proposed Alignment ruins the master plan. The highest and best use of the property as master-planned community is destroyed by bisection with 500 KV transmission lines and a swath of taking of property interests by a public agency for the control, installation and maintenance for the transmission lines. The proposed takings impact the development process and timing of the land uses of the Property, i.e., the area content, configuration, internal access, and the utility of the remaining parcels. Further, there are numerous environmental impacts resulting from the Proposed Alignment. The Proposed Alignment will harm many thousands of future residents, our clients' development plans, and lastly but not insignificantly, will be much more costly to implement with regard to right of way acquisition.

Our clients appreciate how the Proposed Alignment may have seemed more advantageous to the agency some years ago. However, for the last few years the highest and best use of the Property has been for master-planned development. During the past four years, the Owners have met with planning staff and decision-makers, and their development team has submitted for review and comment a number of concept plans for the Imperial Reserve. Our clients' are well into the pre-application process and formal development applications will be filed with the County in the first half of 2007. While common sense dictates that the Proposed Alignment will have a dire impacts upon the Property and our clients, the decision-making process does not seem to take those impacts into account.

- Why was the "line of sight" direct southerly alternative eliminated? Such alignment does not impact in any significant way any proposed residential uses, but predominantly agricultural uses. Recognizing that minimizing

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impacts on agricultural uses is one of a number of policy goals, prevention of severe socioeconomic impacts on residential uses is a higher policy imperative. Further, being substantially more direct, the line of sight alternative will have concomitant construction cost savings.

- Why were all of the westerly alternatives eliminated given that such alignments primarily traverse state and federal land, thereby limiting adverse effect upon private property and reducing right-of-way costs?

We request further explanation as to the benefits, and detriments of the various alignments recommended for elimination and rationale for adoption of the Proposed Alignment. In this regard, please consider this a **public records request** for copies of all documentation utilized by the Applicant and Agencies in considering the Proposed Alignments. We are willing to pay reasonable copying costs for the documents. Our request includes documents upon which the public agency staff has made a fiscal assessment of the various alignments. Please provide us with what the agency considers the documents **evidencing the most important considerations of need and necessity of the project in general and the Proposed Alignment in particular**. Additionally, please make sure to provide any documentation (including electronic correspondence) that staff or consultants have generated concerning the Property. We also request **special notice** concerning any meetings or events pertaining to the Powerlink project.

### **BASIC PROJECT OBJECTIVES**

We respectfully submit that the Proposed Alignment conflicts directly with two (2) of the stated project objectives, i.e. Objectives 7 and 8:

**Project Objective 7** states: that the Project should "*avoid, to the extent feasible, the taking and relocation of homes, businesses or industries in the siting of the transmission line, substation and associated facilities.*"

Obviously, as described above, the Proposed Alignment would result in the taking, directly and indirectly, of hundreds of residences and adversely affect all adjacent residential and commercial uses. The Proposed Alignment cannot be reconciled with Objective 7.

**Project Objective 8** states: that the Project should "*minimize the need for new and expanded transmission line ROA [right of way] in urban or*

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*suburban areas of the SDG&E service territory already traversed by multiple high voltage transmission facilities and, to the extent feasible, **assist in implementing local land use goals.**"*

The Imperial Reserve has been planned to be an Interstate 8 gateway to Imperial County, and its mixed use development directly implements the numerous policy objectives of the General Plan of Imperial County, including but not limited to providing its state mandated share of residential housing stocks, developing concomitant revenue-generating commercial development, and providing for an aesthetically pleasing gateway to Imperial County from Interstate 8. The Proposed Alignment simply **deviates implementation of the land use goals** of Imperial County.

The stated requirement that the Applicant and Agencies consider Project Objectives in determining Project alternatives is not internally consistent as the Objectives set forth in the PEA and are in no way incorporated into the three (3) so-called "Basic Project Objectives." The Basic Project Objectives all center on delivery of energy as efficiently as possible, but do not even require efforts to balance the 8 other stated Objectives (presumably less than "Basic" Objectives). We respectfully submit that the changes to the Proposed Alignment set forth below will meet all of the 8 stated Objectives and the 3 Basic Objectives of the Project.

### **CALIFORNIA ENVIRONMENTAL QUALITY ACT**

For the reasons set forth above, we do not feel that the Proposed Alignment is a "reasonable alternative" for purposes of providing alternatives to the decision makers pursuant to the terms of the California Environmental Quality Act ("CEQA"). As stated in the Staff Report, the Proposed Alignment raises serious questions as to economic, regulatory and social feasibility. Of greater importance, the Proposed Alignment directly conflicts with what the Staff admits is "a key CEQA requirement", that the alternative "avoids or substantially lessens any of the significant effects of the Project." (State CEQA Guidelines § 15126.-6(a)). For the reasons set forth in this correspondence, the Proposed Alignment does not avoid or lessen the impacts of the Project, but in fact exacerbates the impacts.

We respectfully suggest that the Proposed Alignment be modified as set forth below, and that such modification will greatly reduce the need for changes in the Project that our clients will insist upon through the EIR/EIS process.

Billie C. Blanchard  
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C. Larry Davis, Esq.  
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### CONCLUSION

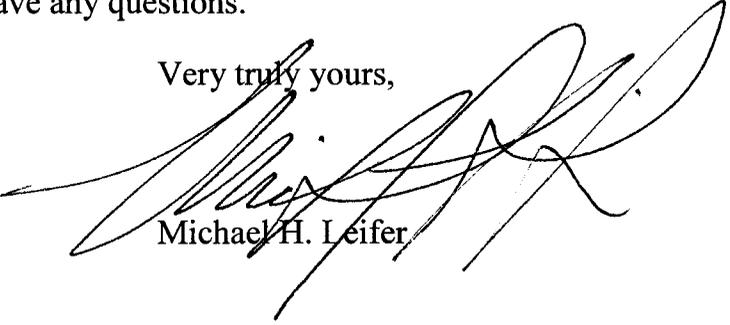
In reviewing the Imperial Valley Link Alternatives described in the Scoping Notice, it seems apparent that the Applicant has proposed an alignment which in most respects, gerrymanders to the west of existing agricultural developments in or around Seeley. The Proposed Alignment bisects the Property which is well-into the development process and has a current highest and best use of master planned community, absent the Powerlink Project. As such, the owners of the Property object to the Proposed Alignment.

We respectfully suggest that there are two relatively simple solutions to our concerns:

1. Adjust the Proposed Alignment slightly to the West to avoid by not less than 1/4-mile, the westerly boundaries of the Property; or
2. Adopt an alignment similar to the directly North-South alignment which appears to be several miles to the East of Seeley.

Please call me if you have any questions.

Very truly yours,

  
Michael H. Leifer

MHL

cc: Mr. Benjamin Kwon  
Mr. Joshua Hunter  
Gregory N. Weiler, Esq.

Statement in Behalf of NRG Energy, Inc. Before the Public Utilities  
Commission Public Scoping Meeting February 9, 2007

NRG Energy owns and operates 2000 megawatts of electric generation in the State of California. This total includes nearly 1200 megawatts in San Diego County. During the most recent energy crunch in the State, the combined resources of NRG, other independent power producers and San Diego Gas & Electric (SDG&E) managed to supply all of the San Diego regions energy needs.

The question you are considering today is what additional resources are required to meet this regions current and future energy needs. NRG would like to make you aware that we are proceeding, in partnership with ENPEX Corporation, to permit and construct a 750 megawatt generating station on the eastern reaches of the Miramar Air Station. We are also beginning the design of re-powering the existing Encina Generating Station in Carlsbad. These new facilities will replace our existing power generators by the year 2011. The new generators will be state of the art and will be designed to meet the profile of the county's existing regional energy strategy. New in-basin generation is essential to maintaining grid reliability in San Diego. We believe that our projects are cost-effective and will produce a greatly reduced environmental signature compared to existing facilities. Hopefully, the Sunrise line that SDG&E proposes can deliver on the promise of bringing additional renewable energy resources to San Diego. That is a laudable goal. We suggest, also, that an analysis of in-basin resources be carefully considered as an economic and reliable option for supplying this region's robust energy requirements.

As we are aggressively proceeding with these plans, we will continue to seek an agreement with SDG&E to provide them with a reliable and economical source of energy. In this regard, NRG plans to respond to SDG&E's pending RFO projects that will meet the region's needs in partnership with SDG&E and other energy providers in the region.

Paul L. O'Neal, for NRG Energy, Inc.

## ***Back Country Coalition***

Post Office Box 70 • Santa Ysabel, CA 92070 • 760-765-2132

February 12, 2007

Billie Blanchard, CPUC/Lynda Kastoll, BLM  
c/o Aspen Environmental Group (sunrise@aspeneg.com)  
235 Montgomery Street, Suite 935  
San Francisco, CA 94104-3002

**SUBJECT: Sempra/SDG&E Proposed Sunrise Powerlink  
and the California Environmental Quality Act (CEQA)**

The Back Country Coalition (**BCC**) is an organization of concerned citizens dedicated to the protection of natural, cultural and scenic resources, responsible land use planning and the enhancement of quality of life throughout San Diego County. We have joined with other concerned citizens and active organizations to help ensure that decisions made for our communities regarding future energy supplies provide for modern, diverse, economical, sustainable and renewable energy generation and transmission and that those decisions are made in the best interests of all residents and environmental resources.

This letter is to advise the California Public Utilities Commission and the Bureau of Land Management that Sempra Energy, Sempra Generation, Sempra Global and all permutations of the Sempra corporate family, including the San Diego Gas and Electric Company, will be in violation of the California Environmental Quality Act, (CEQA Guidelines, Section 15004, Subd.(b)), if a Program or Master EIR/EIS is not prepared to include planned and programmed future extensions of and to the proposed Sunrise Powerlink after it would be implemented, including the much-heralded connection to “renewables” in Imperial County, the connection to Mexican power plants, and the extension of transmission from the proposed Sunrise Powerlink into Riverside, Orange and Los Angeles counties.

The proposed Sunrise Powerlink is not a “stand-alone” project, but rather part of a larger project that proposes to extend the approved and implemented Sunrise Powerlink capabilities north from the proposed Warner Substation near Lake Henshaw and/or the proposed Central East Substation in north San Diego County into Riverside, Orange and Los Angeles Counties.

The Aspen Environmental Group's “Notice of Second Round of Scoping Meetings on Alternatives to the Proposed Sunrise Powerlink Project” (Aspen document) sent out on January 20, 2007, includes discussions on page 22 of “System Alternatives” that clearly describe extension of the proposed Sunrise Powerlink beyond San Diego County and Imperial County.

**BCC Letter to CPUC and BLM  
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The Aspen document under “LEAPS Project or Serrano/Valley-North 500 kV Alternative” states: “Although impacts would occur to the lands in Riverside and rural northern San Diego counties, including the Cleveland National Forest’s Trabuco Ranger district, this route would be substantially shorter than the Proposed Project and it would avoid impacts to Anza-Borrego Desert State Park as well as San Felipe and the central Santa Ysabel Valley.”

The Aspen document of January 20, 2007 also states on page 22: “The Serrano/Valley-North 500 kV Alternative would include only the transmission components of the LEAPS project. The LEAPS Project is the subject of a Draft EIS published by U.S. Forest Service and Federal Energy Regulatory Commission (FERC Project No. 11858, FERC/EIS-0191D, February 2006), with a Final EIS and decision currently expected to occur before May 2007.” It is clear that the LEAPS project is receiving environmental review on the federal level, however, review is not occurring on the state level.

We realize that the LEAPS project is a separate project from the proposed Sunrise Powerlink, and is being discussed as an Alternative System Project, however, Figure 10 of the Aspen report clearly indicates the intention to extend the proposed Sunrise Powerlink after implementation north into Riverside, Orange and Los Angeles counties, creating Phase II of the Sunrise Powerlink by extending it. The plans are clearly being made for that second phase and environmental review must be made at the same time as Phase I, or the proposed Sunrise Powerlink segment of the project.

Attached is a report dated February 6, 2006 prepared by Bill Powers, P.E. of the Border Power Plant Working Group. The following graphics which are included in that report indicate various alternatives for the proposed expansion plans for generating and transmitting power through San Diego County and Imperial County into the Los Angeles region:

- Page 5 (Sempra Energy “Generation Footprint”),
- Page 7, “2003 SDGE Proposed Transmission Addition,”
- Page 10, “Upgrades and New Transmission Projects Proposed or Underway in Region,”
- Page 11 “Alt 4 Imperial Valley - Miguel 500 kV #2” (“*SDG&E’S Transmission Comparison Study Stakeholder Meeting hosted by Southwest Transmission Expansion Plan - STEP, October 1, 2004*”),
- Page 13, “Alt. 5 Imperial Valley, Miguel 230 kV, Mexico CFE” (“*SDG&E’S Transmission Comparison Study Stakeholder Meeting hosted by Southwest Transmission Expansion Plan - STEP, October 1, 2004*”),
- Page 15 “Alternative 1 500 kV Presented by SDG&E in 2002,” “CAISO Southwest Transmission Expansion Plan Meeting”, Transmission Expansion Plan Meeting,”

**BCC Letter to CPUC and BLM  
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Page 17 “Alternative 3 500 kV Presented by SDGE in 2002”, “CAISO Southwest Transmission Expansion Plan Meeting,”

Page 18 “Alternative 4 230 kV Presented by SDGE in 2002”, “CAISO Southwest Transmission Expansion Plan Meeting.”

An article published in the San Diego Union-Tribune dated December 13, 2006 titled “Overhead power line set out as done deal,” by J. Harry Jones, (attachment 2) describes a meeting in Julian in which property owners affected by the proposed Sunrise Powerlink project's alignment through the Santa Ysabel Valley met with project representatives from the San Diego Gas & Electric Company. When a meeting participant stated that it was “obvious that the reason SDG&E wants a 300-foot easement is because it plans to construct even more towers in the future.” . . . The SDG&E representative “did not contradict Feigel, and said that a substation built near Lake Henshaw would have the capacity to handle additional lines.” “We need to plan for the future,' he said.”

Review of the most recent publicly released map of the “Central Link Alternatives,” Figure 4 of the Aspen document, reveals that either the “Mataguay Substation Alternative,” the “Warners Substation Alternative,” or the “Proposed Central East Substation” would be adequate for use as a 500 kV link to serve additional towers for the subsequent phases of Sempra's energy generation expansion through northern San Diego County into Riverside County and beyond, as also illustrated on the Alternatives graphics in the Powers report which has been described in previous paragraphs of this letter.

Moreover, the Aspen document states in the first paragraph: SDG&E's stated purpose for the project is to bring renewable resources into San Diego County from Imperial County. . .” The effects of that aspect of the project must also be evaluated for environmental impacts inasmuch as it is clearly part of the whole project.

Clearly, the proposed Sunrise Powerlink segment and Sempra's expansion alternatives as described above, as well as the much-touted plan for connection to renewables in Imperial County, are part of one large project to provide energy transmission throughout Southern California, and not just to San Diego County. Those efforts have been demonstrated in these pages to be separate stages of the SAME PROJECT and differ only in timing of the environmental review in violation of CEQA.

Under CEQA, environmental review must be prepared “as early as feasible in the planning process to enable environmental considerations to influence project program

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and design.” CEQA Guidelines Section 15004, subd. (b). The early preparation requirement is designed to avoid piecemeal review leading to the “environmental considerations becoming submerged by chopping a large project into many little ones - each with a minimal potential impact on the environment.” *Bozung v. Local Agency Formation Co.*, (1975) 13 Cal.3d 263, 283-284.

As discussed in preceding paragraphs, the Sunrise Powerlink is only one part of a larger project: It cannot be considered the entire or whole project. CEQA Guidelines define a project as “the whole of an action, which has a potential for resulting in either a direct physical change in the environment, or a reasonably foreseeable indirect physical change in the environment. . .” (CEQA Guidelines, Section 15378(a)). “‘Project’ Is given a broad interpretation in order to maximize protection of the environment.” (*McQueen v. Board of Directors of the Midpeninsula Regional Open Space District* (1988) 202 Cal.App.3d 1136, 1143 [249 Cal.Rptr. 439]).

This is to assure that a lead agency will fully analyze each project in a single environmental document so “that environmental considerations do not become submerged by chopping a large project into many little ones, each with potential impact on the environment, which cumulatively may have disastrous consequences.” (*Burbank-Glendale-Pasadena Airport Authority v. Hensler* (1991) 233 Cal.App.3d 577, 592 [284 Cal.Rptr.498]).

The Council on Environmental Quality's implementing regulations for NEPA indicates that: “Actions are connected if they cannot or will not proceed unless other actions are taken previously or simultaneously (40 CFR 1508.24(a)(I)(ii)).

**The Mexican Connection**

Since project conception, Sunrise Powerlink has been criticized as the critical linkage in an intensive international plan to dominate energy transmission in Southern California. Sempra's reliance on Mexican natural gas power plants for San Diego's electric power is well documented. (see attachments 3 and 4). It has also been heavily criticized for dependence on foreign-based energy plants, power plants not subject to US pollution standards creating resulting pollution blowing across the U.S. border. Two power plants now take advantage of the cheaper Mexican cost, sending power across the U.S. border to California and Arizona. (attachment 5)

The direct connection to the proposed Sunrise Powerlink segment is currently under development: Sempra's Baja Liquid Natural Gas plant. This international facility will receive foreign natural gas delivered from offshore tankers. A major gas pipeline to Sempra's Mexicali plant, currently under construction, will facilitate transport after the startup of Sempra's LNG Costa Azul facility near Ensenada, Mexico. At this point, either

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a new or expanded power plant can begin to capitalize on the significantly cheaper LNG costs...But only if the Sunrise Powerlink is in place to ensure transmission to the larger, more lucrative markets in Riverside, Orange and Los Angeles counties. Because San Diego's power needs are already fully met, both currently and far into the future, the Sunrise Powerlink would offer no benefit to the San Diego market Sempra claims it would serve. But Sunrise Powerlink would act as the crucial linkage between cheap LNG fuel from Mexico and the lucrative LA and Orange counties energy markets.

Conveniently, and in great detail, Aspen Environmental supplies a blueprint for achieving Sempra's connection to these new marketplaces in Figure 10, System Alternatives: Second Round of Scoping, Sunrise Powerlink.

Despite years of previous denials, Sempra's potential energy transmission plan from Mexico to LA, Riverside and Orange county has been illustrated, documented and is in the public record.

The true scope, magnitude and enormous size of the project AS A WHOLE, from the Mexican/American border, through Imperial and San Diego Counties to Riverside, L.A. and Orange counties will only be partially studied, published in the forthcoming EIR/EIS for the Sunrise Powerlink portion of the project and circulated for public review. The environmental studies underway will cover only one piece of Sempra's entire planned project.

**Conclusion**

The environmental documents being prepared for the proposed Sunrise Powerlink will not analyze all environmental impacts at the earliest point in the COMPLETE OR WHOLE project, as required by law. The actual result is to avoid an assessment of all the impacts at the earliest and most effective stage, to deny the public the opportunity to review and comment on the entire, larger project, as detailed in preceding paragraphs, as well as prevent an opportunity for the utility to mitigate these impacts in an enforceable, comprehensive, and cost-effective way. This is a “textbook” case of “chopping up” a larger project in blatant violation of CEQA and NEPA.

We believe CPUC and BLM must require the preparation of a Master or Program EIR/EIS rather than segmenting portions of the larger project into smaller pieces, such as is being done with the Sunrise Powerlink segment of Sempra's energy project, to avoid the larger scope of environmental impacts that would be caused by approval and

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implementation of the entire project at the same time as required by California law. Overall scrutiny of every impact of every project phase - and evaluation of their total effects as a whole to California - is a bedrock standard of CEQA review.

Thank you for considering our comments.

**Sincerely,**

**Bonnie Gendron  
BCC Coordinator  
(760) 765-2132**

**George Courser  
BCC Director  
(858) 274-0127**

# **Regional Power Needs, Sunrise Powerlink, and Alternatives**

February 6, 2006

Bill Powers, P.E.

Border Power Plant Working Group

[www.borderpowerplants.org](http://www.borderpowerplants.org)

***San Diego Regional Energy Strategy 2030, July 2003***

[www.sdenergy.org/uploads/Regional\\_Energy\\_Strategy\\_Final\\_07\\_16\\_03.pdf](http://www.sdenergy.org/uploads/Regional_Energy_Strategy_Final_07_16_03.pdf)

## **Goal 1: Achieve Consensus on Energy Issues**

- Achieve and represent regional consensus on energy issues at the state and federal levels.
- Develop an inclusive strategy to involve all interested stakeholders in energy discussions and decisions.
- Conduct an annual energy summit to focus on current issues.

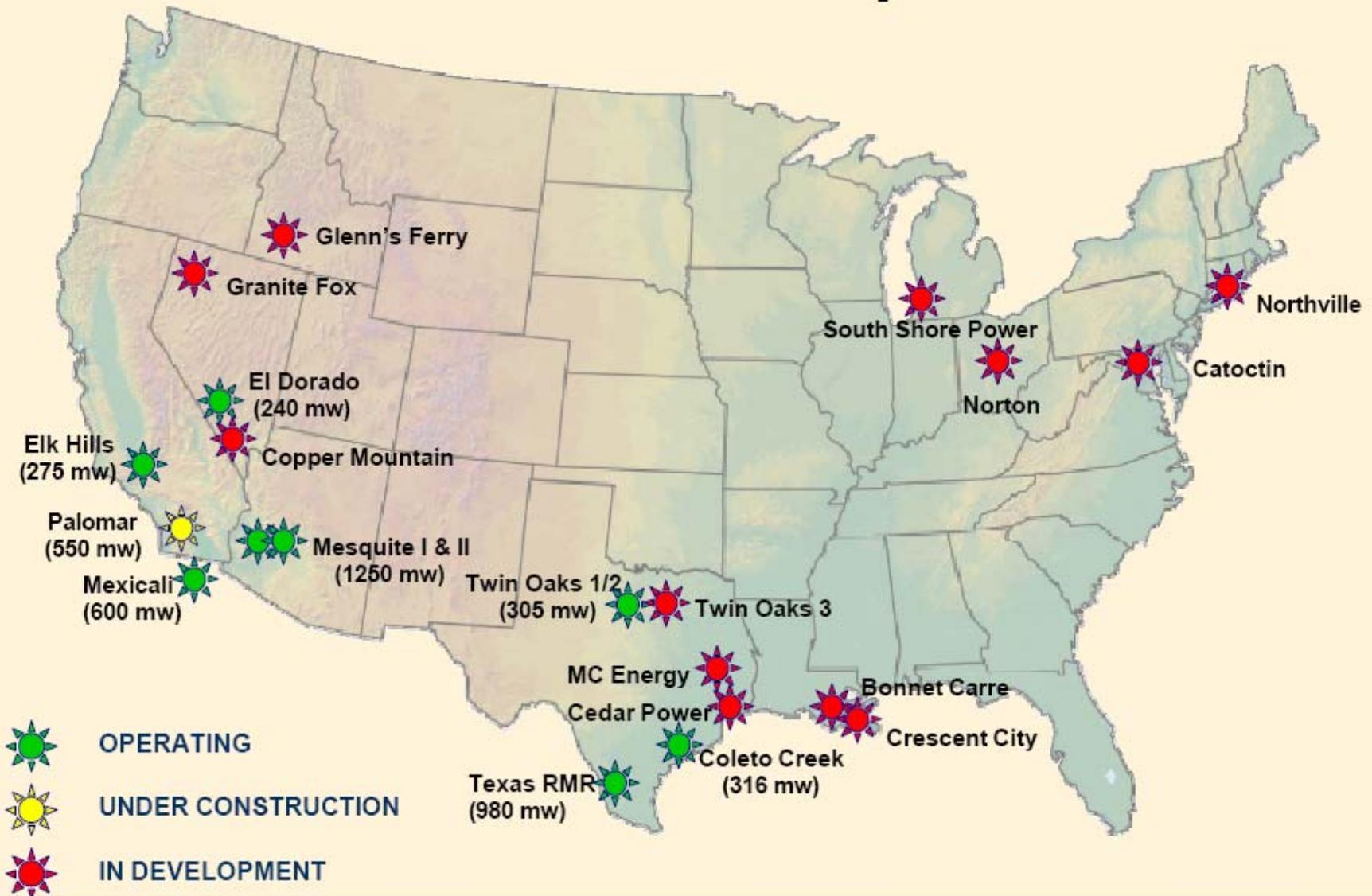
## **Our Vision: Local Control, Local Benefits**

- Goal 2:       Generate 65% of peak demand with in-county generation by 2010, 75% by 2030 (priority to replacement of South Bay and Encina power plants)
  
- Goal 3A:       Increase renewables to 25% by 2020, 40% by 2030
  
- Goal 3B:       Achieve 50% of total renewables in County

# The Developer's Transmission Vision – What Are Implications?

- Gives developers of poorly located (from end user standpoint) merchant powerplants access to multiple California markets.
- Transmission cost to developers is \$0.
- In case of Sunrise Powerlink, transmission cost to ratepayers is \$1 billion+.
- Q: Do we want our transmission model to promote wholesale import power markets or local control/supply?

# Generation Footprint



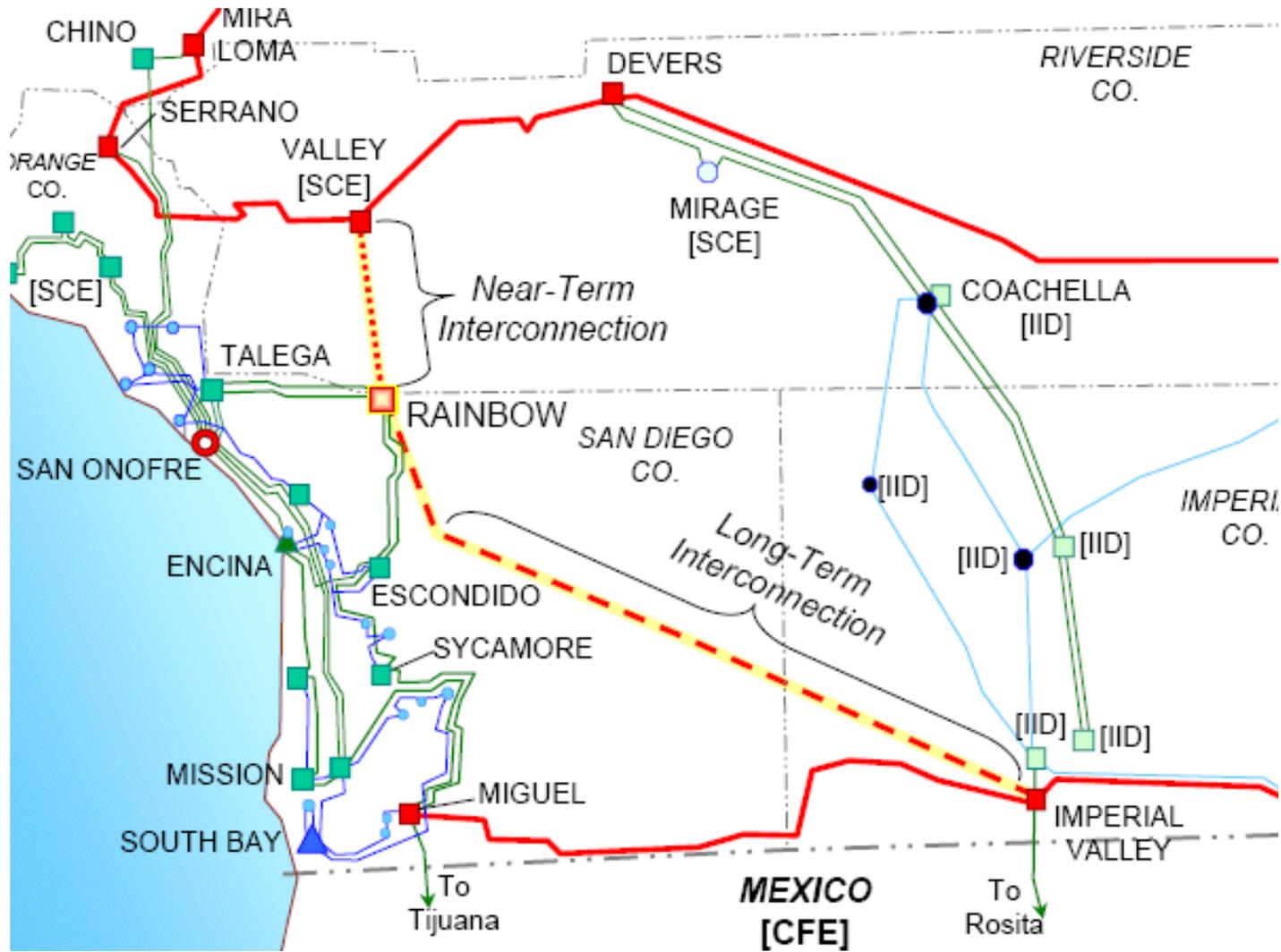
**SDGE 08-27-04 Comment on Anza Borrego SP General Plan:** p. 3, *“We will not be able to take advantage of a substantial amount of currently identified renewable resources, if land use restrictions such as the Park's exclusionary zoning prevent transmission access to renewable resources.”*

**CPUC 12-15-05 Resolution E-3965, SDGE Renewables Contracts:** p. 9, *“SDG&E's ability to procure from (renewable) resources bid from locations in the Imperial Valley area are contingent upon SDG&E successfully being able to license and construct a new 500 kV line from the Imperial Valley area to San Diego by 2010.”*

**SDGE to CPUC in 12-14-05 Sunrise Application:** p. V-36, *“The 20% renewable goal in 2010 can be met with imports “even if the Sunrise Powerlink were not built”*

# 2003 SDGE Proposed Transmission Addition

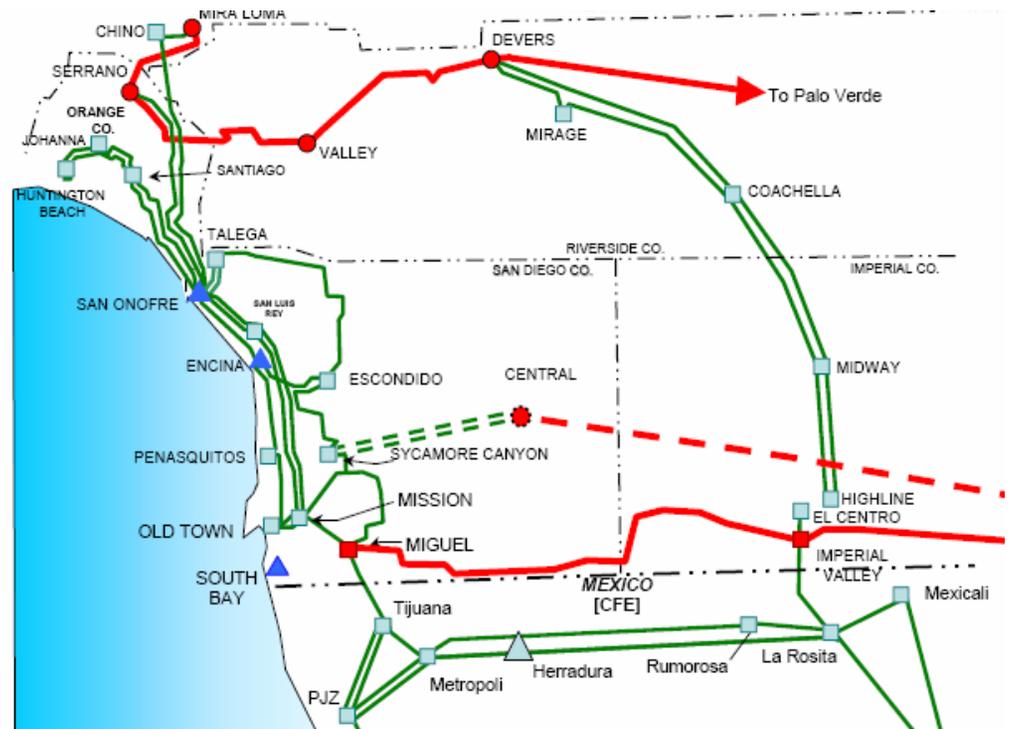
Direct Testimony of David Korinek, SDGE Transmission Planning Manager, April 15, 2003, California Public Utilities Commission proceeding R.01-10-024.



# Is Sunrise Powerlink Only/Best Option? No.

map source: SDGE Transmission Comparison Study Status Report, December 2004, STEP meeting

- Repowering 700 MW South Bay Power Plant extends until at least 2015 any import need.
- Accounting for increased energy efficiency, 300 MW by 2012, extends timeline further.
- SDGE not accounting for any distributed generation or increased solar usage.
- Garamendi Principle calls for upgrading existing lines first.
- LADWP-IID Green Path will move all Imperial Valley renewables.
- 500 kV Sunrise purpose is to move power from Sempra plants in Mexico and Arizona.



# **Garamendi Principle – Transmission Siting**

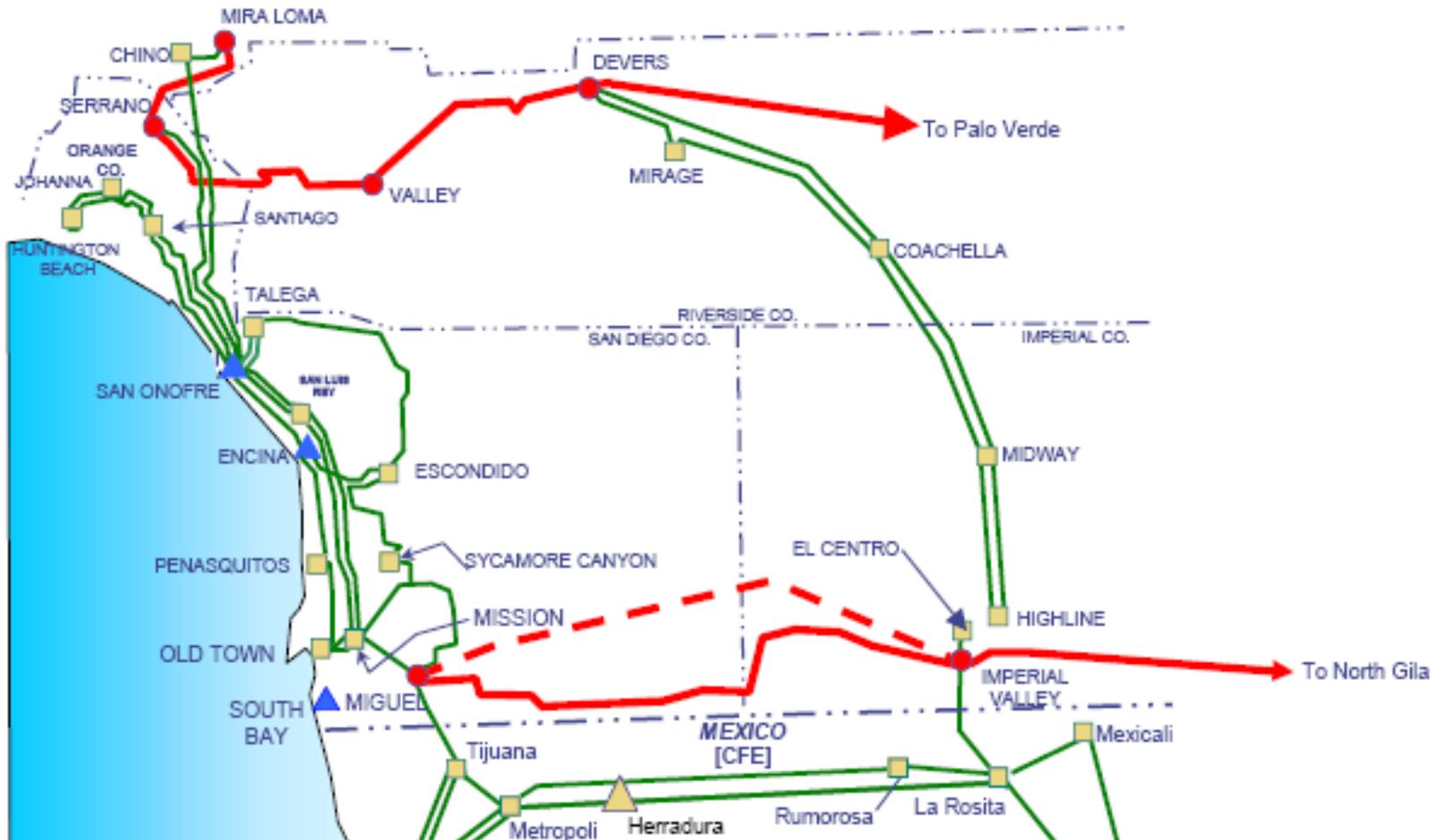
SB 2431 (Garamendi), Chapter 1457, 62, Statutes of 1988

1. Encourage the use of existing rights-of-way (ROW) by upgrading existing transmission facilities where technically and economically feasible.
2. When construction of new transmission lines is required, encourage expansion of existing ROW, when technically and economically feasible.
3. Provide for the creation of new ROW when justified by environmental, technical, or economic reasons defined by the appropriate licensing agency.

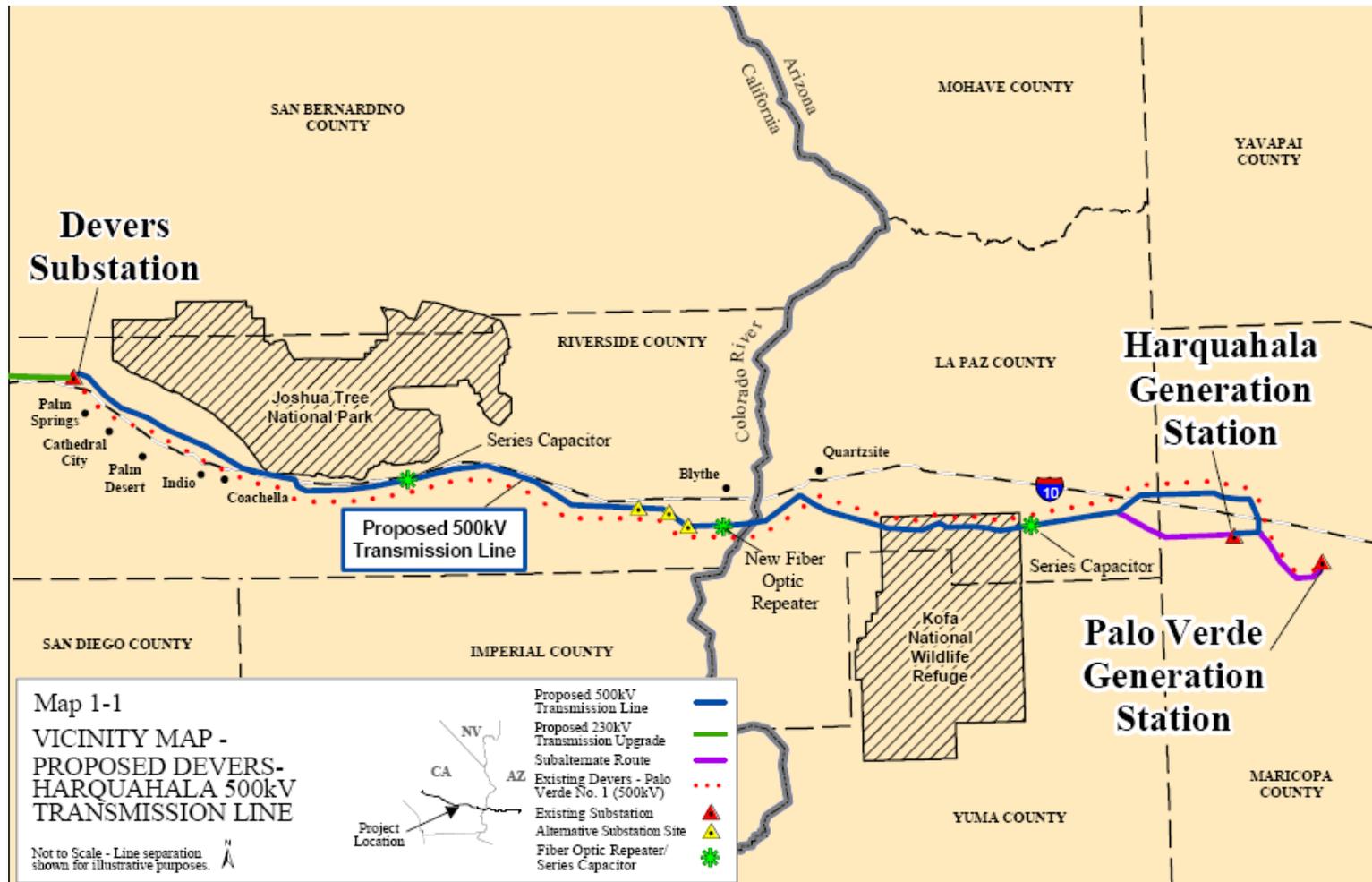


SDG&E's Transmission Comparison Study, Stakeholder Meeting hosted by Southwest Transmission Expansion Plan – STEP, October 1, 2004.

### Alt 4) Imperial Valley – Miguel 500 kV #2 (locations and routes to be determined)

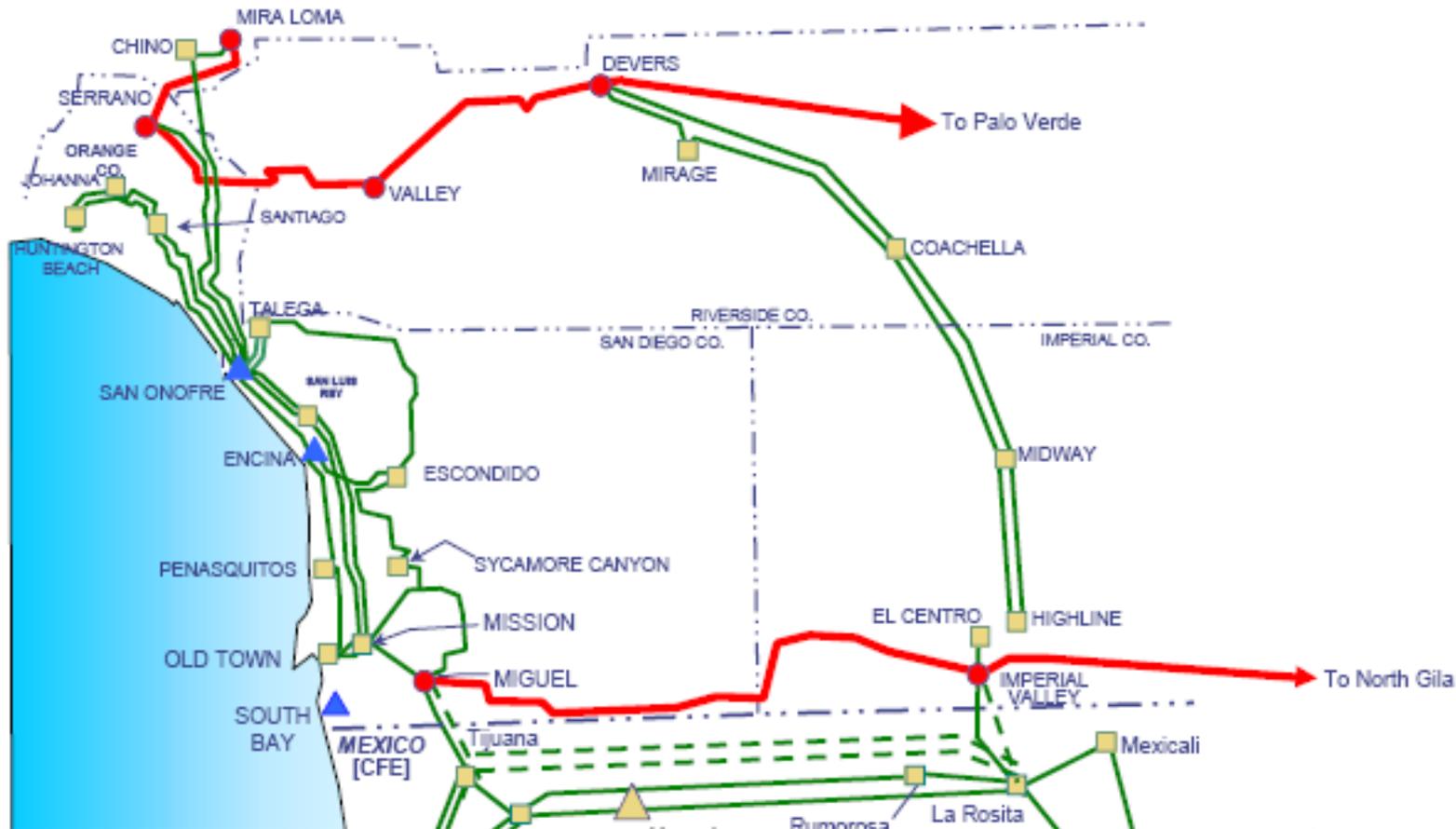


# SDGE - Congestion at Miguel and Same ROW Make Southern Route Undesirable. Approved 500 kV Devers-Palo Verde 2 Has Same Issues.



SDG&E's Transmission Comparison Study, Stakeholder Meeting hosted by Southwest Transmission Expansion Plan – STEP, October 1, 2004.

## Alt 5) Imperial Valley – Miguel 230 kV, Mexico (CFE) (locations and routes to be determined)



# Are SDGE Concerns About Mexico Options Parallel to Southwest Powerlink Real Issues?

## **SDGE Position (CPCN):**

- Transmission upgrade not in Comisión Federal de Electricidad (CFE) plans;
- New substation would be necessary;
- International boundary creates potential difficulty permitting and controlling line;
- However, SDGE identified Mexico option as “meeting most technical requirements” in 2003 Valley Rainbow CPCN application alternatives analysis.

## **CFE Position (Jan 2004 STEP meeting):**

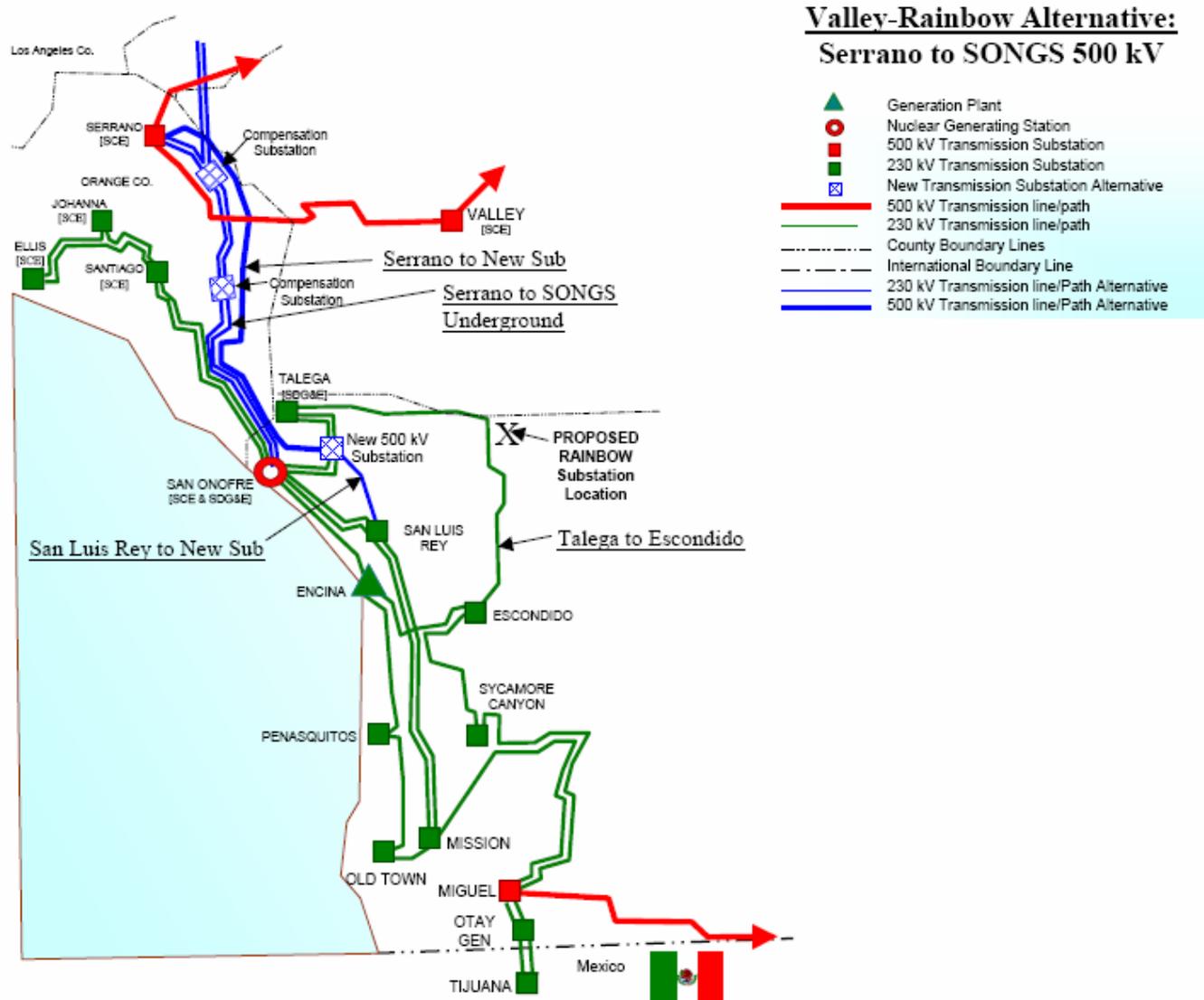
- Must upgrade transmission to avoid losing North Baja grid if SWPL trips and surge generated from Mexicali export plants (Sempra, Intergen).

## **Sempra Energy and Baja:**

- Sempra Energy, SDGE parent, has developed 230 kV transmission lines, power plant, gas pipeline, and LNG terminal in Baja;
- CPUC stated (Sept 2004 R04-01-025 decision) it “*would welcome LNG from Mexico*” in authorizing gas utilities to enter into long-term contracts for LNG;
- The CPUC decision serves as guarantor of private construction financing for the Sempra/Shell LNG terminal in Baja (Shell Trading, R04-01-025 workshop, 12/03).

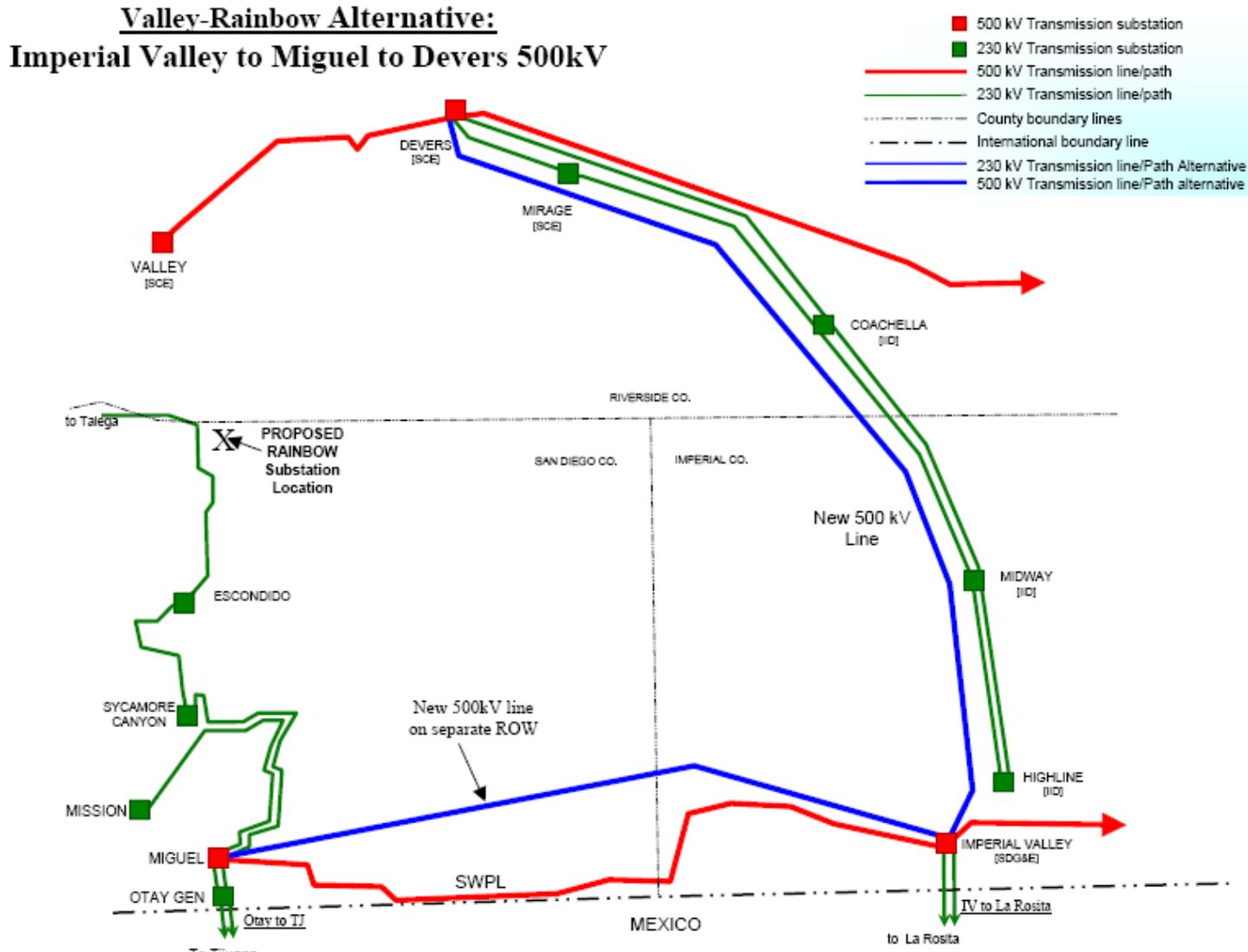
# Alternative 1 500 kV Presented by SDGE in 2002

SDGE Area Transmission Expansion 2003-2005, David Korinek, SDGE Transmission Planning Manager, Nov. 1, 2002, CAISO Southwest Transmission Expansion Plan meeting



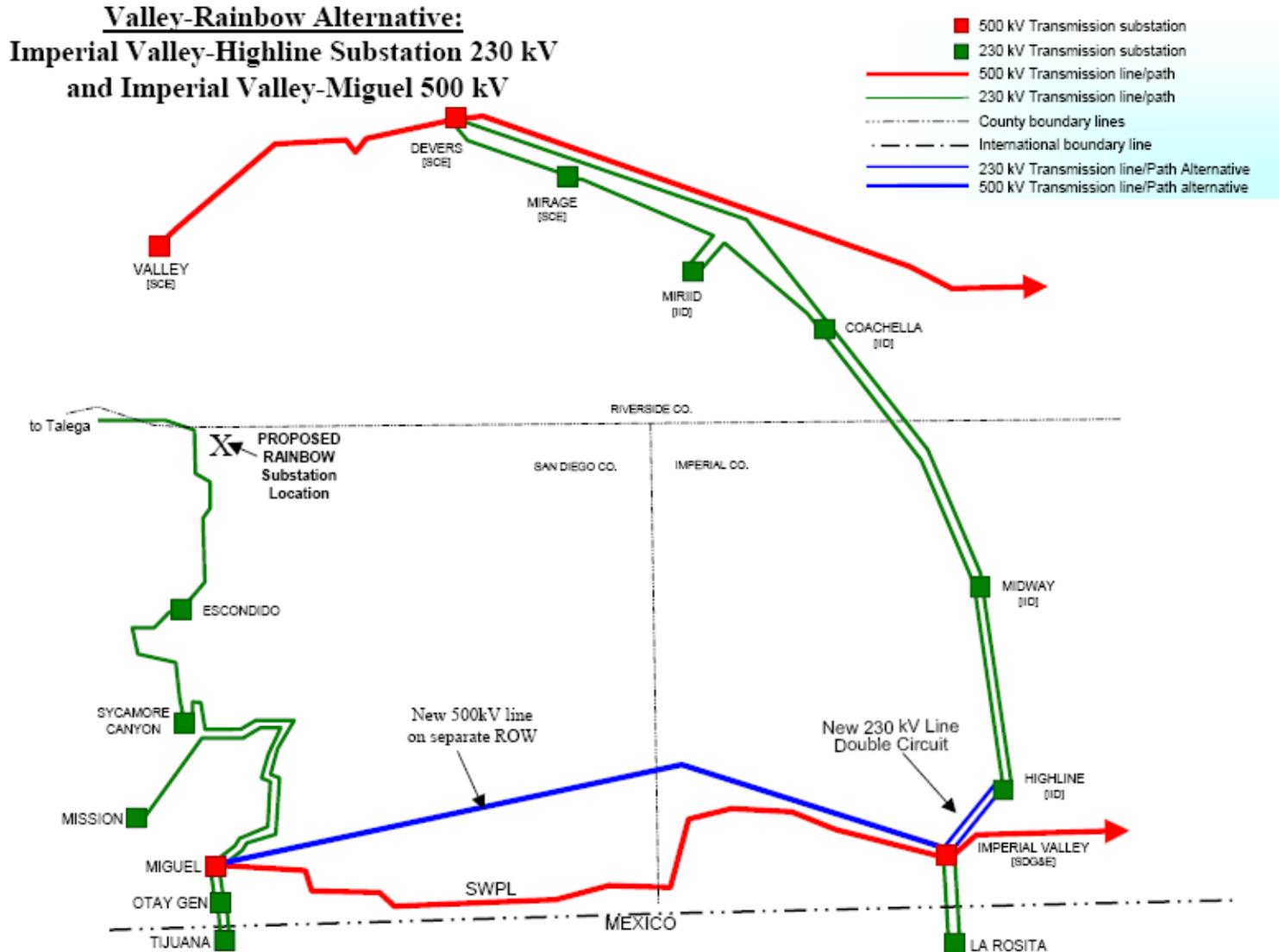
# Alternative 2 500 kV Presented by SDGE in 2002

SDGE Area Transmission Expansion 2003-2005, David Korinek, SDGE Transmission Planning Manager, Nov. 1, 2002, CAISO Southwest Transmission Expansion Plan meeting



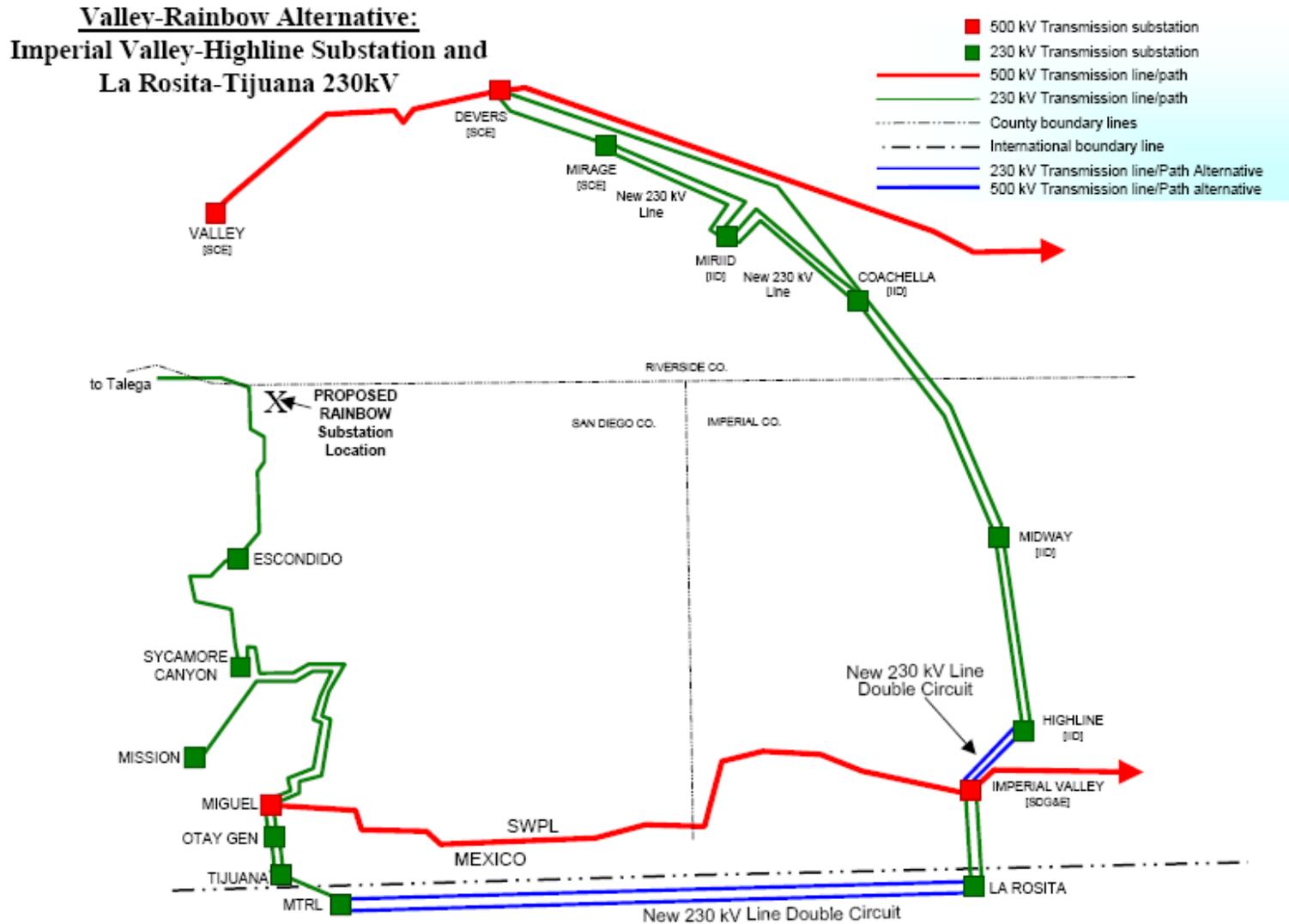
# Alternative 3 500 kV Presented by SDGE in 2002

SDGE Area Transmission Expansion 2003-2005, David Korinek, SDGE Transmission Planning Manager, Nov. 1, 2002, CAISO Southwest Transmission Expansion Plan meeting

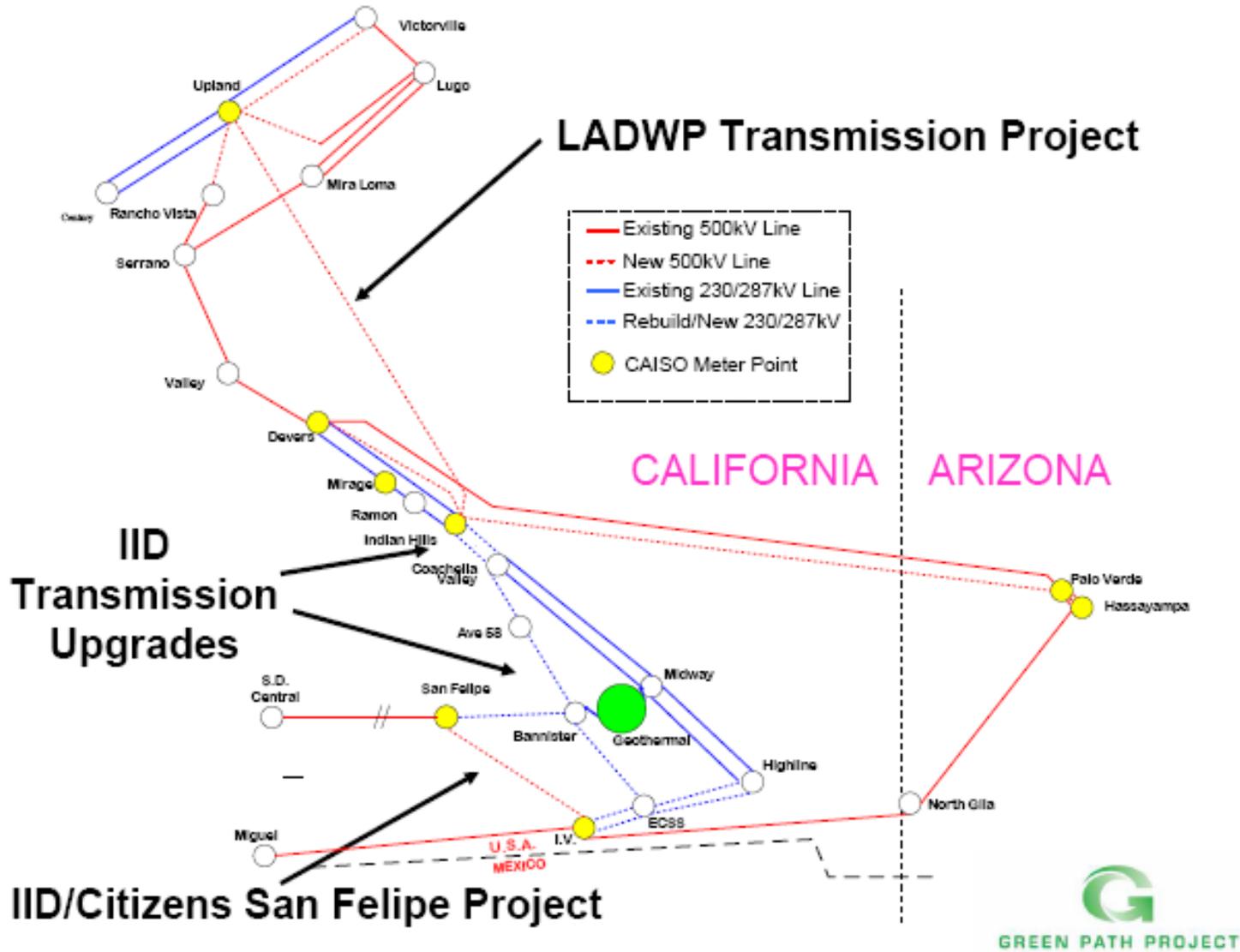


# Alternative 4 230 kV Presented by SDGE in 2002

SDGE Area Transmission Expansion 2003-2005, David Korinek, SDGE Transmission Planning Manager, Nov. 1, 2002, CAISO Southwest Transmission Expansion Plan meeting



# IID Green Path Transmission to Move Imperial Valley Renewables to Coast via Los Angeles Dept. of Water&Power



# Have Any Independent Experts Scrutinized SDGE's Assertion that Sunrise is the Only Option? No.

- California Energy Commission – 2004 Interim Integrated Energy Policy Report (IEPR) – Sunrise is good and we need it.
- California Energy Commission – 2005 Integrated Energy Policy Report (IEPR) – Sunrise is very good and we need it.
- California Energy Commission Imperial Valley Study Group (IVSG) – A transmission line capable of moving at least 2,000 MW of renewables would be necessary to move all potential geothermal resources in Imperial Valley by itself. Therefore, we must have Sunrise Powerlink.
- California Independent System Operator (CAISO) Southwest Transmission Expansion Plan - STEP. SDGE says they have looked at all the options so we have to assume they have done a fair and comprehensive effort.
- State Parks – We have been told there are no other options but Sunrise, so I guess we have to accommodate running the 500 kV line through the Anza Borrego State Park.
- Imperial Irrigation District – We have a better idea for renewables, but we will tie into the Sunrise Powerlink if you really want to build it.

# Congestion on Existing SDGE Transmission Lines

- Sempra awarded \$7 billion, 10-year contract by Gray Davis to provide power to SCE (Los Angeles) in June 2001 at height of crisis.
- Sempra has refused to renegotiate this very lucrative contract (ratepayers buy fuel for Sempra).
- Contract allows Sempra to determine which plants will provide power.
- Sempra choosing to provide power from Mexicali and Arizona plants over SDGE lines even though power not for SDGE customers.
- This practice is causing great deal of congestion on SDGE system.
- Sempra gets paid to not congest SDGE lines. Ratepayers pay.
- Sempra has opposed having SCE contract transferred to SDGE, which would greatly reduce congestion.
- In any case, practice will stop when contract expires in 2011.

# Conclusions

- SDGE emphasis on power imports over local generation is contrary to consensus reached by San Diego energy decisionmakers in 2003.
- Import approach benefits parent company, not ratepayers.
- Upgrading South Bay alone to state-of-the-art plant delays need for any additional transmission until 2015.
- Fair accounting by SDGE of energy efficiency, distributed generation, and solar further delays need for transmission.
- There are a number of low impact/no impact transmission upgrade or expansion options proposed by SDGE that the company is now ignoring in favor of Sunrise Powerlink.
- Green Path provides low impact alternative for moving renewables out of Imperial County.
- Sempra is artificially causing congestion that SDGE says it will relieve by building Sunrise Powerlink.

## **Attachment 2**

# **Overhead power line set out as done deal**

### **Santa Ysabel learns Valleyites informed SDG&E plan at PUC**

**By J. Harry Jones**

UNION-TRIBUNE STAFF WRITER

**December 13, 2006**

WYNOLA – They came with hopes and left with anger and talk of lawyers. Dozens of ranchers and property owners in the Santa Ysabel Valley, where San Diego Gas & Electric wants to construct part of a 150-mile \$1.3 billion electric transmission line, gathered Monday night in a pizza restaurant in nearby Wynola at the invitation of the utility.

Could it be SDG&E officials would announce plans to place the line underground through the valley, the ranchers wondered?

Not even close.

It would cost too much, Powerlink spokesman Scott Crider told the gathering, which had been cordial but then turned angry and defiant.

Crider said it would cost the utility seven to 10 times more to bury the line. He said the proposal to run the lines overhead through the valley had been submitted to the California Public Utilities Commission.

“We aren't going to be able to change our application,” he said.

“Then what are we doing here?” a rancher shouted. “Why are we talking to you?”

After the meeting, Crider said SDG&E could amend the application, but won't. He said that, in the end, it will be up to the utilities commission to approve the project and to tell SDG&E where the line should go and which parts should be built underground.

The timetable is set. In August 2007, a draft environmental report will be issued by a consultant hired by the commission. A 90-day review period will follow. The final environmental report will be issued in November. In December, the commission will announce its proposed decision, followed by a final decision in January 2008.

Crider told the ranchers they need to express their concerns to the commission, not to SDG&E.

The utility maintains that the Sunrise Powerlink is needed to ensure electric reliability for the San Diego region. It wants to have it constructed by 2010.

The line is opposed by environmental and community groups. Many don't want to see it cross the heart of the Anza-Borrego Desert State Park. Residents of Ranchita, Ramona, Rancho Peñasquitos and elsewhere have organized to oppose it.

The Santa Ysabel residents say they will join them in hopes that the line will not be approved. But shy of that, they are imploring the utility to build the line

underground so it would not affect the property value of the ranches and other properties in the Santa Ysabel Valley.

As planned, towers as tall as 155 feet would carry dual 230-kilovolt lines through the valley, just west of state Route 79.

Katy Moretti, whose family has lived in the valley for more than a century as cattle ranchers, told Crider: "Every inch of land that you take is an inch of our livelihood you're taking away from us. You're tearing at the heart and souls of these ranchers. You're tearing at the heart and soul of my 87-year-old father." Rancher Norman Feigel, owner of Bloomdale Ranch near the northern end of the valley, said it was obvious that the reason SDG&E wants a 300-foot easement is because it plans to construct even more towers in the future. "We're not dumb out here," Feigel said. "You may think we're cattle people. But we're not dumb." **he said."Crider did not contradict Feigel, and said that a substation to be built near Lake Henshaw would have the capacity to handle additional lines. "We need to plan for the future," he said. (emphasis added)**

After the meeting, the ranchers stayed behind and held a private conference. "The landowners realized SDG&E wasn't going to do anything for them, so we have organized ourselves," said Denis Trafecanty, who lives with his wife, Glenda Kimmerly, just north of Dudley's Bakery in a house they purchased about five years ago.

Trafecanty said a new organization, to be called Protect Our Communities, was being formed; its goal would be raising enough money to fight the utility. He said experts, advisers and lawyers would be needed, especially if the utilities commission approves the line, thereby forcing a court battle.

The commission has ordered SDG&E to propose other routes that would not affect Anza-Borrego Desert State Park and that would run far to the south of the preferred route through the North County. SDG&E maintains the original route is the most feasible and the only one that would not require demolition of homes.

"The efforts to divide the landowners in all of the communities affected by all SDG&E's proposed routes (both north and south) will not be successful," Trafecanty said. "We will combine all of our communities with the environmental groups and state park officials for a common cause to defeat this line."

J. Harry Jones: (760) 737-7579; [jharry.jones@uniontrib.com](mailto:jharry.jones@uniontrib.com)

### **Attachment 3**

*Published on Monday, September 1, 2003 by [Reuters](#)*

# **Controversy for U.S. Firms' Energy Plants in Mexico**

by Deborah Tedford

MEXICALI, Mexico - Two power plants in the Far North of Mexico may help alleviate U.S. energy needs, but a battle over their potential effect on the environment is heating up.

U.S.-based [InterGen](#) and [Sempra Energy Resources](#) powered up the turbines of two power plants in the Mexican border city of Mexicali, Baja California, earlier this year, promising to supply electricity to California consumers and hopefully prevent another energy crisis in the state. But the Mexicali Valley and cross-border neighbor Imperial Valley, California, already have higher than acceptable levels of particulate matter -- dust, ozone and carbon monoxide -- by Mexican and U.S. standards, according to data from the Air Resources Board of California. Environmentalists say the pollution is likely to worsen because the companies are skirting U.S. laws by building in Mexico, where they are not required to offset particulate matter emissions -- or air pollution -- with community projects that reduce regional air contamination. A coalition of Mexican and U.S. environmentalists called the Border Power Plant Working Group filed suit in California to halt the power flow from InterGen's La Rosita Energy Facility and Sempra's Termoelectrica de Mexicali, both of which began commercial production earlier this year.

**ILLEGAL PERMITS**

In May, U.S. District Judge Irma Gonzalez ruled the Department of Energy illegally issued permits to connect the Mexican plants to the U.S. power grid by failing to order a complete environmental study of the Mexican plants' impact on air and water in neighboring Imperial Valley. She ordered the study to settle the question and will decide by next year if emissions are significant enough to halt the flow of electricity into California or require additional controls. Mike Niggli, president of Sempra Energy Resources, said his company's plant is already one of the cleanest in North America. "We built this facility to meet the strictest standards in California. We could set this plant down anywhere in California," he says, noting that state-of-the-art technology makes it cleaner than old plants operating in California. Mexican officials say the plants meet Mexican standards and the tax revenues they generate have enabled Baja California to make infrastructure improvements that offset pollution.

Mario Juarez, under secretary of economic development for the state of Baja California, said the state is paving many dirt roads -- a perk partially enabled by the taxes the companies pay and their monthly \$1 million tab for using city and state services.

He notes that Japanese carmaker Toyota Motor plans to build a \$148 million truck factory in Baja California, and state officials are courting several other companies.

In the past, energy companies have expressed interest in building as many as 20 plants on the Mexican side of the border to export energy to the United States, a key reason environmental groups want strict pollution controls.

#### WATER A FACTOR

They say the Mexicali plants will increase the levels of airborne contaminants in the already polluted air basin and consume about 12 million gallons of sewage water a day to cool their turbines.

Mexican environmentalist Fernando Medina says he is not opposed to the plants but wants to ensure that these and future plants meet the highest standards and use a dry cooling system to conserve water.

"Mexico and the United States are fighting over water from one end of the border to another," says Medina. "How much sense does it make to allow big consumers of water to locate here?" he said.

Niggli said Sempra built the facility in Mexicali to avoid California's lengthy licensing process. He estimates it would have taken up to 22 months to license the plant in California, but it took only five months in Mexico.

The plant produces 600 megawatts of electricity that can be sold in southern California, Arizona

## Attachment 4

Sempra: Exporting Pollution

U.S.-Mexico Border Region to Pay the Price for California's Power  
by J.P. Ross, Greenpeace, Special to CorpWatch  
May 27th, 2002

<http://www.corpwatch.org/img/original/hgpmexico.jpg>

Rosarito Power plant in  
Rosarito Beach,  
Mexico. Tomas Bravo  
Garcia/Greenpeace

Rosarito Power plant in Rosarito Beach, Mexico. Photo: Tomas Bravo Garcia/Greenpeace.

If San Diego-based Sempra Energy had decided to build its new natural gas-fired power plant in southern California, state and local authorities would have required the company to comply with stringent air quality regulations. Company officials would also have had to complete detailed environmental impact statements. So Sempra decided to build the plant just over the border in Mexico instead.

The plant, currently under construction in Mexicali, Mexico, will serve consumers in San Diego and Los Angeles. Critics say Sempra, the parent company of San Diego Gas & Electric (SDG&E) is locating its plant three miles inside of Mexico to avoid US environmental laws. In March, environmental groups filed a lawsuit challenging US government permits for transmission lines from the Sempra plant into California.

"Approving transmission lines for power plants under construction in Mexicali, without ensuring that these plants are built to minimize air and water quality impacts, will cause unnecessary harm to local US and Mexican communities," said Bill Powers of Border Power Plant Working Group, a coalition of environmental and community groups on both sides of the border and a plaintiff in the suit.

Sempra's new plant, Termoeléctrica de Mexicali, is but a small part of the company's plan to dominate natural gas distribution and electricity generation throughout Southern California and Northern Mexico. Sempra is also building an extensive gas distribution system capable of fueling as many as twenty-two 500-megawatt power plants along the border.

The environmental impacts of Sempra's natural gas projects would be felt far beyond the border. From a global warming perspective, the Mexican plants would be a disaster. The power plants and natural gas infrastructure that Sempra is planning would add 35 percent more carbon dioxide to the atmosphere than is already produced by California's natural gas consumption.

## **Imperial Impacts**

Sempra maintains that the 600-megawatt Mexicali plant will feature the latest pollution control technologies and will be built to California air emissions standards. But that is little consolation to a region plagued with air quality problems. Imperial County, just north of the border with Mexicali, already has the highest incidence of childhood asthma in California. Sempra's plant would emit approximately 378 tons per year of nitrogen oxides, 376 tons of carbon monoxide, and almost 4 megatons of carbon dioxide. Nitrogen oxide causes the

formation of pollutants like ozone and particulate matter.

The health effects of these pollutants are significant. Particulate matter causes asthma attacks, respiratory infections, and premature death. Long term exposure to ozone has been linked with lung damage. Exposure to high levels of carbon monoxide can impair mental function, visual perception, and can be life threatening, while oxides of nitrogen can harm the lungs and cause asthma attacks.

The siting of power plants in the Imperial County/Mexicali area to serve electricity needs in San Diego and Los Angeles will disproportionately impact poor people and communities of color. Imperial County is the poorest county in California, with a 72 percent Latino population.

The Imperial County Board of Supervisors contends that the pollutants from the plant "would have significant adverse impacts on the air quality for Imperial County". In an October 8 letter to the California Public Utilities Commission, the board "urged the Department of Energy to delay a decision to grant Presidential Permits for the construction of the proposed power lines." However, the U.S. Department of Energy ignored the county's pleas and granted the permit.

"If these plants should go up, they place my life on the line." local resident Jennifer Lee told the El Centro City Council in January.

The plant will use water from the New River for its cooling system. This water is destined for the Salton Sea National Wildlife refuge in Imperial County, an inland lake that is critical for migratory birds. Instead, approximately 3 million gallons of water per day will be evaporated, and lost to the environment. That amounts to more than 1700 gallons of water per year for each resident of Mexicali. What's more, over 750,000 gallons per day of highly saline wastewater from the cooling system will be dumped, contaminating the New River.

## **Pipeline Crimes**

Sempra's plans also call for a vast T-shaped network of new pipelines stretching from Arizona to Baja California and from San Diego south to a proposed liquefied natural gas station in Ensenada. Together, these pipelines have enough capacity to fuel a total of twenty-two 500-megawatt power plants. Currently, there is only one natural gas power plant in the region.

For the North Baja pipeline, Sempra is teaming up with Pacific Gas and Electric and Proxima Gas of Mexico. The pipeline will take 500 million cubic feet of natural gas from Arizona to Tijuana. It will run 135 miles just south of the California border, allowing Sempra to once again dodge the regulations of its home state.

Sempra has also come under environmental criticism for the proposed \$500 million dollar liquified natural gas receiving station 60 miles south of the California-Mexico border. The station would be built on a 300-acre plot of pristine coastline that the company says has been zoned for industrial uses. Yet according to the San Diego Union Tribune, the Mayor of Ensenada has confirmed that this land is zoned 'rustica' -- a protected status in Mexico. Mexican officials stopped the development of an earlier proposed power plant, Rosarito IV, in the same area after local fishing groups and Greenpeace Mexico brought attention to the ecological importance of the area.

The new gas receiving station would ship approximately one billion cubic feet of natural gas each day -- enough for twelve 500-megawatt power plants. This gas burned from this station alone would increase California's global warming emissions from natural gas by seventeen percent.

The magnitude of the project is staggering, and extremely dangerous. The station would require two to four tanks each holding five million cubic feet of liquified natural gas. This liquid would rapidly expand to three billion cubic feet of gas if for any reason the cooling system failed or the tank envelope were punctured. There is no way that this station would be built in the United States after September 11, 2001; it is simply too large a target. An explosion of the storage tanks would equal the detonation of 250 tons of TNT. Such a facility would never be built in California -- yet it's being built for Californians.

## **The Valley-Rainbow Connection**

Sempra also wants to build a new 31-mile transmission line, called the Valley-Rainbow interconnect, that will allow the company to sell its dirty electricity generated in Mexico to Los Angeles and beyond.

The plan calls for condemning or disrupting 351 homes in the Temecula valley, as well as running the line over land, the rights to which have recently been recovered by the Pechanga band of the Luiseno Mission Indians. Sempra has unsuccessfully tried to mislead the people of Temecula, just as it has state regulators. Before a public meeting in Temecula, Sempra ran a full-page ad in the local paper stating that the California Independent System Operator, which controls the flow of power throughout the state, had noted the need for the Valley-Rainbow line. This was inaccurate, and the company was forced to run an apology in the next edition of the paper. Now the community is dead set against letting Sempra build the transmission line.

Sempra has engaged in a misinformation campaign to secure approval for the plan. Initially the company said it needed the line to import power from the north of the state, to keep San Diego from going dark. But recently Sempra changed its tune and revealed the real reason it wants to build the line. A company forecast showed that there will be "many megawatts well into the future in San Diego

county" and that the line is really needed for exporting power from Mexico to Los Angeles and Northern California. The California Public Utilities Commission has questioned the need for the transmission line, and has criticized Sempra for being less than forthcoming about its motivations for the project. In a memo regarding Sempra's statement of need for the line, Commissioner Duque stated that the company's "position with respect to need has not been presented in a straightforward fashion."

Sempra has also tried to hide the project's enormous price tag, which will be passed on to ratepayers. In one CPUC filing, Sempra wrote: "releasing cost information to the public ultimately will result in increased costs to SDG&E customers." Nonetheless, public pressure forced Sempra to reveal that the line would cost \$350 million dollars, making it one of the most expensive in history -- and proving that the project would not be in the ratepayers' best interest.

The proposed Valley-Rainbow interconnect would run straight through one of southern California's greatest natural treasures -- the Great Oak Ranch. This land, recently regained by the Pechanga Band of Luiseno Indians, is appropriately named for a 2,000 year-old Coast live oak tree. In May 2001, after working for more than a decade, the tribe was able to regain its ancestral lands by purchasing the ranch. The tribe began the process of putting the land into trust to secure it for future generations.

The land is rich in precious tribal cultural resources and boasts the former home of Earle Stanley Gardner, author of the famed Perry Mason novels. But the highlight of the ranch is its namesake -- the largest Coast Live Oak tree in California. With a trunk 26 feet in diameter, its branches create a majestic altar. After more than a century, the Pechanga are once again able to hold ceremonies under the tree.

Sempra has since exerted tremendous pressure to block the Pechangas' application to the Department of the Interior to fully regain control over their land. Sempra has hired former interior secretary Bruce Babbitt to pull weight in Washington D.C., while his former deputy, David Hayes, is the company's legal council. If the tribe receives approval to place these lands into trust, Sempra must then gain permission from the tribe for any transmission line. But, if Sempra is successful with its plans, the Valley-Rainbow line could be towering over the majestic oak itself, which stands a mere 200 feet away from the proposed route.

Elected officials from all over the state support protection of the Great Oak Ranch. State Representative Darrell Issa (R-Temecula), for example, has introduced legislation in California to protect the Pechanga lands until they are safely held in trust. But Sempra continues to lobby against such efforts.

## **The Renewable Solution**

There are alternatives to Sempra's dirty energy plan for the border. The area is rich in renewable resources including wind, solar and geothermal power. In fact, renewable energy companies are ready and willing to build facilities in the San Diego/Imperial County region. These developers have signed letters of intent to deliver electricity to the California Power Authority, the government agency created by Governor Davis to oversee the power market.

Meanwhile, Greenpeace is currently campaigning in San Diego to develop and pass a solar revenue bond similar to the bonds passed in San Francisco in November 2001. By committing to solar photovoltaics, the city will reduce the demand for dirty energy from across the border, while supporting the growth of the renewable energy economy in California.

Renewable energy is also the answer to the looming threat of climate change. The border region should become a model of how a rich northern state can support the sustainable development of a southern neighbor, while greatly reducing its own energy use and committing to renewables.

*This article was adapted from Terra Sempra, a report by Greenpeace's Clean Energy Now Campaign. For more information, please visit [www.cleanenergynow.org](http://www.cleanenergynow.org) and join Positive Energy, a weekly newsletter with updates on Greenpeace's efforts to promote renewable energy in California and beyond.*

or northern Baja California.

The company spent about \$350 million on the facility, including \$18 million on a wastewater treatment plant and \$20 million on air emissions control equipment -- both strictly voluntary, Niggli says.

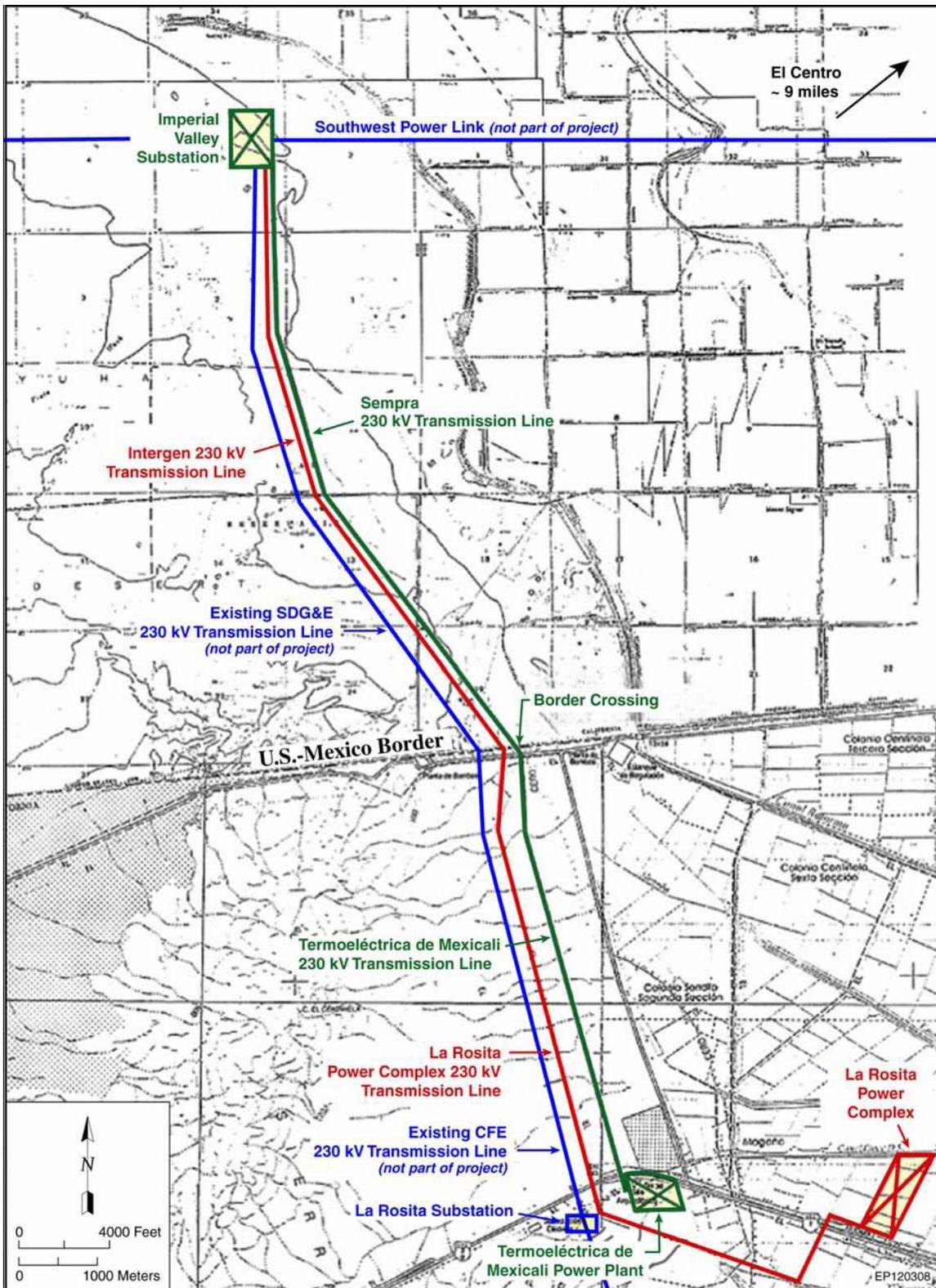
InterGen's \$750 million facility generates about 1,000 megawatts of electricity, said InterGen vice president Stephen Raab. InterGen is a joint venture of Royal Dutch/Shell and construction firm Bechtel Group Inc. About half the power generated is sold to the Commission Federal de Electricidad, the Mexican power company. The other half has been earmarked for California but could be sold anywhere, he said.

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## **Attachment 5**

**Find this article at:**

<http://www.signonsandiego.com/news/northcounty/20061213-9999-1mi13ysabel.html>





CALIFORNIA PUBLIC UTILITIES COMMISSION  
U.S. BUREAU OF LAND MANAGEMENT



# Comment Form

Proposed Sunrise Powerlink Project

Date: 2/14/07

Name\*: FRIENDS OF GOODAN RANCH - SYCAMORE CANYON OPEN SPACE PRESERVES

Affiliation (if any):\* \_\_\_\_\_

Address\*: 13030 BIRCH LANE

City, State, Zip Code\*: POWAY, CA 92064

Telephone Number\*: (858) 486-0919

Email\*: \_\_\_\_\_

Comment: THE FRIENDS OF GOODAN RANCH AND SYCAMORE CANYON OPEN SPACE PRESERVES (A 501(C)3 CALIFORNIA NON PROFIT CORPORATION) OPPOSE THE CONSTRUCTION OF THE SUNRISE POWERLINK PROJECT AS PROPOSED DUE TO THE IMPACT UPON THE VISUAL RESOURCES OF AFFECTED AREAS, POTENTIAL IMPACTS ON THE FLORA AND FAUNA BASED UPON THE COMPONENT REQUIRING INCREASED TAKE OF LAND DESIGNATED AS OPEN SPACE. THE VALUE OF MAINTAINING OPEN SPACE IN ITS MOST NATURAL STATE MUST BE CONSIDERED FOR GENERATIONS TO COME.

*\*Please print. Your name, address, and comments become public information and may be released to interested parties if requested.*

Please either deposit this sheet at the sign-in table before you leave today, or fold, stamp, and mail. Insert additional sheets if needed. Comments must be received by February 24, 2007. Comments may also be faxed to the project hotline at (866) 711-3106 or emailed to [sunrise@aspeng.com](mailto:sunrise@aspeng.com).



**CALIFORNIA PUBLIC UTILITIES COMMISSION  
U.S. BUREAU OF LAND MANAGEMENT**



# Comment Form

Proposed Sunrise Powerlink Project

Date: 2-17-07

Name\*: \_\_\_\_\_

Affiliation (if any)\*: Back Country Horsemen, American Endurance Riders assoc.

Address\*: \_\_\_\_\_

City, State, Zip Code\*: PO Box 1527 Boulevard, Ca 91905

Telephone Number\*: \_\_\_\_\_

Email\*: \_\_\_\_\_

Comment: You all ready have power lines

running to San Diego, why not

use these existing areas, all ready  
used for power lines.

Why mess up other areas and  
views.

Actually the power station in So. San Diego  
County, is not up to full speed, and we were told, it  
isn't because there is no need for more power.

*\*Please print. Your name, address, and comments become public information and may be released to interested parties if requested.*

Please either deposit this sheet at the sign-in table before you leave today, or fold, stamp, and mail. Insert additional sheets if needed. Comments must be received by February 24, 2007. Comments may also be faxed to the project hotline at (866) 711-3106 or emailed to [sunrise@aspeneg.com](mailto:sunrise@aspeneg.com).



The West of Forest Alternative of the Sunrise Powerlink includes about 11 miles of its route through the Crest-Dehesa-Granite Hills-Harbison Canyon Subregion. In considering the project and its alternatives, the Crest-Dehesa-Granite Hills-Harbison Canyon Subregional Planning Group finds that all of the transmission line routes proposed for the Sunrise Powerlink Project, including the Southwest Powerlink Alternatives revealed during the second round of scoping meetings held February 5 - 9, 2007, would result in unacceptable, significant and unmitigatable impacts to the residents as well as the natural resources of San Diego County. The most serious of these impacts would be to public safety, since the proposed above ground 500 Kilovolt transmission lines would increase the already significant fire dangers existing in San Diego County by potentially starting wildfires as well as interfering with the effectiveness of aerial fire fighting and ground fire fighting in vicinity of the lines. Every one of the proposed routes, whether in Anza Borrego State Park, in Federal or State Wilderness, in National Forest, in State Ecological Preserves, in County Multiple Species Conservation Program lands, as well as over private property would have negative impacts to sensitive, protected natural resources of San Diego County which would affect citizens not just of San Diego County, but also of the State of California and the United States.

The Planning Group rejects as unacceptable all of the above ground transmission line routes proposed for the Sunrise Powerlink, and urges that the many available opportunities provided by the Non-Wire Alternatives and System Alternatives are combined to meet the future power needs of the San Diego area without constructing the Sunrise Powerlink 500 Kilovolt transmission line



NATURAL RESOURCES DEFENSE COUNCIL

February 20, 2007

Billie Blanchard, CPUC/Lynda Kastoll, BLM  
c/o Aspen Environmental Group  
235 Montgomery Street, Suite 935  
San Francisco, CA 94104-3002

Re: Response to Second Scoping Notice on the Sunrise Powerlink Project

Dear Ms. Blanchard and Ms. Kastoll:

On behalf of NRDC -- the Natural Resources Defense Council -- I thank you for providing concerned citizens and members of the public a second opportunity to submit scoping comments on the proposed Sunrise Powerlink Project. As you may recall from our response to your first scoping notice, NRDC, a national environmental advocacy organization, has about 1.2 million members and supporters, some 250,000 of whom live in California. NRDC has a long history of efforts to protect and preserve the state's natural resources, including Anza-Borrego Desert State Park, as well as to promote the increased use of energy efficiency and renewables to meet the state's energy needs.

As you know, originally all alternatives for the Sunrise Powerlink went through Anza-Borrego Desert State Park and all conflicted with its mission and resources. Our prior scoping comments stressed the importance of the alternatives section of both the federal and state environmental review processes and emphasized the necessity of considering alternative routes that did not go through the park.

At this point in these processes, we commend your apparent responsiveness to the requirements and goals of both federal and state law with regard to alternatives and specifically for the number of alternatives that you have identified and that you are now pursuing. According to page 1 of the Notice of Second Round of Scoping Meetings on Alternatives to the Proposed Sunrise Powerlink Project, "30 alternatives are recommended for detailed EIS/EIS analysis" -- only two of which appear to involve Anza-Borrego.

As stated in the attached letter to California's State Park and Recreation Commission which we incorporate in these comments for the record, we are hopeful that all of these alternatives will receive detailed and thorough consideration in the environmental review processes now underway and that, as a result, one of more routes will be identified that do not require de-designation of State-designated wilderness or irreparable damage to the outstanding resources of Anza-Borrego Desert State Park.

Thank you in advance for considering our comments

Sincerely,

Johanna H. Wald  
Senior Attorney



NATURAL RESOURCES DEFENSE COUNCIL

February 5, 2007

The Honorable Bobby Shriver, Chair  
State Park and Recreation Commission  
c/o Louis Nastro, Assistant to the Commission  
P.O. Box 942896  
Sacramento, CA 94296-0001

Re: Proposed Sunrise Powerlink Project, San Diego and Imperial Counties, CA

Dear Chairman Shriver and Members of the State Park and Recreation Commission:

This letter responds to the public announcement that the State Park and Recreation Commission will meet on February 8, 2007, in Borrego Springs, California, to discuss the proposed Sunrise Powerlink project through portions of Anza-Borrego Desert State Park. NRDC – the Natural Resources Defense Council – is a national environmental advocacy organization with approximately 1.2 million members and supporters, some 250,000 of whom live in California. NRDC has two offices in California and a long history of efforts to protect and conserve the State's natural resources, including wilderness lands, on both state and federal public lands. In particular, NRDC participated in the development of the current General Plan for Anza-Borrego Desert State Park and, during that process, urged full protection for its outstanding wilderness values.

NRDC also has a long history of advocacy promoting the increased use of energy efficiency and renewable energy sources to meet California's energy needs. We recognize that some new transmission lines will be needed in order to significantly increase our use of renewable energy. Most recently, NRDC sponsored two landmark pieces of state legislation that will further this goal – AB 32 (Núñez) and SB1368 (Perata), which have both been signed into law.

NRDC believes that the goals of increased reliance on renewables and protection of our nation's unique and sensitive places are not necessarily in conflict. Nonetheless, as the California Department of Parks and Anza-Borrego Park itself concluded, the proposed routes for the Sunrise Powerlink that were previously made public by its proponent, San Diego Gas and Electric Company (SDG&E), do conflict with the Park's mission and resources: they violate the boundaries of a designated state wilderness and would cause irrevocable harm to the park's scenic, cultural wildlife and recreational values. See September 5, 2006 Prehearing Conference Statement of California State Parks Department In the Matter of the Application of San Diego Gas & Electric company (U-902-E) for a Certificate of Public Convenience and Necessity for the Sunrise Powerlink Transmission Project, Before the Public Utilities Commission of the State of California, A.06-08-010,

The Honorable Bobby Shriver, Chair  
February 5, 2007  
Page 2

A.05-12-014. As such, those alternatives are inconsistent with the purpose and the letter of the California Wilderness Act (Public Resources Code 5093.30-5093.40).\*

Although SDG&E's original proposed alternatives all went through Anza-Borrego, it now seems clear that there are many other options. Indeed, according to the California Public Utility Commission (CPUC) and the Bureau of Land Management (BLM), "30 alternatives are recommended for detailed EIR/EIS analysis" – only two of which appear to involve Anza-Borrego, and "[r]esearch on the feasibility of a number of [additional] alternatives is ongoing..." CPUC and BLM, Notice of Second Round of Scoping Meetings on Alternatives to the Proposed Sunrise Powerlink Project, p. 1, undated (received by NRDC on January 22, 2007).

The consideration of alternatives is the key to both the state and federal environmental review processes. See, e.g., 40 CFR §1502.14. We are hopeful that these processes will give detailed and thorough consideration to the recommended alternatives and that they will result in the identification of one or more routes that do not require de-designation of State-designated wilderness or irreparable damage to its outstanding resources. In California, as in the federal wilderness system, designated wilderness is meant to provide permanent protection for an irreplaceable resource. De-designation of state-designated wilderness in Anza-Borrego will establish a precedent that will threaten wilderness areas not only in California, but across the nation.

Inasmuch as the required environmental review processes are only in the initial stages, there is no reason why the Commission should approve construction of the Sunrise Powerlink through Anza-Borrego State Park or the de-designation of State-designated Wilderness at this time, if ever. NRDC urges the Commission to oppose this project at your February 8, 2007 meeting.

Thank you in advance for considering our views.

Sincerely,



Johanna H. Wald  
Senior Attorney

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\* "[I]t is ... the policy of the State of California to secure for present and future generations the benefits of an enduring resource of wilderness." (Id. at 5093.31).



CALIFORNIA PUBLIC UTILITIES COMMISSION  
U.S. BUREAU OF LAND MANAGEMENT



Comment Form

Proposed Sunrise Powerlink Project

Date: 2-20-07

Name\*: Albert & Kathleen Cauzza

Affiliation (if any)\*: Santa Ysabel Ranch Lillian B. Cauzza Trust

From: Albert & Kathleen Cauzza  
Lillian B. Cauzza Trust/ Santa Ysabel Ranch  
21959 Mesa Grande Rd.  
Santa Ysabel, Ca 92070  
760-765-2381

Re: Sunrise Powerlink Transmission Project  
Application Number: A. 05-12-014

The Santa Ysabel Ranch has maintained and preserved the Santa Ysabel Valley as an agricultural and environmental treasure for San Diego County for 100 years. There are so few areas left in Southern California that can still provide open space and freedom for all surrounding natural habitat and support an agricultural lifestyle and income. This family has done just that for 3 generations.

We understand the need of supply and demand. What we are opposed to is the degrading of the environment and agricultural preserves that our family has worked so hard to protect. The Santa Ysabel Ranch is a working cattle ranch. Our income depends on the surrounding property to be used for just that. It has been brought to our attention that a transmission line as you are suggesting will cut right through the heart of the Santa Ysabel Ranch and Valley could bring unsafe emissions to not only people but make our cattle sterile. This does not even address the safety factors. With winds up to 100mph not uncommon each year the safety issue of fire is another huge concern as there is only one road in and out of the valley and we know the disaster this can cause from the earlier Cedar Fire in San Diego County.

Why bring the transmission line in direct contact with people when there are thousands of acres of San Diego County property available where there are limited uses by people and no businesses are affected? We realize it is easier to take away 1 family's lifestyle than to take on the County Board of Supervisors, but that doesn't make it right. We have heard about his project for a year, but I see you first proposed this project in 2005. Why is this the first time we have heard from you?

Let the record show we are AGAINST the Sunrise Powerlink Transmission Project coming through the Santa Ysabel Valley. If you proceed and take away our income we will fight to have the Transmission line placed underground.

\*Why is it earthquake safe to place the Transmission line underground from the Santa Ysabel Mission to Santa Ysabel

Sincerely,

Albert & Kathleen Cauzza  
Lillian B. Cauzza Trust  
Santa Ysabel Ranch

but NOT safe from the mission to ~~Santa~~ Hwy 76? We are talking 3 miles or so. Could it be because it crosses the San Dieguito River Park and County property?

↳ lets BE FAIR!!