

February 24, 2007

Castle Eurasia Corp.
Zen Media Corp.
P.O. Box 7450
Moreno Valley, CA
92553
(951) 785-7000/Fax: (951) 785-7700
niceland1@aol.com

Via E-mail, Facsimile & U.S. Mail

Ms. Billie C. Blanchard
California Public Utilities Commission
Sunrise Powerlink Transmission Project
c/o Aspen Environmental Group
235 Montgomery Street, Suite 935
San Francisco, California 94104

Ms. Lynda Kastoll
Bureau of Land Management
Sunrise Powerlink Transmission Project
c/o Aspen Environmental Group
235 Montgomery Street, Suite 935
San Francisco, California 94104

Re: Comments on the Proposed Sunrise Powerlink Transmission Project,
Proposed Project 500kV and Imperial Valley FTHL Alternative in Imperial County.

Dear Ms. Blanchard and Ms. Kastoll:

This letter is to be a follow-up responses, comments and recommending alternatives for Castle Eurasia Corp. and Zen Media Corp. as its one of principals who was presented and expressed clear oppositions to current proposed Sunrise Powerlink Project at the 2nd Scoping Meeting held on February 05, 2007 at El Centro, Imperial County and on February 9, 2007 at Temecula, Riverside County. For the public record, Castle Eurasia/Zen Media Corp. did not received a notice of 1sr Scoping Meeting and its related information from two lead government agencies, therefore, this principal was not allowed to participate the very important first Public Scoping Meeting.

Benjamin Kwon, one of principals for aforementioned Corporations submitted his oppositions to current Sunrise Powerlink Project in brief as following facts and reasoning;

- current proposals bisect "Imperial Gateway" Project in manners of east/west and north/south or totally destructive to its existence, a master planned community project consisted of 1,214 acres up to 4,000 units with lakes/golf courses along I-8/Dunnaway artery corridor for traffic flows, local developments in west main regions. And the viabilities of "Imperial Gateway" Project is to support by several evidences thereof in exhibit alphabetically such as A, B, C, D, and so on.
- Current proposals simply appear not to be compatible with master planned development around major freeway/local artery traffic system for the reasons of safety, maintenance, views, landscape, fire hazard and liabilities as well as its business characteristics in nature.
- "Imperial Gateway" Project is to be positive to Imperial County in terms of enhancing Cultural/Social/Economic/Job/Tax bases in general, therefore, County

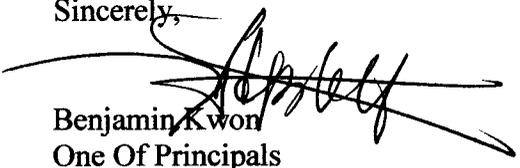
Supervisors, Planning director, Congressman are for "Imperial Gateway" Project as a New Symbol Of Rising Imperial County For 21st Century.

- The residents, people, living in Imperial County should have 1st right to determine characteristics for environmental nature where they are dealing daily life with.
- The logic of method how to approach is focused on reducing costs of maintenance/construction in terms of straight/short cut approach, and beneficiary bears costs/liabilities, any energy companies who wants business with SDG&E need BLM's blessing ending up with lease agreement and its reward to BLM, the fore, BLM is to provide right-a-way in which it does not negatively impact to private landowners.
- Castle Eurasia/Zen Media Corp's lands are adjacent, abut, across, beside, near and surrounding in land lock situation, therefore, it's their privilege to have the first right to exercise to any third parties proposal, a reasonable rules and provisions in Federal Land Management Principles.
- Currently Castle/Zen Media has a temporary use permit, CA 22642 and has been pending a request for land exchange/lease/swap with no comments/answers/directions since 1992.
- Castle Eurasia Corp. acquired its land holdings from USDA under understanding of expecting cooperation between two government agencies USDA and USDI/BLM's local government officer in charge in 1992. As general public, Castle Eurasia has not committed any wrong doing to both USDA/BLM almost 15 years waiting both government agencies fair ruling until present time.
- Castle Eurasia Corp. is ready to file it's a comprehensive application within about 45 days, therefore, current SDG&E Sunrise Powerline Project is to create serious damages, such as physic, severance, incidental and unforeseeable ones and costs to both CPUC/SDG&E and Castle Eurasia Corp, for an example of Lennar Homes California Corporation and Castle/Zen Media Corporation signed contract clearly demonstrates its viability and magnitude of investment amount.
- "Imperial Gateway" Project, like many master planned community developments normally take at least one decade or more time span, therefore, its not being coming up within one or two years does have nothing to do with its viabilities or continuity same as SDG&E Sunrise Powerlink Project does take at least years.

Under these simple reasons, Castle Eurasia Corp, and Zen Media Corp. is clearly recommending A New Alternative Of At Least One Mile Away From "Imperial Gateway" Project easterly from the east edge of West Main Cannel, westerly from at west edge of Dunnaway, local arterial and northerly from at north edge of I-8 freeway system.

Again, thank you for your time and patience to kindly listen to us.

Sincerely,


Benjamin Kwon
One Of Principals
For Castle/Zen Media Corp.



PLANNING/BUILDING DEPARTMENT

IMPERIAL COUNTY

PLANNING / BUILDING INSPECTION / PLANNING COMMISSION / A.L.U.C.

JURG HEUBERGER, ACP, CEP
PLANNING/BUILDING DIRECTOR

April 8, 2003

Ben Kwan
P O Box 7450
Moreno Valley, CA 92253

Subject Preliminary Pre-Application Meeting for "Niceland Properties"

Dear Mr. Kwan:

As you recall on Wednesday April 2, 2003 at 8:30 a.m. we met to discuss your preliminary ideas on a potential development on the Westside of the Imperial County along the Interstate 8 corridor.

In attendance at the meeting were the attached participants. As I indicated to you previously this was a preliminary meeting with the County Planning Department only. Prior to the submittal of an actual project we would request that we have a full pre-application meeting, which would include all of the County Departments responsible for development projects as well as a number of private and public agencies that provide services.

This letter is to recap essentially what we discussed. First you provided us with a very preliminary overview of a proposal encompassing some 400 + acres. The predominant land use that you have envisioned appears to be residential in nature. I believe you kept referring to this as a "Dell Web" type of development. Your project did include some light industrial and a number of water features and a potential golf course.

Obviously your presentation was very conceptual at this state. This we understand, as you were simply attempting to elicit the procedural aspects of submitting such a proposal. To reiterated, a project of this type would require at a minimum (a) the preparation of a full Specific Plan; (b) CEQA documentation most likely in the form of a full EIR; (c) Subdivision(s), Tract Map(s) or multiple Tract Maps; (d) possible creation of a Special District to provide services such as sewer and water; (e) Coordination with Regional Water Quality Control Board as well as California Drinking Water Standards not to mention numerous County agencies such as: Environmental Health, Public Works, Air Pollution Control and Caltrans.

This project is contiguous to BLM property and as a consequence will require coordination with the BLM and may require permitting from the BLM particularly for encroachment purposes.

While the property is near Highway 8 off ramp, it is not contiguous to such an off-ramp and major road improvements such as frontage roads and accessed road would need to be implemented, storm water retention would be a key feature requiring extensive analysis.

While you indicated that you had met with the Imperial Irrigation District as to water availability, this would also need to be confirmed and certain improvements would undoubtedly be required by the IID to protect their infrastructure primarily the Westside main canal. Also a fiscal analysis will be required to show that this project is a cost benefit over the long term to the County as well as to the developer.

It was stated that the preparation of the Specific Plan could be done through your own consultants and presented to the County for review and consideration. The County will review, comment and/or request changes on such a plan. One of the more critical features of this plan will be to show how and why a Specific Plan of this type should be approved at this location given that this area is designated as agricultural by the County's General Plan.

Therefore, the reason for general plan amendment & zone change would need to be clearly explained before a General Plan Amendment could be considered. Additionally, the CEQA process is handle entirely by the County with all costs borne by the developer. It is up to the County to select a qualified CEQA Consultant to prepare and EIR.

Lastly, due to staffing limitations the County may also need to hire "a on-contract" consultant to assist us with processing the project. again with the cost borne by the developer.

I trust that this recap is essentially how you understood our explanations.

Should you have any question regarding this matter please feel free to contact me at (760) 482-4236, extension 4310.

Sincerely,


JURG HEUBERGER, AICP
Planning Director

Attachment

Cc: Jeff Troash, Santa Rosa Development
Spike DuRock, Santa Rosa Development
Albert Ruzzkowski
Ralph Cordova, County Counsel
Joanne Yeager, Assistant County Counsel
Hank Kuiper, County Supervisor
10.105, 10.130, 10.133, 40.110

JH/cj/JURG'S GEN CORR/PRE-APP. LTR TO MR. KIVAN

CONGRESSMAN BOB FILNER

51ST DISTRICT, CALIFORNIA



2428 Rayburn House Office Building
Washington, DC 20515
(202) 225-8045 Phone
(202) 225-9073 Fax

333 F Street, Suite A
Chula Vista, CA 91910
(619) 422-5963 Phone
(619) 422-7290 Fax

1101 Airport Road, Suite D
Imperial, CA 92251
(760) 355-8800 Phone
(760) 355-8802 Fax

<http://www.house.gov/filner>

Fax Cover Sheet

Date: 8/20 Time: _____

To: Mr. Kuon Fax: 951 785-7700

Phone: _____

From: Nora May

Number of Pages (Including cover sheet): 2

Message: address and directions to our office

LAND SERVICES GIS

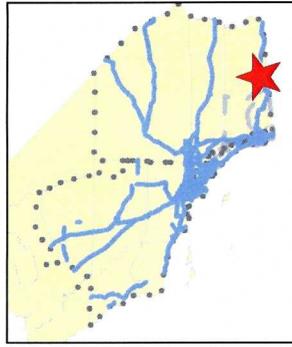
<http://gis.sempra.com>

Castle Euroasia Corp.



Map center: -32° 45' 58" N, 115° 46' 54" W

SDG&E is providing this map to you as a courtesy. SDG&E does not represent that the information contained herein is accurate. SDG&E disclaims all warranties, express or implied, including the warranty of fitness for a particular purpose. You are solely responsible for selecting this map to use and you are solely responsible for any consequences resulting from your use. Reproduction, duplication, or modification of this map is not allowed without permission from Land Services GIS.



Legend

- Counties
- Imperial County Parcels
- ~ Road Centerlines
- Pacific Ocean



Scale: 1:23,930



May 31, 2005

Benjamin Kwon
Niceland Properties
P.O. Box 7450
Moreno Valley, CA 92553

VIA FACSIMILE (951) 785-7700

Re: **1210 AC Property - Imperial County**

Dear Mr. Kwon:

Please receive this Letter of Intent as an expression of Lennar's ("Buyer") interest in purchasing the referenced real property from Niceland Properties ("Seller"). Execution and prompt return of a copy of this Letter of Intent will constitute our mutual understanding that this Letter of Intent does not constitute a binding agreement, but is reflective of our mutual interest to pursue the purchase transaction with the following terms and conditions being a part thereof. This "agreement to agree" must be reduced to writing, approved by the executive Committee of Lennar, and duly executed by both parties to constitute a binding agreement. Pending such a binding agreement, you agree to hold the property off the market during such negotiations.

Lennar believes the following terms should apply to the purchase of the subject property:

PROPERTY:

The property known as **Imperial County Property** ("Subject Property") is approximately 1,210 contiguous acres of raw land located along the I-8 Freeway in the county of Imperial.

PRICE:

The purchase price for the Subject Property shall be **\$66,550,000** (Sixty Six Million, Five Hundred Fifty Thousand U.S. Dollars), or approximately **\$55,000** (Fifty Five Thousand U.S. Dollars) per acre.

TERMS:

The above stated purchase price for the Subject Property shall be paid as follows:

- Buyer shall deposit \$2,000,000 (Two Million U.S. Dollars) into an escrow account upon completion of the due diligence period and execution of a mutually agreeable Purchase and Sale Agreement which will become immediately available to the Seller. All deposits will be non-



refundable but applicable to the Purchase Price except in the event of Seller's default or failure of a condition to close.

- No more than 90 (ninety) days following the conclusion of the 60 (sixty) day due diligence period, Buyer shall make option payments to escrow of \$250,000 (Two Hundred and Fifty Thousand U.S. Dollars) each quarter for a maximum period of 2 (two) years, to total \$2,000,000 (Two Million U.S. Dollars). All deposits will be non-refundable but applicable to the Purchase Price except in the event of Seller's default or failure of a condition to close.
- Buyer shall then have the right of up to a 1 (one) year escrow extension period. If Buyer chooses to exercise this right, \$500,000 (Five Hundred Thousand U.S. Dollars) shall be deposited in the escrow account every 6 (six) months, for a maximum period of 1 (one) year. All deposits will be non-refundable but applicable to the Purchase Price except in the event of Seller's default or failure of a condition to close.
- The balance of the purchase price, **\$62,550,000** (Sixty Two Million, Five Hundred Fifty Thousand U.S. Dollars), will be paid to escrow 3 (three) days after the expiration of the appeals period following approval of all Environmental Permits and Tentative Maps, will become immediately available to the Seller.

PROFIT PARTICIPATION:

Seller will participate in 40.0% (Forty percent) of all Lennar's project profits above a 10% (Ten percent) Net Pre-Tax Margin. Buyer shall provide Seller access to books and accounting records for purposes of profit participation verification.

FEASIBILITY:

Buyer shall have 60 (sixty) days from receipt of the items listed in Exhibit "A" to complete the project feasibility, marketability and economic desirability review. Seller shall

provide Buyer all reports, studies, and plans as noted in Exhibit "A" within 3 (three) business days of the execution of this Letter of Intent. Buyer shall prepare a Purchase and Sale Agreement for Seller's review and approval within 12 (twelve) business days of Seller's execution of this Letter of Intent. During this feasibility period Seller shall cooperate in providing information requested by Buyer and shall hold the property off the market.

CLOSE OF ESCROW:

Close of escrow will occur 3 (three) days after the expiration of the appeals period following approval of all Environmental Permits and Tentative Maps.

BROKER COMMISSION:

No broker commission is due.

RIGHT OF ENTRY:

Buyer shall have the right to enter the Subject Property for any investigation purposes in connection with the purchase of the property.

RIGHT OF FIRST REFUSAL:

Seller shall have first right of refusal on all commercial property, should Buyer choose to develop any such parcel(s) on the site.

SALES RESTRICTIONS:

Buyer shall be restricted to selling a maximum of 25% (Twenty Five percent) of residential lots to other homebuilders.

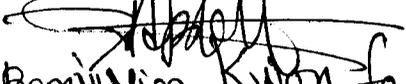
If the terms of this Letter of Intent are acceptable, please have the appropriate authorized representative(s) of Seller acknowledge by signing below and returning. This Letter of Intent shall expire if not acknowledged and returned by June 13, 2005. Lennar stands ready to commence review and processing on this transaction. We therefore await your approval of the above. Thank you again for this opportunity and we look forward to working with you.

Sincerely,



Michael Farley
Director of Land Acquisition
Lennar San Diego Division

AGREED AND ACCEPTED:


Benjamin Kwon for

Name

NiceLand
Castle Eurasia
Zen Media
Corporation

5/31/05

Date

cc: Michael Levesque
Peter Fagrell
Jeff Roos

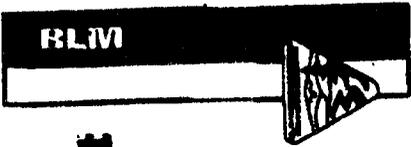


IMPERIAL ACRES

LENNAR - SAN DIEGO LAND DIVISION

CONCEPTUAL LAND USE PLAN 07.13.05
07.01.05

FORMA 0689 085



Bureau of Land Management

EL CENTRO BLM - CA 670
1661 South 4th Street
El Centro, Ca 92243
Phone: 760-337-4400 Fax: 760-337-4400

Fax Cover Sheet

To: Ann Iraani/Mike Cato

Phone: _____ Fax: _____

Office: _____

From: Lynda Kustell

Phone: 760-337-4121

Number of pages including cover sheet: _____

Remarks: Copy of right-of-way
for Ben Kiron property south of
I-8 We also just got a request
for a copy from a title company
in Gold River, CA

3. Rental:

For and in consideration of the rights granted, the holder agrees to pay the Bureau of Land Management fair market value rental as determined by the authorized officer unless specifically exempted from such payment by regulation. Provided, however, that the rental may be adjusted by the authorized officer, whenever necessary, to reflect changes in the fair market rental value as determined by the application of sound business management principles, and so far as practicable and feasible, in accordance with comparable commercial practices.

4. Terms and Conditions:

- a. This grant or permit is issued subject to the holder's compliance with all applicable regulations contained in Title 43 Code of Federal Regulations part 2800.
- b. Upon grant termination by the authorized officer, all improvements shall be removed from the public lands within 90 days, or otherwise disposed of as provided in paragraph (4)(d) or as directed by the authorized officer.
- c. Each grant issued for a term of 20 years or more shall, at a minimum, be reviewed by the authorized officer at the end of the 20th year and at regular intervals thereafter not to exceed 10 years. Provided, however, that a right-of-way or permit granted herein may be reviewed at any time deemed necessary by the authorized officer.
- d. The stipulations, plans, maps, or designs set forth in Exhibit(s) A, dated MAY 3, 1992, attached hereto, are incorporated into and made a part of this grant instrument as fully and effectively as if they were set forth herein in their entirety.
- e. Failure of the holder to comply with applicable law or any provision of this right-of-way grant or permit shall constitute grounds for suspension or termination thereof.
- f. The holder shall perform all operations in a good and workmanlike manner so as to ensure protection of the environment and the health and safety of the public.
- g. The holder shall not initiate any construction or other surface disturbing activities on the right-of-way without the prior written authorization of the authorized officer. Such authorization shall be a written notice to proceed issued by the authorized officer. Any notice to proceed shall authorize construction or use only as therein expressly stated and only for the particular location or use therein described.

h. The holder shall permit free and unrestricted public access to and upon the right-of-way for all lawful purposes except for those specific areas designated as restricted by the authorized officer to protect the public, wildlife, livestock, or facilities constructed within the right-of-way.

i. Holder shall maintain the right-of-way in a safe, usable condition, as directed by the authorized officer.

j. The holder shall not store toxic/hazardous substances within the right-of-way boundaries. In the event of any release of toxic/hazardous substances (leaks, spills, etc) in excess of the reportable quantity established by 40 CFR, Part 117 shall be reported as required by the Comprehensive Environmental Response, Compensation and Liability Act of 1980, Section 102b. A copy of any report required or requested by any Federal agency or State government as a result of a reportable release or spill of any toxic/hazardous substances shall be furnished to the authorized officer concurrent with the filing of the reports to the involved Federal agency or State government.

k. The holder shall be fully responsible for total removal and disposal of any toxic/hazardous substances released on public lands involved in this right-of-way. Removal and disposal shall be accomplished in a manner approved by the involved Federal or state agencies.

l. The holder agrees to indemnify the United States against any liability arising from the release of any toxic/hazardous waste (as these terms are defined in the Comprehensive Environmental Response, Compensation and Liability Act of 1980, 42 U.S.C. 9601, 9602, or the Resource Conservation and Recovery Act of 1976, 42 U.S.C. 6901 et seq.) on the right-of-way (unless the release or threatened release is wholly unrelated to the right-of-way holder's activity on the right-of-way). This agreement applies without regard to whether a release is caused by the holder, its agent, or unrelated third parties.

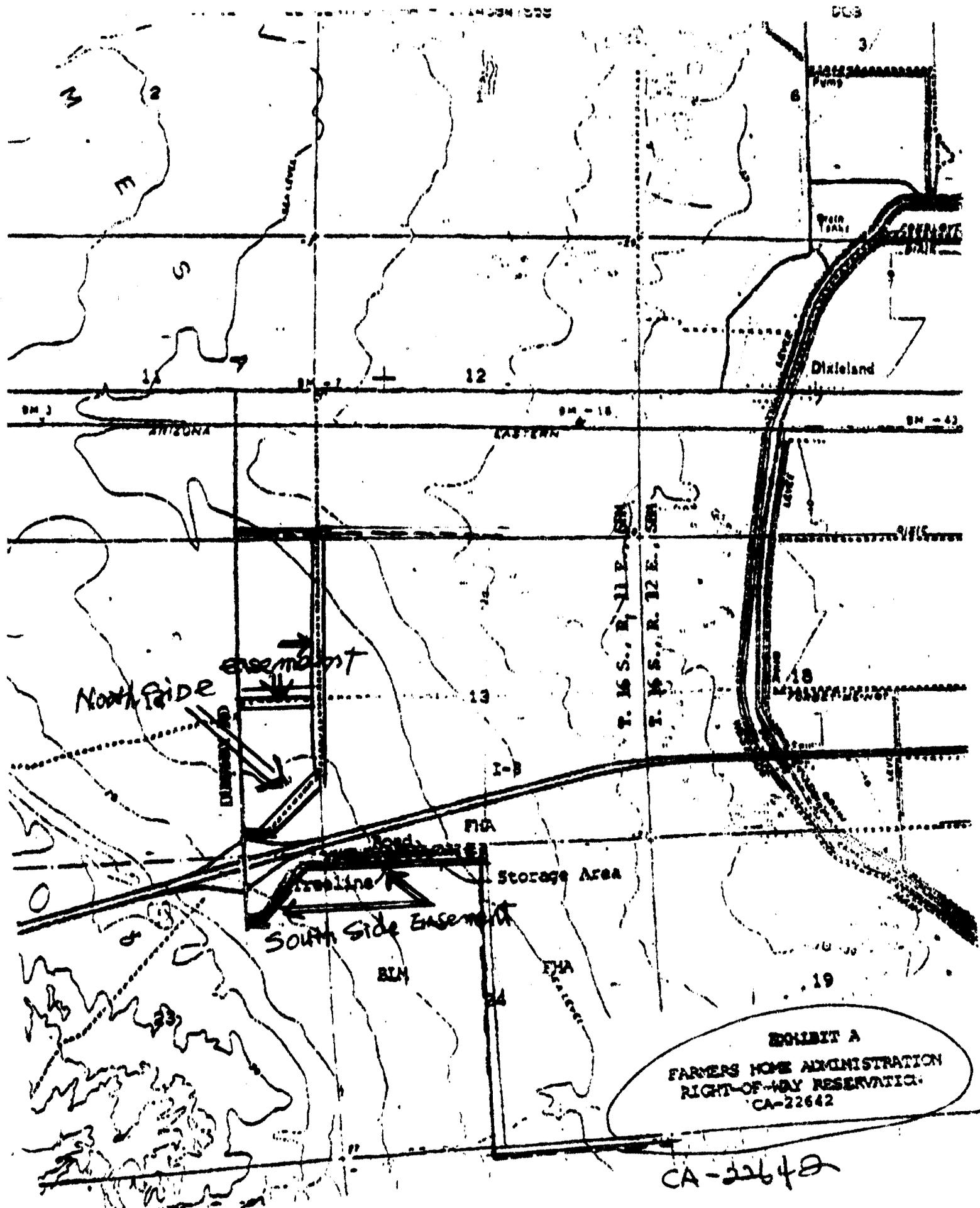
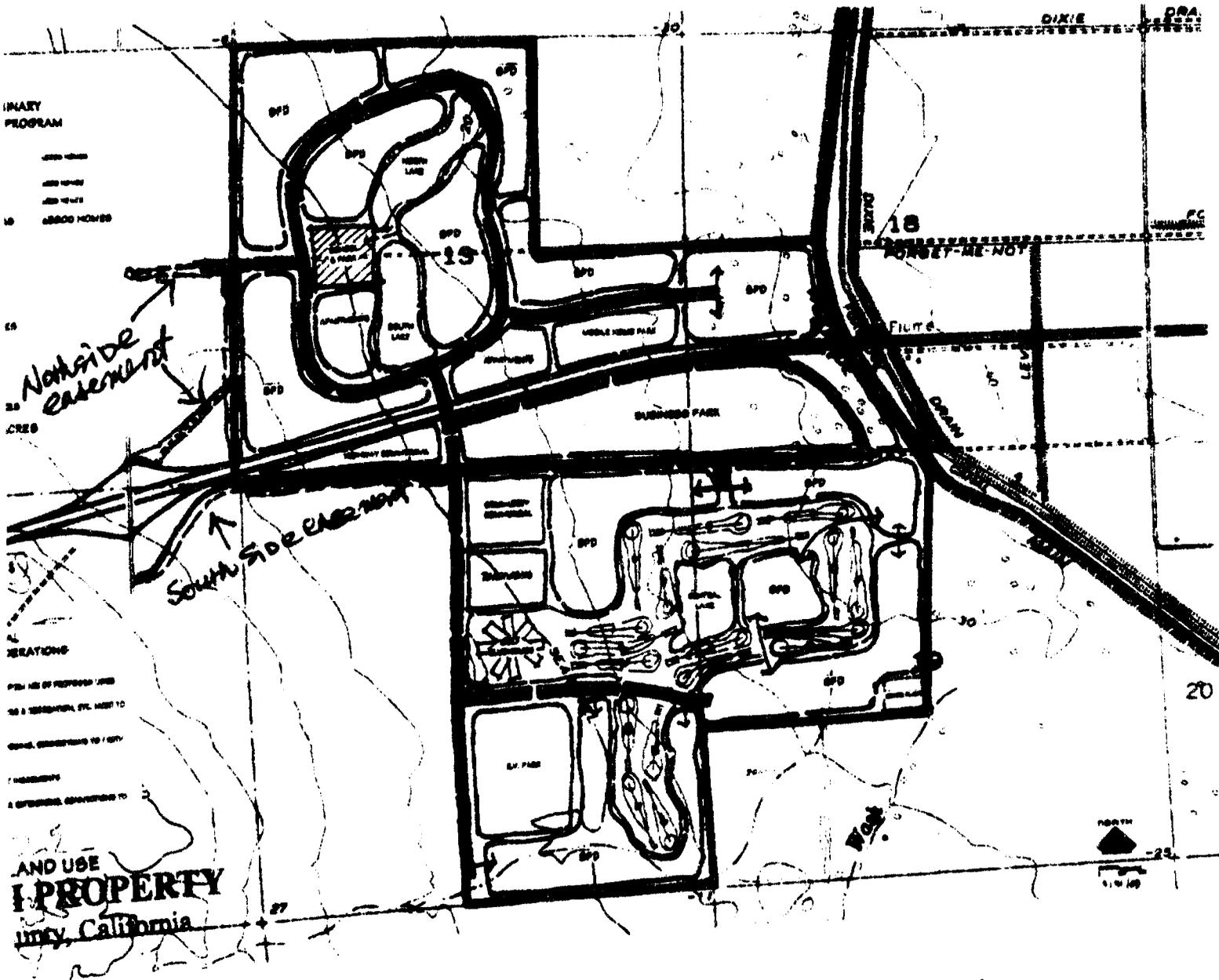


EXHIBIT A
 FARMERS HOME ADMINISTRATION
 RIGHT-OF-WAY RESERVATION
 CA-22642

CA-22642



INARY
PROGRAM

Northside
easement

South Side easement

ERATIONS
FOR ALL OF PROPERTY LINES
TO A SECTION, ETC. NEXT TO
GANG, CONVEYANCE TO / BY
/ PROPERTY
A DEFINITE, CONVEYANCE TO

AND USE
PROPERTY
County, California

BLM
Right of Way
Reservation

CA-22642
for 20 YRS from March 05/92
... 1000 - 1000 - renewal

MUSSEY GRADE ROAD ALLIANCE



*"Preserving Historic
Mussey Grade"*

**P.O. Box 683
Ramona, CA 92065
(760) 787 - 0794 T
(760) 788 - 5479 F**

*Board of Directors:
Diane Conklin, Spokesperson
Joseph Mitchell, Secretary
Carol Levin, Treasurer
Joanne Gamble, Member
Rick Morgal, Member*

February 24, 2007

BY EMAIL

Ms. Billie Blanchard
California Public Utilities Commission

Ms. Lynda Kastoll
United State Bureau of Land Management

c/o Aspen Environmental Group
235 Montgomery Street, Suite 935
San Francisco, CA 94104-3002

Re: Comments on the Notice of Second Round of Scoping Meetings on Alternatives;
Proposed Sunrise Powerlink Project; Application No. 06-08-010

Dear Ms. Blanchard and Ms. Kastoll:

Thank you for the opportunity to participate in this second scoping period. The following comments are provided on behalf of the Mussey Grade Road Alliance, a community-based, grassroots citizen organization dedicated to the preservation and protection of the Mussey Grade Road area.

The comments provided here are for the purpose of inclusion in the drafting of the Environmental Impact Statement and Report (EIS/EIR).

The majority of our comments are concerned with the issue of fire, which is not at all addressed in the Notice with the exception of the discussion of fire in the Southwest Powerlink (SWPL) corridor. This omission is a grave matter to the Alliance, especially in the wake of the huge Cedar Fire of 2003, which consumed some 270,000 acres and was the largest wildfire to date in the State of California. The preferred alternative of San Diego Gas & Electric runs through the majority of the path of the Cedar Fire, from south of Julian through Ramona to Scripps Ranch. The Alliance is also aware that four fires were ignited by

power lines in San Diego County between May and November 2006: Open (Santa Ysabel) Boulder (Boulder Creek), Grapevine, and Cherry Picker. Surely the issue of fire is still on the minds of San Diegans across San Diego County this year as the area continues drought-like conditions and has received minimum rainfall.

While recognizing that the Notice is centered on alternatives, the EIS/EIR should also include the impacts of the proposed line through all San Diego County open space preserves, including the Boulder Oaks Preserve in the Inland Valley Link and adjacent to Mussey Grade Road. The EIS/EIR should evaluate the proposed project's impacts on the physical preserves as well as on the Multiple Species Conservation Program (MSCP), which applies to those preserves that include mitigation land identified under the MSCP, as is the case of the Boulder Oaks Preserve.

Wildland fire issues and project alternatives

Generally, we find the analysis which led to the acceptance and rejection of the proposed alternatives to be inadequate due to the lack of consideration given to wildland fire issues.

The assertion that wildland fire should be a significant consideration in these analyses is given credence by: 1) the fact that the first of eight listed SDG&E "basic project objectives" mentions avoiding areas with fire history or fire potential as a key component¹ and, 2) transmission lines are listed as a potential cause of and as a potential casualty of wildland fire in the Summary of Potential Impacts².

However, in the analysis of all proposed alternatives and in the justification for their acceptance or rejection, wildland fire is not mentioned except in reference to SWPL.

Wildland fire driven comparison criteria

Alternatives to the project should include wildland fire in their comparison criteria. These analyses should cover the *path* of the alternative, and specify the distances that specific hazards or potential impacts are present or absent. These criteria should include, but would not be limited to, the following:

1. Historical fire analysis along the path – the number and frequency of fires along the alternative transmission line paths can be used as some indication of their likely future occurrence.
2. Vegetation type along path – The vegetation type (both current and those likely to arise during the project lifetime) along the alternative path is an indication of the potential for supporting a large scale fire.

¹ California Public Utilities Commission, Notice of Second Round of Scoping Meetings on Alternatives to the Proposed Sunrise Powerlink Project, p. 7, Sec. G.1, #1

² Ibid; p. 29, Attachment 1, Hazards and Hazardous Materials

3. Wind intensity along path – The wind intensity is doubly important for powerline fires. First, wind gusts are a cause of structure damage and line faults that can ignite wildland fires. Secondly, fires occurring during high-wind periods are much more likely to become large and damaging³.
4. Slope along the path – slope influences the rate of fire growth, and steep terrain hinders suppression efforts.
5. Fire-sensitivity of biological areas along the path – Places where recent fires have occurred are sensitive to type conversion if the interval between fires is less than fifteen years or so⁴.

Wildland fire impact on alternatives

From a wildland fire impact standpoint, there are several general comments that can be made regarding the proposed alternatives:

1. Non-wire alternatives are preferable to alternatives depending on transmission lines.
2. Buried transmission lines are preferable to above-ground transmission lines from both risk and reliability perspectives.
3. Routes that minimize the path taken through potentially hazardous or impacted areas are preferable to those that do not.

We request that the alternatives be revisited with respect to wildland fire impacts before the CPUC and BLM decide which will be included in the EIS/EIR, and that a full analysis of wildland fire impacts be performed within the scope of the Draft EIS/EIR.

Sincerely,

/S/

Diane Conklin

³ California Department of Forestry, et al.; Powerline Fire Prevention Field Guide; 3/27/2001

⁴ Halsey, Richard W; Fire, Chaparral and Survival in Southern California; Sunbelt Publications, San Diego; 2005; p. 25-26

California Public Utilities Commission/Bureau of Land Management

RECORD OF CONVERSATION Page 1 of 1

Sunrise Powerlink Transmission Project CPUC Application A.05-12-014

<input type="checkbox"/> Telephone: Conference call		
NAME: Tom Huffman, HELIX	DATE: March 2, 2007	TIME: 9:30 AM
TITLE: Diane Conklin David Hogan Bonnie Morgal		
AGENCY: Mussey Grade Road Alliance		
SUBJECT: Comments on the Sunrise Powerlink EIR/EIS		

COMMENTS:

Diane asked for a telephone call to provide input into the biological studies. Tom arranged a call in number for all parties.

Concern was raised about the timing of biological studies done for this project. Tom noted that vegetation mapping was completed in 2006, and that protocol surveys would be done in 2007.

Concern was raised regarding the effects of the Cedar Fire, particularly relative to vegetation mapping and characterization of biological habitats.

David noted that he believes that if the habitat is considered occupied, then the mitigation should also be occupied.

Input was provided regarding Stephens' kangaroo rat surveys and where they should be conducted.

It was noted that San Diego fairy shrimp may occur in granite pools, (Mussey Grade and Iron Mountain suggested as potential areas for pools).

David noted that impacts to Hermes copper butterfly should be considered.

David noted that care should be taken to ensure that the proper identification of sensitive chaparral habitats (in particular southern maritime chaparral) occurs.

It was suggested that mitigation measures include detailed long-term biological studies (before and after) to document the long-term effects of this transmission line project.

It was suggested that impacts to mountain lions should be considered.

David asked that the EIR/EIS consider the effects of placing transmission line facilities in designated MSCP preserves. How will the mitigation account for impacts to areas assumed to be preserved in regional conservation plans?

Diane asked that the comments in the County's October 20, 2006 letter be carefully considered.

Visual impacts to Boulder Oaks preserve should be considered.

Diane asked us to identify which firms are doing surveys for this project. I mentioned that Greystone is doing surveys for the proposed project, and HELIX is doing surveys for the alternatives.

They would like the Tubb Canyon Area to be avoided.

cc: Susan Lee, Aspen Environmental Group	Aspen Team Member Name: Tom Huffman
	Company: HELIX Environmental Planning

DENIS TRAFECANTY
PO Box 305, Santa Ysabel, CA 92070
760-703-1149

February 24, 2007

Ms. Billie Blanchard, CPUC/Lynda Kastoll, BLM
C/o Aspen Environmental Group
235 Montgomery Street, Suite 935
San Francisco, CA 94104

RE: PROPOSED SUNRISE POWERLINK SCOPING COMMENTS

Dear Ms. Blanchard and Ms. Kastoll,

Thank you for the opportunity to provide the CPUC and the BLM with EIR/EIS scoping comments regarding the alternatives to the proposed Sunrise Powerlink Project. As you both know, I attended all the Scoping meetings in February, 2007 and I also attended the State Parks Commission Public Hearing. In addition, I have been attending numerous Planning Group meetings in the South County Inland to better understand their concerns about this project. I've gained a lot of knowledge from the landowners in both North and South County Inland as well as the communities of Carmel Valley and Rancho Penasquitos. My comments reflect the concerns of the landowners in these communities.

1. No Wires Alternative – We really don't need this proposed Sunrise Powerlink. We need you to take a hard look at the bundling of in area all-source generation, energy efficiency, in area renewable generation, transmission upgrades, demand response as well as conservation. Let's think about all the comments we heard out in the communities.
2. Imperial Valley (IV) – I remember the school teacher and mother from Imperial Valley that worried about all the air pollution coming from Sempra's dirty power plants south of our border. I remembered about the asthma problem for old people as well as young people here. And guess what! It affects the middle age people as well. This asthma health problem has not yet been properly investigated, and it's a significant health hazard for the IV. And what about the economy of IV? Also, the dairy farmers have stated that it has been proven that the fertility of their cattle will be impacted as a result of these T lines. If it has been proven, as stated by those farmers, shouldn't this be investigated further? The answer is not to circle around the existing ranches in IV. Other ranchers want to bring their cattle operations to this area, so this T line will prevent them from doing so. This T line will impact the economy of IV.
3. Anza Borrego Desert State Park – Yes, the Crown Jewel, with it's endangered species, the namesake of the Park – the Big Horn Sheep. We really don't know if these T lines will affect their migration, yet we are going to proceed anyway? What research have you done to determine whether the Big Horns will be impacted? There are experts that track these herds. There are undoubtedly some in the Park, and there is one I know about in the High Sierras. Have you spoken to them? Don't we need these reports and analysis before we proceed? Do you really think the CPUC will fix this problem by going underground? Today three of us ran for six hours up and down Grapevine Canyon Road. I cannot imagine a 500kV line going through this canyon, whether underground or the huge towers. There will be roads going all over the place, permanently scarring the Park. What about a report in the EIR/EIS on the effects of permanently scarring the Park with all these extra roads? Can we consider that issue? And how about all those people past

and present who donated additional lands for the Park with the understanding that those lands will be kept in a natural and pristine state? What shall we tell them now? Do we tell them that the population for In Basin San Diego is increasing, and we need to run a T line through our Park to take care of their power needs? Our Forefathers gave us this wonderful opportunity to experience this lovely Park in such a pristine state, and to enjoy it for the rest of our lives, and the lives of our children and their children and their children..... Now what legacy do you want to have for yourselves? Do you want to be the first ones in the history of our Country to de designate this beautiful wilderness? Is this what you want the future inhabitants of the rest of our world to remember about you? Will you succumb to the Greed of an Investor Owned Utility (IOU)? You will let this utility company run Dirty Power from Mexico right down the heart of our Park? Yes, Dirty Power. Those Stirling Engines have been around for years and years, and the Company has never proven to anybody that they can produce this energy commercially. So, shall we build the T lines anyway? Shouldn't you be absolutely sure that this project isn't just an IOU Bait and Switch?

4. Our Landowners in Grapevine Canyon, Tubbs Canyon, San Felipe Valley, Ranchita, Lake Henshaw, Mesa Grande, Julian, Wynola and Santa Ysabel – Over generations and generations, these landowners have kept their lands in an Agricultural Preserve State under the Williamson Act. Isn't it still very beautiful because of this? We should be proud of our Forefathers who had the foresight leave their lands this way for our pleasure as we drive, hike, bike or run through this remote backcountry. Now what will your legacy be to our visitors from all world who enjoy this beautiful land as they drive to Anza Borrego? Should we keep it the way it is, or should we listen to the words of our IOU? By the way, why is this proposed T line so far north of In Basin San Diego at this point? Could it be that our IOU has their eyes set to the north (LA, Riverside, SB and OC)? Can we trust this IOU, just like we did during the So Called energy crisis? Oh yes! What about the Bald Eagles and Golden Eagles that are nesting in this area? Shouldn't we do some research to see if this T line may have a serious negative impact on their efforts to come back to this beautiful backcountry? Did you know that there are many areas (not just one or two) where these spectacular birds are nesting here? Shouldn't there be further investigation? What about the beef cattle? Who knows for sure that this T line will negatively affect the fertility of these cattle? Has there been a study on this? Shouldn't there be a study? And what about the possibility of another fire in this area? Do you know that we had a fire due to a downed power line in a windstorm late last year? Luckily for these landowners, the fire captain chose to attack the fire head on and was able to knock it down using an airplane at very low altitude. This stopped the fire from burning homes and watershed in communities to the west, like Ballena and Ramona. But will firefighters be able to knock down fires in the future if we have 160 foot T lines going across our lands? Don't we need to research this further? Also, what about the heliports in the backcountry? Will we still be able to land helicopters at night (or even in daylight) when there is a medical emergency in places like the helipad in Santa Ysabel? Or will we lose this opportunity to perform air rescue operations, which will result in the loss of the lives in an emergency?
5. Ramona, Ballena, San Diego Country Estates and Mussey Grade – These landowners are very afraid of the possibility of another devastating fire like the Cedar fire. What studies have been performed to assure our landowners that these T lines could cause another fire, or could prevent firefighters from been able to knock down a fire due to T line interference? Much of this land hasn't been burned in 50 years, and could ignite as a result of downed T lines. There needs to be much research to prove that these T lines are not a serious fire hazard.

6. South County Inland – These communities (Boulevard, Jamul, Dehesa, Descanso, Harbison Canyon, Pine Valley, Crest, Alpine and Granite Hills) have recently learned about the possibility of the proposed T line going right through their communities. Many of these communities experienced a devastating fire a few years ago, and they are very worried about a similar occurrence with the possible construction of T lines in their remote back country. Fire is a serious threat to these communities. Fire departments have indicated to them that they may be unable to fight fires in their areas, especially considering the possibility of additional T lines in their area.

7. In Basin San Diego – What we seem to be forgetting is that the need for power is an In Basin need. There is no need for this power in the no growth remote back country. The 2030 Energy Working Group put together a plan to meet the needs for new power sources in the basin. T lines were not considered a necessity until all the potential sources for power in item 1 above were considered first. The cold hard facts are that the Basin needs energy for the future, so the Basin must address this issue. Running 150 miles of power lines over our remote back county to satisfy the In Basin thirst for power is not the answer. It doesn't matter which possible route is chosen. The sun does shine In Basin, so renewable energy can be produced there. So let's quit talking about routing and let's start talking about In Basin power generation. The investors for In Basin power generation, including renewables, energy efficiency, conservation, as well as transmission upgrades and demand response are standing in line to provide this energy for San Diego.

Thanks for considering these comments.

Regards,

/S/

Denis Trafecanty

From: sdcarn@sdcarn.org [mailto:sdcarn@sdcarn.org]
Sent: Saturday, February 24, 2007 05:28 PM
To: sunrise@aspenerg.com
Subject: Comment on Sunrise Powerlink Project

February 24, 2007

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

RE: Sunrise Powerlink Project

Dear Billie:

We are writing with our comments for the preliminary determinations of alternatives for the proposed Sunrise Powerlink project.

While we support the goals of using renewable energy, reducing energy costs and improving electric reliability, we believe that another important goal is to protect our natural and cultural resources and the scenic heritage of our open spaces. With so many species at the risk of extinction in our region, the health of our region's biodiversity must be considered in all projects, especially one of this magnitude. Our open space areas are being encroached upon on a daily basis. There are few areas remaining that offer the open space experience without the intrusion of our built world. These few remaining places and the parks and open spaces which have been set aside must remain intact so that their integrity provides this opportunity for the large portion of our region's population and visitors who enjoy it. This opportunity must also be protected for the benefit of future generations.

The San Diego Conservation Resources Network is a 501c3 nonprofit organization which consists of 25 member organizations representing 10s of thousands of people in San Diego County and elsewhere. Our mission is

"To support the network of citizen resource conservancies involved in the preservation and stewardship of the natural and cultural resources of the San Diego Region and to promote public understanding of conservation issues."

We are greatly concerned with the impact of the proposed 150 mile transmission line. We will reserve our detailed comments, if it is held, for the Draft EIR/EIS Comment Period. However, within the scope of the preliminary determinations of alternatives we express the following:

1. We are concerned about any alternative and the potential for introduction of non-native species from access roads;
2. We are concerned about the introduction of non-native species during any construction period;
3. We are concerned about the impact on the integrity of existing park and open space areas;

4. We are concerned about the impact on user's enjoyment (recreational, aesthetic, etc.) of park and open space areas;
5. We are concerned about the impact on any existing or proposed park, open space and Wilderness areas as well as Wild and Scenic Rivers;
6. We are concerned about the disturbance of habitat and the edge effects of access roads and the resulting impact on listed species and the integrity and sustainability of our regional biodiversity;
7. We are concerned about the impact on wildlife movement, especially with regard to listed species and species of special interest or concern;
8. We are concerned about the impact of necessary actions to protect any power lines from fire, flood and other natural or manmade disasters. We are also concerned about the impact of the repair of any power line after a natural or manmade disaster;
9. We are concerned about the impact of cultural resources which may or may not be mapped at this time;
10. We are concerned about erosion, especially on steep hillsides and the impacts on our watersheds.

As alternatives are considered, we hope that the above listed concerns are weighed and that the cumulative impact of the project is considered.

We appreciate the opportunity to comment. Our organization is very interested in this proposed project. We request to receive all future notices for this project. Thank you

Cindy Stankowski

The San Diego Conservation Resources Network

P. M. Box 314
3830 Valley Center Drive, Suite 705

San Diego, CA 92130

**BEFORE THE PUBLIC UTILITIES COMMISSION OF
THE STATE OF CALIFORNIA**

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

Application 06-08-010
(Filed August 4, 2006)

**COMMENTS OF THE CALIFORNIA
INDEPENDENT SYSTEM OPERATOR
CORPORATION IN RESPONSE TO THE
SECOND CEQA SCOPING NOTICE**

Anthony Ivancovich
Assistant General Counsel
Judith B. Sanders
Counsel
California Independent
System Operator
151 Blue Ravine Road
Folsom, CA 95630
916-351-4400
916-608-7222

Dated: February 26, 2007

**BEFORE THE PUBLIC UTILITIES COMMISSION OF
THE STATE OF CALIFORNIA**

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

Application 06-08-010
(Filed August 4, 2006)

**COMMENTS OF THE CALIFORNIA
INDEPENDENT SYSTEM OPERATOR
CORPORATION IN RESPONSE TO THE
SECOND CEQA SCOPING NOTICE**

I. Introduction

On January 19, 2007, the Commission issued a Notice of Second Round of Scoping Meetings on Alternatives to the Proposed Sunrise Powerlink Project (Sunrise) (hereinafter referred to as “Second Scoping Notice”). In the Second Scoping Notice, the EIR/EIS team explained that its preliminary assessment of nearly 100 alternatives to Sunrise had been completed, and 30 alternatives were being recommended for detailed EIS/EIR analysis as well as a “no action” alternative. The team also noted that research on the feasibility of these alternatives is ongoing, and that final decisions on alternatives will be presented in the Draft EIR/EIS after consideration of the comments received during this second scoping round.

The California Independent System Operator (CAISO) has been actively involved in this proceeding, and is in the process of evaluating the economic and reliability feasibility of certain alternatives to Sunrise. Some of these alternatives have been identified by the EIS/EIR team. While it is not the usual practice of the CAISO to

become involved in routing and environmental issues associated with proposed transmission projects, there is a certain amount of overlap in the alternatives being studied in the CPCN phase of this proceeding and those recommended for evaluation by the EIS/EIR team. Thus, the CAISO has conducted a very preliminary review of the Second Scoping Notice and offers a brief overview of some of the alternatives in these comments. Without more information, the CAISO is unable to provide in-depth comments, except for those alternatives being studied as part of its ongoing analysis. Comments are only being offered on alternatives that pose possible economic or reliability concerns.

II. Comments On Specific Segment Link Alternatives.

A. Description of the Project

For routing purposes, the project was divided into the following links:

- Imperial Valley Link
- Anza-Borrego Link
- Central Link
- Inland Valley Link
- Coastal Link
- Other system upgrades, including upgrades to the Imperial Valley; Sycamore Canyon and Penasquitos substations; reconductoring the existing Sycamore Canyon to Elliot 69 kV line; modification of the San Luis Rey substation with a third 230/69 kV transformer and a 230 kV, 63 MVAR shunt capacitor; South Bay substation modified with the addition of a 69 kV, 50 MVAR shunt capacitor.

These comments will identify alternatives associated with certain of these links, as well as the “No Project” alternative, non-wires alternatives and project alternatives. Not all alternatives will be addressed; these preliminary observations will concentrate on scenarios that raise concerns or are being studied by the CAISO.

B. No Project (Second Scoping Notice, 10)

Under the No Project scenario, the team predicted that new generation in the San Diego area would be required; that other projects such as LEAPS or the Crestwood Area wind project might develop, or that transmission upgrades would be made that could increase import capability (Mexico Light and/or Path 44 Upgrade). Similar No Project scenarios are being studied by the CAISO and will be the subject of further detailed testimony in this proceeding. At a high level, the CAISO has reliability concerns with the No Project scenario.

C. Imperial Valley and Anza Borego Link Alternatives (Scoping Notice, 10-13)

Of these alternatives, the SDG&E Desert Western Alternative raises reliability issues with the proposed additional 50 miles of 500 kV line running parallel to the SWPL 500 kV line. These concerns are similar to the ones expressed by the CAISO in response to the routing alternatives proposed by SDG&E on October 2, 2006 Scoping Ruling (see CAISO Comments Regarding the Alternative Route Proposals Submitted by SDG&E, October 11, 2006). The CAISO notes that the Imperial County location of this portion of the line poses a lightning risk similar to the fire/lightning risks associated with other proposals that would place a portion of the line parallel to SWPL in San Diego County.

D. Central Link Alternatives (Second Scoping Notice, 13-14)

The Santa Ysabel partial underground alternative includes the additional costs of undergrounding a 230kV line through the Santa Ysabel Valley but could provide the advantage of reducing fire risk.

E. Inland Valley Link Alternatives (Second Scoping Notice, 14-15)

The Cleveland National Forest (CNF) Alternative presents possible reliability concerns due to fire exposure.

F. Coastal Link Alternatives (Second Scoping Notice, 15-18)

With the exception of the Rancho Penasquitos Boulevard Bike Path alternative, all of the other Coastal Link Alternatives include portions of the line being placed underground, raising the costs of the project. Additionally, as noted in the Second Scoping Notice, the CAISO is studying the three optional project approaches proposed in the Coastal Link System Upgrade Alternative for the segment between the Sycamore Canyon and Penasquitos substations and will provide the results of its reliability studies in testimony.

G. Southwest Powerlink (SWPL) Alternatives (Second Scoping Notice, 19-20)

With the exception of the West of Forest Alternative, the SWPL Alternatives involve additional SWPL parallel lengths and pose all of the fire/reliability concerns noted in the CAISO's October 11, 2006 Comments on the SDG&E Corridor BCD alternatives.

H. Non Wires Alternatives (Second Scoping Notice, 20-22)

All of the non wires alternatives are being studied by the CAISO in one form or another. The CAISO is studying these alternatives with respect not only to reliability and economic concerns, but also whether they present an economically efficient means by which SDG&E can meet its RPS goals.

I. System Alternatives/ Upgrades (Second Scoping Notice, 22-23)

The EIS/EIR team identified LEAPS or Serrano Valley North, Mexico Light and Path 44 as possible system alternatives or upgrades in lieu of Sunrise. Like the non wires alternatives, these alternatives are also being evaluated by the CAISO in terms of economic and reliability benefits and access to renewables.

III. Conclusion

The CAISO appreciates this opportunity to provide preliminary comments on the alternatives described in the Second Scoping Notice and looks forward to working with the EIS/EIR team and the parties in this proceeding.

Respectfully submitted,

/s/Judith B. Sanders

Judith B. Sanders
151 Blue Ravine Road
Folsom, CA 95630

**Attorneys for the California
Independent System Operator**

CERTIFICATE OF SERVICE

I hereby certify that I have this day served, by electronic and U.S. Mail, a copy of the Comments Of The California Independent System Operator Corporation In Response To The Second Ceqa Scoping Notice In Docket Number A06-08-010.

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Dated at Folsom, CA, on this 26th day of February, 2007.

/s/Susan L. Montana
Susan L. Montana

**BEFORE THE PUBLIC UTILITIES COMMISSION
OF THE STATE OF CALIFORNIA**

In the Matter of the Application of)
San Diego Gas & Electric Company)
(U 902-E) for a Certificate Of Public)
Convenience & Necessity)
for the Sunrise Powerlink)
Transmission)
Project)
_____)

Application No. 06-08-010
(Filed August 4, 2006)

**RANCHO PEÑASQUITOS CONCERNED CITIZENS'
SUPPLEMENTAL SCOPING COMMENTS**

Submitted by e-mail to:
Billie Blanchard, CPUC / Lynda Kastoll, BLM
c/o Aspen Environmental Group
sunrise@aspeneg.com

Harvey Payne, Chair
Rancho Penasquitos Concerned
Citizens
13223-1 Black Mountain Road #264
San Diego, CA 92129
Telephone: 619-515-1194
Fax: 619-515-1197
E-mail: hpayne@sdgllp.com

Dated: February 27, 2006

I. INTRODUCTION

Rancho Penasquitos Concerned Citizens (“RPCC”), a recognized intervenor within the Sunrise Powerlink CPCN proceeding, respectfully submits the following supplemental scoping comments consistent with the “Notice of Second Round of Scoping Meetings on Alternatives to the Proposed Sunrise Powerlink Project.” RPCC appreciates the large amount of work that has been done to date by the CPUC/BLM and their consultants. RPCC is encouraged that many of the alternatives proposed by RPCC were tentatively retained for study within a draft EIR/EIS and encourages the CPUC to not contract those alternatives any further. It is important that the CPUC study a wide range of alternatives so that the Commission ultimately has a well developed record of alternatives from which to choose. With that said, RPCC believes that a few of the alternatives proposed for elimination were improperly designated as such and therefore, the focus of RPCC’s comments are on these alternatives.

Within the “Coastal Link” SDG&E proposes to build a new 230 kV single circuit transmission line between the Sycamore Canyon substation and the Penasquitos substation. This 13.6 mile line would stretch through the heart of the suburban communities of Scripps Ranch Villages and Rancho Penasquitos, before affecting the communities of Del Mar Mesa, Carmel Valley and Torrey Hills.¹ Recall that RPCC submitted the following categories for inclusion in the EIR/EIS within its original scoping comments:

- (1) Transmission upgrades to SDG&E’s system that would avoid the need for a 230 kV line to be built between Sycamore Canyon substation and Penasquitos substation;
- (2) Alternative routes that reduce impacts as compared to the proposed project; and
- (3) Minor routing adjustments within the preferred route that reduce impacts.

Keeping this format, RPCC provides the following additional comments.

II. TRANSMISSION UPGRADES

As the CPUC is aware, the CAISO is studying various Intervenor’s transmission related alternatives. RPCC submitted its three alternatives set forth in its scoping

¹ RPCC’s focus on the coastal link should not be considered an endorsement of the project as a whole. In fact, the opposite is true. RPCC set forth the issues it believes should be considered by the CPUC as alternatives to the project as a whole at the scoping hearing in Rancho Penasquitos. Further, in order to avoid duplication with other parties, as directed by the CPUC, RPCC is focusing on the coastal link given its understanding other intervenors and active parties will be providing additional scoping comments to the project as a whole.

comments for the CAISO to study. Alternative #2 was placed in line for priority study and RPCC's transmission expert was sent data by the ISO just recently. However, RPCC's expert is currently on vacation and therefore this data has not been reviewed by him. Further, the CAISO has determined that it will not be providing a "layman's" analysis of the results until it files additional testimony in April 2007. As soon as RPCC's expert is able to decipher the information sent by the CAISO, RPCC will be in touch with the CPUC/Aspen to discuss the matter further. RPCC looks forward to continuing to work with the CAISO and the CPUC on its transmission alternatives and any adjustments that may be necessary in order to provide a plan of service that would supplant the need for a new transmission line to be built from Sycamore Canyon substation to Penasquitos substation.

III. ALTERNATIVE ROUTES and ROUTING ADJUSTMENTS

RPCC believes the transmission upgrades described in its original scoping comments are preferable to SDG&E's coastal link portion of the proposed project and superior to alternative routing as well. Notwithstanding, RPCC understands this scoping process is meant to explore all alternatives that can lessen environmental impacts to the project. Therefore, RPCC submits the following additional comments to the tentative list of alternative routes the CPUC has proposed to study and eliminate from study.

1. MCAS Miramar Options

These options were tentatively retained for study by the CPUC. However, RPCC has since learned that the Marines object. RPCC has not seen a letter the Marines were supposed to have written regarding the reasons for their objections. RPCC encourages the CPUC to scrutinize the reasons given by the Marines and test their accuracy. While it can be said that any work done on the base would effect operations in some form or fashion, blanket statements must be analyzed further before this alternative should be outright eliminated from the EIR/EIS. Undergrounding within the base would appear to be a good solution as compared to running the line through residential neighborhoods, parks and open spaces and would appear to pose a less than significant effect on base operations, and only while the line was under construction.

RPCC respectfully requests a copy of any letter written by the Marines and before a determination is made to eliminate this option.

2. Mercy Road to Penasquitos Canyon Preserve – Combination Underground/Overhead Option²

It should be noted that two intervenor groups proposed a similar route within their scoping documents. This route was modified during the review process, but not eliminated. RPCC has been informally provided with a rationale for this change. Based on this rationale, it appears that the reviewers erroneously concluded that the historical Adobe Home property (owned by the County of San Diego and located in the Preserve) would be impacted by the proposed route. In fact, the route is significantly north of the home, and would not impact the property. Most of the proposed route that is within the Preserve would be placed underneath existing asphalt or dirt roads that are associated with the City-owned recreational area. The following Assessor Parcel Numbers (APN's) are all owned by the City of San Diego and this is where the line would be constructed (moving east to west):

309-022-07-00
309-413-01-00
309-022-06-00
309-021-08-00

RPCC strongly believes that the originally proposed route should be carefully reconsidered, as it represents one of the most attractive options of the alternative routes. Rerouting adjustments can certainly be devised to otherwise avoid sensitive historical areas, if needed. Several of the RPCC board members are intimately familiar with this area, and are available to work with reviewers in re-examining the route.

3. Pomerado Road to Miramar Area North - Combination Underground/Overhead Option

This option is considered for retention. RPCC understands that utility alignment research has determined that this alternative, or variations thereof, can accommodate the proposed duct bank and is therefore feasible. RPCC looks forward to the CPUC's analysis of this alternative.

4. Rancho Penasquitos Blvd Bike Path Adjustment

This alternative is proposed for retention. However, RPCC believes the description given within the Notice is incorrect. The Notice states this alternative would "relocate transition structure to the south." RPCC does not believe the transition structure would need to be moved. The underground line would simply travel *north* on Black Mountain Road,

² West Chase Homeowners Association has proposed a similar, if not the same, route.

after exiting the transition structure, for a short distance before turning westward under the bike path located just south of the eastbound Rancho Penasquitos Blvd. offramp from State Route 56. This compares to the proposed project wherein the underground line would head immediately west from the transition structure and close to homes and into the riparian area southwest of the intersection of State Route 56 and Rancho Penasquitos Blvd.

5. Preferred Route Adjustments

This alternative is not specifically mentioned in words but graphically is represented on CPUC/Aspen map as the blue dotted line (Rancho Penasquitos Blvd. to Black Mountain Road.) RPCC wants to insure that the CPUC is going to be studying moving the transmission line within the preferred alignment, not only beneath the bike path near the intersection of Rancho Penasquitos Blvd and State Route 56, but also further away from homes as compared to SDG&E's preferred alignment and potentially using more of the bike path along this route to accomplish this goal. Alignment adjustments continuing west from Black Mountain Road as the line would continue in back of, and in between homes, should be included for study/adjustment as well.

IV. CONCLUSION

RPCC respectfully requests the CPUC and its environmental team take a closer look at any reasons given by the Marines for why the base alternative should not be at least studied. This alternative solves a tremendous amount of community concerns and should be studied. Similarly, RPCC respectfully requests the CPUC take another look at the alternative that brings the line underground through Canyonside Park and then into the Los Penasquitos Canyon Preserve. RPCC stands ready to provide any additional information the CPUC may want regarding its proposed alternatives and encourages the CPUC to actively engage RPCC in the CPUC's evaluation of these alternatives so that RPCC can further understand the concerns of the CPUC and vice versa.

If any additional information is required, please contact RPCC c/o Harvey Payne at 619-515-1194 and/or hpayne@sdgllp.com.

LA JOLLA INDUSTRIES, INC.
7598 EADS AVENUE
LA JOLLA, CA 92037
858.459.6827

March 5, 2007

Commissioner Dian Grueneich
Administrative Law Judge Steve Weissman
via Billie Blanchard/Lynda Kastoll
California Public Utilities Commission/United States Bureau of Land Management
c/o Aspen Environmental Group
235 Montgomery Street, Suite 935
San Francisco, California 94104

e-mail: sunrise@aspeneg.com
fax: 866 711-3106

Subject: Second Round Comments on SDG&E's Proposed Sunrise Powerlink Project and
Application for Certificate of Public Convenience and Necessity, and
Associated Environmental Review per CEQA and NEPA Processes.

Dear Commissioner Grueneich and Hon. Steve Weissman,

Thank you for the opportunity to comment in this new round of public input, this time on an extended deadline granted by CPUC staff through March 5.

Based on your document, *Notice of Second Round of Scoping Meetings on Alternatives to the Proposed Sunrise Powerlink Project*, we most strongly support selection of your "New In-Area Renewable Generation" alternative that you state is to be retained, on page 20, as distributed at your February 8, 2007 Borrego Springs Public Meeting on Alternatives. It is clear even to the lay observer that the proposed Stirling powerplant is not at this time the answer to anyone's renewable energy mandate. It is our understanding that the technology is not yet commercially viable, and that even small prototype systems have significant flaws.

We would emphasize that the Sunrise Powerlink transmission line will not generate any electricity in and of itself. To claim this project satisfies a need when there is not yet any "green" energy to be moved is premature at best. If the Stirling plant fails, the Sunrise Powerlink transmission line will have contributed virtually nothing. Furthermore, the construction of it will have destroyed view sheds throughout San Diego County's backcountry, will have crossed and likely damaged designated wilderness and otherwise pristine habitat areas for endangered species such as the Peninsular Big Horn sheep.

It is our hope that the California Public Utilities Commission will view the energy needs of the San Diego area in a broader context than just the arguments put forth by SDG&E in the current proposal. SDG&E is actively attempting to eliminate two projects for local generation, and then claim that in the absence of local generation capability, the Sunrise Powerlink transmission lines are a necessity. Please do not allow them to force this decision to be made in a vacuum.

What justification does SDG&E provide for their refusal to extend their lease to buy power from LS Power who is attempting to build an upgraded natural gas-fueled generator in Chula Vista? This would

provide 600-megawatts of locally generated power, and the newer plant would open a significant footprint for commercial/recreational/tourist development along Chula Vista's bay front. Additionally, we support the NPG Energy/Enpex proposal to replace Carlsbad's Encino power plant with a 300-megawatt peaker plant, and build a 750-megawatt plant at Miramar Marine Air Corps Station. They already have the energy credits needed for this. Again, why is SDG&E refusing to commit to purchasing power generated by these plants?

It is quite clear that Sempra's strategy is for a monopoly of power generation and distribution in the San Diego region. While they claim that their ultimate purpose for the project is to bring renewable resources into the county, reduce energy costs, and improve electric reliability for the San Diego area, their actions imply otherwise. Surely, locally generated power is by definition more reliable as the transmission requirements are obviated. It seems clear that Sempra views the Sunrise Powerlink project as a mechanism to facilitate moving energy from plants they own in Mexico into the California market. Does SDG&E dispute that this would indeed be the case once the transmission lines are in place?

Our most immediate concern is SDG&E's persistence in seeking Right of Entry to properties along the "Borrego Valley/Desert Alternative Route", which has been recommended for elimination in the Second Round of Scoping documentation. The documentation makes it abundantly clear that this particular route provides no advantage over the preferred route, and indeed introduces a host of issues that cannot be mitigated. Page 9 of the Scoping Report states, "A key CEQA requirement for an alternative is that it must have the potential to 'avoid or substantially lessen any of the significant effects of the project' (State CEQA Guidelines Section 15126.6(a))." In discussions with both Billie Blanchard of the CPUC, and Susan Lee of Aspen Environmental following the hearings in Borrego Springs on February 8, 2007, property owners in the Tubb Canyon area were assured that this route failed to meet that CEQA standard.

It is our understanding that SDG&E has been asked by CPUC staff and counsel to cease in this effort. How does SDG&E justify their continued pursuit of court ordered access to properties along this route? What answer does SDG&E have for changing the requested period of access from ending on December 31, 2007 to December 31, 2008 – fully one year after a final determination is to be made on whether the project will be permitted, and where it would go? How does SDG&E justify needing immediate access to a route which is targeted for elimination during lambing season for the Federally listed endangered Big Horn Peninsular Sheep, during a drought season at that. Our property in Tubb Canyon contains a private, spring fed water system that contains an in-line guzzler for the sheep to get water. This is often the only source of water for them. SDG&E precondemnation survey crews should not be allowed to violate State Park, U.S. Fish & Wildlife Service, and California Department of Fish & Game guidelines for protecting the Peninsular Bighorn Sheep population.^{1,2, 4} The Peninsular Bighorn Sheep (*Ovis canadensis*) is of course the "Borrego" of Anza-Borrego Desert State Park.

Our property not only contains a herd of roughly 40 Big Horn Sheep (approximately ten percent of the total remaining population of these animals), but also houses significant Native American resources. Additionally, this route would be visible from the entire Borrego Valley, affecting many more people than

¹ Department of the Interior, Fish & Wildlife Service, 50 CFR Part 17, RIN 1018-AB73, "Endangered and Threatened Wildlife and Plants: Endangered Status for the Peninsular Ranges Population Segment of the Desert Bighorn Sheep in Southern California," Final Rule, in *Federal Register Vol. 63, No. 52*, Wednesday, March 18, 1998/ Rules and Regulations, pp. 13134.

² U.S. Fish & Wildlife Service, 2000. *Recovery Plan for Bighorn Sheep in the Peninsular Ranges, California*, U. S. Fish & Wildlife Service, Portland, OR. xv + 251 pgs, October 25, 2000. Esther Rubin/UC Davis, primary author.

⁴ Attached letters from Esther Rubin, PhD (bighorn sheep biologist, lead author of the USFWS *Recovery Plan for Bighorn Sheep in the Peninsular Ranges, California*) and Walter Boyce, DVM, PhD (Professor and Executive Director, U.C. Davis School of Veterinary Medicine, Wildlife Health Center)

immediate landowners. This property is surrounded on three sides by the Anza Borrego Desert State Park, and is essentially a park in holding. Wilderness would still need to be de-designated for this route to go through.

California should not set a nationwide precedent by de-designating wilderness at the request of a profit driven entity such as SDG&E, particularly when their arguments for the necessity of the project are at best questionable. When it comes to this pristine wilderness habitat and the endangered species dependent on it, we hope you agree that stewardship is not merely an option, but rather an imperative. Please make your agreement clear by continuing to recommend the "Borrego Valley/Desert Alternative Route" for elimination. And further, by denying SDG&E's proposed Sunrise Powerlink Project in its entirety.

Thank you for your consideration.

Sincerely,


(scanned signature)

William R. Collins
Vice President
La Jolla Industries

cc:

Gov. Arnold Schwarzenegger
Hon. Dianne Feinstein, U. S. Senate
Hon. Barbara Boxer, U. S. Senate
Hon. Christine Kehoe, California Senate
Betsy Knaak, Anza-Borrego Desert Natural History Association
Judy Winter Meier, Editor, Borrego Sun