

April 4, 2008

CPUC/BLM
C/O ASPEN ENVIRONMENTAL GROUP
235 MONTGOMERY STREET, SUITE 935
SAN FRANCISCO, CA 94104

RE: SUNRISE POWERLINK COMMENTS

A digital copy of this document and supporting reference material are included on an enclosed Compact Disk. Supporting reference material that is on the accompanying CD is identified in ***bold italics*** as illustrated below:

See CD : {CD file name}

Some supporting reference material is hyperlinked from this document to a web site. Viewing this document on a computer that is connected to the internet should enable the reader to view hyperlinked web site references. Hyperlink references are shown as follows:

See: <http://www.{websitesdocument}>

My personal Comments are in normal italics.

Bold underline represents something that I am highlighting for emphasis

My Purpose is to document why Anza-Borrego Desert State Park can not and must not be used as a resource for electric transmission lines and towers, either above ground, or underground.

Protecting one component of the environment such as the atmosphere by expanding use of renewable energy methods, while destroying another component of the environment, such as a State Park, is not provided for in the law.

This document is in two sections:

Section 1: Energy Acts, Bills, Laws that require the environment to be protected.

- A. WARREN-ALQUIST ACT**
- B. SENATE BILL 90**
- C. NATIONAL ENERGY POLICY**
- D. CPUC ENERGY ACTION PLAN**
- E. SENATE BILL 1389**
- F. ENERGY COMMISSION REPORT**
- G. ASSEMBLY BILL 32**

Section 2: Comments on five items in the Draft EIR/EIS.

- A. California Scenic Highway**
 - B. National Historic Trail**
 - C. National Natural Landmark**
 - D. International Biosphere Reserve**
 - E. Tourism**
 - F. Appendix 12 of the Draft EIR/EIS (Mitigation vs Sustainability)**
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SECTION 1: ACTS, BILLS, LAWS:

Energy and other laws that require that the environment be protected:

SECTION 1, ITEM A: THE WARREN-ALQUIST ACT :

(See Reference on CD: Warren-Alquist Act)

§ 25000.1. Legislative finding; energy resources cost effectiveness, value for environmental costs/benefits

(a) The Legislature further finds and declares that, in addition to their other ratepayer protection objectives, **a principal goal of electric and natural gas utilities' resource planning and investment shall be to minimize the cost to society of the reliable energy services that are provided by natural gas and electricity, and to improve the environment** and to encourage the diversity of energy sources through improvements in energy efficiency and development of renewable energy resources, such as wind, solar, and geothermal energy.

§ 25301. Assessments and forecasts; scope; contents

(a) At least every two years, the commission shall conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices. **The commission shall use these assessments and forecasts to develop energy policies that** conserve resources, **protect the environment**, ensure energy reliability, enhance the state's economy, and protect public health and safety.

§ 25302. Integrated energy policy report; electricity and natural gas markets; transportation fuels, technologies and infrastructure; public interest energy strategies

(c) **The integrated energy policy report shall include an assessment and forecast of system reliability and the need for resource additions, efficiency, and conservation that considers all aspects of energy industries and markets that are essential for the** state economy, general welfare, public health and safety, energy diversity, and **protection of the environment**. This assessment shall be based on determinations made pursuant to this chapter.

§ 25305. Public interest energy strategies; analytical components; identification of trends

The commission shall rely upon forecasting and assessments performed in accordance with Sections 25301 to 25304, inclusive, as the basis for analyzing the success of and developing policy recommendations for public interest energy strategies. **Public interest energy strategies include, but are not limited to,** achieving energy efficiency and energy conservation; implementing load management; pursuing research, development, demonstration, and commercialization of new technologies; promoting renewable generation technologies; reducing statewide greenhouse gas emissions and addressing the impacts of climate change on California; stimulating California's energy-related business activities to contribute to the state's economy; and **protecting and enhancing the environment**.

§ 25525. Conformance with standards, ordinances and laws; exception

The commission may not certify a facility contained in the application when it finds, pursuant to subdivision (d) of Section 25523, that the facility does not conform with any applicable state, local, or regional standards, ordinances, or laws, unless the commission determines that the facility is required for public convenience and necessity and that there are not more prudent and feasible means of achieving public convenience and necessity. In making the determination, the commission shall consider the entire record of the proceeding, including, but not limited to, the impacts of the facility on the environment, consumer benefits, and electric system reliability.

The commission may not make a finding in conflict with applicable federal law or regulation.

SECTION 1, ITEM B: SENATE BILL 90 Energy resources, renewable energy resources:funding. (See Reference on CD: Senate Bill 90)

CHAPTER 7.1 PUBLIC INTEREST ENERGY RESEARCH, DEMONSTRATION, AND DEVELOPMENT PROGRAM

25620. The Legislature hereby finds and declares all of the following:

(a) **It is in the best interests of the people of this state that the quality of life of its citizens be improved by providing environmentally sound, safe, reliable, and affordable energy services and products.**

25620.1 (b) The program shall consist of a balanced portfolio that addresses **California's energy and environmental needs**, technology opportunities, and system reliability.

SECTION 1, ITEM C: NATIONAL ENERGY POLICY:

(See CD : National Energy Policy)

(See WEB : <http://www.whitehouse.gov/energy/2001/National-Energy-Policy.pdf>)

On Page ix OF THE 2001 National Energy Policy:

“The Challenge

America’s energy challenge begins with our expanding economy, growing population, and rising standard of living. Our prosperity and way of life are sustained by energy use. America has the technological know-how and **environmentally sound** 21st century **technologies** needed to meet the principal energy challenges we face: promoting energy conservation, repairing and modernizing our energy infrastructure, and increasing our energy supplies in ways **that protect and improve the environment.** Meeting each of these challenges is critical to expanding our economy, meeting the needs of a growing population, and raising the American standard of living.”

More information on “environmentally sound”:

According to: <http://www.agrifood-forum.net/practices/est.asp>

“environmentally sound practices is defined in Agenda 21 and such practices should protect the environment. “

Agenda 21 is a United Nations agenda that is to be upheld by all member nations, including the United States. In other words, being an agreement between the US Federal Government and the United Nations, States are also required to abide by Agenda 21:.

See: <http://www.un.org/esa/sustdev/documents/agenda21/index.htm>

See CD: Agenda 21

REPORT OF THE UNITED NATIONS CONFERENCE ON ENVIRONMENT AND DEVELOPMENT*
(Rio de Janeiro, 3-14 June 1992)

See: <http://www.un.org/documents/ga/conf151/aconf15126-1annex1.htm>

The full implementation of Agenda 21, the Programme for Further Implementation of Agenda 21 and the Commitments to the Rio principles, were strongly reaffirmed at the World Summit on Sustainable Development (WSSD) held in Johannesburg, South Africa from 26 August to 4 September 2002.

The United States, as a member nation of the United Nations through the UN Department of Economic and Social Affairs, Division for Sustainable Development, discusses vital topics in :

<http://www.un.org/esa/sustdev/sdissues/land/land.htm>

The foundation of this is Chapter 10 of Agenda 21.

<http://www.un.org/esa/sustdev/documents/agenda21/english/agenda21chapter10.htm>

The theme of the foundation is: "Development that meets the need of the present without compromising the ability of future generations to meet their own needs".

SECTION 1, ITEM D: CPUC ENERGY ACTION PLAN

See: <http://docs.cpuc.ca.gov/published/Report/28715.htm>

See CD : *CPUC Energy Action Plan*

"The goal of the Energy Action Plan is to:

Ensure that adequate, reliable, and reasonably-priced electrical power and natural gas supplies, including prudent reserves, are achieved and provided through policies, strategies, and actions that are cost-effective and environmentally sound for California's consumers and taxpayers.

SECTION 1, ITEM E: SENATE BILL 1389:

SB 1389 requires the California Energy Commission to "**protect the environment**":

Reference: Senate Bill 1389 (SB 1389, Bowen and Sher, Chapter 568, Statutes of 2002):

See: http://www.energy.ca.gov/2003_energy_policy/documents/SB1389_ENROLLED.PDF

See CD: SB1389 ENROLLED

"25301. (a) At least every two years, the commission shall conduct assessments and forecasts of all aspects of energy industry supply, production, transportation, delivery and distribution, demand, and prices. The commission shall use these assessments and forecasts to develop energy policies that conserve resources, **protect the environment**, ensure energy reliability, enhance the state's economy, and protect public health and safety. ."

SECTION 1, ITEM F: ENERGY COMMISSION REPORT:

See: <http://www.energy.ca.gov/2007publications/CEC-100-2007-008/CEC-100-2007-008-CMF.PDF>

See CD : *CA Energy commission report*

Preface

The *2007 Integrated Energy Policy Report (IEPR)* was prepared in response to Senate Bill 1389 (Bowen), Chapter 568, Statutes of 2002, which requires that the California Energy Commission prepare a biennial integrated energy policy report that contains an integrated assessment of major energy trends and issues facing the state's electricity, natural gas, and transportation fuel sectors and provides policy recommendations to conserve resources; **protect the environment**; ensure reliable, secure, and diverse energy supplies; enhance the state's economy; and protect public health and safety (Public Resources Code § 25301[a]). This report fulfills the requirement of SB 1389.

SECTION 1, ITEM G: ASSEMBLY BILL 32, The Global Warming Act.

See: <http://www.arb.ca.gov/cc/docs/ab32text.pdf>

See CD: Assembly Bill 32

38592. (a) All state agencies shall consider and implement strategies to reduce their greenhouse gas emissions.

(b) Nothing in this division shall relieve any person, entity, or public agency of compliance with other applicable federal, state, or local laws or regulations, including state air and water quality requirements, and other requirements for protecting public health or the environment

SECTION 1, ITEM H: CALIFORNIA PUBLIC RESOURCES CODE

California Public Resources Code, Section 5019.53. requires that State Park environments be protected.

Division 5 (commencing with Section 5001) of the Public Resources Code gives the Department of Parks and Recreation (DPR) the authority to manage the state park system.

Section 5019.53 states that the purpose of a state park is to preserve outstanding natural, scenic and cultural values, indigenous aquatic and terrestrial fauna and flora, and the most significant examples of ecological regions of California.

Each state park shall be managed as a whole to restore, **protect**, and maintain its native environmental complexes to the extent compatible with the primary purpose for which the park was established.

State Parks Mission Statement

The Mission of the California Department of Parks and Recreation is to provide for the health, inspiration, and education of the people of California by helping to **preserve the state's extraordinary biological diversity, protecting its most valued natural and cultural resources.** and creating opportunities for high-quality outdoor recreation.

ANZA-BORREGO DESERT STATE PARK

See: <http://www.parks.ca.gov/pages/21299/files/final--03plan.pdf>

See CD: ABDSP 2005 FINAL GENERAL PLAN AND EIR

1.1.3 PURPOSE ACQUIRED

Anza-Borrego Desert State Park's purpose statement, as follows, was proclaimed by the State Park Commission and adopted by the State Park Director on March 20, 1964:

“...to make available to the people forever, for their inspiration, enlightenment, and enjoyment, a spacious example of the plains, hills, and mountains of the Western Colorado Desert, embracing extensive zones of unimpaired natural integrity, and representing all the varied scenic, historic, scientific, and recreational resources

of the region.”

ABDSP stands as a protected desert land, where the spirit of place will be held in trust forever, for its own sake, and for the sake of generations of visitors yet unborn

3.2.3.3 Vision Statement

ABDSP was originally created with the intent of preserving the fragile native palm oases at the western edge of the Colorado Desert. As time went on, this “purpose” was expanded to include the preservation of scenic, cultural, and natural resources, and to provide recreational facilities to allow public enjoyment of these outstanding resources.

The Vision Statement sets the tone for the future by stating the Park’s ultimate desired condition. It is worded in the present tense to bring clarity to this vision. This vision will be manifested through time and effort, bringing forth the highest and best use of the Park. Some aspects of this vision may already be realized, while others are still attainable, sometime in the future. The Vision Statement for ABDSP is as follows:

Anza-Borrego Desert State Park® is a place of awe, inspiration, and refuge.

The vast desert landscape and scenery are preserved in a pristine condition.

The full array of natural and cultural resources are cared for so as to perpetuate them for all time while supporting those seeking enjoyment from these resources.

Park visitors are delighted with the condition and level of facilities, enhancing their experience of the Park.

Visitors are able to access unique and special areas of the Park so as to instill knowledge and appreciation of these places.

Emphasis is placed on having park visitors experience the true, real, tangible desert environment, even if it leads to some level of uncertainty or discomfort, because this leads to personal insight and perspective only gained by first-hand knowledge.

The Park maintains one’s ability, if desired, to camp in any particular location within the Park as long as it does not compromise the health, safety, and welfare of park visitors or compromise park resources.

The Park is a place where silence can be found and total darkness achieved.

At this Park, the forces of nature remain undeniably stronger than human forces, and people, in general, visit, but do not remain.

SECTION 2

COMMENTS ON SIX items in the 2008 Draft EIR/EIS for the Sunrise Powerlink Project

The 2008 Draft EIR/EIS for the Sunrise Powerlink Project references many agencies and laws respective to conservation and protection of the environment. Many are simply mentioned in passing with no mention of their content or significance. Below I focus on four such items mentioned in the EIR/EIS as they apply to Anza-Borrego Desert State Park.

- A. California Scenic Highway
- B. National Historic Trail
- C. National Natural Landmark
- D. International Biosphere Reserve
- E. Tourism
- F. Appendix 12 of the Draft EIR/EIS (Mitigation vs Sustainability)

SECTION 2, ITEM A: California Scenic Highways:

THE EIR/EIS MENTIONS THAT HIGHWAY S2 IS A CALIFORNIA STATE SCENIC HIGHWAY.

Comment: What significance does this have?

The EIR/EIS mentions that revocation of Scenic Highway status could occur. I contacted the CA Dept of Transportation to find out if scenic highway status had ever been revoked. The e-mail response from the CA DOT indicated that there has never been a situation arise (yet) that caused the revocation of Scenic Highway status, but that it is certainly possible. Project planners and those involved in the EIR/EIS, by law, should include CA DOT representatives in all plans that might impact the scenic highway.

See: <http://www.dot.ca.gov/hq/LandArch/scenic/faq.htm>

SCENIC HIGHWAYS STATE LAW FROM:

CALIFORNIA CODES
STREETS AND **HIGHWAYS CODE**
SECTION 260-284

260. It is the intent of the Legislature in designating certain portions of the state highway system as state scenic highways to establish the State's responsibility for the protection and enhancement of California's natural scenic beauty by identifying those portions of the state highway system which, together with the adjacent scenic corridors, require special scenic conservation treatment. It is further declared to be the intent of the Legislature in designating such scenic highways to assign responsibility for the development of such scenic highways and for the establishment and application of specific planning and design standards and procedures appropriate thereto and to indicate, in broad statement terms, the location and extent of routes and areas requiring continuing and careful co-ordination of planning, design, construction, and regulation of land use and development, by state and local agencies as appropriate, to protect the social and economic values provided by the State's scenic resources.

CALIFORNIA CODES
 PUBLIC UTILITIES CODE
 SECTION 301-327

320. The Legislature hereby declares that it is the policy of this state to achieve, whenever feasible and not inconsistent with sound environmental planning, the undergrounding of all future electric and communication distribution facilities which are proposed to be erected in proximity to any highway designated a state scenic highway pursuant to Article 2.5 (commencing with Section 260) of Chapter 2 of Division 1 of the Streets and Highways Code and which would be visible from such scenic highways if erected above ground. The commission shall prepare and adopt by December 31, 1972, a statewide plan and schedule for the undergrounding of all such utility distribution facilities in accordance with the aforesaid policy and the rules of the commission relating to the undergrounding of facilities.

The commission shall coordinate its activities regarding the plan with local governments and planning commissions concerned.

The commission shall require compliance with the plan upon its adoption.

This section shall not apply to facilities necessary to the operation of any railroad.

However according to Dennis Cadd, State Scenic Highway Coordinator, Landscape Architecture Program, Caltrans, (916) 5370, (from an e-mail: "However, Section 320 does not apply to transmission towers, conductors or related facilities designed to operate at high-side voltages of 50 kilovolts (kv) or more. Therefore, this proposal (meaning the Sunrise Powerlink) would not be covered under this requirement but none the less could create visual impacts on the corridor. To date, no designation of scenic highways have been revoked due to corridor impacts. However, the law provides the Department of Transportation authority to revoke scenic highway designation if it determines that, at any time, these impacts have significantly degraded the scenic corridor. The extent to which visual intrusion (i.e. transmission towers), rather than the natural landscape, dominate views from the highway determines the significance of their impact on the scenic corridor. This project could be the cause of scenic highway revocation. The statement made in EIS/EIR is accurate.")

 CALIFORNIA CODES
 STREETS AND HIGHWAYS CODE
 SECTION 90-155.6

154. The department shall encourage the construction and development by counties of portions of the county **highways** as official county **scenic highways** and may furnish to the counties any information or other assistance which will aid the counties in the construction or development of such **scenic highways**.

Whenever the department determines that any county highway meets the minimum standards prescribed by the department for official **scenic highways**, including the concept of the "complete highway," as described in Section 261, it may authorize the county in which the highway is located to designate the highway as an official county **scenic** highway and the department shall so indicate the highway in publications of the department and in any maps which are prepared by the department for distribution to the public which show the highway.

If the department determines that any county highway which has been designated as an official county **scenic** highway no longer meets the minimum standards prescribed by the department for official **scenic highways**, it may, after notice to the county and a hearing on the matter, if requested by the county, revoke the authority of the county to designate the highway as an official county **scenic** highway.

CALIFORNIA CODES
STREETS AND **HIGHWAYS CODE**
SECTION 895-897

895. If federal funds are available for reimbursement therefor, the department may acquire, either in fee or in any lesser estate or interest, real property adjacent to any highway included in the national system of interstate and defense **highways** or the federal-aid primary highway system, which the department considers necessary for the preservation, maintenance or conservation of **scenic** lands or areas adjacent to such **highways** or which it considers necessary to preserve, improve or enhance the **scenic** beauty of or points of interest in the lands or areas traversed by such **highways**. Nothing in this section shall authorize the use of eminent domain to acquire any dwelling or any building or other enclosure, and the appurtenances thereto, in which commercial activities are conducted.

896. The Legislature hereby declares that the acquisition of interests in real property for the preservation, maintenance or conservation of **scenic** lands or areas adjacent to any highway included in the national system of interstate and defense **highways** or the federal-aid primary highway system or to preserve, improve or enhance the natural beauty of points of interest in the lands or areas traversed by such **highways** provided for in Section 895 constitutes a public use and purpose.

896. The Legislature hereby declares that the acquisition of interests in real property for the preservation, maintenance or conservation of **scenic** lands or areas adjacent to any highway included in the national system of interstate and defense **highways** or the federal-aid primary highway system or to preserve, improve or enhance the natural beauty of points of interest in the lands or areas traversed by such **highways** provided for in Section 895 constitutes a public use and purpose.

897. The department may convey or lease such property back to its original owner or to another person or entity in the manner and subject to such reservations, conditions, covenants or other contractual arrangements approved by the commission as will preserve the **scenic** character or beauty of the area traversed by the highway.

CALIFORNIA CODES
STREETS AND **HIGHWAYS CODE**
SECTION 229.18-229.20

229.20. No signs authorized by this chapter shall be posted on any **scenic** highway, unless the county board of supervisors of the county in which the sign will be placed grants approval. Approval shall be given upon a modification of, and shall be consistent with, any existing corridor protection ordinance.

From the California Department of Transportation Web site:
http://www.dot.ca.gov/hq/LandArch/scenic/can_do.htm

The stated intent of the California Scenic Highway Program (Streets and Highways Code Sections 260-263) is to protect and enhance the natural scenic beauty of California's highways and adjacent corridors, through special conservation treatment.

Ten Reasons Why Designation May Be Desirable For Your Community

Official designation requires a local governing body to enact a Corridor Protection Program that protects and enhances scenic resources along the highway. A properly enforced program can:

- Protect the scenic corridor from encroachment of incompatible land uses such as junkyards, dumps, concrete plants, and gravel pits.
- Mitigate activities within the corridor that detract from its scenic quality by proper siting, landscaping or screening.
- Prohibit billboards and regulate on-site business signs so that they do not detract from scenic views.
- Make development more compatible with the environment and in harmony with the surroundings.
- Regulate grading to prevent erosion and cause minimal alteration of existing contours and to preserve important vegetative features along the highway.
- Preserve views of hillsides by minimizing development on steep slopes and along ridgelines.
- Prevent the need for noise barriers (sound walls) by requiring a minimum setback for residential development adjacent to a scenic highway.

In addition, scenic highway designation will:

- Enhance community identity and pride, encouraging citizen commitment to preserve community values.
- Enhance land values by maintaining the scenic character of the corridor.
- Provide a vehicle for the community to promote local tourism that is consistent with the community's scenic values.

From: <http://www.dot.ca.gov/hq/LandArch/scenic/faq.htm>

What is the California Scenic Highway Program and when did it start?

Many state highways are located in areas of outstanding natural beauty. California's Scenic Highway Program was created by the Legislature in 1963. Its purpose is to preserve and protect scenic highway corridors from change which would diminish the aesthetic value of lands adjacent to highways. The state laws governing the Scenic Highway Program are found in the Streets and Highway Code, Section 260 et seq.

What elements make a highway "scenic"?

A highway may be designated scenic depending upon how much of the natural landscape can be seen by travelers, the scenic quality of the landscape, and the extent to which development intrudes upon the traveler's enjoyment of the view.

What does the "State Scenic Highway System" include?

The State Scenic Highway System includes a list of highways that are either eligible for designation a scenic highways or have been so designated. These highways are identified in Section 263 of the Streets and Highways Code. A list of California's scenic highways and map showing their locations may be obtained from Caltrans' Scenic Highway Coordinators.

What is the difference between an "eligible" and an "officially designated" scenic highway?

The status of a state scenic highway changes from eligible to officially designated when the local jurisdiction

adopts a scenic corridor protection program, applies to the California Department of Transportation for scenic highway approval, and receives notification from Caltrans that the highway has been designated as a Scenic Highway.

What is a scenic corridor protection program?

When a city or county nominates an eligible scenic highway for official designation, it must identify and define the scenic corridor of the highway. The agency must also adopt ordinances to preserve the scenic quality of the corridor or document such regulations that already exists in various portions of local codes. These ordinances make up the scenic corridor protection program.

What is included in a scenic corridor protection program?

There are minimum requirements for scenic corridor protection:

1. Regulation of land use and density of development.
2. Detailed land and site planning.
3. Control of outdoor advertising (including a ban on billboards).
4. Careful attention to and control of earthmoving and landscaping.
5. Careful attention to design and appearance of structures and equipment.

How are the boundaries of a scenic corridor determined?

A scenic corridor is the land generally adjacent to and visible from the highway. A scenic corridor is identified using a motorist's line of vision. A reasonable boundary is selected when the view extends to the distant horizon. Jurisdictional boundaries of the applicants are also considered.

What steps are necessary to receive official designation?

If a route is included on the list of scenic highways eligible for official designation, contact the Caltrans District Scenic Highway Coordinator for a copy of the Guidelines for the Official Designation of Scenic Highways. The city or county with jurisdiction over lands adjacent to the highway must take the following steps:

1. Inspect and evaluate the route to determine if it meets the current scenic highway criteria and to what extent, if any, development has intruded on the scenic views.
2. Submit a Resolution of Intent package to the Department Transportation Advisory Committee (DTAC) through the appropriate Caltrans district office. The package should include a Resolution of Intent by the local governing body, maps showing the scenic corridor and existing zoning, a map overlay of development in the corridor, a narrative description of the scenic elements, and a videotape representative of the highway segment. Caltrans District and Headquarters Scenic Highway Coordinators and DTAC evaluate each proposal. If it is determined that the corridor meets the scenic criteria, the applicant proceeds to Step 3. If the route fails this review, it is not advisable to continue seeking official designation.
3. Prepare and adopt a scenic corridor protection program. Caltrans staff and DTAC review the protection program. If it is determined that the program meets the legislative standards, a recommendation to designate the highway as scenic will be forwarded to the Caltrans Director.

Can highways still be added to the Scenic Highway System?

A city or county may propose adding routes with outstanding scenic elements to the list of eligible state highways. However, state legislation is required. Local governments should consult Caltrans' District Scenic Highway Coordinator before initiating action, to ensure that the route qualifies.

Can county roads become part of the Scenic Highway System?

Yes. Although there is no official list of county highways eligible for scenic designation, county highways that are believed to have outstanding scenic qualities are considered eligible. To receive official designation, the county must follow the same process required for official designation of state scenic highways.

How are officially designated scenic highways identified?

Caltrans places the colorful "poppy" sign, logo of the scenic highway program along the route. Also, the poppy logo identifies scenic highways on travel maps, and maps produced by the State Division of Tourism.

Is there special funding for the Scenic Highway Program?

There is no special funding for preparation of scenic highway nominations. Some types of projects on scenic highways may qualify for funding under the Transportation Enhancement Activities (TEA) Program.

Can scenic highways be widened or otherwise changed?

Official scenic highway status places no restrictions for making improvements on scenic highways. However, Caltrans works with appropriate agencies to coordinate transportation proposals and maintenance activities and to ensure the protection of scenic corridors to the maximum extent feasible.

Does official designation preclude development?

No, but the corridor protection program seeks to encourage quality development that does not degrade the scenic value of the corridor.

Can official designation be revoked?

The most critical element of the scenic highway program is implementation and maintenance of the scenic corridor protection program. Caltrans monitors officially designated scenic highways at least every five years. Designation can be revoked if the local government ceases to enforce its protection program. A city or county may request revocation if it no longer wishes to be part of the program.

What advantages does official designation offer?

A scenic highway can create a positive image for a community, preserve and protect environmental assets and encourage tourism.

How can I find out more about the Scenic Highway Program?

The Scenic Highway Coordinator at your local Caltrans district office can provide additional information.

Other Scenic Resources

National Scenic Byways Program - National Scenic Byways online provides travelers with current, detailed information about scenic byways throughout the United States. NSBO also gives byway organizations easy access to government and private resources related to scenic byways.

My Comment: Activities that may impact a scenic highway are to incorporate the direct involvement of the Scenic Highways division of the Department of Transportation to ensure that impacts are minimal or mitigated.

SECTION 2, ITEM B: NATIONAL HISTORIC TRAILS

The Sunrise Powerlink EIR/EIS mentions that the Juan Bautista deAnza National Historic Trail runs through the Anza Borrego Desert State Park. So, what does this mean?

See CD: JUBA Centennial Strategy

See CD: BLM National Scenic and Historic Trails Strategy and Work Plan

See the First Annual Centennial Strategy for Juan Bautista de Anza National Historic Trail August 2007.

<http://www.nps.gov/juba/parkmgmt/upload/JUBA-Centennial-Strategy.pdf>

See National Trails System MOU: <http://www.nps.gov/nts/memorandum2006.html>

See NHHTS Work Plan: <http://www.blm.gov/nlcs/nsht/NSHTSWfinalSig.pdf>

From the NPS web site:

“Appendix B: High Potential Historic and Interpretive Sites Along the Juan Bautista deAnza National Historic Trail

The following briefly describes the historic and interpretive sites listed on the Historic Route map. Historic sites, noted with (A) are those with historical significance, the presence of visible historic remains, scenic quality, and few intrusions. These sites qualify as interpretive sites, as well, and may offer interpretation of the Anza Trail. Interpretive sites are those with a high potential to interpret the trail's historical or cultural significance even though the sites may not retain the integrity of the historic scene.

Anza-Borrego Desert State Park.(A) This approximately 600,000 acre park contains two stretches of the Anza route and preserves the surrounding lands in an undeveloped state so that they appear much as they would have to Anza and his colonists two hundred years ago. A short segment of the trail exists in the southeast section of the park and passes near the San Gregorio marker. In the northwest section, a rough jeep and horseback trail parallels Anza's route through Coyote Canyon. On this section are found markers for *El Vado*, *Santa Catarina*, and Christmas Eve campsites. (The last is in Riverside County.) These two areas provide a rare opportunity to retrace the precise route of the expedition on the ground while surrounded by terrain which has changed little since Anza's passage. Sites within the park are the following:

Fages-De Anza Trail-Southern Immigrant Road. The trail is noted on park maps.
(NR)

Expedition Camp #52, El Vado (The Ford). CRHL No. 634 is placed six miles northwest of Borrego Springs at the entrance to Vern Whitaker Horse Camp within Anza-Borrego Desert State Park. It marks a campsite along Coyote Creek with plentiful water and some pasture allowing the colonists to rest from December 20 to 22, 1775.

Expedition Camp #53, Santa Catarina. Situated at Lower Willows in lower Coyote Canyon within Anza-Borrego Desert State Park, CRHL No. 785 was named by Anza on his exploration trip. The colonizing expedition camped here on

December 23, 1775 and Anza on his return on May 6, 1776. The entire area has signs of native habitation. Font described the area as having "...great mountains of rocks, boulders, and smaller stones which look as if they had been brought and piled up there, like the sweepings of the world."

Middle Willows. The site of a spring and an Indian village "perched in the crags" (Font), the area has exceptional historic value to the trail due to its natural and visual integrity. It is highly sensitive environmentally as the home to two federal endangered species (least Bell's vireo and peninsular bighorn sheep) and one state endangered species (southwest willow flycatcher).

SECTION 3, ITEM C: National Natural Landmarks.

Section D.2-14 of the January 2008 Draft EIR/EIS states:

Anza-Borrego Desert State Park (ABDSP)

"ABDSP was designated in 1974 as a National Natural Landmark"

Just what is the significance of this designation?

See CD: Fed_Reg_NNL

See: http://www.nature.nps.gov/nnl/pdf/Fed_Reg_NNL.pdf

Below are a few excerpts of note that are contained within the National Natural Landmarks Program:

Definitions:

"National Natural Landmark" is an area designated by the Secretary of the Interior as being of national significance to the United States because it is an outstanding example(s) of major biological and geological features found within the boundaries of the United States or its Territories or on the Outer Continental Shelf.

"National Significance" describes an area that is one of the best examples of a biological community or geological feature within a natural region of the United States, including terrestrial communities, landforms, geological features and processes, habitats of native plant and animal species, or fossil evidence of the development of life.

Section 62.6 (b) Section 8 Report. (1) The Secretary, through the NPS, prepares an annual report to the Congress on all designated national natural landmarks with known or anticipated damage or threats to one or more of the resources that made them nationally significant. This report is mandated by Section 8 of the National Park System General Authorities Act of 1970, as amended, (16 U.S.C. 1a-5).

Section 62.6 (f) Federal agencies should consider the existence and location of designated national natural landmarks, and of areas found to meet the criteria for national significance, in assessing the effects of their activities on the environment under section 102(2)© of the National Environmental Policy Act (42 U.S.C. 4321).

**The National Natural Landmarks Program Overview
(From the National Park website):**

The National Natural Landmarks Program recognizes and encourages the conservation of outstanding examples of our country's natural history. It is the only natural areas program of national scope that identifies and recognizes the best examples of biological and geological features in both public and private ownership. National Natural Landmarks (NNLs) are designated by the Secretary of the Interior, with the owner's concurrence. To date, fewer than 600 sites have been designated. The National Park Service administers the NNL Program, and if requested, assists NNL owners and managers with the conservation of these important sites.

 MY COMMENT REGARDING WHAT ELSE NEEDS TO BE DONE BECAUSE ABDSP IS A DESIGNATED NNL:

A review of each of the existing National Natural Landmarks should be made to determine:

- a) Which landmarks currently have power lines running on/through the area of the landmark?*
- b) Was the power line added to the property before or after it became a NNL?*
- c) If the power line was added to the property after it became a NNL what has been the impact to the property and how has this affected its National Natural Landmark status?*

National Natural Landmarks

Promoting Conservation through Cooperation

The National Natural Landmarks (NNL) Program offers participants the opportunity to share information, solve problems cooperatively, and conserve important natural areas. For nearly 40 years, the NNL Program has involved private, municipal, state, and federal landowners, all working together toward the conservation of natural resources. Land acquisition by the federal government is not a goal of this program; NNLs are nationally significant sites owned by a variety of land stewards, and participation in the program is voluntary. Established in 1962, the program aims to encourage and support voluntary preservation of sites that illustrate the geological and ecological history of the United States, and to strengthen the public's appreciation of America's natural heritage.

The NNL designation is made by the Secretary of the Interior after in-depth scientific study of a potential site; all new designations must have owner permission. The National Park Service (NPS) administers the program and regularly reports on the condition of the NNLs. The selection process is rigorous: to be considered for NNL status, a site must be one of the best examples of a natural region's characteristic biotic or geologic features. The NNL designation can only be removed if the values for which it was designated are lost or destroyed, or if there was an error in the evaluation or designation procedures for the site. The regulations that currently govern the NNL Program were revised in 1999 to better protect the interests of private landowners who participate in the program.

The present 587 NNLs include public and private lands with a variety of uses, including ranching, agriculture, recreation, nature preserves, research areas, camps, conference centers, and commercial ventures. All of these uses can be compatible with NNL designation.

NNL Designation Often Leads to Local and Agency Partnering Opportunities

NNL Program coordinators visit most NNLs to meet with owners or site managers. This is often the time when discussions occur about changing conditions at the landmark, or specific concerns that owners may have. NNL program coordinators routinely involve others to provide assistance when questions arise, and the result has been a number of long standing partnerships.

Strong Partnerships are key to the Program's Success

The NNL Program has become more service oriented in the last 10 years, with coordinators working diligently to find technical specialists who can advise landowners on how to care for their special sites. While funding for projects is not the norm, in some cases, regional coordinators have been successful in helping NNL owners obtain small grants. The NNL designation is meaningful to many program participants; it affords them recognition and supports their conservation efforts. There are many success stories to tell . . .

SAMPLES OF SUCCESS STORIES WHEN PROJECT MANAGERS MEET AND WORK WITH NNL PROGRAM COORDINATORS:**EZELL'S CAVE**

In 1996, murky water was observed in the lake at The Nature Conservancy's Ezell's Cave (designated in 1971) in San Marcos, Texas, causing cave specialists to question whether the unique aquatic environment was changing in some way. To answer this question, a small NPS grant was obtained to monitor changes in the cave's water quality. This monitoring project continues today without any federal funding. It now has a broad base of supporting partners, including the non-profit San Marcos River Foundation and students and staff from the local university. Regional interest is particularly high because the cave is linked to the Edwards Aquifer, which supplies drinking water for much of central Texas. The project that began as a way to monitor NNL conditions now provides baseline data for monitoring regional water resources.

PALO DURO CANYON STATE PARK

The Lone Star Interpretive Theater at Palo Duro Canyon State Park was dedicated in the summer of 2000. The dedication ceremony brought together community members, the media, and those who built the project for a celebration of what this partnership was able to do. The project began when Texas Parks and Wildlife and NNL Program staff collaborated on a grant application. The agencies continued working together through design and construction of the theater, adding Texas Dept. of Corrections laborers to the team to help with construction.

The new interpretive theater will provide an outdoor space in which to host educational programs for school children, campers, scouting groups, and others. "Due to the National Natural Landmarks Program, the people of Texas now have an unparalleled opportunity to learn about Palo Duro Canyon's resources," said Superintendent Hi Newby. "We're now able to do something we've never been able to do in the past," he added.

KAMIAK BUTTE COUNTY PARK

Another local partnership effort took place at Kamiak Butte County Park, a National Natural Landmark 60 miles south of Spokane, Washington. The NPS provided seed money to improve a section of the Pine Ridge Trail, which is part of the National Trails System. The trail improvements were done by work crews consisting of personnel from the Whitman County Parks and Recreation and Mount Rainier National Park, plus community volunteers, a county inmate crew, the NNL regional coordinator, and the Park manager. "What made this project so successful was the mutual sharing of both fiscal and human resources," said NNL regional coordinator Steve Gibbons. Nearly one mile of the trail was reinforced and brought back up to grade at the end of a two-week period, reducing erosion and making it safer for visitors. Perhaps just as important, this project can be viewed as a case study in successfully working across agency lines to accomplish a task that benefits a significant natural resource area and the public.

LAWRENCE MEMORIAL GRASSLAND PRESERVE

The improving condition of the Lawrence Memorial Grassland Preserve NNL in central Oregon has led to the establishment of a cooperative weed management area (WMA) that involves partners from the surrounding federal and private lands. During the 1990's, local staff from the Nature Conservancy worked with NNL Program staff to apply for grants to monitor and restore the native prairie vegetation, which was being crowded out by non-native species. Site improvements include an overall reduction in non-native plants and successful revegetation using native plants. The regional alliance of the WMA will help to continue this trend toward improved conditions.

Recognition of National Significance can lead to Good Stewardship

In some cases, without NNL designation, nationally significant resources may have gone unnoticed, with no special safeguards to protect them. Simple recognition of resources important to our continent's natural history has helped owners and managers appreciate what they have and take steps toward conservation.

Ranch hands clearing brush at the Little Blanco River Bluff NNL in Texas were unknowingly cutting down the rare plants that led to the designation of this NNL. Recognition of the unusual shrub and diverse flora on this site (designated in 1982), and providing this information to the new owner of the site has led to their conservation. This private landowner now regularly hosts groups of visitors at the site, many of them elementary school children, and the NNL resources are an important part of the ranch tour.

A volunteer task force now meets quarterly to make recommendations for the care of the Phoenix Vernal Pools NNL (designated in 1976) near Sacramento, California. Located near the baseball fields and open turf of a county park, the significance and special needs of this NNL were not fully realized until a task force brought together scientists from academia, state and federal agencies, and consulting firms. The pools are small depressions in the landscape that trap rainfall and provide a unique habitat for a variety of organisms; they are remnants of what was once a widespread system of vernal pools. When the significance of the pools was better understood, an earthen berm was built to protect them from runoff containing fertilizers and other chemicals. A prescribed burn is also being planned that will help reduce weed species and fuel accumulation. The NNL Program continues to assist with community involvement, and provides continuity to a dynamic volunteer task force.

On a regional scale, early awareness of NNL resources by agencies proposing large public works projects can help to ensure continued conservation of significant natural areas. After the Department of Energy was made aware of an NNL within an alternative corridor for the Sonora-Arizona Interconnection Project (a high voltage transmission line), it used its National Environmental Policy Act Newsletter to disseminate information nationally on the need to consider impacts to NNLs during project planning. Early disclosure of the presence of nationally significant resources in the project area can make avoidance, and continued conservation, easier to achieve.

Agency Partnerships are Helpful in Managing Large, Remote Sites

The NNL Program and the US Fish and Wildlife Service (USFWS) are working together to provide support for research and monitoring within NNLs at the 4.5 million acre Alaska Maritime National Wildlife Refuge. Three NNLs are located within the refuge. Unga Island, Bogoslof Island, and Simeonof Island. A specially designed research vessel owned by the USFWS, the Tiglax, provides transportation to, and lodging at, these very remote and otherwise inaccessible sites during NPS site visits. The NNL Program provides a portion of the funding for these trips, which also support other research. By partnering, the NPS and the USFWS have stretched limited funds to benefit the nationally significant resources of the NNLs and the refuge.

A large area within the Kaibab National Forest and adjoining Grand Canyon National Park is home to the Kaibab squirrel; this habitat was designated a NNL in the 1960's. NNL Program staff works with USDA Forest Service and Grand Canyon National Park biologists to monitor and map conditions within this NNL. This partnership allows the partners to pool their resources to monitor a species that is of mutual interest. Communication and cooperation across program areas have resulted in a partnership that leverages limited funds to monitor and manage a unique area.

NNL Designation Brings Prestige to Commercial Sites

NNL designation does not require sites to be open to the public, however, the NNL registry includes many sites of national significance that are open for public tours. Brass plaques are usually presented upon designation of the site, often during a ceremony that brings together owners, community members, elected officials, and NNL staff. Today, the value of NNL designation is evident in proudly displayed plaques, incorporation of "National Natural Landmark" into logos, and notation of NNL designation on brochures and signs. Luray Caverns in Virginia, Cave of the Mounds, Wisconsin, and Marengo Cave in Indiana are just a few of the sites whose owners value the prestigious recognition of NNL designation. Gary Robertson, one of the owners of Marengo Cave, summed it up this way: "While we certainly do our part to preserve the cave, it's great to know we could get help from the NNL Program if we needed it."

SECTION 2, ITEM D: UNESCO BIOSPHERE RESERVE PROGRAM.

References: See documents on CD in folder: UNESCO Biosphere

Section D.3-14 of the SUNRISE POWERLINK EIR/EIS also mentions that ABDSP was named a member of the International Biosphere Reserve Program by the United Nations in 1985.

As a designated Biosphere Reserve, Anza-Borrego Desert State Park falls under Federal Law. State Law requires that State Agencies abide by Federal Laws.

So what is a Biosphere and what is the significance of this with regard to the proposed Sunrise Powerlink?

From Wikipedia, the free encyclopedia

A **biosphere reserve** is an international [conservation designation](#) given by [UNESCO](#) under its **Programme on Man and the Biosphere (MAB)**. The [World Network of Biosphere Reserves](#) is the collection of all 529 biosphere reserves in 105 countries (as of 2007).

According to “The Statutory Framework of the World Network of Biosphere Reserves,” biosphere reserves are created “to promote and demonstrate a balanced relationship between humans and the biosphere.” Under article 4, biosphere reserves must “encompass a mosaic of ecological systems,” and thus consist of combinations of [terrestrial](#), [coastal](#), or [marine ecosystems](#).

Through appropriate [zoning](#) and management, the [conservation](#) of these [ecosystems](#) and their [biodiversity](#) is sought to be maintained.

The design of the reserve must include a legally protected core area, a buffer area where non-conservation activities are prohibited, and a transition zone where approved practices are permitted. This is done with regard for the [sustainable use](#) of [natural resources](#) for the benefit of local communities. This effort requires relevant [research](#), monitoring, [education](#) and [training](#).

All the above are tools for implementing [Agenda 21](#), the [Convention on Biological Diversity](#) and other international agreements.

ABDSP is one managed unit within the Colorado-Mojave Desert Biosphere Reserve.

From the Unesco web site <http://www.unesco.org/mab/wnbrs.shtml> regarding the biosphere reserve that includes the ABDSP:

This cluster biosphere reserve is situated in south-east California and comprises four management units: the Death Valley National Monument, Joshua Tree National Monument, the Santa Rosa Mountains Wildlife Management Area **and Anza Borrego Desert State Park**. Death Valley, the principal feature of the biosphere reserve encompasses a substantial percentage of the northern Mojave Desert. This combined with its extreme altitude range (86 below to 3,368 meters above sea level) results in a large diversity of features at the northern edge of this biogeographic region. Rugged, sparsely vegetated mountains border a north-south oriented valley, and are incised by numerous deep rocky canyons terminating in huge alluvial fans. Lower and middle elevations are dominated by shrubs such as creosote bush (*Larrea divaricata*), sagebrush (*Atriplex* spp.), mormon tea (*Ephedra* sp.) and blackbrush (*Coleogyne ramosissima*). Trees include the Utah juniper (*Juniperus osteosperma*) and one needle pine (*Pinus monophylla*). Joshua Tree National monument, some 20 km east of Los Angeles, straddles the transition area between Mojave and Colorado Deserts and is known for its Joshua

tree (*Yucca brevifolia*) woodlands, a typical feature of the Mojave Desert which is higher, moister and slightly cooler. However, there are also characteristic species of the lower Colorado Desert including *Washingtonia* spp. Mining activities, the presence of large numbers of feral donkeys (*Equus asinus*) and trespass grazing by cattle, off-road vehicles as well as tourism activities are the main human influences in the region. By using the **biosphere reserve concept**, it is expected that user conflicts in this multiple use area can be solved.

WHAT IS THE BIOSPHERE RESERVE CONCEPT?

UNESCO FAQ on Biosphere Reserves: http://www.unesco.org/mab/faq_br.shtml

UNESCO.ORG : Biosphere Reserves: <http://www.unesco.org/mab/BRs.shtml>

The Seville Strategy for Biosphere Reserves: <http://www.unesco.org/mab/BRs/pdf/Strategy.pdf>

Biosphere reserves are areas of terrestrial and coastal ecosystems promoting solutions to reconcile the conservation of biodiversity with its sustainable use. They are internationally recognized, nominated by national governments and remain under sovereign jurisdiction of the states where they are located. Biosphere reserves serve in some ways as 'living laboratories' for testing out and demonstrating integrated management of land, water and biodiversity. Collectively, biosphere reserves form a World Network. Within this network, exchanges of information, experience and personnel are facilitated.

The Statutory Framework of The World Network for Biosphere Reserves:

Seville +5 Recommendations; See:

http://unesdoc.unesco.org/images/0012/001266/126629e.pdf#xml=http://unesdoc.unesco.org/ulis/cgi-bin/ulis.pl?database=ged&set=44115CBA_0_13&hits_rec=9&hits_lng=eng

Guiding Principles for projects on Biosphere Sites: *(These should be included as requirements that need to be followed with conclusions and included in the EIR/EIs).*

See: http://www.unesco.org/mab/BRs/pdf/Guid_princip.pdf

See CD: **UNESCO BIOSPHERE / GUIDING PRINCIPLES**

From: [http://www.parks.ca.gov/pages/21299/files/15%20abdsp%20comment%20letter\(1\).pdf](http://www.parks.ca.gov/pages/21299/files/15%20abdsp%20comment%20letter(1).pdf)

#15-10 Wilderness designations in 1974 and 1982 brought very few road closures to the visitors of Anza-Borrego. In fact, most wilderness areas were carefully plotted on the maps to conform to roadways and access points. It is a common misconception that Wilderness closes visitors off from enjoying the park. The Biosphere Reserve program invited CSP to join the program in the 1980s and the benefits to the people of California have been increased communications with other large desert parks in managing resource issues. Other desert areas in the Southwest and in Baja California have benefited from the program by consulting ABDSP staff for information and resource management projects conducted in Anza-Borrego. The State Park and the International Biosphere Reserve Program has increased good communications between parks such as Death Valley, Joshua Trees, Organ Pipe, and the Vizcaino Desert in Baja California, Sur.

My Comment: Being a UNESCO Biosphere Reserve does not mean that the land is "untouchable". UNESCO has no authority to require, or prevent, Biosphere Reserve land to be administered or used in any particular way. There are no legal penalties for not observing the Biosphere Reserve program conditions. Countries that are members of UNESCO and who have designated land as being in the Biosphere Reserve program have voluntarily agreed that

they will adhere to the Biosphere Reserve program guidelines. Not adhering to the guidelines merely exposing them as being hypocritical if they criticize some other country for mis-treating a Biosphere Reserve that is in their country.

Biosphere Reserves are intended to be used in “sustainable ways”. That includes recreation to the extent that it does not conflict with the core values of a Biosphere Reserve. And each Biosphere Reserve includes areas that can accommodate higher amounts of human activity than other areas.

In the scheme of things we have

City Parks, County Parks, State Parks, National parks, and now we have what I call “EARTH PARKS”, which are represented by Biosphere Reserves.

Because we know that we must not plunder the entire earth, from experience, knowledge and wisdom, we have established ways to protect some of the earth through designations such as wilderness areas, reserves, parks, etc.

Just as people of any country agree to respect and utilize their country’s National parks in certain and limited ways, the United States government has agreed to join other countries and people of the world in respecting and utilizing “Earth Parks”, Biosphere Reserves, in ways that are common to all, and in ways that reflect and respect the individual requirements of each nation and each Reserve.

OTHER BIOSPHERE RESERVE RESOURCES:

THE UNITED STATES NATIONAL PARK SERVICE AND ENVIRONMENTAL PROTECTION AGENCY ARE A MEMBERS OF “THE WORLD CONSERVATION UNION”

See: <http://www.iucn.org/en/about/>

UNITED STATES OF AMERICA/ETATS-UNIS D’AMERIQUE/ESTADOS UNIDOS DE AMERICA*

ST/1042 US Department of State, Bureau of Oceans and International Environmental and Scientific Affairs (OES/ETC)
GA/774 National Oceanic and Atmospheric Administration, US Department of Commerce (NOAA)
GA/1058 US Agency for International Development (USAID)
GA/375 US Department of Agriculture - Forest Service
GA/999 US Department of the Interior (Fish and Wildlife Service)
GA/264 US Department of the Interior, National Park Service
GA/639 US Environmental Protection Agency (EPA)

Members agree to abide by its statutes. See: <http://www.iucn.org/members/statutes.htm>

Reference and adherence to these statutes should be observed before coming to any conclusions regarding the Sunrise Powerlink segment that is proposed for the ABDSP.

The EIR/EIS does not provide adequate information regarding considerations that should be given to Agenda 21 in light of the fact that the ABDSP is a designated International Biosphere Site. Chapter 15 of Agenda 21 addresses protection of biodiversity:
<http://www.un.org/esa/sustdev/documents/agenda21/english/agenda21chapter15.htm>

THE 2010 BIODIVERSITY TARGET:

The 2010 biodiversity target was endorsed by the World Summit on Sustainable Development in Johannesburg in 2002 and the United Nations General Assembly at the 2005 World Summit. Its first goal is to promote the conservation of the biological diversity of ecosystems, habitats and biomes with its targets being: (i) at least 10% of each of the world's ecological regions effectively conserved and (ii) areas of particular importance to biodiversity protected.

For more information see: <http://www.cbd.int/doc/press/2008/pr-2008-02-11-pa-en.pdf>

For more information see: <http://www.cbd.int/protected/>

From US Department of State: <http://www.state.gov/documents/organization/50569.pdf>

NASA and UNESCO

In June, Ron Birk, NASA's program director for Applied Sciences met with representatives of UNESCO's Ecological and Earth Sciences Division for exploratory discussions on the use of NASA "remote sensing" technology and data for education and applications focused projects.

The [recent MOU between NASA and UNESCO](#) focuses on acquisition of baseline environmental information about World Heritage and biosphere reserve sites. NASA is interested in use of World Heritage and biosphere reserve sites both for calibrating and evaluating new instruments and for developing decision support tools which utilize remote sensing derived inputs such as land cover, surface water extent, flooding and soil moisture. UNESCO seeks to incorporate NASA's measurements in educational programs, for the management of World Heritage and biosphere reserves, and for IHP and IOC related programs.

DESTRUCTION OF BIOSPHERE RESERVES CAN LEAD TO INTERNATIONAL INCIDENTS:

From: Department Of State Report: <http://www.state.gov/p/eur/rls/rpt/63198.htm>

National environmental NGOs are slowly gaining access to the policy-making process on environmental issues. Ukrainian NGOs took the lead in bringing a major environmental issue to international attention when the GOU proposed to build a canal through the most sensitive part of the Danube Delta International Biosphere Reserve. Despite international urging, Ukraine failed to abide by its commitments on assessing the impact and consulting other parties before beginning construction of the canal. Currently the work on the canal has been halted, but no final decision on its construction has been made.

SECTION 2, ITEM E: TOURISM:

CALIFORNIA CODES
STREETS AND **HIGHWAYS CODE**
SECTION 36500-36504

36500. This part shall be known and may be cited as the "Parking and Business Improvement Area Law of 1989."

36501 (c) The Legislature also finds and declares that tourism is a large and growing contributor to California's economy, and that promotion of a city's or county's **scenic**, recreational, cultural, and other attractions as a tourist destination is an important public purpose.

The EIR/EIS makes references to the impact of power line construction and post construction impacts. In particular it seems to focus on local tourism, and spring seasonal tourism. There is more to be considered:

Section D.14-135 of the EIR under Operational Impacts states:

Although there would be a significant and unmitigable impact to Wilderness and Recreation (see Impact WR-2 [Presence of a transmission line or substation would permanently change the character of a recreation area, diminishing its recreational value] in Section D.5), visitors generally travel to ABDSP to enjoy the wildflower blooms and the habitat, which would still draw visitors despite presence of the transmission line and significant diminishment of the recreational experience in areas of the Park once the short-term construction disturbances (especially due to noise, traffic, and visual resources) are completed. Visitors may also visit other areas of the Park where there are no transmission lines. It is possible that the presence of the new transmission line would result in a decrease in visitors to the Park, as discussed in Section D.5.6 (Wilderness and Recreation). However, it would be speculative to extrapolate that indirect tourism industry revenues, purchases at the Visitors' Center or contributions to ABFI would decrease. Therefore, this impact would be less than significant (Class III) and no mitigation measure is required.

BIOSPHERE RESERVES AND ECO-TOURISM

My Comment: Tthe EIR/EIS makes no reference to Eco-Tourism. Biosphere Reserves appeal to international tourists as Eco-Tourism sites, not just to local tourists who spend a day or more just to see seasonal flowers.

The EIR/EIS needs to contact UNESCO representatives to determine if the Sunrise Powerlink project is not in conformance with rules that guide activities within Biosphere Reserves.

See: http://www.unesco.org/mab/euromab/doc/E_Quebec2002.pdf

See CD : UNESCO BIOSPHERE File: ECOTOURISM

See: Ecotourism Offers Natural Adventure at: <http://www.parrysound.com/fun/1121697035/>

..... The Georgian Bay Littoral Biosphere Reserve stretches from Port Severn to the French River, extending out into Georgian Bay as far as the Limestone Islands Nature Reserve.

"It's like going to see the Seven Wonders of the World," Ms. Krist says. "The biosphere is internationally special so it's putting Georgian Bay country on the map."

Tim Dyer, owner of White Squall in Nobel says this designation officially recognized what he and many others have been enjoying for decades.

Development of ecotourism of the highest level

See: http://www.phil.unt.edu/chile/cape_horn/dev_ecotourism.html

The Galapagos Islands (Ecuador), Torres Del Paine National Park (Chile) and Calafate (Argentina) are examples of how international recognition has allowed unique areas to become leading figures in the development of nature tourism based on effective schemes of conservation.

Conveying on Cape Horn the status of 'Biosphere Reserve' allows the whole area, through the close collaboration of public services, businesses, local communities and science, to become a destination for ecotourism to rival other world leaders in the field.

It permits the gathering of knowledge and long term scientific investigation of the area while assuring that the area continues to be highly attractive to tourists. This style of responsible tourism development would increase worldwide recognition for the area and its produce, which would carry an exclusive label "Biosphere - Made in Cape Horn" as an assurance of quality.

ECOTOURISM in Australia: See: <http://www.riverland.net.au/~renriv/ecotourism.htm>

The definition of ecotourism adopted by Ecotourism Australia is:

"Ecotourism is ecologically sustainable tourism with a primary focus on experiencing natural areas that fosters environmental and cultural understanding, appreciation and conservation".

ECOTOURISM AUSTRALIA

E. A. is the peak ecotourism organization within Australia, and accredits products after a thorough accreditation procedure. Further information on the organization can be found at www.ecotourism.org.au

The UNESCO MAB Programme and its World Network of Biosphere Reserves seek to help guide tourism towards a more sustainable path.

See: <http://unesdoc.unesco.org/images/0012/001259/125914e.pdf>

See CD: UNESCO Biosphere / Year of Ecotourism

My Comment: The list of resources on how international ecotourism applies to Anza-Borrego Desert State Park goes on and on. A simple search of the internet, and contact with UNESCO is necessary to properly address this issue. The Draft EIR/EIS has not adequately researched and reported on the significance of Anza-Borrego Desert State Park's status as a UNESCO Biosphere Reserve and, that there are Federal and International statutory agreements that govern activity within the State Park and these must be properly and thoroughly evaluated and considered and followed.

SECTION 2, ITEM F: APPENDIX 12 OF THE EIR/EIS (Mitigation vs Sustainability)

Appendix 12 of the EIR/EIS discusses "mitigation" measures.

Mitigation is not the same as "sustainability" which is required for Biosphere Reserves. :

Mitigate: (from dictionary.com)

1. To lessen in force or intensity, as wrath, grief, harshness, or pain; moderate.
2. To make less severe: to mitigate a punishment.
3. To become milder; lessen in severity.

"sustainability":

From: <http://climate.weather.com/video/greeneffects.html>.

As populations assess their interaction with the planet Earth, it is becoming more and more obvious that practices involving the "green" ideas of sustainability and protecting the environment be woven into the framework of that population's lifestyle.

From: <http://en.wikipedia.org/wiki/Sustainability>

One of the first and most oft-cited definitions of sustainability, and almost certainly the one that will survive for posterity, is the one created by the [Brundtland Commission](#), led by the former Norwegian Prime Minister [Gro Harlem Brundtland](#). The Commission defined [sustainable development](#) as development that "meets the needs of the present without compromising the ability of future generations to meet their own needs."^[1] The Brundtland definition thus implicitly argues for the rights of future generations to raw materials and vital ecosystem services to be taken into account in decision making.

MY FINAL ANALYSIS AND SUMMARY :

Additional research needs to be done and information gathered and conclusions established to comply with requirements as specified for National Natural Landmarks.

Representatives from the National Park Service need to participate fully in the planning and Environmental Impact process.

The presence and impact of power lines in other National Natural Landmarks needs to be researched and analyzed and included within the EIR/EIS study.

Additional research needs to be done and information gathered and conclusions established to comply with the requirements for UNESCO Biosphere Sites. Representatives from UNESCO need to participate fully in the planning and Environmental Impact process.

Additional research needs to be done and information gathered and conclusions established in the EIR/EIS to comply with requirements of Agenda 21 of the United Nations.

Additional research needs to be done and information gathered and conclusions established in the EIR/EIS to comply with requirements of the World Conservation Union.

Higher emphasis and more weight needs to be placed on “environmentally sound” actions, as required by Senate Bill 90, AB32, and the US Department of Energy. Less emphasis needs to be placed on cost.

The CPUC’s Energy Action Plan needs to be revised to place highest priority on “environmentally sound” actions as required by Senate Bill 90, and it needs to include specific actions that will be taken to ensure that environmentally sound actions will be taken and given priority over cost.

Explanations of what various classifications mean need to be included in the EIR/EIS, such as the significance of ABDSP being an International Biosite, the significance of it being a National Natural Landmark, how these classifications can be impacted by various programs of the United Nations, how adding power lines to ABDSP would impact international treaties. These are significant environmental issues need to be addressed within the EIR/EIS in detail and not left out just because their content may come under the jurisdiction of a federal agency or department.

Existing laws plus environmentally sound technology plus alternative options provide ample reasons to avoid putting power lines through ABDSP.

Protect, Preserve, Promote Anza-Borrego Desert State Park.

DO NOT Plunder it for short term need or greed.

There can be no public need, no public convenience so great that protected land should be destroyed.

Parks Are (suppose to be) Forever !

From: 'Glenn Stokes'

To:

Sent: Mon Apr 7 8:02

Subject: Fwd: Sunrise Powerlink and EIR/EIS ; additional comments

April 7, 2008

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

Sent via e-mail to: sunrise@aspeneq.com

MY OPINION ON WHAT SHOULD BE DONE:

(Note: I have no financial or non-financial investment in, interest in or association in any way with any kind of electric industry products or services)

Money would be better spent by installing solar panels (wherever feasible)

*on roofs of all government buildings (city, county, state)

*above all government parking lots (in the desert this would shade parked cars)

*along the slopes that border freeways and over freeways (which could reduce landscape water use and maintenance) .

In addition the utilities could rent (where feasible) space on roofs of non-government buildings and over parking lots and install solar panels. Individuals would thus earn income from renting space. And individuals, if they can afford it, could install solar panels on their own property (with aesthetic and building codes) and sell the electricity to the electric company at wholesale rate.

There is no need to install new solar panels over vast areas of the desert or other open space. There is enough land already in use that could and should be put to double-duty use by installing solar power panels in those locations. [\(As a side note: we need to stop using up more land for the construction of homes and business...it is time to start building mid-rise buildings and maximize occupancy per square foot of land \(where feasible\).](#)

The place to start building the **Solar Power Web** is away from the coastline, in California's interior, away from the coastal clouds and near to existing power lines and power grids and within cities and communities that need and use the power .

By distributing the solar panels in smaller installations throughout the state a storm or earthquake or other disaster in one region would not be catastrophic to the entire system.

By connecting the solar panels to existing power lines and grids installation of new long range power line grids would not be needed.

The money saved by not installing old fashioned long range power line grids, and in maintaining them, and the amount of electricity that would not be lost as it travels long distances over long range power line grids would be significant and the savings would go towards the investment in a large area distributed solar power network (**SOLAR POWER WEB**) .

The time to start using new technology to create and transport electricity in new ways is now.

Generating electricity far away from the points of consumption, using fossil fuel, or building enormous centralized solar facilities and long haul transmission facilities are not the answers for now and definitely not the answers for the future.

Installation of technology today that works, in small installations, and expand them over time will help ensure that the technology does not get old all at once. New technology is always emerging, so as it does, it can be put to use while the existing older technology is still performing its tasks, and when it wears out it can be replaced by even newer technology. This is quicker and less costly than building behemoth power generating plants and long range transmission lines.

As the number of solar panels increase, a balance can be achieved between new needs for electricity as society expands, and less need for electricity as society transitions from high consumption technology to lower consumption technology.

The obvious is that solar does not work at night or on cloudy days. We must then work to develop new technology that will store the energy that is generated by solar cells during the day so that it can be used at night and on cloudy days. We have invented and put to use many things that were heretofore thought to be impossible. A distributed WEB of solar panels that are connected into the existing grid of power lines I believe will someday also feed excess solar power into storage banks so that the electricity can be used at night. To some extent when it is dark in the west and the sun is up in the east, solar power can be generated and transmitted to the west over existing long range power lines, and as it is dark in the east solar power generated in the west can be transmitted to the east.

MY OPINION ON WHAT MUST NOT BE DONE:

ABOVE ALL: The Sunrise Powerlink must not be permitted to pass through Anza-Borrego State Park above ground or below ground.

As State Land, it appears to me that the DOD has no jurisdiction to force power lines through State property. Their authority presides over Federal (and perhaps private) land. But even if they might have authority to force power lines through a State Park there is still the issue of running power lines through a Biosphere Reserve. As is

mentioned in the Sunrise Powerlink EIR/EIS Anza-Borrego Desert State Park is a Biosphere Reserve and such Biosphere Reserves are protected in many ways. The United States and 105 other countries voluntarily signed a UNESCO agreement that says that each country will voluntarily provide sustainable management of its Biosphere Reserves.

The Sunrise Powerlink EIR/EIS, mention that Anza-Borrego Desert State Park is a Biosphere Reserve.

If fact that is an inaccurate statement in the EIR/EIS.

The Anza-Borrego Desert State Park is one of four managed units within the Mojave-Colorado Deserts Biosphere Reserve.

The other three managed units are Death Valley National Park, Joshua Tree National Park, Santa Rosa-San Jacinto National Monument.

The Sunrise Powerlink EIS/EIS does not include any information or references that describe what protections are afforded to Biosphere Reserves or what processes must be observed prior to conducting any human activity on, or near to , a Biosphere Reserve. This, in my opinion, is a significant and major shortfall of the EIR/EIS.

Attached to this E-mail are five documents that describe why and how local, state, and Federal officials are required by statutory agreement to provide for sustainable management of Biosphere Reserves:

1. Statutory Framework of the World Network of Biosphere Reserves.
2. Guiding Principles for Projects on Biosphere Reserves
3. Seville Strategy for Biosphere Reserves.
4. Feb 8 2008 Madrid Declaration on the world network of Biosphere Reserves.
5. Agenda 21

Other attached documents of note included:

- a. Australia denies overhead power lines in Biosphere Reserve
- b. Powerlines denied thru Waterberg Biosphere Reserve (word doc)

Because Anza-Borrego Desert State Park is a managed unit within an area that is designated as the UNESCO World Biosphere Reserve known as Mojave-Colorado Deserts Biosphere Reserve the EIR/EIS must, in my opinion, include and fully disclose these documents and all regulations and requirements for Biosphere Reserves and those requirements should become an integral part of the EIR/EIS. .

The United States, as a member of UNESCO, signed a statutory agreement which indicates it will voluntarily observe international rules that apply to Biosphere Reserves.

California State laws such as SB90, AB32, SB1389 and the Warren-Alquist Act require that State and local government and agencies can not make independent decisions that ignore federal laws, rules, regulations which would include international agreements.

LOCAL AGENDA 21, which is a feature contained within AGENDA 21 of UNESCO's Man and Biosphere Program outlines local implementation of Agenda 21 within each participating country.

The House of Representatives passed a resolution on Oct 2 1992 that recognizes Agenda 21 and calls for implementation of Local Agenda 21 (known as LA21) throughout all local, state and federal authorities and in the public and private sector.

This resolution establishes that the U.S. should "assume a strong leadership role" in carrying out Agenda 21 and Local Agenda 21.

In my analysis it would be arrogant, hypocritical, and lawless for any local, state or federal government or agency to proceed with a project in a designated Biosphere Reserve that is not consistent the intent of the Resolution passed by Congress or with the terms of an international agreement, such as Agenda 21, that the United States has voluntarily agreed with UNESCO and 105 other countries to observe.

See: [http://thomas.loc.gov/cgi-bin/query/z?c102:H.CON.RES.353:](http://thomas.loc.gov/cgi-bin/query/z?c102:H.CON.RES.353)

Also see attached word document: **102d CONGRESS, 2d Session, H. CON. RES. 353**

end of comments.

Glenn R. Stokes

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From: 'Glenn Stokes' <grs4102@cox.net>
To: <sunrise@aspeneg.com>
Sent: Wed Apr 9 9:00
Subject: Fwd: CA Fish and Game Web Page mentions ABDSP as a Biosphere Reserve

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

Sent via e-mail

Comment on the Sunrise Powerlink EIR/EIS

Attached is a Microsoft Word Document which is a printable copy of a web page from the California Department Fish and Game web site.

The Fish and Game branch of the California Government recognizes the existence of the Mojave and Colorado Deserts Biosphere Reserve and that there is a need for preservation in the Reserve and that even limited human disturbances can have deleterious effects.

Source material taken from:
<http://www.dfg.ca.gov/wildlife/WAP/region-colorado.html>

Note: Death Valley National Park is also designated as being within the Mojave Colorado Deserts Biosphere Reserve (MCDBR); this is not stated on the CA Fish and Game web page and is an omission that needs to be corrected.

-----Taken from web page follows:
"Together, Joshua Tree National Park, Anza Borrego Desert State Park, and the Santa Rosa Wildlife Area, along with other protected lands in the Mojave Desert, are part of the Mojave and Colorado Deserts Biosphere Reserve, designated by the United Nations as an important global site for preservation of the biological and cultural resources of these two desert regions.

Although the Colorado Desert remains one of the least-populous regions in California, human activities have had substantial impacts on the region's habitats and wildlife. Many unique communities, particularly aquatic and dune systems, are limited in distribution and separated by vast expanses of inhospitable, arid desert terrain. Even limited human disturbances can have markedly deleterious effects on the endemic and sensitive species supported by these unique regional systems."

-----My comments follow:

Anza-Borrego Desert State Park is in the same category of important sites as 2 major National Parks.
High voltage power lines and towers would not be permitted through Death

D0175 cont.

Valley and they should not be permitted through Anza-Borrego Desert State Park. As State Property the Department of Energy has no authority to force power lines to be installed on and through State Park property.

Correction: In a an earlier comment from me on the Sunrise Powerlink EIR/EIS I mentioned that the Santa Rosa-San Jacinto Mountains National Monument(SRSJNM) is included in the Mojave Colorado Deserts Biosphere Reserve. Research thus far indicates that this only partially true for there is overlap of designations. Some of the Santa Rosa Wildlife Area is within the SRSJNM but apparently the entire SRSJNM is not designated as being within the MCDBR. I mention this in the pursuit of accuracy even though not necessarily relevant to my interest in keeping power lines from being installed in the State Park, which is my main area of focus.

Submitted by:

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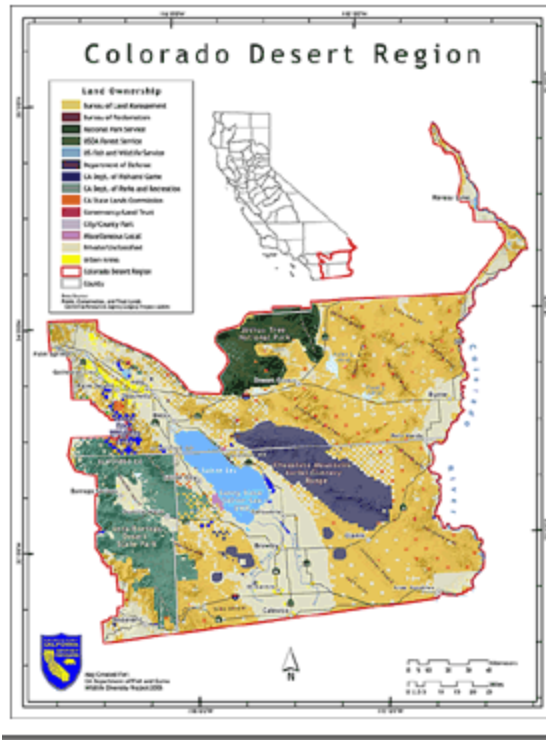
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Wildlife Action Plan
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Sacramento, CA 95811

Colorado Desert - Overview

[Download Chapter](#)

California's Colorado Desert is a part of the larger Sonoran Desert, which extends across southwest North America. The Colorado Desert region encompasses approximately 7 million acres, reaching from the Mexican border in the south to the higher-elevation Mojave Desert in the north and from the Colorado River in the east to the Peninsular mountain range in the west.



View larger: [Medium \(148 KB\)](#) | [Large \(475 KB\)](#)

The majority of the Colorado Desert lies at a relatively low elevation, below 1,000 feet, with the lowest point of the desert floor at 275 feet below sea level in the Salton Trough. Although the highest peaks of the Peninsular Range reach elevations of nearly 10,000 feet, most of the region's mountains do not exceed 3,000 feet. These ranges block moist coastal air and rains, producing an arid climate.

The Colorado Desert's climate distinguishes it from other deserts. The region experiences greater summer daytime temperatures than higher-elevation deserts and almost never experiences frost. In addition, the Colorado Desert, especially toward the southern portion of the region, experiences two rainy seasons per year, in the winter and late summer, while the more northerly Mojave Desert has only winter rains.

The region's terrestrial habitats include creosote bush scrub; mixed scrub, including yucca and cholla cactus; desert saltbush; sandy soil grasslands; and desert dunes. Higher elevations are dominated by pinyon pine and California juniper, with areas of manzanita and Coulter pine. In addition to hardy perennials, more than half of the desert's plant species are herbaceous annuals, and appropriately timed winter rains produce abundant early spring wildflowers.

In the southern portion of the region, the additional moisture supplied by summer rainfall fosters the germination of summer annual plants and supports smoketree, ironwood, and palo verde trees. Common desert wildlife include mule deer, bobcat, desert kangaroo rat, cactus mouse, black-

D0175 cont.

tailed jackrabbit, Gambel's quail, and red-diamond rattlesnake. Among sensitive species are flat-tailed horned lizard, Coachella Valley fringe-toed lizard, desert tortoise, prairie falcon, Andrews' dune scarab beetle, Peninsular bighorn sheep, and California leaf-nosed bat.

In the Colorado Desert's arid environment, aquatic and wetland habitats are limited in extent but are critically important to wildlife. Runoff from seasonal rains and groundwater springs forms canyon-mouth-associated alluvial fans, desert arroyos, desert fan palm oases, freshwater marshes, brine lakes, desert washes, ephemeral and perennial streams, and riparian vegetation communities dominated by cottonwood, willow, and non-native tamarisk. Two of the region's most significant aquatic systems are the Salton Sea and the Colorado River.

While most desert wildlife depend on aquatic habitats as water sources, a number of species, such as arroyo toad, desert pupfish, Yuma clapper rail, and southwestern willow flycatcher, are restricted to these habitats. In some places, summer rains produce short-lived seasonal pools that host uncommon species like Couch's spadefoot toad.

Desert fan palm oases are rare ecological communities found only in the Colorado Desert. They occur only where permanent water sources are available, such as at springs or along fault lines, where groundwater is forced to the surface by the movement of hard impermeable rock (NPS 2002), and can be found in the San Jacinto, Santa Rosa, and Little San Bernardino mountains, Indio and Mecca-Orocopia hills, and in the canyons of Anza Borrego Desert State Park.



Glenn and Martha Vargas, © California Academy of Sciences

Nelson's Bighorn Sheep (*Ovis canadensis nelsoni*)

With an overstory of desert fan palm trees, these communities provide unique islands of shade, moisture, and vegetation in an otherwise arid and sparse landscape. Fan palm oases host species found nowhere else in the desert, like the two-inch, blue-black, giant palm-boring beetle, which is endemic to this community, and the Western yellow bat, which is strongly associated with this habitat. The oases also allow a number of other species that are normally found in more mesic coastal and forest environments to live in the desert, including California mountain king snake, gopher snake, Western screech-owl, bobcat, and hooded oriole (Barrows 2005 pers. comm.).

The Bureau of Land Management (BLM) is the Colorado Desert region's largest land manager, with about 2.9 million acres, or 43.1 percent of the region. Department of Defense lands account for about 500,000 acres, or 7 percent, of the region. A number of other public landholdings occur

D0175 cont.

around the Salton Sea, with the California Department of Parks and Recreation, the Department of Fish and Game, and the U.S. Fish and Wildlife Service managing lands along and under the sea. Joshua Tree National Park spans the transition from the Mojave to the Colorado Desert, with slightly less than half the park, about 340,000 acres, in the Colorado Desert. Anza Borrego Desert State Park encompasses over 600,000 acres, or nearly 9 percent of the region, and the Santa Rosa Wildlife Area, which includes Fish and Game, State Lands Commission, and BLM lands, encompasses about 100,000 acres. **Together, Joshua Tree National Park, Anza Borrego Desert State Park, and the Santa Rosa Wildlife Area, along with other protected lands in the Mojave Desert, are part of the Mojave and Colorado Deserts Biosphere Reserve, designated by the United Nations as an important global site for preservation of the biological and cultural resources of these two desert regions.**

Although the Colorado Desert remains one of the least-populous regions in California, human activities have had substantial impacts on the region's habitats and wildlife. Many unique communities, particularly aquatic and dune systems, are limited in distribution and separated by vast expanses of inhospitable, arid desert terrain. Even limited human disturbances can have markedly deleterious effects on the endemic and sensitive species supported by these unique regional systems. (bold and underline added)

Some of the greatest human-caused effects on the region have resulted from the water diversions and flood control measures along the Colorado River. These measures have dramatically altered the region's hydrology by redistributing the region's water supply to large expanses of irrigated agriculture and metropolitan coastal areas. The once-dynamic Salton Sea and Colorado River ecosystems are now controlled by human water management. Because of the scarcity of water resources in the desert environment, these alterations have had substantial impacts on regional wildlife and habitats. In addition, portions of the region are experiencing substantial growth and development pressures, most notably the Coachella Valley.

D0175 cont.

From: 'Glenn Stokes' <grs4102@cox.net>
To: <sunrise@aspeneg.com>
Sent: Wed Apr 9 10:01
Subject: Fwd: Sunrise Powerlink EIR/EIS : Updated Information

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

Sent via e-mail to: sunrise@aspeneg.com

REGARDING: UPDATE TO MY PREVIOUS COMMENTS ON THE SUNRISE POWERLINK
EIR/EIS AND BIOSPHERE RESERVES:

UNESCO's Man and Biosphere Program web page <http://www.unesco.org/mab/mabProg.shtml> and
BIOSPHERE RESERVE web page <http://www.unesco.org/mab/BRs.shtml> and BIOSPHERE
RESERVE FAQ web page http://www.unesco.org/mab/faq_br.shtml have just been updated as of April
08, 2008 as is indicated in the lower left of each web page.

Although I have previously submitted similar information , this information was posted on the
UNESCO web site after I gathered information that I recently submitted.

It is difficult to determine exactly what has been updated in the April 08, 2008 changes so I am sending
copies of the three web pages to ensure that I have provided the most recent known information.

Copies of these web pages are also attached as Microsoft Word Document files. The web pages are
copyrighted by UNESCO. Permission has not been obtained to publish or post them however in order to
preserve the content of those pages as of a particular date (as they may change in the future) they have
been copied for EIR/EIS filing purposes only and should not be used for any other purpose.

My purpose is to bring to the Commission's attention that Anza-Borrego Desert State Park is within the
Mojave-Colorado Deserts Biosphere Reserve, and because of this ABDSP is included within the scope
and intent of 102d Congress 2d session H. CON. RES. 353
<http://thomas.loc.gov/cgi-bin/query/z?c102:H.CON.RES.353>:

And because of the above local and State governments should, as specified by Congressional Resolution,
provide Biosphere Reserves with management as specified within Agenda 21 and the Guiding Principles
for Projects on Biosphere Reserves and the Seville Strategy for Biosphere Reserves and The Statutory
Framework of the World Network of Biosphere Reserves and the Feb 08 2008 Madrid Declaration on the
World Network of Biosphere Reserves. (all of which I have previously submitted)

Sincerely,

Glenn Stokes
3013 Roadrunner Drive S.
Borrego Springs, CA 92004

Mail:
PO BOX 124797
San Diego, CA 92112-4797

D0175 cont.

From: 'Glenn Stokes' <grs4102@cox.net>

To: <sunrise@aspeneg.com>

Sent: Wed Apr 9 10:01

Subject: Fwd: For Inclusion in the Sunrise Powerlink EIR/EIS as 'informational'.

DENVER (March 14, 2008) — The Department of Energy (DOE) violated the National Environmental Policy Act (NEPA) and failed to comply with Section 1221 of the Energy Policy Act of 2005 (EPA) when it designated National Interest Electric Transmission Corridors (NIETC) across huge swaths of land in the nation's Southwestern and Mid-Atlantic states, according to a lawsuit filed yesterday in the United States Court of Appeals for the Ninth Circuit.

“Places like California's Joshua Tree National Park and the Kofa National Wildlife Refuge in Arizona are being put at risk through the Department of Energy's failure to look at the likely damage these places will suffer in its rush to designate transmission corridors and give the Federal Electricity Regulatory Commission unheralded authority to approve projects in them,” Nada Culver, Senior Counsel for The Wilderness Society, said.

“Consideration should be given to avoiding these significant habitats entirely.”

In the Southwest, twelve National Wildlife Refuges, four National Park service units, and dozens of other areas set aside for conservation purposes in southern California and Arizona could potentially be crisscrossed by high-voltage power lines. The Mid-Atlantic NIETC includes hundreds of square miles in eastern Ohio and all or substantial portions of Pennsylvania, New Jersey, New York, West Virginia, Maryland, Virginia, and Washington, D.C., impacting so many natural and historic wonders that this so-called “corridor” area was named by the National Trust for Historic Preservation as one of America's 11 Most Endangered Historic Places.

“The Department of Energy also ignored Congress's intent by failing to comply with the Energy Policy Act's mandates to fully consider public comments and alternatives in designating these corridors,” Culver added. “As a result, large swaths of lands, not corridors, are prime targets for development and DOE's actions will enable projects to go forward even over the objections of state and federal agencies, as well as private citizens.”

The Department of Energy has interpreted the legislative language as giving the agency the power to designate whole regions of the country—even entire states — as potential energy corridors, according to Culver. Once the areas are identified, authority for approval of projects within the transmission corridors can be issued by the Federal Energy Regulatory Commission (FERC), through an abridged approval process with watered down environmental review, which can be used to bypass and even override state and local authorities. Companies can also be permitted to use the government's eminent domain authority to condemn private land to ensure new transmission lines are built or existing lines are expanded and can also override federal, state or local agency denials of authorizations by appealing directly to the President.

“This lawsuit is not about stopping transmission projects. We recognize the need for increased investment in transmission solutions across the country,” Anjali Jaiswal, an attorney for NRDC, said.

“But we need to ensure that these transmission corridor designations take place in compliance with federal environmental law.”

This lawsuit, filed after DOE denied a rehearing, is in addition to other actions already pending in federal district courts filed by conservation groups and the State of Pennsylvania. Moreover, members of the U.S. Senate have called for and will be holding oversight hearings on the NIETC designations. The Senators cite the DOE's failure to take into account alternatives to use renewable energy or encourage conservation, as well as failures to comply with environmental laws and to respond to the concerns raised by states and citizens. (emphasis added by me)

“This proposal threatens to undermine years of conservation efforts to protect places such as the California Desert Conservation Area and other wild places throughout the state,” said Brent Schoradt of the California Wilderness Coalition. “The Department of Energy has failed to properly consider public comment or exclude areas in California that are designated wilderness, national monuments, national parks and roadless forest lands.” (My comment: and Biosphere Reserves)

D0175 cont.

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