

April 11, 2008

CPUC/BLM
c/o Aspen Environmental Group
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Dear CPUC/BLM,
Thank you for the opportunity to comment on the DEIR/DEIS for Sunrise Powerlink.

Inventoried Roadless Areas

The LEAPS Te-VS transmission line would cross Inventoried Roadless Areas. Figure E.7.1.4-1 does not show these inventoried roadless areas. The other alternatives show this important piece of information, since a new transmission line would require roads and currently roads can not be built in IRA's.

The dam itself, which would be built within an existing Inventoried Roadless Area, would require a road built around the perimeter of the dam. The Roadless Rule was recently (September 20, 2006) reinstated by the US District Court. This rule prohibits new road construction and reconstruction in Inventoried Roadless Areas. Subsequently, the Chief of the Forest Service has issued an agency-wide directive prohibiting any "further management activities in inventoried roadless areas that would be prohibited by the 2001 Roadless Rule."

LEAPS Dam Impacts

Section E. is missing many of the potential impacts of the dam including:

- potential of overfill causing breach of the dam. Overfill can be caused by faulty design or by improper operation
- reservoir induced seismicity. In some cases (~4%) the water stored behind a dam can cause increased seismic activity
- proximity to active faults
- Increased Risk of deadly floods

If the 240 foot dam fails due to leaks, earthquakes, or over fill, there will be devastating impacts on the heavily populated communities of San Juan Capistrano or Lake Elsinore. Here are some quotes from the LEAPS EIR written by FERC:

"a dam breach at the ... upper reservoir site would generate a flood wave that would cause overbank flow along San Juan Creek for about 15 miles to the Pacific Ocean. The areas subject to flooding include campgrounds, residential and commercial buildings, and Ortega Highway (State Route 74) stream crossings. The study estimates that depths could be as high as 39 feet in the narrow canyon areas."

"the proposed project would be classified as having a high downstream hazard potential ... dams assigned the high hazard potential are those for which failure or misoperation would probably cause loss of human life."

All of these issues need to be addressed in the FEIR/FEIS.

Correction

Typographic error on p E3.1.1, "The route would also be within the Roadless Area from about MP D-6.4 to D.7 and again from MP D-8.3 to D-9." D.7 should be changed to D.8.

Figure E0301-3_RoutedD_CNF_LandUseZones.pdf clearly shows this.

So the new sentence should read ““The route would also be within the Roadless Area from about MP D-6.4 to D.8 and again from MP D-8.3 to D-9.” This increases by over 75% the length of the route inside a Roadless areas, from 1.3 miles to 2.3 miles

Proposed Wilderness Areas

E.3.2.1 Mentions that Route D would cross the USDA Forest Service’s Proposed Eagle Peak Wilderness and Proposed San Diego River Research Natural Area. But it does not state the fact that if this line and associated towers were installed, the area would no longer be suitable for Wilderness. In other words, this project would degrade Wilderness-quality area such that it could no longer be preserved as Wilderness.

For the Route D Alternative, E.3.2 "Biological Resources" mentions briefly the Proposed Eagle Peak Wilderness, but this is not mentioned anywhere in E.3.5 "Wilderness and Recreation". This downplays the importance of this magnificent area and it’s potential as Wilderness.

Figure E.1.5-1 (and section E.3.5 on Wilderness and Recreation) does not show or mention Eagle Peak proposed Wilderness Area. It also does not show that the line would cross tow Proposed Wild and Scenic Rivers – Cedar Creek and San Diego River.

Areas of wilderness quality land are dwindling. This type of land can not be created from disturbed areas. In other words, you can not mitigate the reduction of wilderness quality land because there is no way to create more wilderness quality land.

Section E.3.15-1 states “Much of the central portion of the fireshed has been recommended as wilderness by local citizens and conservation groups due to its remote nature and unique natural resource values.” But this section fails to note that Eagle Peak Proposed Wilderness Area were included in a bill introduced by Senator Barbara Boxer and Congresswoman Hilda Solis, the California Wild Heritage Act of 2007. In other words, it’s not just citizens but also members of Congress that think this area should be given Wilderness protection.

Creeks, Rivers, and Gorges

The Cleveland National Forest was originally set aside to protect the Watershed. Putting transmission lines with associated roads across gorges of the San Diego River, Boulder Creek, Cedar Creek, King Creek, Conejos Creek, and Ritchie Creek will have a significant impact on water quality. As can be witnessed by the existing roads for the nearby 69 KV line, these roads require extensive maintenance due to seasonal waterflows. Contractors often performing the maintenance on these roads result in large quantities of soil and debris being pushed in the to surrounding creeks

The dramatic and wild beauty of these areas does not lend them easily to roads. Steep slopes that lead to the creeks and river are not places to install utility roads if the goal is to prevent soil erosion and loss of water quality.

Non-Profit Conservation Areas in the area of Modified Route D

Section E.4 no mention of the non-profit organizations that have purchased many large plots of land that were set aside as conservation areas. The conservation areas will now have a powerline built on them if Modified Route D is chosen. The organizations paid a considerable amount of money for the natural beauty of this area and it’s conservation potential. This impact should be noted in the FEIR. For example, the route would cross a parcel that was funded by the Nature Conservancy and owned by the Back Country Land Trust. The route also crosses two other parcels that were funded from the Resources Legacy Foundation Fund and are owned by the Back Country Land Trust.

Research Natural Area

The DEIR on Route D makes no mention that the route would pass through the proposed Upper San Diego River Research Natural Area, between mile markers D-14 and D-16. This RNA was proposed in the 2005 Land Management Plans. According to the Cleveland National Forest website, RNA's "include relatively undisturbed areas of the national forest that form a long-term network of ecological reserves designated for research, education, and the maintenance of biodiversity. This designation applies to both established and proposed Research Natural Areas. RNA's are selected to preserve a spectrum of relatively pristine areas that represent a wide range of variability within important natural ecosystems and environments, and areas that have unique characteristics of scientific importance."

Note that RNA's are not set aside as transmission corridors. The Research is not for the protection of transmission lines and industrial towers, but to study the natural state of the area.

Raptor Closure Areas

The Forest Service is proposing to close 4 sections of the Cleveland National Forest during the breeding season of two raptors – golden eagles and prairie falcons. These closure are seen as critical to protect their declining populations. Two of the alternatives appear to encroach on these closure areas – the I-8 alternative (MP 58 – 59) and the BSW alternative (MP 5 – 5.6). These two raptor species are extremely sensitive to human presence and to man made disturbances. For example, rock climbing activity can discourage these species from nesting in the area.

<http://www.fs.fed.us/r5/cleveland/projects/projects/seasonal-closures/index.shtml>.

The proposed seasonal location is called "Glencliff".

<http://www.fs.fed.us/r5/cleveland/projects/projects/seasonal-closures/map-glencliff.pdf>

Installing a power line, operating a power line, and maintaining a power line are all incompatible with the goals of this seasonal closure (to keep all humans and human activities outside of the boundaries during the closure period). These alternatives should be re-routed away from the raptor closure area.

Sincerely,

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