

Comment Set B0043
SunCal Companies
(Portions of this comment appear on DVD only)



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Delivery by Facsimile and Email

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Re: Comments of SCC Acquisitions, LLC on January 2008 Draft Environmental Impact Report/Environmental Impact Statement on the Sunrise Power Project

Dear Ms. Blanchard and Ms. Kastoll:

On behalf of SCC Acquisitions, LLC (SunCal), we appreciate this opportunity to submit comments on the Draft Environmental Impact Report/Environmental Impact Statement (Draft EIR/EIS) prepared jointly by the California Public Utilities Commission (CPUC) and the U.S. Department of Interior Bureau of Land Management (BLM) regarding the Sunrise Powerlink Project (SRPL). SunCal has previously submitted comments on the SRPL on October 8, 2007 expressing its opposition to the Southern Alternatives and identifying specific impacts related to those routes and incorporates that letter by reference.¹ As discussed herein, such comments have largely been ignored in the Draft EIR/EIS.

In the voluminous Draft EIS/EIR, certain alternatives were identified as “environmentally superior” as compared to numerous other considered alternatives and, presumably, rejected

¹ As noted in that prior correspondence, SunCal’s concerns apply equally to any of the Southern Routes as all such alternatives considered to date would traverse the Ketchum Ranch described in more detail below.

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alternatives. From that analysis, the Draft EIR/EIS found that the overall environmentally superior alternative choice is the “no-wires” construction of new in-area all-source generation which would add one baseload and four peaking gas-fired power plants plus San Diego County renewable generation. Following that choice, the Draft EIR/EIS rates the other “no wires” choice of new in-area renewable generation as the second choice. Among the transmission choice, the LEAPS Transmission-Only Alternative was identified as the third best option. Each of these choices has fewer significant, unmitigable impacts than the Proposed Project and the “preferred” Southern and Northern routes.

While SunCal agrees that a plan which does not require construction of lengthy transmission lines is preferable and encourages adoption of such a plan, it submits these comments out of concern that the southern transmission options will continue to be considered.

Currently, after the non-wires and LEAPS transmission choices, the Draft EIR/EIS finds that the Interstate 8 Alternative with Modified Route D is the environmentally superior alternative Southern Route (Draft EIR/EIS, ES-3). This route is followed in the ranking by the Environmentally Superior Northern Route Alternative and then by the Proposed Project itself. (Draft EIR/EIS, ES-64) As described in these comments, SunCal strongly opposes the selection of any of the Southern Route (SWPL) Alternatives, including the Interstate 8 Alternative, and demonstrates here that:

1) the Draft EIR/EIS has ignored numerous impacts of such route on Ketchum Ranch, the Ketchum Ranch project and the surrounding communities, including the town of Jacumba;

(2) the Draft EIR/EIS failed to look at other alternatives that would have reduced impacts on the Southern Routes; and

(3) the Southern Alternatives do not meet the project’s objectives.

In ranking the impacts of the various alternatives, CPUC has violated the requirements of CEQA by utilizing a numeric count of impacts rather than an evaluation of the relative significance of impacts for each alternative and as a result fails to properly take into account the significance of impacts in determining which alternatives are environmentally superior. Moreover, by failing to examine many potential environmental impacts for the Southern Alternatives with the degree of specificity with which the Northern Alternatives were analyzed, the Draft EIR/EIS has rendered any numerical count of impacts meaningless.

By failing to meet the CEQA requirements outlined above with respect to the Southern Alternatives, the Draft EIR/EIS fails to meet the requirements of CEQA with respect to full disclosure and proper analysis of the impacts of the SWPL on Ketchum Ranch and the community of Jacumba. The Draft EIR/EIS must be modified and recalculated so that full disclosure as required by CEQA is achieved.

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I. Description of SunCal's Interest in this Proceeding

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As identified in our earlier comments, SunCal has a legal interest in the 1250-acre Ketchum Ranch property adjacent to and east of the existing Jacumba town site. SunCal is proposing a master planned community on the Ketchum Ranch, consisting of 2,125 residential units, retail commercial development, an elementary school site, a public neighborhood park, a recreational area, dedicated open space, a wastewater treatment facility, flood control channels, agriculturally zoned land, and associated infrastructure necessary to support the project. An application for this Project has been filed with the County of San Diego and a Notice of Preparation (**a copy of which is attached as Exhibit A**) was circulated on July 26, 2007, prior to release of the Draft EIR/EIS. As such, CPUC is legally required to address and discuss the environmental impacts and cumulative environmental impacts of the proposed SWPL on the proposed Ketchum Ranch project, including those potential impacts identified as specific to development of the site in the Notice of Preparation.

Ketchum Ranch is located in the area shown on Figure E.1.1.-2b of the Draft EIR/EIS where the Southern Routes all turn to the northwest before returning to Interstate 8. At present, there is an existing SDG&E 200-foot Right-of-Way ("ROW"), with 500 kV powerlines and structures, which bisects the Ketchum Ranch property. The Ketchum Ranch preliminary project design and CEQA process take into account the existing 200-foot ROW. Using any of the Southern Routes, however, would increase this ROW three-fold to 600 feet, bisect the property for a length in excess of a mile and have a significant adverse environmental impact on the proposed project which is not disclosed in the Draft EIR/EIS

In addition, SunCal is developing plans to implement a comprehensive renewable energy strategy at Ketchum Ranch, to include up to 4 MW of photovoltaic installations on homes and community facilities, conservation and load control measures, and the procurement of off-site renewable power. The feasibility of this strategy, however, is highly sensitive to the land plan and unit count at Ketchum Ranch. The location of the proposed SWPL southern routes, each of which traverses the center of the Ketchum Ranch property, will have a negative impact on the feasibility of any of these renewable energy measures at Ketchum.

A map of the proposed Ketchum Ranch community is attached hereto as **Exhibit B**. As shown on the map, the expanded ROW will severely undermine the Ketchum Ranch project and its positive impact on the community of Jacumba. Accordingly, impacts to the Ketchum Ranch project, which is the primary method by which the community of Jacumba will be revitalized, must be, but have not been, taken into account in evaluating each of the Southern Routes. As described in these comments, the Commission should fully analyze and consider the potential impacts of the SWPL on the Ketchum Ranch project and the community of Jacumba as the SunCal Ketchum Ranch project seeks to develop a community in a unique area which is

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otherwise constrained by topography and natural resources, and which will benefit economically from the SunCal Ketchum Ranch project.

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II. The Draft EIR/EIS Is Insufficient as it Fails to Consider All Impacts Associated with the Southern Alternatives

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As previously noted, SunCal, the Ketchum Ranch project and the community of Jacumba are equally harmed by any of the Southern Routes insofar as all of them deviate from Interstate 8 and traverse the narrow strip of land between the international border, the local airport and I-8 in which the community of Jacumba and Ketchum Ranch are located. As clear from Chapter C of the Draft EIR, the Commission focused all of its efforts on analyzing the various alternatives to the Interstate Route, mostly to the west of Ketchum Ranch and Jacumba. Indeed, the Draft EIR/EIS notes only in passing why it chose not to even consider avoiding the Jacumba/Ketchum Ranch area:

Another location for a new 500 kV line to join the I-8 would be near the San Diego/Imperial County line because the I-8 and existing SWPL are in very close proximity at that point. However, moving to the I-8 corridor at this point would require that the new transmission line be installed within [Anza-Borrego Desert State Park (ABSDP)] for about one mile. This area was not included as part of the I-8 alternative because avoidance of ABSDP is one of the major reasons for considering southern alternatives.²

In addition, it appears that the Ketchum Ranch was referenced only twice in the voluminous Draft EIR/EIS and none of the specific impacts to that community and Jacumba were addressed in any detail.

Having ignored impacts associated with the “preferred” Southern Route, the Draft EIR/EIS then heavily relies on the gross number of impacts for one alternative vis-à-vis the other alternative. Based on this fairly simplistic approach, the Draft EIR/EIS concludes that, among the longer transmission-oriented alternatives, the Southern Route is marginally preferable to the Northern Route or the Proposed Project. As set forth here, however, the Draft EIR/EIS does not take into account other significant and unmitigable impacts associated with the Southern Routes. For example, the Commission has failed to take into account that the Modified Route D Alternative remains substantially longer than the Preferred Alignment, thus inherently creating

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² Draft EIR/EIS E.1.1, p. E.1.1.-2. The Draft EIR/EIS fails to compare the impact of a one mile transmission line paralleling Interstate 8 along the edge of ABSDP with the Proposed Project’s 22.6 miles long route through the center of ABSDP. Similarly, the Draft EIR/EIS does not consider or discuss other options such as the undergrounding of the line for that one mile to mitigate impact on the ABSDP.

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more environmental and biological impacts. Alternatively, given the significant impacts already identified with even the “preferred” Southern Route, the environmental review process should consider other alternatives, including a route running parallel to Interstate 8 until near the San Diego-Imperial County border with possible undergrounding through the one mile traverse of ABSDP.

B0043-6 cont.

A. Land Use Impacts and Impacts to Human Environment

In the prior comments submitted, SunCal identified various impacts of the Southern Routes. As referenced above, the Draft EIR/EIS focused its examination on the comparative impacts of various alternatives to the Interstate 8 route. The Draft EIR/EIS failed, however, to consider the significant land use impacts to the Ketchum Ranch proposed project. It is particularly troubling that the Draft EIR/EIS contains volumes of information devoted to preservation and avoidance of biological resources, yet fails to devote consideration except at the most cursory level with respect to the impacts of the proposed SWPL project on the human population and environment.

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Exhibit B to these comments includes the submitted project design for the Ketchum Ranch. As shown on that map, the plan addresses the existing SWPL transmission line and its 200-foot right of way. If the ROW is increased to 600 feet, as shown on the exhibit, it will split the planned residential community in tow to a much greater degree than currently and will cause the following direct impacts on the Ketchum Ranch project:

- Direct and indirect loss of developable land on Ketchum Ranch to the north of the proposed power line;
- Loss of home sites and/or reconfiguration of housing types and mix due to alteration of the project density.
- Separation of commercial uses currently lacking and much-needed from Ketchum Ranch and Jacumba residents;
- Conflict with pedestrian paths, requiring future residents including elementary school children to traverse under 600 feet of power line easement;
- Adverse effects on the natural and rehabilitated surface drainage;
- Adverse visual impacts producing an unappealing setting and entry to the project;
- Impacts to location of infrastructure systems such as waste water treatment;

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- Elimination of the primary circulation system into and through the community; B0043-11
- Interference with a significant groundwater well location at the confluence of the drainage channels; B0043-12
- Elimination of the sustainability features of Ketchum Ranch; and
- Incompatibility of the EMF and noise of the wires, landscape restrictions, maintenance operations and the backdrop of towers with adjoining residences. B0043-13

It is particularly troubling that the impacts on Ketchum Ranch were not taken into account given the discussion of Impact L-2 in the Draft EIR/EIS (p. E.1.4-12) and the commitment in Mitigation Measure L-1b that requires SDG&E to coordinate with landowners and to avoid areas where there are new developments in the planning and approval process. If SDG&E did not know of the proposed Ketchum Ranch at the time of the initial scoping process for the Sunrise Project, which appears to be the case, it and the Commission have been on notice of the existence of the proposed development since at least July 2007. Given that, the Draft EIR/EIS could have (but did not) take the numerous land use impacts into account. As such, if a longer transmission line is deemed necessary instead of the preferred “no-wires” options, SunCal submits that the Final EIR/EIS must examine the identified impacts carefully, consider appropriate alternatives to the current Southern Route (such as paralleling I-8 from the Imperial County line), or opt for the Northern Route or Proposed Project instead of any of the Southern Alternatives. B0043-14

Further, the Modified Route D Alternative would traverse through many private rural properties within the East County communities of Alpine, Barrett Junction, Boulevard, Campo, Descanso, Jacumba, Japatul, Lake Morena, La Posta, Live Oak Springs, and Potrero. The Interstate-8 Alternative would also traverse all of these communities, plus the communities of Guatay, Lakeside, and Pine Valley. It would traverse vast expanses of open space areas, numerous residential properties and portions of the Cleveland National Forest. In considering the Powerlink Project, the Commission should take into account the potential impacts on these communities on a comprehensive basis to the “backcountry”, including but not limited to decreased land values, aesthetic and safety impacts, and conflicting land uses. B0043-15

The EIR should also consider other short-term and long-term impacts on the human population within Ketchum Ranch and Jacumba. For instance, short-term construction impacts such as temporary noise, traffic and dust impacts are likely to result. In the long-term, nearby residences would experience increased noise levels associated with the transmission line operation, as well as possible air quality and aesthetic impacts and increased fire danger resulting from line maintenance and operation. The EIR should take into account all of these potential effects on the existing and proposed land uses surrounding the Powerlink Project.

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B. Biological Resources

The EIR should carefully consider how construction of the Powerlink Project could disturb a number of sensitive biological resources which are found along the route of the Alternative alignments including wetlands, riparian forests, oak woodland, and chaparral. For example, the Draft EIR/EIS fails to take into account the impacts of the proposed Powerlink on a Corp of Engineers designated blue line stream that traverses the site in the vicinity of the proposed SWPL Right of Way.

In addition to diminishing the extent and value of these vegetative communities, the loss of these communities could negatively impact a number of sensitive plant and animal species which rely on these habitats. The fact that these communities exist outside of the state park system does not diminish the potential impacts to these communities.

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C. Wilderness Areas

Much of the Modified Route D Corridor remains in the Jacumba Wilderness Area along the existing Southwest Powerlink ("SWPL") transmission line. (PEA, p 3-18.) Unlike within the Anza Borrego State Park, motorized equipment, road construction and transmission line construction are not permitted within a Wilderness Area. (See Federal Lands Policy Act.) Moreover, the Commission should seriously consider the Modified Route D Alternative's impacts relating to crossing of Scenic and Cultural Trails, impacts to residential lands, and extensive impacts to the Cleveland National Forest, Indian Land and Essential Habitat. (PEA, p. 3-19.)

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D. Hazards and Fire Risk; Energy Reliability

As shown in the fires of late 2007, San Diego County is ripe territory for wildfires. The construction of another transmission line, adjacent to the SWPL through Ketchum Ranch and surrounding areas increases the risk of wild fire. The Interstate-8 Alternative overall would traverse through areas of high fire risk. As such, the SunCal Ketchum Ranch project would be subject to increased fire risk relating to construction and long-term maintenance of the power lines. The CPUC must analyze (in more depth than in the Draft EIR/EIS) the potential impacts of wildfire on surrounding land uses and communities, including the SunCal Ketchum Ranch project.

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Further, the CPUC must consider the cumulative impact of adjoining lines on wildfire risk and power disruption or outage. Since the Southern Routes would put the Sunrise Powerlink project in the same corridor with the existing Southwest Powerlink for a significant distance, it would magnify the risk of an N-2 event, making San Diego's energy supply more vulnerable to

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interruption from a terrorist act or natural disaster such as wildfires or earthquakes. In particular, the arbitrary decision to extend the parallel construction of the two lines instead of paralleling Interstate 8 in eastern San Diego county increases this risk. In addition, by placing these two lines parallel, a wildfire incident such as occurred in late 2007 would have the possible and deadly ramification of taking down two lines providing an even greater proportion of electricity to the San Diego region.

B0043-18 cont.

E. Aesthetic Impacts

The Southern Route will have significant aesthetic impacts compounding those already encountered along the corridor of the existing 500 kV line as it passes directly through Jacumba and the SunCal Ketchum Ranch project. The total 600-foot right-of-way with large pole structures and a second set of power lines imposing on homes and backyards will seriously degrade the integrity of the community. Further, as noted in prior SunCal comments, the placement of this ROW at the main exit from I-8 and into the community of Jacumba will negatively impact the aesthetic appeal of the community to travelers, thereby reducing the viability of economic renewal within the community. The Draft EIR/EIS largely fails to recognize the existence of the Ketchum Ranch project and, thus, does not address the significant impact on a new community in the region. The potential decline in property values associated with an expansion of the ROW and the construction of another large transmission line could undermine the positive benefits to the community of Jacumba.

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F. Public Health and Safety

In the Draft EIR/EIS, Chapter E.1.10, the serious issue of environmental contamination associated with the Southern Routes was discussed. Such discussion did not, however, take into account the potential impact of environmental contamination on the Ketchum Ranch. Like the other issues raised in this letter, the Draft EIR/EIS simply did not address the risks of contamination, including into the groundwater basin, on Ketchum Ranch and the community of Jacumba. A reduction in the development of Ketchum Ranch will adversely affect the feasibility of improving public services and facilities that serve the project and Jacumba. These facilities and services include storm drain improvements to eliminate the inundation and isolation that has occurred in the past to the town of Jacumba. Other benefits of the project that might become cost prohibitive or infeasible are the replacement of educational facilities, waster water treatment, groundwater improvements, health care and enhanced local fire protection

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G. Environmental Justice

The Draft EIR/EIS addresses the principles of environmental justice by focusing on identified communities within the region. It does not take into account any environmental justice issues between the Southern, Northern, and Proposed Project. As shown, the Southern Routes

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will have an equal, if not greater, impact on the environment when compared to the Proposed Project or the Northern Alternative. Therefore, the Commission should question the equity of considering a route location which will traverse inhabited back country communities of San Diego County. Due to scarcity of natural resources and topographical constraints, many of these communities exist in an underdeveloped condition with little economic incentive or potential for growth. The SunCal Ketchum Ranch project will revitalize some of these communities, but the Modified Route D Alternative and other alternative routes could eliminate or minimize these economic benefits.

B0043-22 cont.

Environmental justice should be considered for the overall area surrounding Jacumba. The Social Equity and Environmental Justice chapter of the San Diego Association of Governments 2004 Regional Comprehensive Plan includes as one of its goals the following: "Locate energy facilities, such as power plants and/or transmission lines, so that lower income and minority communities are not disproportionately negatively affected." This goal has relevance in Jacumba, for example, as a community which thrived before economic problems developed when the Interstate 8 Freeway rerouted traffic away from the town and created a visual barrier as well. That barrier will be exacerbated by the addition of a second 500 kV line across Ketchum Ranch. The proposed Ketchum Ranch project provides the Jacumba community with the opportunity for economic revitalization and the solution for long-standing physical problems such as flooding. The Final EIR should take into account the potential negative economic impacts of adoption of the Southern Route on this community.

H. Effect on Renewable Energy Facilities

SDG&E has listed access to renewable energy sources among the objectives of the Sunrise project. Ironically, selection of the Southern Route is problematic to the development of a sustainable community at Ketchum Ranch. In developing a sustainable community, it is economically necessary to develop a community of a certain size to achieve critical mass and make the development of this technology feasible. The reduction in the size and number of housing units and the logistics of building infrastructure around an energy corridor which will at least triple in size may cause SunCal's renewable energy strategy at Ketchum Ranch to become infeasible. The loss of this innovative and extraordinary renewable and sustainable community should be -- but again was not -- considered in the Draft EIR/EIS in the overall consideration of the Southern, Northern, and Proposed Routes.

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I. Agricultural Impacts

Even in the absence of the proposed Ketchum Ranch project, the Powerlink route through Ketchum Ranch may have significant adverse impacts on the existing agricultural operations at the property. The Ketchum Ranch is currently identified as "prime agricultural property" by the County of San Diego. Addition of 400 feet of right of way through the center of the property will sever the farm in two parts, including the water system and groundwater extraction.

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Maintenance and repair of the power line is incompatible with the production requirements for organic certification. Ketchum Ranch has proposed to mitigate these potential significant impacts through various means including conservation of other farmland.

B0043-24 cont.

III. The Draft EIR/EIS is Insufficient in its Analysis Given that the “Preferred” Southern Route Does Not Meet Project Objectives

B0043-25

According to SDG&E, Powerlink is needed for three reasons: (1) to maintain reliability; (2) to promote renewable energy; and (3) to reduce energy costs. (Application for Certificate of Public Convenience and Necessity, Part 1, pg 3.) The Draft EIR/EIS notes the CPUC and BLM have identified those same factors as Project Objectives. (Draft EIR/EIS, ES-3, p. ES-20) CEQA requires that project alternatives “which would feasibly attain most of the basic objectives of the project but would avoid or substantially lessen any of the significant effects of the project” be evaluated. (Title 14, California Code of Regulations [hereinafter, “Guidelines”], § 15126.6(a).) Alternatives, however, may be eliminated from detailed consideration for “failure to meet most of the basic project objectives.” (Guidelines, § 15126.6(c).) As described below and in prior SunCal comments, the Southern Routes do not meet each of these basic project objectives and should have been rejected on this basis. In contrast, for example, the Draft EIR/EIS finds that the LEAPS Transmission Alternatives more adequately meet the project objectives.

A. The Southern Route Does NOT Increase Reliability

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Much of Southern Route considered by the Draft EIR/EIS traverses areas with limited access and dense vegetation. An increase in electrical transmission lines would increase the risk of wildfire in an area already prone to fire danger. As called for by many individuals and organizations, the Commission should closely analyze the increased fire risks associated with construction and long-term maintenance of the Southern Route infrastructure. The Commission should also consider that given the high fire danger in the general area identified for the Southern Alignment, increases in energy reliability, at best, highly speculative. Indeed, reliability more likely will decrease. For instance, the Commission should be aware that the corridor being considered for this Alternative is inherently unreliable, and that the existing transmission line in the corridor has experienced outages due to wildfire approximately 20 times in the past 15 years. Sunrise would suffer from similar problems.

B. The Modified Route D Alternative Does NOT Promote Renewable Energy

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A 500 kV power line, the Southwest Powerlink, already exists along much of the Southern Alignment alternatives. The existing transmission facilities along the Southern Alignment are adequate for the development and transmission of renewable resources along the

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corridor, and thus, adding a redundant 500 kV circuit in the same alignment would offer no incremental benefit in the development of renewable energy sources. The Northern or Proposed Routes would, in contrast, open up new areas for the development of renewable resources along the alignment, most notably wind and solar generation. Further, the proposed power line is not dedicated to the transmission of renewable resources. It appears instead that the intention of the SWPL is not to optimize renewable energy transmission but instead to exploit more traditional sources of energy, including access to power generated south of the border with Mexico.³

B0043-27 cont.

The Commission should consider the positive impact that the Northern or Proposed Routes offers for renewable energy development, and should contrast that benefit with the small or nonexistent renewable energy benefits stemming from the construction of a redundant circuit in the Southern Alignment. The Commission also should consider that the renewable energy potential from the Imperial Valley, including geothermal generation from the Salton Sea area and the planned solar thermal generation from southern Imperial County, can be developed and used to a greater degree with the other routes, by avoiding the unreliability resulting from redundancy with the existing Southwest Powerlink system, as discussed above.

Last, as referenced above, Ketchum Ranch itself will be a sustainable community, precisely the approach needed in California to meet the overall goals of AB 32 and related initiatives to reduce greenhouse gas emissions in California. The State of California and the Commission have placed great emphasis on renewable energy as a means to meet the reduced Greenhouse Gas emissions in California. By choosing a route that very likely eliminates SunCal's opportunity to develop a model community of sustainability, the selection of the Southern Route is particularly troublesome.

C. The Draft EIR/EIS Ignores the Cumulative Impact of the Southern Route Given BLM plans and the National Transmission Corridor Study

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In Chapter G of the Draft EIR/EIS, the cumulative impacts of the various routes are supposedly addressed. As shown here, the analysis of the Southern Route does not take into account two other environmental reviews undertaken by the federal government which combined could have a devastating impact on southern San Diego.⁴

³ The BLM Draft RMP referenced in Section D below is intended to relax restrictions to transmission and development of renewable energy, but also does not identify sufficient sources in the area to justify transmission facilities at this location for production of renewable energy.

⁴ The SunCal comment letters referenced herein are each incorporated into this comment letter by this reference. Each of these letters has been delivered to BLM in connection with its work on the contemporaneous power planning efforts in the Jacumba corridor, as detailed below.

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First, BLM has recently issued its Draft Regional Management Plan and the Draft Environmental Impact Statement ("RMP/EIS"). In that plan, BLM is undertaking a review of land use considerations for approximately 103,303 acres of land in Eastern San Diego County, including the area where Ketchum Ranch will be developed. SunCal has recently submitted comments on that document to BLM identifying the impact of that plan which imposes all utility ROW on the private land within the BLM planning area while not analyzing any alternative utility corridors throughout the vast majority of the land (102,869 acres) of BLM managed land. In our comments, SunCal identified the impact of such plan on the community especially when coupled with the Sunrise Powerlink Project. Overall, the private landowners in southeast San Diego County are being asked to bear the burden of all expanded transmission simply to avoid all of the BLM managed land and various other federal and state land holdings. With BLM directly involved with the CPUC in this proceeding while simultaneously moving its own plan (which could preclude other alternatives), SunCal urges both the CPUC and BLM to carefully consider the implications of these two plans as part of the Sunrise review.

B0043-28 cont.

The second proceeding also would potentially push new utility corridors into the southeast corner of San Diego County further impacting the private landowners and communities in that area. In DOE/EIS-0386, the Department of Energy and the Department of the Interior, BLM have released a Programmatic Environmental Impact Statement for the Designation of Energy Corridors on Federal Land in 11 Western States ("Corridor PEIS"). In this document, DOE and BLM, as required by Section 368 of the Energy Policy Act of 2005, consider an array of utility corridors which could be placed on federal lands. Once again, one of the potential utility corridors identified is on the federal land in southeast San Diego County. These federal lands are on either side of the Ketchum Ranch property and one can easily see that the actual corridor would cross over this property in order to "connect the dots" on the adjacent federal parcels. SunCal filed comments on the PEIS on February 14, 2008 demonstrating the significant and devastating environmental impacts in the region associated with that designation and noted that the obvious connections between this proceeding, the BLM land use proceeding and the PEIS. In each of these proceedings, a lack of alternatives demonstrates the serious analytical flaws yet graphically demonstrate the burden being imposed on southern San Diego communities.

D. Other Alternatives Are Superior to the Southern Route

As demonstrated in these and SunCal's earlier comments, there are significant environmental impacts associated with the Southern route adopted. While the Draft EIR/EIS identifies some of the impacts, its lack of analysis on the additional impacts on the Ketchum Ranch development and surrounding area severely undercuts the value of the analysis.

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SunCal agrees with the conclusions of the Draft EIR/EIS that the best possible options available are the two "no-wires" choices followed by the LEAPS transmission only. All three of these outcomes present environmentally superior choices which still meet the project objectives.

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To the extent that one of these routes is selected by the CPUC and BLM as the best choice, SunCal concedes that no further analysis of the Southern Route is needed in this proceeding.

Between the remaining choices, SunCal strongly objects to the implication in the Draft EIR/EIS that the Southern route is superior to the Northern Route or the Proposed Project itself. Again, by focusing so much on the various options within the Interstate 8 Alternative, the Draft EIR/EIS failed to include impacts identified for the portion of such route which deviates from Interstate 8 to traverse Ketchum Ranch. When all the impacts of that route are factored into the overall evaluation, the marginal "preference" of the Southern Route vis-à-vis the Northern Route or the Proposed Route immediately disappears. To the extent that any of these longer transmission options are to be given further serious consideration, the preliminary ranking of the Southern Route as marginally preferable to the Northern and Proposed Routes must be carefully reviewed in light of the previously unconsidered significant and unmitigable impacts of the Southern Route.

Finally, and again to the extent that the Southern Route is given further consideration, SunCal stresses that consideration must be given to alternatives that mitigate the potentially significant impacts of the SWPL on the Ketchum Ranch development and Jacumba in general. As noted above, the Draft EIR/EIS apparently did not consider a logical route in which the Sunrise transmission line would parallel Interstate 8 starting near the San Diego-Imperial County border where the SWPL and Interstate 8 are the closest distance from one another because such line would traverse one mile of ABSDP.

Each of the significant and potentially significant impacts described above could be avoided by continuation of the I-8 Alternative parallel to I-8 in the vicinity of Jacumba. Instead, each of the SWPL southern alternatives drops south of the I-8, into a narrow strip between the international border and local airport and the I-8 corridor. This narrow area contains both the Ketchum Ranch and the community of Jacumba, each of which is directly impacted by the SWPL project. In contrast, traversing this area along the I-8 corridor is significantly less impactful to the environment. Although this alignment could involve a traverse of 1 mile of Anza Borrego Desert State Park, a traverse in this area of the park is not equivalent to the traverse described in the consideration of the northern alternatives.

The purpose of avoidance of ABDSP as a goal of the SWPL was to preserve wildlife corridors and visual impacts that a 22 mile stretch of project would create within the park. These are clearly not at issue at the southerly boundary, where the park is currently bisected by an interstate highway. The value of that area for recreation and wildlife is dubious at best. Moreover, recent Federal action to construct an international border security fence at the nearby Mexican border without State and Federal environmental review undermines the notion of a wildlife corridor in this vicinity.

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In further review of the Draft EIR/EIS, SunCal submits that it would be unreasonable for the Commission to fail to evaluate as part of its I-8 alternative, an option that parallels I-8 along its entire length rather than the current I-8 alternative which, in leaving the I-8 corridor, causes the significant and potentially significant impacts identified above. Although this alternative could require a short traverse of the state park, it would occur at an already-disturbed small section of the park by the construction and traffic on Interstate 8. The Draft EIR/EIS should also consider the possibility of placing the line underground for that mile if the impact on ABSDP is otherwise perceived to be too great.⁵

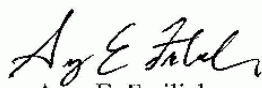
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III. CONCLUSION

As set forth in these Comments and in the protests, comments and statements made by public participants along the proposed Southern Route, the Draft EIR/EIS's proposed ranking of the Southern Routes over the Northern Route or the Proposed Project is deeply flawed. Such analysis fails to acknowledge numerous impacts of this route and, given the significant impacts found, does not support a choice of the Southern Route over the Northern or Proposed Project. Significantly, the selection of the Southern Route unreasonably imposes the entire burden of transmission into San Diego County on to the southern San Diego County communities described above.

Accordingly, SunCal strongly urges the Commission to carefully consider its comments on the Draft EIR/EIS and make necessary findings in a Final EIR/EIS which modifies the conclusion that any Southern Route is less impactful than the Proposed Project itself.

Respectfully submitted,



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⁵ Alternatively, the Final EIR/EIS should consider undergrounding the line through Jacumba and Ketchum in order to mitigate the impacts on the communities as well as address concerns over the ABSDP.