

MAR 07 2011

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CLIFFORD C. CALDWELL

PATRICK M. PACE

CHARLES A. PINNEY, JR.

Deceased

March 3, 2011

Mr. Iain Fisher, CPUC
Mr. Greg Thomsen, BLM
c/o Dudek
605 Third Street
Encinitas, CA 92024

Re: Draft EIR-EIS Comments / Opposition: Tule Wind, ECO
Substation, Energia Sierra Juarez

Dear Mr. Fisher and Mr. Thomsen:

This office is writing you on behalf of Trustee of the Walapai Trust to express the trustee's opposition and insure that it is documented in the record for the large wind turbine, substation, and power line projects that your agencies are reviewing as the Proposed Project, alternative projects and cumulative projects. As such, the trustee may have to join in filing of future lawsuits for damages related to nuisance, loss of property value, quality of life, loss of the use and enjoyment of the trust property, and other potential adverse effects to the trust property.

The Trustee of the Walapai Trust owns property to the West of Ribbonwood Road North of I-8 in Boulevard, CA in the neighborhood directly adjacent to one of the proposed projects. The Trustees of said trust (one trustee recently died) originally invested in approximately 10 acres to the West of Ribbonwood Road and to the North of Opalocka Road back in the 1990's because it was a beautiful and quiet place and they worked hard on keeping it up. The surviving Trustee is concerned for the future of the trust property, the neighbors and the local animals and wildlife. There are deer, bobcats, mountain lions, hawks, owls, woodpeckers and numerous other types of wildlife on the trust property. The property is impacted by the existing Kumeyaay wind turbines on the Campo Reservation less than two (2) miles to the west of it.

The local state and federal agencies should limit any further industrial wind turbine projects unless and until there has been a satisfactory review of the effects on the health of the individual property owners, indigenous bird and animals, and on the local property values. The trustee would ask you whether there has been any study of the effects of the proposed projects on the values of the adjacent properties in the

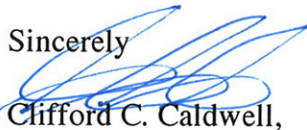
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area? Will the proposed projects depress the values of the adjacent properties and will the projects depress the potential growth of the local property values as these projects increase in the future. How do the proponents of said projects intend to protect the adjacent property owners if their projects are detrimental to the property values? Will they indemnify the adjacent property owners if they suffer any detrimental effects?

The Trustee also has concerns about the increased risk of fire, increases in the trust's fire insurance rates, noise pollution from industrial wind turbines (and their effect on people and local birds and animals), pollution by the surrounding electrical fields, shadow flicker from adjacent wind turbines, use of local water sources, and the effect of these projects on the quality and quantity of the water supplies. These items could substantially affect the uses and the value of the trust property.

The Trustee supports and encourages the efforts of Backcountry Against Dumps to protect and defend the rural community from invasive commercial industrial projects (including energy projects) that tend at its expense to degrade the environment, the community and the value of the trust property.

Sincerely



Clifford C. Caldwell,
Pinney, Caldwell & Pace, A Professional Corporation
Attorneys for the Trustee of the Walapai Trust
The Owner of property located to the North of Opalocka Road and West of
Ribbonwood Road, Boulevard, CA (APN 611-050-15-00)

cc: Donna Tisdale
P. O. Box 1275
Boulevard, CA 91905