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California Department of Parks and Recreation

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Pages D.3-26-27, 83

Visual sensitivity and overall visual change should be high (KVP 12/Impact V-15), as this is a backcountry area with springs, camping areas, and significant cultural sites. Many people go to this area specifically for reflection or spiritual reasons.

A0001-40

Section D.5.3 (Page D.5-22)

We agree with the assessment that construction and operation of the Proposed Project is inconsistent with State Wilderness and wilderness area designation per Public Resources Code sections 5019.68 and 5093.36, along with the ABDSP General Plan.

A0001-41

Project components within the wilderness areas that would be inconsistent with the designation include pull sites. Please see the Department's comments on sections D.16 and D.17 for additional discussion of the inconsistencies between the Proposed Project and the ABDSP General Plan.

We are also in full agreement with the conclusion that all wilderness and recreation impacts to ABDSP that would result from the Proposed Project are significant and unmitigable to a level less than significant. We do, however, offer some additional comments below.

Section D.5.6 (Pages D.5-31 to 34)

With respect to Impact WR-2, the wooden poles that support the existing 69kV line in the vicinity of Tamarisk Grove campground are monopoles approximately 50' tall, lending to their unobtrusive nature. Indeed, at the campground, these monopoles are to a large degree hidden by mature tamarisk trees approximately 30' to 40' tall and, as the Draft EIR notes, are not perceived as inconsistent with the park experience. This would change permanently and drastically if the monopoles were replaced with steel lattice or "H" towers more than three times the height of the trees.

A0001-42

Page D.5-35-36

Impact WR-3 should be Class I only. A conservative assumption that structures will be on or immediately adjacent to trails should also conservatively assume that relocation may not be successful.

A0001-43

Impact WR-3 omits from much of the discussion significant impacts that would occur to Yaqui Well Primitive Campground and Yaqui Pass Primitive Campground (located on S3 uphill from Tamarisk Grove Campground and Yaqui Well Primitive Campground) along with trails and parking areas associated with these areas. While primitive campgrounds, Yaqui Pass and Yaqui Well have a level of accessibility not generally available in much of the rest of ABDSP.

With respect to area trails, three of which have brand new interpretive brochures that allow for a self-guided experience. These are Yaqui Well Nature Trail, which includes a

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water feature, The Narrows Earth Trail, and the Cactus Loop Trail. Other trails include the Bill Kenyon Overlook Trail.

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MM 3-b does not specifically call out these facilities, even though Class I impacts are known.

Tamarisk Grove is almost unique as a camping facility in ABDSP. It was, for example, disturbed prior to becoming a campground, is located near the intersection of two roads, sits under mature trees, and has a relatively high water table that allows for drilling and a ready water supply. There may not be “comparable” areas in which to replace lost campsites at Tamarisk Grove. If, in the Department’s estimation, truly comparable sites cannot be found, then “comparable” should be replaced with objective criteria in MM 3-b in the form of a 3:1 ratio for lost campsites or the equivalent resources for other visitor serving facilities.

We also note that in addition to the loss of the Tamarisk Grove Campground, several associated support facilities would need to be removed. These include an employee residence and maintenance facilities. Mitigation should specifically account for this impact.

Section D.5.15.2 (Page D-90)

Impact WR-3 should be Class I only. A conservative assumption that structures will be on or immediately adjacent to trails should also conservatively assume that relocation may not be successful even if tower and road locations are coordinated with the authorized officer for ABDSP.

A0001-44

Section D.16.3 (p.D.16-3)

As noted in a comment letter of February 19, 2008, we concur in the conclusion that where there is a substantial inconsistency between the Proposed Project and the management plan applicable to State Parks lands, such plans must undergo amendment to overcome the inconsistencies and allow project approval. We do, however, also have some additional comments on plan consistency not addressed in that letter.

A0001-45

Biological Processes Guideline 1b (p.D.16-40)

The Proposed Project may not be consistent with the guideline because the mitigation may not be sufficient to uphold the guideline. Please see the general comments to section D.2 at page 9 of this correspondence.

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If you have any questions, I can be reached at (916) 653-6884 or by email at btorgan@parks.ca.gov.

Sincerely,

Original signed by

Bradly S. Torgan, AICP
General Counsel

Enclosures

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EXHIBIT 1

**“State’s Role Over Powerlink Debated,” San
Diego Union-Tribune, March 27, 2008,
on-line edition**

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California Department of Parks and Recreation



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State's role over Powerlink debated

Changing park plan would delay project

By J. Harry Jones

UNION-TRIBUNE STAFF WRITER

March 27, 2008

A lingering question in the Sunrise Powerlink controversy is what influence and legal powers, if any, the state Department of Parks and Recreation might have if a 500-kilovolt transmission line is ordered to be built through 22 miles of Anza-Borrego Desert State Park.

San Diego Gas & Electric Co. is concerned enough that it has revised its preferred route to stay within a 100-foot easement through the park where a smaller line runs. By doing so, the parks department will have no legal way to protest the project, the utility says.

However, the lead attorney for the parks department said that's not how he sees it. General counsel Bradley Torgan said Friday that even if the line were built within the easement, a general-plan amendment for the park would have to be made. That process could take up to a year, thereby delaying construction and increasing the cost of the line, which SDG&E says is needed right away.

"We disagree," said Michael Niggli, chief operating officer for the utility. "We've done a lot of research on this issue with outside counsel."

For the past two years, SDG&E's preferred route has had the line closely following the easement but at times veering from the path to make it straighter and to avoid having to cross over state Route 78 twice. By veering from the easement, the towers that support the transmission line could be kept smaller, perhaps 130 feet tall, and less numerous.

But never in state history has a wilderness area been "de-designated." Niggli and Torgan agree that de-designating wilderness would require the time-consuming process of a general-plan amendment.

Niggli is confident that by staying within the easement, construction could begin shortly after the project is approved.

Torgan disagreed, saying: "What they assert is that the enhanced northern route would not require an amendment to the general plan for Anza-Borrego Desert State Park. We have

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taken the position that any major transmission line through the heart of the park would require amending the general plan.”

The general plan for the park, finalized three years ago, provides a broad framework that guides state parks staff members in managing and operating Anza-Borrego. Such amendments could take years, but because a comprehensive environmental report for the Sunrise Powerlink has been done, Torgan estimates the amendment would take eight months to one year.

The existing line was built nearly 80 years ago and crossed the desert before it became a state park. SDG&E, in its filing, said the general plan for the park “expressly allows for the expansion of the existing transmission line within the existing corridor.”

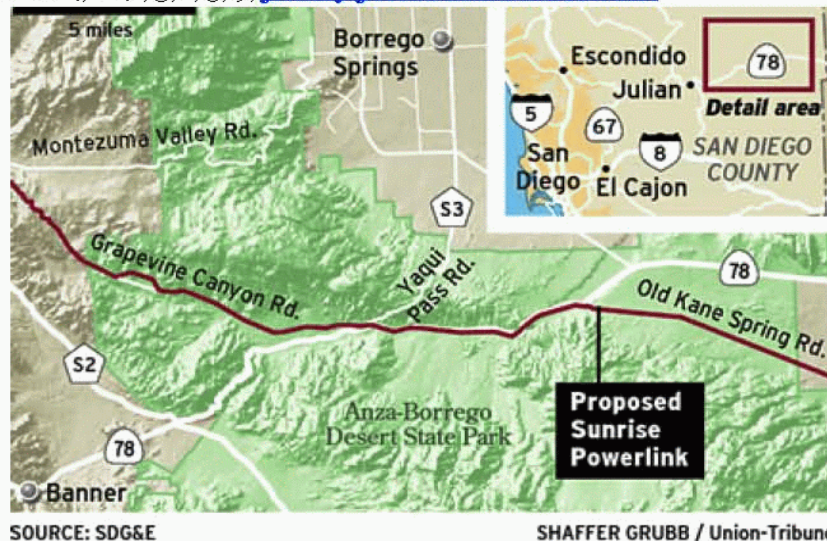
Under SDG&E's proposal, the Sunrise Powerlink would stretch from Imperial County across the park and a host of North County communities. The utility says that if the line is approved, private companies proposing huge solar-energy fields and geothermal fields in the Imperial Valley will be able to secure funding. The Sunrise Powerlink would then be able to transport that renewable energy to San Diego.

The state Public Utilities Commission is scheduled to decide this year if the project is needed, and if it is, where it should be built. The commission is considering several possible routes, including one that would avoid the park by running through East County much closer to the U.S.-Mexico border.

Niggli said he hopes that should the PUC approve the northern route, the parks department would allow the project, thereby avoiding a conflict between two state entities.

The director of state parks has been on record opposing the project, and opponents say that regardless of whether the line stays within the easement, it would constitute a horrible blight on the austere beauty of the land. If the line were to stay within the easement, it would require taller towers, as high as 160 feet, and more of them.

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EXHIBIT 2

**SDG&E Response to UCAN Discovery Request
No. 35, Questions 13-15, February 15, 2008**

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Chapter #	Page #	Paragraph #	Comment
D.16	D.16-36 to 50		<p>The EIR/EIS concludes in a number of instances that Proposed Project is "inconsistent" with ABDSP General Plan, but SDG&E disagrees with the interpretation of "inconsistent." Wilderness de-designation is the only issue related to the proposed project and certain alternatives that would require an amendment to the General Plan. For all other issues defined as inconsistencies, the ABDSP General Plan provides general direction or management strategies to park staff none of which are violated by the project, the plan explicitly contemplates the possibility that projects such as this may be proposed, and it contemplates that individual environmental review of such projects would be necessary - not a General Plan amendment for every individual project.</p>