

Comment Set A0013  
Imperial County Air Pollution Control Board

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**AIR POLLUTION CONTROL BOARD**

March 18, 2008

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

**RE: Draft EIR/EIS and Proposed Land Use Amendment  
Sunrise Powerlink Project, SCH No. 2006091071, DOI Control No. DES-07-58**

Dear Project Managers:

The Imperial County Air Pollution Control Board of Director's (ICAPCD Board) appreciates the opportunity to formally express our concerns related to the construction of a new 500 kV electrical transmission line from the Imperial Valley Substation located in Imperial County to a new substation to be located in San Diego County, and other projects called "connected actions" related to the Sunrise Powerlink Project (SRPL).

As pointed out in the ICAPCD Board's comment letter in September 2006, and the draft EIS Executive Summary, the ICAPCD Board's primary concern with this proposed project has been that this project would allow further fossil fuel burning facilities to be built in the Mexicali Valley; where air quality standards are less stringent than those in California, further degrading the air quality in Imperial County therefore, impacting the health of residents on both sides of the border.

On page ES-9 under Connected Actions and Indirect Effects, the EIR/EIS evaluates five projects that are closely related to the Proposed Project as to be considered part of the project. Of those five projects one is a proposed wind project in northern Mexico's La Rumorosa area. It then goes on to describe all the projects except the La Rumorosa wind project as being connected actions, whereas the La Rumorosa wind project is identified as an indirect effect based on the sole reason that it would be located outside the United States. Hence, even though the La Rumorosa wind project is considered closely related to the Proposed Project, but since it is located in Mexico, it does not need the same level of scrutiny when evaluating potential environmental impacts. The ICAPCD Board disagrees with this fundamentally flawed approach to assessing interrelated projects and request that the potential for outside U.S. projects connecting to and utilizing this Proposed Project infrastructure be assessed appropriately and those projects utilizing the Proposed Project infrastructure meet all the same standards as those located in the United States.

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Once again, the ICAPCD Board is very concerned that if these proposed modifications to the existing I.V. Substation are completed, and available transmission capacity is increased, this project will become a platform for building additional fossil fuel burning facilities just south of the border in the Mexicali Valley area that do not have to meet the same stringent air quality standards as in the United States. The end result could be further degradation of air quality in Imperial County, which does not meet several state and federal air quality standards, and exacerbate the negative impact on the health of the residents in Imperial County.

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*AN EQUAL OPPORTUNITY/AFFIRMATIVE ACTION EMPLOYER*

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The ICAPCD Board has previously submitted opposition comments on the Notice of Application for a Certificate of Public Convenience and Necessity and on transmission line project's that were proposed and subsequently approved by the applicant, San Diego Gas & Electric Company (SDG&E) [Environmental Assessment (EA) reference Nos. CA-42892 and CA-42893, letter dated September 26, 2001, to DOE and also a letter dated October 8, 2001 re: application 01-09-007] as it pertained to accommodating two merchant transmission lines to connect the power generating facilities being built in Mexico by Sempra Energy Resources and Baja California Power, Inc. (InterGen) to the electrical power grid operated by SDG&E in southern California. Again, if this Proposed Project is approved it will accommodate additional power generators in Mexico to connect to the U.S. power grid and not necessarily solely wind projects; it may include future fossil fuel burning facilities.

A0013-3

The ICAPCD Board's main focus continues to be protecting the health of the border region residents. The ICAPCD Board will continue to oppose any electrical energy generation project or portion of a project that does not implement Best Available Control Technology (BACT) and does not offset their emissions or pay in-lieu of fee to be used to offset those emissions that may impact Imperial County and its residents.

It should be noted that the ICAPCD Board does support renewable energy projects provided that they too meet all the applicable standards as expressed above. As noted in the EIS/EIR, Basic Project Objective 3 states to accommodate the delivery of renewable energy to meet State and federal renewable energy goals from geothermal and solar resources in the Imperial Valley and wind and other sources in San Diego County. This objective does not specify where the wind source will come from, rather it be in Imperial County, San Diego County or Mexico; presumably it is Mexico's La Rumorosa wind project that this document has stated is an indirect effect but clearly is an objective. The Imperial County Planning and Development Services has commented previously that there had been no applications submitted or approved for any of these renewable sources to the best of our knowledge this still holds true as the ICAPCD also has not received any applications for Authorities to Construct.

A0013-4

Under ES.5.1 Regional and Project-wide Impacts (Air Quality) there are two (2) Significant and Unmitigable Effects of the Proposed Project: 1) Greenhouse gas (GHG) emissions from project related construction activities and operation, maintenance, and inspection activities, and 2) Construction emissions. The proponent of the Proposed Project are proposing mitigation measures to reduce the above mentioned emissions, and these are discussed in Volume 3 Section D.11 - Air Quality and more thoroughly discussed in Volume 6, Appendix 12. The following are comments related to these two sections:

### General:

Throughout this EIS/EIR draft document, relating to Air Quality sections on mitigation reference is made to ICAPCD CEQA Air Quality Handbook (ICAPCD, 2005). Please be advised the ICAPCD Board adopted a revised ICAPCD CEQA Air Quality Handbook in November 2007. Please review all air quality monitoring mitigation measures proposed to ensure that they meet the guidance in the 2007 CEQA Air Quality Handbook.

A0013-5

### Construction Impacts (Volume 3 page D.11-20):

Impact AQ-1: It mentions that the anticipated time to build the Imperial Valley Link portion of the project is expected to take nine months, which would allow certain equipment to operate under the Statewide Portable Equipment Registration program and the ATCM. It should be noted that operation for more than 12 months at one location would require these pieces of equipment to be permitted locally. If the PERP equipment is not home based in Imperial County under the PERP program guidance, then owners/operators of said equipment must notify the ICAPCD five days in advance of operating the equipment in Imperial County. The ICAPCD will require a copy of all PERP registered equipment's permit and conditions of operation prior to operation in Imperial County.

A0013-6

### Mitigation Measures for Impact AQ-1 (Volume 3 page D.11-22):

AQ-1a - Suppress dust at all work or staging areas and on public roads. As mentioned, the ICAPCD requires a Dust Control Plan (DCP) that describes the dust mitigation measures to be utilized during the project. The ICAPCD would like the DCP submitted 30 days prior to start of project for review purposes.

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AQ-1b - Use of low-emission construction equipment. When this document was developed, the Tier 2 rating for California Emission Standards for Off-Road Compression-Ignition Engines was acceptable under California Code of Regulations, Title 13. However, since we are now in 2008, and the project may or may not start construction in 2008, the same Code as mentioned above and as spelled out in the CARB Statewide Portable Equipment Registration Program will require Tier 3 ratings on all engines. This mitigation measure needs to be revised to state that equipment will meet Tier 3 and current CARB standards.

A0013-8

**Operational Impacts (Volume 3 page D.11-23):**

Impact AQ-3: Power generated during transmission line operation would cause emissions from power plants (Class III). The first sentence in this section states "The Imperial Valley Link would facilitate transmission of power from power plants, including those within and near Imperial County". This section also goes on to acknowledge that there will be adverse impacts. This gets to the root of our concerns. Power plants located near Mexicali will utilize this new expanded transmission capacity - these plants do not have to necessarily be renewable energy and the likelihood of fossil-fuel burning facilities utilizing this expansion is great. Another reason that operational emissions from existing and proposed facilities in Mexicali should have their air emissions appropriately analyzed and addressed in this EIS/EIR, including mitigation measures and potentially offsets.

A0013-9

**Environmental Impacts - 230kV Future Transmission System Expansion (Volume 3 D.11.11.2):**

This section is troubling based on the sheer fact that this Proposed Project is not even constructed yet and already expansion is being discussed. There must be some forecast projections done by the proponents that warrant this discussion and the ICAPCD Board would like to see those discussed more thoroughly in the EIS/EIR, by explaining necessity and reasoning for such projected expansion.

A0013-10

**Imperial Valley Link Alternatives Impacts and Mitigation Measures (Volume 3 D.11.14 page D.11-57)**

Impact AQ-4 - mitigation measures for Project activities would cause a net increase of Greenhouse Gases. AQ-4a and AQ-4b mention offsetting construction and operational phase GHG emissions, yet it does not say amount needed to offset, offset ratio, and source of these credits. This all needs expressed clearly and the ICAPCD Board would like these transactions to be completed prior to construction.

A0013-11

**G.2 - Applicable Cumulative Projects and Projections (Volume 5 Table G-1, page G-4 to G-6):**

This table specifies the proposed projects that could be considered a connected action or an indirect effect. The La Rumorosa wind project is mentioned and status is that it is in planning stages. What should happen if a fossil-fueled power plant, new or existing wishes to utilize increased capacity that would be available at the Imperial Valley Substation? This is a concern due to another project listed on the same page - North Baja Pipeline expansion project. The ICAPCD Board is on record as opposing this project to allow increase flows of natural gas from the LNG terminal on the Mexico coast to be imported through Mexicali Valley and into the U.S. via Imperial County. Several air districts are opposing this construction until impacts associated with burning gas from LNG can be properly assessed and mitigation measures are established and implemented. This issue is called "hot gas". The gas has a higher BTU rating and thus produces more Nox emissions when burned than existing U.S. quality natural gas. The ICAPCD Board fears that the increase in available natural gas in Mexicali region (along with increased transmission capacity through Imperial County) will translate into addition power plants being constructed to utilize this gas for power production and will send the majority of the generation north into the California electrical grid - all the while, these plants would not be meeting the stringent standards that are placed on like facilities in California.

A0013-12

**Cumulative Scenario and Impacts - G.4.1.1 Imperial Valley Link Alternatives (Volume 5 page G-100):**

The draft EIS/EIR states in the last paragraph on this page: the Imperial Valley Link Alternatives would not result in the elimination of any of the cumulative impacts identified for the Proposed Project, nor would they result in any new cumulative impacts. There would be no change in the contribution by alternatives to the significant cumulative impacts identified for the Proposed Project in Table G-4, or in the potential to combine with other projects to result in cumulative impacts from the following issue areas: air quality.

A0013-13