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Appendix G, Unaddressed Damages 6-08

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There are a number of essential issues that have been excluded from the CPUC's review process for the Sunrise Powerlink related to damages and restitution:

1. Protective alternative routes have not been provided for the Southeast quarter of San Diego County.
2. Underground DC which could protect the entire 150 mile course has not been reviewed or considered as an option, although it has been implemented between New Jersey and Manhattan, in the UK, Sweden, Netherlands, Norway, Poland, Italy, Australia, Tasmania and in many other regions.
3. Criticisms of underground DC alternatives have been based on inaccurate, incomplete or obsolete information, including inaccuracies related to: issues of cost, scale, safety, EMF and ionization, capacity, environmental impact, transmission efficiency, grid reliability and security.
4. A review of damages created by 500kv overhead lines including restoration and replacement costs has not been provided and has avoided cost and damage evaluations of: pylon excavation and anchoring, work clearings and roadways, fire clearings, cable installation, cable maintenance and replacement, pylon replacement, fire department requirements and capacity expansion, off road vehicle road extensions and damages, total of damages for each pylon including all access roads, total of damages for the entire Powerlink including property losses, full and equivalent replacement values for approximately 250,000 acres, viewshed losses for approximately 500,000 acres, medical and health losses where EMF extends to the 2 milligauss level and the ionization of pollutants, fire losses due to carbon smoke high voltage discharges, etc.

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5. Restoration of all damages with independent monitoring and requirements for full and advanced cost payments, including restitution for unneeded clearings, roads and peripheral damages, whether on private or public lands, based on the on-site propagation of local indigenous species, trees sustaining diversity, and full geologic restoration including local rock formations and subsoil stability.
6. Full restitution for all property affected by power lines, under or adjacent to property crossed, or within noticeable visual range of power lines, or where property values have been adversely affected, and based on the full and equivalent replacement value of actual property with equivalent access, views, wilderness, habitat diversity, aesthetics, geologic monuments, paleontological values, energy generation capacity, architectural capabilities and other qualities as identified and acknowledged by the property owner, not from an arbitrary or uniformed outside entity.
7. Requirements for SDG&E and decedents to reimburse each party for their damages, losses and interest (at not less than one percent per month above inflation compounded), including ongoing and future habitat restoration costs upon completion of power line uses at \$25 to \$75 per square foot based on geologic damages and botanical species, including all personal, legal and collection expenses based on secured real property resources sufficient to cover all restitution costs.
8. Reimbursement of medical damages and losses related to overhead power lines including: EMF, ionization of pollutants, cancers, loss of time, labor, career, life, business, legal costs and the collection of expenses.
9. California residents and businesses that represent a portion of California's \$90 billion per year recreation and tourism industry need to be reimbursed for their losses when a wilderness, park or recreational area is damaged through full and equivalent replacement of the wilderness and scenic resource and assistance to provide access or

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relocation for property uses and businesses closer to the new replacement recreational or environmental resource.

10. When eminent domain is allowed to inflict damages without just compensation, which avoids full and equivalent replacement, restitution and restoration of the environment, property, effort and lives taken or damaged, then each party, person, official or government agency allowing or participating with the infliction of damages or losses, is in accepting full responsibility for all damages and losses incurred, without legal or judicial insulation as a result of circumventing laws, fully indemnified by the assets and property of each entity, official and person participating or causing damages.
11. When eminent domain is used to needlessly confiscate and severely impact property, while vastly lower impact routes and alternatives are available, but not considered, reviewed or compared in terms of environmental damages, health, business, property loss, restoration and replacement costs, along with the full economic impacts, then the use of eminent domain to cause unnecessary damages and avoid low to no impact alternatives is challengeable and requires full restitution.
12. Property owners are entitled to reimbursement for all business relocation costs, which could exceed the maximum amounts specified under law, in addition to their attorney costs.
13. Under SB 177, the CPUC has not shown that SDGE is the "Provider of Last Resort" since other companies capable of delivering the same or higher capacities with considerably lower environmental, property, business and personal damages have not been included in the application or review process, even though they have proven capabilities and have an interest in providing their services, nor have solicitations been made.

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14. No known effort has been provided by the applicant (SDGE) nor the CPUC to locate or offer a "competitive service" for the proposed Powerlink, as is required by Senate Bill 117 (effective January 1, 2000) and the CPUC review of Eminent Domain.
15. Under SB 177, the Sunrise Powerline project fails the CPUC "Four Part Test" (part d) since the application and the review process has not shown that: "The proposed project is located in a manner most compatible with the greatest public good and the least private injury." In fact we have provided documentation to the CPUC proving the opposite and showing the avoidance of fulfilling this requirement, in our paper titled The Southern Route, where lower impact alternatives have not been offered by SDGE or the CPUC.
16. Under SB 177, the Sunrise Powerline project fails the CPUC "Four Part Test" (part c) since the application and the review process has not shown that: "The public benefit of condemning the property outweighs the hardship to the property owner(s)." In fact we have provided documentation to the CPUC proving the opposite and showing avoidance of fulfilling this requirement, in our paper titled The Southern Route, where lower impact alternatives have not been offered by SDGE or the CPUC, to address and resolve the hardship issue.
17. Under SB 177, the Sunrise Powerline project fails the CPUC "Four Part Test" (part b) since the application and the review process has not shown that: "The property to be condemned by the public utility is necessary for the proposed project." In fact we have provided documentation to the CPUC proving the opposite and showing avoidance of fulfilling this requirement, in our paper titled The Southern Route, where lower impact beneficial alternatives that avoid the anthropological reserve have not been offered by SDGE or the CPUC, to address and resolve the issue of "necessity" relative to the specific property, although 7 alternatives were proven to be available, full described and illustrated in our earlier documentation.

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18. Under SB 177, the Sunrise Powerline project fails the CPUC's "Four Part Test" since there is "a reasonable way for the public utility to provide competitive service without condemning the property (such as using existing facilities, selecting another site, etc.)." The existing SDGE 500kv overhead power line route passing through southern San Diego County can be replaced to provide transmission up to 10,000 megawatts on a single 800 kV high-voltage DC power line, which would considerably exceed LADWP's 3,100 megawatt DC Pacific Intertie begun in 1965, where the high voltage DC technology was provided by ABB. An ABB video introduction to the higher capacity 10 gigawatt transmission technology is available at the following link:
[http://library.abb.com/GLOBAL/SCOT/scot221.nsf/VerityDisplay/211AB1A947C8308FC12573B10057F15F/\\$File/800%20kV%20large%20version.wmv](http://library.abb.com/GLOBAL/SCOT/scot221.nsf/VerityDisplay/211AB1A947C8308FC12573B10057F15F/$File/800%20kV%20large%20version.wmv)
19. Another issue addressed under SB 177, "Could the public utility condemn less property and still provide the competitive services?" Again the answer is demonstrably yes, based on evidence we provided to the CPUC, SDGE and all parties in our document The Southern Route, which is available as document number 11, at the web site we provided to convey related information: www.undergroundpower.us
20. A question of major concern to hundreds of property owners, residents and parks which is raised by SB 177 is: "What problems (if any) would the property owner face if the property were condemned?" In our case the overhead power lines would bisect our most useful areas resulting in the destruction of our anthropological reserve, many decades of labor and planned facilities in various stages of development, that would require the full and equivalent replacement of almost 1.5 square miles of accessible habitat with equivalent paleontological values, research and recreational capabilities, security, viewshed, aesthetics, access, native plant health, habitat diversity and geologic monuments.¹⁹

¹⁹ Our wilderness and anthropological reserve is adjacent to the Anza-Borrego State Park to our north and east, with our project site extending contiguously east and west a distance of approximately 2 miles and north and south 1.5 miles, providing visibility of over 3.25 miles of Southeastern communities

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21. To assist with legal compliance if overhead high power lines are supported by a Presiding Officer's Decision (POD), excepting the replacement of existing 500 kv lines with 10,000 megawatt DC lines, then we wish to now confirm a request for written appeal to identify for the Commission avoidable damages to many communities, including an irreplaceable environment, as well as business and property losses in excess of \$20 billion, plus hundreds to thousands of cancer deaths and disabilities, fire and medical liabilities, based on scientific research provided at major university medical universities. Details required to substantiate essential issues are provided herein, with reference to materials we previously provided to the CPUC, or at our URL, or through a public review process. As required these details herein are being provided to the CPUC Docket Office in San Francisco.

22. The result of severe impacts proposed by the Powerlink to our environment, including geologic damages, serious health or cancer risks, property losses which are not of a commercial nature would all inflict irrecoverable damages to our anthropological reserve and related projects. Consequently, the following two questions posed by SB 177: "Would the public utility's condemnation and use of part of the property interfere with the property owner's use and enjoyment of the rest of the property?" and second, "Would the public utility's condemnation of the property require the property owner to relocate a home or business located on the property?" Both questions are being answered affirmatively, indicating that our losses would be catastrophic and require full and equivalent replacement, including artifacts, geology and habitat, with equivalent accessibility, research, facility and recreational capabilities.

our boundaries and wilderness viewshed along Interstate 8, and over 4.25 miles of visibility of our boundaries and wilderness viewshed along Old Highway 80. The extraordinary geological formations of this nature preserve are visible by millions of visitors to this area every year. Over 6 million drivers and passengers on the two highways can see this nature preserve for approximately 30 million minutes per year or about 500,000 hours, which amounts to a considerably greater viewership than all the museums in San Diego County combined, which is one component of the reserve.

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23. The condemnation of this region and this anthropological reserve in particular, is not in the public interest, since this region and this reserve serve the public interest in several ways, including the provision of wilderness restoration, research, maintenance and protection, the provision of viewshed that is visible by over 6 million people per year, the provision of protection for watershed and threatened species, research and engineering to address low impact architectures and caretaking. Further, physiological disruptions by overhead high power lines have been shown to significantly increase cancer rates at considerable distances based both on EMF and the ionization of pollutants, which significantly increases cancer fatality rates. Significantly, far lower impact alternatives, including underground DC power lines have not been reviewed or evaluated by the CPUC or its consultants, even though these alternatives could be implemented at a lower cost than the proposed overhead AC Powerlink, while saving the community and the region over \$20 billion in near term damages. This apparently is a failure of the proposed Powerlink, that has been addressed through our research and documentation, which has been provided to the CPUC, and not considered in other Powerlink reviews accommodated by the CPUC nor by SDGE.

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Appendix H, Unresolved review issues 7-08

1. On what legal basis does SDG&E and its participants plan to cause massive environmental, paleontological, property and personal damages, without considering nondamaging alternatives which are more economical, and without providing full and just compensation for all losses based on equivalent replacement costs, based on equivalent wilderness, viewshed, facilities, opportunities and access?
2. Why have underground options for the southern route which passes through southeastern San Diego County been completely ignored, whether AC or DC, while they have been carefully considered for the northern route?
3. Why have large scale environmental damages been ignored, when lower cost, environmentally considerate alternatives exist (?) which would not be in violation of the California Environmental Quality Act.
4. If the objection to underground power is about money, then why does SDG&E care if the people want underground power lines? The people are paying for the entire project, anyway you look at it. SDG&E is just making a huge profit for organizing the work, which turns out to be organized in an amazingly horrible way. In any case 1300 megawatt underground power lines cost less to install in the UK than SDG&E's old AC overhead lines, with its massive environmental damages.
5. SDG&E has indicated that there are at least 7,000 megawatts of renewable power resources being scheduled for delivery from Imperial County into San Diego County. How does SDGE plan to transmit 7,000 or perhaps 15,000 MW of power on the 1,000 megawatt power line being proposed?

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6. Since EMF deaths are not immediately fatal and are typically the result of promoting cancer, and since minimizing EMF risks are said to be inconvenient for the power companies, then the CPUC only requires that up to 4% of the power line budget be used to reduce EMF exposures. Then where is any of the 4% of the Sunrise Powerlink budget being used to reduce EMF exposure for the community? That would be \$56,000,000. More significantly if it costs less to install DC power lines underground than to build almost 700 huge pylons on our mountain tops and destroy over 9,000 acres (with off-road extensions perhaps over 20,000 acres) of habitat and private property, to build 700 access roads, with accompanying clearing and work areas, then why is the mandate to reduce EMF being ignored?
7. Why are billions of dollars in damages to wilderness, viewshed, paleontological resources and private property being ignored in every plan being provided by the CPUC and its consultants, particularly for the Southern Route, while proven low to no impact approaches are blatantly being ignored?
8. When do we take the time to read the medical research, particularly from Europe where significant statistical data has been collected to identify cancer promoters based on electromagnetic fields and the ionization of pollutants, or study the organelles and molecular mechanism that are readily disrupted by oscillating microcurrents?
9. While we appreciate that the CPUC has listened to thousands of public comments which were overwhelmingly directed to support the full protection of the environment, as well as private property by utilizing nondestructive alternatives, which are available both in terms of local sustainable generation and through underground power lines, without increasing costs. Then why does the CPUC's consulting company continue to provide only high impact and destructive power line alternatives while ignoring all nondamaging, lower cost and lower impact alternatives, unless it understands that its survival as the consulting firm is tied to pleasing both the CPUC and Sempra Energy who donates money to the governor or the governor's favored charity, while SDG&E then obtains the public support of the governor, who then communicates to his

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appointees what his intentions are for the CPUC decision making process, all of which has been researched and fully reported on in California's largest newspapers, including the Los Angeles Times and the San Diego Union Tribune.

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10. We would appreciate knowing how all of the needless damages being proposed are anything other than intentional, particularly since there are no benign or nondamaging examples of high power lines being offered through the review process, such as underground power lines, although the technology has been widely available for about 40 years.
11. Since the more damaging approaches to overhead power line construction cost more than the underground alternatives that have been repeatedly used in Europe and Australia, then why has the CPUC and its consultants refused to evaluate the cost of all environmental, viewshed, property, business and health related damages? Utilizing comments such as it's too complicated or too costly, doesn't address any issue, and would not be true. Is this done to intentionally avoid proving that nondamaging underground DC power lines will cost less than overhead power lines and save billions in property damages? Which our research has repeatedly shown.
12. Why have the proposed large scale property and environmental damages not been offered any form of equivalent replacement value or full restitution for all damages and losses? Because the Powerlink is a proposed economic transfer and devaluation of property, and so any evaluation of the actual and proposed losses would interfere with the perpetration of an enormously costly fraud?
13. Why would Sempra Energy, SDG&E, the CPUC and Aspen Environmental choose to avoid less damaging alternatives that could protect the environment, viewsheds, business and property values? Is there a specific intention to increase environmental and property damages? By intentionally avoiding the research, *plausible deniability* has been created to justify maximizing environmental and personal damages. How could avoiding consideration of extremely costly consequences be a defense to allow

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the causing of damages, when it in fact shows an intention to cause harm and perpetuate damages against large numbers of people and the state through the complicity of many participants.

14. Many who have worked for the utility companies and observed the actions of organizations who have spent decades developing their political connections and influences with regulatory agencies, have understood the flexible or deceptive potential within the regulatory process, which may tolerate and defend the violation of California's laws, causes serious damages to the environment and the people in the region. On what basis are large scale damages to the environment, property and the people being perpetuated, when lower cost, nondamaging alternatives are being ignored, which amounts to being opposed.
15. We have seen no effort or intention by the CPUC or any state agency to protect anyone from environmental, property or economic damages that would unfairly violate full and *just compensation* requirements, which SDG&E indicates that it does not feel obliged to support nor to provide for the replacement value of losses that will be incurred, nor provide for the restoration of environmental damages they cause, all of which is in violation of federal and state laws, yet ignored by the CPUC. If one of the purposes of the CPUC is to protect the interests of the people, then how does allowing the infliction of severe damages and economic losses offer any protection?
16. Thousands of people and property owners have made it clear, that they would like to know, on what legal basis the state would allow for inflicting billions of dollars in environmental and property damages, without requiring full restoration and just compensation.
17. Please explain why underground power lines which avoid environmental and property damages, at a lower cost, have been excluded from the CPUC review process nor offered as an environmental alternative.

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18. Please explain why false criticisms of nondamaging power line alternatives, including underground DC, have become a part of the CPUC record and documentation, as a statement of fact as provided by Aspen Environmental without any form of technical research or review being offered by the CPUC, and without allowing for the review of related technical, economic or environmental information.
19. Please explain why the data available from underground power line projects throughout Europe and Australia, which have been documented to cost less than the proposed Sunrise Powerlink, have not been offered consideration, particularly in environmentally sensitive habitats.
20. If there is no environmental, economic or legal justification for causing massive environmental and property damages, as proposed, then how would the proposed power line avoid prosecution or liability for damages, that are clearly intentionally being planned and promoted, without offering consideration to lower cost and nondamaging alternatives, as is required by law.
21. After a massive review process involving thousands of technical and environmental criticisms, how could the same issues that have been addressed by thousands of people, involving environmental, home and property protection be completely ignored, and how could the well known nondamaging alternatives including underground DC power lines and distributed solar systems also be repeatedly ignored? We can't see how this is possible, unless the avoidance of low impact alternatives is completely intentional and the infliction of environmental, property and economic damages are also intentional, which we also understand would also be denied. Nevertheless the avoidance of low to no impact alternatives has been asserted through the review process, even by avoiding all such options after listening to and reading thousands of requests to reconsider damages, all of which are well documented, which demonstrates an intention to cause massive damages, without regard or liability.

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22. After providing thousands of hours of engineering, economic and botanical research to describe ways of avoiding environmental, property and health damages, naturally we noticed that the CPUC and its consultants had no actual interest in considering a lower cost strategy that avoided all environmental and property damages, even though SDG&E, the CPUC and its consultants all admitted that the solutions we offered could resolve the engineering requirements and environmental needs of the region.

23. After providing proven engineering and environmental solutions that could provide SDGE both higher transmission capacities and lower overall costs, we became aware of overriding political influences, which were being reported in the Los Angeles Times and the San Diego Union Tribune that explained how financial payments were influencing the governor, along with the outcome and the CPUC decision process while ignoring safer and lower cost engineering options, and opposing environmental protection, apparently in violation of California's laws as written.

24. While there may be interests to make the law and the government no longer any concern of the people, the managers of utility services should notice that they regularly overlook matters relevant to their own economics, which is depleting the state economic capacity and resulting in extraordinarily debt, high priced energy and severely diminished manufacturing capacity, which is ultimately not beneficial for business, the environment or the people of the region. Unfortunately, those damaging managerial influences can be in opposition to the laws of California, which should be extremely easy to notice, however with administrative decisions that override the laws and the interests of the people, we may be observing the convoluted failure of a state agency. Instead of leading the way with a process of analysis that can develop creative and efficient decisions, we have avoidance of the most significant technical issues, opposition to environmental laws and the denial of constitutional obligations, which were all intended to offer universal protections. Undoubtedly, both the business interests and the people are confident that there is insufficient government confidence to enforce the laws and requirements of the state, except on a selective basis, where influences dictate.

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25. After reviewing the latest high power line proposal and alternatives, and noticing that little to no significant environmental or property protections have been offered, nor analyzed, when vastly lower impact and lower cost options are available, as we have also described in great detail, and as others have requested and encouraged through public hearings, we can also see that not offering alternatives such as high capacity underground DC cables or renewable options, such as widely distributed solar and wind generation, is providing a conclusion for the public review process which is deceptive and apparently fraudulent, since it no doubt would inflict many billions of dollars in damages along with schemes to avoid paying for those damages and losses which are also fraudulent and will stand as a permanent liability against the assets of Sempra Energy, San Diego Gas and Electric, their management, subsequent owners or parties of interest and their participants, including government entities.

26. While we have many pages of technical questions that could help examine the engineering, economic, legal and environmental review process, which has so far never addressed these issues, and can present questions that have never been addressed by SDG&E, the CPUC nor Aspen Environmental, we also understand that we have never been provided any opportunity to ask those questions, although we have expended great effort trying to openly or publicly address the issues, without any form of interest or acknowledgement by the CPUC, which has been noted here. The fact is that several engineers also mentioned similar observations at public hearings, including Borrego Springs on May 12th of 2008, with extraordinarily similar conclusions, again with no consideration by SDGE, the CPUC, or Aspen. We gather that the public review process may well have been sabotaged, misguided and ill informed, and that the process itself should be reviewed by the state, in order to allow for the review that is required by law, for the protection of the people, the environment and the economy, in order to assert requirements for personal responsibility and the full restitution for all economic, medical and environmental damages.

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27. After traveling to and participating in many hearings and having numerous conversations, it is clear that while the CPUC provides a sense of openness, which is admirable and completely respectable. However, the result of the review process and the analysis provided by the CPUC's consultants, does not show openness or consideration of either the economic, environmental or technical issues, nor any thoughtfulness regarding the interests of the people, nor much regard for the laws that were intended to allow for a review process based on openness, full consideration of the issues and a beneficial conclusion. The actual results of the process now appear to be much more highly controlled and designed to provide a specific result, with little to no regard for the needless and massive damages that would be caused, without even considering lower cost alternatives for underground power lines that would not inflict any significant environmental damages, all of which is contrary to the purpose of the public review process, as well as economically disadvantageous even to SDG&E, who apparently has not so far shown any comparative analysis work which was essential to simply review and consider the alternatives that are in their own interest. None of that critically important review work had been either done or provided by SDGE, nor the state's review process.
28. The problem facing the environment and the people of California is not the technology needed to avoid damages, that's already there, nor the availability of labor, nor the availability of capital, since the least damaging solution doesn't cost more. The problem is in the review process or how the review process is regulated. The review process has avoided consideration of the nondamaging alternatives that are available, which is why this dilemma needs to be carefully evaluated.
29. When SDG&E and the CPUC have power line alternatives such as underground DC, which costs less, provide higher capacity and causes no environmental or property damages, then why does SDGE and the CPUC persist in causing many square miles of environmental, property and personal damages? Is this strictly malicious behavior with the intention of causing massive environmental damages for no rational or beneficial purpose? What other interpretation could anybody have? So far we have

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been offered no other explanation by SDGE, the CPUC or Aspen Environmental, which is clearly in opposition to the expressed interests of thousands of people who appeared and spoke at meetings and wrote letters. The people who favored a power line would still have their power line if it were underground, so they would be denied nothing, except perhaps causing damages to others. So their interests are not actually being denied, nor are the interests of SDGE, nor do costs increase by installing nondamaging underground power lines, nor does capacity go down. So what are the objections to underground power lines? These issues have never been addressed by SDGE, the CPUC or Aspen Environmental, who have provided false criticisms regarding underground power lines, which in fact provides evidence of a seriously flawed review process, which was intended to lead to a needless and extraordinarily destructive overhead power line route, with almost 700 pylons 170 feet in height on top of our mountains impacting over 9,000 acres with access roads, work areas and clearings that will devastate the most extraordinary wilderness regions in all of southern California. Since the CPUC review process has avoided consideration of this lower cost, low to no impact environmental alternative which is required by the CEQA, then the review process is not complete, or it's intentionally destructive or alternatively fraudulent in nature. In each case it would be in violation of the needs and requirements it was intended to serve, along with the laws of the State of California.

30. A considerable number of educated, working people with good careers who attended the CPUC hearings, believed that the big corporations and the government had the intention of degrading the environment and burdening their lives. While I thought that was an extreme view, however I couldn't find any statements being made by the commissioners, nor the CPUC review documents that ever openly supported the interests of the people or offered any defense for the environment, as required by California law. Then I thought how relieved I and others could be if any Commissioners or CPUC managers would actually struggle to sustain the defense of the people's interests, their survival and the protection of the environment. But most people learned that such a dream didn't occur in reality very often.

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31. The full restoration cost of botanical and geological environmental damages, including threatened species restoration can easily exceed \$75 per square foot over an area of approximately 34 million square feet can be significant (over \$2.5 billion), and could take well over a half century to accomplish with skilled botanists and biologist to guide the efforts. Naturally, a commercial assessment of the region which has absolutely no regard for the natural landscape, that has gradually emerged over 10's of millions of years, that no team of experts could hope to fully restore in even a preliminary way in less than half a century, would be assessed as having little intrinsic value. No doubt because the commercial value of nature and life is for some bizarre reason considered close to zero. In fact most developers will completely obliterate and reshape a 100 million year old landscape with bulldozers and plant completely out of place water hungry trees and shrubs that they studied in landscaper's college to create an artificial looking, labor intensive, water hungry landscape that doesn't support California's birds and wildlife. The expectation is that the subdivision will eventually be bulldozed by another developer with another alien scheme, until their nonfunctional schemes eventually bankrupt the people and wipe out the most extraordinary works of creation, and somehow we're supposed to all get behind the developer's financial schemes and destructive process. California's and Arizona's largest tourist attractions, such as Yosemite Valley or the Grand Canyon could each be devastated with dams or desecrated with power lines, all with very little money. However these national monuments could not be replaced for \$200 trillion, and the huge "I" beams that would support such a vain effort would probably deteriorate and collapse in ruins within in a couple of centuries, after consuming 1 century's worth of the world's steel production. But somehow we're supposed to believe that arrogant developers and power companies have a right sanctioned by god to destroy everything they choose to destroy, even if they have nondestructive alternatives available, such as local sustainable power generation or underground power lines which cost less, and still we're supposed to believe that the CPUC has no obligation to consider these benign alternatives, even though it's required by California law.

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32. 100% of all resources we obtain for our efforts is dedicated to our habitat and long term threatened species preservation efforts, including land acquisition and biological research. Unfortunately such efforts are underfunded at the state and federal levels and so depend on the efforts of individuals and nonprofit participants. If our research efforts were allowed to help save money for SDGE; then simply obtaining 20% of what we could help SDGE save on the Sunrise Powerlink could be an extraordinary assistance to care for the California environment and the needlessly threatened species, as well as economically benefit the power industry. Unfortunately, the power industry and its state agencies apparently believe there's some kind of natural animosity between technology and the environment, and they proceed to make the destructive expectation a fact; so apparently there has been no hope, to date, to consider any form of mutually beneficial efforts, even though we have spent hundreds of pages describing how it could be beneficial.
33. So far, based on the plans and alternatives that are being provided by SDGE and the CPUC for the Sunrise Powerlink, it's clearly documented that neither SDGE or the CPUC are adverse to causing large scale environmental damages, that are completely unnecessary to the installation of a power line. Naturally, gestures have been offered to provide the appearance of environmental concern, and provide the appearance that the environmental studies would significantly influence the power line route or technology. Unfortunately, the beneficial influences, particularly along the Southern Route, so far appear to be imaginary, while nondamaging environmental alternatives have been opposed and rejected by SDGE, the CPUC and its consultants, even when the implementation costs have been less. Reducing power line cancer hazards have also been opposed, even when the costs have been lower. The devastation of San Diego County's most extraordinary wilderness regions, in the southeast, have been planned by the CPUC's reviewers, Aspen Environmental, even when safer, lower cost underground routes and local sustainable generation were available options that have been described in considerable detail.

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34. Individual, corporate and state responsibility for the entire value of all the economic, business, property, health and environmental damages caused, that are sanctioned or implemented, including full restitution for all property losses, personal and legal costs, compounded interest and collection costs can be secured by the personal, corporate, government assets and property of each party or family participating in or promoting the destructive above ground power line efforts against others and the wilderness of the region. Deception or malicious intent has been demonstrated by the environmental plans provided and the review offered, both of which have repeatedly rejected nondamaging alternatives, all in opposition to the laws of the state and the expressed interests of the people, which we have reviewed and which is available for public review.
35. The fact that individuals and organizations would willingly plan or cause damages, which are completely unnecessary is particularly unusual and irresponsible, even if they knew that they would never have to pay for those damages. Because damaging strategies are invariably uneconomical, although repeatedly promoted without any reasonable economic, engineering or environmental defense. In consideration of the massive damages that are being proposed for the region, the hundreds of people who offered their comments in Borrego Springs on May 12th 2008 realized that they could only beg that the state park and their lands along the northern and southern routes would not be devastated, and that the CPUC would not turn against them and avoid considering the nondamaging alternatives. The hundreds of people who spoke recognized that the CPUC could be much more of a threat if the review process was not going to consider their environmental concerns or the nondamaging options that are clearly available, which could be completely eliminated, even though the nondamaging alternatives could provide SDGE everything that is needed to establish lower cost, safer, higher capacity cables, completely underground. So in this case the project's review process, which was supposed to be the safeguard, now appears as the threat to the people and the environment, perhaps because the government has become transparent. So instead of seeing the CPUC as a defense, most people see the hand of SDGE influencing the review process, no doubt through the governor's

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offices, which has been well documented by news reporters. So it's expected that the lack of analysis of the economic, environmental and health issues is only a part of the process of government complicity, perhaps now used as a weapon, intended to cause damages and eliminate nondamaging alternatives, with false information and through the avoidance of data or the evaluation of the information that was provided. If only the people and the reporters were wrong, there would be an opportunity for the CPUC to carefully review and consider the nondamaging alternatives, and respect for the governor and the CPUC would be reestablished. Unfortunately, no matter what combination of avoidance and deception strategies were used in the review process the result was to deny consideration of nondamaging alternatives for the Powerlink. So when a government agency willingly alters the fairness and diligence in their review process, appeasing the applicant or the governor, and rejecting nondamaging alternatives early or throughout the review process, in order to exclude consideration of beneficial alternatives, both the applicant and the reviewing agency, through their consulting firm, have then clearly avoided consideration of the nondamaging and significantly less damaging alternatives as required by law, and thereby moved in the direction of allowing large scale destructive impacts which are completely unnecessary, and serve no public interest, all of which has been overwhelmingly opposed by thousands of participants to public hearings, whose voice has so far not affected the review process in any functional or beneficial way, since the issues have not been considered in any of the major power line alternatives that are being made available to the commissioners through the review process.

36. It's obvious that governor Schwarzenegger communicates with Donald Felsing of Sempra Energy and has pledged his support for Felsing's company, and communicated this very clearly to the Public Utility Commissioners. It's also clear that such communications with the power industry are also common at the Whitehouse when the chief executives of Enron were the very first people to be invited to the George Bush II Whitehouse. So how could anyone be surprised that deals are going on, and that big energy does regulate the government, even if they are dishonest and inept, and willing to get us into a worthless war over oil; or in Sempra's case are

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willing to devastate San Diego County for no purpose whatsoever, since there are lower cost underground alternatives, that based on my conversations, SDG&E doesn't understand and doesn't care about.

37. When the environmental review process provides 2 major power line routes which are both extremely damaging, that is not an alternative that offers any notable environmental protection under the California Environmental Quality Act. When the review offers SDGE no power line as a substitute for a power line that is not an alternative either, and undoubtedly would be rejected by the commissioners as a viable option, even though local renewable and conventional power plants could undoubtedly work, and are conventionally used around the world. The obvious problem that is presented when multiple dangerous or damaging choices are presented, with no safe and nondamaging power line alternative, is that you force the commissioners into a difficult position, which very likely will result in the selection of an extremely damaging northern or more likely an extremely damaging southern route. This really looks like an intentional choice by the BLM, the CPUC and Aspen to literally sabotage the review process and cause the maximum damages possible. I don't want to have to deal with such a catastrophe; however what other conclusion can any reasonable person have, the facts overwhelmingly point to this observation. If this isn't a factual conclusion, then please explain why the only nondamaging power line choices that are available have been refused for review or consideration, in spite of numerous requests by the people and a huge quantity of factual information that is available and provided to the CPUC and their consultants.

38. After spending thousands of hours describing proven ways to avoiding environmental damages, and seeing no consideration of these or related solutions, which incidentally had been requested by others and have been shown to actually cost less to implement. So naturally we noticed that such environmentally benign solutions were not being considered, even when environmental impacts and alternatives were being reviewed. Then after reading the discussion of influence, in the Los Angeles Times and the San Diego Union Tribune, between Sempra Energy and Governor

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Schwarzenegger, who is obviously the person who appoints the CPUC commissioners and who wrote the letter to commissioner Grueneich, it became obvious that the behind the scene influences could easily influence, control and derail the CPUC's public review process. This was born out through thousands of hours of our efforts that was being diligently ignored, although our work was directly relevant to addressing the engineering, environmental, property and economic issues, with numerous references to substantiate concrete alternatives that could be implemented, all of which have been proven on a worldwide basis, while providing significant economic and environmental advantages. Apparently the CPUC court process only invites, encourages or rewards efforts and comments which support conclusions that have been predetermined to be within the range of acceptability and convention, and in this case it is being shown in the press to be as is generally acceptable to Sempra Energy, even if it should violate numerous California laws. Having shown and proven that a far less damaging power line could provide greater capacity, greater safety and reliability, all at a lower total cost, unfortunately it's also apparent that this would be irrelevant to the CPUC, the governor and Sempra Energy. Further, we would be willing to provide any details that anyone believes that we overlooked, that would be necessary to prove the information that we obtained from the largest electrical equipment and cable manufacturers in the world is accurate, and we would invite the presence of CPUC and SDGE personnel, to openly observe such a public fact finding effort. This kind of effort incidentally has been openly done by the People's Republic of China, who have decided on many of the same engineering, cost savings and more environmentally considerate alternatives that we have been suggesting, by concentrating their power to fewer 800 kV DC, 6400 megawatt lines, about 15 instead of 96 conventional 500 kV lines as proposed by SDG&E, which amounts to an 85% reduction in power line construction, and a major economic savings for China. If you examine the engineering, environmental and planning advances that are now pervasive throughout China and the rate of implementation of innovations, which are being drawn from the world, it's clear that California has succumbed to a far more oppressive thought regime, that primarily supports the growth of subservience, ignorance and poverty. These are tragedies that were far less evident 1/2 a century

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ago when people felt a personal obligation to work hard and help create a better future for everyone, which was a time when innovations were created and implemented, a place **where the first modern highways were created (Pasadena Freeway, 1938), where the first long distance power lines were first implemented utilizing AC transformers (Redlands California, 1893), the first feature motion picture (Hollywood, 1915), the first laser (Malibu, Hughes Research Laboratories, 1960), the space shuttle (LA/Palmdale, 1973-1981), human stem cells used to grow spinal neurons (Weissman at Stanford, 2004) and thousands of other significant inventions.** So now California stands in opposition to the benefits of its creativity and technology and is willing to pay billions of dollars extra to destroy its extraordinary and irreplaceable environment, violate its laws, and give 1000's of people cancer. And we're supposed to submit to the destruction of our lives because incompetent billionaires have decided they want to destroy our country!

39. Anyone might think, that with the sheer volume of documentation assembled by the CPUC that all significant issues have been carefully reviewed. Well we might notice the lack of a work site specific biological review, the lack of an economic analysis of the habitat, property, household, business, paleontological, medical and personal damages, the cost of restoration of all damaged habitat, the lack of a legal review to identify how SDG&E would pay for 10's of billions of dollars in damages and property replacement costs. The very technology that could avoid environmental devastation, as well as avoid EMF, the ionization of pollutants and the deaths of thousands in San Diego County, has been specifically avoided in the review process, although such issues have received careful consideration by medical researchers, which has resulted in the implementation of completely underground power lines, at a lower cost than the Sunrise Powerlink, all without causing billions of dollars in property damages. **While**

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we believed in the potential of the CPUC review process, however since we have seen an extraordinarily consistent stand taken by the SDGE, the CPUC and it's consultants, over an 18 month period, which is in opposition the interests of the people, the environment, the laws, the property owners, medical data, and electrical transmission technology, particularly since SDG&E and the CPUC are willing to justify spending 100's of millions of additional dollars in order to cause large scale environmental and human damages, just so the power line wouldn't be placed underground, where it is safer and operates more relievable, and even allows for considerably higher capacity. Perhaps the power and regulatory industries know that they can patiently listen to the people, to provide an impression of openness and then continue to implement a needlessly destructive power line and ignore any nondamaging alternatives requested by thousands of people who would be impacted, because they could be quietly eliminated later by a legal system owned by the state, that doesn't need to follow California law. Historically, this is known as tyranny or an oligarchy. And so the human, economic and environmental treasures of California are being plundered and wasted, which undermines California's ability to survive. We expect that the long term loss to California's environment, viewshed, private property, homes, business, health and recreation will be in excess \$30 billion, if an alternative to the overhead Sunrise Powerlink is not allowed to be considered and implemented.

40. No one could do a better job of severely damaging California than some of our own business and government leaders. So, simply saying nothing in the face of malicious behavior is all that is needed to irrevocably destroy our region, economically and environmentally. The power industry and the state each spend millions of dollars on public relations explaining how they are now environmentally considerate, while actuality using the force of their organizations to insure the needless destruction of

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some of the world's most extraordinary wilderness. Even when we create an anthropological nature reserve, away from most business activities, to help protect what remains of an extraordinarily beautiful wilderness with an ancient paleoanthropological history, we are somehow subject to absolute power and the force of destruction, for no purpose whatsoever, while lower cost nondamaging alternatives are intentionally ignored. I could have never imagined a more bizarre, illegal, completely needless and tragic fate for our region

41. In our efforts to help find a nondamaging power line alternative for: Sempra Energy, SDG&E and the CPUC, which provided for the implementation of a 2 cable 1,000 to 3,000 power line, or a 4 cable 3,000 to 6,000 megawatt power line, or a 10,000 megawatt Gas Insulated Line, which Sempra Energy, SDG&E, the CPUC and its consultants, including Aspen Environmental could review in detail independently or with assistance, we could help with the evaluation of the technology, the habitat restoration efforts, restitution and property replacement requirements, and are willing to initiate an economic review of the engineering alternatives, evaluate the costs of materials and provide for excavation and installation contracting for underground power systems.
42. Any understanding of human nature should inform me that trying to be helpful will be rewarded with retaliation, vengeance and damages. Unfortunately that decision has already been made by Sempra/SDGE/CPUC, and the losses for the people have most likely already been decided on a long time ago, so there is probably nothing more that could be lost. Consequently, an honest effort to pursue an improved decision making context may be the only survival hope for thousands of people, and 10's of thousands of acres of nature that should never have to be destroyed. If we don't mention the desperate economic motivations to deceive and the damaging incentives behind those efforts there undoubtedly will be no possibility for change. The carcinogenic hazards

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that are currently sufficient to expect thousands of deaths in the region due to electromagnetic fields and the ionization of pollutants will make someone reflect on their life purpose, but perhaps too late to do anything. Since we are being targeted our risks will be translated to a total personal, environmental and economic loss, with no possibility of even a small fraction of one percent recovery, according to SDG&E's disclosed plan. Most people already understand that the laws have already been disposed of in California and the state has been transformed into a weapon to be selectively used against the people and against nature. None of this is news to the corporate or political decision makers and certainly not the people. If the decision makers want to shock the people, simply do the correct and beneficial thing, be fully considerate of nature and humanity, and you will surprise everybody, and perhaps help Sempra make billions of additional dollars. While deceptions and conflicts may be real problems for everybody, they are delusional if anyone adapts their life to such beliefs, and naturally communication and understanding will become impossible in that situation. Which is no doubt why the issue of environmental or human damages are not about to be considered by Sempra or the CPUC; unfortunately a lifetime of habits are not going to be reevaluated by anyone's comments, perhaps restitution for all damages and losses inflicted would be the more effective approach to assist the understanding process.

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