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Comments on the Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement for the Sunrise Powerlink Project

Dear Ms. Blanchard and Ms. Kastoll:

We initially provided comments (5 March 2007) on the second round of scoping meetings for alternatives to the proposed Sunrise Powerlink Project, followed by comments on the Project and its DEIR/DEIS (11 April 2008), and would like to incorporate them by reference here. Thank you for the present opportunity to provide these comments concerning the Sunrise Powerlink Project Recirculated Draft Environmental Impact Report/Supplemental Draft Environmental Impact Statement (RDEIR/SDEIS). We also appreciate the extension (verbal, Ms. Blanchard) of submittal time to 5pm Aug. 29, 2008.

Comment 1. Miscellaneous malfunctions, oversights, errors.

1A. We couldn't find documents referenced in the RWEIR/SDEIS; we encountered several problems on the CPUC website provided in Appendix 2 to access complete texts of comment letters on the DEIR/DEIS.

1. There was NO listing for the Forest Service letters excerpted in that Appendix. It was useful to see the entire letters to be able to interpret abbreviations, subjects & references in the excerpts by placing them within the whole context. Thanks to quick problem solving by Susan Lee at Aspen, once we thought to ask, we were able to link to that letter. We wonder if other letters have not been listed?
2. There was a broken link to the comment input from our Subregional Planning Group (Crest-Dehesa-Harbison Canyon-Granite Hills), so presumably no one would be able to review their letter. We've been informed that the link will be fixed. We wonder whether other letters have broken links?
3. Our own comments were apparently missing, not even listed under "Individuals". We've been informed that they were attached (erroneously? mistakenly?) to another's (Group) input. We wonder if that's been done to others' submittals, and whether the count provided of inputs is accurate? Were our comments overlooked in evaluating the need for & content of the RDEIR/DEIS?
4. We saw no letter listed from Sweetwater Authority. Is it missing from the list, or did they not comment? Given that the west-most leg of Modified Route D & its Western Reroute (MRDA), as well as Star Valley Option, would create impacts in their watershed, and that the Future Transmission System Expansion associated with these routes (as described in the DEIR/DEIS) would entail another 500kV line passing by their

dam within 10 years, and extra 230kV lines passing by, near and/or across, their property, we would have expected a definite response from them.

1B. We could not find the appropriate Figure 5-2 to accompany and illustrate the text description and “analysis” of the UCAN Modified Southern Route in the paper RDEIR/SDEIS document. In two paper copies of the RDEIR/SDEIS that we have seen, Figure 5-2 was missing from Section 5, Environmentally Superior Alternatives; instead it was replaced with a duplicate of Figure 5-1. This was initially frustrating because the UCAN proposal in Appendix 2 generated interest, given the rejection of it from consideration in Section 5, yet we were unable to fully study the matter without the map. Ultimately we discovered that the DVD version of the RDEIR/SDEIS does have Figure 5-1 and 5-2 in their appropriate places, so complete information was available for review in the electronic format. We wonder how many paper copies of the RDEIR/SDEIS were sent out, incorrectly collated & incomplete, and how many folks attempting to review them were hampered in their evaluation of the new environmental issue by the document production error that eliminated Figure 5-2?

1C. Has there been a mapping error for the Pacific Crest Trail in Figure 3-11 (p. 45, Section 3.3.6) Modified Route D Alternative: PCT Reroute, or is there in fact a discontinuity in the trail? The text says the reroute “would cross the PCT” (p. 41), yet that is not shown in the figure. Its southern extreme just ends abruptly, due south of the MRD-12 milepost on Modified Rte D Alternative, near and almost due north of the PCT Reroute Structure at the corner of the red PCT Reroute, ending west of the Reroute.

Comment 2. Page 1-6, Consistency with MSCPs will be addressed in the Final EIR/EIS. The RDEIR/SDEIS announces that “In response to the Conservation Groups’ and others’ comments on consistency with MSCPs, additional information will be provided in the Final EIR/EIS that shows the relationship of the Proposed Project and alternatives with the boundaries of the various regional habitat conservation plan areas, and the designated or proposed preserve areas within each plan.”

We feel that the additional information provided in the Final EIR/EIS besides the relationships of the Proposed Project and alternatives, those of all associated Future System Expansion routings identified in the DEIR/DEIS, for Project AND alternatives, should be shown as well. Also, rather than just consider MSCPs, also consider all other designated ecological reserves & preserves.

The Sycuan Peak-Sweetwater River Ecological Preserve was established before the MSCP concept/?? was created/formed, as a wildlife habitat reserve, bought and administered by California Department of Fish & Game (CDFG) with voter-approved conservation bond monies. Among many biological resources, it has extensive riparian habitats, is remote, relatively undisturbed & is the 2 nd largest state preserve closest to Modified Route D’s original westmost leg or its Western Reroute (MRDA).

We specifically request that the Sycuan Peak-Sweetwater River Ecological Preserve be included among the properties in the study done for the Final EIR/EIS of the

relationship of the Project and alternatives with the resource agencies' regional habitat preservation efforts. We also specifically request that the impact of the West of Forest Alternative (Future Expansion for Modified D /Western MRDA) on the Preserve and on the MSCP lands in the Crest-Dehesa-Granite Hills-Harbison Canyon Planning Subregion be included in this study done for the Final EIR/EIS.

Prompted by the RDEIR/SDEIS's reference to "others' comments" (p. 1-6, see quote above) we visited the CPUC's project website at the address given in Appendix 2 of the RDEIR/SDEIS, which was provided so that "The complete comment letters may be viewed" (p. Ap 2-1). Despite some problems with the site's list of DEIR/DEIS comments received (see Comment 1A.1 etc. above), we found & reviewed the joint letter from the U. S. Fish and Wildlife Service and the California Department of Fish and Game (comment tracking number: A0024). On page 1 of their letter's enclosure detailing the agencies' comments and recommendations (under Regional Conservation Planning), the agencies state that the Sunrise Powerlink Project DEIR/DEIS "...does not identify all conservation lands owned and/or managed by the Department. The properties listed below are directly and/or indirectly affected by the Proposed Project alignment and alternative route proposals. The final EIR/EIS should correctly identify these lands and discuss the potential impacts the Proposed Project (and alternative routes) would have on the long-term management objectives of these areas."

The specific properties listed in the letter's enclosure do NOT include the Sycuan Peak-Sweetwater River Ecological Preserve. That omission is an unfortunate oversight since the West of Forest Alternative to the Proposed Project cuts directly through the heart of this State/CDFG ecological reserve. The West of Forest Alternative (Scoping stage) was announced as eliminated from further consideration & environmental analysis in the DEIR/DEIS, so perhaps that explains the omission of the Sycuan Peak-Sweetwater River Ecological Reserve from the list in the agencies' letter (they thought it was no longer relevant?); but in truth the West of Forest Alternative IS retained in the Project as a Future Transmission System Expansion option connected to the I-8 and the Modified Route D Alternatives, as it is one of the three SWPL alternatives defined on pages E.1.1-7 – E.1.1-8 and E.4.1-3 of the DEIR/DEIS.

Other factors contributing to how CDFG (& members of the public for that matter) could overlook impacts on the Sycuan Peak-Sweetwater River Ecological Preserve include the vague graphics in both the RDEIR/SDEIS (Fig. 5-1) and in the DEIR/DEIS (Figs. E.1.1-1, E.1.1-6):

Fig. 5-1 includes the "...Modified Environmentally Superior Southern Alternative", On it the Preserve land is mostly obscured by the boxed label "Modified Route D Substation Alternative", so there is no visual connection showing that property and its location relative to the "Western MRDA Reroute".

Figs. E.1.1-1 "SWPL Alternatives Overview" shows the state Preserve clearly, but not any Future Expansion Routes

Fig. E.1.1-6 "SWPL Alternatives 500kV Future Expansion" shows the pertinent West of Forest routing but does NOT show the state Preserve

Comment 3. The RDEIR/SDEIS reduces the number of SWPL options for Future Transmission System Expansion routes. The revisions to proposed and alternative transmission line routes discussed in the RDEIR/SDEIS effectively eliminate the Interstate 8 Alternative from MP 51 to MP 74 from further consideration, but the consequences of this elimination are not explicitly analyzed in the document.

One major consequence is that two of the three SWPL options for Future Transmission System Expansion discussed in the DEIR/DEIS are also eliminated, so that the only remaining SWPL option for Future Transmission System Expansion is the route formerly known as the West of Forest Alternative. Narrowing the three SWPL options in the DEIR/DEIS to a single remaining option which is unexamined in either the DEIR/DEIS or the RDEIR/SDEIS has deprived both the public and the resource agencies of the opportunity to review and comment on an important aspect of the proposed Sunrise Powerlink Project that is inseparably linked to one of the SWPL alternatives (Modified D/Western MRDA Reroute) that could be selected following certification of the Final EIR/EIS.

If the Powerlink should be approved, then if the Modified D Alternative (original or Reroute) should be chosen as its pathway, there will be a single potential path described in the environmental documents for the Future Transmission System Expansion inseparably linked with it. Even though the Future Expansion would be a separate future action involving separate future environmental analyses and certification, the choice of Modified D/Western MRDA Reroute causes reasonably foreseeable significant impacts to the area where the West of Forest route is located.

If these impacts are not assessed in the preliminary or final EIR/EIS, now, then both the public and the resource agencies will have been deprived of the opportunity to review and comment on the “whole of the action” (see Comments A0028, Aguirre/City of San Diego), and the decision makers will be deprived of the big picture: choice of a route should be based on the full range of realistic impacts it will create, for the current Powerlink transmission line as well as those future expansion routes linked to it. Otherwise a choice is being made by officials wearing “blindners”.

Comment 4. Uninformed Ranking of the Environmentally Superior Southern Route. In the RDEIR/SDEIS (Section 5), the so-called Environmentally Superior Southern Route (also called Southwest Powerlink [SWPL]) Alternative) is ranked as the fourth least environmentally damaging of the Proposed Project alternatives (page 5-1).

The ranking given this alternative must have been determined without a complete understanding of its full potential impacts compared with those of the other alternatives, because the impacts of the only remaining SWPL option for Future Transmission System Expansion were not considered either in the DEIR/DEIS or the RDEIR/SDEIS. (The DEIR/DEIS did consider impacts of Future Transmission System Expansion options associated with the Proposed Project and its northern route alternatives.) Following the path of the West of Forest Alternative, the Future Transmission System Expansion route for the Environmentally Superior Southern Route is an integral part of the entire project,

and the impacts of this Future Expansion must be understood to properly evaluate the environmental ranking of the Environmentally Superior Southern Route.

CEQA and NEPA require that all reasonable foreseeable significant impacts of the Project be disclosed and analyzed. Given the evolution of alternatives considered and analyzed in the CEQA/NEPA process for this Project, if the impacts of the West of Forest Alternative route are not disclosed and analyzed in the Final EIR/EIS it will be seriously flawed and incomplete and can not provide the basis for a proper, legal certification.

Comment 5. Section 3.1.1 BLM Gifted Lands Reroute. The BLM Gifted Lands Reroute will result in two additional towers, two additional staging areas and a longer access road, compared to the original segment of the Proposed Project.

We are astonished to read (page 3-2) that “Although the original segment of the Proposed Project would result in fewer impacts to sensitive vegetation and to FTHL habitat...the reroute is environmentally superior to the original segment of the Proposed Project for biological resources.”

The RDEIR/SDEIS admits that the original segment “would impact a Caltrans-owned biological resources mitigation parcel, which would require consultation with Caltrans and greater compensatory measures may need to be developed to offset impacts.” It is further admitted that the original segment would impact lands given to BLM, and that there could be required “...(a) request for Biological Opinion from the U. S. Fish and Wildlife Service for potential impacts to federally listed species...which could cause a delay in permitting for the Proposed Project.”

If the Proposed Project utilizes the original segment, consultations with Caltrans and the Service would most likely result in compensatory mitigation for the impacted sensitive vegetation and Flat tailed horned lizard habitat, and compared to the reroute segment there would be two less towers, two less staging areas and a shorter access road.

If the Proposed Project utilizes the BLM Gifted Lands Reroute, not only will there be more direct physical impacts to sensitive biological resources, there will most likely be less mitigation carried out in spite of these greater impacts on the ground.

In Section 3.1.1.3 it is stated that “The Proposed Project is preferred for cultural resources, because the route would likely have fewer cultural resources and the route would be shorter resulting in less ground disturbance.” But the conclusion of Section 3.1.1.4 states that the “...reroute...was found to be overall environmentally superior.”

Section 3.1.1.4 Conclusion advances the argument that it is environmentally superior to avoid lands given to BLM as a gift in Imperial County and Caltrans-owned biological resources mitigation land, in part because locating the Proposed Project across the Caltrans parcel would diminish or negate the value of the previous biological mitigation of acquiring the habitat as compensation to the public for the impacts resulting from several Caltrans projects located elsewhere. In fact, if the Proposed Project is located

across the Caltrans parcel and the impacts there are mitigated elsewhere at a 1:1 compensation ratio then there would be no diminishment or negation of the previous biological mitigation/compensation. If the impacts of the Proposed Project there are mitigated elsewhere at a compensation ratio greater than 1:1, then the overall biological mitigation/compensation for cumulative development impacts (from past Caltrans projects plus the Proposed Project original segment) to sensitive biological resources will actually be increased as a result of utilizing the Caltrans parcel rather than the reroute on private land.

It is Orwellian double-speak, if not simple outright lying, for the RDEIR/SDEIS to state that "...this reroute, which would avoid BLM-gifted and Caltrans mitigation lands was found to be overall environmentally superior to the Proposed Project." Is it a violation of CEQA and/or NEPA to lie in the public documents? The Final EIR/DEIS should admit that this reroute is desired, in spite of the fact that it will cause more environmental impacts than the Proposed Project original segment, because it will be quicker, easier and cheaper to accomplish,

Hmmmmm,... Lesser impacts and greater mitigation associated with the original segment versus more impacts and less mitigation with the reroute...which could be environmentally superior?

Comment 6. Section 3.1.2 Northern Grapevine Canyon Reroute. The reroute would result in greater impacts to sensitive plant communities and other biological resources, because of the addition of four towers north of MP 86, and the construction of new access roads. The original segment of the Proposed Project would result in fewer impacts to sensitive vegetation communities and it is environmentally superior to the reroute.

"Therefore the Northern Grapevine Canyon Reroute is environmentally superior to the Proposed Project." (3.1.2.5 Conclusion, page 3-9) Huh?

How is this conclusion justified?

Comment 7. CEQA Recirculation Triggers. To a large extent, we regret to say we feel that the fourth "trigger" listed on page 1.1 of the RDEIR/SDEIS (what might trigger Recirculation) might actually be descriptive of this RDEIR/SDEIS: a document that is "so fundamentally and basically inadequate and conclusory in nature that meaningful public review and comment were precluded."

Along the lines of many of the comments from the Wildlife Agencies (Letter # A0024), and other letters in Appendix 2, we wish to comment that there is no transparency which allows an understanding of how the conclusions are drawn regarding biological resources, cultural resources, etc. It seems that time and time again in Section 3 the parts of the Revisions are described as having more impact than the original route. Yet when all of the parts are merged together, the conclusion produced somehow spins

the Revisions (Reroutes) as the environmentally superior choice, rather than the original segments.

Complete field data has not been gathered, so assumptions are relied upon to create mitigations that don't really reduce the impacts, all of which seems counter to CEQA. It truly seems as though the Reroutes are predetermined to be deemed superior, and then words have been spun into double-speak to try to justify the "conclusion."

Comment 8. Importance of the Federal Section 368 West-wide Energy Corridor.

Much has been made of the Federal Section 368 West-wide Energy Corridor (see RDEIR/SDEIS, comments from Forest Service #A0009, p. 3, 4/10/08; and Bill Powers #Boo12, p. 18, 4/3/08) in the DEIR/DEIS given that both the Modified D Route variants and the Future Transmission System Expansion routes would utilize the proposed federal corridor. This factor helped rank the Environmentally Superior Southern Route (SWPL) Alternative in fourth place, highest of the San Diego County transmission line routes.

We think, given the fragmented nature of this proposed federal corridor (DEIR/DEIS Figure E.4.1-1a) its importance is overrated, and we don't think it should be given so much weight in selecting a route. We can't help but notice that several of the modified reroute segments in the RDEIR/SDEIS (Western MRDA, Fig. 3-12; PCT, Fig. 3-11) align the Powerlink out of the Federal Corridor, while the Cameron Reroute (Fig. 3-10) has no Corridor segments along it.

Comment 9. In-basin Generation. We disagree with the decision (RDEIR/SDEIS, page 1-3) to ignore any "in-basin" projects (rooftop solar, commercial, residential, photovoltaic, water or space heating) for renewable generation, as part of any cumulative bundled solution, and think it is short sighted. Such projects would be reasonable, feasible and realistic to incorporate into a non-wire alternate scenario of locally generated electricity and/or reduced need for commercial power from SDG&E. The use of a multitude of local point sources of generation would be worth including with the Alternatives that have been presented, not because of an attempt to consider all feasible alternatives in the EIR/EIS, but because an alternative of this ilk would broaden the range of possible solutions that would not require long transmission lines over long distances. Rather, to locally generate small individual amounts of power, and/or provide for individual needs by local renewables would cumulatively add up within the service area and contribute to meeting overall local need. And it would be even better, if the CPUC, California Legislature, and pertinent agencies would rectify the inability/disinclination for SDG&E to buy back any excess power generated within the service area. (See Aguirre, A0028, p. 4; Wildlife Agencies, A0024, p.7)

We ask that an In-basin Renewable Alternative be added as a component to the Final EIR/EIS, with estimates of the contribution from many point sources of generation.

Comment 10. Fire. We also disagree with the discussion and rejection of giving fresh consideration to the impacts of the 2003 and 2007 fires (RDEIR/SDEIS, page 1-4). We think they should be considered, as well as the 2001 Viejas Fire that burned much of the

area where Western Modified Route D original and MRDA revised routes are planned. There are many smaller fires in that vicinity over the years. We call for the Final EIR/EIS to contain mapping that shows all of the wildfire boundaries for all Alternatives of the Powerlink.

On page 1-4 RDEIR/SDEIS the language of the discussion seems vastly more dismissive and minimizing concerns like fire hazard due to powerline and type conversion impacts than exists in the DEIR/DEIS. The impedance of fire fighting by the physical presence of lines and towers should be part of the consideration that fires could burn and widely in the face of inadequate air support and ground crews held back by safety concerns, especially in steep rugged terrain characterizing much of the Modified D route. Hot fire over broad areas could impact the ability of such burn areas to recover “with similar habitat values and ... look similar to how they did before the fire.”

There are numerous concerns expressed in the comments of Appendix 2 regarding fire, and the requests made should certainly be addressed in the Final EIR/EIS.

Comment 11. Undergrounding. The Forest Service (A0009, page 3, 3/12/08) indicated that undergrounding of the Powerlink through the I-8 portion of Cleveland National Forest would resolve the conflicts the Forest Plan has with that route. If the extensive undergrounding option can be considered through ABDSP, why not consider undergrounding for the I-8 Alternative? After the BCD Modified South option comes south to I-8, instead of continuing south to the Modified D route, turn back along I-8 west and follow it within peripheral Forest LUZ, which would be compatible (Back Country, Developed Area Interface, Non Forest System Lands), undergrounding it in the sections where there are conflicting impacts if above ground.

Conclusion. There are many other concerns touched on by the various comments to the DEIR/DEIS which we also share. Avoidance and minimization of significant impacts should be a firm goal, yet they seem not to be applied often except for visual impacts. Why, with all the reroute/revisions in the Western MRDA route, could there not have been sufficient diversion of the line to put safe buffers between the Golden Eagles and the powerline?

There are so many significant and unmitigable Class I impacts. Might it be possible to apply the ultimate mitigation: “Say no, to the Powerlink and all its associated impacts. Chose a Non-wire or a No Project Alternative.

Thank you.

Sincerely yours,

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