Response to Document No. D1

Clean Tech San Diego (Lisa Bicker)
Dated January 20, 2011

D1-1 The commenter's support of the project is noted and will be included in the administrative record.

D1-2 The commenter's description of CleanTECH San Diego and its interests are noted. This comment will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D1-3 This comment is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D1-4 The commenter's support of the project is noted and will be included in the administrative record.

Response to Document No. D2

San Diego Regional Chamber of Commerce (Ruben Barrales)
Dated January 21, 2011

D2-1 The commenter's support of the project is noted and will be included in the administrative record.

D2-2 Refer to response D2-1.

D2-3 Refer to response D2-1.

Response to Document No. D3

Industrial Environmental Association (Patti Krebs)
Dated January 26, 2011

D3-1 The description of the Industrial Environmental Association is noted. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D3-2 The commenter's support of the project is noted and will be included in the administrative record.

D3-3 The comment is noted. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

Response to Document No. D4

Mountain Health (Judith Shaplin)
Dated January 27, 2011

D4-1 The commenter's support of the project is noted and will be included in the administrative record.

D4-2 The description of Mountain Health and Community Services is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D4-3 The commenter's support of the project is noted and will be included in the administrative record.

Response to Document No. D5

San Diego Renewable Energy Society (Rich Caputo)
Dated January 28, 2011

D5-1 The commenter's support and opinion of the project is noted and will be included in the administrative record.

D5-2 The comment is noted and will be included in the administrative record. The EIR/EIS, in its evaluation of the potential impacts and environmental issues caused by the Proposed PROJECT, provided substantial research and evaluation, including specific project surveys and studies, to provide a conservative evaluation of the potential environmental impacts that may be caused.

D5-3 The comment is noted and will be included in the administrative record. As discussed under Section A, Introduction/Overview, the goals of the Proposed PROJECT include compliance with a number of directives related to a reduction of greenhouse gases and renewable energy and is an important element in developing additional renewable energy resources required to meet California Renewable Portfolio Standard (RPS) targets according to Senate Bill (SB) X1 2 and federal Energy Policy Act goals for developing renewable energy.

D5-4 The comment is noted and will be included in the administrative record.

D5-5 The commenter's support of the Proposed PROJECT is noted. The commenter's opinion will be included in the administrative record. EIR/EIS Section D.3, Visual Resources, includes a full evaluation of environmental impacts to aesthetics and visual resources caused by the Proposed PROJECT.

D5-6 The comment is noted and will be included in the administrative record. EIR/EIS Section D.2, Biological Resources, includes a full evaluation of environmental impacts as they relate to biological and avian resources caused by the Proposed PROJECT.

D5-7 The comment is noted and will be included in the administrative record. EIR/EIS Section D.8, Noise and Vibration, includes a full evaluation of environmental impacts as they relate to noise caused by the proposed wind turbines. As discussed in Section D.8.3.3 and as outlined in Table D.8-14, Mitigation Monitoring and Compliance Reporting–ECO Substation, Tule Wind, and ESJ Gen-Tie Projects–Noise, Mitigation Measure NOI-3 will be in place to require, prior to construction, a site-specific noise mitigation plan to ensure that noise from turbines will not adversely impact surrounding residences. The noise

mitigation plan will ensure that operation of the turbines will comply with County General Plan Policy 4b and County Noise Ordinance Section 34.404. Mitigation of the turbine noise may include revising the turbine layout, curtailment of nighttime use of selected turbines, utilization of an alternate turbine manufacturer, and implementation of noise reduction technology. The plan will also demonstrate how the project will maintain the turbines so that they will be kept in good running order throughout the operational life of the project and will not create noise levels due to deterioration that would violate County standards.

D5-8 The commenter's opinions regarding the safety of wind turbines will be included in the administrative record. The commenter provided no data or references to support stated opinions. Section D.15 of the EIR/EIS includes a full evaluation of environmental impacts related to fire and fuels management. EIR/EIS Section D.15 evaluates the potential for the Proposed PROJECT to not only cause fires, but to also hinder firefighting capabilities. Please also refer to common responses for FIRE in Section 2.10 of Volume 3 of the Final EIR/EIS.

D5-9 The comment is noted and will be included in the administrative record. As part of the NEPA process, the EIR/EIS did evaluate the loss of property values under Section D.16, impact SOC-3. Please refer to common response SOC1 regarding property values.

D5-10 The comment is noted and will be included in the administrative record. As part of the alternative evaluation process, the EIR/EIS Section C.5.4.1, Distributed Generation—Rooftop Solar Panels and Other Alternative Fuel Supplies Description, discusses distributed generation alternatives, including rooftop solar. As discussed in the EIR/EIS, while this alternative would result in a net reduction in project impacts as compared with the Proposed PROJECT and would contribute directly to meeting state and federal renewable energy resource goals, the use of such alternative energy sources alone would not feasibly meet renewable energy goals within the 2010–2020 time horizon due to the sheer number of required residential and commercial rooftop solar systems required under such an alternative. Please also refer to common response ALT2 regarding distributed generation.

D5-11 The comment is noted and will be included in the administrative record. Section C.5.4, Other Energy Alternatives, of the EIR/EIS included a number of alternative options in order to meet the goals and directives related to energy and renewable energy development, including but not limited to residential and commercial rooftop solar panels, biofuels, hydrogen fuel cells, and other renewable distributed energy sources. Please also refer to common response ALT2 regarding distributed generation.

D5-12 The comment is noted and will be included in the administrative record.

D5-13 The comment is noted. Please refer to responses D5-10 and D5-11.

D5-14 The commenter's support of the project is noted and will be included in the administrative record.

Response to Document No. D6

San Diego Renewable Energy Society (Rich Caputo)
Dated January 28, 2011

D6-1 The comment is noted and will be included in the administrative record.

D6-2 The Tule Wind newsletter is noted. The newsletter in this comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D6-3 This attachment is the same as comment letter D5. Please refer to responses D5-1 through D5-14.

D6-4 The commenter's opinion is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D6-5 The comment is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required. EIR/EIS Section D.8, Noise and Vibration, includes a full evaluation of environmental impacts as they relate to noise caused by the proposed wind turbines.

D6-6 The commenter's opinion is noted and will be included in the administrative record. Please refer to EIR/EIS Section D.16, Social and Economic Conditions, as well as common response SOC1 regarding property values.

D6-7 The commenter's opinion is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required. EIR/EIS Section D.2, Biological Resources, includes a full evaluation of environmental impacts of the Proposed PROJECT as they relate to biological and avian resources.

D6-8 The commenter's opinion is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required. EIR/EIS Section D.15, Fire and Fuels Management, includes a full evaluation of environmental impacts related to the potential for fire

from the Tule Wind Project and Proposed PROJECT as a whole. The EIR/EIS in Section D.15, Fire and Fuels Management, evaluated the potential for the Proposed PROJECT to not only cause fires, but to also hinder firefighting capabilities. Please also refer to common responses for FIRE in Section 2.10 of Volume 3 of the Final EIR/EIS.

D6-9 The commenter's opinion is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D6-10 The commenter's opinion is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required. EIR/EIS Section D.3, Visual Resources, includes a full evaluation of environmental impacts to aesthetics and visual resources caused by the Proposed PROJECT.

D6-11 The commenter's opinion is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required. EIR/EIS Section D.18, Climate Change, evaluates impacts to climate change caused by the Proposed PROJECT. Please also refer to common responses regarding climate change (CC1 through CC3).

D6-12 The commenter's opinion is noted and will be included in the administrative record. Please refer to common response ALT2 regarding distributed generation.

D6-13 The commenter's opinion is noted and will be included in the administrative record.

D6-14 Please refer to common response ALT2 regarding distributed generation.

D6-15 The commenter's opinion is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D6-16 The commenter's opinion is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required. EIR/EIS Section D.11, Air Quality, evaluates project impacts to air quality caused by the Proposed PROJECT.

D6-17 The commenter's opinion is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D6-18 The commenter's opinion is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D6-19 The commenter's opinion is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

Response to Document No. D7

Back Country Against Dumps (Donna Tisdale)
Dated February 2, 2011

D7-1 The comment is noted. Please refer to common response INT1 regarding the extension of the public review period.

D7-2 Please refer to common responses PHS1 through PHS4 regarding public health concerns related to wind turbines, as well as common response SOC1 regarding property values. This comment will be included in the administrative record.

D7-3 The comment is noted. Please refer to common responses CUL1 through CUL3 regarding cultural resources. This comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D7-4 The comment is noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D7-5 The comment is noted. Please refer to common response INT1 regarding the extension of the public review period.

Response to Document No. D8

Westfield (Jerry Engen)
Dated February 4, 2011

D8-1 Westfield's support of the project is noted and will be included in the administrative record.

D8-2 The description of Westfield is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D8-3 Westfield's support of the project is noted and will be included in the administrative record.

Response to Document No. D9

Rasayana (Luke Gordon)
Dated February 5, 2011

D9-1 The comment is noted and will be included in the administrative record. The alternatives section of the EIR/EIS, Section C.3.1, describes the ECO Substation Project transmission line alternatives analyzed in the EIR/EIS. As described in this section, two alternatives along Old Highway 80, including the ECO Highway 80 138 kV Transmission Route Alternative and the ECO Highway 80 Underground 138 kV Transmission Route Alternative, are analyzed in the EIR/EIS. Further, the ECO Partial Underground 138 kV Transmission Route Alternative, which undergrounds approximately 6 miles of the proposed transmission line route from milepost (MP) 0.3 to 2.4 (this segment would be rerouted and installed underground along Old Highway 80 and Carrizo Gorge Road) and from MP 9 to Boulevard Substation, is analyzed in this document. Please refer to comment letter E3 (from San Diego Gas & Electric Company, dated March 4, 2011) in this Final EIR/EIS, which indicates SDG&E's support for this underground alternative.

It should be noted that the ECO 3B route (Jewel Valley Road Route Alternative), as shown in EIR/EIS Figure C-1 and described in Section C.5.1.11, was eliminated from further analysis in the EIR/EIS as this alternative would result in increased impacts due to a longer route that would require additional access.

D9-2 The comment is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required. Please refer to response D9-1. EIR/EIS Section D.6, Agricultural Resources, evaluates impacts to agricultural resources.

D9-3 The commenter's opposition to the project is noted. The commenter's opinion will be included in the administrative record.

D9-4 The commenter's opinion is noted. The commenter's opinion will be included in the administrative record. EIR/EIS Section D.10, Public Health and Safety, evaluates EMF associated with the project.

D9-5 The comment is noted and will be included in the administrative record. EIR/EIS Section D.12, Water Resources, evaluates project impacts to both surface and groundwater quality and quantity.

D9-6 The commenter's opinion is noted. The commenter's opinion will be included in the administrative record. EIR/EIS Section D.10, Public Health and Safety, evaluates EMF associated with the project.

D9-7 The comment is noted and will be included in the administrative record. Please refer to response D9-1 regarding the alternatives analyzed in the EIR/EIS.

D9-8 This comment is noted. Please refer to responses D9-9 through D9-17.

D9-9 This comment is noted. This is the comment letter received during the Notice of Preparation (NOP) for the ECO/Tule Wind/ESJ Gen-Tie Project EIR/EIS and is included in the Scoping Report published March 23, 2010. These comments were considered during preparation of the EIR/EIS. Responses D9-10 through D9-17 provide information on where topics are found in the EIR/EIS.

D9-10 The comment is noted and will be included in the administrative record. EIR/EIS Section D.10, Public Health and Safety, evaluates EMF associated with the project. Please refer to common response SOC1 regarding property values.

D9-11 This comment is noted. EIR/EIS Section D.3.3, Visual Resources, addresses impacts of the Proposed PROJECT to visual resources in the project area.

D9-12 This comment is noted. EIR/EIS Section D.6, Agricultural Resources, evaluates impacts of the Proposed PROJECT to agricultural resources.

D9-13 The comment is noted. EIR/EIS Section D.10, Public Health and Safety, evaluates hazardous materials impacts and Section D.12, Water Resources, evaluates project impacts to groundwater quality. The EIR/EIS includes mitigation measures that will be implemented through the mitigation monitoring, compliance, and reporting program (MMCRP), as outlined in Tables D.10-13 and D.12-6 for Public Health and Safety and Water Resources.

D9-14 EIR/EIS Section D.12, Water Resources, evaluates project impacts to hydrology, including impervious surfaces as well as surface and groundwater quality. With regard to existing utility lines in the project area, Mitigation Measure PSU-1b, Protection for Underground Utilities, is provided in Table D.14-7, Mitigation Monitoring, Compliance, and Reporting–ECO Substation and Tule Wind Projects–Public Services and Utilities, of the EIR/EIS.

D9-15 EIR/EIS Section D.13, Geology, Mineral Resources, and Soils, evaluates project impacts to geology and soils, including erosion. Mitigation Measure GEO-1 in Table D.13-9, Mitigation Monitoring, Compliance, and Reporting–ECO Substation,

Tule Wind and ESJ Gen-Tie Projects–Geology, Mineral Resources, and Soils, of the EIR/EIS would implement an erosion control and sediment transport control plan that includes a revegetation plan for areas disturbed during construction.

D9-16 The comment is noted and will be included in the administrative record. Please refer to response D9-1 regarding undergrounding alternatives analyzed in the EIR/EIS. Section D.10, Public Health and Safety, of the EIR/EIS evaluates EMF associated with the project.

D9-17 The comment is noted. As noted in response D9-9, these NOP comments were considered in development of the EIR/EIS. Please refer to response D9-1 regarding the alternatives analyzed in the EIR/EIS, including two along Old Highway 80, one of which is underground, as well as a partial underground alternative from MP 9 to the Boulevard Substation.

Pursuant to CEQA Guidelines (Section 15000 et seq.) and NEPA (40 CFR 1502.16), the EIR/EIS identifies significant effects due to construction and operation of the Proposed PROJECT and provides applicant proposed measures (APMs) and mitigation measures and alternatives that would substantially reduce these effects.

In addition, as discussed in Section B.3 of the EIR/EIS, the applicants (SDG&E, Tule Wind, LLC, and ESJ) identified best management practices (BMPs) that have been incorporated in this EIR/EIS as APMs that would be implemented to avoid or reduce potential impacts from the Proposed PROJECT. During the preparation of the EIR/EIS, these measures were assumed to be part of the Proposed PROJECT and are not considered as CPUC- or BLM-recommended mitigation measures. However, the applicants' APMs will be monitored by the lead agencies as they will be compiled with the mitigation measures into the final mitigation monitoring, compliance, and reporting program (MMCRP), which will be completed upon adoption of the Final EIR/EIS.

The EIR/EIS includes an MMCRP for the mitigation measures proposed for the ECO Substation, Tule Wind, and ESJ Gen-Tie projects. An MMCRP table for the Proposed PROJECT is provided at the end of each issue area in Section D of the EIR/EIS (Sections D.2 through D.18) that lists each mitigation measure and outlines procedures for successful implementation. Section H of the EIR/EIS provides the recommended framework for effective implementation of the MMCRP.

Response to Document No. D10

San Diego Renewable Energy Society (Richard Caputo)
Dated February 10, 2011

D10-1 The comment is noted and will be included in the administrative record.

D10-2 This comment is noted. Please refer to common response ALT2 regarding distributed generation.

D10-3 The commenter's opinion is noted and will be included in the administrative record. As stated in the EIR/EIS, Section C.5.4.1, Distributed Generation—Rooftop Solar Panels and Other Alternative Fuel Supplies Description, based on the purpose and need of the ECO/Tule Wind/ESJ Gen-Tie Project EIR/EIS, this alternative was eliminated from further analysis as a viable alternative to the Proposed PROJECT because it would require substantial installations and would be prohibitively expensive. These installations would render this alternative's ability to meet most of the project objectives infeasible from a technical and commercial perspective within the 2010–2020 timeframe. Please refer to common response ALT2 regarding distributed generation.

D10-4 The commenter's opinion is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required. Please refer to response D10-3 as well as common response ALT2 regarding distributed generation.

Response to Document No. D11

San Diego County Archaeological Society, Inc. (James W. Royle, Jr.)
Dated February 14, 2011

D11-1 EIR/EIS Section D.7, Cultural and Paleontological Resources, includes information on potential National Register of Historic Places (NRHP) and California Register of Historical Resources (CRHR) eligibility for all cultural resources that would be potentially impacted by the Proposed PROJECT. In some cases, such as the ECO Substation and Tule Wind projects, the project description has been refined to avoid prehistoric cultural resources. The potential NRHP and CRHR eligibility is defined for each of these resources. The comment is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D11-2 The Draft EIR/EIS discussion of the Southwest Powerlink (SWPL) Loop-In included incorrect information regarding the results of the records search and surveys for this project area. The Final EIR/EIS has been revised to state that three previously recorded archaeological sites and one site identified during surveys are all located outside of the SWPL area of potential effect (APE) (see changes in Section D.7.1.2, Record Search and Survey Results, under "SWPL Loop-In" heading). These changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines, and under NEPA do not result in new significant circumstances or information relevant to environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

D11-3 Final EIR/EIS Table D.7.3 has been revised to add the status of previously recorded archaeological sites that were not relocated during the present survey. These include CA-SDI-7027, -7030, -7037, -7040, -7069, -7072, -7080H, -8315, 8316, -8430, -8431, -8432, -9156, -9278H, and -9279. All of these resources were very sparse lithic scatters, one bedrock milling surface, and one historic well and corral. The Final EIR/EIS has been augmented to clarify that: "This inability to relocate previously recorded sites may be a function of techniques used when the sites were originally mapped in the 1970s and 1980s, prior to the use of systematic global positioning systems currently implemented. None of these site records for these resources included a site map to assist in their relocation" (Section D.7.1.2, Record Search and Survey Results, under the "138 kV Transmission Line" heading).

These changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines, and under NEPA do not result in new significant circumstances or information relevant to environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

D11-4 Final EIR/EIS Section D.7, Cultural and Paleontological Resources, has been revised to include the results of supplemental surveys for the Tule Wind Project. The site totals have been adjusted accordingly.

These changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines, and under NEPA do not result in new significant circumstances or information relevant to environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

D11-5 Please refer to response D11-4.

D11-6 Final EIR/EIS Table D.7-9, Sites and Isolates within the ESJ Gen-Tie Project Area of Potential Effect, has been revised to include CA-SDI-6119. These changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines, and under NEPA do not result in new significant circumstances or information relevant to environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

D11-7 On those portions of the proposed project on federal lands, curation of artifacts recovered during archaeological excavations will be addressed by stipulations of the Memorandum of Agreement (MOA) established through the Section 106 compliance process under the of the National Historic Preservation Act (NHPA) (see Appendix 11 to Volume 2 of the Final EIR/EIS for copies of the Tule Wind and ECO Substation Draft Section 106 MOAs). These require that curation of artifacts be undertaken in a federally recognized facility. Curation of all archaeological materials that are associated with "historic resources" sites eligible for CRHR listing is normally required by CEQA for portions of the project on state or private lands. Mitigation, including artifact curation, for those sites that are not eligible for CRHR listing or are considered unique archaeological resources cannot be required under CEQA. As stated in CEQA Guidelines Section 15064.5(c)(4):

"If an archaeological resource is neither a unique archaeological nor an historical resource, the effects of the project on those resources shall not be considered a significant effect on the environment. It shall be sufficient that both the resource and the effect on it are noted in the Initial Study or EIR, if one is prepared to address impacts on other resources, but they need not be considered further in the CEQA process."

The comment is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D11-8 The isolate lead ball was not collected, but only recorded. The comment is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

Response to Document No. D12

California Wind Energy Association (Nancy Rader)
Dated February 15, 2011

D12-1 The comment is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D12-2 The commenter's support of the project is noted and will be included in the administrative record.

D12-3 The comment is noted and will be included in the administrative record.

Response to Document No. D13

HOPE of the Mountain Empire (Randy Lenac)
Dated February 17, 2011

D13-1 The comment is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D13-2 The comment is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D13-3 The commenter's support of the project is noted and will be included in the administrative record.

D13-4 The attachment, the HOPE Platform, is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

Response to Document No. D14

Mountain Empire Business Association (Rick Northcote)
Dated February 17, 2011

D14-1 The comment is noted. The commenter's support of the project is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D14-2 The comment is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

Response to Document No. D15

Mountain Empire Gentlemen's Club (Gene Vick)
Dated February 17, 2011

D15-1 The commenter's support of the project is noted and will be included in the administrative record.

Response to Document No. D16

Gatzke, Dillon, and Ballance LLP (David P. Hubbard) on behalf of EcoLogic Partners, Inc.
Dated February 22, 2011

D16-1 The commenter's support of the project is noted and will be included in the administrative record.

Response to Document No. D17

Enel Green Power, North America, Inc. (Jennifer Purczynski)
Dated February 28, 2011

D17-1 This comment provides an introduction to comments that follow. The commenter's support of the project is noted and will be included in the administrative record.

D17-2 This comment is noted. Approval of the Jordan Wind project will require further evaluation under all applicable environmental regulations once sufficient project-level information is developed. Given that there is a potential for the Jordan Wind project to still be refined, the CPUC and BLM have set issuance of the Notice of Preparation and Notice of Intent for the EIR/EIS as the cutoff date for updates to the project description for the nascent wind energy projects included as connected actions. By including the wind energy projects as components of the Proposed PROJECT, it allows the lead agencies and decision makers to further consider broad impacts, mitigation, and consequences of the ECO Substation Project specifically, and the wider Proposed PROJECT as a whole.

The information provided in the EIR/EIS was based on information provided from the project proponent at the time of preparation of the Draft EIR/EIS. The Jordan Wind project information was provided by Padoma Wind Power in their response to CPUC's data request number 1 dated January 15, 2010. Data requests to Padoma Wind Power and their response can be found on the CPUC's project website at: http://www.cpuc.ca.gov/environment/info/dudek/ECOSUB/Other_DR.htm, under the heading Padoma Wind Power.

D17-3 The comment indicates that programmatic significance findings with regard to the Jordan Wind Project cannot be made at this time considering the premature stage of project plans and development, and that a comprehensive, project-level environmental review will be conducted upon completion of final engineering and design. As indicated in Section A.1 of the Final EIR/EIS, the CPUC and BLM have determined that the Campo, Manzanita, and Jordan projects are sufficiently developed to analyze impacts "where feasible." Therefore, the Campo, Manzanita, and Jordan projects are qualitatively evaluated at a programmatic level because sufficient project-level information has yet to be developed.

By including these nascent wind energy projects as components of the wider Proposed PROJECT, it allows the lead agencies to further consider broad impacts, mitigation, and consequences of the ECO Substation Project specifically, and the wider PROJECT as a whole.

The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no changes to the EIR/EIS are required as a result of this comment.

D17-4 The comment is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

Response to Document No. D18

Back Country Against Dumps (Donna Tisdale)
Dated March 1, 2011

D18-1 The introduction to this comment letter is noted and will be included in the administrative record.

D18-2 The comment consists of a recounted personal account of symptoms and health-related conditions purported to be related to proximity to wind turbines. Please refer to common responses PHS1 through PHS4 regarding public health concerns related to wind turbines, common responses PHS3 and NOI5 regarding the relationship between low frequency noise generated by wind turbines and adverse health effects, common response NOI10 regarding the human response to noise generated from wind turbines, and common responses PHS3 and NOI12 regarding setbacks from wind turbines to sensitive receptors. The comment is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D18-3 The comment is noted and will be included in the administrative record. Please refer to response D18-2.

D18-4 The comment is noted and will be included in the administrative record. Please refer to response D18-2.

Response to Document No. D19

Boulevard/Jacumba/La Posta Fire Safe Council (Tammy Daubach)
Dated March 2, 2011

D19-1 The comment is noted and will be included in the administrative record.

D19-2 The commenter's description of the Boulevard/Jacumba/La Posta Fire Safe Council board members and mission and community is noted and will be included in the administrative record.

D19-3 The commenter's description of the Fire Safe Council area is noted and will be included in the administrative record. The Draft EIR/EIS included a full evaluation the area's fire environment, fire history, and fire threat within Section D.15, Fire and Fuels Management, that is consistent with the comment.

D19-4 The commenter quotes from the Draft EIR/EIS, Section D.15.1.1, reiterating details from the fire environment description regarding fireshed descriptions. The comment is noted and will be included in the administrative record.

D19-5 The commenter describes several of the assets that may be at risk. The EIR/EIS includes an evaluation of assets at risk in Section D.15.1.2. The commenter's detailed asset descriptions will be included in the administrative record.

D19-6 The commenter quotes from the EIR/EIS, Section D.15.1.1, reiterating details from the fire environment description regarding ignition sources. The comment is noted and will be included in the administrative record.

D19-7 The commenter's opinion regarding fire risk increases will be included in the administrative record. The Draft EIR/EIS included a full evaluation of environmental impacts related to the potential for fire and fuels management. EIR/EIS Section D.15, Fire and Fuels Management, evaluates the potential for the Proposed PROJECT to not only cause fires, but to also hinder firefighting capabilities. Fires originating in Mexico are not included in the project analysis as they would not be a project-related impact.

D19-8 The commenter's description of the local fire stations and staffing schedules will be included in the project record for consideration during project deliberation. The Draft EIR/EIS includes a detailed discussion of the local and regional fire response resources as well as the potential impact the Proposed PROJECT would have on firefighting effectiveness (see EIR/EIS Section D.15, Fire and Fuels Management). Further, common responses FIRE1 and FIRE5 provide additional information regarding firefighting effectiveness.

D19-9 Access ways for existing residences are an important component of safe evacuation within any fire hazard zone. As described in Section D.15.3.3, Direct and Indirect Effects of the Draft EIR/EIS, on extreme fire weather days (Red Flag Warnings), project construction, maintenance, and operation restrictions would be in place and enforced, reducing any potential effect on the roadways residents rely on for evacuation. Regardless of the Proposed PROJECT's approval, residents of the area, like any area with wildland–urban interface, should formulate personal evacuation plans in addition to a local Fire Safe Council-coordinated community-wide evacuation plan. Measures providing for Red Flag Warning weather and ongoing maintenance and operations are addressed in Mitigation Measures FF-1, FF-2, and FF-4 of the EIR/EIS (Table D.15-8, Mitigation Monitoring, Compliance, and Reporting–ECO Substation, Tule Wind, and ESJ Gen-Tie Projects–Fire and Fuels Management). Further, Mitigation Measure FF-6 provides project funding for preparation of a community-wide fire protection plan and evacuation plan.

D19-10 The commenter quotes from EIR/EIS Section D.15.1.1, reiterating details from the fire environment description regarding fire modeling, fire history, and fire suppression responsibilities. The comment is noted and will be included in the project record.

D19-11 The commenter expresses concern regarding availability of air attack resources and the lack of manpower to utilize the available firefighting resources. Comments related to the lack of availability of aerial attack apparatus on days with multiple large fire events are noted and will be included in the administrative record. It should be noted that CAL FIRE, U.S. Forest Service (USFS), San Diego Rural Fire Protection District (SDRFPD), San Diego Gas & Electric (SDG&E), City of San Diego, U.S. military, and others maintain aerial attack resources and it is unlikely that all available aerial resources would be committed at distant locations at the same time. Therefore, adequate air attack resources are expected to be available when needed in southeast San Diego County. The firefighting manpower issue that currently exists in southeast San Diego County due to the volunteer and reserve status of many of the rural fire stations will be greatly enhanced with approval of the Proposed PROJECT. Rural areas rarely have full-time, career fire stations due to lack of funding for areas that include low populations and widespread assets. Further, SDRFPD, San Diego County Fire Authority (SDCFA), nor CAL FIRE have indicated the need for a new fire station in the project area, with or without project implementation. However, they have indicated that staffing and apparatus would need to be improved with project approval in order to provide adequate fire protection. The primary mitigation measure that focuses on fire department staffing is Mitigation Measure FF-3, as detailed in EIR/EIS Section D.15.3.3, Direct and

Indirect Effects, and Table D.15-8, Mitigation Monitoring, Compliance, and Reporting–ECO Substation, Tule Wind, and ESJ Gen-Tie Projects–Fire and Fuels Management. This mitigation measure indicates that a development agreement between the Tule and ESJ project applicants and the local firefighting agencies would be in place prior to construction. Further, with implementation of Mitigation Measure FF-3, SDG&E would provide assistance for a SDCFA fire code specialist position(s). The cumulative funding source would provide ongoing monies available for equipment, apparatus, and staffing in the local fire stations. The result will be full-time staffing and improved capabilities, mitigating increased number of calls and demand for service, an improved condition from current volunteer and reserve staffing, which has been somewhat inconsistent and vulnerable to individual schedule conflicts, as well as providing a SDCFA fire code specialist position(s) to enforce existing fire code requirements.

D19-12 Please refer to response D19-9 for details regarding evacuation of residents before and during emergency situations.

D19-13 The commenter quotes from the Draft EIR/EIS, Section D.15.1.1, reiterating details regarding potential ignition sources during construction, operation, and decommissioning. The comment is noted and will be included in the project record.

D19-14 The commenter expresses Fire Safe Council preference for undergrounding the transmission line. With regard to undergrounding transmission lines, it is logical to assume that undergrounding the lower voltage lines would reduce the potential risk associated with these typically lower height transmission lines. The EIR/EIS includes several alternatives to the Proposed PROJECT and some of them would underground certain transmission lines (see EIR/EIS Section C, Alternatives, for a description of these alternatives). Others would not be underground due to existing lines, towers, and infrastructure that will be co-located. Fuel management activities that are required by the project's mitigation measures (Section D.15.3.3 and Table D.15-8 of the EIR/EIS) will minimize the likelihood that vegetation grows near these aboveground transmission lines. Funding provided by Mitigation Measure FF-3 will enable SDCFA to staff a full-time inspector in the area. This inspector will be able to enforce vegetation management throughout the communities, including the transmission line right-of-ways. Thus, the likelihood of ignition will be reduced and the likelihood of fire spread from an ignition will be even lower. Based on those results, the Tule Wind and ESJ Gen-Tie Project impact level for Impacts FF-2 and FF-3 are reduced to Class II, mitigated to below significant under CEQA and adverse but mitigated under NEPA (refer to common response FIRE5 for additional details). Because SDG&E's Fire Protection Plan (Mitigation

Measure FF-4) has yet to be received and assistance to SDRFPD and SDCFA in supporting fire code specialist positions (Mitigation Measure FF-3) has yet to be provided by SDG&E to SDRFPD and SDCFA, mitigation effectiveness for the ECO Substation Project is not known; therefore, Impacts FF-2 and FF-3 are considered unavoidable (Class I) for purposes of the analysis conducted in the EIR/EIS.

D19-15 The commenter describes the proposed power shut-down plan mentioned within EIR/EIS Section D.15.1.1. The shut-down plan was rejected by the San Diego County Board of Supervisors and the CPUC, and is no longer considered an option. Planning for conditions where power is unavailable during emergency situations continues and Mitigation Measure FF-3 provides assistance (funding) for SDRFPD and SDCFA, which can be used for providing back-up generators and other equipment deemed necessary by the district board of directors. Red Cross provisions for periods where power is unavailable are beyond the scope of this response and would be most appropriate within a community evacuation plan that would be funded as part of Mitigation Measure FF-6.

D19-16 The commenter expresses concern over the status of wind turbine fire suppression systems. The EIR/EIS provides a thorough evaluation of wind turbine fire conditions and provides for wind turbine fire suppression systems in Mitigation Measure FF-5. The applicant has committed to the fire agencies to develop or adapt a fire suppression system for wind turbine nacelle application. The fire agencies have accepted this as appropriate mitigation for the potential fire risk for the Tule Wind Project. Please refer to common response FIRE5.

D19-17 The commenter quotes from EIR/EIS Section D.15.1.1, reiterating details regarding additional potential fire impacts on wildlife, air quality, and water quality. The comment specifies no additional concern from what is already analyzed in the EIR/EIS, but is noted and will be included in the administrative record.

D19-18 The commenter quotes from EIR/EIS Section D.15.1.1, reiterating details regarding additional potential fire impacts on vegetation communities and the potential for conversion to flashy fuels that are more prone to fire ignition. The comment specifies no additional concern from what is already analyzed in the EIR/EIS, but is noted and will be included in the administrative record.

D19-19 The commenter quotes from EIR/EIS Section D.15.1.1, reiterating details regarding additional potential fire impacts on coastal communities due to wind reversal common during large wildfire events. The comment specifies no

additional concern from what is already analyzed in the EIR/EIS, but is noted and will be included in the administrative record.

D19-20 Concerns related to the nearest airport and unreliability of air attack, lack of fire breaks, and community education in the McCain Valley area are addressed in Section D.15 of the EIR/EIS. Please refer to common response FIRE1 regarding aerial attack. If wind or other conditions limit the use of air resources and direct fire attack, the importance for fuel modification around assets (e.g., structures, residences, roadways) so that required defensible space is available will provide a reduction in the number of assets lost or threatened should a wildfire spread into the area. The EIR/EIS provides for enforcement of existing weed abatement/defensible space laws in Mitigation Measure FF-3, Provide Assistance to SDRFPD and SDCFA, which will have a net positive effect on overall fire risk in the Proposed PROJECT area. Additionally, Mitigation Measure FF-6 provides funding for completion of a community-wildfire protection plan to prioritize and implement fire safety projects. Refer to common response FIRE6.

D19-21 The commenter quotes from EIR/EIS Section D.15.1.1 regarding firefighting near power lines. The commenter's opinion will be included in the administrative record. The EIR/EIS in Section D.15, Fire and Fuels Management, evaluates the potential for the Proposed PROJECT to not only cause fires, but to also hinder firefighting capabilities. Please also refer to common response FIRE1.

D19-22 The commenter quotes from EIR/EIS Section D.15.1.1 regarding aerial attack resources. Concern regarding the distance and possibility of fires starting in months when no air resources are available is expressed. The 60-mile distance from the Ramona Air Attack Base to the project area is reachable within 20 minutes by aircraft, meeting Cal Fire's air attack goals. In addition, other air attack resources are available within approximately the same timeframe, year-round, providing a robust aerial response capability. Please also refer to response D19-11 and common response FIRE1.

D19-23 The commenter's opinion will be included in the administrative record. However, the commenter provides no substantiation or conclusion on the air attack resources, responses, or constraints that have not already been analyzed in the EIR/EIS.

D19-24 The provided information regarding Cal Fire's Interagency Command Center is noted and further bolsters the aerial firefighting response capabilities in the area. Please also refer to common response FIRE1 and response D19-11.

D19-25 The commenter indicates one Fire Safe Council operates in the project area. However, San Diego County Fire Safe Council provides support and direction and there are numerous Fire Safe Councils throughout San Diego County, including in the vicinity of the Proposed PROJECT that can be utilized as resources for information and planning. In addition, the commenter indicates that there are 15 rural fire agencies, all volunteer or part-time capacity, protecting 1.5 million acres of unincorporated area. Please refer to common response FIRE1 that describes that the firefighting manpower issue that currently exists in southeast San Diego County due to the volunteer and reserve status of many of the rural fire stations will be greatly enhanced with approval of the Proposed PROJECT.

D19-26 The commenter quotes from EIR/EIS Section D.15.2, reiterating details regarding the project area's topography. The comment specifies no additional concern from what is already analyzed in the Draft EIR/EIS, but is noted and will be included in the administrative record.

D19-27 The commenter expresses concern that the project will be located within chaparral, will remove 100-year-old oaks, and will affect homeowner insurance in the vicinity. The EIR/EIS summarizes the vegetation communities that will be affected by the project. Fire protection measures required of the Proposed PROJECT minimize the potential for fire escape by providing fuel modification zones among other measures that are part of a layered system of protection, prevention, and suppression. Regarding oak trees, the EIR/EIS analyzes the oak impacts related to the Proposed PROJECT. The comment does not indicate a fire-related concern from the oak trees. Please refer to common response FIRE3 regarding insurance coverage.

D19-28 The commenter indicates concern in the Tule Wind Project area and Lark Canyon road as a sole ingress/egress. Access ways for existing residences are an important component of safe evacuation within any fire hazard zone. As described in Section D.15.3.3, Direct and Indirect Effects, of the EIR/EIS, on extreme fire weather days (Red Flag Warnings), project construction, maintenance, and operation restrictions would be in place and enforced, reducing any potential effect on the roadways residents rely on for evacuation. Regardless of the Proposed PROJECT's approval, residents of the area, like any area with wildland–urban interface, should formulate personal evacuation plans in addition to a local Fire Safe Council-coordinated community-wide evacuation plan, which is provided funding by the Proposed PROJECT in Mitigation Measure FF-6 of the EIR/EIS. Measures providing for Red Flag Warning weather and ongoing maintenance and operations are addressed in Mitigation Measures FF-1 and FF-2 of the EIR/EIS (Table D.15-8, Mitigation

Monitoring, Compliance, and Reporting–ECO Substation, Tule Wind, and ESJ Gen-Tie Projects–Fire and Fuels Management).

D19-29 The commenter refers to EIR/EIS Table D.15-3 and the total impact area (project footprint). The commenter states that if an emergency occurs, there are only four firefighters to cover the 668 impacted acres. The table only summarizes potential impact or disturbance area of the project. The firefighting and emergency response resources provided by the local fire stations, CAL FIRE, BLM, USFS, SDCFA, and others are available under mutual aid agreements and would respond to fire emergencies not only in the 668-acre project footprint, but throughout the area and would provide a combination of attack and structure protection.

D19-30 The commenter's opinion will be included in the administrative record. Please refer to response D19-29 for additional information. Also, EIR/EIS Section D.15, Fire and Fuels Management, evaluates the potential for the Proposed PROJECT to not only cause fires, but to also hinder firefighting capabilities.

D19-31 The commenter quotes nearby structure information provided in the EIR/EIS and then inaccurately mentions that no mitigation is being offered. The comment further indicates that property values and insurance coverage will be affected by the Proposed PROJECT. Mitigation measures are detailed in Section D.15.3.3 of the EIR/EIS and applicant proposed measures (APMs) are provided in applicant Fire Protection Plans (Tule and ESJ). The mitigation measures provided for fire protection, prevention, and suppression are multi-layered and have received fire agency approval as mitigating the fire risk for the Tule and ESJ projects. Please refer to common responses SOC1 regarding home values and FIRE3 regarding insurance coverage.

D19-32 The commenter quotes from the EIR/EIS regarding land use. The EIR/EIS provides information pertaining to the nearest structures, including that one of the structures may be illegally on the project. The analysis and conclusions performed in Section D.15.3.3 do not consider whether the structure is illegal or not when determining impact levels or mitigation measures. The comment is noted and will be included in the administrative record.

D19-33 This comment reiterates details provided in the EIR/EIS regarding regional assets at risk. The comment will be included in the administrative record.

D19-34 This comment reiterates details provided in the EIR/EIS regarding federal wildland fire policy and the National Fire Plan. The comment specifies an opinion that the Proposed PROJECT adds multiple new risks with no mitigation. The

EIR/EIS (Section D.15, Fire and Fuels Management) includes a full evaluation of environmental impacts related to the potential for fire and fuels management. EIR/EIS Section D.15, Fire and Fuels Management, evaluates the potential for the Proposed PROJECT to not only cause fires, but to also hinder firefighting capabilities. EIR/EIS Section D.15.3.3 provides mitigation measures to counter the project-related risks.

D19-35 The commenter's opinion regarding undergrounding of the transmission lines will be included in the administrative record. The EIR/EIS (Section D.15, Fire and Fuels Management) includes a full evaluation of environmental impacts related to the Proposed PROJECT and alternatives, some of which consider undergrounding portions of the electrical transmission lines associated with the project. Please also refer to common response FIRE2 regarding the undergrounding alternatives.

D19-36 The commenter provides information from the National Fire Plan regarding pre-planning and indicates that none of the pre-planning measures are being implemented at any of the impacted communities. In fact, Section D.15 of the EIR/EIS provides many of the measures as part of the impact analysis and mitigation measure generation process. Implementation of the National Fire Plan is not the responsibility of the Proposed PROJECT, but is a federal program to assist rural fire agencies.

D19-37 The commenter mentions that CPUC General Order (GO) 95 is applicable and will need to consider the goldspotted oak borer and the tree mortality it is causing. EIR/EIS Section D.15 provides a discussion of GO 95 and its applicability to the Proposed PROJECT, and includes vegetation clearance and removal of dead vegetation, regardless of cause of decline/mortality.

D19-38 The comment regarding GO 95 and its considerations for disaster preparedness are addressed in the analysis and conclusions provided in EIR/EIS Section D.15. Mitigation measures resulting from the impact analysis of the Proposed PROJECT are related to the level that disaster preparedness was considered in the project design, including, but not limited to operating differently during Red Flag Warning periods, undergrounding transmission lines, providing steel poles, and shortening spans. Thus, the comment is noted and has been addressed in the EIR/EIS. No change to the EIR/EIS is required as a result of this comment.

D19-39 The commenter quotes the CAL FIRE Civil Cost Recovery Program and provides a warning that the applicants will be responsible for costs associated with any fire caused by the project. The commenter's opinion will be included in the administrative record.

D19-40 The commenter quotes several policy documents regarding fire hazard reduction and land use planning in fire hazard severity areas. The commenter's opinion regarding whether the project is appropriate for the area or not and whether it has been provided proper mitigation/hazard reduction will be included in the administrative record. EIR/EIS Section D.15, Fire and Fuels Management, evaluates the fire environment and the potential for the Proposed PROJECT to not only cause fires, but to also hinder firefighting capabilities. Local and county fire agencies have concluded that appropriate mitigation has been provided for the Tule and ESJ projects based on approved FPP and a development agreement. However, because SDG&E's Fire Protection Plan (Mitigation Measure FF-4) has yet to be received and assistance to SDRFPD and SDCFA in supporting fire code specialist positions (Mitigation Measure FF-3) has yet to be provided by SDG&E to SDRFPD and SDCFA, mitigation effectiveness for the ECO Substation Project is not known; therefore, Impacts FF-2 and FF-3 are considered unavoidable (Class I) for purposes of the analysis conducted in the EIR/EIS.

D19-41 The commenter's statements regarding fire protection plans and analysis of impacts on a variety of fire protection features is noted and will be included in the project record. The EIR/EIS evaluates project Fire Protection Plans (FPPs) for the ESJ Gen-Tie and Tule Wind projects. Both FPPs had been approved by the County Fire Authority and SDRFPD. Both FPPs analyzed potential impacts on fire response and capabilities. An independent analysis of the potential impacts of the projects on the fire resources was conducted in Section D.15 of the EIR/EIS. The analyses for the ESJ Gen-Tie and Tule Wind projects conclude (as presented in the Final EIR/EIS) that potential impacts can be mitigated to less than significant (fire agencies have stated that it is mitigated below significance level for the ESJ Gen-Tie and Tule Wind projects). Regardless, the mitigation measures and APMs provided for the projects result in a layered fire protection, prevention, and suppression system that improves the readiness, availability, and capabilities of the responding firefighters, as well as makes the area less prone to wildfire damage. However, because SDG&E's Fire Protection Plan (Mitigation Measure FF-4) has yet to be received and assistance to SDRFPD and SDCFA in supporting fire code specialist positions (Mitigation Measure FF-3) has yet to be provided by SDG&E to SDRFPD and SDCFA, mitigation effectiveness for the ECO Substation Project is not known; therefore, Impacts FF-2 and FF-3 are considered unavoidable (Class I) for purposes of the analysis conducted in the EIR/EIS.

D19-42 The commenter states that the project cannot comply with state and local fire codes or the California Code of Regulations, that the project in not in compliance with the project's FPP, and that the project exceeds emergency response

requirements of the County General Plan. The Proposed PROJECT, when all proposed mitigation measures are provided, meets the intent of the local and state fire codes. There are no specific fire codes for wind energy projects, but the general fire codes apply and the project will meet or exceed them in virtually every instance. The Proposed PROJECT includes three components, and two of those components (ESJ Gen-Tie and Tule Wind) have provided FPPs meeting County requirements. These FPPs and APMs and mitigation measures within the FPPs have been approved by the County and fire district. The project is consistent with the General Plan for emergency response time. Rural area emergency response goal is 20 minutes. The existing fire stations can meet this goal for a majority of the project areas, including the areas where people will be on site during the long-term operation of the facilities that are on County jurisdictional lands. In addition, the Proposed PROJECT complies with the existing General Plan Public Safety Element (Policy 1) by providing fire protection equipment, training, and apparatus that improve the ability of the local emergency responders to the project and to existing developed areas to reduce fire hazards.

D19-43 The commenter provides no evidence or support for the statement that helicopters increase the fire danger risks over conventional transmission line stringing. Therefore, the commenter's opinion will be included in the administrative record.

D19-44 Please refer to common response FIRE2 regarding the undergrounding of transmission lines.

D19-45 Please refer to common response FIRE1 regarding the firefighting manpower issue that currently exists in southeast San Diego County

D19-46 This comment regarding wind turbine fires and embers and the extreme fire danger in the area is noted and will be included in the project record. In addition, the statistics utilized in the Draft EIR/EIS indicating up to 35 wind turbine fires per year have been proven to be unsubstantiated. The reference to the IAEA numbers will remain in the Final EIR/EIS, but will be countered with data from fire agencies and independent research indicating that a lower number (up to four fires per year) is likely a more accurate number in California.

D19-47 The commenter's concern that wind turbine nacelle fire suppression systems may not be available when the project is built are unfounded. The applicant has committed to the County and fire district that it will provide fire suppression systems in the nacelles of wind turbines erected as part of the Proposed PROJECT. Such systems are already on the market, including products like FireTrace® Automatic Fire Suppression Systems.

D19-48 EIR/EIS Section D.15, Fire and Fuels Management, provides Mitigation Measure FF-1 (develop and implement a Construction Fire Prevention/Protection Plan) that indicates the plan shall include smoking limitations. These plans will be reviewed and approved by local fire agencies before project construction begins.

D19-49 The commenter's opinion regarding the impact classification for future wind and solar projects in the areas is noted and will be included in the administrative record. The EIR/EIS (Section D.15, Fire and Fuels Management) includes a full evaluation of environmental impacts related to the potential for fire and fuels management, including a cumulative impact analysis (Section F of the EIR/EIS) that analyzed substantial future wind and solar projects.

D19-50 Please refer to common response FIRE2 and response D19-44 for information regarding undergrounding the transmission lines and its effect on impact classification.

D19-51 The impact analysis referred to by the commenter is one component of the ECO Substation Project. The substation itself will be built of highly noncombustible construction materials and will include fire detection and suppression systems. Firefighting in this type of facility is not foreign to responding firefighters and therefore does not represent an impact on their ability to respond to fires/emergencies. Fires in the substation would be controlled and extinguished by automatic suppression systems, reducing the need for immediate firefighter intervention. Therefore, the statement in the Draft EIR/EIS is accurate and will remain. No changes to the Final EIR/EIS have been made as a result of this comment.

D19-52 Please refer to common response FIRE2 and responses D19-50 and D19-44 for information regarding undergrounding the transmission lines and its effect on impact classification.

D19-53 Please refer to common response FIRE2 and responses D19-50 and D19-44 for information regarding undergrounding the transmission lines and its effect on firefighting effectiveness and impact classification. Please also refer to response D19-11 and common responses FIRE1 and FIRE5 regarding aerial firefighting.

D19-54 The commenter's concerns about Mitigation Measure FF-6, Funding for Fire Safe Council, are noted. However, based on post-Draft EIR/EIS publication approval of FPPs and the finalization of Development Agreements (ESJ Gen-Tie and Tule Wind projects) that include annual funding for the SDRFPD and SDCFA, Mitigation Measure FF-6 has been clarified in the Final EIR/EIS (see Table D.15-8). Final approvals of SDG&E's Fire Protection Plan (Mitigation Measure FF-4), as well as Mitigation Measure FF-3, have yet to be received from SDRFPD and

SDCFA and the mitigation effectiveness for the ECO Substation Project is not known. Therefore, Impacts FF-2 and FF-3 for the ECO Substation Project are considered unavoidable (Class I) for purposes of the analysis conducted in the EIR/EIS. Please refer to common response FIRE6 for detailed information regarding Fire Safe Council funding. In response to this comment, Section D.15.3.3 has been modified in the Final EIR/EIS in accordance with 40 CFR 1502.9(b). These changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines, and under NEPA do not result in new significant circumstances or information relevant to environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

D19-55 Please refer to common response FIRE1 regarding the readiness level of local firefighters currently and with Proposed PROJECT approval.

D19-56 Please refer to common response FIRE1 regarding the readiness level of local firefighters currently and with Proposed PROJECT approval. The mitigation measures provided in the FPPs and within the EIR/EIS have provided the level of protection and safety necessary to receive approvals by the fire authorities having jurisdiction for the ESJ Gen-Tie and Tule Wind projects (please see common responses FIRE1 and FIRE5).

D19-57 The commenter expresses concerns about increased fire hazards and the potential for road obstructions from turbine construction. The particular passage referred to by the commenter indicates that roads will be graded on site, in some areas to gain access to turbine pads. Where that is not necessary, helicopters may be used. Regardless, on-site road creation will not affect emergency ingress/egress as the public will not rely on these roads for evacuation. Primary roadways that would be utilized by the public for evacuation would remain open as construction traffic will be restricted to certain times of day and will be managed as part of the traffic management program. Large-scale equipment will be necessary to transport equipment. However, Mitigation Measures FF-1 and FF-2 provide numerous measures that restrict and reduce the potential for fire ignitions, provide for suppression equipment for fast response, and include restrictions on days when large wildfires are most common. The EIR/EIS has analyzed the project as indicated.

D19-58 Please refer to common response FIRE2 and responses D19-52, D19-50, and D19-44 for information regarding undergrounding transmission lines. Section D.15 of the EIR/EIS fully analyzes the effects of fire embers or fire brands and identifies them as a major source for fire ignitions and spread during wind-driven events.

Additionally, the fire environment was fully analyzed and provided accurate hazard classification in EIR/EIS Section D.15. The comment provides no new information, nor does it raise any additional issues that have not been analyzed.

D19-59 The commenter reiterates language from EIR/EIS Section D.15.3.3 and does not provide new information or raise additional issues that have not been analyzed in the EIR/EIS. The commenter's opinion will be included in the administrative record.

D19-60 The commenter provides opinions on the restoration program (Mitigation Measure FF-7) intended to replant disturbed areas with native species. Restoration scientists utilize effective processes for establishing native plants in areas throughout California and in the same vegetation types that occur within the disturbance footprint of the Proposed PROJECT. As such, concerns over water needs, planting depth, plant palette, and maintenance and monitoring will be addressed in the required restoration plan.

D19-61 The commenter's opinion will be included in the administrative record. As discussed in Section D.2, Biological Resources, of the EIR/EIS, the Proposed PROJECT would result in temporary and permanent direct impacts to native vegetation communities resulting from the construction of substations, transmission lines, wind turbines, access roads, other support facilities, and temporary construction areas. In total, the Proposed PROJECT would result in 819.2 acres of impact to native vegetation communities (i.e., direct removal of vegetation), including 258.9 acres of temporary impacts and 560.3 acres of permanent impacts. Given their locations in and around the McCain Valley, the proposed Campo, Manzanita, Jordan wind energy projects would result in impacts to a similar suite of native vegetation communities as the Proposed PROJECT. The extent of the temporary and permanent impacts to vegetation communities associated with these wind projects are not known at this time but will be evaluated under all applicable environmental regulations once sufficient project-level information has been developed. Additionally, construction activities have the potential to result in indirect impacts to native vegetation communities resulting from erosion, sedimentation, increased fire risk, and type conversion. The temporary and permanent loss of native vegetation communities, including sensitive natural communities, would be adverse and significant; therefore, Mitigation Measures BIO-1a through BIO-1e, which require restoration of temporary impacts or habitat compensation for permanent impacts, have been provided to mitigate this impact. Under CEQA, these impacts can be reduced to a level that is considered less than significant with the implementation of Mitigation Measures BIO-1a through BIO-1e (Class II). Indirect impacts to native vegetation communities would also be adverse and significant; therefore, Mitigation Measures BIO-1f and

BIO-1g have been provided to mitigate this impact. Under CEQA, indirect impacts would be considered significant but can be mitigated to a level considered less than significant (Class II) with implementation of Mitigation Measures BIO-1f and BIO-1g, which requires implementation of fire prevention BMPs and a Stormwater Pollution Prevention Plan.

D19-62 Please refer to common response FIRE2 and responses D19-52, D19-50, and D19-44 for more information regarding undergrounding alternatives and its effect on impact classification.

D19-63 The primary concern in the comment relates to the communities' ability to fight a catastrophic wildfire and indicates that additional risk associated with the Proposed PROJECT should be prevented. The EIR/EIS analyzes the impacts and provides mitigation measures to reduce those impacts to the levels below significance based on Fire Authority Having Jurisdiction impact-level statements. Please refer to common response FIRE5.

D19-64 The commenter does not provide new information or raise additional issues that have not been analyzed. The commenter's opinion will be included in the administrative record.

D19-65 The commenter does not provide new information or raise additional issues that have not been analyzed. The commenter's opinion of support for the alternative will be included in the administrative record.

D19-66 The commenter's opinion regarding support of the No Project Alternative will be included in the administrative record. The Tule Wind Project FPP has been revised and approved by the SDCFA and SDRFPD.

D19-67 The commenter's opinion regarding restricting construction and maintenance activities during any period with strong winds will be included in the administrative record. However, Red Flag Warning periods more accurately capture days when wildfire spread is at its highest probability. Fire spreads most efficiently when humidity is low and wind is high. Including work stoppages based on strong winds would negate work during high humidity periods or even during windy rain storms, when ignition and spread of wildfire would be unlikely.

D19-68 Please refer to response D19-54 and common response FIRE6 for information about the clarification of Mitigation Measure FF-6 in the Final EIR/EIS.

D19-69 The commenter does not provide new information or raise additional issues that have not been analyzed. The commenter's support for the alternative will be included in the administrative record.

D19-70 Please refer to common response FIRE2 and responses D19-52, D19-50, and D19-44 for more information regarding undergrounding alternatives and effect on impact classification.

D19-71 The commenter does not provide new information or raise additional issues that have not been analyzed. The commenter's support for the alternative will be included in the administrative record. The Final EIR/EIS will include development agreement details that provide for necessary levels of staffing, training, and apparatus/equipment to effectively respond to potential fires in the project area.

D19-72 The commenter's opinion regarding HAM radio provisions will be included in the administrative record. In addition, communication via telephone (land line) will not necessarily be affected by power outages, as stated. The EIR/EIS (Section D.15, Fire and Fuels Management) includes a full evaluation of environmental impacts related to the potential for fire and fuels management and related to the impacts on fire response capability. Mitigation measures were developed for each impact and will be updated in the Final EIR/EIS to include pertinent public comment.

D19-73 The commenter's opinion regarding provisions for generators for all local fire stations will be included in the administrative record. The EIR/EIS (Section D.15, Fire and Fuels Management) includes a full evaluation of environmental impacts related to the potential for fire and fuels management and related to the impacts on fire response capability. Mitigation measures were developed for each impact and will be updated in the Final EIR/EIS to include pertinent public comment. Mitigation Measure FF-3 provides for ongoing funding to the local fire protection districts and the ability of the district to acquire equipment they deem necessary for improving firefighting capabilities in the project area.

D19-74 The commenter's opinion regarding water tank provisions will be included in the administrative record. APM PDF-7, as described in Section 5.1.4 in the Tule FPP, includes provisions for five 10,000-gallon water storage tanks at the project site and off-site at SDRFPD preference.

D19-75 The commenter's opinion regarding evacuation plan provisions will be included in the administrative record. Access ways for existing residences are an important component of safe evacuation within any fire hazard zone. As described in Section D.15.3.3, Direct and Indirect Effects of the Draft EIR/EIS, on extreme

fire weather days (Red Flag Warnings), project construction, maintenance, and operation restrictions would be in place and enforced, reducing any potential effect on the roadways residents rely on for evacuation. Regardless of the Proposed PROJECT's approval, residents of the area, like any area with wildland–urban interface, should formulate personal evacuation plans in addition to a local Fire Safe Council coordinated community wide evacuation plan that will be provided funding in Mitigation Measure FF-6. Measures providing for Red Flag Warning weather and ongoing maintenance and operations are addressed in Mitigation Measures FF-1, FF-2, and FF-4 of the EIR/EIS (Table D.15-8, Mitigation Monitoring, Compliance, and Reporting–ECO Substation, Tule Wind, and ESJ Gen-Tie Projects–Fire and Fuels Management).

D19-76 Please refer to common response FIRE3 regarding insurance coverage. As described in Section D.15 of the EIR/EIS, each project applicant will have an FPP for their project that provides for additional fire protection and prevention measures as well as increased firefighting capability in the project area.

D19-77 The commenter's opinion regarding availability of electrical service during construction of the Proposed PROJECT and on days with high winds will be included in the administrative record.

D19-78 The commenter's opinion regarding school fire and evacuation education provisions will be included in the administrative record. Mitigation Measure FF-6 provides funding for a community wildfire protection plan (CWPP). If the Fire Safe Council and interested public deem school age fire and evacuation education a priority, this type of public outreach can be detailed in the CWPP.

D19-79 The commenter's opinion regarding funding from all future projects in the area will be included in the administrative record. It is beyond the legal scope of this EIR/EIS to require mitigation measures for unrelated future projects.

D19-80 The Fire Safe Council's comments, and all comments received from the public, organizations, and public agencies will be included in the administrative record.

Response to Document No. D20

Backcountry Against Dumps (Donna Tisdale)
Dated March 3, 2011

D20-1 The comment regarding the community meeting is noted and will be included in the administrative record. In addition, the referenced CD will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D20-2 The bulk mailer and meeting flyer are noted and will be included in the administrative record.

Response to Document No. D21

Courtney Ann Coyle Attorney at Law, on behalf of Carmen Lucas
Dated March 3, 2011

D21-1 The comment is noted and provides an introduction to the comments that follow. It acknowledges that the law office represents Carmen Lucas.

D21-2 The comment is noted. The EIR/EIS Impact CUL-3 analyzes impacts to traditional cultural properties resulting from the Proposed PROJECT. The cultural resources section of the EIR/EIS, Subsection D.7.1, Environmental Setting/Affected Environment, explains that traditional cultural properties (TCPs) may include places such as traditional landscapes, sacred mountains, or areas where Native Americans collect plants for food, medicine, and basket weaving. TCPs can include: areas where ceremonial uses occur or have occurred; or parks neighborhoods, or community gathering areas where contemporary cultural traditions are maintained. The BLM Section 106 Native American consultation process has not yet been concluded for the ECO Substation or Tule Wind Projects, such that the nature, extent, and potential significance of TCPs in the McCain Valley area still are unknown. Please refer to common response CUL1 regarding Native American consultation. EIR/EIS Section D.7.3.3 Impact CUL-3 states that while no TCPs have been identified in the McCain Valley based on information provided in the applicant's environmental document for the ECO Substation or Tule Wind Projects, potential NRHP eligibility of unknown TCPs must be assumed and that in some cases, avoiding direct and indirect impacts to TCPs (such as traditional landscapes, topographic elements including sacred mountains, or use areas) may not be feasible given the geographic expanse of some of these resources. Therefore, the EIR/EIS determines that the residual impact on TCPs would be adverse and mitigation has been provided to reduce impacts (see EIR/EIS Section D.7.3.3, Impact CUL-3, ECO Substation and Tule Wind Projects for full list of mitigation measures). However, because the nature, extent, and potential significance of TCPs in the McCain Valley area has not yet been identified or completely documented, the impact was conservatively determined to be significant and unavoidable (Class I), even after mitigation.

The commenter is correct in stating that tribal cultural values are not discussed in Section D.3, Visual Resources (impacts to cultural resources are discussed in Section D.7, Cultural and Paleontological Resources). The methodology utilized in the KOP selection process is briefly discussed in Section D.3, Visual Resources (subsection D.3.1 Environmental Setting/Affected Environment, methodology and assumptions) and in greater detail in Appendix 3A, Visual Resources

Methodologies and Assumptions. As stated in Section D.3 (subsection D.3.1, visual quality) the Scenic Quality Ratings for BLM jurisdictional lands located within the project area was obtained from the Visual Resource Inventory summary prepared for the BLM's 2008 Eastern San Diego County Resource Management Plan and visual contrast range (Class I through Class IV) was provided by the BLM's visual resource management (VRM) system (specifically, Manual 8431-Visual Resource Contrast Rating) which was used during preparation of the EIR/EIS to determine the consistency of project components located on BLM-jurisdictional land to BLM's VRM policy. As stated in Appendix 7, Visual Resource Consistency Tables, the construction and operation of project components located in the McCain Valley on BLM jurisdictional lands would be consistent with the BLM VRM designation for area however, the EIR/EIS determined that proposed wind turbines would result in significant and unmitigable impacts to scenic vistas (Impact TULE-VIS-1) and to the existing character of the site and its surroundings (Impact TULE-VIS-3). The methodology to determine viewer sensitivity levels is discussed in Appendix 3A which states that data was obtained from the BLM or from applicant prepared document including SDG&E's PEA for the East County Substation Project, HDR's Tule Wind Project Visual Resources Report, and ICF Jones and Stokes' Visual Resources Report for the Energia Sierra Juarez U.S. Transmission Line Project (Appendix 3A clarifies how each applicant prepared visual resource report was used in the EIR/EIS). Of the 5 KOPs located in the McCain Valley area and north of Interstate 8 (KOPs 10, 12, 13, 16, and 22), three (KOPs 10, 16, and 22) were assessed as having *high* visual sensitivity and the remaining two (KOPs 12 and 13) were assessed as having *medium* visual sensitivity because of the viewer types (i.e., public land recreationists) using these areas.

D21-3 In Section D.3.9, Residual Effects, the EIR/EIS states that due to the mass and scale of wind turbines, their striking white color, and movement of wind turbine blades, there are no feasible alternatives available that would substantially lessen the identified visual impacts of the Proposed PROJECT. Feasible mitigation is not available to substantially lessen the visual impact to scenic vistas because (as noted in Section D.3.9, TULE-VIS-1) wind turbines could not be effectively screened from the views afforded to visitors at the Carrizo Overlook, the Carrizo Badlands Overlook, or recreationist's using the Ribbonwood Trail and Ribbonwood Road Pathway and turbines would dominate the visual landscape. Also, within the Section D.3.9, TULE-VIS-3 discussion, the EIR/EIS explains why there are no feasible alternatives available to substantially lessen the visual impact to the existing character of the site and its surroundings.

In response to this comment subsection D.3.9, Residual Effects (Section D.3 Visual Resources) has been modified in the Final EIR/EIS in accordance with CRF 1502.9 (b). The changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5 (b) of the CEQA Guidelines and under NEPA, do not result in new significant circumstances or information relevant to environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

D21-4 Please refer to common response CUM1 and CUL3, regarding cumulative cultural resources impact analysis. As described in EIR/EIS Section F.3.1, the geographic extent for the analysis of cumulative impacts associated with the project includes the vicinity of all reasonably foreseeable cumulative projects and extends throughout southeastern San Diego County and western Imperial County, as shown in Figure F-1 of the EIR/EIS. Table F-2, Cumulative Scenario – Approved and Pending Projects, provides a list of 53 projects considered in the cumulative analysis, including Sunrise Powerlink, Ocotillo Express, and Imperial Valley Solar. The specific geographic area was evaluated and determined to be sufficient based upon the magnitude of the Proposed PROJECT's potential to react with other potential projects. The cumulative study area evaluated any and all projects within a 10-mile radius of the Proposed PROJECT site boundaries. It was determined that this was a reasonable area given the specific project impacts and the surrounding area with little development within the area. The County of San Diego was also consulted as to additional projects in the area that may be applicable on a cumulative basis.

In addition, measures identified resulting from the Tribal Summit on Renewable Energy, 2011 have been included in the Final EIR/EIS, Section F.3.6 Cultural and Paleontological Resources, Impact CUL-3 discussion. Suggestions resulting from the Advisory Council on Historic Preservation (ACHP) and National Association of Tribal Historic Preservation Officers (NATHPO) 2011 Tribal Summit on Renewable Energy to address cumulative impacts on Native American resource values have been included in Section F.3.6, Cumulative Impacts, and include: museum exhibits and other types of interpretation; Native language revitalization programs; tribal member scholarship programs in order to create future cultural resource professionals within tribes; restoration projects; funding of ethnographic studies; fund larger, regional studies to address cumulative impacts; create fund endowments (model might be what is being decided for oil spill in the Gulf); and fund expansion of tribal cultural resource departments to enhance capacity to keep up with projects.

D21-5 The commenter's opinions are noted and will be included in the administrative record. Please refer to response D21-4 as well as common response CUM1 that indicates the geographic extent of the cumulative project analysis.

D21-6 The EIR/EIS Mitigation Measure CUL-1A provides for avoidance of significant archaeological resources and areas of high sensitivity for discovery of buried NRHP- and CRHR-eligible historic properties, including burials, cremations, or sacred features. Mitigation Measure CUL-1A states that "A Native American monitor may be required at culturally sensitive locations specified by the lead agency following government-to-government consultation with Native American tribes." This indicates that if Native American tribal consultations, including input from Ms. Lucas, identify the need for a Native American monitor, then this stipulation will be included in the Historic Properties Treatment Plan. The measure provides for "consulting with Native Americans about site treatment, working with engineers to avoid resources; suggest various options for reducing adverse effects." Mitigation Measure CUL-2 provides for the federal and state mandated protocol for addressing human remains on federal and state/local lands, respectively. Therefore all issues identified in the comment are presently addressed in the EIR/EIS (see Sections D.7 and F.3.6). The comment is noted and will be included in the administrative record. Section 106 compliance involves the identification of archaeological and cultural properties that may be eligible for listing on the National Register of Historic Places (NRHP). NRHP eligibility is addressed during this compliance process, which is separate, yet parallel to the NEPA process. NRHP eligibility of historic and cultural resources within the proposed PROJECT Area of Potential Effects will be completed by the BLM and Native American tribes as part of the project Memorandum of Agreement (MOA). See Appendix 11 of Volume 2 to this Final EIR/EIS for copies of the Tule Wind and ECO Substation Projects Section 106 Draft MOAs.

D21-7 EIR/EIS Section D.17, Environmental Justice, evaluates project impacts to environmental justice caused by the Proposed PROJECT. The environmental justice analysis takes into account both poverty and minority rates within the project area in order to determine if either of these groups would be affected. Importantly, the minority population analyzed in this section of the EIR/EIS includes tribal peoples, and no impacts have been identified. The Environmental Justice analysis, therefore, does not conflict with any of the Articles of the United Nations Declaration on the Rights of Indigenous Peoples, and a discussion of the United Nations Declaration would not be pertinent to the analysis.

D21-8 Please refer to common response CUL1 as well as responses C1-2 and C1-3 regarding BLM's government-to-government consultation with federal tribes as part of the NHPA Section 106 process. Please also refer to common response INT3 regarding mitigation deferral. The comment is noted and will be included in the administrative record.

D21-9 The commenter's opinions regarding the project are noted and will be included in the administrative record.

D21-10 The attachments are noted. The recommendations identified in ACHP/NATHPO 2011 Tribal Summit on Renewable Energy have been included as potential cumulative impact measures in Final EIR/EIS Section F.3.6. These changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines, and under NEPA do not result in new significant circumstances or information relevant to environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

Other attachments provided in this comment do not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

Response to Document No. D22

Herum/Crabtree Attorneys (Brett Jolley), on behalf of JAM Investments, Inc. Dated March 3, 2011

D22-1 The comment is noted. The Project Scoping Report, published March 23, 2010, includes the Notice of Preparation/Notice of Intent scoping comments from JAM Investments, Inc. The scoping report is available at: http://www.cpuc.ca.gov/environment/info/dudek/ECOSUB/ScopingReport.html

D22-2 The comment is noted. Refer to response D22-3 regarding Mitigation Measure WR-2a from the Sunrise Powerlink Project.

D22-3 The reason a similar mitigation measure is not included in the EIR/EIS is that the proposed Tule Wind Project components would not cross JAM Property. The Tule Wind Project is located east of the subject property, as depicted in Figure B-2, Vicinity Overview Map, in the EIR/EIS. The Tule Wind facilities are proposed on the eastern edge of the Ewiiaapaayp Band of Kumeyaay Indian lands, and are, at the nearest point, approximately one-quarter mile east of the eastern edge of the JAM Property.

It is true that Tule Wind Project components are in the vicinity of the Sunrise Powerlink MM WR-2a route; however, Tule Wind, LLC is coordinating design of the location of their project facilities with the location of Sunrise Powerlink facilities and appropriate setbacks will be provided. The EIR/EIS addresses cumulative impacts (see Section F), including those associated with the Sunrise Powerlink. See Figure F-1, Cumulative Projects Map, in the EIR/EIS for the location of the Sunrise Powerlink in relation to the Tule Wind facilities.

D22-4 The comment is noted about receiving notices about the project.

D22-5 Exhibits A–E provided by the commenter are noted. Refer to response D22-3.

Response to Document No. D23

Pinney, Caldwell, and Pace (Clifford and Concepcion Caldwell) Dated March 3, 2011

D23-1 The commenter's opposition to the project is noted and will be included in the administrative record. Section D.2, Biological Resources, of the EIR/EIS provides a discussion of the wildlife in the project area and Section D.3, Visual Resources, of the EIR/EIS provides information on nighttime skies. These comments do not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D23-2 The comment is noted and will be included in the administrative record.

D23-3 The comment is noted. The EIR/EIS evaluates public health and safety (see Section D.10 of the EIR/EIS) and biological resources (see Section D.12 of the EIR/EIS). Please also refer to common response SOC1 regarding property values, as well as EIR/EIS Section D.16, Social and Economic Conditions. Impact SOC-3 of the EIR/EIS evaluates the impacts to property values. These comments do not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D23-4 The comment is noted and will be included in the administrative record. Please see common responses FIRE1 through FIRE6 (address fire impacts and insurance concerns), NOI1 through NOI 14 (address noise pollution), PHS1 and PHS2 (address shadow flicker and electric pollution, respectively), HYD1 (addresses water supply), as well as SOC1 (addresses property values). The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

Response to Document No. D24

Pinney, Caldwell, and Pace (Clifford Caldwell), on behalf of the Trustee of the Walapi Properties Retirement Plan Trust Dated March 3, 2011

D24-1 The commenter's opposition to the project is noted and will be included in the administrative record. Section D.2, Biological Resources, of the EIR/EIS evaluates the projects effects on wildlife in the project area and Section D.12, Water Resources, of the EIR/EIS addresses potential impacts to water resources resulting from construction and operation of the Proposed PROJECT. These comments do not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D24-2 The comment is noted. The EIR/EIS evaluates public health and safety (see Section D.10 of the EIR/EIS) and biological resources (see Section D.12 of the EIR/EIS). Please also refer to common response SOC1 regarding property values, as well as Section D.16, Social and Economic Conditions. Impact SOC-3 of the EIR/EIS evaluates the impacts to property values. These comments do not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D24-3 The comment is noted. Please see common responses FIRE1 through FIRE6 (address fire impacts and insurance concerns), NOI1 through NOI14 (address noise pollution), PHS1 and PHS2 (address shadow flicker and electric pollution, respectively), HYD1 (addresses water supply), as well as SOC1 (addresses property values). The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

Response to Document No. D25

Pinney, Caldwell, and Pace (Clifford Caldwell), on behalf of Trustee of the Walapi Trust Dated March 3, 2011

D25-1 The commenter's opposition to the project is noted and will be included in the administrative record. Section D.2, Biological Resources, provides a discussion of the wildlife in the project area. These comments do not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D25-2 The comment is noted. The EIR/EIS evaluates public health and safety (see Section D.10 of the EIR/EIS) and biological resources (see Section D.12 of the EIR/EIS). Please also refer to common response SOC1 regarding property values as well as Section D.16, Social and Economic Conditions. Impact SOC-3 of the EIR/EIS evaluates the impacts to property values. These comments do not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D25-3 The comment is noted. Please see common responses FIRE1 through FIRE6 (addresses fire impacts and insurance concerns), NOI1 through NOI14 (address noise pollution), PHS1 and PHS2 (address shadow flicker and electric pollution, respectively), HYD1 (addresses water supply), as well as SOC1 (addresses property values). The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

Response to Document No. D26

Adams Broadwell Joseph and Cardozo (Robin Purchia), on behalf of the International Brotherhood of Electrical Workers Dated March 4, 2011

D26-1 The comment is noted. Pursuant to Section 6.9.2.1 of the BLM NEPA Handbook H-1790-1 (Jan. 30, 2008) and CEQA Section 21091(d)(2)(A), this is not considered a substantive comment on an environmental issue, and it does not require a specific response.

D26-2 The comment is noted and will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required. Please refer to responses D26-4 and D26-18 regarding socioeconomic impacts to the region.

D26-3 Please refer to common response INT2 regarding the adequacy of the EIR/EIS. EIR/EIS Section A, Introduction/Overview, states that because the ESJ Gen-Tie Project would connect into the proposed ECO Substation it would be considered a connected action. Further, for purposes of the analysis and for disclosure purposes, the EIR/EIS evaluates potential impacts to biological resources, visual resources, and fire to the United States from the Phase I ESJ Gen-Tie Wind Energy Project in Mexico. The ESJ Gen-Tie Wind Phase I project is depicted in Figure B-2, Vicinity/Overview map, of the EIR/EIS. In addition, Section F, Cumulative Scenario and Impacts, of the EIR/EIS in Table F-1 lists the ESJ Wind Projects proposed in northern Baja California, Mexico. Therefore, the EIR/EIS provides full disclosure of the proposed ESJ wind facilities in Baja California, Mexico.

D26-4 Please refer to response D26-3, which discusses that the EIR/EIS provides full disclosure of the proposed wind facility in Baja California, Mexico. EIR/EIS Section D.16, Social and Economic Conditions, Impact SOC-2 evaluates impacts on revenue for local businesses, tribes, and governments due to project construction and operation. The Proposed PROJECT will have a beneficial impact to local employment. Also refer to response D28-23, with regard to the U.S. not having jurisdictional authority in Mexico.

D26-5 As described in common response INT2, the purpose the EIR/EIS is that CPUC will use the Final EIR/EIS, in conjunction with other information developed in the CPUC's formal record, to act only on SDG&E's application for a PTC to construct and operate the proposed ECO Substation. The BLM will issue a ROD, one for the

ECO Substation Project and one for the Tule Wind Project. The CPUC has no discretionary action over the ESJ Gen-Tie Project, and therefore, is not the lead agency under CEQA. As pointed out in this comment, the County has discretionary authority over the ESJ Project for the gen-tie located within their jurisdiction. As described in Section S.4, Cooperating Agencies, of the Department of Energy's (DOEs) Draft Environmental Impact Statement for the ESJ Project (August 2010), the County is a responsible agency under CEQA, and expects to use the ECO Substation, Tule Wind, and ESJ Gen-Tie EIR/EIS for its permitting process.

D26-6 Please refer to common response INT2, regarding the purpose and adequacy of the EIR/EIS as well as recirculation of the document pursuant to CEQA Guidelines, Section 15088.5, is not warranted.

D26-7 Please refer to responses D26-3 through D26-6.

D26-8 Please refer to response D26-3, which discusses that the EIR/EIS provides full disclosure of the proposed wind facility in Baja California, Mexico. As described in common responses INT2 and PD1, for purposes of this EIR/EIS, which is to allow CPUC to permit the ECO Substation Project and BLM to issue a ROD for both the ECO Substations and Tule Wind Project, the project description is adequate.

D26-9 The comment is noted and will be included in the administrative record. Please refer to responses D26-3 through D26-8.

D26-10 Please refer to common responses INT2 and PD1 regarding the adequacy of the EIR/EIS and the project description, respectively. In accordance with NEPA and CEQA, the EIR/EIS appropriately states the potential impacts applicable to the proposed PROJECT, objectively evaluates those potential impacts, provides appropriate mitigation and alternatives designed to lesson those potential impacts, and conservatively evaluate those impacts in light of the mitigation in order to make a final impact determination (see Sections D.2 through D.18 of the EIR/EIS). All conclusions within the EIR/EIS are based upon substantive evidence. The EIR/EIS is a legally adequate and defensible EIR/EIS pursuant to CEQA and NEPA and has provided sufficient detail and evidence to allow for meaningful public and agency review. Please refer to mitigation deferral response (common response INT3) and the alternatives response (common response ALT1).

D26-11 The comment is noted. Please refer to common response BIO2, regarding California condor. The Final EIR/EIS has been revised to include additional information to substantiate the low likelihood for occurrence of California condor in the project area and the not adverse and less than significant impact determination for this species. Also, refer CUM1 and BIO7 regarding cumulative impacts.

D26-12 The comment is noted. Refer to common response BIO4 regarding Peninsular bighorn sheep. The Final EIR/EIS has been revised to include additional information pertaining to the environmental setting and impact analysis for Peninsular bighorn sheep. Also, refer CUM1 and BIO7 regarding cumulative impacts.

D26-13 The comment is noted. As stated in the EIR/EIS Section D.2, Biological Resources, there is limited suitable habitat for the barefoot banded gecko within the Proposed PROJECT area, and the Proposed PROJECT is located at a higher elevation than the highest recorded elevation for this species. The Final EIR/EIS has been revised to provide additional clarification on this point. Please refer to common response CUM1 and BIO7 regarding cumulative impacts.

D26-14 The comment is noted. Please refer to common response BIO1, regarding impacts to golden eagle along with CUM1 and BIO7, regarding cumulative impacts. The Final EIR/EIS has been revised to include additional information pertaining to the environmental setting, impact analysis, and mitigation measures for golden eagle.

D26-15 The comment is noted. Please refer to common response BIO5, regarding impacts to Quino checkerspot butterfly along with CUM1 and BIO7, regarding cumulative impacts. The Final EIR/EIS has been revised to include additional information pertaining to the environmental setting and impact analysis for Quino checkerspot butterfly.

D26-16 The comment is noted. The land use section of the EIR/EIS (specifically Section D.4.1.2, ECO Substation Project 138 kV Transmission Line) states that between milepost (MP) 3.6 and MP 4.9, the proposed ECO Substation 138 kV transmission would cross land currently owned and managed by the Nature Conservancy. This land (the Jacumba-Eade property) would fall within the Nature Conservancy's cross-border project, the Las Californias Binational Conservation Initiative, which functions as a binational partnership between the Nature Conservancy and Mexico's Pronatura and is intended to maintain an interconnected conservation network and sustaining ecosystem process along the U.S./Mexico border region. The "project" is a vision report which has not been adopted by land use jurisdictional agencies in the project area and therefore, it remains to be seen if the objectives for U.S. lands located in the proposed binational conservation network are attainable. It should be noted however that portions of the Proposed PROJECT area coincide with a designated "critical opportunity area" defined by the vision report as "specific locations where conservation values are imminently threatened if conservation actions are not initiated in the short term". Similarly, the proposed Parque to Park Binational Corridor (which seeks to create a binational park linking the Parque Constitucion

de 1857 in the southern Sierra Juarez region of Baja California with BLM wilderness areas, Cleveland National Forest, and Anza-Borrego Desert State Park wilderness areas in south eastern San Diego County) has not been adopted by land use jurisdictional agencies in the U.S. and policies and objectives for the U.S. lands mentioned above have not been established by the various agencies to support the creation of a binational corridor (see EIR/EIS Section D.2.1.1, Regional Overview, under "Special Habitat Management Areas" heading). Refer to common response BIO6, regarding wildlife corridors.

D26-17 The commenter's opinion that the EIR/EIS lacks wind turbine location description and measures to reduce potential fire risks is noted and will be included in the administrative record. The EIR/EIS includes a detailed discussion of the PROJECT's wind turbine locations in Section B, including distribution of turbines across the site (See Figures B-19 through B-22). EIR/EIS Section D.15, Fire and Fuels Management includes a detailed description of the potential fire risks associated with the project as well as a detailed list of mitigation measures and applicant proposed measures specifically for reducing PROJECT associated fire risk. Please refer to common response FIRE5, which describes, clarifications made to mitigation measures in Section D.15.3.3 of the Final EIR/EIS that provide additional focus toward mitigating potential fire impacts.

These changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines, and under NEPA do not result in new significant circumstances or information relevant to environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

The comment regarding wind turbine fire risk from mechanical issues and from lightning strikes is noted and will be included in the administrative record. These potential wind turbine ignition sources were fully analyzed in the Draft EIR/EIS and the comment provides no new information or issues that have not been considered in the Draft EIR/EIS.

Please refer to common response INT2 regarding the adequacy of the EIR/EIS. As stated in response D33-4, energy projects built in Mexico do not need to comply with CEQA or NEPA. Federal, state, and local agencies do not have jurisdictional authority in Mexico and therefore would not be able to require and/or enforce conditions of approval for development in Mexico. As required and stated in the EIR/EIS in Section A, Introduction/Overview, the EIR/EIS for disclosure purposes evaluates potential impacts to biological resources, visual resources, and fire to the United States from the Phase I ESJ Gen-Tie Wind Energy Project in Mexico.

D26-18 Please refer to response D26-4. Also, please refer to common responses INT2 and PD1 that discuss the purpose of this EIR/EIS as well as adequacy of the project description. The commenter's opinion that renewable energy development in Mexico may supplant renewable energy development in the United States is noted and will be included in the administrative record. The development of renewable energy projects is anticipated to occur in both the United States and Mexico, and the market share between the two countries is dependent on a number of factors that are outside the scope of this analysis. There are numerous plans for future renewable projects in Southern California, just as there are plans for these projects across the border. The notion that all of this development will occur in northern Mexico is entirely speculative, and is not supported by fact. Furthermore, the Proposed PROJECT will have a beneficial impact to local employment regardless of the number of renewable energy projects that are carried out in the United States, as any increase in local employment is beneficial.

D26-19 This comment is noted and included in the project record. Comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided. Please refer to response D26-18.

D26-20 Please refer to response D26-18.

D26-21 Please refer to responses D26-18 and D26-19.

D26-22 The EIR/EIS provided a full and conservative evaluation of all potential environmental impacts caused by the Proposed PROJECT**.** Please refer to common response INT2 regarding the adequacy of the EIR/EIS. Please also refer to response D26-3 regarding addressing impacts to the United States.

D26-23 Please refer to response D26-5. Also, please refer to common response INT2 regarding the adequacy of the EIR/EIS.

D26-24 Please refer to common response INT2 regarding the adequacy and purpose of the EIR/EIS. As described in common response INT2 the CPUC and BLM have no discretionary authority over the ESJ Gen-Tie Project. The ESJ Gen-Tie Project is identified in the EIR/EIS as a "connected action" under NEPA and "whole of the action" under CEQA in order to allow the decision makers to consider the broad impacts, mitigation, alternatives and consequences of the ECO Substation Project specifically, and the wider project as a whole. The ESJ Gen-Tie Project will require approval from both the DOE and the County of San Diego who will need to meet their own CEQA/NEPA requirements in making a decision on the ESJ Gen-Tie Project.

With regard to the alternatives analysis conducted in the EIR/EIS, please refer to common response ALT1. As described in Section C, Alternatives, of the EIR/EIS, 5 alternatives to the ESJ Gen-Tie Project were considered in addition to the No Project Alternative and other energy alternatives. The following 3 alternatives to the ESJ Gen-Tie Project in addition to the No Project Alternative were brought forward into the EIR/EIS for full consideration: 1) ESJ 230kV Underground Alternative; 2) Overhead Alignment Alternative and 3) Undergrounding the 230Kv along the Alternative Alignment. Both the overhead and underground alternatives along the alternative alignment were carried forward as the alternative alignment is required to connect into the ECO Substation Alternative site which is shifted 700 feet east from the proposed ECO Substation site location. The DOE Draft EIS did not consider the ECO Substation Alternative Site and corresponding alternative alignment for the ESJ Gen-Tie in developing the alternatives analysis in that document. As described in Section E "Comparison of Alternatives" in the EIR/EIS, subsection E.4, both of the ESJ Gen-Tie underground alternatives were determined not to be the environmentally preferred or environmentally superior. As described in Section E.4 and E.5 of the EIR/EIS, the ESJ Gen-Tie overhead alignment alternative was found to be the overall environmentally superior alternative and agency preferred alternative for the ESJ Gen-Tie Project as this would connect into the preferred and environmentally superior ECO Substation Alternative Site. As described in Section E of the EIR/EIS, consideration and adoption of this alternative to the ESJ Gen-Tie Project would be at the sole discretion of the County of San Diego and DOE.

D26-25 Please refer to common response INT2 regarding the adequacy and purpose of the EIR/EIS. As described in common response INT2 the CPUC and BLM have no discretionary authority over the ESJ Gen-Tie Project. The ESJ Gen-Tie Project is identified in the EIR/EIS as a "connected action" under NEPA and "whole of the action" under CEQA in order to allow the decision makers to consider the broad impacts, mitigation, alternatives and consequences of the ECO Substation Project specifically, and the wider project as a whole. The ESJ Gen-Tie Project will require approval from both the DOE and the County of San Diego who will need to meet their own CEQA/NEPA requirements in making a decision on the ESJ Gen-Tie Project.

With regard to mitigation measures presented in the EIR/EIS please refer to common response INT3. As discussed in common response INT3 the EIR/EIS provides mitigation as well as the recommended framework for effective implementation of mitigation measures by the CEQA lead agency for the ECO Substation Project, the CPUC and the NEPA lead agency for both the ECO Substation and Tule Wind

Project, the BLM. As described in both the EIR/EIS Section H Mitigation Monitoring and Reporting and common response INT3, the DOE and County will be responsible for ensuring mitigation compliance for the ESJ Gen-Tie project as part of their approval process and may choose to use the MMCRP developed in the EIR/EIS for meeting their CEQA and NEPA requirements.

D26-26 The comment is noted and will be included in the administrative record. Please refer to responses D26-3, D26-8, D26-10, and D26-25.

D26-27 Attachments A through G provided by the commenter are noted. These attachments will be included in the administrative record. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

Response to Document No. D27

Backcountry Against Dumps (Donna Tisdale)
Dated March 4, 2011

D27-1 The comment is noted. All comments received in response to and during the public review period for the Draft ECO/Tule Wind/ESJ Gen-Tie Project EIR/EIS, including those raised in this letter as well as comments submitted by the Law Offices of Stephan C Volker (please refer to comments/responses to the letter designated D33) and the Boulevard Planning Group (please refer to comments/responses to letter D28), will be included in the project record. Those comments relevant to the ECO/Tule Wind/ESJ Gen-Tie Project EIR/EIS received during the public review period will be included in the administrative record.

D27-2 The comment is noted. Please refer to response D27-1.

D27-3 The comment is noted. The referenced CD will be included in the administrative record. Please refer to common responses to issues raised regarding the impacts of industrial wind turbines to public health and safety (NOI1 though NOI14 and PHS1 through PHS7), property values (SOC1), and significant cultural resources (CUL1 through CUL3), as well as common response ALT1 regarding alternatives addressed in the EIR/EIS.

CEQA and NEPA do not require the independent review of the merits of the project, only that the project may not so limit the objectives of a project in such a way as to artificially confine the range of feasible alternatives that are available. Lead and responsible agency consideration of the project will separately and specifically evaluate the need for the project.

Response to Document No. D28

Boulevard Planning Group (Donna Tisdale)
Dated March 4, 2011

D28-1 The comment is noted. All comments and articles received in response to and during the public review period for the Draft ECO/Tule Wind/ESJ Gen-Tie Project EIR/EIS, including those raised in this letter, will be included in the project record. Those comments relevant to the ECO/Tule Wind/ESJ Gen-Tie Project EIR/EIS will be included in the administrative record. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-2 The comment is noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-3 The comment is noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-4 Please refer to common response INT1 regarding public review extension.

D28-5 This comment, regarding support for the No Project Alternative, is noted and will be included in the administrative record.

D28-6 This comment, regarding the Agency Preferred Alternative, is noted and will be included in the administrative record. The Final EIR/EIS acknowledges that this alternative would result in significant and unavoidable impacts to air quality, noise, biological resources, visual character, and cultural resources.

D28-7 The comment is noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-8 The comment is noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-9 EIR/EIS Section D.10, Public Health and Safety, Section D.8, Noise, and Section D.2, Biological Resources, address project impacts to human health and wildlife and provide appropriate mitigation to reduce impacts.

D28-10 Lead and responsible agency consideration of the project will separately and specifically evaluate the need for the project. As discussed in Section A.5 of the EIR/EIS, the CPUC will use the EIR/EIS, in conjunction with other information developed in the CPUC's formal record, to act only on SDG&E's application for a Permit to Construct (PTC) and operate the proposed ECO Substation. The BLM will issue a record of decision (ROD), one for the ECO Substation Project and one for the Tule Wind Project.

The CPUC has no discretionary action/authority over the Tule Wind or ESJ Gen-Tie projects and BLM has no discretionary action/authority over the ESJ Gen-Tie Project. These projects are identified in the Draft EIR/EIS in Section A.1 as "connected actions" under NEPA or "whole of the action" under CEQA in order to allow the CPUC decision makers to consider broad impacts, mitigation, and consequences of the ECO Substation Project specifically, and the wider Proposed PROJECT as a whole during consideration of the ECO Substation.

As described in EIR/EIS Section A.5.3, other agencies, including the County of San Diego (County), California State Lands Commission (CSLC), Bureau of Indian Affairs (BIA), and Ewiiaapaayp Band of Kumeyaay Indians, may also use the EIR/EIS for their permitting/approval processes. The County has discretionary authority over the Tule Wind and ESJ Gen-Tie projects, while BIA, Ewiiaapaayp Band of Kumeyaay Indians, the County, and CSLC also have discretionary authority over the Tule Wind Project. Therefore, these agencies would act, as appropriate, in consideration of portions of the Tule Wind and ESJ Gen-Tie projects within their jurisdiction.

D28-11 Please refer to common responses CC1 and CC2 regarding greenhouse gas (GHG) emissions and fossil fuel power plants. Section D.18 of the EIR/EIS states that while the Proposed PROJECT would be consistent with state initiatives aimed at reducing GHG emissions, it would generate GHG emissions both during the construction and operation phases, which were determined to be less than significant. The EIR/EIS does not definitively state that there would be any resulting fossil fuel shut-down and GHG emission reduction as a result of the project.

D28-12 The comment is noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-13 Section D.10, Public Health and Safety, of the EIR/EIS, Subsection D.10.9, Other Related Public Concerns, addresses catastrophic effects from wind, fire, and lightning. Lack of response from the Secretary of the Interior on issues raised on

the Kumeyaay wind facility does not raise specific issues related to the adequacy of the EIR/EIS; therefore, no additional response is provided or required. Also see EIR/EIS Sections D.8, Noise, and D.15, Fire and Fuels Management.

D28-14 Please refer to common response PHS3 and common response NOI5 regarding the relationship between low frequency noise generated by wind turbines and adverse health effects. Please also refer to common response NOI4 regarding the levels of low frequency noise generated by the proposed wind turbine project; common response NOI10 regarding the human response to noise generated from wind turbines; common response NOI12 regarding the establishment of setbacks from wind turbine to sensitive receptors; and common response PHS2 regarding stray voltage. The comment is noted and will be included in the administrative record.

D28-15 The comment is noted. Five of the seven proposed wind turbines that would be wholly under the land use jurisdiction of the County of San Diego would be located more than 4 miles from the Boulevard Village boundary (the remaining two would be located more than two miles from the village boundary on a disturbed site within Rough Acres Ranch). Wind turbines and other major impact utilities are conditionally permitted uses (subject to a Major Use Permit from the County of San Diego) within the S92 General Rural and S80 Open Space Zone. Tule Wind LLC is seeking a Major Use Permit from the County for the proposed wind turbines located on County jurisdictional lands. As discussed in Section D.3 Visual Resources, implementation of Mitigation Measure VIS-1c would minimize impacts to the community character by requiring that the Tule Wind 138 kV transmission line be installed underground from approximately 0.5 miles north of I-8 and into the Boulevard Substation.

As discussed in Section E, the Draft EIR/EIS determined that the environmentally superior project would include selection of the ECO partial underground 138 kV transmission line alternative which would minimize impacts to rural character by installing the transmission line underground between milepost 0.3 and 2.4 (this segment would be rerouted and installed underground along Old Highway 80 and Carrizo Gorge Road for a distance of approximately 2.7-miles) and between milepost 9 and into the Boulevard Substation (segment of the alignment that deviates from the alignment of the existing 500 kV Southwest Powerlink transmission line). The Boulevard Substation rebuild component of the ECO Substation project would be located adjacent to the existing Boulevard Substation; the new 2-acre, 138/69/12 kV substation would replace the existing 69/12 kV substation-refer to Figure B-15, ECO Substation Project Boulevard Substation Rebuild, for graphical representation of the existing and proposed Boulevard Substation).

Impacts to visual resources resulting from the Proposed PROJECT are assessed in Section D.3, Visual Resources and as identified in Table D.3.2, Visual Resource Impacts, the Proposed PROJECT was determined to have significant and unmitigable impacts to scenic vistas and existing visual character. In addition, the Proposed PROJECT's creation of new source of lighting and inconsistency with applicable plans and regulations were also determined to be significant and unmitigable impacts.

Please refer to Appendix 7 for consistency analysis between the ECO Substation Project, Tule Wind Project, and ESJ Gen-Tie Project and applicable policies and regulations of federal and local land use planning documents.

D28-16 Please refer to Appendix 7 for consistency analysis between the ECO Substation Project, Tule Wind Project, and ESJ Gen-Tie Project and applicable policies and regulations of federal and local land use planning documents. Where an inconsistency with an approved plan has been identified in Appendix 7, the EIR/EIS discloses how the specific project would reconcile the identified inconsistency. For example, as stated in Appendix 7, the proposed Tule Wind Project would be inconsistent with Multiple Rural Use Policy (18) of the Existing General Plan Land Use Element and to rectify this inconsistency, Tule Wind LLC has indicated that they would process a General Plan Amendment with the County of San Diego. Although the Proposed PROJECT was determined to be inconsistent with several policies of Draft plans (see Appendix 7), these plans including the Draft General Plan Update and the Draft Boulevard Subregional Plan Area Community Plan are subject to change and have not been approved by the County; therefore, impact determinations were not made in regards to these plans. The ECO Substation Project was analyzed for consistency with local land use plans and policies for informational purposes only; because the County of San Diego does not have land use jurisdiction over the Project the Project is not subject to local plans and policies.

D28-17 The EIR/EIS evaluates the project described in Section B, Project Description, of the document. The proposed Campo, Manzanita, and Jordan wind energy projects, including proposed gen-ties, are analyzed at the program level as project-level information has yet to be developed. As stated in the EIR/EIS, these projects, including the gen-ties, will require separate environmental analysis and approval processes. Any other potential use by SDG&E of an easement in the project area to serve the Campo and Manzanita wind projects not discussed in Section B of the EIR/EIS would require separate environmental analysis and approval processes.

D28-18 Section D.8, Noise, of the EIR/EIS addresses noise impacts related to both construction and operation for all project components described in Section B, Project Description, including the ECO Substation, Tule Wind, and ESJ Gen-Tie, as well as programmatic-level analysis for the Campo, Manzanita, and Jordan wind energy projects, including all turbines, transmission lines, substation, and traffic. The EIR/EIS concludes that operational noise impacts would be significant and provides mitigation measures to reduce operational noise impacts to less than significant. Section F, Cumulative Scenario and Impacts, of the EIR/EIS, Subsection F.3.7, Noise and Vibration, addresses cumulative noise impacts.

D28-19 Section D.10, Public Health and Safety, of the EIR/EIS, Subsection D.10.9, Other Related Public Concerns, addresses catastrophic effects from wind, fire, and lightning, as well as potential impacts related to blade throw and tower collapse. Also see EIR/EIS Sections D.8, Noise, and D.15, Fire and Fuels Management.

Please refer to common response PHS3 and common response NOI5 regarding the relationship between low frequency noise generated by wind turbines and adverse health effects; common response NOI4 regarding the levels of low frequency noise generated by the proposed wind turbine project; common response NOI10 regarding the human response to noise generated from wind turbines; common response NOI12 regarding setbacks from wind turbine to sensitive receptors; common responses FIRE1 through FIRE6 related to fire; and common response PHS1 regarding shadow flicker.

D28-20 The EIR/EIS evaluates the project described in Section B, Project Description. Any other potential expansion of project components not described in Section B of the EIR/EIS would require separate environmental analysis and approval processes. It should be noted that while the ECO Substation will be designed for future expansion, as described in Section B of the EIR/EIS, any project-level evaluation of additional transmission lines connecting into the proposed ECO Substation and/or Boulevard Substation not currently described in Section B would be speculative as there is no available project-level information of such facilities.

D28-21 Please refer to responses D26-4 and D26-18 regarding energy projects and jobs in Mexico.

D28-22 The comment is noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-23 Energy projects built in Mexico do not need to comply with CEQA. Federal, state, and local agencies do not have jurisdictional authority in Mexico and therefore would not be able to require and/or enforce conditions of approval for development in Mexico. As required and stated in the EIR/EIS Section A, Introduction, for disclosure purposes the environmental document evaluates potential impacts to biological resources, visual resources, and fire to the United States from the Phase I ESJ Gen-Tie Wind Energy project in Mexico.

D28-24 The comment is noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-25 The comment is noted. The EIR/EIS evaluates impacts to these resources in Sections D.2, Biological Resources, D.3, Visual Resources, D.7, Cultural Resources, D.5, Wilderness and Recreation, and F, Cumulative Scenario and Impacts. This comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-26 Please refer to common responses CUL1 through CUL3 regarding cultural resources.

D28-27 The comment is noted. Please refer to response D28-15 regarding community character.

D28-28 EIR/EIS Section D.12, Water Resources, evaluates project impacts to both surface and groundwater quality and quantity, including impacts to Tule Creek and La Posta Creek watershed. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-29 Please refer to common response SOC1 regarding the effect of the Proposed PROJECT on property values.

D28-30 EIR/EIS Section D.16, Social and Economic Conditions, Impact SOC-2 evaluates impacts on revenue for local businesses, tribes, and governments due to project construction and operation. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-31 The statement raised in this comment is not taken from the EIR/EIS. EIR/EIS Section D.17, Environmental Justice, evaluates the potential environmental justice impacts resulting from project construction and operation. Determinations made in Section D.17 of the EIR/EIS are based on data collected from the 2000 U.S.

Census at the block group level, which shows medium minority and high and low poverty for the project study area. This comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-32 EIR/EIS Section D.19, Transportation and Traffic, Impact TRA-2 evaluates impacts to emergency services and Impact TRA-8 evaluates impacts to aviation activities. Section D.10, Public Health and Safety, Impact PS-1 evaluates project impacts and interference with Department of Defense and Federal Aviation Administration requirements. Section D.15, Fire and Fuels Management, evaluates impacts from the projects to fire fighter operations and safety. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-33 The comment is noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-34 Please refer to common response CUM1 regarding cumulative impacts.

D28-35 The comment is noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required. With regard to project impacts to wildlife corridors, please refer to common response BIO6.

D28-36 The comment is noted. The EIR/EIS evaluates impacts to these resources in Sections D.2, Biological Resources, D.3, Visual Resources, D.7, Cultural Resources, D.5, Wilderness and Recreation, D.15, Fire and Fuels Management, and F, Cumulative Scenario and Impacts. This comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-37 The comment and figure provided are noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-38 The comment is noted. Please refer to responses D19-1 through D19-80 (Boulevard/Jacumba/La Posta Fire Safe Council) and F67-1 through F67-39 (Mark Ostrander).

D28-39 The comment is noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-40 The comment is noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required. Please refer to common responses FIRE1 through FIRE6 regarding fire.

D28-41 The comment is noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-42 The comment is noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-43 The comment is noted. However, without documentation of actual discrepancies noted in the comment, a more detailed response cannot be provided. Please refer to common responses CUL1 and CUL2 regarding cultural resources.

D28-44 The comment is noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-45 Please refer to Common responses CUL1 and CUL2 regarding cultural resources.

D28-46 The comment is noted. However, without documentation of actual violation of state laws protecting cultural resources noted in the comment, a more detailed response cannot be provided. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-47 The comment is noted. The EIR/EIS Section D.7, Cultural Resources, Subsection D.7.8, Mitigation Monitoring, Compliance, and Reporting, does not require that collected artifacts be curated at the Ocotillo Museum. The EIR/EIS states that artifacts will be curated at an appropriate facility to be determined by the lead and responsible agencies.

D28-48 The comment is noted. Please refer to response D28-47 as well as common responses CUL1 through CUL3 related to cultural resources.

D28-49 The comment is noted. Please refer to common responses CUL1 through CUL3 related to cultural resources.

D28-50 The comment is noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-51 The comment pertaining to the redesignation of federal lands located in the Eastern San Diego County Planning Area in the BLM's 2008 Eastern San Diego County Resource Management Plan is noted, however the comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-52 The comment is noted. Please refer to response D28-51.

D28-53 Please refer to response A2-2 regarding the Sunrise Powerlink.

D28-54 The comment is noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required. Please refer to common responses CUL1 and CUL3 for discussion of relevant Section 106 consultation for the Proposed PROJECT.

D28-55 Comments noted. These comments do not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-56 Comments noted. These comments do not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-57 The comment is noted. Please refer to common response VIS2 regarding consideration of the Sunrise Powerlink Project.

D28-58 The comment is noted. Please refer to common response VIS2 regarding consideration of the Sunrise Powerlink Project.

D28-59 The comment is noted. Impacts to visual resources resulting from construction and operation of the ECO Substation Project are discussed in EIR/EIS Section D.3, Visual Resources. As discussed in Section D.3 (and in SDG&E's Proponent's Environmental Assessment, the selection of key observation points (KOPs) from which to analyze the anticipated visual impacts of the ECO

Substation Project was a collaborative effort based on methods used by the United State Department of Transportation, the Federal Highway Administration, and the Bureau of Land Management. Section D.3 also explains that KOPs are chosen based on the range of sensitive viewers, distance zones, viewing conditions, and visual changes that would result from the Proposed PROJECT or alternatives. While a KOP from adjacent homes was not selected for analysis within the EIR/EIS, KOP 8 was selected and intended as a representative viewpoint in the area and as indicated in Section D.3.3.3, the visual impacts to the existing visual character or quality of the site and its surroundings was determined to be less than significant (Class II) with installation of SDG&E's proposed landscape plan. In addition to visual simulations from KOP 8, a map depicting the viewshed of the ECO Substation Project was included in the EIR/EIS (see Figure D.3-1). The figure depicts the extent to which the ECO Substation Project (and individually, the Boulevard Substation Rebuild) would be visible from surrounding areas.

D28-60 The comment is noted. Refer to comment D28-59. KOP 18 provides an elevated view from the Table Mountain ACEC towards the ECO Substation Project site and into Mexico (scenic vista impacts at hiking trails and observation points located within the Table Mountain ACEC are assessed in Section D.3.3.3. (Impact VIS-1, ECO Substation Project). A KOP from the referenced off-grid custom home at the base of Table Mountain was not selected to analyze the visual impacts of the Proposed PROJECT. As stated in D28-59, KOPs are chosen based on the range of sensitive viewers, distance zones, viewing conditions, and visual changes that would result from the Proposed PROJECT or alternatives and individual residences are typically not selected due to the limited number of potential viewers. However, Figure D.3-1 ECO Substation Project Viewshed Analysis, depicts the visibility of components of the ECO Substation Project to surrounding areas and based on this figure, a residence located at the base of Table Mountain would be provided views of the ECO Substation Project. Refer to common response VIS1, which pertains to visual simulation limitations.

D28-61 The comment is noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-62 Please refer to common responses PHS1 through PHS4 regarding public health concerns related to wind turbines, as well as common responses PHS3 and NOI12 regarding setbacks from wind turbine to sensitive receptors.

D28-63 Section D.10, Public Health and Safety, of the EIR/EIS, Subsection D.10.9, Other Related Public Concerns, addresses catastrophic effects from wind, fire, and

lightning, as well as potential impacts related to blade throw and tower collapse. Considering the design of the wind turbines, braking mechanisms and other safety controls described in the EIR/EIS, and implementation of appropriate safety zones and setbacks (Mitigation Measure HAZ-6), potential impacts related to blade throw would be mitigated. In addition, given the large distances between the proposed turbines and homes (2,407 feet or greater) and the Cottonwood and Lark Canyon campgrounds (2,356 feet and 1,123 feet or greater, respectively), the turbines are not anticipated to result in adverse effects at residences or campgrounds as a result of blade throw or tower collapse.

D28-64 Please refer to common responses PHS3 and NOI12 regarding setbacks from wind turbine to sensitive receptors.

D28-65 The comment is noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-66 As noted in Section D.5, Wilderness and Recreation (see Section D.5.1.1, General Overview), the wilderness character inventory update conducted by the BLM for the Tule Wind Project area did consider the Sunrise Powerlink Project; therefore, the environmental baseline for the lands with wilderness character analysis (Impact WR-3a) considers the effects of the project on BLM lands with wilderness characteristics. The environmental impacts of the Sunrise Powerlink Project were analyzed in a separate EIR/EIS and the Sunrise Powerlink Project is not a component of the Proposed PROJECT. Because the Sunrise Powerlink Project is not considered a part of the Proposed PROJECT (and with the exception of Impact WR-3a), the presence of the 500 kV transmission line and structures was not considered in determining the overall wilderness and recreation impact of the Proposed PROJECT. Refer to Section F, Cumulative Scenario and Impacts (see Section F.3.4, Wilderness and Recreation), for analysis of impacts to wilderness and recreation resulting from construction and operation of cumulative projects (including the Sunrise Powerlink Project).

D28-67 These comments are noted. These comments do not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-68 The comment is noted. The visual impacts of the proposed Tule Wind Project are analyzed in Section D.3, Visual Resources of the EIR/EIS. As identified in Section D.3, the EIR/EIS determined that the Tule Wind Project would result in significant and unmitigable impacts to scenic vistas and significant and

unmitigable impacts to the existing character of the site and its surroundings. The wilderness and recreation analysis contained in Section D.5 considered project impacts on the functionality of wilderness and recreation areas (whether construction would limit access to areas, whether the project would permanently preclude recreational activities, etc.) and the visual impacts of the Proposed PROJECT were wholly assessed in Section D.3, Visual Resources.

D28-69 Please refer to response D28-30 regarding impacts on revenue.

D28-70 The comment is noted. The posting of notices thirty days in advance of anticipated closures would inform the public of upcoming use restrictions to recreational facilities. Also, as discussed in Section D.5 Wilderness and Recreation, implementation of Mitigation Measure WR-2 would ensure that access along McCain Valley Road is maintained and that recreation areas within the McCain Valley area (with the exception of the Lark Canyon OHV Area which would experience sporadic and temporary closure of facilities over an approximate 3-6 month period) remain accessible during construction. In addition, the BLM manages other lands (the Plaster City Open Area (approximately forty miles east of the Lark Canyon OHV Area), Jacumba Wilderness (approximately seven miles southeast of the Carrizo Gorge Wilderness)) in the region which would experience no use restrictions due to construction of the Proposed Project.

D28-71 Comment noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-72 Please refer to common response SOC1 regarding the Proposed PROJECT's impact on property values.

D28-73 Please refer to response D28-31 regarding environmental justice.

D28-74 The comment is noted. The EIR/EIS evaluates impacts to traffic in Sections D.9, Transportation and Traffic, and F, Cumulative Scenario and Impacts. This comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-75 The comment is noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-76 Pursuant to CEQA Guidelines (14 CCR 15000 et seq.) and NEPA regulations (40 CFR 1502.16), the Draft EIR/EIS identifies significant noise effects due to construction and operation of the Proposed PROJECT and provides applicant proposed measures (APMs) and mitigation measures, along with alternatives that would substantially reduce these effects (see Section D.8, Noise, of the EIR/EIS). The Proposed PROJECT implements all feasible mitigation measures and has described the actions that will be taken to either reduce or avoid potentially significant impacts wherever feasible.

D28-77 Please refer to common response INT3 regarding mitigation.

D28-78 Please refer to common response SOC1 regarding property values.

D28-79 Please refer to common response FIRE5 regarding fire mitigation.

D28-80 The comment is noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-81 The comment is noted. Please refer to common response INT3 regarding mitigation.

D28-82 These comments are noted. These comments do not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required. Please refer to common response INT3 regarding mitigation.

D28-83 Articles noted. These articles do not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-84 Please refer to response D28-20 regarding the project description.

D28-85 Please refer to common response SOC1 regarding property values.

D28-86 The comment is noted. Refer to response D28-60 regarding visual resources. Please refer to common response SOC1 regarding property values.

D28-87 The comment is noted. The EIR/EIS identifies existing residences within proximity of the various components of the ECO Substation Project, Tule Wind Project, and ESJ Gen-Tie Project (see Section D.4, Land Use, subsection D.4.1.1 General Overview). Existing residences are identified in order to analyze potential land use impacts of the Proposed PROJECT according to the significance

thresholds listed in Section D.4.3.3 (Table D.4-12, Land Use Impacts). The significance thresholds included whether construction would temporarily disturb land uses at or near project components and whether the presence of a project component would divide an established community or disrupt land uses at or near project components. The EIR/EIS determined that because project components would not physically displace residents or land uses, land use impacts (Impact LU-1 and Impact LU-2) would be less than significant with mitigation. Land use impacts were not identified for private vacant parcels however, the socio-economic impacts resulting from the Proposed PROJECT (including impacts to property values) are analyzed in Section D.16, Social and Economic Conditions.

D28-88 The comment is noted. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-89 The comment is noted. The EIR/EIS, in Sections D.8, Noise and F, Cumulative Scenario and Impacts, evaluates impacts from noise to nearest sensitive receptors, including residences. This comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided.

D28-90 Please refer to response D28-20.

D28-91 EIR/EIS Section D.10, Public Health and Safety, under Impact HAZ-5, addresses project impacts due to accidental spill of hazardous material, including mineral oil used for transformers. This comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-92 The EIR/EIS evaluates the project, as described in Section B, Project Description, including a proposed communication tower at the proposed ECO Substation as well as proposed gen-tie lines from both the Tule Wind Project into the Boulevard Substation and the proposed 138 kV line from the ECO Substation into the Boulevard Substation. The proposed Campo, Manzanita, and Jordan projects, including proposed gen-ties, are analyzed at a program level as project-level information has yet to be developed. Impacts from these transmission lines and communication tower to fire and the ability to fight fires is addressed in EIR/EIS Section D.15, Fire and Fuels Management, as well as Section F, Cumulative Scenario and Impacts. This comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-93 Comment and article noted. This comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required. Please refer to common responses FIRE1 through FIRE6.

D28-94 These comments are noted. The EIR/EIS evaluates impacts to public health including EMF in Section D.10; to noise in Section D.8, Noise; to land use in Section D.4, Land Use, and to visual resources in Section D.3, Visual Resources. These comments do not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required. Please refer to common responses in Section 2.7, Noise, in Volume 3 of the Final EIR/EIS regarding noise issues as well as common response SOC1 regarding property values.

D28-95 Please refer to response D28-92. The EIR/EIS evaluates known 138 kV transmission lines proposed from the Tule Wind Project and ECO Substation to connect into the proposed re-build of the Boulevard Substation, as described in Section B, Project Description, of the document. The proposed Campo, Manzanita, and Jordan projects, including proposed gen-ties, are analyzed at a program level as project-level information has yet to be developed. As stated in the EIR/EIS, these projects will require separate environmental analysis and approval processes.

D28-96 These comments are noted. These comments do not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-97 EIR/EIS Section D.16, Social and Economic Conditions, Impact SOC-4, evaluates the impacts to property tax revenues from the project. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-98 These comments are noted. These comments do not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-99 These comments are noted. Please see Final EIR/EIS Section D.12, Water Resources, under Impact HYD-4**,** regarding a discussion of groundwater supplies and use of water during operation at the O&M facility. Please also refer to common response WR1 regarding water use and additional studies conducted in 2011 and included in the Final EIR/EIS. The reports document that existing groundwater wells are capable of supplying the project with a sufficient water supply. These

comments do not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-100 The comment is noted. Please see Section B, Project Description, of the EIR/EIS for assumptions used regarding the proposed turbines for the Tule Wind Project. This comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-101 Please see response D28-100. For purposes of the analysis provided in the EIR/EIS, the larger 3 MW turbine design was assumed for worst-case analysis.

D28-102 EIR/EIS Sections D.3, Visual Resources; D.4, Land Use; D.8, Noise; and D.10, Public Health and Safety, evaluate the impacts to sensitive receptors near the proposed Tule Wind Project. This comment does not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required. Also see common responses in Section 2.7, Noise, in Volume 3 of the Final EIR/EIS regarding noise impacts.

D28-103 The articles are noted. These articles do not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-104 These comments are noted. These comments do not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

.**D28-105** These comments are noted. These comments do not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-106 Please refer to common response CUM1 regarding cumulative projects. In addition, EIR/EIS Section F, Cumulative Scenario and Impacts, Subsection F.2, Applicable Cumulative Projects and Projections, evaluates cumulative impacts associated with the Proposed PROJECT in association with the 53 projects listed in Table F-2. As shown in Table F-2, Cumulative Scenario – Approved and Pending Projects and Figure F-1, Cumulative Projects Map, both the Boulevard Border Patrol Station (Map ID 12) and the Wind Measurement Towers in the Cleveland National Forest (Map ID 16), were included in the cumulative analysis. The projects listed in Table F-2 and in Figure F-1, were known projects at the time of issuance of the Notice of Preparation. The County of San Diego was also consulted as to additional projects in the area that may be applicable on a

cumulative basis. At the time of preparation of the EIR/EIS the County of San Diego provided a map and excel file of projects in the Mountain Empire subregional planning area, which was used in development of the cumulative projects list. The Rough Acres Ranch Major Use permits identified by the commenter were not known at the time of EIR/EIS preparation and therefore not included. Given that there is a potential for continually adding possible future projects, a lead agency possesses the authority to set a reasonable cut-off date for such new projects. The CPUC and BLM have set issuance of the Notice of Preparation and Notice of Intent for the EIR/EIS as the cutoff date to determine which projects should be included in the cumulative analysis.

D28-107 These comments are noted. The EIR/EIS evaluates the proposed Campo, Manzanita, and Jordan projects at a program level as project-level information has yet to be developed. As stated in the EIR/EIS, these projects will require separate environmental analysis and approval processes. Comments do not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D28-108 The attached articles are noted. The articles provided in this comment do not raise specific issues related to the project or adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required. Please refer to response D28-63 regarding blade throw. In addition, please refer to common responses PHS1 through PHS4 regarding public health concerns related to wind turbines; common response PHS3 and common response NOI5 regarding the relationship between low frequency noise generated by wind turbines and adverse health effects; and common responses PHS3 and NOI12 regarding setbacks from wind turbine to sensitive receptors. Please also refer to common response NOI4 regarding the levels of low frequency noise generated by the proposed wind turbine project; common response NOI10 regarding the human response to noise generated from wind turbines; and common response SOC1 regarding property values.

D28-109 These comments are noted. Please refer to common response INT1 regarding time allowed for public review of and comment on the Draft EIR/EIS.

EIR/EIS Section F, Cumulative Scenario and Impacts, addresses cumulative impacts in accordance with both CEQA (14 CCR 15130) and NEPA (40 CFR 1508.7), which requires an analysis of cumulative impacts as part of the evaluation and analysis of potential impacts.

The EIR/EIS addresses public health and safety in Section D.10, Public Health and Safety. Also, please refer to common responses in Section 2.8 of Volume 3 of

the Final EIR/EIS for a discussion of additional public health and safety issues raised during public review of the Draft EIR/EIS.

Please refer to common response INT2 for a discussion on consideration of the project and approval process.

Response to Document No. D29

CAL FIRE San Diego Unit (Kathleen Edwards)
Dated March 4, 2011

D29-1 This comment provides an introduction to comments that follow and no additional response is required.

D29-2 The commenter requests clarification of the reference to California Code of Regulations Title 14, 918. Please refer to Response D29-3 for applicable codes that have been incorporated into the Final EIR/EIS.

D29-3 The commenter requests clarification of applicable codes in Section D.15 of the EIR/EIS. In response to this comment, the following Public Resources Code sections that apply to construction, operation, and decommissioning have been added to Section D.15.2.2, State Regulations, in the Final EIR/EIS in accordance with 40 CFR 1502.9(b):

Section 4427 – Operation of Fire causing equipment

Section 4428 – Use of hydrocarbon powered engines near forest, brush or grass covered lands without maintaining firefighting tools

Section 4431 – Gasoline powered saws, etc.; firefighting tools

Section 4442 – Spark arrestors of fire prevention measures; requirements; exemptions

These changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines and under NEPA, do not result in new significant circumstances or information relevant to environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

D29-4 The commenter's request to clarify the reference does not have an effect on the analysis or conclusions in the EIR/EIS. In response to this comment, the latest California fire plan documents listed have been added to Section D.15.2.2 in the Final EIR/EIS in accordance with 40 CFR 1502.9(b). These changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines, and under NEPA do not result in new significant circumstances or information relevant to environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

D29-5 The commenter's request to remove terminology due to changing form names does not affect the analysis or conclusions in the EIR/EIS. In response to this comment, clarification has been provided to Section D.15.2.2 in the Final EIR/EIS in accordance with 40 CFR 1502.9(b). These changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines and under NEPA, do not result in new significant circumstances or information relevant to environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

D29-6 The commenter's statement regarding clarification of CAL FIRE's Cost Recovery Program is noted and will be included in the administrative record. The requested clarification does not affect the analysis or conclusions regarding fire impacts and as such, no changes were made to the Final EIR/EIS.

D29-7 The commenter expresses need for a Registered Professional Forester should the project be re-aligned and be located on forested landscapes. The project is not anticipated to be re-aligned such that it affects "forested landscapes." Therefore, the comment is noted and will become part of the project record.

D29-8 The commenter's request to replace "Red Flag Alert" terminology with "Red Flag Warning" is noted. However, the term "Red Flag Alert" does not occur within Section D.15 of the EIR/EIS. Therefore, no revisions are necessary.

D29-9 Please refer to common response INT1 regarding extension of the public review period of the Draft EIR/EIS.

Response to Document No. D30

California State Parks Foundation (Traci Verardo-Torres)
Dated March 4, 2011

D30-1 The comment is an introductory statement that discuses (among other things) the California State Parks Foundation's role in protecting and enhancing California's state park system. The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D30-2 The comment is noted. Please refer to common response VIS3, as well as response B5-8 regarding impacts to visual resources (including viewsheds and dark skies) anticipated to occur to Anza-Borrego Desert State Park. Also, additional analysis regarding the visual impacts anticipated to occur to Anza-Borrego Desert State Park (as viewed from representative key observation points (KOPs) 14a, 14b, and 14c located within the State Park) resulting from construction and operation of the Tule Wind Project has also been added to EIR/EIS Section D.3, Visual Resources (Section D.3.3.3, Impact VIS-1, VIS-3, and VIS-4 for the Tule Wind Project).

D30-3 The comment is noted. Please refer to common response VIS3. Within the EIR/EIS the visibility of project components is not discussed in Section D.5, Wilderness and Recreation; instead, the visual impacts of the Proposed PROJECT are wholly discussed in Section D.3, Visual Resources. As discussed in Section D.3.3.3, the EIR/EIS determined that the Tule Wind Project would result in significant and unmitigable impacts to scenic vistas as well as to the existing character (or quality) of the site and its surroundings (see Section D.3.3.3, Table D.3-2, Visual Resource Impacts). Please refer to comment D30-2 above regarding additional analysis pertaining to Anza-Borrego Desert State Park visual resources.

D30-4 The comment is noted. EIR/EIS Section D.2, Biological Resources, analyzes impacts to biological resources (including golden eagle, peninsular bighorn sheep, and other federally and state-listed species that reside or have potential to occur in the project area) resulting from construction and operation of the Proposed PROJECT (see Impacts BIO-7 and BIO-10 in the EIR/EIS). Also, please refer to common responses BIO1 and BIO4 regarding golden eagles and bighorn sheep.

D30-5 The comment is noted. EIR/EIS Section F, addresses cumulative impacts, including those associated with the Sunrise Powerlink and other known large-scale energy projects within the study area. Please refer to common response CUM1. In addition, please refer to response B5-8 for additional analysis pertaining to the cumulative visual impacts anticipated to occur to Anza-Borrego Desert State Park resulting from proposed renewable energy projects in the area.

Response to Document No. D31

E-Coustic Solutions, on behalf of Backcountry Against Dumps (Richard Jones) Dated March 4, 2011

D31-1 The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D31-2 The comment suggests that turbine setbacks less than 1.25 miles (6,600 feet) are inadequate. A turbine setback distance does not guarantee a particular noise level at property lines. The level of project-related noise varies with the turbine model, turbine layout, number of turbines, speed of the turbine blades, meteorological conditions, terrain, and the distance of the listener from the turbine; therefore, a generic setback distance is inadequate to characterize the amount of project-related noise at a property line. The San Diego County noise ordinance requires that operational noise comply with San Diego County Code of Regulatory Ordinances Section 36.404. Detailed noise modeling that accounts for turbine layout, number of total turbines, and site-specific terrain was performed for the Tule Wind Project in order to assess the project's noise emissions and compliance with San Diego County Code of Regulatory Ordinances Section 36.404.

The comment that the presence of (nearby noise sources) will not mask or otherwise offset wind turbine noise is inconsistent with local noise assessment methods (masking occurs when noise from one source hides (or masks) the noise from a second source. In this context, wind-induced noise at ground level often has potential to mask or hide wind turbine noise. Current noise regulations in San Diego County, including Significance Guideline 4.1.A and Section 36.404 of the San Diego County Code of Regulatory Ordinances, provide guidance on existing noise levels in relation to project-related noise. When existing noise levels are below 60 decibels (dB) community noise equivalent level (CNEL), an increase of 10 dB over pre-existing conditions is allowed. In areas of greater noise exposure, an increase of 3 dB is allowed. The assessment methods utilized for the Tule Wind Project are consistent with current regulations in San Diego County. This means that the County guidelines already address circumstances where a proposed activity may introduce a new noise source into the acoustic environment and allowable incremental increases are identified. Background noise does not have to mask wind turbine noise; the existing noise limits allow some new noise to be made.

Reports and documents submitted on behalf of the project applicant reflect measurements of modern upwind configured turbines and literature review of currently available scientific data. The measurement reports cited, including the Epsilon report, compare measurements of operating wind farms to established noise standards and metrics that are commonly accepted in the U.S. and that are designed to protect the environment.

The reports submitted on behalf of the project applicant, including "Wind Turbine Sound and Health Effects: An Expert Panel Review," by the American Wind Energy Association (AWEA) and Canadian Wind Energy Association (Colby et al. 2009, cited in Iberdrola Renewables 2011) and "The Potential Health Impact of Wind Turbines," a report by the Chief Medical Officer of Health of Ontario, Canada, (2010, as cited in Iberdrola Renewables 2011) are based on literature reviews of scientific and medical databases. Both AWEA and the Chief Medical Officer of Health of Ontario, Canada, cite current scientific and peer-reviewed literature of wind turbine generated sound and low-frequency sound. The cited reports all support the conclusion that there is no direct causal relationship between wind turbine sound and adverse health effects, as stated in the *Tule Wind Project – Draft Noise Analysis Report* (the results of which are summarized in Section D.8, Noise, of the *East County Substation/Tule Wind/Energia Sierra Juarez Projects EIR/EIS,* and is included as Appendix P to the Applicant's Environmental Document, available online here:

http://www.dudek.com/ECOSUB/TuleAED/Appx_P_Noise.pdf).

It should be noted that this report was updated in February 2011 and the updated version of the *Tule Wind Project – Draft Noise Analysis Report* is available on the project's website:

http://www.cpuc.ca.gov/environment/info/dudek/ecosub/Tule_TS.htm

Several reviews of currently available scientific data have determined that there is no direct causal relationship between wind turbine generated sound and health effects. As mentioned above, the Chief Medical Officer of Health of Ontario, Canada, recently performed a study focusing on the topic of wind turbine noise and health (Chief Medical Officer of Health of Ontario 2010, as cited in Iberdrola Renewables 2011). The study concluded the following:

- While some people living near wind turbines report symptoms such as dizziness, headaches, and sleep disturbance, the scientific evidence

available to date does not demonstrate a direct causal link between wind turbine noise and adverse health effects.

- The sound level from wind turbines at common residential setbacks is not sufficient to cause hearing impairment or other direct adverse health effects. However, some people might find it annoying. It has been suggested that annoyance may be a reaction to the characteristic "swishing" or fluctuating nature of wind turbine sound rather than to the intensity of sound.

- Low-frequency sound and infrasound from current generation upwind model turbines are well below the pressure sound levels at which known health effects occur. Further, there is no scientific evidence to date that vibration from low-frequency wind turbine noise causes adverse health effects.

- Community engagement at the outset of planning for wind turbines is important and may alleviate health concerns about wind farms.

- Concerns about fairness and equity may also influence attitudes towards wind farms and allegations about effects on health. These factors deserve greater attention in future developments.

D31-3 For clarification purposes of when it is appropriate to use a background sound measurement and when to measure ambient sound, a discussion of when it is appropriate to exclude certain sounds from a measurement follows.

San Diego County Code of Regulatory Ordinances Section 36.402, Clause (a) defines ambient sound as, "…the composite of existing noise from all sources at a given location and time" (County of San Diego 2009). This is a common definition of ambient noise or ambient sound, such as the definitions found in standards ANSI S1.1, ANSI S12.9, and ASTM C634. The same ordinance clause (in Section 36.402) continues, "Ambient noise is sometimes referred to as background noise" (County of San Diego 2009). This is sometimes a source of great confusion because background sound, in addition to often meaning ambient sound in casual conversation, also has its own precise meaning and use. Specifically, background sound includes all the *other* sounds that may interfere with the measurement of a *particular* individual sound source or group of sound sources. Background sound is defined in the same general standards (ANSI S1.1, ANSI S12.9, and ASTM C634), as well as numerous national and international standards that deal with measurement of particular sound sources.

Background sound measurements normally occur during the course of measuring a particular sound source. It is impossible to separate the sound of the source of interest from the rest of the sounds in the environment. Therefore, it is necessary to perform two measurements: one of the total sound, and one of just the background sound. Once these two measurements are accomplished, it is possible to mathematically derive the sound level of the particular sound source on its own, effectively eliminating the influence of environmental and extraneous background sounds. This is a common definition of background sound, as defined in ANSI S1.1, ANSI S12.9, and ASTM C634, as well as numerous national and international standards that deal with measurement of particular sound sources. This can be a tricky process in uncontrolled outdoor environments, because the background sound must be nearly identical in both measurements. If short-term or transient noise events occur in either the total sound measurement or the background sound measurement, the calculation will yield incorrect results.

The comment also suggests that the measurement should exclude or suppress certain short-term or transient sounds. While it is sometimes desirable and appropriate to suppress transient or short-term noise events in the context of measuring a particular sound source, measurements of the ambient noise environment to establish the environmental baseline should be inclusive of all sounds in the environment. In order to establish a valid baseline, the measurement should reflect the total sound exposure from the existing ambient environment.

The noise report for the project (*Tule Wind Project – Draft Noise Analysis Report*) measured the actual sound of the existing ambient environment without artificially suppressing any sounds that occurred during the measurement period. The measurement method conformed to several ANSI and ASTM standards in whole or in part, as well as being consistent with many state and federal agency measurement methods, including the San Diego County noise regulations.

D31-4 Noise modeling methods used in the noise analysis for the Tule Wind Project are consistent with internationally recognized and accepted methods for calculating environmental noise levels. The Cadna-A model utilized for the Tule Wind Project employs modeling assumptions that best reflect measurements from operating wind farms. Post-construction studies performed by Andrew Bullmore and Kenneth Kalinski show that wind turbine sound levels modeled with ISO 9613-2 using no ground attenuation, or reflective ground, best fit or overstated monitored sound levels, depending on the site and wind conditions (Iberdrola Renewables 2011).

Please refer to response D31-22 for additional information regarding ISO 9613-2 and the modeling assumptions. Section 1.3 of the *Tule Wind Project – Draft Noise Analysis Report*, updated February 2011, also includes additional details on the modeling methodology.

D31-5 Reports and documents submitted on behalf of the project applicant reflect measurements of modern upwind configured turbines and literature review of currently available scientific data.

Please refer to response D31-2 for further details on the materials cited in the *Tule Wind Project – Draft Noise Analysis Report*, updated February 2011.

The measurement of the existing ambient noise environment conforms to the applicable portions of several standards and is consistent with the measurements associated with San Diego County noise regulations. Existing ambient noise measurement methods utilized in the noise analysis for the Tule Wind Project are consistent with several standards and practices, including ANSI S1.13, ANSI S12.9/Part 2, ASTM E1014, ASTM E1503, several state and federal agency measurement methods, and good engineering practices. The study was adequate and appropriate, and consistent with the accepted industry standards. Please refer to response D31-3 for additional information concerning the ambient noise measurement methods.

The noise analysis conducted for the Tule Wind Project used the best available data from wind turbine manufacturers to estimate project-related sound levels. Several conservative assumptions were utilized in the Tule Wind Project sound model, including the turbine operation mode with the highest noise emission characteristic, continuous downwind conditions, reflective ground coverage, and the use of noise emissions representative of the hot weather package. The modeling was adequate and appropriate, and consistent with the accepted industry standards.

The commenter's proposed background noise study and modeling methods are inconsistent with current County regulations and best practices in the field of environmental acoustics. The measurement of the existing ambient noise environment conforms to applicable portions of several noise standards and is consistent with the measurements associated with San Diego County noise regulations. Existing ambient noise measurement methods utilized in the noise analysis for the Tule Wind Project are consistent with several standards and practices, including ANSI S1.13, ANSI S12.9/Part 2, ASTM E1014, ASTM E1503, several state and federal agency measurement methods, and good engineering practices.

The San Diego County Code of Regulatory Ordinances Section 36.402, Clause (a) defines ambient sound as, "…the composite of existing noise from all sources at a given location and time" (County of San Diego 2009). The same ordinance clause (in Section 36.402) continues, "Ambient noise is sometimes referred to as background noise" (County of San Diego 2009). The measurement performed for the Tule Wind Project depicts ambient conditions including all existing sources. The use of a background sound level to represent existing conditions, as proposed by the commenter, is inconsistent with the California Environmental Quality Act (CEQA) as the background sound level excludes existing noise sources that contribute to the ambient environment.

Furthermore, the modeling methods used in the noise analysis for the Tule Wind Project are consistent with internationally recognized and accepted methods for calculating environmental noise levels. The Cadna-A model utilized for the Tule Wind Project employs modeling assumptions that reflect measurements from operating wind farms. Please refer to Section 1.3 of the *Tule Wind Project – Draft Noise Analysis Report*, updated February 2011, for further details on the modeling methodology.

Please refer to response D31-3 for further details on the ambient noise measurement methodology and the background measurement proposed by E-Coustic Solutions, and to response D31-9 regarding ISO 9613-2.

Several reviews of currently available scientific data have determined that there is no direct causal relationship between wind turbine generated sound and health effects. The sources cited by the commenter that support the claim that wind turbine noise will result in adverse health effects are not peer reviewed, do not support their claims with measurement data, and do not qualify as valid epidemiological studies. Furthermore, Dr. Geoff Leventhall concluded that "a simple order of magnitude calculation, using basic physics of the level which will be known to a 16-year-old school pupil, shows that the movement of the diaphragm under the forces which might result from wind turbine noise is less than 10 microns. That is less than one hundredth of a millimeter or about one tenth of the average thickness of human hair. During normal breathing, the diaphragm moves several centimeters" (Iberdrola Renewables 2011). Also, a review of the medical literature databases performed by Exponent, Inc. (2009, cited in Iberdrola Renewables 2011) found no evidence of a causal link between exposure to wind turbine noise and adverse health effects. As of the review by Exponent, there has not been a specific health condition documented in the peer-reviewed published literature to be classified as a disease caused by exposure to sound levels and frequencies generated by the operation of wind turbines.

Please refer to common responses NOI2 and NOI3 regarding the characteristics of wind turbine noise, an explanation of how the human body responds to extremely low levels of energy (such as inaudible low-frequency sound and infrasound), and the potential health effects of infrasound and low-frequency sound compared to the effects of audible sound levels. Please also refer to common responses PHS1 through PHS4 regarding public health concerns related to wind turbines, common responses PHS3 and NOI5 regarding the relationship between low-frequency noise generated by wind turbines and adverse health effects, common response NOI10 regarding the human response to noise generated from wind turbines, and common response NOI11 regarding amplitude modulation (also known as blade thumping). Please also refer to response D31-18 for further information concerning wind turbine noise and health effects.

D31-6 These comment claims that sensitive people, especially children under six, people with pre-existing medical conditions, particularly those with diseases of the vestibular system and other organs of balance and proprioception, and seniors with existing sleep problems will be likely to experience serious health risks. In testimony during the Glacial Hills wind farm permit process, Dr. Geoff Leventhall testified that the forces on the human body resulting from exposure to low-frequency and infrasonic noise produce a deflection of approximately 10 microns or about one tenth of the average thickness of human hair (Iberdrola Renewables 2011). Normal lung function (breathing) causes a deflection of more than a centimeter. Heart beats and normal body motions cause more deflection than 10 microns and, therefore, the forces imparted upon a human body by exposure to wind turbine noise are small by comparison.

EIR/EIS Section D.8, Noise, and the *Tule Wind Project – Draft Noise Analysis Report,* addressed all applicable noise considerations in relation to local regulation and CEQA including:

- Exposure of persons to or generation of noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of the other agencies.
- Exposure of persons to or generation of excessive ground-borne vibration or ground-borne noise levels.
- A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project.

- A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project.

EIR/EIS Section D.8, Noise, provides Mitigation Measure NOI-3 that requires a site-specific noise mitigation plan be prepared upon final design, approval of project layout, and prior to construction. The noise mitigation plan will ensure that operation of the turbines will comply with County General Plan Policy 4b and County Noise Ordinance Section 36.404.

Important concepts to understand that are associated with the World Health Organization's (WHO's) nighttime noise recommended limit are: (1) The Proposed PROJECT is subject to the noise limits enforced by the County, the WHO has no jurisdiction in California; (2) As noted in the WHO document, the referenced WHO noise limit is a recommendation and not a regulatory limit; and (3) The referenced WHO noise limit is actually expressed as an annual average of all nighttime hours. In other words, it represents the hourly equivalent noise level (Leq) for each of the eight nighttime hours as defined by WHO, averaged over all 365 days of the year. It is not, as implied by the commenter, a 1-hour noise limit. Therefore, statements that the Proposed PROJECT will exceed the WHO nighttime exterior sound level recommendation are not factual.

The commenter's claim that project-related sound levels will be in excess of WHO recommendations does not reflect the results of site-specific modeling or site-specific meteorological data. The modeling results presented in the *Tule Wind Project – Draft Noise Analysis Report* is representative of a single hour in which turbines operate at maximum noise emission. Project-related sound levels would be less than those shown in the noise analysis report during periods when wind speeds are below the cut-in speed. The proposed turbines would not operate at maximum noise emissions during all hours of every day and night in a year.

Annoyance is subjective and difficult to predict; therefore, it cannot be said with any degree of certainty that the project-related sound levels will result in a "high level of community complaints stemming from sleeping disturbance and noise pollution." Finding 33 of the San Diego County Noise Element discusses the topic of annoyance and the causes of annoyance (County of San Diego 2006):

> The degree of annoyance is closely related to both acoustical and nonacoustical factors. The former include the levels and durations and number of occurrences of identifiable noise events; the residual noise level; the variability of the noise levels; the time of day; and special factors related to the character of the information content of the noise.

> Non-acoustical factors include the particular activity disrupted, the attitude of those affected, and factors specific to particular sound sources, such as disagreements over barking dogs.

As described in Finding 33 of the San Diego County Noise Element, aural sensitivity and attitudes toward a project or sound source will affect the level of annoyance experienced by an individual. Therefore, although it is possible that individuals may experience annoyance as a result of the Tule Wind Project, it is not a predictable outcome and the setbacks used for siting will serve to minimize the levels of noise as a source of potential annoyance.

Please also refer to responses D31-5 and D31-18 for further information concerning wind turbine noise and health effects.

D31-7 The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D31-8 The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is provided or required.

D31-9 ISO 9613-2 (Attenuation of Sound During Propagation Outdoors) provides the internationally recognized and accepted methods for calculating environmental noise levels, including noise emissions from wind turbines. The Cadna-A software incorporates ISO 9613-2 in the propagation calculations. The ISO 9613-2 methods used by Cadna-A were endorsed by an independent working group of European acoustical consultants. Additionally, post-construction studies performed by Andrew Bullmore and Kenneth Kalinski compared measured sound levels from wind farms with corresponding calculation models of the same wind farms. These comparisons showed that wind turbine sound levels modeled in Cadna-A and utilizing the ISO 9613-2 calculation methods can achieve good correlation with the post-construction measurements, effectively validating the calculation for wind-turbine sound sources (Iberdrola Renewables 2011). Please see response D31-4 for information regarding the ISO 9613-2 calculation method.

The comment regarding blast waves is not applicable because blast waves are not sound waves; they exhibit some similar behaviors but they are fundamentally different and methods of calculating blast effects are likewise different. Wind turbine noise emissions are not comparable to blast waves.

Please see response D31-22 for information regarding the recent calculation method from the Swedish Environmental Protection Agency (EPA). The comment is factually incorrect when it states that the calculation for sound propagation considers a decay rate of 3 dB per doubling of distance. Over land, propagation occurs at a decay rate of 6 dB per doubling of distance, just as the ISO 9613-2 calculation does. The Swedish method does implement a different propagation calculation for offshore wind turbines (that means wind turbine noise propagation over open water), which includes a device to propagate at 3 dB per doubling of distance, in addition to the standard propagation for point sources at 6 dB per doubling of distance (Iberdrola Renewables 2011). The installation of wind turbines in open water is not proposed as part of the Tule Wind Project. Therefore, the commenter's reference to the Swedish EPA methods is incorrect and not applicable to this project.

By virtue of their nature, sound power level data intentionally removed the effect of the listening environment to allow prediction of noise from the source under study in a variety of listening environments. The sound power data is intended to be irrespective of a particular environment. The internationally recognized way to establish a sound power level for a single wind turbine is through methods contained in IEC 61400. Use of a different measurement standard to establish the reference sound power level is inappropriate.

Use of that reference sound power level to assess wind turbine noise levels under different stability regimes is independent of the IEC 61400 method, because that is simply a measurement method and assessing wind turbine noise levels under different conditions requires modeling. That modeling should be based on ISO 9613-2. On this basis, this comment is misleading.

Furthermore, temperature inversions often form during stable nighttime conditions when ground-level wind speeds range from mild/calm to still (no wind). Normally, the temperature of the atmosphere gets colder as the height increases above the earth's surface. A temperature inversion is an atmospheric condition in which the atmospheric temperature increases with height above ground (cool air is trapped near the ground with warmer air above it). Temperature inversions are most commonly caused by radiative cooling of the ground at night leading to cooling of the air in contact with the ground. Such conditions are especially prevalent on cloudless nights with little wind. If winds occurred at the ground level, the inversion layer would become mixed with the layers above it and the inversion would begin to disappear.

During episodes of stable atmosphere, temperature inversions occurring within the lowest 50 to 100 meters of atmosphere can affect noise levels measured on the ground. Such conditions may increase noise levels by focusing sound wave propagation paths at a single point. Conventional approaches to assessing noise propagation under temperature inversion conditions require knowledge of the temperature gradient and assume that the noise source is located below the temperature inversion, typically near the ground. In summary, when a layer of cool air is trapped at the ground surface (with a layer of warmer air above it) and the winds are still, the resulting temperature inversion is known to focus sound wave propagation paths (from noise sources operating in the layer of cold air, most often on the ground) at a single point on the ground.

When the atmosphere is stable, the effect of temperature inversions on noise propagation from wind turbines is not typical of other sources. Wind turbines located on top of ridges are often located at elevations that are much higher than nearby receivers. In those circumstances it is unlikely that conventional temperature inversions in the lower 100 meters of the atmosphere would affect noise propagation from sources elevated as high as wind turbines on top of ridges. A further consideration must be that temperature inversions require little to no wind in order to minimize atmospheric mixing and hence develop. During calm conditions, the wind turbine generators are unlikely to operate, because the cut-in speed is approximately 3–4 meters/second.

In general, sound propagates best under stable conditions with a strong inversion, such as during a clear night with low winds. In those situations, sound levels from wind turbines would be at their lowest. Wind speeds under very stable conditions—Stability Class G—generally are too low to generate electricity, and thus, the wind turbines would produce little or no noise because they would not be operating. As a result, worst-case conditions for wind turbines tend to be under more moderate nighttime inversions.

Moderate nighttime inversions include periods when winds at the hub height are above the cut-in speed and ground-level winds are still; the still ground-level winds do not create any masking noise. These conditions are most likely to result in the highest levels of amplitude modulation, be most favorable to noise propagation, and wind turbine noise being the most perceivable. Post-construction noise measurements were performed during these conditions at both the Mars Hill and Stetson wind farms located in Maine (Iberdrola Renewables 2011). Over 300 hours of measurement data was collected under these conditions and analysis of that data confirmed that noise levels measured under these conditions were within

5 dBA of modeled noise levels (Iberdrola Renewables 2011). The noise analysis performed for the Tule Wind Project modeled a moderate inversion condition. The Tule Wind Project noise analysis also added more than 5 dB of conservatism. In this manner, the Tule Wind Project noise analysis accounted for moderate inversions and conditions most favorable to propagation, when ground-level masking is at its lowest level, and turbine noise is most noticeable.

Under an inversion, there may be less wind-generated masking sound near the ground under the boundary layer. The noise levels are not necessarily louder during these environmental conditions, but they may be more perceivable in the absence of the masking effects of ground-level winds. Several other measures have been enacted in the sound propagation model to avoid under-predicting the sound levels. These are discussed in greater detail in response D31-22 and the *Tule Wind Project – Draft Noise Analysis Report*, updated February 2011 (Section 1.3 and Appendix D).

D31-10 Several measures of conservatism have been taken in the noise model to avoid under predicting the sound levels at the receiver. A 3 dB correction to account for uncertainty in ISO 9613-2 was accounted for through other conservative assumptions used in the modeling. The use of conservative modeling assumptions results in more than 3 dB increase over less conservative methods; therefore, no additional corrections were applied.

Please refer to common response NOI8 and response D31-22 for further details on the modeling methodology and assumptions.

D31-11 Please refer to response D31-9 regarding nighttime stable atmospheric conditions.

Please also refer to common response NOI8 and response D31-22 for additional details on the modeling methodology and assumptions.

D31-12 The limits stated in this comment for source heights mischaracterizes the language that is in ISO 9613-2. Section 9 of the ISO standard discusses the accuracy of calculations, and lists the accuracy according to certain geometric conditions in Table 5 therein. Table 5 from ISO 9613-2 is reproduced in the E-Coustic Solutions comment as Figure 12 on page 21. The data in Table 5 means that the standard can provide an estimate of accuracy within those heights based upon previous study, but that the standard does not provide an estimate of accuracy for heights and distances greater than those listed in the table. The language in ISO 9613-2 *does not prohibit* using those calculations with source and receiver heights and distances greater than those listed in the table. The calculations are based upon physical principles and are found in several standards and academic resources; they are not unique to this standard and its table of estimated accuracy.

Furthermore, the comment misinterprets the table of estimated accuracy by stating that it is limited to "noise sources that are no more than 30 meters above the receiving locations." Actually, the height value is based upon a mean (average) of the source and receiver height, so for a receiver that is 2 meters high (6 feet) the table of accuracy values will still apply to sources that are 58 meters high (190 feet), because the mean height of the source and receiver is less than 98 feet (30 meters). A wind turbine with a hub height of 80 meters (262 feet) will be far enough outside the parameters shown in the table to be unable to estimate the accuracy associated with the sound propagation, apart from saying that it will likely be greater than ±3 dB. But it is not as far outside the parameters as characterized by the comment (the source height is about 35% higher than the table of estimated accuracy can account for, not 167% that the commenter stated).

The limits stated by the commenter for source heights and distances do not preclude the use of the calculations outside of these limits. The portions of the calculations used in the noise model for the Tule Wind Project are based upon physical principles and are found in several standards and academic resources. These limits are merely a statement of where there is a well-studied level of uncertainty, and these estimated levels of uncertainty may be applied when using all portions of the ISO 9613-2 calculations.

In summary, the ISO 9613-2 standard can provide an estimate of accuracy for certain geometric parameters of the source and receiver (heights and distances). But it does not preclude the use of the calculations outside of these parameters. Wind turbines are outside these parameters and so may have a level of uncertainty greater than 3 dB, but wind turbines are not as far outside these parameters as the comment implies. Additionally, wind turbine models have been compared to field measurements with acceptable results, as shown in the Kenneth Kalinski post-construction study (Iberdrola Renewables 2011).

For modeling wind turbines, the ISO 9613-2 methods used by Cadna-A were endorsed by an independent working group of European acoustical consultants. Additionally, post-construction studies performed by Andrew Bullmore and Kenneth Kalinski compared measured sound levels from wind farms with corresponding calculation models of the same wind farms. These comparisons showed that wind turbine sound levels modeled in Cadna-A and utilizing the ISO 9613-2 calculation methods can achieve good correlation with the post-construction measurements when the modeling parameters are chosen appropriately (Iberdrola Renewables 2011).

Please refer to responses D31-4 and D31-9 and for additional details on the modeling methodology and post-construction monitoring.

D31-13 Please refer to responses D31-10, D31-11, and D31-12. The County's *interior* noise requirement is 45 dBA CNEL. The project will not generate noise levels exceeding the County's 45 dBA CNEL inside the adjacent homes as the daily interior noise level would not be as high as the hypothetical calculation. In addition, the commenter does not include the attenuation from the building shells of the homes, which would reduce the noise.

D31-14 An example of the Proposed PROJECT's turbine noise levels at frequencies down to 31.5 hertz (HZ) are provided in Table 8 of the *Tule Wind Project – Draft Noise Analysis Report*, updated February 2011.

D31-15 The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is required.

D31-16 Annoyance is subjective and influenced by aural sensitivity and attitudes toward a project. Please refer to common response NOI3 and response D31-6 for additional information concerning annoyance.

The sound power level measurement method described in IEC 61400-11 does not address propagation in any particular environment. The purpose of a sound power measurement is to quantify the noise emission characteristic of a sound source irrespective of its environment. This makes the resulting sound power level useful for predicting the effect of introducing the noise source into any environment. Sound propagation is addressed through the Cadna-A model.

The Cadna-A model developed for the Tule Wind Project utilizes modeling assumptions that best reflect measurements from operating wind farms. Post-construction studies show that wind turbine sound levels modeled with ISO 9613-2 using no ground attenuation best fit monitored sound levels. Additionally, conservative assumptions, such as the use of the manufacturer-guaranteed sound levels and modeling of the hot weather package, were also used in the sound model developed for the Tule Wind Project. These modeling assumptions are all implemented with the goal of avoiding under-predicting sound levels.

Wind turbines emit broadband noise with a spectral peak around 500 Hz. As the blades move closer and farther away from a stationary listener, the noise that turbines emit becomes louder and quieter. This rhythmic increase and decrease in noise emissions is called amplitude modulation, and the amount of modulation varies according to proximity to the wind turbine.

Sound from many sources exhibits amplitude modulation. Steady, low-volume traffic pass-by events exhibit a rhythmic rise and fall in volume. Ocean waves crashing on a beach also exhibit a rhythmic rise and fall in volume. In this manner, noise from these events exhibit amplitude modulation, this by virtue of its nature is not intrinsically annoying or harmful to human health. In fact, many people consider the rhythmic noise made by ocean waves to be desirable. Please refer to common response NOI3 for additional details on the characteristics of wind turbine sound and amplitude modulation.

In addition, the comment does not present site-specific data and does not appear to be based on any consideration of the Tule Wind Project's specific conditions.

D31-17 The comment does not raise specific issues related to the adequacy of the environmental analysis in the EIR/EIS; therefore, no additional response is required. The comment essentially notes that wind shear is a phenomenon that can occur under certain meteorological conditions.

D31-18 Existing requirements in San Diego County rely on A-weighting for sound measurements and regulations. The A-weighting scale is a close approximation of the human response to different frequencies of sound and is in broad use across many disciplines that address noise. While there are weighting scales other than the A-weighting scale (which simulates human response to frequencies of sound), use of other weighting scales produces results that do not reflect how human ears respond to different frequencies of sound. Therefore, they are not appropriate to use in the context of an environmental acoustics analysis performed to assess compliance with applicable noise limits.

The A-weighting scale attenuates low-frequency noises in a manner that simulates how human ears attenuate low-frequency noise at low levels (approximately 40 dB). The C-weighting scale does not attenuate low frequencies as much as the A-weighting scale because it simulates how humans perceive sound at higher levels (approximately 80 dB). Use of C-weighting produces different noise analysis results than those already reported in units of A-weighted sound level. The differences between the A-weighted and C-weighted results are not pertinent because sound levels at receptors will not reach levels as high as 80 dB due to the wind turbines.

The G-weighting scale emphasizes frequencies centered at 20 Hz; it begins to heavily discount the influence of frequencies above 40 Hz and below 5 Hz. In the context of an environmental noise assessment performed to assess compliance with A-weighted noise limits, using G-weighting would not provide comparable results.

The science behind the perception of infrasound and minimum audible field for infrasound has been studied by the evaluation of pure tone and the presence of background noise. The threshold of perception found amongst studies is not consistent due to variability in study conditions and subjects. There is no consensus and very little data to evaluate the exact effect of background noise on the audibility of infrasound.

This uncertainty is discussed by Moller and Pedersen (2004, cited in Iberdrola Renewables 2011):

> Generally low-frequency and infrasonic sounds from everyday life are not pure tones alone, but rather combinations of different random noises and tonal components. It is however, impossible to make thresholds for all imaginable combinations of sounds that exist, and as seen above there is no final conclusion about possible higher or lower sensitivity to noise bands than to pure tones. Anyway, differences seem to be relatively modest, and the pure-tone threshold can with a reasonable approximation be used as a guideline for the thresholds also for nonsinusoidal sounds.

As stated by E-Coustic Solution, the threshold for perception presented in the Watanbe and Pedersen study is based on pure tones; therefore, the threshold of audibility in the presence of other sounds will vary. The differences in the minimum audible field will be relatively modest and pure tone thresholds serve as a reasonable approximation.

Measurements of operating wind turbines published by Epsilon and Associates (2009, cited in Iberdrola Renewables 2011) show that infrasonic sound emissions from modern upwind-configured wind turbines are below audibility thresholds for even the more sensitive people at a distance of 1,000 feet. Infrasound levels measured at a distance of 1,000 feet from GE 1.5sle and Siemens SWT 2.3 wind turbine generators were more than 20 dB below the median thresholds of hearing. The infrasound levels that would be generated by the project's turbines are not available from manufacturers. However, post-construction measurements of typical wind turbines show that the amount of low-frequency sound and infrasound from wind turbines is modest and acceptable according to ANSI standards.

Please refer to common responses NOI2, NOI3, and NOI4 for additional details on infrasound and low-frequency sound.

As discussed in response D31-6, EIR/EIS Section D.8, Noise, and the *Tule Wind Project – Draft Noise Analysis Report,* addressed all applicable noise considerations and "significance" determinations in relation to local regulation and CEQA.

Several reviews of currently available scientific data have determined that there is no direct causal relationship between wind turbine generated sound and health effects. A review of the medical literature databases performed by Exponent, Inc. (2009, cited in Iberdrola Renewables 2011) found no evidence of a causal link between exposure to wind turbine noise and adverse health effects. As of the review by Exponent, there has not been a specific health condition documented in the peer-reviewed published literature to be classified as a disease caused by or associated with exposure to sound levels and frequencies generated by the operation of wind turbines.

As summarized in Iberdrola Renewables (2011) response to Data Request No. 14, the Chief Medical Officer of Health of Ontario, Canada, recently performed a study focusing on the topic of wind turbine noise and health titled *The Potential Health Impact of Wind Turbines* (May 2010, as cited in Iberdrola Renewables 2011). The study also concluded the following concerning wind turbine and health:

- While some people living near wind turbines report symptoms such as dizziness, headaches, and sleep disturbance, the scientific evidence available to date does not demonstrate a direct causal link between wind turbine noise and adverse health effects.
- The sound level from wind turbines at common residential setbacks is not sufficient to cause hearing impairment or other direct adverse health effects. However, some people might find it annoying. It has been suggested that annoyance may be a reaction to the characteristic "swishing" or fluctuating nature of wind turbine sound rather than to the intensity of sound.
- Low-frequency sound and infrasound from current generation upwind model turbines are well below the pressure sound levels at which known health effects occur. Further, there is no scientific evidence to date that vibration from low-frequency wind turbine noise causes adverse health effects.

Please refer to responses D31-5 and D31-18 for further information concerning infrasound, low-frequency sound, and health effects.

While the work of Dr. Nina Pierpont intends to establish a causal link between wind turbine infrasound and low-frequency sound and health effects, she fails to do so. Association is not equal to causation. Researchers can find an association, also called a correlation, which is a relationship, negative or positive, between two or more variables. Often an association is identified through statistical inferences before a causal relationship is established. Historically, there have been careful clinical observations (e.g., case reports and series) that have stimulated a number of now-classic epidemiology research efforts that have identified important associations and ultimately the determinants of causal relationships. There have also been case reports identifying associations that did not hold up under epidemiological scrutiny, such as those associating blunt-force trauma and cancer. For this reason, case studies cannot be used to determine causation. A causal association can only be established by the evaluation of well-designed and executed epidemiologic studies (Iberdrola Renewables 2011).

A landmark discussion of the process of moving from a disease being associated with a risk factor to a point where the scientific community is comfortable attributing causation to a risk factor was put forth by Sir Austin Bradford Hill in 1965 (Iberdrola Renewables 2011). It was during this time that a number of papers, including the Surgeon General Report issued in 1964, began to more formally delineate the scientific reasoning process that justifies a conclusion that observed associations between an exposure and a disease are the result of a causal relationship between the exposure and the disease (Iberdrola Renewables 2011). Key statements from scientists during that time include the following (Hill 1965, cited in Iberdrola Renewables 2011):

> Disregarding then any such problem in semantics we have this situation. Our observations reveal *an association between two variables, perfectly clear-cut* and beyond what we would care to attribute to chance. What aspects of that association should we especially consider before deciding that the most likely interpretation of it is causation? [italics added for emphasis].

Hill's nine criteria for causation have been described in a number of ways. They are commonly referred to as strength, consistency, specificity, temporality, biological gradient, plausibility, coherence, experiment, and analogy.

The information provided by the applicant indicates that Dr. Pierpont's research fails to establish a causal link and that available scientific data have determined that there is no direct causal relationship between wind turbine-generated sound and adverse health effects.

Please refer to responses D31-5 and D31-18 for further information concerning infrasound, low-frequency sound, and health effects.

According to the E-Coustic letter, the commenter believes the research conducted by Dr. Nina Pierpont meets the standards of a peer-reviewed epidemiological study:

> The type of epidemiological study conducted by Dr. Pierpont is termed acase-cross overstudy. […] Further the report was peer-reviewed by some of the top experts in the U.S. and Britain who have experience with vestibular disturbances and adverse health conditions.

The following components of the aforementioned comment are not true: "epidemiological study conducted by Dr. Pierpont*"* and *"*the report was peer-reviewed*."* Dr. Pierpont's work was not an epidemiological study, but a series of case reports and it did not undergo the rigor of a peer-review process, which generally uses anonymity and employs a double-blind process whereby the authors and peer reviewers remain unknown to each other. Dr. Pierpont's peer-review process appears to be among colleagues and friends and not a single- or double-blind process. Nontraditional references such as newspaper articles and television interviews are used to support Dr. Pierpont's hypothesis (Iberdrola Renewables 2011). In rebuttal testimony to the Wisconsin Public Utilities Commission, Dr. Mark Roberts stated the following: "My assessment is that the material (Pierpont research) describing the phenomena does not appear to have been peer reviewed in a critical, blinded fashion in the same manner as the articles published in the leading medical journals. In addition, some of the references that I have seen cited are newspaper articles, TV interviews, and addresses before legislative bodies. Those are not traditional formats to present scientific data. It shortcuts the review process that is part of the scientific process of discovery."

Dr. Roberts also concluded the following (Iberdrola Renewables 2011):

1. "Wind Turbine Syndrome" is not a medical diagnosis supported by peer reviewed, published, scientific literature;

2. The materials presented to support "Wind Turbine Syndrome" are not of sufficient scientific quality nor have they received the rigorous scientific review and vetting that is customarily part of the peer review and publishing process;

3. The tried and true scientific method of developing a hypothesis, testing that hypothesis, publishing the results and having others attempt to repeat the

research has not been done to test the existence of a health condition called "Wind Turbine Syndrome;"

4. An accumulation of anecdotal interviews with self-selected persons living near a wind turbine does not constitute an epidemiological study and is not sufficient to determine causation;

5. The bases for claimed adverse health effects due to wind turbines cited by Mr. James either cannot withstand scientific scrutiny or have nothing to do with wind turbines; and

6. Siting a wind turbine within view of a residence and the operation of that turbine could be a source of annoyance to those living in the residence.

Scientific evidence challenges the notion that adverse health effects from wind turbine sound is plausible. Dr. Pierpont claims that infrasound at 4–8 Hz enters the lungs and vibrates the diaphragm and its attached liver, passing confusing messages on to the visceral graviceptors. Dr. Pierpont uses references to whole body vibration, applied to the feet or seat, which is a completely different excitation to that from sound. A simple order of magnitude calculation using basic physics shows that the movement of the diaphragm under the forces that might result from wind turbine noise is less than 10 microns. That is less than one-hundredth of a millimeter or about one-tenth of the average thickness of human hair. During normal breathing, the diaphragm moves several centimeters.

There is not universal agreement that exposure to wind turbine sound causes adverse human health effects. The Chief Medical Officer of Ontario, Canada, reviewed potential human health effects of wind turbines. The review concludes that while some people living near wind turbines report symptoms such as dizziness, headaches, and sleep disturbance, the scientific evidence available to date does not demonstrate a direct causal link between wind turbine noise and adverse health effects (Iberdrola Renewables 2011). Several reviews of currently available scientific data have determined that there is no direct causal relationship between wind turbine generated sound and health effects.

Both Dr. Mark Roberts, MD, PhD, and former State Epidemiologist for the Oklahoma State Department of Health, and Dr. Arlene King, the Chief Medical Officer for Ontario, Canada, concluded there is inadequate evidence to establish a causal link between exposure to wind turbine noise and adverse human health effects (Iberdrola Renewables 2011). Please refer to responses D31-5 and D31-18 for additional information concerning wind turbine generated sound and health effects.

Furthermore, a report, "Wind Turbine Sound and Health Effects: An Expert Panel Review," prepared by a multidisciplinary panel of medical doctors, audiologists, and acoustical professionals from the United States, Canada, Denmark, and the United Kingdom, stated that, "there is no evidence that the audible or sub-audible sounds emitted by wind turbines have any direct adverse physiological effects." It was also determined that "the ground-borne vibrations from wind turbines are too weak to be detected by, or to affect, humans" (Colby et al. 2009, cited in Iberdrola Renewables 2011). The sound level from wind turbines at common residential setbacks is not sufficient to cause hearing impairment or other direct health effects, although some people may find it annoying. This sentiment is echoed in the findings of a European Union-financed study that released its final report, "WINDFARM perception: Visual and acoustic impact of wind turbine farms on residents" in 2008. It was stated in the WINDFARM perception report that (University of Gothenburg 2008, cited in Iberdrola Renewables 2011):

> There is no indication that the sound from wind turbines had an effect on respondents' health, except for the interruption of sleep. At high levels of wind turbine sound (more than 45 dBA) interruption of sleep was more likely than at low levels. Higher levels of background sound from road traffic also increased the odds for interrupted sleep. Annoyance from wind turbine sound was related to difficulties with falling asleep and to higher stress scores. From this study it cannot be concluded whether these health effects are caused by annoyance or vice versa or whether both are related to another factor.

The statement by the commenter that, "The reports that claim that there is no evidence of health effects are based on a very simplistic understanding of epidemiology and self-serving definitions of what does not count as evidence" is simply not true. Both Dr. Mark Roberts, MD, PhD, and former State Epidemiologist for Oklahoma State Department of Health, and Dr. Arlene King, the Chief Medical Officer for Ontario, Canada, concluded there is inadequate evidence to establish a causal link between exposure to wind turbine noise and adverse human health effects (Iberdrola Renewables 2011).

The commenter claims that infrasound from wind turbines below the threshold of perception can affect the inner ear. Several natural functions such as the heart beating, blood flowing, muscle vibrations and breathing cause infrasound and low-frequency noise at low levels but do not cause adverse health effects and in fact are necessary to sustain human life. While evidence exists that infrasound below the threshold of perception can cause movement of the inner ear this does

not establish a causal relationship between wind turbine sound and adverse health effects (Iberdrola Renewables 2011).

The American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) is involved with noise and vibration for indoor environments, primarily in regard to heating, ventilation and air-conditioning systems (HVAC). The design goals that ASHRAE recommends are aimed at providing comfort, speech privacy and speech intelligibility as appropriate to room uses (Iberdrola Renewables 2011). Studies of office noise such as the one cited by E-Coustic Solutions are quite prevalent and many have found that audible sounds from poorly designed HVAC systems affect the concentration, productivity, and attitude of office workers.

Furthermore, in his testimony to the Wisconsin Public Utilities Commission, Dr. Geoff Leventhall had an opportunity to discuss the relevance of his research to wind turbines (Iberdrola Renewables 2011). That particular research of low-frequency "rumble" in HVAC noise was not applicable to wind turbines because the spectrum was dissimilar in frequency and in levels, and the findings indicated little effect due to low-frequency noise (Iberdrola Renewables 2011).

D31-19 Please refer to responses D31-4 and D31-9 regarding noise modeling. The County's 45 CNEL is an interior noise requirement for the construction of new homes. The project would not result in noise levels that would exceed 45 dB CNEL within the interior of the existing homes.

D31-20 A 3 dB correction to account for uncertainty in ISO 9613-2 was implemented by applying conservative assumptions concerning sound propagation. The use of conservative modeling assumptions results in more than 3 dB increase over less conservative methods; therefore, no additional corrections were applied.

Please refer to responses D31-9 and D31-22 for further details on ISO 9613-2, the modeling methodology and modeling assumptions.

Refer to Section 1.3 and Appendix D of the *Tule Wind Project – Draft Noise Analysis Report* (updated February 2011) for additional details on the modeling methodology and ISO 9613-2.

D31-21 Please refer to responses D31-9 and D31-16 regarding sound power levels. It should be noted that repeatable measurements are desirable, not a deficiency.

D31-22 This comment provides noise modeling results based on the noise models and assumptions used by the commenter. Sound is a physical phenomenon subject to

the laws of physics. Therefore, the Swedish EPA calculation for wind turbine sound levels is very similar to the calculation from ISO 9613-2. Several combined *attenuation* factors account for the "decay rate" as a function of distance: geometric divergence, atmospheric absorption, ground attenuation, and meteorological effects. Both standards account for geometric divergence equally. Atmospheric absorption is accounted for in slightly different ways, but they will produce the same result for wind turbine sound sources. The difference between the two standards is how they account for ground attenuation and meteorological effects.

Both standards, the ISO 9613-2 calculation and the Swedish calculation, are fundamentally based upon geometric divergence from a point source exhibiting a 6 dB "decay rate" per distance doubled. For atmospheric attenuation, the Swedish calculation makes a correction for atmospheric absorption. This correction is a device that mimics the atmospheric absorption calculation in ISO 9613-2 when calculating each octave-band frequency separately.

Ground attenuation and metrological effects are lumped into one calculation. This calculation for ISO 9613-2 is derived from empirical data, specifically field measurements of sound attenuation over soft ground. Where there is hard ground instead of soft ground, the ISO 9613-2 calculation institutes a broadband pressure doubling (which is approximately +3 dB). Ground attenuation and meteorological effects for the Swedish calculation assumes reflective ground, and also provides an adjustment for wind speed gradients using calculations from IEC 61400 Part 11. The effect of the ground attenuation and meteorological effects may increase or decrease sound levels from ISO 9613-2 to the Swedish calculation, depending upon the modeling parameters. Effects of different modeling parameters are far too variable to discuss in general terms.

For propagation over water, the Swedish calculation uses another device to account for sound "skipping" over the water. After a certain distance it institutes a 3 dB decay rate with distance as opposed to the usual 6 dB rate. This is typically associated with sound propagation over water, and it is similar to certain underwater effects in the ocean due to temperature layers. This is only applicable to offshore wind-turbines, not the type of on shore turbines proposed for the Tule Wind Project.

Both standards, the ISO 9613-2 calculation and the Swedish calculation, will exhibit a 6 dB "decay rate" per distance doubled when calculating the geometric divergence for a single point source, such as a wind turbine. However, a number of point sources which span a large distance closely resemble a line source. So for certain areas a series of point sources will naturally exhibit the 3 dB decay rate of a line source. This will be true for any noise model that calculates the total sound

due to all sources, including the Cadna-A model used for the noise analysis for the Tule Wind Project.

Note that the Tule Wind Project noise model decay rate (as a function of distance) was the result of geometric divergence, atmospheric attenuation, hard reflective ground, and the total sound due to all sources in the analysis, according to Cadna-A and the ISO 9613-2 calculations.

Furthermore, there are several conservative assumptions built into the Tule Wind Project noise model to avoid under-predicting noise levels that are not part of the Swedish calculation. The sound power level used in the analysis is the manufacturer-guaranteed sound emissions. The guaranteed sound emissions are based on IEC Standard 61400 Part 11 measurement methods. The guaranteed sound emissions adds 2 dB to the manufacturer-stated emission and is based on maximum operating conditions using additional fans for hot weather conditions at 10 meters per second wind speeds. The use of guaranteed sound emissions is conservative, in that it assumes the wind turbines generate 2 dB more noise than the manufacturer reports for the turbines.

A 3 dB correction to account for uncertainty in ISO 9613-2 was accounted for through conservative assumptions concerning sound propagation utilized in other portions of the analysis. The use of conservative modeling assumptions results in more than 3 dB increase over less conservative methods; therefore, no additional corrections were applied.

Therefore, the calculated noise levels shown in the *Tule Wind Project – Draft Noise Analysis Report* are conservatively high noise levels and the referenced Swedish standard is not relevant in the context of this analysis. Also, please refer to responses D31-4 and D31-9 regarding noise modeling.

D31-23 This comment is a conclusion section and the comments were previously addressed. See responses D31-1 through D31-22.

D31-24 This comment reflects enclosed attachments depicting the commenter's noise modeling results and assumptions. Also included are conference papers and other papers generally providing supporting information for the comments provided by E-Coustic.

References Cited

County of San Diego. 2006. *County of San Diego General Plan Part VIII: Noise Element*. Adopted February 20, 1975, amended September 27, 2006.

County of San Diego. 2009. Code of Regulatory Ordinances. Title 3: Public Safety, Morals, and Welfare; Division 6: Conduct Disturbing Community Harmony; Chapter 4: Noise Abatement and Control; Section 36.401 et seq. January 9, 2009.

Iberdrola Renewables, Inc. 2011. "Re: Tule Wind Project – Response to Data Request No. 14 (Noise and Public Health)." Letter from J. Durocher (Iberdrola Renewables) to I. Fisher (California Public Utilities Commission). May 3, 2011.

Response to Document No. D32

Foley and Lardner, LLP, on behalf of Invenergy Wind California, LLC (S. Wayne Rosenbaum) Dated March 4, 2011

D32-1 The commenter's support of the project is noted and will be included in the administrative record.

D32-2 The comment is noted. Approval of the Campo Wind project will require further evaluation under all applicable environmental regulations once sufficient project-level information is developed. Given that there is a potential for the Campo Wind project to still be refined, the CPUC and BLM have set issuance of the Notice of Preparation and Notice of Intent for the EIR/EIS as the cutoff date for updates to the project description for the nascent wind projects included as connected actions. By including the wind projects as components of the Proposed PROJECT, it allows the lead agencies and decision makers to further consider broad impacts, mitigation, and consequences of the ECO Substation Project specifically, and the wider Proposed PROJECT as a whole.

The information provided in the EIR/EIS was based on information provided from the project proponent at the time of preparation of the Draft EIR/EIS. The Campo Wind project information was provided by Invenergy Wind California LLC in their response to CPUC's data request number 1 dated November 3, 2009. Data requests to Invenergy Wind California LLC and their response can be found on the CPUC's project website at: http://www.cpuc.ca.gov/environment/info/dudek/ECOSUB/Other_DR.htm, under the heading Invenergy.

D32-3 This comment is noted and will be included in the project record. As stated in EIR/EIS Section A.1, project-level information is not available for the proposed Campo and Manzanita wind projects and therefore, project-specific environmental review and evaluation under all applicable environmental regulations will occur for these projects once sufficient project-level information is developed. This information provided in this comment will be included in the project-specific environmental document.

D32-4 The comment regarding jurisdiction over the wind project was addressed in response A4-2. This correction was made to Tables A-1 and D.4-1 to the EIR/EIS.

These changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines and under NEPA, do not result in new significant circumstances or information relevant to environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

D32-5 The comment regarding Quino checkerspot butterfly critical habitat is addressed in response A4-2.

D32-6 The comment is noted. Please refer to response D32-6 regarding changes to the project description of the Campo Wind Project. EIR/EIS Section D.3, Visual Resources, notes that visual simulations for the Campo, Manzanita, and Jordan wind projects were conducted and provides a list of the assumptions that were used in developing those visual simulations. As stated, the visual simulations were conceptual and were based on approximate data as these projects were still researching and developing their project descriptions at the time the Draft EIR/EIS was written. Therefore, the visual simulations conducted in the Draft EIR/EIS remain sufficient to provide a conceptual level of visual impacts that would result from the Campo Wind Project (as noted on Figures D.3-24B, -25B, and -27B). In addition, the Campo Wind Project will be subject to project-specific environmental review and evaluation under all applicable environmental regulations once project-specific information is developed.

D32-7 The comment is noted. Please refer to response D32-3 regarding project-level information and future environmental review.

D32-8 The comment is noted. Please refer to response D32-6 regarding changes to the project description of the Campo Wind Project.

D32-9 In response to this comment, clarification regarding the Campo projects not being subject to the Stormwater Pollution Plans and Stormwater Management Plans, but being subject to Federal Clean Water act laws and regulations, was added to the Final EIR/EIS in Section D.12, Water Resources (see Section D.12.3.3, Direct and Indirect Effects). This section has been modified in the Final EIR/EIS in accordance with 40 CFR1502.9 (b). These changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines, and under NEPA do not result in new significant circumstances or information relevant to environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

D32-10 The reference for the turbine nacelle fire suppression systems in EIR/EIS Section D.15, Fire and Fuels Management, is associated with the Proposed PROJECT (ECO Substation, Tule Wind, and ESJ Gen-Tie) component that includes wind (Tule Wind Project). The reference to Campo wind project is only as it pertains to additional wind turbines within southeast San Diego County. As stated in EIR/EIS Section A.1, project-level information is not available for the proposed Campo wind project (see response D32-3). The Campo project is evaluated at a program level in this EIR/EIS and project-specific environmental review and evaluation under all applicable environmental regulations will occur once sufficient project-level information is developed.

Response to Document No. D33

Law Offices of Stephan C. Volker, on behalf of Backcountry Against Dumps, The Protect Our Communities Foundation, East County Community Action Coalition, and Donna Tisdale
Dated March 4, 2011

D33-1 Please see responses D33-1 through D33-27 for responses to comments raised in this letter. As stated in Section A, Introduction/Overview, of the EIR/EIS, the content of the EIR/EIS reflects input received during the EIR/EIS scoping period, including the Conservation Groups' scoping comments provided as Exhibit 1 to the commenter's letter.

D33-2 The commenter's opposition to the project is noted and will be included in the project record for consideration during project deliberation. Please refer to response D33-9 as well common response ALT2 regarding distributed generation.

D33-3 The CPUC will use the EIR/EIS, in conjunction with other information developed in the CPUC's formal record, to act only on SDG&E's application for a Permit to Construct (PTC) and operate the proposed ECO Substation. The BLM will use the EIR/EIS in responding to SDG&E's application for a right-of-way (ROW) grant to construct and operate a 138-kilovolt (kV) transmission line on public lands as part of the proposed ECO Substation Project. The BLM will also use the EIR/EIS to respond to applications to construct and operate the Tule Wind Project on federal lands. Please refer to common response INT2 regarding adequacy of the EIR/EIS.

In consideration of the proposed ECO Substation Project, a range of projects have been evaluated to determine whether they are so closely related to the proposed ECO Substation as to be considered connected actions under NEPA and whole of the project under CEQA. The CPUC identified the proposed Tule Wind and ESJ Gen-Tie projects, along with the proposed Campo, Manzanita, and Jordan wind energy projects for evaluation as components of the Proposed PROJECT. This allows the decision makers to further consider the broad impacts, mitigation, and consequences of the ECO Substation and Tule Wind projects, specifically, and the wider project as a whole. As described in common responses ALT1 and ALT2, the EIR/EIS addresses alternatives to the Proposed PROJECT, including locally distributed generation (also see response D33-9 regarding distributed generation).

The EIR/EIS also addresses cumulative impacts (see Section F, Cumulative Impacts, of the EIR/EIS), including those associated with the Sunrise Powerlink

and other known large-scale energy projects within the study area. Please refer to response A2-2 regarding project reliance on the Sunrise Powerlink.

The lead agencies have determined that consideration of wide-spread industrial-scale energy developments beyond the study area defined in Section F of the EIR/EIS (see Figure F-1, Cumulative Projects Map) throughout the Southern California desert and elsewhere in the southwest, is beyond the scope of the analysis required under CEQA and NEPA in consideration of the proposed ECO Substation and applications to develop the Tule Wind Project on federal lands.

D33-4 The Draft EIR/EIS states on page ES-11 and in Sections B.2.3 and B.5.1 that the "proposed ESJ Gen-Tie would have the capacity to import 1,250 MW of renewable energy generated in northern Baja California, Mexico." Section A, Introduction/Overview, of the EIR/EIS further states that the primary purpose of the ESJ Gen-Tie would be to transmit 1,200 megawatts (MW) of renewable energy from a wind project proposed in northern Baja California, Mexico, to the proposed ECO Substation. For purposes of the analysis and for disclosure purposes, the EIR/EIS evaluates potential impacts to biological resources, visual resources, and fire to the United States from the Phase I ESJ Gen-Tie Wind Energy Project in Mexico. Any evaluation of other potential energy sources that may or may not utilize the ESJ Gen-Tie would be speculative. Additionally, energy projects built in Mexico do not need to comply with CEQA or NEPA. Federal, state, and local agencies do not have jurisdictional authority in Mexico and therefore would not be able to require and/or enforce conditions of approval for development in Mexico. Furthermore, the CPUC and BLM have no discretionary authority over the ESJ Gen-Tie Project. Please refer to common response INT2 regarding adequacy of the EIR/EIS.

D33-5 As described in Section C, Alternatives, of the EIR/EIS, an alternative's consistency with project objectives was not solely based on using the BLM's "Purpose and Need" statement. As stated in the EIR/EIS in Section C.2.1, Consistency with Project Objectives, Section 15126(a) of the CEQA Guidelines (14 CCR 15000 et seq.) requires that project objectives be set forth in an EIR in order to help define alternatives to the Proposed PROJECT that meet most of the basic project objectives. Moreover, a project may not limit the objectives of a project in such a way as to effectively confine the range of feasible alternatives that are available. Having taken into consideration the project objectives set forth by SDG&E for the ECO Substation Project; Tule Wind, LLC, for the Tule Wind Project; and Energia Sierra Juarez U.S. Transmission, LLC, for the ESJ Gen-Tie

Project (Section A of the Draft EIR/EIS), the CPUC has identified the following basic project objectives, which were used to screen alternatives:

C-1 Accommodate delivery of renewable energy to meet state and federal renewable energy goals from wind and solar sources in San Diego County

C-2 Meet California's renewable portfolio standard (RPS) under Senate Bill (SB) X1 2, which established a renewable energy target of 33% of total electricity sold to retail customers by 2020

C-3 Improve the reliability of the delivery of power to the communities of Boulevard, Jacumba, and surrounding communities.

D33-6 Please refer to response D33-3. The EIR/EIS has completed a thorough and complete evaluation of all of the applicable projects and project components possible in order to provide the decision makers with a complete view of the Proposed PROJECT and any potential impacts that may occur. This includes the proposed Tule Wind and ESJ Gen-Tie projects, along with the proposed Campo, Manzanita, and Jordan wind energy projects for evaluation as components of the Proposed PROJECT. Additionally, a considerable evaluation of potential cumulative impacts was performed as part of the process. The CPUC has not unreasonably constricted the scope of the potentially related projects or segmented the analysis in any manner.

The cited Piedmont Environmental Council case actually provides a substantial discussion and reasoning on behalf of the court to illustrate exactly why a Program EIS would not be required for the Proposed PROJECT. Additionally, unlike that case, here the CPUC is not promulgating any overall regulations or energy plan for the State, but is instead approving an actual project that has a number of sufficiently connected actions to warrant such an in-depth level of review that was provided within the EIR/EIS.

State CEQA Guidelines Section 15165 states the following: "Where individual projects are, or a phased project is, to be undertaken and where the total undertaking comprises a project with significant environmental effects, the Lead Agency shall prepare a single program EIR for the ultimate project as described in Section 15168. Where an individual project is a necessary precedent for actions on a larger project, or commits the Lead Agency to a larger project, with significant environmental effect, an EIR must address itself to the scope of the larger project. Where one project is one of several similar projects of a public

agency, but is not deemed a part of a larger undertaking or a larger project, the agency may prepare one EIR for all projects, or one for each project, but shall in either case comment upon the cumulative effect."

The Proposed PROJECT is not a phased project and is not a series of multiple projects that must evaluate the overall project on a program level. Instead, the Proposed PROJECT provides a full evaluation of all of the project components, including an in-depth environmental review to the level possible at this time based upon available details.

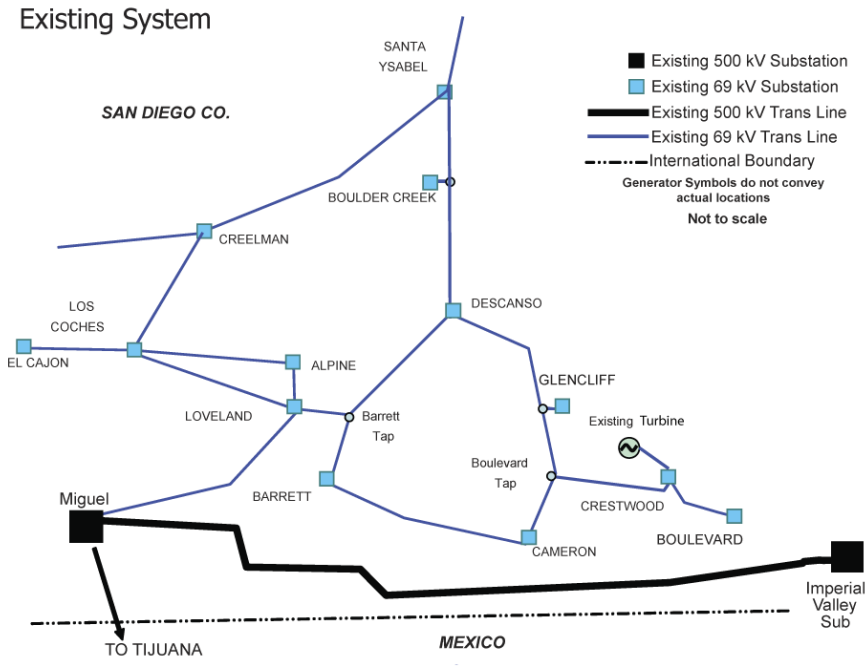
Simply identifying the Powerlink project coupled with various renewable energy projects and thus declaring they are all part of a program that needs a single programmatic evaluation is not appropriate under either CEQA or NEPA. The commenter states that these various projects are all interconnected in such a manner to require a programmatic review. For example, the commenter states all these projects are located within the California desert (an area encompassing thousands of square miles); would all be connected to the CAISO; would require "some form of BLM, CPUC, and/or San Diego County approval" (large public agencies that approve hundreds of projects); are part of the entire State's efforts to meet the RPS requirements; and are "also intended to help fulfill the Obama Administration's goal of harnessing renewable energy resources." This is a huge net cast to attempt to tie together these distinct projects, none of which meet the required standards under CEQA or NEPA to force a full programmatic document of all of these disconnected projects.

While a program EIR/EIS can be used by an agency to consider broad policy alternatives, in no way is either the CPUC or the BLM now forced to consider broad policy concepts related to the entire energy development scheme within the greater Southwest region. The Proposed PROJECT has gone well above and beyond the requirements of CEQA and NEPA in evaluating all of the potential environmental impacts possible, including all connected actions and potential cumulative project impacts, in order to provide for meaningful public review and a thorough evaluation of all of the potential environmental impacts and alternatives to the Proposed PROJECT.

D33-7 Please refer to common response ALT1 for a discussion on adequacy of the alternatives analysis, response D33-8 with regard to the ECO System Alternative 6, and response D33-9 with regard to the distributed generation alternative.

D33-8 This comment, as well as Exhibit 2, are noted. As described in EIR/EIS Section C.5.1.17 under ECO System Alternative 6, the ECO Substation and the ESJ Gen-Tie projects would be eliminated. Instead, two existing Comisión Federal de Electricidad (CFE) 230 kV transmission lines located in northern Mexico and Path 45 would be used to connect the ESJ Project to the San Diego County power grid. These two lines are interconnected to the Western Energy Coordinating Council Path 45 and join the SDG&E system at two points: Imperial Valley and Tijuana (see inset map depicting existing and potential transmission lines in the border region).

Additionally, East County 69 kV substations and transmission lines would be upgraded to accommodate local wind power development (see inset graphic that depicts the existing SDG&E 69 kV grid). Finally, to improve the reliability of power delivery to the communities of Boulevard and Jacumba and surrounding areas, this alternative would include development of rooftop solar and other local, small-scale energy sources, as well as reinforcement and upgrading of the local energy delivery system.



The ECO System Alternative 6 was eliminated from further consideration because it would not meet project objectives criteria or feasibility criteria. As discussed in the EIR/EIS, if the import capacity of CFE into the United States is limited to 800 MW, it would not be able to accommodate planned generation of 1,200 MW from the ESJ Gen-Tie Wind Project without significant upgrading. Furthermore, it has not been possible to confirm available capacity on the 230 kV CFE line, despite attempts to contact CFE. Based on discussions between Sempra and CFE over the course of several years, which began generally during the development of the Termoeléctrica de Mexicali combined-cycle project and continued most recently with respect to the ESJ Gen-Tie Wind Project, CFE has indicated to Sempra Generation that CFE's La Rosita (ROA) to Tijuana (TJ) 230 kV system is at capacity. Any flows from generation connected directly to CFE's 230 kV lines will exacerbate existing overload conditions. The alternative would also require upgrades to the CFE portion of the system; it would be at the sole discretion of the CFE and would require international contract agreements. The environmental impacts of such upgrades, the cost of the upgrades, and the operational impacts of the upgrades on the CFE system are not quantifiable without detailed study of the CFE system. Such study would have to be conducted by CFE and the operational parameters established by CFE. Additionally, CFE has indicated that the CFE transmission system cannot be used to solve U.S.-related transmission deficiencies. This includes increasing dependence on Special Protection Schemes (SPS) that open one of the two lines connecting CFE to the California Independent System Operator (CAISO) as a means of protecting CFE's system from overloads. CFE

recently proposed transmission tariffs for renewable energy projects. According to Sempra Generation, they have not reviewed the proposed renewable energy tariffs, but current transmission service charges for the CFE system are very high. These charges would be passed on to the utilities that would purchase the energy, thus increasing the cost of renewable energy to rate payers at the very least, and at worst, rendering the project economically infeasible. This cost assumes that no system upgrades are required. As such, upgrades to the CFE system may pose substantial regulatory and legal constraints to achieving delivery of renewable energy produced by the ESJ Project within the 2010–2020 timeframe.

The 230 kV CFE line also lies outside the jurisdiction of the CAISO and would be subject to CFE dispatch and control, as such, power could, at any time, be re-directed and utilized by CFE rather than exported to California.

The need for upgrades to the CFE system, lack of definitive CFE information, and jurisdictional control makes implementation speculative with respect to its ability to attain project objectives; consequently, the use of Path 45 electrical transfers remains an infeasible component for any viable alternative. CEQA Guidelines (Section 15126.6) require the lead agency to assess a reasonable range of feasible alternatives that meet most of the objectives. When assessing the feasibility of an alternative, jurisdictional boundaries and regulatory limitations must be considered. As such, an EIR need not consider an alternative whose effect cannot be reasonably ascertained and whose implementation is remote and speculative (Section 15126.6(f)(3)).

At best, upgrades throughout the entire East County 69 kV system would provide capacity to accommodate approximately 150 MW out of over 500 MW planned to be interconnected in the Boulevard area, and this alternative would not be able to accommodate any wind energy planned to be interconnected at the ECO Substation. This alternative ignores the issue of reliability and continuity of service during times when resources to power local rooftop photovoltaic (PV) systems are unavailable. Furthermore, this alternative would not meet environmental criteria because up to 100 miles of reconductoring or rebuilding projects would be required to integrate planned renewable generation in the Boulevard area. Therefore, ECO System Alternative 6 was determined not to meet alternatives screening criteria, as described in Section C.2 of the EIR/EIS, and was eliminated from further consideration as a reasonable alternative.

D33-9 This comment, as well as Exhibit 2, are noted. Please refer to common response ALT2 regarding distributed generation. In addition, as stated in EIR/EIS Section A.4.2.2, Proponents Objectives, SDG&E lists five main objectives for the ECO

Substation and explains how the ECO Substation meets these objectives. Objectives ECO-1 through ECO-3 would facilitate interconnection of renewable generation and objectives ECO-4 and ECO-5 would provide reliability improvements to the communities of Boulevard and Jacumba. As stated in the EIR/EIS, the proposed ECO Substation would improve reliability in the delivery of power to the communities of Boulevard, Jacumba, and surrounding communities by creating a Supervisory Control and Data Acquisition (SCADA)-controlled, normally open loop in the southeastern 69 kV transmission system to improve control, increase operational flexibility, and enhance the reliability of the regional transmission system. In addition, it would provide a second source for the southeastern 69 kV transmission system that avoids vulnerability of common structure outages, thus increasing the reliability of electrical service for Boulevard, Jacumba, and surrounding communities.

Consideration of a 3 MW peaking gas turbine as an alternative to the Proposed PROJECT would not meet most of the project objectives or meet BLM's purpose and need. It is incorrect to say the area reliability "…could be assured with a 3 MW peaking gas turbine." The statement assumes the gas turbine will be running whenever the area 69 kV system is out of service, as well as assuming the generator will not be constrained by operating hours or emissions. The generator could reduce the outage time but cannot "assure" reliability in the same fashion as a transmission line to ECO.

Furthermore, the statement that the ECO Substation "…is necessary to assure the reliability of such a small load" is inaccurate and misleading. The ECO Substation facilitates the ability to construct the necessary facilities to implement the reliability improvements. While the improvements could be provided via other more costly system upgrades, the presence of the ECO facilities (used to meet the interconnection needs of renewable resources), allows for a second transmission line to Boulevard and the surrounding area. Without the renewable interconnection aspect, ECO would not be constructed solely to improve area reliability.

D33-10 Please refer to common response INT2 regarding the adequacy of the EIR/EIS. As stated in response D33-4, energy projects built in Mexico do not need to comply with CEQA or NEPA. Federal, state, and local agencies do not have jurisdictional authority in Mexico and therefore would not be able to require and/or enforce conditions of approval for development in Mexico. As required and stated in the EIR/EIS in Section A, Introduction/Overview, the EIR/EIS for disclosure purposes evaluates potential impacts to biological resources, visual resources, and fire to the United States from the Phase I ESJ Gen-Tie Wind Energy Project in Mexico.

D33-11 Please refer to common responses PHS1 through PHS4 regarding public health concerns related to wind turbines. Please refer to common response PHS3 and common response NOI5 regarding the relationship between low frequency noise generated by wind turbines and adverse health effects. Please also refer to common response NOI2 regarding the characteristics of audible and inaudible sound and the appropriate measurements of both; common response NOI4 regarding the levels of low frequency noise generated by the proposed wind turbine project; common responses NOI3 and NOI6 regarding the effects of noise from wind turbines as compared to other sources of noise; common responses PHS3 and NOI12 regarding setbacks from wind turbines to sensitive receptors; common response NOI10 regarding the human response to noise generated from wind turbines; and common response NOI11 regarding amplitude modulation, also known as blade thumping. This comment will be included in the administrative record.

D33-12 Please refer to common response PHS2 regarding stray voltage, which includes an explanation regarding the differences between EMF and stray voltage.

D33-13 Please refer to common response PHS1 regarding the potential for shadow flicker to occur as a result of the proposed Tule Wind Project, as well as the potential health effects or safety concerns related to shadow flicker.

D33-14 Please refer to common response BIO4 regarding impacts to bighorn sheep. Additional discussion has been added in the Final EIR/EIS to substantiate the conclusions regarding bighorn sheep, which remain unchanged from the Draft EIR/EIS. These changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines, and under NEPA do not result in new significant circumstances or information relevant to environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

D33-15 The EIR/EIS does include noise impacts to bird species under Impact BIO-7. For example, under southwestern willow flycatcher, the document states: "Direct loss of any subspecies of willow flycatcher or indirect loss of these species from noise and increased human presence, or removal of suitable habitat would be adverse…" Based on the established significance criteria used for this EIR/EIS, effects of noise were considered only for special-status wildlife. Mitigation Measure BIO-7j (related to the effects of noise on wildlife) has been revised in the Final EIR/EIS to incorporate additional actions to avoid indirect noise impacts to bird species. Additionally, the avian and bat protection plans being prepared for

each project under Mitigation Measure BIO-10b will incorporate measures to protect bird species from noise associated with project construction and operations. These changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines, and under NEPA do not result in new significant circumstances or information relevant to environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

D33-16 The commenter's recommendations are noted and will be included in the project record. It should be noted that there is no clear agreement that birds avoid turbines of specific colors, and the behavior response would be species-specific. The EIR/EIS includes Mitigation Measure BIO-10c, which requires the design and configuration of wind turbines to maximally avoid bird and bat resources, and that various design features shall be used to reduce or avoid impacts to bird and bat species. Also, if turbine color is determined to be key for protecting avian species, it will be incorporated into the Avian and Bat Protection Plan, which will be approved by the agencies under Mitigation Measure BIO-10i, which is to obtain written agency approval of the Avian and Bat Protection Plan.

D33-17 Comment noted. Please refer to common response BIO5 for impacts to Quino checkerspot butterfly and INT3 regarding deferral of mitigation.

D33-18 Comment noted. The land use section of the EIR/EIS (specifically Section D.4.1.2, ECO Substation Project, under "138 kV Transmission Line" heading), states that between milepost (MP) 3.6 and MP 4.9, the proposed ECO Substation 138 kV transmission line would cross land currently owned and managed by the Nature Conservancy. This land (the Jacumba-Eade property) has not been purchased by the Anza-Borrego Foundation and, according to Executive Director Conrad Kramer, the Anza-Borrego Foundation no longer intends to purchase the property.

The Jacumba-Eade property would fall within the Nature Conservancy's cross-border project, the Las Californias Binational Conservation Initiative, which functions as a binational partnership between the Nature Conservancy and Mexico's Pronatura and is intended to maintain an interconnected conservation network and sustaining ecosystem process along the U.S.–Mexico border region. The "project" is a vision report that has not been adopted by land use jurisdictional agencies in the project area and therefore it remains to be seen if the objectives for U.S. lands located in the proposed binational conservation network are attainable. It should be noted however that portions of the Proposed PROJECT area coincide with a designated "critical opportunity area" defined by

the vision report as "specific locations where conservation values are imminently threatened if conservation actions are not initiated in the short term." Similarly, the proposed Parque to Park Binational Corridor (which seeks to create a binational park linking the Parque Constitucion de 1857 in the southern Sierra Juarez region of Baja California, Mexico, with BLM wilderness areas, Cleveland National Forest, and Anza-Borrego Desert State Park wilderness areas in south eastern San Diego County), has not been adopted by land use jurisdictional agencies in the U.S. and policies and objectives for the U.S. lands mentioned above have not been established by the various agencies to support the creation of a binational corridor (see EIR/EIS Section D.2.1.1, Regional Overview). Refer to common response BIO6 regarding wildlife corridors.

D33-19 Comment noted. Please refer to responses D19-1 through D19-80 (in response to comments from the Boulevard/Jacumba/La Posta Fire Safe Council), as well as common response FIRE5.

D33-20 Please refer to common response WR1. Regarding the portion of the comment on the retention pond liners, the project will be in compliance with the National Pollution Discharge Elimination System (NPDES) permit program under the federal Clean Water Act and the State of California General Permit for Storm Water Discharges Associated with Construction Activity, Order No. 99-08-DWQ. As stated in the EIR/EIS, the Construction General Permits require the development and implementation of a Stormwater Pollution Prevention Plan (SWPPP). The SWPPP describes best management practices (BMPs) the discharger would use to protect stormwater runoff. The SWPPP must contain a visual monitoring program, a chemical monitoring program for "non-visible" pollutants to be implemented if there is a failure of BMPs, and a sediment-monitoring plan if the site discharges directly to a water body listed on the 303(d) list for sediment. On September 2, 2009, the SWRCB issued a new NPDES General Permit for Storm Water Associated with Construction Activities (Order No. 2009-0009-DWQ, NPDES No. CAS000002), which became effective July 1, 2010. This new permit requires that construction and demolition sites meet more stringent, measurable (quantitative) standards for discharge management. New requirements include a risk-based permitting approach, Numeric Action Levels and Numeric Effluent Limitations, post-construction standards for discharges, increased BMP requirements, and increased monitoring and reporting requirements. As stated, the project will be in compliance with all applicable laws and regulations and will be required to prepare an SWPPP and a Stormwater Management Plan (SWMP) that will be included in the project's Mitigation Monitoring, Compliance, and Reporting Plan as the SWPPP and SWMP are

required as Mitigation Measures HYD-1 and HYD-4 in Section D.12, Water Resources, of the EIR/EIS. The SWPPP and SWMP will require that the applicant implement BMPs that will ensure that the retention ponds on the site be properly managed through construction and operation of the facility to capture and manage site runoff. The use of and removal of retention pond liners would be in accordance with the SWPPP and the SWMP. Additionally, the project will be implementing measures to reduce the likelihood of a release of hazardous materials on the site and measures to address contaminants should an accidental release occur or a contaminant be discovered on the site during construction through mitigation measures in Section D.10, Public Health and Safety, of the EIR/EIS. These measures which include Mitigation Measure HAZ-1a, Hazardous Materials Management Plan, and Mitigation Measure HAZ-5a, Spill Prevention Control and Countermeasure Plan.

D33-21 Please refer to response D33-4 and common response PD2 regarding the use and purpose of the proposed ESJ Gen-Tie transmission line.

D33-22 Comment noted. The cultural resources section of the EIR/EIS (specifically Section D.7.8, Mitigation Monitoring, Compliance, and Reporting, states that artifacts will be curated at an appropriate facility to be determined by the lead and responsible agencies. Please refer to common responses CUL1 through CUL3 for more discussion on cultural resources.

D33-23 Please refer to common response SOC1 regarding property values.

D33-24 The EIR/EIS acknowledges in Section A.3, Project Objectives, and Section B, Project Description, that the proposed ECO Substation would be designed in accordance with SDG&E's long-term planning practices to accommodate the import of the currently known renewable power projects along with having capability of expanding within the substation fence to accommodate additional renewable energy generation in the future from wind and other sources in southeastern San Diego County. It is not possible to predict or provide additional description of such future renewable wind and other source energy facilities beyond those already described in Section F, Cumulative Scenario and Impacts, which describes the planned wind generation projects planned for interconnection into the proposed ECO Substation as listed in the CAISO Generation Interconnection Queue.

As stated in Section G.1.2 of the EIR/EIS, the need for additional renewable energy generation is reflected in California's Renewables Portfolio Standard as well as in the federal energy policy act goals for developing renewable energy.

The project, which would accommodate renewable energy development, would be consistent with and assist in fulfilling state and federal law mandates and therefore would not be considered to have adverse growth-inducing impacts related to the provision of additional renewable energy development.

D33-25 The comment does not raise specific issues related to the adequacy of mitigation measures presented in the EIR/EIS, only that mitigation measures were deferred for a number of environmental topic areas. Please refer to common response INT3 for discussion on mitigation deferral that describes that the project mitigation monitoring, compliance, and reporting program (MMCRP) is designed to ensure compliance with mitigation measures during implementation of the approved project. Please also refer to common response FIRE5 regarding fire agency approved Fire Protection Plans for the Tule Wind and ESJ Gen-Tie projects.

D33-26 Please refer to response D33-3 regarding the purpose of the Proposed PROJECT and D33-6 regarding a programmatic EIR/EIS.

D33-27 Please refer to common response ALT2 regarding distributed generation.

D33-28 Attachment (Exhibit 1) is noted. Please refer to response D33-1 regarding the Conservation Groups' scoping comments.

D33-29 Attachment (Exhibit 2) is noted. Please refer to common response ALT2 and responses D33-8 and D33-9 regarding Bill Power's declaration.

D33-30 Attachment (Exhibit 3) is noted. Please refer to response D33-11 regarding low frequency sounds.

D33-31 Attachment (Exhibit 4) is noted. Please refer to response D33-11 regarding noise and wind turbines.

D33-32 Attachment (Exhibit 5) is noted. Please refer to response D33-12 regarding stray voltage.

D33-33 Attachment (Exhibit 6) is noted. This comment does not relate to the adequacy of the EIR/EIS; therefore, no further response is provided or required.

D33-34 Attachment (Exhibit 7) is noted. Please refer to common response SOC1 regarding property values.

Response to Document No. D34

Natural Resources Defense Council, on behalf of Defenders of Wildlife, Sierra Club, Center for Biological Diversity, Audubon California, San Diego Audubon Society (Johanna Wald, Jeff Aardahl, Barbara Boyle, Ilene Anderson, Dan Taylor, Jim Peugh) Dated March 4, 2011

D34-1 The comment is noted. It acknowledges the agencies on whose behalf these comments are submitted.

D34-2 The comment is noted and will be included in the administrative record. As noted in this comment, criteria have been suggested to guide the siting of solar projects to reduce biological conflicts and increase the efficiency of project permitting. The project evaluated in the EIR/EIS meets some of the criteria of areas to prioritize for siting, including areas with disturbed lands, areas near development, areas near existing/approved transmission and substations, and areas with an existing road network. The project area assessed under the EIR/EIS does contain areas with special-status biological resources that would be considered high conflict areas according to these criteria, and EIR/EIS Section D.2, Biological Resources, assesses the impacts, significance of those impacts, and specifies mitigation measures for the impacts. EIR/EIS Section D.4, Land Use, addresses applicable land use criteria and provides an analysis of project-specific impacts on existing, planned, and proposed land uses. EIR/EIS Section D.6, Agricultural Resources, evaluates existing agricultural conditions within the vicinity of the project area. Regarding recommended criteria from the California Desert Renewable Energy Working Group for other locations, EIR/EIS Section C, Alternatives, provides an evaluation of alternative sites and identified and screened a total of 40 potential alternatives, including 13 alternative locations for project facilities. As described in common response ALT1, these potential alternatives were evaluated for their ability to reduce significant environmental impacts; their feasibility and reasonableness; and their ability to attain most of the project objectives for the Proposed PROJECT.

As shown in Figure A-1 and described in Section C.5.2.1 of the EIR/EIS, areas in San Diego County with consistent high wind speeds and near existing high voltage transmission lines are primarily limited to the study area for the Proposed PROJECT. Alternative sites for the ECO Substation Project outside the study area would not meet project objectives because they would not accommodate planned renewable energy generation in San Diego County and Mexico where good wind resources near the existing Southwest Powerlink have been identified or serve to improve the

reliability of the delivery of power to Boulevard, Jacumba, and surrounding communities. Please see common response ALT2, regarding distributed generation.

D34-3 The comment is noted and will be included in the administrative record. Please refer to common response BIO1, regarding the regulatory setting for the golden eagle, particularly related to the Draft Eagle Conservation Plan Guidance (USFWS 2011a), Draft Land-Based Wind Turbine Guidelines (USFWS 2011b), and the USFWS Final Rule for an Eagle Act Take Permit (74 FR 46836–46879). Final EIR/EIS Section D.2, Biological Resources, has been revised to acknowledge these recent developments pertaining to the regulatory setting relevant to golden eagle. The Draft Eagle Conservation Plan Guidance and the Draft Land-Based Wind Turbine Guidelines are documents that have not been finalized and were not published during project planning or prior to the release of the Draft EIR/EIS for the Proposed PROJECT. The Final Rule for an Eagle Act Take Permit describes a process to obtain take authorization for non-purposeful take of eagles and is referenced in the Final EIR/EIS Section D.2.2.1, Federal Regulations, under the Bald and Golden Eagle Protection Act discussion. Please also refer to common response INT2 regarding the adequacy of the document and recirculation of the document, pursuant to CEQA Guidelines Section 15088.5, is not warranted. In addition, according to conditions outlined in Section 5.3 of the BLM's NEPA Handbook (H-1790-1), supplementing the EIS is not required.

D34-4 As described in Section C.2, Alternatives Screening Methodology, of the EIR/EIS, the following criteria were used to evaluate whether an alternative should be fully evaluated in the EIR/EIS: 1) Does the alternative meet most of the proposed project's basic objectives and fulfill BLM's Purpose and Need, 2) is the alternative feasible, and 3) is the alternative environmentally acceptable.

As described in Section C, Alternatives, of the EIR/EIS, an alternative's consistency with project objectives was not solely based on using the BLM's "Purpose and Need" statement. As stated in the EIR/EIS in Section C.2.1, Consistency with Project Objectives, Section 15126(a) of the CEQA Guidelines (14 CCR 15000 et seq.) requires that project objectives be set forth in an EIR in order to help define alternatives to the Proposed PROJECT that meet most of the basic project objectives. Moreover, a project may not limit the objectives of a project in such a way as to effectively confine the range of feasible alternatives that are available. Having taken into consideration the project objectives set forth by San Diego Gas and Electric (SDG&E) for the ECO Substation Project; Tule Wind, LLC, for the Tule Wind Project; and Energia Sierra Juarez U.S. Transmission, LLC, for the ESJ Gen-Tie Project (Section A of the EIR/EIS), the CPUC has identified the following basic project objectives, which were used to screen alternatives:

C-1 Accommodate delivery of renewable energy to meet state and federal renewable energy goals from wind and solar sources in San Diego County

C-2 Meet California's renewable portfolio standard (RPS) under Senate Bill (SB) X1 2, which established a renewable energy target of 33% of total electricity sold to retail customers by 2020

C-3 Improve the reliability of the delivery of power to the communities of Boulevard, Jacumba, and surrounding communities.

D34-5 Please refer to common response ALT1 regarding the alternatives analysis conducted in the EIR/EIS. As discussed in Section C of the EIR/EIS the evaluation of alternatives was not limited to lands managed by the BLM, in fact alternative sites for the proposed Tule Wind project outside BLM- managed lands and closer to demand areas were considered (please refer to response D34-7 as well as Section C.5.2.1 of the EIR/EIS for further discussion).

D34-6 Please refer to response D34-5 and common response ALT2 regarding distributed generation. State policy for energy efficiency programs is set by the CPUC and such programs are factored into SDG&E's long-term forecast. Any change in the current statewide goal of 4,500 MW of avoided generation capacity by 2020 would be subject to extensive formal investigations and workshops; therefore, any such change in target is highly speculative. Further, while these conservation programs combined with the distributed generation alternative may reduce project impacts they would not develop utility scale renewable energy sources sufficiently to displace current fossil based generation and meet most of the project's objectives as stated in Section C.2.1 of the EIR/EIS and therefore would not meet the alternatives screening criteria as described in Section C.2 of the EIR/EIS.

D34-6a Please refer to response A5-2, regarding the Environmental Protection Agency's comments on the Notice of Intent.

D34-7 Please refer to common response ALT1 regarding the alternatives analysis conducted in the EIR/EIS, which includes alternative sites, and common response ALT2 regarding distributed generation. As shown in Figure A-1 and described in Section C.5.2.1 of the EIR/EIS, areas in San Diego County with consistent high wind speeds, near existing high voltage transmission lines are primarily limited to the study area for the proposed Project. Alternative sites for the ECO Substation Project and greater project as a whole outside the study area would not meet project objectives because it would not accommodate planned renewable wind generation in San Diego County and Mexico where good wind resources near the

existing Southwest Powerlink have been identified or serve to improve the reliability of the delivery of power to the communities of Boulevard, Jacumba and surrounding communities. A new figure showing suitable wind resources with the locations of previously disturbed land, in addition to any "exclusion zones" as identified in existing land management plans, would not affect the conclusions made in the EIR/EIS.

D34-8 Please refer to response D34-5 regarding consideration of alternative sites outside BLM-managed lands as well as response D34-4 regarding alternatives screening criteria used.

D34-9 Please refer to common response BIO1 for additional response related to impacts to golden eagle associated with the Proposed Project. EIR/EIS Section D.2, Biological Resources, concludes that adverse and significant, unmitigable impacts related to the potential risk of collision by golden eagle would occur from the proposed Tule Wind Project.

D34-10 EIR/EIS, Section D.2, Biological Resources, includes a quantitative assessment of the impacts associated with the Proposed Project, including the impact of proposed road construction. EIR/EIS Section D.2.3.3, Direct and Indirect Effects, includes mitigation for the direct loss of vegetation communities and species habitat from road construction associated with the Proposed Project.

EIR/EIS Mitigation Measure BIO-1a requires that "During and after construction, entrances to access roads shall be gated to prevent the unauthorized use of these construction access roads by the general public. Signs prohibiting unauthorized use of the access roads shall be posted on these gates."

D34-11 The comment is noted. EIR/EIS Section D.4, Land Use, (under the "Bureau of Land Management" heading in Section D.4.2.1) has been revised to include information regarding Public Land Order 2460 and McCain Valley National Cooperative Land and Wildlife Management Area, as well as information regarding the 1981 Eastern San Diego County Management Framework Plan. Section D.2, Biological Resources, of the Final EIR/EIS (see Section D.2.2.3, Regional Policies, Plans, and Regulations) has been revised to include information pertaining to the 1978 and 1984 McCain Valley Wildlife Habitat Management Plans.

These changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines and under NEPA, do

not result in new significant circumstances or information relevant to environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

D34-12 The comment is noted. As discussed in Section D.4, Land Use, of the Final EIR/EIS (see Section D.4.2.1, Federal Regulations), Public Land Order 2460 provided broad management direction for public lands in the McCain Valley area which focused on the conservation of natural resources; however, it did not prohibit the BLM from reevaluating how it would manage public lands under its jurisdiction in response to national goals and directives. For example, recent direction from the executive office of the federal government to the Departments of the Interior, Energy, Agriculture, and Defense has been to work together to increase renewable energy production and specific direction has been provided to the Secretary of the Interior to seek to have approved non-hydropower renewable energy generation capacity of at least 10,000 megawatts of electricity on public lands by 2015. Since the establishment of the McCain National Cooperative Land and Wildlife Management Area in 1961, the BLM (in response to national goals and directives) has adapted how it plans to manage the public lands in the McCain Valley area. The current land management direction for public lands in the Eastern San Diego County Plan area is contained within the 2008 Eastern San Diego Resource Management Plan (RMP) and the policies of the RMP have been addressed in the EIR/EIS.

These changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines and under NEPA, do not result in new significant circumstances or information relevant to environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

D34-13 The comment is noted. As discussed in EIR/EIS Section D.2, Biological Resources (see Section D.2.1.1, Regional Overview, under "Special-Status Plant and Animal Species" heading), sources used for determining special-status biological resources including CDFG's Special Animals List, the County of San Diego Guidelines for Determining Significance: Biological Resources, the 2008 Eastern San Diego County Resource Management Plan, the California Natural Diversity Database, the CDFG Special Plants List, and the California Native Plant Society. Those wildlife and plant species detected or potentially occurring on the project site(s) through searches of the above referenced sources are listed in Tables 1 and 2 in EIR/EIS Appendix 1.

The 1978 WHMP identified three classes of priority species: (1) peninsular bighorn sheep; (2) small game species (including quail, mourning dove, and Brush rabbit) important for their recreational value for sport hunting; and (3) small mammals and herptiles of "scientific interest" (these included the desert horned lizard, Blainville's horned lizard (previously coast horned lizard), deer mouse, and the banded rock lizard). Management objectives applicable to peninsular bighorn sheep focus on protection of habitat and EIR/EIS Section D.2, Biological Resources, has discussed impacts to peninsular bighorn sheep resulting from construction of the Tule Wind Project (Section D.2.3.3, Impact BIO-7, Tule Wind Project, Peninsular Bighorn Sheep). In addition, the 1978 WHMP calls for the creation of an Area of Environmental Critical Concern (ACEC) in the McCain Valley area and with the exception of the in-holdings of non-federal lands located east of McCain Valley Road, this area has been since designated the In-Ko-Pah ACEC. With the exception of Blainville's horned lizard, the second and third priority species identified in the 1978 and 1984 WHMPs were either not detected onsite, were determined to have low or no probability to occur onsite, or are not considered a sensitive or special-status species and thus not included in the CEQA and NEPA impact analysis. The 1978 WHMP discloses that other than peninsular bighorn sheep several species are being considered for the BLM sensitive species list however, the status of that consideration is not provided in the plan and the WHMP states that habitat management actions for those several targeted species is not possible without further detailed inventory and study. In the same fashion, 14 special-status plants are identified in the Plan area however; the 1978 WHMP states that not enough is known about the plant to make specific management recommendations. Regarding second priority game species the relevant management objective stress enhancement of game species habitat in the McCain subunit through the construction of road barriers (and restrictions on development in those closed areas), signing and posting of closed roads and trails, and restoration and revegetation of closed roads and barrier sites. In the McCain Valley area the Tule Wind Project would be constructed and operate on lands that have been made available for development by the BLM (the Project does not propose components to be located on closed lands).

The 1984 WHMP updated the 1978 WHMP and was determined to be necessary to address more current (to 1984) resource management problems. The 1984 WHMP identified the same priority species identified in the 1978 WHMP but identifies (and contains management objectives) for 19 rare plant species known to occur with the Plan's boundaries. Similar to the 1978 WHMP, the management objectives of the 1984 WHMP focus on the management and protection of peninsular bighorn sheep herds and habitat identified within plan boundaries,

enforcement of a period of no grazing disturbance within crucial peninsular bighorn sheep habitat, encouragement of expansion of peninsular bighorn sheep herdd into formerly occupied territories, the improvement of habitat for native game and non-game species through the McCain Valley area, and to sustain or increase populations of rare and unique native plant species. The protection of mule deer was an area of focus of the 1984 WHMP not established in the 1978 WHMP. As discussed previously, Section D.2, Biological Resources, (Section D.2.3.3, Impact BIO-7, Tule Wind Project, Peninsular Bighorn Sheep) described impacts to peninsular bighorn sheep habitat resulting from construction of the Tule Wind Project and a determination of no impact was made. Per the 2008 Eastern San Diego County RMP, grazing on BLM-managed lands in the plan area is no longer permitted and therefore, the 1984 WHMP policy related to grazing is no longer applicable. Because the Tule Wind Project would not be located in critical peninsular bighorn sheep habitat and would not place project components within historic peninsular bighorn sheep habitat, the Tule Wind Project would not conflict with the encouragement of the expansion of peninsular bighorn sheep herd into formerly occupied territories. The action discussed in the 1984 WHMP to improve habitat for native game and non-game species is the provision of water sources throughout the wildlife habitat area; construction of the Tule Wind Project would not include the removal of any existing water sources constructed for the benefit of habitat improvement.

Of the fifty (50) plants identified in the 1984 WHMP, nineteen (19) are included in Appendix 1, Special-Status Species Detected or Potentially Occurring on the Project Site. Those species determined to have moderate to high potential to occur onsite are discussed in Section D.2, Biological Resources, and impacts to these species are addressed in Section D.2.3.3. The remaining species were not identified as occurring onsite or potentially occurring onsite according to the sources referenced in Section D.2 of the EIR/EIS (see Section D.2.1.1, Regional Overview, under the "Special-Status Plant and Animal Species" heading).

D34-14 The comment is noted. As discussed in Section D.4, Land Use, of the Final EIR/EIS (see Section D.4.2.1, Federal Regulations), the 1981 Eastern San Diego County Management Framework Plan (MFP) states that various in-holdings of non-federal lands within the McCain Valley/Carrizo Gorge area had been identified by the BLM "to aid in the protection of wildlife and archaeological resources, and to facilitate grazing and recreation programs." While the 1981 MFP does not indicate the status of parcels identified for acquisition, based on a review of MFP Map II and EIR/EIS Figure B-2B, three targeted in-holdings of non-federal lands in USGS Live Oak Springs Quad Township 16 South, Range 6

East and Township 16 South, Range 7 East have since been acquired and incorporated into the In-Ko-Pah ACEC and the Proposed PROJECT would not locate components within the ACEC boundary. The remaining in-holdings of non-federal lands in the McCain Valley/Carrizo Gorge area identified in the 1981 MFP remain under private (County of San Diego) jurisdiction and have not been acquired by the BLM to date. Therefore, since these lands have not been acquired by the BLM, an impact analysis pertaining to the BLM's lands program (specifically, the acquisition of lands in the McCain Valley/Carrizo Gorge area identified in the 1981 MFP) is not applicable.

These changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines and under NEPA, do not result in new significant circumstances or information relevant to environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

D34-15 Please refer to common responses CUM1 and BIO7 regarding cumulative analysis. Please also refer to common responses BIO1 and BIO2 related to the impact analysis for golden eagle and California condor. Section D.2, Biological Resources, of the Final EIR/EIS (under the "ESJ Gen-Tie Project" heading in Section D.2.3.3), has been revised to include additional information and discussion related to the potential effects of ESJ Wind Project in Mexico on biological resources in the United States.

These changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines and under NEPA, do not result in new significant circumstances or information relevant to environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

D34-16 The comment and recommendations are noted. Please refer to common response BIO3 regarding impacts to bats. In addition, the Final EIR/EIS has been updated to include the recent additional studies for bats on the Tule Wind Project site (see Section D.2.1 and Impact BIO-10 in Section D.2.3.3.).

These changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines and under NEPA, do not result in new significant circumstances or information relevant to

environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

Regarding the Pacific Flyway and nocturnal migration, the EIR/EIS provides the setting and impacts based on the available information, including two years of bird count studies at the Tule Wind Project (Tetra Tech EC, Inc. 2008 and 2009). As described in EIR/EIS Section D.2.1, Environmental Setting/Affected Environment, the Pacific Flyway is a loosely defined corridor of migration for migratory birds. In California, the flyway is split with migration along the coastline and migration through the central valley and interior areas. The Coachella Valley and Salton Sea regions key areas within the interior migration route of southern California. The Tule Wind Project is approximately 40 miles away from the Salton Sea and physically separated from the Salton Sea Basin by mountain ranges. Night-migrating birds that may pass through the region would generally migrate at heights of 600 to 2,400 feet, with the lower end of this range occurring when traveling over a ridgeline (Mabee et al. 2006). As such, night-migrating birds would generally be migrating at an altitude higher than the upper limit of the turbine tips of the proposed Tule Wind Project turbines (a maximum of 492 feet above the ground). Based on this information and the information provided in the EIR/EIS, nocturnal bird use is thought to be low in the project area and night-migrating birds are thought to be migrating at higher altitudes than the proposed turbine heights; however, a potential for significant impacts exists which would be mitigated by Mitigation Measures BIO-10a through BIO-10i provided in EIR/EIS Section D.2, Biological Resources.

Section D.2, Biological Resources, of the EIR/EIS under Impact BIO-10 describes the potential risk of collision for birds and bats; it also discusses the raptor use in the project sites, including detailed information regarding bird use, encounter rates, and flight height at the Tule Wind Project site. Mitigation Measures BIO-10a through BIO-10i provide measures to reduce and avoid impacts to birds and bats, including the preparation of an Avian and Bat Protection Plan, which is currently in consultation with USFWS. Specifically, Mitigation Measure BIO-10e requires post-construction monitoring and reporting of bird and bat mortality; BIO-10f provides conditions under which the Tule Wind Project will be built in two phases, the second phase only being authorized based on the results of additional telemetry and nest studies; BIO-10g requires annual monitoring of golden eagles in the region; and BIO-10h provides for an adaptive management program.

The comment regarding bird use counts for avian species is noted. Bird use is based on observations of birds per unit of time, which is standardized to develop a bird use metric. The observation period and frequency of observations for the bird counts are standardized by the metric; therefore, the methods used in the applicant prepared technical studies, which conducted counts for 30 minutes at a fixed location every two weeks, are considered acceptable. In addition, bird use counts were not the only metric used to determine risk of collision. Nest surveys (i.e., WRI 2010, 2011) were also used.

D34-17 The point count surveys conducted for the Tule Wind Project used 30 minute survey intervals at fixed locations that were chosen based on viewshed and habitat variety. A raptor nest survey was conducted in 2005 and again in 2008 within the Tule Wind Project area (Tetra Tech EC, Inc. 2008, 2009). At the ECO Substation Project site, general biological surveys were conducted in 2008 which would have documented raptor nests, and a burrowing owl survey and habitat assessment was conducted in 2010 (Insignia 2010b). At the ESJ Gen-Tie project site, general biological surveys were conducted in 2008 which would have documented raptor nests. The methodologies to characterize the environmental setting related to bird species for the Proposed Project are considered adequate to conduct the analysis in the EIR/EIS. The impact analysis to raptors is based on this available information in addition to publicly available data. Impacts to red-tailed hawks were not analyzed because they do not meet the criteria under CEQA significance guidelines.

D34-18 Comment and recommendations are noted. The results of the golden eagle aerial surveys conducted by WRI in 2010 are accurately summarized in the WEST report and in EIR/EIS Section D.2, Biological Resources. Please refer to common response BIO1 for a discussion and response related to golden eagles. Due to the sensitivity of the locations of active golden eagle nests, the report by WRI was not included for public review. The lead agencies (BLM and CPUC) have copies of these reports to use in their decision-making process. Also, please refer to common responses INT2 and INT4 regarding adequacy of the EIR/EIS and applicant-prepared reports.

EIR/EIS Section D.2, Biological Resources (under Section D.2.1.2, ECO Substation Project) that reports, "Within 10 miles of the ECO project area, three golden eagle territories were observed, none which were currently active," refers specifically to the proximity of the golden eagle territories to the ECO Substation Project boundary based on the WRI 2010 golden eagle nest survey (which had been conducted within a 10-mile radius around the Tule Wind Project). The proximity of

golden eagle territories to the Tule Wind Project is different than the ECO project site, which accounts for the statement describing the golden eagle territories within 10 miles of the Proposed PROJECT: "10 known golden eagle territories have been documented within 10 miles of the Proposed PROJECT (WRI 2010)." In this context, the "Proposed PROJECT" includes any portion of the ECO Substation, Tule Wind, or ESJ Gen-Tie projects. The WEST (2010b) report states that "Eleven golden eagle territories were identified based on their historical occurrence and the 2010 surveys. Of the 11 territories, the 2010 surveys found nests in all areas except for one, called the Boundary Peak Territory." This report is referencing 11 historical territories, of which, 10 were observed during the WRI 2010 surveys. The EIR/EIS accurately presents the results of the golden eagle surveys.

The Tule Wind Project Applicant's Environmental Document considers the bird count studies conducted in 2005/2006 and 2007/2008 by Tetra Tech EC, Inc., which show low use of the site by golden eagles, as well as the 2010 golden eagle aerial survey. Overall, the site appears to support low use of golden eagles; however, the EIR/EIS and Applicant's Environmental Document both state that there is a potential risk of golden eagle strikes, albeit a low risk. Based on the compilation of the information available, including species ecology, bird use data, encounter rate index, nest survey information, and the species' population and regulatory status, the EIR/EIS concludes that potential impacts to golden eagle would be a significant, unmitigable impact (Class I), under CEQA and adverse and unmitigable under NEPA.

The reference to buffers recommended by the National Golden Eagle Colloquium are noted; however, no changes have been incorporated into the Final EIR/EIS. The EIR/EIS concludes that the Tule Wind Project, as proposed, would present significant risk of golden eagle mortality in the northern portion of the project area due to the distance from an active nest to proposed turbine strings in this portion of the project. Please refer to common response INT2 regarding adequacy of the document.

Aerial surveys were completed 10 miles around the Tule Wind Project, as stated in EIR/EIS Section D.2.1: "Nesting golden eagle surveys were conducted by Wildlife Research Institute (WRI) in April 2010 (WRI 2010) to determine the status of nesting golden eagles within a 10-mile radius of the Tule Wind Project site." Information pertaining to golden eagle nests around the ESJ Wind Farm project area in Mexico was not available for the preparation of the EIR/EIS. Please refer to common response BIO1 and the Final EIR/EIS Section D.2.3.3 for clarification related to impacts to golden eagle associated with the ESJ Wind Project in Mexico.

Please refer to common response INT2 regarding the adequacy of the document and recirculation of the document, pursuant to CEQA Guidelines Section 15088.5, is not warranted. In addition, according to conditions outlined in Section 5.3 of the BLM's NEPA Handbook (H-1790-1), supplementing the EIS is not required.

D34-19 Please refer to common response BIO2 regarding impacts to California condor. Section D.2.1.1, Regional Overview, of Final EIR/EIS Section D.2, Biological Resources, has been revised to include additional information to substantiate the low likelihood for occurrence of California condor in the project area and the not adverse and less than significant impact determination for this species.

These changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines, and under NEPA do not result in new significant circumstances or information relevant to environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

D34-20 Please refer to common response BIO4 regarding impacts to bighorn sheep. Additional discussion has been added to Section D.2.1, Environmental Setting/Affected Environment, in Final EIR/EIS Section D.2, Biological Resources, to substantiate the conclusions regarding bighorn sheep, which remain unchanged from the Draft EIR/EIS. Refer to common response CC2 regarding effects of climate change. EIR/EIS Section F, Cumulative Scenario and Impacts, addresses the cumulative effects on special-status species including Peninsular bighorn sheep, including the cumulative project referred to as Ocotillo Wind Express. EIR/EIS Section F.3.1, Biological Resources, under Impact BIO-7 found that the Proposed PROJECT combined with the reasonably foreseeable cumulative projects would result in an adverse cumulative impact and, under CEQA, a direct significant and unmitigable cumulative impact to special-status wildlife species due to the potential reduction in the distribution and reduction in overall species populations in the cumulative analysis area (Class I).

These changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines and under NEPA, do not result in new significant circumstances or information relevant to environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

D34-21 Please refer to common responses CUM1 and BIO7 regarding cumulative impacts.

D34-22 In EIR/EIS Section F, Cumulative Scenario and Impacts, under Impact BIO-10 in Section F.3.1, the EIR/EIS recognizes that there are cumulatively significant, unmitigable impacts to bats, golden eagle, and other special-status bird species: "The energy-related reasonably foreseeable cumulative projects, which includes the Sunrise Powerlink Project, would result in a significant increase in risk of electrocution by special-status bird and bat species; therefore, the Proposed PROJECT, combined with the reasonably foreseeable cumulative projects, would result in an adverse cumulative impact and, under CEQA, would represent a cumulatively significant and unmitigable impact due to potential electrocution or collision with transmission lines, particularly by golden eagle species (Class I)."

D34-23 Please refer to response D34-16 and D34-22 regarding bats and cumulative effects.

D34-24 Please refer to common response BIO1 regarding impacts to golden eagle, BIO7 and CUM1 regarding cumulative impacts, and INT2 regarding the adequacy of the document. The Pacific Flyway as mapped by the USFWS spans from Alaska and Canada, through the western United States, and into Mexico. As discussed in Section D.2, Biological Resources, the project area assessed in the EIR/EIS is at the edge of the mapped flyway with the key areas in this region considered to be the Coachella Valley and Salton Sea, east of the project area. The cumulative analysis area used in the EIR/EIS (see EIR/EIS Section F.3.1) is considered sufficient to assess the cumulative effects of the cumulative projects on migratory birds using the Pacific Flyway in the region of the Proposed Project. The selection of the geographic scope for the cumulative analysis is described in Section F, Cumulative Scenario and Impacts (Section F.1, Introduction and Methodology). As described in Section F.3.1, the cumulative effects to biological resources of the cumulative projects analyzed would result in an adverse and significant, unmitigable impact to bird species from collision and electrocution based on the geographic scope considered.

D34-25 Please refer to common response INT3 regarding mitigation. The Final EIR/EIS has been revised to include additional detail in the mitigation measures regarding mitigation plans required to be prepared by the applicants. EIR/EIS Section D.2, Biological Resources, Table D.2-12, Mitigation Monitoring, Compliance, and Reporting – ECO Substation, Tule Wind, and ESJ Gen-Tie Projects–Biological Resources, includes the monitoring/reporting action, effectiveness criteria, responsible agency, and timing required for all mitigation measures for all projects. These changes and additions to the EIR/EIS do not raise important new issues about significant effects on the environment. Such changes are insignificant as the term is used in Section 15088.5(b) of the CEQA Guidelines, and under NEPA do not result in new significant circumstances or information relevant to

environmental concerns, or require analysis of a new alternative (40 CFR 1502.9(c)(1)(ii)).

D34-26 Comment and recommendations noted. Under Impact BIO-1 in Section D.2, Biological Resources, and Mitigation Measures BIO-1d and BIO-1e, the EIR/EIS requires that temporary impacts be restored, and permanent impacts to mitigated through habitat compensation and/or restoration. The mitigation required for impacts to native vegetation in the Final EIR/EIS and mitigation required through the projects discussed in Section F, Cumulative Scenario and Impacts, would result in habitat loss compensation. The CPUC and BLM have committed themselves to incorporate all reasonable mitigation; mitigation would only be deferred to a later date if it were impractical to create specific mitigation this early in the planning process. Pursuant to case law, an agency may defer defining the specifics of mitigation measures if it commits itself to mitigation and lists the alternatives to be considered, analyzed, and potentially incorporated in the mitigation plan, and an agency may even rely upon future studies, if those studies help further define specific mitigation measures. The details of the habitat compensation plan will be developed consistent with the required mitigation.

D34-27 Comment and recommendations noted. Please refer to common responses BIO1 for impacts to golden eagle and BIO5 for impacts to Quino checkerspot butterfly. The mitigation ratios provided in EIR/EIS Section D.2, Biological Resources, for habitat compensation related to Quino checkerspot butterfly were developed through preliminary consultations with the USFWS. The Biological Opinion for the projects will define any additional conservation measures required for Quino checkerspot butterfly in addition to the mitigation measures required in the EIR/EIS. The loss of potential foraging habitat for golden eagle would be compensated as described in Mitigation Measure BIO-1e, which requires 1:1 compensation for impacted vegetation communities. As described in the EIR/EIS D.2.3.3, Direct and Indirect Effects (Section D.2, Biological Resources): "While the loss of potential foraging habitat for golden eagles would result from construction of the Tule Wind Project (approximately 725 acres of total temporary and permanent impacts to various land covers), this acreage of potential foraging habitat was not considered significant relative to the remainder of available foraging habitat in the largely undeveloped region in and around the Tule Wind Project area." Regardless of this statement, the 1:1 replacement of vegetation communities would be required pursuant to Mitigation Measure BIO-1e.

D34-28 Please refer to common response CC2 regarding the impacts of climate change on the Proposed PROJECT.

D34-29 Comment and recommendations of attachments are noted and will be included in the project record.

Response to Document No. D35

Sacred Rocks Reserve (Sharon Courmousis)
Dated March 4, 2011

D35-1 The commenter's support of the project is noted and will be included in the administrative record.

Response to Document No. D36

San Diego East County Chamber of Commerce (Scott Alevy)
Dated March 4, 2011

D36-1 The commenter's support of the project is noted and will be included in the administrative record.

Response to Document No. D37

San Diego Regional Economic Development Corporation
(Christina Anne Luhn, PhD)
Dated March 4, 2011

D37-1 The commenter's support of the project is noted and will be included in the administrative record.

Response to Document No. D38

Terra-Gen Power, LLC (Vincent Signorotti)
Dated March 4, 2011

D38-1 The commenter's support of the project is noted and will be included in the administrative record.

INTENTIONALLY LEFT BLANK