

U.S. DEPARTMENT OF ENERGY
DRAFT ENVIRONMENTAL IMPACT STATEMENT
PUBLIC HEARINGS
for the Energia Sierra Juarez U.S.
Transmission Line Project

Tuesday, October 5, 2010
Jacumba Highlands Center
44681 Old Highway 80
Jacumba, California

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1 JACUMBA, CA, TUESDAY, OCTOBER 5, 2010, 7:13 P.M.

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3 DR. PELL: Good evening. If I may have your
4 attention, please. It looks like everybody that's
5 coming this evening is pretty much here, and it's about
6 7:15 so I think it's about time we start.

7 Let me introduce myself. I'm Dr. Jerry Pell.
8 I'm with the Department of Energy in Washington, D.C.,
9 and let me tell you a little bit about myself so you
10 know who the person is behind the mic. I'm an
11 environmental scientist. I have been with the
12 Department of Energy for 34 years, and I've been doing
13 environmental work of one kind or another for 40 years.
14 And if you're wondering why I haven't retired yet, it's
15 because I enjoy what I do and I especially enjoy the
16 opportunity to come out and meet with you.

17 So I'm really glad to be here. And this is not
18 my first visit to the area, by the way. I've come out
19 before. I've toured the project site. I've toured the
20 local community and generally have a pretty good feel
21 for the area. In fact, on the way here this evening, we
22 were early and we toured the project site again on the
23 way down to the meeting.

24 As I said, I'm an environmental scientist. I
25 grew up in Montreal, Canada. I got my doctoral degree

1 at McGill University in Montreal, and when I was
2 applying for graduate work I considered locating to
3 California because I always had this dream of living out
4 here and really liked the area, but didn't take that any
5 further because I was afraid I would be too far from my
6 family, so I come out to California with pleasure.

7 On my right is Patrick Brown. I will let
8 Patrick introduce himself. Patrick represents San Diego
9 County. San Diego County is the cooperating agency for
10 the Environmental Impact Statement process that we're
11 here for tonight.

12 MR. BROWN: Thanks, Jerry.

13 As Jerry said, I'm Patrick Brown. I work for
14 the County planning department. I'm a project manager.
15 I'm the project manager for basically all the renewable
16 energy projects in the County. So I'm also the manager
17 of the East County Substation, Tule Wind project which
18 I'm sure you're all familiar with.

19 So the County appreciates DOE including them in
20 this process to do this environmental review and, as
21 Jerry said, we're a cooperating agency. We do have the
22 local land use authority over the actual project itself
23 which is the construction and operation of the
24 generation-tie lines, so we're actually involved very
25 deeply.

1 A little bit of my background: I've worked for
2 the County for over five years in the planning
3 department. I'm a land use planner. I'm also an
4 environmental planner and I do project management, so we
5 wear three hats at the County. I've got a B.A. in
6 planning from UC San Diego and also from San Diego State
7 I have a Master's Degree in planning, so I guess I'm a
8 planner but I'm a project manger now.

9 So anyway, thank you for everybody coming here
10 tonight. I know it's kind of late and it's on a
11 workday, but we really appreciate any comment that you
12 guys can provide, and I'll give it back to Jerry.

13 DR. PELL: Thanks, Patrick.

14 Let me tell you how we're going to do this
15 tonight. I'm going to give you a short presentation, a
16 little slide show. You all have copies of the slide
17 show. We made sure that it was preprinted so that I'm
18 not going to take very long to read each slide in detail
19 because you've got it on paper. I just want to go over
20 a few highlights of why we're here, and I thought the
21 best way to do that would be a slide presentation and
22 then we will start the taking of comments.

23 What I'm looking for, Patrick, what we're both
24 looking for, is comments that go specifically to the
25 quality of the Environmental Impact Statement with

1 regard to its adequacy, its accuracy, and its
2 completeness.

3 This is your opportunity to help us produce a
4 better document before we produce the final EIS, because
5 after the November 1st deadline for the public comment
6 period we will take the comments we have received from
7 meetings like this and plus whatever came in
8 electronically or through the mail and prepare the final
9 document which will address your comments in our
10 assessment for the final Environmental Impact Statement.
11 So what you say is important.

12 This is not a Q and A session. This is a
13 formal public hearing. We have a court reporter.
14 Patrick and I are not here to answer questions tonight.
15 We're here to get your input and your comments. We'd be
16 glad to discuss the project with you, but that will be
17 after I close the formal portion of the hearing.

18 I'm asking the speakers to use about
19 three minutes of time so that everybody gets a fair
20 chance to talk. And at the end, anybody that wants to
21 say anything will be invited to speak freely.

22 Let me make a few things clear about the
23 government's involvement in this project and our
24 interest in it. This is what we call a merchant project
25 proposed by a third party, in this case ESJ or Sempra

1 Utilities. We have no vested interest in the outcome of
2 the project either way. We are concerned only with
3 whether or not to grant the Presidential permit based on
4 the merits of the environmental impacts and other issues
5 that we will consider including reliability of the grid
6 and the public interest, but we are not supporting,
7 endorsing, or in any way justifying the project. That's
8 up to the applicant. We don't make any value judgments.

9 So your telling us you like it or don't like it
10 or "We need it" or "We don't need it" is really outside
11 the reason that we're here tonight. Those comments you
12 would best make to your local regulatory permitting
13 authorities in the County and the State, not to me as
14 the Federal Government.

15 And on that note, I think I'll start going
16 quickly through the slides and then we'll start the
17 comment-taking process.

18 Oh, by the way, I should add in case you're
19 wondering, the Environmental Impact Statement was
20 prepared from monies provided by the applicant. Your
21 taxpayer dollars did not go to the preparation of the
22 analysis and your taxpayer dollars are not paying for
23 the conduct of these meetings. And I thought some of
24 you might be interested in hearing that.

25 Okay. So why are we here? Looking at the

1 slides, if we can have the next slide, please. Well, I
2 already went through introductions. I'm going to talk
3 about the DOE NEPA process. NEPA is the National
4 Environmental Policy Act. We're going to look over the
5 Draft EIS as to what's in it and then we'll do the
6 public comment period and then closing remarks.

7 Next slide, please. There's an executive order
8 that came out of the White House a long time ago -- I
9 think it was back in the '50s -- that requires any
10 transmission line that wishes to be constructed across
11 the border, either between the U.S. and Canada or the
12 U.S. and Mexico, to come to the Federal Government for
13 what's called a Presidential permit. The reason it's
14 called a Presidential permit was because it came out of
15 the White House Presidential executive order.

16 Over the years, it ended up in my office at the
17 Department of Energy. And because the request for a
18 Presidential permit is what we call a major Federal
19 action, it activates the National Environmental Policy
20 Act, and under the National Environmental Policy Act we
21 have to do an environmental review. And those of you
22 who have watched this project from its inception will
23 recall that originally it started as an environmental
24 assessment.

25 And initially I was not involved with the

1 project. I came along a little bit later after it
2 started. Actually, I basically got involved when the
3 decision was made in February of '09 to go beyond an
4 environmental assessment and prepare a full-fledged
5 comprehensive Environmental Impact Statement.

6 And you received notification that we were
7 doing that back in February of '09 and that we didn't
8 have public meetings because we had public meetings
9 already on the environmental assessment, but we did have
10 another open scoping period which allowed you to provide
11 comments for us for the record, electronically or
12 otherwise. Those of you who have been to the Web site
13 know that all the scoping comments are public and on the
14 Web site.

15 It's been a long stretch from that decision to
16 tonight. The Environmental Impact Statement took a long
17 time to produce, and you can see the product of that
18 labor in the thickness of the volume. A great deal of
19 time, effort, and money went into its production. It
20 went through several layers of governmental review,
21 including a National Laboratory, the Department of
22 Energy, including our attorneys, and including our NEPA
23 experts. So it's been reviewed, re-reviewed, and
24 re-reviewed again which is why it took so long for us to
25 get here tonight. So we think it's a pretty

1 comprehensive view of the project.

2 The public comment period on the draft expires
3 on November the 1st. It makes no difference whether we
4 hear from you tonight, whether you submit your comments
5 on our Web site or through the mail or through faxing
6 me. All comments are considered equally regardless of
7 how they're received.

8 So even though you're here tonight, even though
9 some of you are going to be speaking, you still have
10 time to provide whatever you would like by way of the
11 Internet through our Web site or through the mail or
12 however you would like us to receive it. So this is not
13 the only opportunity to comment, but it is an
14 opportunity to comment. You still have until, as I
15 said, November the 1st, and after that we will start the
16 process of going through all the comments to prepare a
17 final EIS.

18 Next slide, please. Actually, I pretty much
19 covered a lot of this already. The comments you provide
20 are all public. They will be on the Web site. In fact,
21 there's a comment there already. As I mentioned, we
22 have a court reporter here taking notes and when those
23 notes are complete, the transcripts of these hearings
24 will be put on the Web site, also.

25 As I mentioned before, we will then go into the

1 process of preparing the final document. Once the final
2 document is complete, the Department of Energy will then
3 issue what's called a Record of Decision which
4 essentially is exactly what's it's called. It's the
5 decision the agency makes as to whether or not to grant
6 the Presidential permit, and if the decision is made to
7 grant it, that's an opportunity for us to attach
8 conditions to the nature of the permit.

9 If the Record of Decision is affirmative, we
10 will then issue the Presidential permit itself. That
11 would complete the application process. Now, that's
12 only from the Federal side. It doesn't in any way
13 replace or involve what the project needs to do with
14 regard to Patrick and the County or the public service
15 commission or what have you. This is only one permit
16 that the project requires. It's certainly not the only
17 permit the project requires.

18 The next two slides pertain to the County's
19 process, and for those next two slides I'll let Patrick
20 do them justice because he certainly has a lot more
21 knowledge than I do.

22 MR. BROWN: Thank you. As mentioned before,
23 the County's a cooperating agency with DOE on this, and
24 I think some things to understand is there's really two
25 actions that are happening. DOE is basically approving

1 the ability of the power to go across the border. To
2 actually do it, build it, operate it, maintain it falls
3 under the County's local land use authority.

4 Now, something that I didn't know before this
5 project ever came in is, well, why isn't that an SDG&E
6 project and why isn't that like any other project? This
7 is a little bit unique because it's what they call a
8 generation-tie line. So the wind farm in Mexico will
9 have, starting from the border, the U.S.-Mexico border,
10 going up to the substation, that one-mile stretch is
11 what they call a generation-tie line. That's owned by
12 Sempra Generation, which is a different company than
13 Sempra, the utility.

14 So utilities and power providers like Sempra
15 Generation basically can't talk together and they can't
16 communicate together. So that's why that generation-tie
17 line basically falls to the County's local land use
18 authority. So the County is in the situation because
19 it's not a public utility, like the substation would
20 have to have an application for what they call a major
21 impact service utility under the zoning ordinance.

22 So Sempra Generation came in and applied for a
23 Major Use Permit to build the one-mile transmission
24 line. In doing that, that Major Use Permit also has
25 another one that's tied to it which is here in Jacumba

1 through the water service district for a groundwater
2 extraction permit.

3 So there's basically two major use permits that
4 are part of the County's process for the ESJ project.
5 One is for the export of the groundwater from the
6 service district for ESJ to use on their construction;
7 the other one is for the construction and operation of
8 the one-mile generation-tie line.

9 So as a cooperating agency, we're working with
10 DOE to make this document here better. A lot of the
11 information that Jerry did use and Entrix did use in
12 this document was reviewed by the County previously. So
13 we had been working with Sempra for basically about a
14 year going through all their technical studies, all
15 their CEQA technical studies, visual analysis, biology
16 reports, storm water, all the typical reports that we
17 would use in the County to get them to a level of
18 adequacy that we were comfortable with, and that's what
19 DOE has been using to create this.

20 So also that same technical information is what
21 we provided to the CPUC for the East County Substation
22 EIR. So at this point the County is working with the
23 CPUC on a joint project I'm sure many of you are aware
24 of, which is the ESJ project, the East County Substation
25 project which runs from here in Jacumba all the way to

1 Boulevard and upgrades the Boulevard Substation and then
2 the Tule Wind project which feeds in there. So the
3 County's working with BLM, CPUC, California State Lands,
4 BIA, Bureau of Indian Affairs, on doing a comprehensive
5 EIR and EIS for that project.

6 It's the County's intention that that document
7 will be used to issue any major use permits for the Tule
8 Wind project and the ESJ project. So the EIS, the
9 County is not going to use this document to make its
10 local land use decisions, but there will be separate
11 meetings and separate processes that you can also
12 provide comment on the actual -- this project through
13 the CPUC process.

14 So just so we know that there's a
15 differentiation between the two projects, this project
16 is only for the crossing of the power across from one
17 country to another. There still is another process for
18 the local land use permit. So I believe that's it.

19 DR. PELL: That's it. Thanks, Patrick.

20 The next slide merely reviews what the project
21 is. As most of you know, it's a proposal to construct
22 and operate either a 230- or 500-kV transmission line
23 that would run from the wind farm in Baja California
24 north into the San Diego area. You know where the
25 project is.

1 These diagrams, I don't expect you to be able
2 to study them from the handout. They're much too small.
3 But if you go to the EIS, you will find pretty good
4 reproductions of these maps in the EIS and they're
5 electronically on the CD. And those of you that use the
6 CD, you can electronically on the computer screen blow
7 those maps up to look at the detail that you can't do on
8 paper. So we tried to make those maps as informative as
9 we possibly could.

10 The next slide indicates the fact that the
11 project proposes to construct five either lattice
12 towers, which are the standard transmission line towers
13 that you normally see like, for example, the Southwest
14 line that's right near us, or monopoles. That decision
15 has not yet been made. The applicant would prefer a
16 230-kV route, but it depends on how the ECO Substation
17 is finally configured as to whether to go with 230 or
18 500.

19 The length of the line on the U.S. side is
20 .65 miles which is -- what? -- 3,200 feet, some such
21 thing. And on the south side, south of the border, it
22 runs about a mile to a substation within Baja California
23 in which it connects to the proposed wind machines.

24 Next slide, please. This slide just summarizes
25 the nature of the project on the Mexican side. My

1 understanding is that the nearest wind machine to the
2 U.S. border is .7 miles south of the border.

3 This second bullet, "Wind turbines nearest to
4 the U.S. about .7 miles south of the U.S. border." All
5 other machines will be further away.

6 And the first phase, the first build-out of the
7 wind farm, will be about 52 machines roughly
8 representing 130 megawatts of power.

9 The next slide, please. In the course of
10 preparation of the Environmental Impact Statement, we
11 contacted and dealt with a great number of local and
12 regional agencies, including the Federal U.S. Fish and
13 Wildlife Service.

14 We were in contact with Indian tribes that were
15 invited to consult with us under the provisions of the
16 Bureau of Indian Affairs. We did do consultation with
17 the Campo tribe which was the only tribe that indicated
18 that level of interest.

19 We have been in communication with other
20 Federal and State agencies, including the Border Patrol,
21 Bureau of Land Management, Federal Aviation
22 Administration, EPA, and a host of California State
23 agencies. So we've done all the communications that we
24 thought were appropriate for the project.

25 Next slide, please. This is just a brief

1 run-through of the environmental issues we looked at.
2 It's a comprehensive list. I hope we left nothing out.
3 I think we left nothing out. It really embraces the
4 entire spectrum of issues, everything from biological to
5 visual to fire and fuels management, cultural resources,
6 socioeconomics, environmental justice, what have you.

7 The next slide. This just summarizes what we
8 found in the report with regard to biological resources,
9 what the potential impacts would be. During
10 construction there would be some temporary habitat
11 disturbance and then, as the second bullet indicates,
12 permanent disturbance of some degree to about ten acres
13 of land, and the rest of the bullets you can read right
14 off the handout.

15 The next slide goes over a few of the special
16 status species that were looked at with regard to
17 Federally listed species with potential to occur in the
18 project area. Again, a lot of you are familiar with
19 these. The Quino checkerspot butterfly, no impacts
20 expected; California condor, very low probability of
21 occurrence; Peninsular bighorn sheep, critical habitat
22 is avoided by the project; arroyo toad, southwestern
23 willow flycatcher, Least Bell's Vireo, which is a bird
24 for those of you who don't know, low potential for
25 effect.

1 Okay. Next slide. This is an issue that a lot
2 of you are interested in, of course, the visual
3 resources, visual impacts, and we had a professional
4 company that specializes in doing these things, do
5 visual simulations from a number of Key Observation
6 Points, which are abbreviated as KOPs in the EIS, and
7 you will see in the EIS the simulations of the before
8 and afters as to how we think a line and the wind
9 machines would look from these various Key Observation
10 Points.

11 By the way, this slide also notes that it looks
12 like lattice towers are probably preferable to monopoles
13 with regard to visual impact, which, by the way, was a
14 surprise to me.

15 UNIDENTIFIED VOICE: Yeah.

16 DR. PELL: Next slide. Again continuing visual
17 resources, potential mitigation for transmission lines,
18 some of the things that could be done to make them a
19 little bit less visible, again, you can read that off
20 the sheet or in the book.

21 The next slide after that, this is Table 2-3
22 which is really the heart of the EIS. This is the most
23 important single table or chart in the document which is
24 a detailed summary of all of the different potential
25 impacts. So I encourage you to study that table in the

1 document. If you look at only one thing, this would be
2 the one thing to look at.

3 The slide after that reiterates again what I
4 said at the outset about the fact that your comments are
5 welcome. Use the address of the Web site. You would do
6 well to use that Web site. There's a comment provision
7 on the Web site for you to provide comments and upload
8 files.

9 The entire EIS is on that Web site. You can
10 download any part of it you wish electronically. Of
11 course, we also have the CDs up front at the sign-in
12 table. So you have the CD. Also, the CD is bound into
13 the summary volume. It's also bound into the complete
14 volume. So you do have the electronic copy of the
15 document, the wordsmithing on it, or what have you.

16 We say that the comment period closes on
17 November the 1st, but if for some reason you just simply
18 aren't able to make that deadline, all is not lost. We
19 will entertain receiving your comments after the 1st of
20 November. The exact wording is "to the extent
21 practicable." That means that if we can consider it we
22 will, whereas if it comes in on time we definitely will.
23 But November the 1st is not the last get. If you want
24 to get something in to us after that, we will consider
25 it as long as we're not so far along that it's too late

1 to address the issue. So I would prefer, of course,
2 that you respect the November 1st deadline if you
3 possibly can.

4 The slide after that is the contact
5 information. You are readily able to communicate with
6 either me or Patrick or my contractor Entrix which is
7 the consultant that prepared the EIS. They're here
8 tonight. This is Tim Murphy who's running the slide
9 show and the ladies at the registration desk, and also
10 Alberto Abreu from Sempra is here as well and this is
11 all his contact information, so we're not hiding from
12 you.

13 And with that, that completes the formal
14 presentation.

15 Abreu, did you want to say something? I'm
16 sorry. Alberto. Forgive me.

17 MR. ALBERTO ABREU: I just wanted to --

18 DR. PELL: Will you use the microphone, please,
19 Alberto, so we can hear you. If you can introduce
20 yourself.

21 MR. ABREU: My name is Alberto Abreu with
22 Sempra Generation. I'm director of project development
23 in charge of ESJ.

24 I just wanted to clarify one thing that you
25 said early on which I think was more of a slip of the

1 tongue than anything else, which is this project has
2 been proposed by Sempra Generation, not Sempra
3 Utilities. Sempra Utilities has no involvement in the
4 generation-tie line or in the Mexican wind project that
5 you've evaluated in the EIS, and I just wanted to make
6 sure that was clear for the record.

7 DR. PELL: Thank you. I appreciate it. I
8 haven't been that clear on the distinction, so I
9 appreciate your clarifying us on that. Thanks a lot,
10 Alberto.

11 Now, are there any elected officials in the
12 audience this evening that would like to speak? As a
13 courtesy, we give first call for elected officials. Are
14 there any Federal, State, or local government officials
15 here that would like to comment?

16 MS. DONNA TISDALE: Local.

17 DR. PELL: Okay. Come up to the mic. Tell us
18 who you are and I look forward to hearing your comment.

19 MS. TISDALE: Donna Tisdale. I would like to
20 request a little extra time because I represent several
21 groups.

22 DR. PELL: Let's do it this way. By the way,
23 you are the first person to speak anyway because you're
24 the only person that got your name in in advance of the
25 September 30th cutoff.

1 MS. TISDALE: I follow directions well.

2 DR. PELL: I'm glad to see somebody that does,
3 because there were some late requests that I didn't
4 receive in time to consider. Let's do it this way: Try
5 to do an overview in the three minutes, see how it goes,
6 and at the end of the list if there's more time, I will
7 be delighted to have you back. Does that sound fair?

8 UNIDENTIFIED VOICE: The microphone's not
9 working.

10 UNIDENTIFIED VOICE: Can't hear her.

11 MS. TISDALE: Hello, hello.

12 UNIDENTIFIED VOICE: Not working.

13 DR. PELL: Donna, take mine.

14 UNIDENTIFIED VOICE: It's not as high.

15 MS. TISDALE: Okay. Donna Tisdale. I'm
16 representing myself as an individual, the Boulevard
17 Planning Group, and Backcountry Against Dumps, a
18 nonprofit. I'm also secretary of the Protect Our
19 Communities Foundation --

20 DR. PELL: I'm sorry. I'm having trouble
21 hearing you. Protective which?

22 MS. TISDALE: The Protect Our Communities
23 Foundation, the East County Community Action Coalition,
24 and San Diego Sierra Club. All the groups that I just
25 mentioned have gone on record as opposing this

1 Presidential permit for Energia Sierra Juarez and the
2 installation of industrial wind turbines in this
3 sensitive binational area. I've gone into detail as to
4 our position.

5 Some project proponents and decision-makers see
6 this area as a desert wasteland ripe for
7 industrialization and sacrifice as a renewable energy
8 zone to send energy to far-off cities. They see big
9 dollar signs. We see the area as a living, breathing
10 ecosystem that provides open, uncluttered vistas and
11 recreation resources. It's rich with --

12 THE REPORTER: I'm sorry. You're going to have
13 to slow down.

14 MS. TISDALE: It's very hard to speak publicly.

15 DR. PELL: You want the record to reflect
16 exactly what you said.

17 MS. TISDALE: -- rich with unique, abundant,
18 and varied vegetation, wildlife, and history. We love
19 it and we will fight to keep it from being sacrificed.

20 If this line is approved, I think everybody
21 here knows it will not be the last. It will be the
22 first of many, because the ECO Substation is planned for
23 massive expansion.

24 Sempra's August 28, 2009 letter to the
25 Department of Energy urges the use of gen-tie instead of

1 transmission line. Gen-tie designation would limit the
2 use of the Presidential-permitted line to just Sempra.
3 Sempra will be the exclusive gatekeeper for any wind
4 developer that wants to export to the U.S. market over
5 that line, and this is a key issue, this Environmental
6 Impact Statement. Department of Energy will be
7 basically granting a monopoly control of the north Baja
8 renewable export market to Sempra if they approve the
9 application as is.

10 And I want to publicly request that Sempra's
11 former lobbyist for Sunrise, David Hayes -- he's now the
12 number two guy at the Department of Interior, very
13 influential in the Obama Administration -- that he not
14 have any influence or any input into this project or
15 this decision.

16 Connected actions: La Rumorosa Wind Energy
17 project, now ESJ, was considered to be a connected
18 action, indirect effect, in the Sunrise Powerlink
19 EIR/EIS. So how can DOE claim that ESJ is not a
20 connected action to Sunrise?

21 The PUC/BLM-recirculated Draft EIR,
22 Supplemental EIS made the following response to a
23 comment from a letter of Department -- excuse me --
24 Center for Biological Diversity and Sierra Club, and
25 that comment is No. G0018-3, quote, The La Rumorosa Wind

1 Energy projects was analyzed as an indirect effect
2 because in the Addendum to the Application for the
3 Presidential permit filed March 19, 2008, Sempra
4 Generation stated that Cal ISO had indicated that
5 Sunrise Powerlink or other transmission upgrade would be
6 necessary to deliver energy from the wind development in
7 the La Rumorosa area.

8 It would have been considered a connected
9 action except for the fact that the wind energy will be
10 generated in Mexico. Sorry. I have to write this down
11 so I don't go off track and display my anger.

12 Sempra can't have it both ways by telling
13 Cal ISO that they need Sunrise Powerlink or some other
14 identified transmission to move energy out of the area
15 and then claim to DOE that they don't need Sunrise.
16 Energia Sierra Juarez has not identified any other
17 transmission alternatives, so the transmission line for
18 the proposed wind energy project must be considered a
19 connected action.

20 ESJ DEIS connected actions for ECO Substation
21 and the Southwest Powerlink loop-in section at 4.1, DEIS
22 is written as though the Boulevard Substation expansion
23 and new transmission line connecting Boulevard and ECO
24 Substation is not included as a connected action. Just
25 the switchyards and loop-in are referenced.

1 Because the ECO Substation project includes the
2 Boulevard expansion, which is a 600 percent increase in
3 size, and the 13-plus miles of new 138-kV line, those
4 impacts must be included and addressed in this Draft
5 EIS. Sunrise Powerlink EIS/EIR ID'd the ECO Substation
6 that includes the Boulevard Substation and a 138-kV line
7 as a connected action. The DOE/Sempra can't pick and
8 choose what they want included.

9 Golden eagles are impacted by both ESJ wind
10 turbines and power lines. They are protected under the
11 Bald and Golden Eagle Protection Act, yet because no
12 eagles were seen on the survey days --

13 DR. PELL: I'm sorry. "Yet the" something
14 eagles?

15 MS. TISDALE: Yet because no eagles were seen
16 on the survey days, the DOE claims there will be no
17 impact. Sempra's hired researchers have documented
18 golden eagles in the project area where turbines will be
19 located. Golden eagles are also present in McCain
20 Valley where Tule Wind is, which DOE recognizes as a
21 connected action, and throughout the backcountry. I
22 actually photographed a golden eagle on our ranch last
23 Christmas.

24 Golden eagles and turkey vultures and other
25 sensitive species range in wide area and should be

1 considered as impacted by both the proposed power line,
2 ESJ turbines, Tule Wind turbines, Sunrise Powerlink, and
3 the new 138-kV line for ECO Substation.

4 On September 20th the Fish and Wildlife just
5 recommended that wind turbines be located no closer than
6 six miles from golden eagles' nests in order to reduce
7 impacts at the proposed Summit Ridge wind farm in
8 Oregon. Why is Tule Wind or ESJ any different?

9 Bighorn sheep: The Draft EIS states there are
10 no expected impacts to bighorn sheep because their
11 critical habitat is either 600 feet or three miles --
12 both of those were included -- east of the ECO
13 Substation loop-in. There are no records of bighorn
14 sighted within one mile of either site. I-8 is a
15 barrier to sheep movement, and the U.S. Fish and
16 Wildlife Service did not ask for bighorn surveys at the
17 site. We consider this absurd.

18 I just have to look at the Imperial Valley
19 Solar site as an example. Bighorn sheep were not
20 expected on site yet they were photographed there. It
21 was determined that the site contained important forage,
22 and U.S. Fish and Wildlife is now working on a take
23 permit for impacts to bighorn sheep. Locals know well
24 that I-8 is not a barrier to sheep movement. They cross
25 over it and under it on a regular basis. One witness

1 has even reported finding a dead bighorn sheep
2 immediately east of the proposed site.

3 This Presidential permit will allow for
4 construction of hundreds of industrial turbines, wind
5 turbines, that will impact bighorns in the Jacumba
6 Wilderness area and in the Sierra Juarez and also
7 connected actions in Tule Wind, McCain Valley. You
8 cannot separate the power line impacts from the turbine
9 impacts. They are all part of the same action.

10 We disagree with the cumulative impact list
11 which should include the existing Southwest Powerlink
12 and the border fence. The border fence did not undergo
13 any environmental review, and we disagree with your
14 dismissal of the environmental justice issues and much
15 more.

16 We know the Department of Energy is prepared to
17 rubber-stamp this project for Sempra despite the
18 significant, cumulative impacts and violations of law
19 just like the BLM approved for the Sunrise Powerlink,
20 approved the Sunrise Powerlink for SDG&E, and today's
21 announced approval of the Imperial Valley Solar project,
22 another massive public landgrab for an unjustified,
23 unproven renewable energy project.

24 Our grassroots coalition will be submitting
25 much more extensive comments on the Draft EIS by the

1 November 1 deadline, our attorney will, and we will
2 continue to push renewable energy generation at or close
3 to the point of use on existing structures and already
4 disturbed lands.

5 I also wanted to note that the Department of
6 Interior has not responded to our formal request to
7 investigate the catastrophic failure at Kumeyaay Wind.
8 I also want you to know that FAA has not enforced proper
9 operation of those FAA lights since that catastrophic
10 failure. They are still not working properly since last
11 December. If you go out of here tonight on I-8, you
12 will see that the white strobe lights are working but
13 not the red FAA lights.

14 I also want to note that the original power
15 purchase agreement from this project was withdrawn.
16 There is no power contract for this project and Sempra
17 has stated they will not build the project until they
18 have that contract. Thank you very much.

19 DR. PELL: Ms. Tisdale, would you be able to
20 leave your printed remarks with the reporter for her
21 clarification?

22 MS. TISDALE: If she gives me her card, I will
23 clean them up and send them to her.

24 DR. PELL: If we can do that, that will be
25 great. By the way, I want to let you know that it's a

1 pleasure meeting you after we exchanged all our e-mails.

2 MS. TISDALE: Yes. Thank you.

3 DR. PELL: And I look forward to your
4 supplemental comments that you said would be coming in
5 from your organization.

6 MS. TISDALE: Thank you.

7 DR. PELL: Thank you.

8 Okay. We now move on to Terry Weiner or
9 "Winer," forgive me, Desert Protective Council.

10 MS. TERRY WEINER: Good evening. Good evening.
11 Hi. My name is Terry Weiner. I'm the Imperial County
12 Conservation and Projects coordinator for the Desert
13 Protective Council. We are based in San Diego,
14 California.

15 And tonight I would like to do two things:
16 One, register our presence and our request that the
17 Department of Energy deny the Presidential permit for
18 these projects because of the inadequacy of parts of the
19 EIS, which I have yet to thoroughly analyze. I've
20 actually just begun to look at the documents. I'd
21 rather wait until I can make some substantial comments,
22 but we are glad that you're having this meeting and
23 looking forward to submitting comments before the
24 November 1st deadline.

25 DR. PELL: Thank you. I'll look forward to

1 receiving those. Thank you very much.

2 We now move on to -- well, I was going to say
3 Donna Tisdale, but we already heard from Ms. Tisdale.
4 By the way, you didn't say you would like a final copy
5 of the EIS. I assume you would.

6 MS. TISDALE: Yes.

7 DR. PELL: That takes us to Denis "Trafecant"
8 with Protect our Communities Foundation.

9 MR. DENIS TRAFECANTY: Hello. My name is
10 Denis Trafecanty from Santa Ysabel --

11 DR. PELL: I'm sorry.

12 MR. TRAFECANTY: -- California. I'm the
13 president of the Protect Our Communities Foundation.
14 I'm a member of the East County Community Action
15 Coalition and the Backcountry Against Dumps.

16 I found it interesting to look at the back of
17 this slide here under the County of San Diego emblem
18 that says "The noblest motive is the public good." If
19 that's the case, I submit to you that we don't need the
20 ESJ at all.

21 There's a report that's been prepared by one of
22 our board members of the Protect Our Communities
23 Foundation. It's called the San Diego Smart Energy 2020
24 Plan. It explains how you could build all the rooftop
25 solar you want in San Diego and cover those rooftops

1 with the solar and residential rooftops. I don't use
2 any energy from Sempra or SDG&E or Sempra Generation or
3 whatever you want to call them.

4 I submit to you that they are in collusion with
5 each other and also they got their hands slapped to the
6 tune of in excess of \$1 million which included money for
7 the CPUC coffers and also for training their own
8 executives on proper ethics in connection with the
9 proposed Sunrise Powerlink.

10 I will send you this formal document so that
11 you can read it and consider it. And if you believe the
12 conclusions of this report, then you wouldn't need Tule
13 Wind, you wouldn't need ESJ, you wouldn't need these
14 substations that are being built. That wouldn't be, as
15 you say, the noblest motive is the public good. That
16 wouldn't be in the eyes of public good if it wasn't
17 needed.

18 I also submit to you that I'm a little bit
19 concerned about the fact that taxpayers aren't paying
20 for this meeting and all of the work that's done on
21 this, because I do believe that if Sempra owns SDG&E and
22 Sempra Generation and they generate a lot of money from
23 ratepayers, maybe we won't call it taxpayers but let's
24 call it ratepayers. I'm not a ratepayer because I have
25 solar on my rooftop. I am tied to the grid, but I send

1 more energy back to the grid than the -- the grid
2 doesn't really need to send me any energy. I only keep
3 it hooked up 'cause it's for the public good if I send
4 energy back to the grid that I can't use.

5 So I question whether you've considered the
6 alternatives. I don't know what we could do about
7 looking into the Mexico situation, but I hear talk
8 about, you know, water lines, natural gas lines going
9 back and forth to a Baja terminal, and all I hear about
10 tonight is wind energy, renewable energy. 25, 26 years
11 ago they talked about how they were going to use the
12 Southwest Powerlink to bring geothermal energy into
13 San Diego.

14 Well, I submit to you that there's 65 megawatts
15 of energy, a maximum amount that's going 26 years later.
16 I don't want to get hoodwinked again on something that
17 is similar to what has happened in the past, especially
18 considering the track record of this company called
19 Sempra especially in the early '90s.

20 So please consider these comments. I'm not
21 sure what would come across would be renewable energy.
22 I believe pretty strongly that it's fossil fuel energy,
23 and we will be sending a lot of comments to you and I
24 will submit to you this report that I strongly suggest
25 that you read. Thank you very much.

1 DR. PELL: Thank you, Denis. I wanted to say a
2 few things with regard to your remarks. First of all,
3 with regard to the fact that the applicant paid for the
4 EIS, actually I'm glad you mentioned it because it's
5 worth clarifying. They paid for it, but the Department
6 of Energy has managed the actual conduct of the EIS. In
7 fact, the applicant has not seen the Draft EIS any
8 sooner than you did. They got it at the same time you
9 did. So the government really did manage that project
10 even though the applicant was paying for it. They had
11 no hand in the analysis itself except provide whatever
12 information was asked of them. So I thought that was
13 worth mentioning.

14 Ms. Tisdale, you mentioned a gentleman from the
15 Department of the Interior. I've never heard his name
16 before. So I can assure you that, to date at least,
17 there has been no communication with that party. As I
18 said, I've never heard of his name before.

19 MS. TISDALE: Are you the only person dealing
20 with this within the Department of Energy?

21 DR. PELL: Directly, yes.

22 MS. TISDALE: Well, maybe indirectly.

23 DR. PELL: No. I would know about it.

24 MS. TISDALE: Well, just remember the name.

25 DR. PELL: Well, I have no reason to.

1 Patrick asked me to mention also that they have
2 no connection with that party either.

3 MR. BROWN: The County as well as DOE, we've --
4 were paid for directly by the applicant, so County funds
5 or taxes don't go to development projects nor any of the
6 CEQA review done on any of the studies or were reviewed
7 by the applicant, so we're the same as them.

8 DR. PELL: Thank you. We go to great lengths
9 to maintain a barrier between the development of the
10 Environmental Impact Study and the applicant to ensure
11 that it's objective and it's done the way we think it
12 should be done, and I can assure you that that was
13 certainly the case here.

14 I would like to now call on Derik Martin who's
15 the next party to speak.

16 MR. DERIK MARTIN: My name is Derik Martin and
17 I'm a local landowner here. This gentleman here spoke
18 about his solar. I think that the pictures might show a
19 little bit better how much solar you actually need to
20 run a house. This is my house. It's 100 percent solar.
21 That's 170 square foot.

22 DR. PELL: Are you entering that photograph
23 into the record?

24 MR. MARTIN: Yes. You can have it.

25 DR. PELL: Would you, when you're through,

1 leave it at the --

2 MR. MARTIN: I'm going to pass it around so the
3 people can see it and they can turn it in.

4 DR. PELL: Okay. When you turn it in, turn it
5 in to the front desk.

6 MR. MARTIN: Okay. Okay. So that's the impact
7 that I have, is 175 square feet. Everybody in the
8 United States, or at least here anyways in Southern
9 California, can have one of these. We wouldn't need any
10 of this stuff.

11 The other comment was about the sheep, and the
12 sheep in here it says they're not really affected
13 because they're two miles from critical habitat or this
14 ESJ is two miles from critical habitat. Well, sheep
15 don't know what's critical habitat and what isn't not
16 critical habitat.

17 And here's photos, and I'm not going to submit
18 all of them because there's too many of them but I'll
19 submit the top, say, four. These are over two miles
20 from critical habitat. These are about three miles on
21 the other side of this project that you're talking about
22 but really close to where the power line's going to be
23 going.

24 There's herds and herds of these sheep around
25 here. There's only 300 sheep left in San Diego County.

1 I had a game camera set up for about three days. I got
2 probably 50 to 60 pictures of bighorn sheep. If I set a
3 game camera up on the Mexican side of the border, I can
4 bet every nickel I have that I would have a lot more
5 than what I have here as far as photos go. The sheep
6 are pushed as far east as they can go. They're not
7 going to go down into the Imperial Valley and live down
8 there. It's too hot for them. There's nowhere else for
9 them to go.

10 This impact is -- I mean, this was really
11 brilliant the way that Sempra introduced this because
12 it's three separate projects, and they're going to push
13 each one as three separate projects; but to me it's one
14 big huge inundation of baloney sold to the public as
15 necessity, and it's going to impact the whole entire
16 ecosystem.

17 And you can't just say it's just this little
18 line that runs 3.6 miles across the border because
19 that's not what it's all about. It's basically about a
20 swath thousands and thousands and thousands of acres,
21 probably about, I would guess just off the top of my
22 head, an eighth the size of Borrego State Park. That's
23 the area that you're going to disrupt.

24 DR. PELL: You're talking about in Baja
25 California?

1 MR. MARTIN: I'm talking about Borrego Park
2 here in San Diego.

3 DR. PELL: How is the transmission line going
4 to disrupt that amount over there?

5 MR. MARTIN: Because if you take -- the damage
6 you're doing -- you already have ten acres. You said
7 this little area here is going to disrupt ten acres.
8 Forget it. And I'm saying with the Southwest Powerlink
9 and this project and your transmission project, what's
10 that, a couple hundred acres?

11 DR. PELL: When you say "this project and the
12 transmission project," this project is the transmission
13 project. You're losing me.

14 MR. MARTIN: Okay. You got the Southwest
15 Powerlink; right?

16 DR. PELL: Southwest is an existing line.

17 MR. MARTIN: Okay. What's the one -- Sunrise
18 Powerlink.

19 MR. BROWN: Sunrise.

20 MR. MARTIN: You have the ESJ and then you have
21 the sub project. That's three projects.

22 DR. PELL: Okay. We're only here tonight to
23 address the ESJ.

24 MR. MARTIN: I understand. I'm saying the way
25 that Sempra introduced this is brilliant because you're

1 only here for one item. You have to look at the big
2 picture.

3 DR. PELL: You know that there is a separate
4 EIS/EIR in preparation between the Federal Bureau of
5 Land Management and the California Public Utilities
6 Commission and they're going to be presenting their own
7 EIR/EIS before too much longer. I expect to see that
8 before Christmas. So you would really do well to review
9 that document and attend those public hearings, as well.

10 MR. MARTIN: Okay. Yeah. Anyway, I'll submit
11 these pictures. You can look at the sheep if you want.

12 DR. PELL: Can you tell us precisely what the
13 vantage point was, where that camera was located?

14 MR. MARTIN: The camera was located at Mountain
15 Springs which is just down the hill from Jacumba,
16 probably -- I don't know. What, about three or
17 four miles?

18 UNIDENTIFIED VOICE: Not even that.

19 MR. MARTIN: Not even that. So from where --

20 UNIDENTIFIED VOICE: Between a mile and a half,
21 mile and three-quarters.

22 MR. BROWN: Are you going to submit --

23 MR. MARTIN: Here. Here's a photo. This shows
24 where it's at.

25 MR. BROWN: Derik, are you going to submit

1 formal comments?

2 MR. MARTIN: Yeah.

3 MR. BROWN: Okay. In your formal comments, try
4 to give like a parcel number or a coordinate of where
5 these photos are taken. That way, you know, they can
6 put a map or --

7 MR. MARTIN: Right.

8 MR. BROWN: -- otherwise it's just a --

9 MR. MARTIN: They weren't all taken at the same
10 spot and that's kind of my point, is the sheep don't
11 just wander in critical habitat. They wander where
12 there's food and water, and there's food and water on
13 both sides of the border and the climate's the same, you
14 know, and there's just a small area left where these
15 sheep are actually at and happens to be right here.

16 DR. PELL: Whichever ones of these photographs
17 you do wish to submit, please do follow up with
18 documentation as Patrick has suggested as to exactly
19 where the camera was, where it was taken, over what
20 length of time.

21 MR. MARTIN: Okay. And you know what? I can
22 take more, too. I mean, it's real easy. You go set the
23 camera up and there's sheep. You know, it's not like
24 there are plentiful sheep. There are separate herds of
25 sheep that show up for water.

1 So anyway, I don't want to get too caught up on
2 that. I wanted to make a couple more points. And I
3 could -- now I've -- I don't remember exactly.

4 Anyway, my point was basically you've got to
5 look at all three projects. I mean, I've got photos of
6 sheep. I've got the photos of the -- and you mentioned
7 the -- I call them vultures, the turkey vultures. I've
8 got pictures of those, the hawks, foxes, coyotes. The
9 sheep are of more interest because they are endangered
10 and there's not too many of them left, and they're only
11 in this one area that Sempra seems to want to put all
12 this unnecessary alternative energy projects into.

13 So I'll go ahead and leave these in the back
14 you said?

15 DR. PELL: Thank you very much. I look forward
16 to whatever follow-up you care to provide us by the 1st
17 of November.

18 The next speaker is Mark Ostrander.

19 MR. MARK OSTRANDER: My name is Mark Ostrander.
20 I'm representing myself, O-s-t-r-a-n-d-e-r. I noticed
21 on your cumulative impact for projects that you took for
22 effect --

23 UNIDENTIFIED VOICE: Microphone.

24 MR. OSTRANDER: -- I didn't see on there the
25 Eurus LLC solar project, the Truckhaven Geothermal

1 project, the Border Patrol Station project in Boulevard,
2 and the border fence project as part of your cumulative
3 effects on this project.

4 Bighorn sheep the guy said when he was standing
5 right there, I seen them on the south side of the
6 freeway, south side of Old 80. They don't know any
7 boundaries. They go wherever the food or the water's
8 at.

9 In your cultural studies here, I didn't see any
10 mention of us being an archeological district. It's
11 very rich in archeological materials and finds. There's
12 historical and prehistoric stuff out there.

13 On the fire side, it says the impacts to -- you
14 know, there's going to be major impacts to firefighter
15 ability. That's true. Once those lines go in, you're
16 going to have air resource issues, trying to get air
17 resources in. It's going to affect ground operations.
18 And combined with all the other projects out here, all
19 these networks of lines that are going to go through,
20 that's just going to make it that much worse. The only
21 thing is remove all the vegetation underneath them, set
22 a barrier, but that's not going to happen.

23 Socioeconomics: You say minor short-term
24 property values. Currently property values in the area
25 have dropped. Any more drop -- you know, people are

1 already upside down. Any more drops, that's going to be
2 probably major and that's going to affect what you're --
3 that's going to change your environmental justice there
4 too, because that is going to impact low incomes, that's
5 going to impact minorities, all kinds of things.

6 Those are my comments at this point.

7 DR. PELL: Thank you very much, Mark. I
8 appreciate that.

9 The next party that indicated an interest to
10 speak was Laurie Baker. By the way, Ms. Baker, you
11 didn't answer the question about whether you would like
12 a copy of the final EIS.

13 MS. LAURIE BAKER: If I can get it online, that
14 would just be okay.

15 DR. PELL: Great.

16 MS. BAKER: My name is Laurie Baker. I live in
17 Santee. I can --

18 UNIDENTIFIED VOICE: Use the microphone,
19 please.

20 MS. BAKER: Sorry. I come out to this area to
21 hike and we camp and we jeep out here. And I've made
22 some comments previously. I was confused about what
23 exactly this covered because of the cumulative impacts.
24 I didn't know if it covered the Tule and Indian
25 reservation and some of the -- this map right here.

1 My comments are that the transmission line
2 would annihilate ten acres of vegetation and wildlife,
3 and I know they're going to compensate for that with
4 land somewhere else, but that doesn't help the
5 vegetation, wildlife in that particular area, and I
6 consider that a major destruction in this area.

7 It's still a major fire igniter. So if there's
8 a fire, it will spread to areas that surround the area
9 where the bighorn sheep and the golden eagles, the
10 people live, so there is no boundaries sometimes for
11 these fires. So the amount of miles something is from
12 the ignition source or the specific project could be a
13 lot bigger and affect the environment that way.

14 My main concern is the large-scale wind
15 turbines. There's no mitigation for them I understand,
16 and it will change the visual character out here. And
17 cumulatively if you put a lot of those wind turbines out
18 here, it's going to regionally change the character of
19 the whole area. So you have the visual character and
20 then you have the whole regional character that will be
21 affected by these wind turbines which have no mitigation
22 because they're so big. And when you come out here --
23 if you go on the Web site for the BLM, they highlight
24 expansive and scenic views out here and they'll list all
25 these different places. That's one of the main points

1 they make, are the scenic views out here.

2 And the beauty is stark and striking. And if
3 you're going to change from this rural designation
4 that's out here and industrialize it, a lot of people
5 like myself won't want to come out here anymore because
6 that's what we come out here for, the wildlife, the
7 vegetation.

8 And from the pictures that you have here, it's
9 a major impact, and I don't know if something like that
10 stops a project. I know that the character of the
11 Cleveland National Forest was impacted by the Powerlink,
12 and they changed mitigation measures and made exceptions
13 and went forward with the project. I'm not sure if they
14 can do that with this project, and that is one of my
15 concerns.

16 And so we love this area. We love to come
17 here, and this would really change the area
18 dramatically. And that's just what I want to say.

19 DR. PELL: Thank you very much. I appreciate
20 it.

21 The last person that indicated a desire to
22 speak on the registration form is Kevin Smith.

23 MR. KEVIN SMITH: Hello. How are you doing?
24 My name is Kevin Smith. I'm a developer and San Diego
25 ratepayer.

1 I've never quite seen an EIR that had no
2 impact. It's kind of amazing, actually. My hat's off
3 to you. I'm going to have to read from my phone because
4 I typed it on the way.

5 I believe the Sunrise Powerlink was pushed by
6 SDG&E for one simple reason: To provide Sempra an
7 interconnect. Sempra was there for their -- was, per
8 their application, to build an interconnection on both
9 sides of the border that would carry the line to the
10 existing south link, South Powerlink. There is no
11 capacity on the South Powerlink. Why would Sempra be
12 allowed to interconnect into a transmission line with an
13 estimated 1,200 megawatts, into a transmission line that
14 has no capacity?

15 Their own comments at the opening of this
16 meeting is that there was a request of Sempra and not
17 SDG&E. If this is true, then the ECO Substation is
18 Sempra's cost. SDG&E is using the right of condemnation
19 to build the ECO Substation for Sempra. Sempra has no
20 right of condemnation. How did SDG&E become obligated
21 to do the interconnection for Sempra? Sempra's to
22 provide one mile of transmission, an interconnection tie
23 line as you call it. That ended their responsibility in
24 the middle of nowhere. Lucky they have SDG&E to build
25 their substation just where they need it.

1 They also say there's a 230- or a 500-kVA line.
2 They don't know? The substation, the ECO substation,
3 will be a 500 kVA. They're going to be pushing all
4 1,200 megawatts into that substation and then they'll
5 upgrade it and push it into Boulevard and will provide
6 the capacity to feed all 1,200 megawatts into the
7 Sunrise Powerlink. None of the power generated by
8 Sempra into La Rumorosa will or can go into the South
9 Powerlink as the EIR states.

10 The Sunrise Powerlink will be paid for by the
11 ratepayers of SDG&E. It costs \$2 billion. It's simply
12 a cost of the interconnection for Sempra. The San Diego
13 residents should have never been allowed to be burdened
14 with Sempra's cost, and it is a flagrant abuse of the
15 China Wall. Thank you.

16 DR. PELL: Kevin, do me a favor. You indicated
17 on here that you would like a copy of the final EIS, but
18 I must tell you that --

19 MR. SMITH: I got it.

20 DR. PELL: No, no. You said you wanted a copy
21 of the final.

22 MR. SMITH: The final.

23 DR. PELL: That's the draft. But your
24 handwriting, your address and your e-mail address, are
25 not legible. Could you do me a favor. Take this back

1 and --

2 MR. SMITH: If you have a card, I'll e-mail it
3 to you. Can I --

4 DR. PELL: Sure.

5 MR. SMITH: Yeah, it's right there. I'd still
6 like a card. Thanks.

7 DR. PELL: Thank you.

8 MR. SMITH: Thank you.

9 DR. PELL: I just got a new addition,
10 Ben Schult, S-c-h-u-l-t, with The Desert Tower; is that
11 correct?

12 MR. BEN SCHULTZ: My name is Ben Schultz. I'm
13 the owner of Desert View Tower. We're a Federal
14 Registered historic site, two --

15 UNIDENTIFIED VOICE: Use the microphone.

16 MR. SCHULTZ: I'm sorry. I hate this sort of
17 thing and I don't want to do it. Ben Schultz. I'm the
18 owner of the Desert View Tower. We're a Federal
19 historic registered letter, two State historic sites,
20 and a County historic site for Imperial and San Diego
21 County.

22 First off, I didn't think this would come up as
23 an issue. I want to support the issue of the bighorn
24 sheep and their proximity to this project. I have a
25 card that I actually sell commercially showing bighorn

1 sheep within three miles of that project. I did not
2 realize I had to bring it in today.

3 I've actually seen bighorn sheep walking on the
4 freeway, called in several even federal departments to
5 try and get them off the freeway. There's no question
6 the big bighorn sheep are in the area.

7 I was also aware of a biological survey that
8 was done. The woman was from Massachusetts and spent
9 two weeks here looking over the area. Massachusetts was
10 not -- this is not a San Diego researcher. She was out
11 here, spent two weeks, and the bighorn sheep weren't
12 there. They only come down here mainly at Christmastime
13 and about now.

14 So I suppose I can get the gentleman over there
15 a picture of the bighorn sheep at the Desert View Tower,
16 which is within a three-mile range of the whole thing.
17 So I hope that establishes that. The biological survey
18 was done not inadequately.

19 Secondly, I'd just like to point out that
20 you're trying to characterize this as separate from
21 these other projects, a simple, clean hearing on this
22 one aspect of the project. I think the idea that you
23 would ignore the fact that you know that this has been a
24 corrupt project from the beginning including the
25 prostitutes that got the head of the -- who was the man

1 who resigned who was the chairman of the energy
2 committee in the public?

3 MS. TISDALE: I can't remember his name.

4 MR. SCHULTZ: Yes, hired by Sempra at \$200,000.
5 I mean, can you sit there and pretend that you didn't
6 hear that little story? Maybe you didn't.

7 The fact is there is going to be a grand jury
8 hearing on this sooner or later on this, and all we can
9 do as public citizens sitting around having these little
10 talks up against million-dollar lawyers is to remind you
11 that we will remember that you were part of a corrupt
12 process and that some day possibly justice will be done.
13 We know you're part of this process, too. Your names
14 are on the site. Sooner or later there is going to
15 be -- your children are going to be looking up at you
16 like, "Why were you part of that, Daddy?" Thank you
17 very much.

18 DR. PELL: Ben, is it S-c-h-u-l-t-z or just --

19 MR. SCHULTZ: Yes.

20 DR. PELL: -- S-c-h-u-l-t?

21 MR. SCHULTZ: I don't particularly want to be
22 on your list because I feel like I don't -- over the
23 years I'll be on some damn list.

24 DR. PELL: No, that's fine. If you don't want
25 to be on the list --

1 MR. SCHULTZ: I don't like it.

2 DR. PELL: -- consider yourself off the list.

3 MR. SCHULTZ: Throw it away.

4 DR. PELL: Okay. You just saved us an extra
5 mailing.

6 That completes the list of people that
7 indicated that they wanted to speak.

8 Is there anybody else that would like to speak
9 now? Because it's open mic time.

10 MR. MARTIN: Can I just say something real
11 quick? There's a Web site that Sempra has for their
12 projected plan in this area. It's not what you have up
13 here. It's like 1,000 wind machines and it shows the
14 transformers. It shows this line, the EIS line you're
15 talking about. It's on the Sempra -- if you do a
16 Google, search for Sempra proposed or Table Mountain,
17 Google that, it's going to show you this just elaborate,
18 industrialized power scheme that's just unfathomable.

19 I mean, it's just like why would they put that
20 there, you know?

21 MR. SCHULTZ: But you don't know anything about
22 it.

23 DR. PELL: Hold it.

24 MR. MARTIN: Sempra should be here with a photo
25 showing that. What their real plan is is just to

1 inundate this whole area with alternative energy to ship
2 it to San Bernardino, Riverside, L.A., or wherever.

3 DR. PELL: Excuse me. For the record, you are?

4 MR. MARTIN: Derik Martin.

5 DR. PELL: By the way, Sempra is here.

6 MR. MARTIN: Yeah. Where is the picture? They
7 should have that picture from their Web site that shows
8 what they really want to do to this area, because it's
9 not 52 wind machines.

10 DR. PELL: The Environmental Impact Statement
11 makes it very clear that this is just the first phase of
12 the build-out. We do acknowledge the fact that the
13 overall projected ultimate build-out of the wind machine
14 farm in Baja is about 1,200 megawatts, so --

15 MR. MARTIN: Well, where is the photo?

16 DR. PELL: That's very clearly stated in the
17 EIS and there's even a diagram in the EIS of the overall
18 development area that Sempra's indicated would be their
19 future build-out. So whatever information that is
20 available has been documented.

21 Who else wanted to speak, please? Just a
22 second. Yes?

23 MS. LORRIE OSTRANDER: My name is
24 Lorrie Ostrander. I'm a Jacumba resident, and my
25 concern is a fib that was given. We were told that a

1 mile up the road, about a mile and a quarter up the
2 road, people from Washington, Arizona, and through other
3 states were out there drilling, and finally I asked what
4 was the drilling all about. Well, they were doing some
5 ground testing for the Sempra project that was going on
6 over the mountain. Why over here? For some reason they
7 couldn't do it over there, but they did it right close,
8 oh, about 1/16 of a mile away from our well. I don't
9 appreciate that. I don't appreciate being lied to.

10 UNIDENTIFIED VOICE: They're good at that.

11 DR. PELL: Okay.

12 MS. OSTRANDER: And we were lied to. The
13 testing was supposed to be done over there. This is
14 only the beginning of -- and like giving them water,
15 it's the beginning. Sorry, we're not dummies. We see
16 what goes on in Washington. We see what goes on in
17 other states.

18 I seen what happened in my own hometown up in
19 Northern California and now all these wind turbines are
20 just sitting there, half the times never being used. I
21 see over there at the reservation, sadly to say, our
22 ancestors are turning over because they're throwing the
23 land away. They don't look at the golden eagle. We
24 respect the bald eagle because it's our symbol of our
25 country, so is the golden eagle because it is part of

1 the eagle family.

2 Our trees, we're already destroying our climate
3 with the weather change and everything, so let's do
4 more.

5 Can we resolve this? Yes. Cut back on your
6 energy. If you don't need it, if the sun is shining,
7 don't turn a light on. I was raised that way. You
8 leave a room, shut the light off. You're not watching
9 TV, shut it off. There are ways to save energy and not
10 destroy the water that we need, the land that we need,
11 the air that we need, and I'm sorry I'm boring you.

12 DR. PELL: No.

13 MS. OSTRANDER: No? The gentleman next to you.

14 DR. PELL: No.

15 MS. OSTRANDER: But anyway, I just see a lot
16 going on and I've lived up here in the mountain for
17 20 years, just shy of 20 years. For the first time I
18 have seen the mountain sheep, for the first time over by
19 Kitchen Creek. I'm on my way into town. Not even
20 50 feet away from the freeway road was a male and a
21 female bighorn. I broke down in tears because they're
22 being pushed away from their feeding grounds because
23 why? Man has to have more power. Man doesn't have to
24 have it.

25 DR. PELL: Could you --

1 MS. OSTRANDER: Laurie Ostrander, resident of
2 Jacumba and very proud to be here and fighting against
3 this.

4 DR. PELL: Thank you.

5 MS. OSTRANDER: Thank you, sir.

6 DR. PELL: You're more than welcome.

7 Ms. Tisdale, you wanted to talk?

8 MS. TISDALE: I have two things. I forgot to
9 mention when you leave here tonight, I would like you to
10 look on the hillside. You'll see the five existing
11 turbines' red lights. They blink at an odd pattern and
12 if we see -- just, you know, multiply that by the number
13 of turbines that are proposed and that will be the
14 nighttime vision here.

15 And then I had something I wanted to show you
16 on the map. The Campo Wind Energy proposal goes all the
17 way down to the Mexican border. It doesn't stop right
18 here. There's huge wind energy proposals that are shown
19 on the BLM maps all throughout here. It's about 15,000
20 or more acres. There's met towers in the Cleveland
21 National Forest, and there are wind energy proposals
22 along the Tierra del Sol Road. Boulevard just hasn't
23 announced them yet.

24 Hamann Companies is proposing solar on their
25 property where they're also doing Tule Wind, so there's

1 a lot of stuff that is just kind of still under the
2 radar and it's very disturbing that it won't be included
3 as overall impacts because there's much more than has
4 been publicly announced, but it's in the works waiting.

5 DR. PELL: Any documentation you have that
6 you'd like to submit would be appreciated.

7 MS. TISDALE: I will.

8 DR. PELL: Thank you.

9 UNIDENTIFIED VOICE: The attorney will submit
10 it.

11 MR. SMITH: I'd like to speak again if you
12 don't mind.

13 DR. PELL: Sure.

14 MR. SMITH: Because I can actually just verify
15 exactly what she said is true, because I am actually a
16 wind developer or tried to be, except it's -- I guess
17 it's not for anybody other than Sempra. And so I can
18 actually verify that Tule, Lansing, Boulevard, as an
19 owner of one of the properties up here I was actually
20 involved in and it's definitely happening.

21 DR. PELL: And again for the record, you are?

22 MR. SMITH: Kevin. That's all.

23 DR. PELL: Anybody else like to speak? Thanks,
24 Kevin. Anybody else? We still have time. It's 8:26.
25 I just want to make sure you all feel that you had

1 adequate opportunity to comment. And if you did, I want
2 to thank you for joining us tonight. I want to thank
3 you for your thoughts. And if you want to hang around
4 and talk to Sempra people or to my consultants or me,
5 I'm glad to have you do that.

6 And with that, I may see some of you tomorrow
7 night in Boulevard. If I do, great. If not, it's been
8 a pleasure. Thank you.

9 (The proceedings were concluded at 8:28 p.m.)

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