

COUNTY OF SAN DIEGO BOULEVARD PLANNING GROUP (BPG)

***** MINUTES / SUMMARY FOR MEETING HELD ON THURSDAY OCTOBER 6, 2022*****

A. MEMBERS PRESENT: 1) Manuel Casanova; 2) Earl Goodnight 3) Kevin Keane; 4) Donna Tisdale; 5) Michele Strand; 7) Nancy Good; **MEMBERS ABSENT:** 6) Michael Coyne

B. PLEDGE OF ALLEGIANCE (optional):

C. ACT ON DRAFT MINUTES/ SUMMARY FOR SEPTEMBER 1ST MEETING:

- Chair Tisdale announced that Jim Whalen had challenged the draft minutes for the Starlight Solar project regarding the original 20 MW, saying we had always known about the 80 MW expansion. He provided a map for the July 28, 2021 Starlight Solar Introductory Agenda that she did not recall seeing before.
- A copy of that map was provided in the agenda package.
- Tisdale provided her map from that meeting, with the agenda, that only showed the basic boundaries with no acreage or MW notations or specifics. No one else could recall what map had been provided at that time.
- Tisdale also reported looking at old minutes where the project was repeatedly described as 20 MW up and until the BPG's minutes for 10-7-21, after she asked Jim about her discovery of the CAISO grid queue for Lago Domingo Solar & Lago Domingo Storage (#2168 -80 MW & # 2173- 206 MW), dated 4-8-21. Those minutes also disclosed that when asked about that expansion, Jim Whalen responded that they may be partnering with AES and he had asked them not to use that name since Lake Domingo is not in the project footprint.
- No objections had been made to those previously approved minutes so she only made a minor adjustment to the Starlight Solar section of last month's minutes that Jim objected to. There were no further objections or corrections.
- ***M/S: Strand/Good: Approve draft minutes as written: Passed: 6-0-0***

D. PUBLIC COMMUNICATION: Opportunity for public comment on any subject matter within the Group's jurisdiction that is not on the posted agenda. No action can be taken on non-agenda items. Items can be added to future agendas.

- It was reported that CBS 8 ran a piece on the local enlarged private lake / water pumping issue that Tierra Real neighbors believe is impacting their wells. The owner has denied he is pumping water and told the reporter that he inherited the property from his parents. There is evidence to the contrary to both his denials.
- According to one neighbor, CBS did not run some of the video evidence of the lake enlargement, lining, and filling, because it was taken from a facebook page.
- Codes Compliance has cited the owner for several unpermitted actions; however, enlarging the lake and pumping drought stressed groundwater into it were reportedly not included. The story ended with the reporter saying the impacted neighbors will probably need to file a civil suit, because the County does not control how much water is pumped from private wells. Other agencies have reportedly not responded.

E. ACTION ITEMS (Agenda items may be taken out of order upon request):

1. TERRA-GEN'S BOULDER BRUSH FACILITIES (SUBSTATION GEN-TIE) PDS2022-MUP-19-002TE:

- Chair Tisdale reported that the Boulder Brush substation and gen-tie line would support Terra-Gen's Campo Wind (60 turbines) and Torrey Wind (30 turbines).
- The project package from the County includes the NEW INFO with copy of the Boulder Brush LLC's Memorandum of Wind Energy Site Lease And Renewable Energy Development Agreement with the members of the Gabrych family. (Just the first page of the agreement was included in agenda package)
- That wind lease that was signed in January 2021, before the MUP was approved in March 2021, and the Site lease was not recorded until a month later in April 2021.
- Terra-Gen purposely or negligently withheld this information during public review and comment. 2 Boulevard Planning Group minutes for 10-6-22

- Gabrych senior has repeatedly been listed as one of the largest land owners in the country. This lease if for Terra-Gen's Torrey Wind project that just got a Major Use Permit Time Extension a few months back. Staff approved extension the same day Terra-Gen's request came in.
- Unfortunately, Torrey Wind was excluded from review in the MUP/EIR. Terra-Gen is requesting a three (3)-year extension on their Boulder Brush Facilities Major Use Permit (MUP) from the current expiration date to 2/10/25.
- So why is the wind lease included in the Boulder Brush project request?
- Their request is based on the unresolved lawsuit that was filed in 2021, challenging the County's Boulder Brush project approval, and the potential for an appeal of the unresolved judgment.
- Since then, the Campo Band has filed a Motion to Dismiss the legal challenge, based on tribal sovereign immunity.
- Concerns were raised again with related Campo Wind turbines' 586 ft height, locations too close to homes, adverse impacts on public health and safety, views, light pollution, property values, and more.
- How can a tribe claim sovereign immunity over a project on non-tribal private land? Their claim is precedent –setting.
- The BPG's recommendation is required to be submitted to the County via Form PDS-534.
- Should the BPG support the Time Extension application or oppose the TE like we have opposed the project itself due to the related health and safety impacts from the Campo Wind turbines that Boulder Brush supports?
- ***M/S: Strand/ Good: Continue to oppose Boulder Brush Facilities and related wind turbines and authorize Chair to submit comments: Passed 6-0-0***

2. 74 MW RUGGED SOLAR PDS2017-MUP-12-007W1 MAJOR USE PERMIT MODIFICATION. BOARD OF SUPERVISORS HEARING OCTOBER 12: ACT ON CHAIR'S REQUEST TO SUBMIT COMMENTS TO BOARD, INCLUDING REQUEST FOR MATCHING COMMUNITY BENEFIT FUNDS FROM THE COUNTY AND / OR THE PROJECT LAND OWNER:

- Chair Tisdale stated that the County and Rough Acres are profiting off of the industrialization of Boulevard, with no long-term funding for annual Backcountry Resource Center expenses including utilities, management employees, insurance, maintenance, and more.
- Supervisor Joel Anderson needs to step up and help us, especially since he has been throwing us under the bus by supporting Sunrise Powerlink, ECO Substation with Boulevard Substation rebuild, Rugged Solar, Boulder Brush Substation and Gen-tie line, Campo Wind and more.
- Jim Whalen was asked for his thoughts on how best to secure additional or matching community benefit funding for Rugged Solar from the Board of Supervisors and /or the land owner, Rough Acres Foundation for a pocket park at our community center and overall exterior landscaping, and more.
- Matching funds should be requested through Supervisor Joel Anderson's office.
- There are disproportionate impacts with no County funding.
- This not about fairness or population. It is about equity.
- Where is Environmental Justice for Boulevard?
- ***M/S: Keane/Casanova: Authorize the Chair to submit comments to the Board of Supervisors with request for community benefit funding from the County matching Rugged Solar's donation. Passed: 6- 0-0***

3. REQUEST FOR FISCAL YEAR 2022-23 PARK LAND DEDICATION ORDINANCE (PLDO) AND RECREATION PROGRAMMING PRIORITY LISTS:

- Last year's PLDO list is now outdated due to the proposed Rugged Solar Community Benefits.
- Staff informed Tisdale that there is about \$300,000 in PLDO funds for 5 communities in Mt Empire Subregion and that the Boulevard Planning Group could opt to prioritize the same projects as last year or new projects. At this time, acquisition of park land in Boulevard is not being pursued by the department. 3 Boulevard Planning Group minutes for 10-6-22

- Staff also mentioned that Rugged Solar has offered approximately \$887,000 as a donation should their project be approved by the Board of Supervisors
- It seemed like they were saying Boulevard doesn't need any PLDO funds because of the Rugged Solar community benefit funds.
- When asked his opinion, Jim Whalen recommended requesting a planning grant with environmental for a new pocket park at the Backcountry Resource Center
- ***M/S: Casanova/Goodnight: Request a PLDO planning grant with environmental for a new pocket park at the Back Country Resource Center: PASSED: 6 YES, 0 NO, 0 ABSTAINED, 1 ABSENT***

4. REQUEST FOR INPUT ON BACKCOUNTRY NEEDS LIST TO HELP PROMOTE HEALTHIER COMMUNITIES:

- A collaborative group working on health care, including Mark Ostrander, is seeking input regarding local needs such as health care, health education, healthy living and eating, transportation, and potentially more for our historically underserved backcountry communities.
- There was a discussion on what should be included in the list for Mark to share with the larger group.
- ***M/S: Casanova/Good: Health care and regional transportation are priority needs: Passed: 6-0-0***

5. DECORATIVE COMMUNITY SIGN:

- The County is offering applications for decorative community signs that are posted alongside or span a local roadway.
- Options include small roadside signs and the large decorative signs like the one in El Cajon on Main Street, Chula Vista, North Park, and elsewhere.
- There was a discussion on any funding for expensive sign should instead be provided to Backcountry Resource Center for local services.
- Potential sign location was also discussed with options potentially limited due to State Route 94, through center of Boulevard commercial section, and Ribbonwood Road / 94 being under state jurisdiction, not County jurisdiction.
- It was agreed that details can be worked out after an application is filed.
- ***M/S: Keane/Good: Authorize Chair to apply for decorative community sign: Passed: 6-0-0***

F. GROUP BUSINESS, ANNOUNCEMENTS:

1. REVITALIZATION & FIRE SAFE COUNCIL REPORTS:

- Donations and volunteers were requested for upcoming Halloween and Christmas events for Clover Flat students. G. PROJECT UPDATES:

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1. REGIONAL DECARBONIZATION FRAMEWORK:

- Staff presented update at Board of Supervisors on 8/31/22.
- Board told staff to keep working on the framework.
- Jim Whalen reported talking to Board staff about increasing rooftop solar to help avoid new transmission infrastructure and industrial scale projects.

2. SDG&E's BOULEVARD MICROGRID & STRATEGIC UNDERGROUNDING:

- No changes were made to lithium ion batteries for the project that we requested.

3. 100 MW STARLIGHT SOLAR PLUS BATTERIES; 570 ACRES IN 8 AREAS OF JEWEL VALLEY AREA; MAJOR USE PERMIT (MUP) APPLICATION SCOPING LETTER: PDS2022-MPA-22-006. MAJOR USE PERMIT APPLICATION EXPECTED BY NEXT YEAR:

- Project is industrial scale 100 MW solar facility with 200 MW battery energy storage system (BESS), collector substation, transformers, inverters, gen-tie line, and 24' internal roads, water tanks for fire protection, security fencing, lighting, and signage. South of I-8 and Old 80 and east of Tierra Del Sol Road. Project has eight solar array areas with approximately 300,000 PV modules on support structures
- Chair reported that she had not had time to submit the comments on the scoping letter yet.
- Jim Whalen reported there was some headway in local hires. Laborers can go to 1 week boot camp to get certified for basic skills. Labor includes ironwork; carpenters; electrical; equipment operators. Contractor can ask for them by name to be hired.
- Whalen also reported working with the IBEW. He needs at least 5 workers to apply.
- Several project neighbors raised objections / concerns with proximity of the project to their homes.

4. TERRA-GEN'S 252 MW-60 TURBINE CAMPO WIND PROJECT. OCTOBER 20th 11 AM HEARING IN 9 TH CIRCUIT COURT OF APPEALS IN PASADENA:

- Campo Wind project was approved for Campo Reservation land by Dept of Interior April 2020.
- Federal lawsuit challenging that approval was filed 7-8-20.
- On 8-6-22, the federal judge granted the Campo Band's Motion to Dismiss the case based on sovereign immunity.
- In 2021, the FAA approved the project for second time despite SO CAL TRACON objections over significant aviation impacts.
- An appeal of FAA approval is in still in process at the 9th Circuit.

5. 90 MW JACUMBA VALLEY RANCH ENERGY PARK (JVR SOLAR); APPROVED BY BOARD OF SUPERVISORS ON 8-18-21. CEQA LAWSUIT CHALLENGING PROJECT APPROVAL WAS LOST:

- 90 megawatt (MW) solar energy facility and a battery energy storage system of up to 90 MW (360 MWh) on 613 acres.
- Judge ruled in favor of project. Waiting to see if plaintiffs file an appeal of that ruling.

6. TERRA-GEN'S 126 MW TORREY WIND PROJECT WITH 30-4.2 MW TURBINES: PDS2018-MUP-18-014:

- Terra-Gen was granted another project time extension through September 24, 2022. 7. TULE WIND PHASE II-69MW:
- Currently permitted to erect up to 24 new turbines on State land and the Ewiiapayaap Reservation, with a capacity of 69 megawatts, as expansion to existing 131.1 MW Tule Wind I with 57 -2.3 MW turbines. No progress since approximately 2016

8. 60 MW 420 ACRE BOULEVARD SOLAR MUP12-010TE PDS2012-3300-12-00 @ 796 Tierra Del Sol Road:

- The absentee owner is still promoting this project. Permit was set to expire at the end of July 2022.
- In staff's Rugged Solar letter to Board of Supervisors for the Oct 12 hearing, it was reported that a Major Use Permit Time Extension was still being processed for Boulevard Solar (previously Soitec's Tierra Del Sol Solar).

9. ENERGIA SIERRA JUAREZ (ESJ) WIND II-EXPANSION COMMENCED OPERATIONS:

- FEB 8, 2022: Sempra commenced operations of their 108 MW (26-Vestas V150-4.2MW) expansion of existing 155 MW ESJ Wind I project (47-3.3 MW turbines) on 13,000 acres south of the border just east of Jacumba and Ejido Jacume.
- Energy is exported cross border to SDG&E's ECO Substation. Full ECO Substation capacity at build out is 1,000-1,200 mw.

Minutes were approved by Board on 11-3-22  Michelle Strand, Secretary