

From: [Donna Tisdale](#)
To: [FGG, Public Comment](#); [Fletcher, Nathan \(BOS\)](#); [Anderson, Joel](#); [Vargas, Nora](#); [Lawson-Remer, Terra](#); [Desmond, Jim](#); [Koutoufidis, Nicholas](#)
Subject: [External] Board agenda 8/18 Item #1 - JVR Solar
Date: Thursday, August 12, 2021 2:03:41 PM
Attachments: [BPG JVR Solar - BOS 8-12-21.pdf](#)

Hello,

Please find the attached public comments from the Boulevard Planning Group on the JVR Energy Park solar project that is listed as Item #1 on the Board's 8/18 agenda. Please include them in the record for this project.

Regards,
Donna Tisdale, Chair
Boulevard Planning Group
619-766-4170

BOULEVARD PLANNING GROUP

PO Box 1272, BOULEVARD, CA 91905

DATE: 8-12-21

TO: SAN DIEGO COUNTY BOARD OF SUPERVISORS via PublicComment@sdcounty.ca.gov;
Nathan.Fletcher@sdcounty.ca.gov; Joel.Anderson@sdcounty.ca.gov; Nora.Vargas@sdcounty.ca.gov;
Terra.Lawsonremer@sdcounty.ca.gov; Jim.Desmond@sdcounty.ca.gov: cc:
Nicholas.Koutoufidis@sdcounty.ca.gov

FROM: Donna Tisdale, Chair; and as an individual: 619-766-4170; tisdale.donna@gmail.com ; PO Box 1275, Boulevard, CA 91905

RE: AUGUST 18 AGENDA ITEM #1: JVR ENERGY PARK MAJOR USE PERMIT, FIRE PROTECTION AND MITIGATION AGREEMENT, AND ENVIRONMENTAL DOCUMENT

At our regular meeting held in-person on August 5th, our Boulevard Planning Group voted unanimously to authorize the Chair to submit comments opposing the JVR Solar / Energy Park project. *We recommend denial of the Planning Commission Recommendations (7-9-21) 1, 3 & 4.*

All our previous detailed comments have opposed the project and are incorporated in full by reference. Comment letters submitted by the Jacumba Hot Springs Sponsor Group; the Campo Planning Group (8-10-21); Ian Abramson (8-9-21); Save Our Heritage Organization (7-8-21); and the Jacumba Hot Springs Spa representatives are valid, well-researched, and should be heeded.

The EIR should be re-circulated to analyze the significant new information in the form of the viable community produced Equity for Jacumba Alternative that would lessen environmental impacts:

- “A feasible project alternative or mitigation measure considerably different from others previously analyzed would clearly lessen the environmental impacts of the project, but the project's proponents decline to adopt it”
- So what if a re-circulation would require more time for analysis, the entire future of that disproportionately impacted rural community is at stake.
- ***At a bare minimum, we support the Community Buffer project and a much more substantial and equitable community benefits package. Of the alleged \$237,000,000 in benefits, only \$250,000 goes directly to Jacumba. Not that community benefits can ever outweigh the adverse impacts inflicted at ground zero. They cannot.***

Based on Chairman Fletcher’s callous “*it warms my heart*” statement, after the Board vote to approve the Boulder Brush Substation / Campo Wind that threatens our rural community, and the lack of any defense or empathy from our own Supervisor Anderson or any other Supervisors, we know that we are spitting into the wind with our recommended denial of this massive commercial industrial energy project.

Rural victims of these major projects are repeatedly blamed and derided for defending ourselves and the ruggedly beautiful vistas, the quiet, the wildlife, and dark skies that we so love. It is our justified right to do so.

BayWa, and others who have sacrificed Jacumba for their own economic / political gain, should truly be ashamed of themselves, along with those who have promoted and condoned that unjustified sacrifice with the invalid claim that is for 'the public good'. BayWa's apparent possession of enough political and financial clout, sufficient to run over a suppressed low-income rural community, should not be endorsed or tolerated by decision makers.

As usual, the significant and cumulatively considerable impacts to Jacumba, and its residents, from this 600 plus acre energy project are simply weasel-worded away while project labor benefits and energy are exported to those who don't have to live the reality of a huge ugly, noisy, and community and environment-altering behemoth surrounding their small town on three sides.

It is plain to see that the EQUITY IMPACT STATEMENT (EIS) *BLATANTLY DOES NOT APPLY TO THE UNWILLING HOST COMMUNITY*:

- Equity Impact Statement: *"The JVR Energy Park Major Use Permit (Project) will provide renewable energy to San Diego Community Power, a Community Choice Aggregation (CCA) program. CCAs create a powerful, nimble, and responsive opportunity to address community needs through clean energy access, local jobs and economic benefits, and healthier environments. Unlike investor-owned utilities, CCAs are governed by local public officials who are close to the communities they serve, allowing the CCA to guide their respective agency's formation, policies, procurement, and rate design with community priorities; prioritize equity and inclusion in a wide range of planning and policy decisions; and put policy into practice through programs to reduce energy- and transportation-related greenhouse gas emissions in the built environment and bring underrepresented community members into the energy workforce."*
- The EIS definition of "community" does NOT apply to Jacumba.
- The CCA does NOT represent Jacumba.
- Jacumba community needs, local jobs, economic benefits, and healthier environments are NOT met by JVR or the CCA.
- The CCA officials are NOT close to the Jacumba community.
- Alleged community priorities, equity, and inclusion do NOT apply to Jacumba.
- The unsupported claim that the Jacumba community will benefit from the JVR project or CCA actions is inherently false and should be recognized as such.

Board Letter / Overview for JVR Energy Park / Solar¹:

Aesthetics and Visual Resources:

- Admitting that 'Visual impacts of the solar facility remain significant and unavoidable' is an understatement.

¹ <https://bosagenda.sandiegocounty.gov/cob/cosd/cob/doc?id=0901127e80d69a7e>

- Converting currently quiet open space ag land and soul-soothing views with dense industrial solar, inverters, and batteries with noisy air conditioning and venting systems, is stress inducing and stress impacts health in a variety of ways.
- Demolishing the historic dairy farm buildings on the elevated hill and replacing them with industrial solar that cannot be mitigated with slatted fencing should NOT be allowed.
- The current appealing quality of the route through and around Jacumba will be lost. The sense of place and community character will be gone and won't be coming back.

Biological Resources:

- Biological impacts from these massive projects are always understated despite the cumulatively significant impacts to wildlife in the Jacumba, Boulevard, Ocotillo, and La Rumorosa area related to a disproportionate number and density of so-called green energy projects.
- Alleged mitigation is never enough when wildlife keeps getting cut off or scared off from historic habitat and condensed into ever smaller and smaller areas. It is simply not sustainable.

Wildfires:

- This section does not include potential for runaway battery fires at JVR project that can spark a wildfire in our drought prone High Severity Fire Hazard Zone that is predicted to get even hotter, drier, and more fire prone due to climate change. Numerous such battery storage fires have occurred in the last few years.
- ***The July 29, 2021 Tesla battery storage fire in a green area of Australia required 30 fire rigs and 150 firefighters over several days:***



- (excerpt) "...A toxic blaze at the site of Australia's largest Tesla battery project is set to burn throughout the night. The fire broke out during testing of a Tesla megapack at the Victorian Big Battery site near Geelong. A 13-tonne lithium battery was engulfed in flames, which then spread to an adjacent battery bank. More than 150 people from Fire Rescue Victoria and the Country Fire Authority responded to the blaze, which has been contained and will be closely monitored until it burns itself out."If we try and cool them down it just prolongs the process," the CFA's Assistant Chief Fire Officer Ian Beswicke said."But we could be here anywhere from 8 to 24 hours while we wait for it to burn down..."³

² ABC Screen Shot by Nick Hide/CNET <https://www.cnet.com/news/tesla-battery-fire-renewable-energy-plant-australia/>

³ <https://www.abc.net.au/news/2021-07-30/tesla-battery-fire-moorabool-geelong/100337488>

- A toxic smoke warning was issued.
- Where does the JVR project Fire Protection Plan and limited funding (\$500,000 onetime payment & \$ 30,000 annually) address or cover the potential for battery fires with toxic smoke so close to residents and the Anza Borrego Desert State Park?
- Has a viable evacuation plan been established?

Groundwater:

- Drawdown of groundwater levels in the Jacumba Valley can impact domestic wells that are located at higher elevations in or fractured rock aquifers.
- Domestic wells just west of Jacumba along Old Hwy 80 should be monitored for drawdown during and after construction, with permission from owners.

Jacumba Airport:

- According the FAA website, the FAA Obstruction Evaluation applications for JVR Solar project were not submitted until August 5, 2021: 2021-AWP-11934-OE through 2021-AWP-11958-OE.⁴
- The Campo Wind's 2019 FAA Obstruction Evaluation application (2019-WTW-4585-OE) is still not resolved after over two years and revocation of original approval due to errors.
- Who will actually require BayWa / JVR to produce evidence of any FAA determination of NO HAZARD prior to start of construction?
- It appears that the emergency landing zone ironically includes utility / power lines along Old Hwy 80.

Business Impact Statement:

- N/A?
- What about the new owners of the Jacumba Hot Springs Spa, and major part of the town, that have already invested hundreds of thousands of dollars if not millions, to date, with more in process?

Socioeconomic Impacts:

- As a designated Colonia, it is obvious that Jacumba should be recognized and treated as an Environmental Justice community, despite lack of formal designation.
- Formal EJ designation is justified but can only come too late, just like the long-delayed East County Multiple Species Conservation Plan. All the damage will be done before any help arrives.
- The developers should be required to identify the manufacturer and life cycle of the solar panels they will be using for the JVR project.
- The County should follow the example of the Silicon Valley Toxics Coalition (SVTC) to "Ensure that solar PV manufacturers are responsible for the lifecycle impacts of their products through Extended Producer Responsibility (EPR) and takeback programs."
- The SVTC 2018-2019 Solar Scorecard⁵ provides a rating for solar companies:

⁴ <https://oeaaa.faa.gov/oeaaa/external/searchAction.jsp>

⁵ <http://www.solarscorecard.com/2018-19/index.php>

- (excerpt-emphasis added) *“The Scorecard is a resource for consumers, institutional purchasers, investors, installers, and anyone who wants to purchase PV modules from responsible product stewards. The Scorecard reveals how companies perform on SVTC’s sustainability and social justice benchmarks to ensure that the PV manufacturers protect workers, communities, and the environment. The PV industry’s continued growth makes it critical to take action now to reduce the use of toxic chemicals, develop responsible recycling systems, and protect workers throughout global PV supply chains. Many PV companies want to produce truly clean and green energy systems and are taking steps to implement more sustainable practices. SVTC is committed to helping these companies achieve that goal. At the same time, we need to create and enforce policies that ensure the safety and improve environmental performance of the entire sector.”*
- Where will the JVR solar panels be manufactured, under what circumstances, will they be recycled or landfilled and where?

Major Use Permit Findings:

- The MUP Findings do NOT reduce impacts to less than significant as claimed. Many remain.
 - Significant Effect: Impact AE-10 –Requiring non-reflective surfaces does NOT reduce significant aesthetic impacts to less than significant.
 - Significant Effect: Impact AQ-1- mitigation does not address potential exposure to highly toxic battery fire smoke. Fires are allowed to burn out which can take days.
 - Significant Effect: Impact HAZ-1- does not address battery fires
 - Significant Effect: Impact NOI-1- we believe the noise impacts have been vastly underestimated for this quiet community, especially night-time noise impacts on the sleep of adjacent neighbors and wildlife.
 - Significant Effect: Impact WF-1 – does not address battery fires.
 - Significant Effect: Impact WF-2- does not address battery fires.
- **Statement of Overriding Considerations** simply admits that the project represents significant adverse impacts to a disproportionately impacted designated Colonia. And that decision makers are willing to sacrifice that community, the people, and their property. It is unconscionable.

Defense & Indemnification:

- Requiring the applicant to sign an agreement to cover up to \$750,000 of legal fees in the event the County is sued for approving this damaging project, negates any incentive for Supervisors to vote to deny the project based on the significant and cumulative impacts, as they should.
- Just one more example of the biased one-sided battle that rural low-income communities are forced to deal with through no fault of their own.

We have lost faith in our decision makers when it comes to protecting us from these massive commercial industrial energy projects being forced into our unwilling communities while indemnifying themselves against any legal challenges that may be brought forward at great expense to those who can manage to do so. Where is the fairness or equity in that?

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