Document 0008

July 14, 2004

Mrs. Ellen Russell
Fossil Energy, FE-27
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585-0350

RE: **Public Comments on the Imperial-Mexicali 230-kV Transmission Lines Draft Environmental Impact Statement**

Dear Mrs. Russell:

Please find enclosed comments on the Draft Environmental Impact Statement for the LRPC and TDM transmission lines. Thank you for the opportunity to comment on this important issue.

Sincerely,

Paul B. English, PhD, MPH

Public Comments from Paul English, PhD MPH on the Imperial-Mexicali 230-kV Transmission Lines Draft Environmental Impact Statement

I am an environmental epidemiologist, having worked in public health since 1984. I hold a master's degree in public health (University of California, Berkeley, 1985) and a Ph.D. in epidemiology (University of California, Berkeley, 1992). I have conducted research in asthma and air quality, among other environmental health problems, in the Imperial Valley since 1996. I am currently employed by the California Department of Health Services. I prepare these comments on my own behalf. The opinions contained herein are mine and not necessarily those of my employer.

I submitted a declaration in the case Border Power Plant Working Group v. Department of Energy dated June 16, 2003. The draft Environmental Impact Statement for the Imperial-Mexicali 230-kV Transmission Lines states that 24-hour concentrations of PM_{10} at a maximum receptor point in the United States resulting from emissions from TDM plus LRPC Export Turbines would be 2.45 ug/m3. (Section 4.4.4.4.2). This is adding pollutants in an area already out of state and federal air quality compliance for PM10. Imperial County, and the Salton Sea Air Basin in particular, do not meet the state or federal air quality standards for ozone or particulate matter less than 10 microns in diameter (PM_{10}) (CARB, 2002) . Between 1983 and 1994, age-adjusted childhood asthma hospitalization rates increased 59% in Imperial County. (English, et. al. 1998). 0008-1

Declaration of Paul Brian English, Ph.D., MPH; 02-cv-513-IEG(POR) 1

Exposure to particulate matter has been associated with an increase in cardio-pulmonary mortality and increased reports of asthmatic symptoms and respiratory illness. (Koren, 1995) (Pope and Dockery, 1999) Emergency room visits for asthma have been significantly associated with fine particulate matter air pollution on the previous day. (Schwartz et al. 1993).

The draft EIS states that "the operation of the TDM plant and the EBC and EAX export units at the LRPC plant would contribute at most a very small increase in the asthma problem or other air-quality related health problem." The 2.45 ug/m^3 is only slightly lower than the 3.0 ug/m^3 figure estimated in the Draft Environmental Assessment (EA) for the Baja California Power (BCP) and Sempra Energy Resources Cross-Border Transmission Lines (DOE/EA-1391). Based on the 3.0 ug/m^3 figure, I estimated in my June 2003 declaration that a 3.0 ug/m^3 increase in PM10 would result in an increase of 80 additional cases of asthma in the Calexico School District alone.(English, 2003) Even with the new figure of 2.45 ug/m^3, we could expect at least an additional 65 cases of asthma. Asthma is the leading cause of lost school days and of childhood hospitalizations in California. In the Imperial Valley, an area with poor health care access and high proportion of uninsured children, many children with asthma end up being hospitalized. This is a large burden on a low-income, minority population in terms of work missed, days of school missed, and increased cost of medication use.

0008-1 (cont.)

The Draft EIS states that since the projected level of 2.45 ug/m^3 is below the EPA significance levels they are of limited public health concern. However, this is adding an increased burden of PM in a population that is already in non-attainment for PM and suffering from the highest childhood asthma hospitalization rate in the State. According to the California Department of

Health Services, Imperial County had the highest age-adjusted asthma hospitalization rate for children aged 0-14 among all counties in the State of California for 1995-1997 (556 cases per 100,000 population compared to 216 cases per 100,000 for California) (CDHS, 2000). Each stay in the hospital costs the State $13,000. (CDHS, 2000). Since the linear relationship between PM and health is accepted as causal, with no threshold, even a small increase can have large public health effects. The EPA SL has been defined "to represent the incremental increase in ambient concentrations attributable to an emissions source below which the source would not be considered to cause or contribute to a violation of the applicable National Ambient Air Quality Standards" (Fontana, 2003). However, data analyzed in Calexico from 1994 to 2002 (English, 2003, Exhibit 1) shows that on eight occasions readings at Calexico PM_{10} monitors would be exceeding the 150 ug/m^3 standard when an additional 3 ug/m^3 is added. On these days the power plant emissions would be in fact contributing to a violation of the 24-hour PM_{10} federal air quality standard.

00081 (cont.)

REFERENCES

CARB, 2002. State and National Nonattainment Designations. California Air Quality Data, prepared by the California Air Resources Board, California Environmental Protection Agency, Sacramento, CA.

CDHS, 2000. California County Asthma Hospitalization Chart Book, prepared by the Environmental Health Investigations Branch, California Department of Health Services, Oakland, CA.

English, PB; Von Behren, J; Harnly M; Neutra R., 1998. Childhood asthma along the United States/Mexico border: hospitalisations and air quality in two California counties. Pan American Journal of Public Health (3):6, p. 392-399.

English PB. 2003. Supplemental declaration of Paul Brian English, PhD, in support of plaintiff's request for permanent relief. Border Power Plant Working Group v. Department of Energy. United States District Court. Southern District of California.

Fontana PH. 2003. Supplemental declaration of Perry H. Fontana, QEP, in rebuttal to declarations submitted by plaintiff in support of its request for relief. Border Power Plant Working Group v. Department of Energy. United States District Court. Southern District of California.

Koren, HS, 1995. Associations between criteria air pollutants and asthma. Environmental Health Perspectives Supplements 103 (6): p.235.

Pope, CD, and Dockery, DW, 1999. Epidemiology of Particle Effects. *In*: Air Pollution and Health. Holgate, S; Samet, J; Koren, J; and Maynard, RL, eds. Academic Press, London.

Schwartz J; Slater D; Larson T, Pierson W, and Koenig J. 1993. Particulate air pollution and hospital emergency room visits for asthma in Seattle. Am Rev Respir Dis 147 : 826-831.

Document 0009

Comments to Draft EIS Prepared by the DOE on the Imperial-Mexicali 230-kV Transmission Lines

By Kimberly Collins
July 14, 2004
Calexico, California

I am here as a resident and taxpayer of Imperial County. I think it is important to first give a reminder to all those on the federal payroll right now – the taxpayers of Imperial County also contributed to the preparation of this report through their tax dollars.

1. I'm not surprised by the findings of the report – it contains the same, old and tired way of thinking by the U.S. federal government bureaucracy in not recognizing the U.S.-Mexican border as a region in which air, water, health issues, and economies are shared. This is clearly seen in the report on page S-4 in that the map does not really extend into Mexico and is not to scale on the Mexican side. This portrays the sentiment that here we are on the U.S. side and we are not so sure what is happening on the Mexican side except that there are these plants and wastewater treatment plant located approximately in this location. 0009-1

Air and water don't follow the political boundaries of governments – they follow the natural flow of the earth. The EIS must conduct a binational and regional analysis—to do otherwise is a half completed job that does not address the real situation.

2. I find it ironic that this review is occurring during the year of the 10th anniversary of NAFTA and really shows that the border region has become the doormat of NAFTA. It is a place to scrape your boots and pass through collecting monies that are sent to Washington–not a place to worry about human health problems, environmental degradation, or future development of the region. Ten years ago it was hoped by some that if NAFTA was passed and free trade in the Americas became a reality, the border would get much needed attention and funding. This clearly is not happening as seen by the results of this report. Instead of providing investment and infrastructure to begin sustainable development in the region, new projects that contaminate the area are being embraced. 0009-2

3. Public interest on page S-7 needs to be defined. There is a huge difference between the public interest regarding the environment and human health impacts and that of the current reliability of U.S. electric power. It is not and I repeat not in the public interest of Imperial County residents to have these two power plants. The following illustrate this point further: 0009-3

Socioeconomic impacts – Section 5.4.10
The costs to the local economy—which are not addressed sufficiently or appropriately by the Draft EIS—will exceed any benefits that might possibly be derived (such as property taxes). The local economic costs will include lost economic development opportunities as large companies are leery to come to areas that have high amounts of 0009-4

pollution. There will also be public health costs that will be incurred by local governments to care for low income residents, especially uninsured children. There will also be costs to production to local businesses and individuals with sick days – be it a worker who is sick with respiratory illnesses and needs to take a day off to visit with the doctor or for the worker with a sick child with asthma or a respiratory illness. These are just a limited example of possible costs that were not included in the draft EIS. I'm sure if someone did an actual analysis they might find more. 0009-4 (cont.)

Human Health – Section 5.4.11
The human health issues are not addressed in the Draft EIS. The Imperial-Mexicali valleys are already non-attainment areas. There are already severe levels of asthma and respiratory illnesses in the community. I would actually hypothesis that there have already been additional human health impacts by these power plants just from the short time they have been running. I base this on two factors. The first is that with an already stressed environment and human health system, additional pollutants to the system, even at a small level, could tip the scales and push health of local residents into dangerous levels. By talking to my coworkers at my place of work, I along with them have experienced chronic respiratory infections over the last eight months. I literally have been sick for months now. If a stringent analysis was actually conducted on the health of residents in the region – I'm sure you would find that there has been an impact from the power plants. 0009-5

Minority and Low-Income Populations – Section 5.4.12
The environmental justice issues are not sufficiently answered. Imperial County is 73% Hispanic; the education rates are half the state average; the unemployment rates are 3 times the state averages. The unemployment rates on page 3-97 are incorrect in Table 3.9-2. I can assure you that the unemployment rate in the Imperial County was not 4.9% in 2003—it was over 23%. Last month the unemployment rate was over 18%. The Draft EIS must go back and appropriately address the environmental justice aspects of the power plants and the related transmission lines. 0009-6

4. The issues outside the Scope of the EIS – Section 1.3.2
This federal action does affect the global commons. Power plants are known to contribute to global warming. These plants are also impacting a binational region. It is impossible to only recognize the transmission lines and not consider the power plants – they function together. Without the power plants, there would be no need for the transmission lines. 0009-7

5. Finally, this report tells the residents/taxpayers of Imperial County and Mexicali that there will be impacts to our environment and health but that our public interest does not matter to the DOE because we are a poor, disenfranchised people—if that does not scream environmental justice than I don't know what does. 0009-8

Thank you for your time and consideration of these remarks. I will send you by email these comments in the next couple of days.

Document 0010

Iniciativa de Aire Limpio

July 08, 2004

Mrs. Ellen Russell
Fossil Energy, FE-27
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585-0350

From: Vivian Perez, Clean Air Initiative Coordinator

Re: Comments on Draft Environmental Impact Statement for Baja California Power (BCP) and Sempra Energy Resources (SER) Transmission Lines

Dear Ellen:

The Clean Air Initiative members of Imperial County and Mexicali would like to submit these comments regarding the draft EIS. There are three issues of primary importance that should be addressed in the EIS: 1) inappropriate application of Prevention of Significant Deterioration (PSD) increment analysis and Significant Impact Levels (SIL) used by DOE to justify a claim of no significant air quality impact as a result of the project, 2) evidence given under oath by the defendants showing there is no reduction in total dissolved solids across the power plant wastewater treatment plants, and 3) modifying the existing wet cooling system at each plant to a parallel wet-dry cooling system to reduce water use by at least 90 percent while resulting in no efficiency penalty on hot days. All of these issues are completely ignored in the draft EIS. 0010-1 0010-2 0010-3

The members of the Clean Air Initiative are asking the DOE to revisit the EIS and not take it lightly. The greatest concern the CAI has is the adverse impact these power plants have on the air quality and health of residents in Mexicali and Imperial County. Power plants are a major source of air pollution impacting the border region. Just last year alone, almost 4000 hospital visits were from children with asthma in Imperial County. This does not include adults or other pulmonary diseases nor does it include the alarming increase of pulmonary diseases in Mexicali. 0010-4

P.O. Box 977
El Centro, CA 92244
Tel. 760-356-5656
Fax 760-353-8109

Improving the air quality and health of citizens in Imperial County and the Mexicali border region through education, advocacy, and support.

Coordinated by: American Lung Association of San Diego and Imperial Counties

Funded by: The California Endowment

The Clean Air Initiative includes representatives of health, governmental, and environmental organizations from both sides of the border, as well as interested individuals. Its mission is to improve the air quality and health in the Imperial and Mexicali bi-national region through education, advocacy, and support. The Initiative is funded by The California Endowment.

Thank you for this opportunity to comment on the draft EIS for the BCP and SER transmission lines. Should you have any questions, please feel free to contact me at 760-356-5656.

Sincerely,

Vivian Perez
Clean Air Initiative Coordinator

Document 0011

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Michael J. Welch, M.D.
Chair

Janie Davis
President/CEO

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July 9, 2004

Mrs. Ellen Russell
Fossil Energy, FE-27
U.S. Department of Energy
1000 Independence Avenue, SW
Washington, DC 20585-0350

RE: Comments for the draft EIS for the BCP and SER transmission lines.

Dear Ellen:

On behalf of the American Lung Association of San Diego & Imperial Counties I would like to make you aware that our organization has serious concerns about the ability of the border power plants and related transmission process to further worsen unhealthful air quality in the Imperial and Mexicali border region. The American Lung Association works with children with asthma in Imperial County through the Open Airways Program to help them learn how to better manage their asthma. Imperial County has the highest asthma hospitalization rates for children 14 years of age and younger compared to any other county in California. Ozone and particulate air pollution as well as poor asthma control are all contributing to these higher asthma rates.

Imperial County has a history of having high particulate matter levels, often exceeding Federal and State clean air standards. Because unhealthful air pollution already exists, the American Lung Association of San Diego & Imperial Counties would like to point out that power plants are a major source of air pollution impacting the border region. Therefore, the following issues should be addressed in the Environmental Impact Statement (EIS): 1) inappropriate application of Prevention of Significant Deterioration increment analysis and Significant Impact Levels used by DOE to justify a claim of no significant air quality impact as a result of the project; 0011-1 2) evidence given under oath by the defendants showing there is no reduction in total dissolved solids across the power plant wastewater treatment plants; 0011-2 3) modifying the existing wet cooling system at each plant to a parallel wet-dry cooling system to reduce water use by at least 90 percent while resulting in no efficiency penalty on hot days. 0011-3

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Mrs. Ellen Russell
Fossil Energy, FE-27
U.S. Department of Energy
American Lung Association
EIS Comment Letter
Page 2

The greatest concern that the American Lung Association has is the adverse impact these power plants will have on the air quality and health of residents in Imperial County and our neighbors in Mexicali. A recent survey completed with 300 border families by the Association and Clean Air Initiative Coalition found that many families on both sides of the border reported that at least one family member has asthma or problems breathing.

It is very important that the best available air pollution controls be required on these power plants and that air monitoring be done regularly to determine if emissions from the plants are meeting air quality requirements. Further, because the plants will be the source for transmission of power, any accurate environmental assessment of the environmental or health impacts must include an analysis from the plants themselves in combination with the transmission of power process. 0011-4

Thank you for this opportunity to comment on the draft EIS for the BCP and SER transmission lines. Please feel free to contact me if you have any questions at (760) 356-5656 Ext. 2.

Respectfully,

Lucy Hernandez
Open Airways and Clean Air Coordinator

Document 0012

07/14/2004 00:07 7602027270 FRNDS OF B GARCIA PAGE 03

Assembly
California Legislature

Assemblywoman Bonnie Garcia
Representing the 80th Assembly District

"Working Together We Can Accomplish Great Things"

"Trabajando Juntos Tendremos Grandes Resultados"

STATEMENT BY ASSEMBLYWOMAN BONNIE GARCIA

DEPARTMENT OF ENERGY HEARING—JULY 14, 2004

The residents of the Imperial Valley and Mexicali are separated by nothing more than a political line in the sand and sometimes a metal fence, yet they share much more, including a common history, culture, and environment. It is the environment, however, that often draws the most attention, with water, air, and energy issues being discussed in many different circles and at all levels of government. It is this combination that brings us here today.

The Department of Energy hearings being held in El Centro and Calexico are the result of a legal action. A federal court determined the government overstepped its bounds in allowing the construction of transmission lines through Imperial County without following the proper procedures. These transmission lines provide the state with power from American-owned plants in Baja California.

Absent from the process for permitting the construction of these lines was the voice of the local community.

Now that we have been provided the opportunity, I encourage residents, representatives of local governments and private industry in Imperial County to voice their opinions about this issue. As a member of the Assembly Select Committee on Air and Water Quality, I hold a special interest in ensuring the voice of residents in this county, where the hospitalization rate for children with asthma is more than twice the state average, is heard. 0012-1

With its tremendous economic and population growth, California has flirted with an energy crisis for several years. Despite efforts to develop green and renewable energy sources within the state, we continue to have a demand that exceeds supply, forcing us to purchase power from outside our borders. While this is not the desired solution to our sustainability, it is necessary to keep California functioning in the coming years.

Merely recognizing the situation in which we find ourselves does not permit us to compromise the health of our residents and neighbors. Private industry is constantly asked to be a responsible citizen, government must do the same as a steward of the people's trust.

Document 0013

State of California - The Resources Agency ARNOLD SCHWARZENEGGER, Governor
DEPARTMENT OF FISH AND GAME
Eastern Sierra/Inland Deserts Region
78078 Country Club Dr., Ste. 109
Bermuda Dunes, CA 92203

June 28, 2004

Mrs. Ellen Russell
Office of Electric Power Regulation
Office of Fossil Energy
1000 Independence Avenue, SW
Washington D.C. 20585-0301

Dear Mrs. Russell,

The Department has reviewed the Draft Environmental Impact Statement (DEIS) for the Imperial-Mexicali 230-KV Transmission Lines. The project includes the construction of a double circuit, 230 kV transmission line extending from the existing IV Substation south approximately six miles to the U.S.-Mexico border, where each line would connect with a corresponding transmission line in Mexico. The proposed transmission lines would be located in the Yuha Basin in the Colorado Desert in the southwestern portion of Imperial County, California, about 10-12 miles southwest of the city of El Centro.

The project has the potential to impact the western burrowing owl (*Athene cunicularia)*, a California Species of Special Concern. The Department recommends that focused burrowing owl surveys be conducted on the project site to determine how many occupied owl burrows will be impacted. Any burrows that cannot be avoided should be mitigated at a 2:1 ratio with artificial burrows located in an adjacent protected area that provides a minimum 6.5 acres per pair or solitary owl. 0013-1

In addition, the project area is located within flat-tailed horned lizard (*Phrynosoma mcallii*) habitat and the project has the potential to impact flat-tailed horned lizards, A California Species of Special Concern. The Department recommends that the project proponents mitigate for impacts as described starting on page 58 in the "Flat-Tailed Horned Lizard Rangewide Management Strategy, 2003 revision" (enclosed). 0013-2

The Department opposes the elimination of watercourses and/or their channelization or conversion to subsurface drains. All wetlands and watercourses, whether intermittent or perennial, must be retained and provided with substantial setbacks which preserve the riparian and aquatic values and maintain their value to on-site and off-site wildlife populations. 0013-3

Conserving California's Wildlife Since 1870

a. The Department has direct authority under Fish and Game code § 1600 et seq. In regard to any proposed activity which would divert, obstruct, or affect the natural flow or change the bed, channel, or bank of any river, stream, or lake.

b. A discussion of potential adverse impacts from any increased runoff, sedimentation, soil erosion, and/or pollutants on streams and watercourses on or near the project site, with mitigation measures proposed to alleviate such impacts must be included.

c. The Department is in the process of complying with a writ of mandate issued by the Superior Court of California (Mendocino Environmental Center vs California Department of Fish and Game, Respondents, Bruce Choder, River Rat Salvage, et. al. Real Parties). The writ of mandate states:

> A writ of mandate shall issue ordering the California Department of Fish and Game on or before May 1, 1999, to prepare and implement a program or process that will incorporate a CEQA review into the Fish and Game Section 1603 process. The writ of mandate shall further order the California Department of Fish and Game to cease and desist entering into Section 1603 agreements after May 1, 1999, unless such agreements have been subject to a CEQA review. 0013-3 (cont.)

The writ of mandate clearly spells out what the Department's responsibilities are under CEQA with respect to all SAA's. In this regard, the Department is emphasizing in comment letters on projects that impacts to lakes or streambeds, alternatives and mitigation measures must be addressed in CEQA-certified documents prior to submittal of an application of a SAA. Any information which is supplied to the Department after the CEQA process is complete will not have been subject to the public review requirements of CEQA. In this instance, the Department has three choices: 1) refuse to issue the SAA; 2) not file the Notification because CEQA has not been complied with and return the package to the lead agency for further CEQA action; or 3) become the lead agency.

In order for the Department to process a SAA agreement, the CEQA-certified documents must include an analysis of the impacts of the proposed project on the lake or streambed, an analysis of the biological resources present on the site, copies of biological studies conducted on the site, biological survey methodology, and a discussion of any alternative measures, avoidance measures, mitigation measures which will reduce the impacts of the proposed development to a level of insignificance.

Thank you for the opportunity to comment on this document. If you have any questions please contact Mr. Eddy Konno, Associate Biologist at (760) 200-9174.

Sincerely,

Kimberly Nicol
Staff Environmental Scientist
Eastern Sierra/Inland Deserts Region

Document 0014

STATE OF CALIFORNIA—BUSINESS, TRANSPORTATION AND HOUSING AGENCY ARNOLD SCHWARZENEGGER, Governor

DEPARTMENT OF TRANSPORTATION
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Flex your power!
Be energy efficient!

July 30, 2004

11-SD-098
PM var. (~19)

Ms. Ellen Russell
U.S. Department of Energy
1000 Independence Ave., SW
Washington, DC 20585

RE: **Imperial – Mexicali 230-kV Transmission Lines – Draft EIS (SCH 2004054003)**

Dear Ms. Russell:

The California Department of Transportation (Department) appreciates the opportunity to review the Draft Environmental Impact Statement (EIS) for the Imperial – Mexicali 230-kV Transmission Lines, proposed to cross State Route 98 (SR-98) in Imperial County. We have the following comments, which are basically reiterated from our October 5, 2001 letter (attached).

Although the segment of SR-98 being crossed is not a designated state scenic highway, and the project did receive a low sensitivity rating (Visual Resource Inventory Class III), a degree of visual clutter would occur. Mitigation should be considered for the travelling public, such as reduction of shiny reflective surfaces on power poles of towers and/or surface treatments which help to blend these features with desert background colors. 0014-1

Any activity that may involve access, storage, staging, or other activities occurring within the SR-98 Right of Way (R/W) will require an encroachment permit. These specific activities and all related impacts should be discussed and addressed within the project's environmental document. The developer is responsible for quantifying the environmental impacts of the improvements (project level analysis) and completing all appropriate mitigation measures for the impacts. The indirect effects of any mitigation within Department R/W must also be addressed. The developer will be responsible for procuring any necessary permits or approvals from regulatory or resource agencies for the improvements. Additional information regarding encroachment permits may be obtained by contacting the Department's Permits Office at (619) 688-6158. Early coordination is strongly advised for all encroachment permits. 0014-2

Thank you for the opportunity to review this draft document. For specific questions regarding visual impacts, please contact Larry Fagot, Landscape Architecture, at (619) 688-6092. If you have general questions on the Department's comments, please contact Brent McDonald at (619) 688-6819. We look forward to reviewing the final EIS.

Sincerely,

for MARIO H. ORSO, Chief
Development Review Branch

"Caltrans improves mobility across California"

Document 0014, Attachment

STATE OF CALIFORNIA - BUSINESS, TRANSPORTATION AND HOUSING AGENCY

GRAY DAVIS, Governor

DEPARTMENT OF TRANSPORTATION
DISTRICT 11, P.O. BOX 85406, MAIL STATION 50, SAN DIEGO, 92186-5406
Telephone: (619) 688-6954
Fax: (619) 688-4299

October 5, 2001

11-IMP-098
PM 19
(K.P. 30)

Mr. Nicholas Sher
California Public Utilities Commission
505 Van Ness Avenue
San Francisco,CA 94102

Dear Mr. Sher:

Environmental Assessment for Baja California Power and Sempra Energy Resources – SCH 2001094005

Thank you for the opportunity to review the EA for this project. The California Department of Transportation (Department) comments are as follows:

- The power lines cross over State Route 98 (SR-98). Although the project received a low sensitivity rating and is classified in the Visual Resource Inventory Class III, a degree of visual clutter occurs as seen in figures 4.7.4 and 4.7.5. Mitigation should be considered for the travelling public. Recommended mitigation may include the reduction of shiny reflective surfaces on power poles or towers, and surface treatments that help blend these features with desert background colors. These measures should reduce the visual impact caused by the project.
- Any work performed within the Department right of way will require an encroachment permit. For those portions of the project within Department right of way, the permit application must be stated in both English and Metric units (English first, with Metric in parentheses). Information regarding encroachment permits may be obtained by contacting our Permits Office at (619) 688-6158. Early coordination with our agency is strongly advised for all encroachment permits.
- As part of the encroachment permit process, the applicant must provide appropriate environmental approval (both NEPA and CEQA) for potential environmental impacts within the Department right of way. The applicant is responsible for quantifying the environmental impacts of the improvements (project level analysis) and completing appropriate mitigation measures for the impacts. The applicant will also be responsible for procuring any necessary permits or approvals from the regulatory and resource agencies for the improvements within the Department right of way.

Our contact person for SR-98 is Henry Morris, Route Manager, at (619) 688-6881.

Sincerely,

BILL FIGGE, Chief
Development Review and Public Transportation Branch

Document 0015

SANDAG

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July 23, 2004

Dr. Ellen Russell
NEPA Document Manager
Office of Fossil Energy
U. S. Department of Energy
Washington, D.C. 20585

Re: DOE/EIS-0365

MEMBER AGENCIES
Cities of
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La Mesa
Lemon Grove
National City
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Poway
San Diego
San Marcos
Santee
Solana Beach
Vista
and
County of San Diego

ADVISORY MEMBERS
California Department of Transportation
Metropolitan Transit System
North San Diego County Transit Development Board
United States Department of Defense
San Diego Unified Port District
San Diego County Water Authority
Baja California/Mexico

Dear Dr. Russell:

The San Diego Association of Governments (SANDAG) has been committed to discussing and promoting energy opportunities and initiatives in the binational region since 1999. The Border Energy Issues Group (BEIG) is a binational forum facilitated by the SANDAG's Borders Committee to promote open dialogue between sector leaders from the United States and Mexico with the goal of recommending strategies to address energy infrastructure and supply needs as well as the efficient and environmentally-sound production and use of energy resources in the California Baja California region.

We appreciate the opportunity to comment on the Draft EIS for the transboundary power lines in California and Baja California. We have read the health impact assessment and were concerned to discover that the area of influence considered in the analysis did not appear to include populations in Mexico. As a binational group encouraging a binational approach to border energy issues we would suggest that the analysis be based on an air basin approach without regard to political boundaries. 0015-1

The Mexican members of our group have assured us that health impact assessments do exist in this case, therefore we urge you to be proactive and incorporate these studies into your analysis. We would suggest that the pursuit of a transboundary environmental assessment protocol in the U.S.-Mexico border region for major energy projects, such as this, would be more beneficial to the health and wellbeing of our entire border community.

Sincerely,

CRYSTAL CRAWFORD
Chair, Borders Committee

CC/JCL/lg