

3.11 LAND USE AND PLANNING

This section addresses the effects on land use and planning that could be caused by the proposed Tule Wind Project. The following discussion describes the existing environmental setting in the surrounding area, the existing land use classifications for the project area, and analyzes the requirements and potential impacts that may result from the construction, operation, maintenance, and decommissioning of the proposed project and alternatives.

3.11.1 Affected Environment/Environmental Setting

The project area is located in the eastern portion of San Diego County, approximately 50 miles east of City of San Diego, 90 miles west of Arizona, and north of the community of Boulevard. The area is accessible via Interstate 8 (I-8), State Route 94 (SR-94) and Ribbonwood Road junction, and McCain Valley Road off of Old Highway 80. The majority of the project area lies in the McCain Valley Resource Conservation Area and Land Cooperative, in the In-Ko-Pah Mountains adjacent to the Tecate Divide, south of the Cleveland National Forest. The topography of the area is gently-to-moderately sloping with an elevation ranging between about 3,600 and 5,600 feet above mean sea level (AMSL). The project vicinity is shown in Section 2.0, Project Actions and Alternatives, **Figure 2.0-1**.

The project area contains lands administered by the Bureau of Land Management (BLM), the Ewiiapaayp Reservation, the Campo and Manzanita Reservations (for access only), the California State Lands Commission (CSLC), and privately-owned parcels under the jurisdiction of the County of San Diego.

Existing Land Uses

The existing land uses in the area are characterized by large lot ranches and single family homes, and a very low-density population with total dependence on groundwater. Small-scale agriculture operations are scattered throughout the surrounding area, typically dry land farming or grazing. Topography, however, is the primary limiting factor for agriculture, with the area's steep, rocky terrain.

The project area is also within the BLM's Recreational Management Zones. The McCain Valley Recreation Management Zone, managed by the BLM, includes Lark Canyon and Cottonwood Campgrounds which supports multi-recreational activities including hiking, off-highway vehicles (OHV) and equestrian trail opportunities. Cottonwood Campground is a year-round facility with 25 developed campsites. Fire rings, tables, and vault toilets are found in the campground. Horses are allowed only in the east loop of Cottonwood Campground. No group camping sites are available. No OHV use is permitted in Cottonwood Campground or on McCain Valley Road.

Located at the junction of McCain Valley Road and the road to Sacatone Overlook, Lark Canyon Campground is a year-round facility with 15 developed campsites. Fire rings, tables, water (not tested safe for drinking), and six vault toilets are found in the campground. Group camping sites are available and located on McCain Valley Road, approximately 4 miles from Old Highway 80.

A portion of the project area is currently within the McCain Valley Grazing Allotment and currently utilized for cattle grazing. However, according to Management Action LGM-02 of the BLM Eastern San Diego County Resource Management Plan (RMP), public lands will no longer be available for livestock grazing within all allotments.

Neighboring Land Uses

The landscape surrounding the project area is predominantly open space with steep slopes, ridges and heavy rock outcroppings within state parks and tribal and BLM lands. The area includes the Cuyamaca Rancho State Park to the west, Anza-Borrego Desert State Park to the east, BLM lands to the north, and private property to the south of the project.

The surrounding land uses consist of the Manzanita, La Posta, and Campo Reservations to the west and southwest of the project area. Land uses to the north, east and west of the project are primarily agriculture and park land. The community of Boulevard is located south of the I-8 freeway, and is designated with the following land uses: General Commercial, Service Commercial, Multiple Rural Use 1 dwelling unit (du)/4,8,20, and Residential 1 du/1,2,4 acres, Residential 7.3 du/acre, Residential 10.9 du/acre.

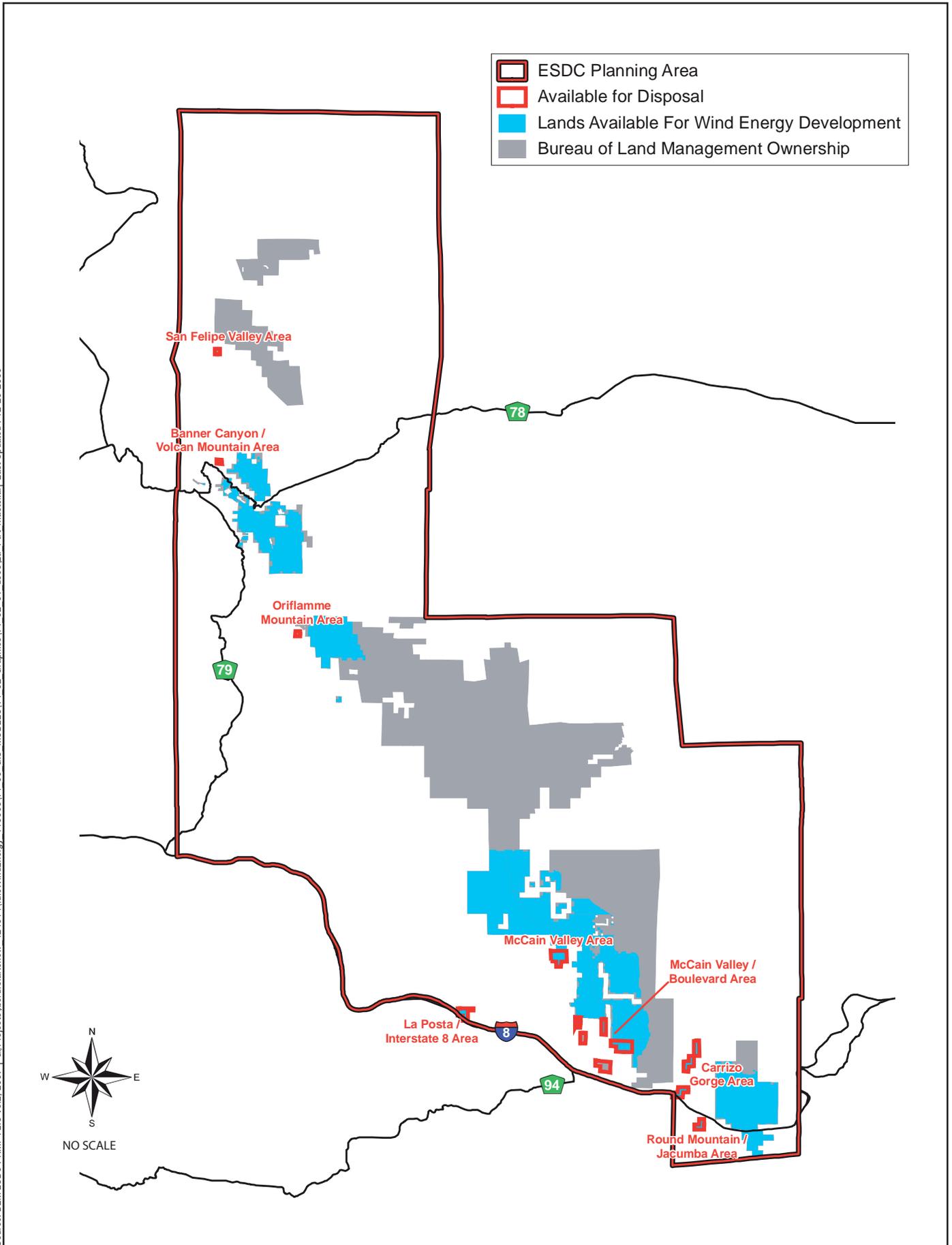
BLM Land Use Classifications

Eastern San Diego County Resource Management Plan and Record of Decision

The Eastern San Diego County Resource Management Plan and Record of Decision (RMP/ROD) documents establishes where and how BLM plans to administer the public lands under its jurisdiction within the Eastern San Diego County Planning Area. On May 18, 2001, Executive Order (EO) 13212, *Actions to Expedite Energy-Related Projects*, established a policy that federal agencies should take appropriate actions, to the extent consistent with applicable law, to expedite projects to increase the production, transmission, or conservation of energy. Also in 2001, the National Energy Policy Development Group recommended to the President, as part of the *National Energy Policy Report*, that the Departments of the Interior, Energy, Agriculture, and Defense work together to increase renewable energy production (NEPDG 2001). In 2005, Congress set forth a renewable energy goal of at least 10,000 megawatts (MW) of renewable energy projects located on public lands by 2015. In pursuit of national renewable energy generation goals, and in response to rising public demands for renewable energy development, the BLM made updated its existing RMP for public lands in Eastern San Diego County to adequately respond to the national goals and directives regarding renewable energy development on public lands. The land use plan revisions made to the Eastern San Diego County RMP and associated Programmatic Environmental Impact Statement (PEIS) addressed the environmental and public concerns associated with commercial wind energy development in the project area, among other issues. These revisions also provided an opportunity to potentially reduce the amount of additional environmental review and documentation required to process specific applications in the future.

The BLM ultimately changed the plan to: (1) modify renewable energy (e.g., wind) and geothermal-related proposals and (2) clarify and modify Visual Resource Management (VRM) proposals and classifications. Specifically, the BLM designated McCain Valley East (3,635 acres outside of Areas of Critical Environmental Concern (ACECs) and Wilderness Study Areas (WSAs) and McCain Valley West (8,560 acres) as VRM Class IV. The BLM has determined that the high-quality wind resources in McCain Valley and its proximity to the existing utility corridor make it a logical area to focus wind energy development, and therefore warranted a change in the VRM Class in that location.

Source: BLM ESDC PRMP FEIS Vol2, 2007 | G:\Projects\IberdrolaRenew_424914\TuleWindEnergy_11596514_00_GIS_MODELS\14_02_Graphics\14_02_01_docs\Ltr_Pirtt_master.ai | Last Updated: 12-23-2009



BLM Areas Available for Wind Energy Development
FIGURE 3.11-1

The portions of the project area on BLM lands are within McCain Valley and classified by the BLM as a VRM Class IV area and “Available for Wind Energy Development.” Class IV areas, as defined in the RMP/ROD, is “to provide for management activities that require major modification of the existing character of the landscape. The level of change to the characteristic landscape can be high.” The areas identified by the BLM as being available for wind energy development are presented in **Figure 3.11-1**.

County of San Diego Land Use Classifications

General Plan (1979)

The General Plan identifies the project area as located within the County of San Diego Mountain Empire Community Planning Area (CPA). The County of San Diego Regional land use category for the project area is Rural Development Area (RDA). The General Plan designations for the project area are: General Agriculture 1 du/10, 40 acres; Multiple Rural Use 1 du/4, 8, 20 acres; National Forest and State Parks; Public/Semi-Public Lands; and Tribal Lands, as shown in **Figure 3.11-2**, County of San Diego General Plan (Existing). As mentioned previously, the majority of the project area is outside the land use jurisdiction of the County of San Diego; however, the portions of the project area that are under County land use jurisdiction are designated General Agriculture and Multiple Rural Use. The land use categories are further described as follows:

General Agriculture. This designation is applied to areas where agricultural use is encouraged, protected and facilitated. This designation is intended to facilitate agricultural use as the dominant land use. Uses supportive of and/or compatible with agriculture, including low density residential, are also permitted.

Multiple Rural Use. This Designation is applied in areas with one or more of the following characteristics: not highly suited for intensive agriculture; rugged terrain; watershed; desert lands; lands susceptible to fires and erosion; lands which rely on groundwater for water supply; and other environmentally constrained areas. The Multiple Rural Use Designation is typically, but not necessarily exclusively, applied in remote areas to broad expanses of rural land with overall low population density and with an absence of most public services.

National Forest and State Parks. The National Forest and State Parks designation indicates the planned boundaries and major land-holdings of the Cuyamaca Rancho State Park and Anza-Borrego State Park.

Public/Semi-Public Lands. This designation indicates lands generally owned by public agencies. This designation includes military bases, Indian Reservations, cemeteries, solid waste facilities, institutions, public parks including regional parks, County airports, and other public and semi-public ownership.

Tribal Lands. The County has no land use jurisdiction over Indian Reservations and federally owned public lands. The applied land use designation for such land is not operational unless any such land is transferred to private ownership in the case of federally owned public lands, or is no longer designated as Indian Reservation Land by an Act of Congress in the case of Indian Reservations.

Draft General Plan (2009-Not Yet Adopted)

Currently, the County of San Diego is in the process of updating the General Plan. The adoption date for the Draft General Plan is unknown at this time. The Draft General Plan redistributes land use designations within unincorporated portions of San Diego County, including, the project area. Under the Draft General Plan, the Rural Lands designation will replace the Multiple Rural Use designation, and Open Space-

Conservation will replace the General Agriculture designation. Due to the areas dependency on groundwater resources, the land use designations dwelling unit ratio to acreage has been increased to limit the amount of land subdivision, and thus future development. The new land use designations per the Draft General Plan 2009 are shown in **Figure 3.11-3** and are further described below.

The regional land use category for the project area is proposed to be changed to “Rural Lands.” The Rural Lands regional land use category is applied to large open space and very low density private and publicly owned lands that provide for agriculture, managed resource production, conservation, and recreation and thereby retain the rural character for which much of unincorporated County is known. Rural areas are not considered appropriate for intensive residential or commercial uses due to significant topographical or environmental constraints, limited access, and the lack of public services or facilities.

Rural Lands. This category includes four residential land use designations. The densities provided by these designations are the lowest in the unincorporated County—ranging from one dwelling unit per 20 gross acres, to one dwelling unit per 160 gross acres—and are intended to reflect and preserve the rural agricultural, environmentally constrained, and natural “backcountry” areas of the County.

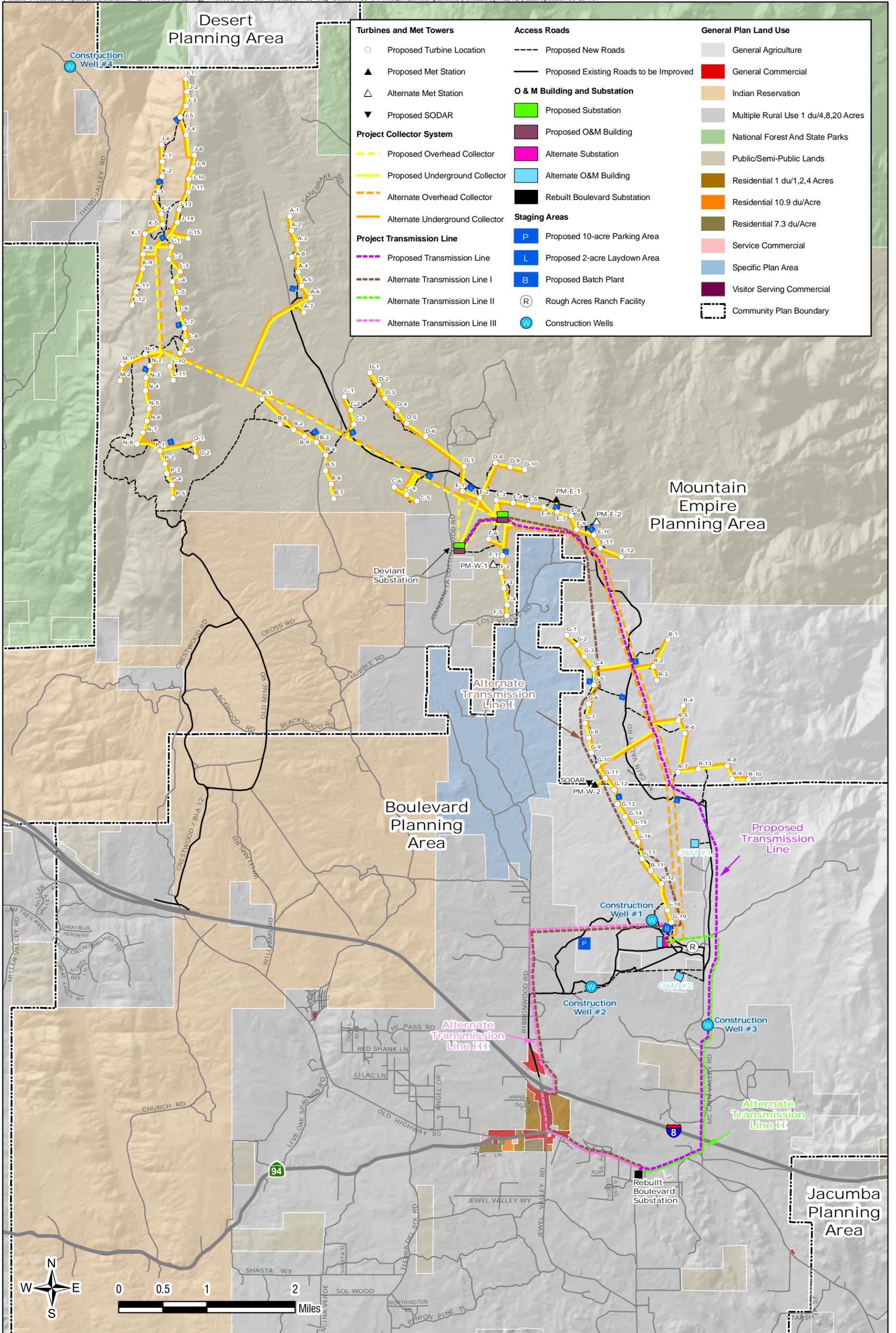
Open Space Conservation. This designation is primarily applied to large tracts of undeveloped land (usually dedicated to open space), that are owned by a jurisdiction, public agency, or conservancy group. Allowed uses include habitat preserves, passive recreation, and reservoirs. Grazing and other uses or structures ancillary to the primary open space use may be permitted if they do not substantially diminish protected resources or alter the character of the area. Such ancillary uses within this designation will typically be controlled by use permit limitations.

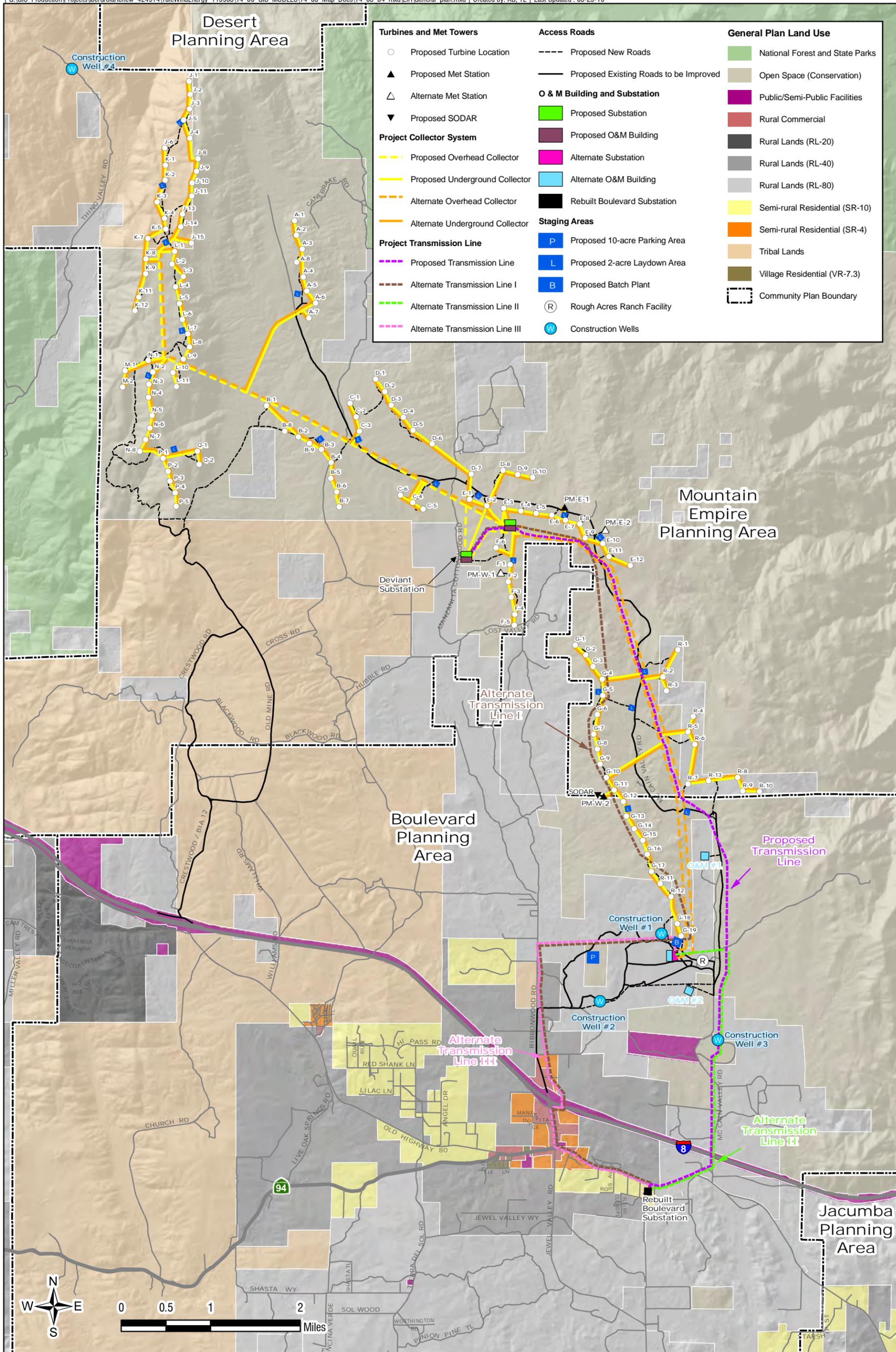
Zoning

According to the County of San Diego Zoning Ordinance, the project area is currently zoned General Agriculture (A72), Open Space (S80), and General Rural (S92), as shown in **Figure 3.11-4**, County of San Diego Zoning. These Use Regulations are further described as follows:

The A72 Use Regulations are intended to create and preserve areas for the raising of crops and animals. Processing of products produced or raised on the premises would be permitted as would certain commercial activities associated with crop and animal-raising. Typically, the A72 Use Regulations would be applied to areas distant from large urban centers where the dust, odor, and noise of agricultural operations would not interfere with urban uses, and where urban development would not encroach on agricultural uses.

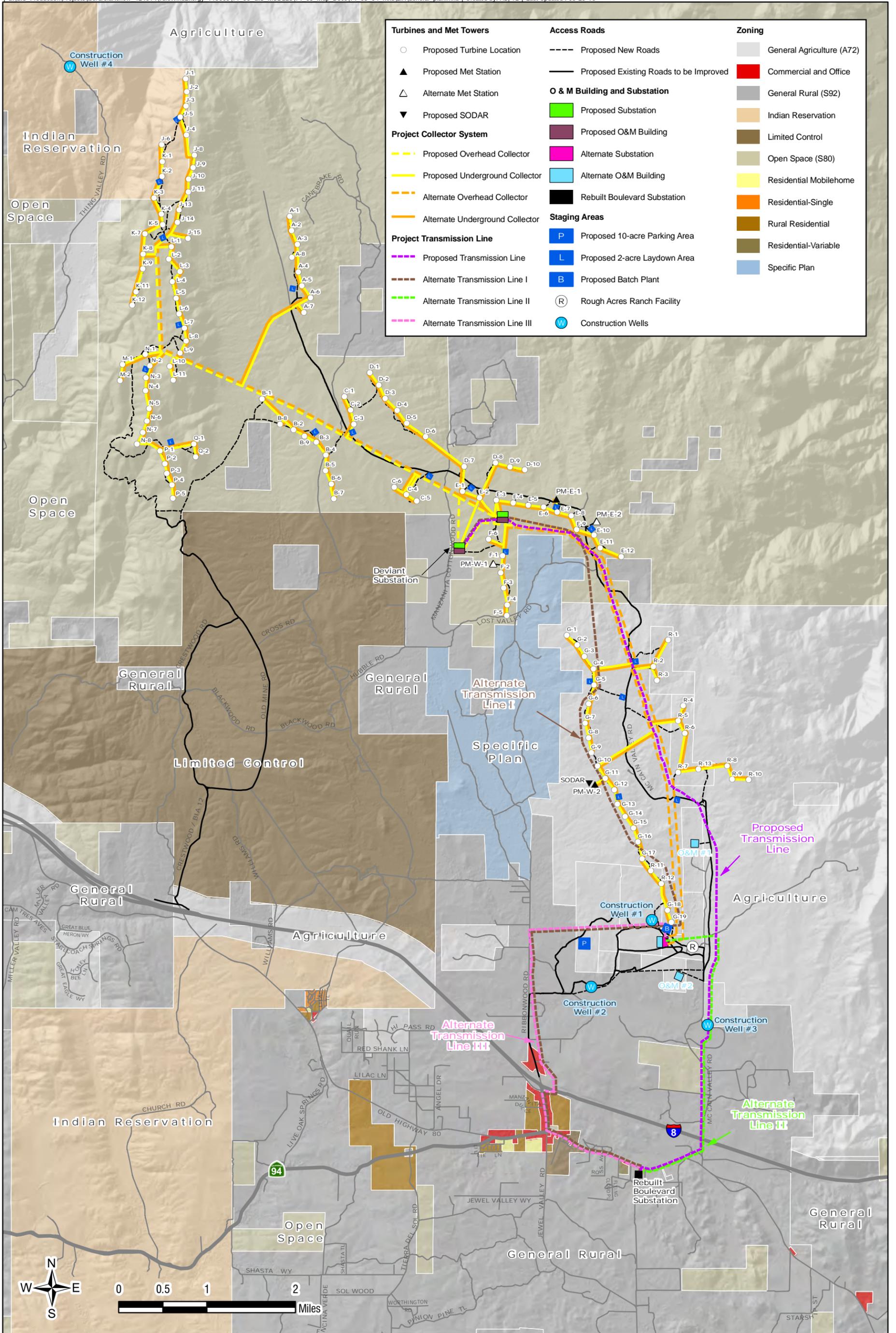
The S80 Open Space Use Regulations are intended to provide for appropriate controls for land generally unsuitable for intensive development. Typically, the S80 Use Regulations would be applied in both urban and rural environments to hazard or resource areas, public lands, recreation areas, or lands subject to open space easement or similar restrictions. Uses permitted within the S80 Use Regulations include those having a minimal impact on the natural environment, or those compatible with the hazards, resources, or other restrictions on the property. Various applications of the S80 Use Regulations with appropriate development designators can create or protect areas of very large residential parcels, agricultural areas, recreation areas, or limited use areas having identified hazards or resources.





County of San Diego General Plan (Draft 2008)

FIGURE 3.11-3



The S92 Use Regulations are intended to provide appropriate controls for land which is: rugged terrain, watershed, dependent on ground water for a water supply, desert, susceptible to fires and erosion, or subject to other environmental constraints. Various applications of the S92 Use Regulations with appropriate development designators can create or protect areas suitable for low intensity recreational uses, residences on very large parcels, animal grazing, and other uses consistent with the intent of this zone.

All land uses within the County are classified into a limited number of “use types,” based on common functional, product, or compatibility characteristics. The project is considered to be a Civic Use Type—Major Impact Services and Utility per Section 1350 of the County of San Diego Zoning Ordinance. This use can be further described as follows:

Major Impact Services and Utilities (Ordinance 1350)

The Major Impact Services and Utilities use type refers to public services and utilities which have substantial impact. Such uses may be conditionally permitted in any zone when the public interest supersedes the usual limitations placed on land use and transcends the usual restraints of zoning for reasons of necessary location and community wide interest. Typical places or uses are schools, sanitary landfills, public and private airports, public park/playground/recreational areas (other than public passive parks/ recreational areas), hospitals, psychiatric facilities, cemeteries, nursing homes or detention and correction institutions.

The project would be subject to a Major Use Permit (MUP) under the County of San Diego, of which an application was submitted on October 9, 2009, and is pending approval. Other aspects of the project will also require permits from the County of San Diego, including an MUP for groundwater use during construction, and a Minor Use Permit for the proposed operation and maintenance building, if constructed in one of the alternate locations on private land.

3.11.2 Regulatory Setting

The following section identifies applicable federal, state, and local regulations, goals, policies, standards, and management actions applicable to the project.

Federal Regulations, Plans, and Standards

Bureau of Land Management Wind Energy Development Policy Instructional Memorandum (IM 2009-043)

The BLM’s Instructional Memorandum (IM 2009-043) describes the process of obtaining a right-of-way (ROW) for wind energy projects on public lands administered by the BLM. It was created to replace old policies and best management practices (BMPs) established in the PEIS for Wind Energy Development (2005). IM 2009-043 sets policy regarding VRM and Areas of Critical Environmental Concern (ACEC) classifications and includes the following:

1. The VRM classes are not intended to be used to exclude or preclude land uses, including opportunities for development of wind energy in areas with high wind energy resource potential. The goal of the VRM program is to apply the basic principles of design of wind energy projects at the site-specific project level to mitigate or minimize visual resource impacts and meet VRM objectives established in the land use plan. Applicants are encouraged to provide a viewshed

analyses in areas of high wind energy resource potential and high visual resource values during land use planning to assist in determining suitability and compatibility between these resources, promote more integrated resource management, and avoid unwarranted exclusion and avoidance designations. Visual simulations, as well as an integrated environmental design approach to each project, will successfully integrate wind energy projects into the visual landscape. Conducting such analyses, on behalf of the applicant, will provide the BLM with more objective criteria and defensible analysis to base VRM management class designations in the future.

2. The Wind Energy PEIS established the previous policy that all ACECs were to be excluded from wind development. However, this IM changes this policy to ensure consideration of the purpose of the ACECs and not universally exclude them from wind energy site testing and monitoring or wind energy development but to manage these areas consistent with the management prescriptions for the individual ACEC. Existing land use plans and planning efforts may be amended as necessary, with appropriate level of National Environmental Policy Act (NEPA) analysis and decision, to address this change in wind energy and ACEC policy, consistent with the procedures of 43 Code of Federal Regulations (CFR) 1610.5.5.

The policies associated with IM 2009-043 replace those in the PEIS (2005) and are applicable to all wind energy activities on BLM-administered public lands. The following BLM Wind Energy Program Policies (per IM 2009-043) address the administration of wind energy development activities, and are applicable to the project. These policies are as follows:

Policies

- “The BLM will not issue ROW authorizations for wind energy development for areas in which wind energy development is incompatible with specific resource values. Specific lands excluded from wind energy site monitoring and testing and wind energy development include designated areas that are part of the National Landscape Conservation System (NLCS) (e.g., Wilderness Areas, Wilderness Study Areas, National Monuments, National Conservation Areas, Wild and Scenic Rivers, and National Historic and Scenic Trails). Additional areas may be excluded from wind energy development based on resource impacts that cannot be mitigated and/or conflict with existing and multiple-use activities or land use plans. Areas of Critical Environmental Concern are not universally excluded from wind energy site monitoring and testing or wind energy development, but will be managed consistent with the management prescriptions for the individual ACEC.”
- “To the extent possible, wind energy projects shall be developed in a manner that will not prevent other land uses, including minerals extraction, livestock grazing, recreational use, and other ROW uses.”
- “Entities seeking to develop a wind energy project on BLM-administered lands shall consult with appropriate Federal, State, and local agencies regarding specific projects as early in the planning process as appropriate to ensure that all potential construction, operation, and decommissioning issues and concerns are identified and adequately addressed.”
- “The BLM will initiate government-to-government consultation with Indian tribal governments whose interests might be directly and substantially affected by activities on BLM-administered lands as early in the planning process as appropriate to ensure that construction, operation, and decommissioning issues and concerns are identified and adequately addressed.”

- “Entities seeking to develop a wind energy project on BLM-administered lands shall consult with the U.S. Department of Defense (DOD), in conjunction with BLM Washington Office and Field Office staff, regarding the location of wind power projects and turbine siting as early in the planning process as appropriate. This consultation shall occur concurrently at both the installation/field level and the Pentagon/BLM Washington Office level. The consultation process is outlined in an interagency protocol agreement.”
- “The BLM will consult with the U.S. Fish and Wildlife Service (USFWS) as required by Section 7 of the Endangered Species Act of 1973 (ESA). The specific consultation requirements will be determined on a project-by-project basis.”
- “The BLM will consult with the State Historic Preservation Office (SHPO) as required by Section 106 of the National Historic Preservation Act of 1966 (NHPA). The specific consultation requirements will be determined on a project-by-project basis. If programmatic section 106 consultations have been conducted and are adequate to cover a proposed project, additional consultation may not be needed.”
- “Existing land use plans will be amended, as appropriate, to (1) adopt provisions of the BLM’s Wind Energy Development Program, (2) identify land considered available for wind energy development, and (3) identify land that will not be available for wind energy development.”
- “The level of environmental analysis to be required under the NEPA for individual wind power projects will be determined at the field office level. For many projects, it may be determined that a tiered environmental assessment (EA) is appropriate in lieu of an Environmental Impact Statement (EIS). To the extent that the PEIS addresses anticipated issues and concerns associated with an individual project, including potential cumulative impacts, the BLM will tier based on the decisions embedded in the PEIS and limit the scope of additional project-specific NEPA analyses. The site-specific NEPA analyses will include analyses of project site configuration and micrositing considerations, monitoring program requirements, and appropriate mitigation measures. In particular, the mitigation measures discussed in Chapter 5 of the PEIS may be consulted in determining site-specific requirements. Public involvement will be incorporated into all wind energy development projects to ensure that all concerns and issues are identified and adequately addressed. In general, the scope of the NEPA analyses will be limited to the proposed action on BLM-administered public lands; however, if access to proposed development on adjacent non-BLM-administered lands is entirely dependent on obtaining ROW access across BLM-administered public lands and there are no alternatives to that access, the NEPA analysis for the proposed ROW may need to assess the environmental effects from that proposed development. The BLM’s analyses of ROW access projects may tier based on the PEIS to the extent that the proposed project falls within the scope of the PEIS analyses.”
- “Site-specific environmental analyses will tier from the PEIS and identify and assess any cumulative impacts that are beyond the scope of the cumulative impacts addressed in the PEIS.”
- “The BLM will require financial bonds for all wind energy development projects on BLM-administered public lands to ensure compliance with the terms and conditions of the rights-of-way authorization and the requirements of applicable regulatory requirements, including reclamation costs. The amount of the required bond will be determined during the rights-of-way authorization process on the basis of site-specific and project-specific factors. A minimum bond will be required for site monitoring and testing authorizations.”
- “Entities seeking to develop a wind energy project on BLM-administered public lands shall develop a project-specific Plan of Development (POD) that incorporates all BMPs and, as

appropriate, the requirements of other existing and relevant BLM mitigation guidance, including the BLM's offsite mitigation guidance. Additional mitigation measures will be incorporated into the POD and into the ROW authorization as project stipulations, as needed, to address site-specific and species-specific issues. The POD will include a site plan showing the locations of turbines, roads, power lines, other infrastructure, and other areas of short- and long-term disturbance."

- "The BLM will incorporate management goals and objectives specific to habitat conservation for species of concern (e.g., sage-grouse, raptors, bats), as appropriate, into the POD for proposed wind energy projects."
- "The BLM will consider the visual resource values of the public lands involved in proposed wind energy development projects, consistent with BLM VRM policies and guidance. The BLM will work with the ROW applicant to incorporate visual design considerations into the planning and design of the project to minimize potential visual impacts of the proposal and to meet the VRM objectives of the area."
- "Operators of wind power facilities on BLM-administered public lands shall consult with the BLM and other appropriate Federal, State, and local agencies regarding any planned upgrades or changes to the wind facility design or operation. Proposed changes of this nature may require additional environmental analysis and/or revision of the POD."
- "The BLM's Wind Energy Development Program will incorporate adaptive management strategies to ensure that potential adverse impacts of wind energy development are avoided if possible, minimized, or mitigated to acceptable levels. The programmatic policies and BMPs will be updated and revised as new data regarding the impacts of wind power projects become available. At the project-level, operators will be required to develop monitoring programs to evaluate the environmental conditions at the site through all phases of development, establish metrics against which monitoring observations can be measured, identify potential mitigation measures, and establish protocols for incorporating monitoring observations and additional mitigation measures into standard operating procedures and project-specific stipulations."

Eastern San Diego County Resource Management Plan and Record of Decision

The decisions identified in the Eastern San Diego County RMP/ROD guide future land management actions and subsequent site-specific implementation decisions. These established goals and objectives for resource management (desired outcomes) and the measures needed to achieve these goals and objectives (management actions and allowable uses) for land use decisions are provided in the RMP/ROD. The Final PEIS prepared for the BLM's Wind Energy Development Program resulted in the adoption of the revised RMP/ROD in 2008. The following sections within the RMP are applicable to the project.

Special Designations

A portion along the eastern boundary of the project area is within the In-Ko-Pah Mountains ACEC. The ACEC designation indicates that the BLM recognizes the significant values of the area and intends to implement management to protect and enhance the resource values. Land use plans outline management objectives and prescriptions for each ACEC. ACECs are known to contain resource values that will pose special constraints for and possibly denial of applications for land uses that cannot be designed to be compatible with the management objectives and prescriptions for the ACEC (BLM 2005c).

ACEC Goal & Objective ACC-01:	ACECs will provide protection for relevant and important values including, but not limited to, special status species, wildlife, scenic, and significant cultural resources values.
ACEC Management Action ACC-02:	Protection of relevant and important values will take precedence over authorized land uses.
ACEC Management Action ACC-07:	Monitor resources within the ACECs to detect change and prevent future deterioration.
ACEC Management Action ACC-08:	Proposed activities (e.g., surface-disturbing activities) will not be approved until compliance with Section 106 of the NHPA has been completed and documented, including where applicable, consultation with SHPO and federally recognized tribes.

Lands and Realty Management

The BLM has identified approximately 195 acres of the project area as being “Available for Disposal.” This area is the “island” in the most southern portion of the project. The RMP designates the remainder of the BLM lands within the project area as “Lands Available for Wind Energy Development.” According to the Department of Energy’s (DOE) National Renewable Energy Laboratory, the wind energy power potential in portions of the project area is rated “excellent” to “superb.” The RMP indicates that high-quality wind resources in McCain Valley and its proximity to the existing utility corridor make it a logical area to focus wind energy development in the Planning Area.

Disposal Goal & Objective DIS-02:	No net loss of lands that are: (a) designated or proposed to be designated as critical habitat for a listed or proposed threatened or endangered species; (b) identified as supporting listed or proposed threatened or endangered species; or (c) identified as supporting federal candidate species.
Disposal Goal & Objective DIS-03:	Retain lands to benefit resource values and management.
Land Tenure Management Action DIS-08:	Proposed activities will not be approved until compliance with Section 106 of the NHPA has been completed and documented, including where applicable, consultation with SHPO and federally recognized tribes.

Land Use Authorizations

The BLM has determined that wind energy development and recreation can effectively coexist in McCain Valley. The BLM also made recreation areas in McCain Valley available for renewable energy development consistent with Alternative D of the Programmatic Environmental Impact Statement, including Lark Canyon Off-Highway Vehicle Area and the Lark Canyon Campground/Staging Area (1,300 acres) and Cottonwood Campground (16 acres).

3.11 Land Use and Planning

Land Use Authorization Policy LUA-02:	ACECs are avoidance areas for all land use authorizations other than for renewable energy (i.e., wind and geothermal development).
Renewable Energy Goal & Objective RNE 08:	Provide for the production and distribution of renewable energy, consistent with management decisions in this RMP/ROD.
Renewable Energy Goal & Objective RNE-09:	Allow the use of public lands for production of renewable energy compatible with management of sensitive resources.
Renewable Energy Policy RNE-02:	Renewable energy projects (e.g., wind and geothermal development) will be considered and authorized on a case-by-case basis to meet public demand consistent with management decisions identified in this RMP/ROD.
Renewable Energy Policy RNE-06:	Critical habitat lands are exclusion areas for renewable energy development (including geothermal).
Renewable Energy Policy RNE 07:	Riparian areas are avoidance areas for all commercial and non-commercial surface-disturbance activities, including renewable energy development.
Renewable Energy Mgmt Action RNE-10:	Process applications for commercial renewable energy (e.g., wind and geothermal development) facilities as ROWs or leases on a case-by-case basis.
Renewable Energy Mgmt Action RNE-11:	Does not allow surface occupancy of renewable energy facilities in special designation areas (Wilderness Area [WA], WSA, and ACECs).
Renewable Energy Mgmt Action RNE-12:	Make land available for growth, production, or conversion of biomass materials to energy products consistent with applicable laws, regulations, and policy and in accordance with the approved RMP/ROD.
Renewable Energy Mgmt Action RNE-13:	BLM Wind Energy Program Policies and BMPs established in Appendix A in the <i>Wind Energy Development Program ROD</i> (DOI BLM 2005f) will be used for all site-specific wind development projects.
Renewable Energy Mgmt Action RNE-14:	Surface disturbing activities associated with renewable energy development will not be approved until compliance with Section 106 of the NHPA has been completed and documented, including where applicable, consultation with SHPO and federally recognized tribes.

Renewable Energy Mgmt Action RNE-15: Surface disturbing activities associated with renewable energy development will not be approved until compliance with Section 7 of the ESA has been completed and documented, in areas where such consultation is needed.

Ewiiapaayp Band of Kumeyaay Indians Integrated Resource Management Plan

The Ewiiapaayp Tribal Government is a self-governance tribe in accordance with the Indian Self-Determination and Education Assistance Act, as amended. The Ewiiapaayp Band of Kumeyaay Indians was granted Self-Governance Status by the United States Department of the Interior in 2001. The tribe works under the guidance of the U.S. Department of the Interior Office of Self Governance (OSG) in developing regulatory and policy infrastructure and administers Bureau of Indian Affairs Office of Indian Programs and U.S. Environmental Protection Agency (EPA) programs.

The purpose of the Integrated Resource Management Plan (IRMP) is to function as a unifying document which ties all decisions which affect a tract of land together, so that each decision's impact can be evaluated against the others. Within the IRMP, policies, priorities, and general management practices are defined in order to establish natural resource protection, economic development, sustainable use, and employment and training opportunities.

Renewable Energy Resources is a resource management issue within the IRMP. Section 4.9.6 of the IRMP states:

“An important goal of the Tribe is the development of renewable energy resources including wind and solar power to generate electricity and to provide electrical power to Tribal members and businesses through the Tribal Public Utility”

The Tribal Land Use Code, Title 102 (Ordinance 05-102) and Tribal Planning Code, Title 107 (Ordinance 05-107) are incorporated into the IRMP by reference. Currently, Tribal lands do not yet have land use designations. A Reservation Land Use Plan is currently being developed, and will designate a variety of purposes in the future including: wilderness/recreational; residential/grazing/agricultural; commercial/light industrial; and civic uses. The land use planning process will be guided by the overriding values of the Ewiiapaayp Band in that the plan and its underlying policy are designed to support a viable economic development plan for achieving a balanced economic growth, protecting water resources, providing jobs, and improving the standard of living for Tribal members.

State

California State Lands Commission

Public lands under the California State Land Commission's (CSLC's) jurisdiction include sovereign and school lands. Sovereign lands include the beds of California's naturally navigable rivers, lakes and streams, and the State's tide and submerged lands along the coast. These lands are also known as public trust lands. The CLSC administers public trust lands pursuant to statute and the Public Trust Doctrine—the common law principles that govern use of these lands. A Guiding Principle of the CSLC Public Trust Policy indicates that “Because public trust lands are held in trust for all citizens of California, they must be used to serve statewide, as opposed to purely local, public purposes.”

The CSLC's Land Management Division has primary responsibility for the surface management of all trust lands in the State, including their leasing and management. In carrying out its management responsibilities, the CSLC commonly leases trust lands to private and public entities for uses consistent with the public trust doctrine. The CSLC applies the doctrine's tenets to proposed projects with consideration given to the context of the project and the needs of a healthy California society, to meet the needs of the public, business and the environment. The CSLC must also comply with the requirements of other applicable law, such as the California Environmental Quality Act (CEQA).

Pursuant to the California Code of Regulations (CCR), Title 2, Division 3, Chapter 1, Article 2, public and private entities may apply for leases or permits on public lands for a variety of uses, including rights-of-way. The proposed project footprint and its alternatives do traverse public lands falling under the jurisdiction of the CSLC. The project includes the development of turbines and new access roads on state lands and has submitted an application for approval thereof.

Local

County of San Diego General Plan (1979)

The County of San Diego utilizes community and subregional plans in conjunction with the county-wide General Plan. Community and subregional plans provide a framework for addressing the critical issues and concerns that are unique to a community and are not reflected in the broader policies of the General Plan. The activities being proposed on privately-owned portions of the project area are under the jurisdiction of the County of San Diego and governed by the countywide General Plan, the Mountain Empire Subregional Plan and the Boulevard Subarea Community Plan. A small portion at the northern edge of the project area is within the Desert Community Plan; however, this small area of the project is on tribal lands and outside the land use jurisdiction of the County.

The Energy Element of the adopted General Plan contains the following goals that have been selected as a means of guiding San Diego County toward a wise and rational use of its energy. The primary objective in seeking to accomplish the goals stated below is to achieve maximum conservation practices and maximum development of renewable alternative sources of energy. Each policy is followed with action programs for implementation:

Goal 1: Define and assure adequate energy supplies for San Diego County.

Goal 2: Encourage the utilization of alternative passive and renewable energy resources.

Goal 3: Minimize the environmental impact of energy sources.

Policy LI-1: Encourage a proper balance between energy supply and environmental protection.

Action Program LI-1.1: The County will continually reevaluate the balance between the need for energy, the environmental impacts of energy extraction and utilization and the need to preserve environmental quality and natural resources, in determining appropriate policy directions.

- Action Program LI-1.2: Examine the environmental impacts upon the geographic source area of proposed energy supply projects which seek to import energy to San Diego County, pursuant to the Attorney General ruling of September 26, 1975 (SO 75/50).
- Policy S-6: Support the timely utilization of wind power, geothermal power, nuclear fusion power, solar electric and solar thermal power, and other potentially viable and cost effective energy sources, as the public issues which may surround the use of these energy sources become involved.
- Action Program S-6.1: Support legislation and regulator actions which promote the timely utilization of potentially viable and cost-effective alternate energy sources.
- Action Program S-6.3: Discourage the use of petroleum products as fuel and energy sources and encourage alternative forms of energy.

Draft Boulevard Subregional Plan

The Draft Boulevard Subregional Plan includes goals and policies that may be applicable to the project, as they relate to large scale industrial and wind energy (renewable energy) projects. The Draft Boulevard Subregional Plan includes a section regarding industrial scale wind energy turbines within its Safety Element. The Plan goes on to state that industrial wind projects may cause many impacts, including:

- Harmony bulk and scale;
- The harmful effect upon desirable neighbor hood character;
- The suitability of commercial use on residential property;
- Negative impacts on property values—precursor to industrial wind energy;
- View sheds and aesthetics;
- Impacts to operation and safety for low-flying Border Patrol, California State Department of Forestry and Fire Protection (CAL FIRE) and military helicopters;
- Impacts to wildlife/collisions with guy wires;
- Cumulative impacts;
- Setting a precedent for the area;
- Setbacks from public roadways, utility lines and adjacent properties;
- Legal access/easement to property; and
- Need to notify the Border Patrol, military and CAL FIRE installations.

Applicable Policies and Implementation Programs of the Draft Boulevard Subregional Plan are as follows:

- Policy LU 1.2.2: Require development, including regional infrastructure, public facilities, and industrial scale energy generation and transmission projects to comply and maintain a rural bulk and scale in accordance with Boulevard's community

Policy CM 8.6.1:	Encourage the use of existing right-of-way when construction of new transmission lines is required, where technically and economically feasible. Additionally, encourage existing right-of-way over new right-of-way alignments for construction of new transmission lines when existing right-of-way is insufficient.
Implementation Program CM 8.6.1:	A comprehensive public review, including complete environmental reports, and local public hearings held in the impacted community, for all new and expanded energy projects in Boulevard.

Further, as identified in the Draft Boulevard Subregional Plan, the Boulevard Planning Group is seeking designation as a Dark Sky Community. The San Diego Astronomy Association Observatory is located on Tierra Del Sol Road, located approximately six miles south west of the project area, and Palomar Observatory is located 15 miles northwest of the project area. The subregional plans, goals, and policies support reduced lighting and increased shielding requirements for the preservation of dark skies and to prevent light pollution.

Conservation Element Policy 1 – All development shall demonstrate a diligent effort to retain as many native oak trees as possible.

County of San Diego Zoning Ordinance

Section 6951 of the County Zoning Ordinance provides direction for the development of large wind turbine systems. The Zoning Ordinance states that large wind turbine systems shall be permitted on a parcel of at least five acres and be considered a Major Impact Services and Utilities use type requiring a MUP approved in accordance with the Use Permit Procedure commencing at Section 7350 of the Zoning Ordinance and the following requirements:

Setbacks. The wind turbines shall observe the following setbacks measured from the closest point on the base or support structure. For purposes of calculating setbacks, the height of the wind turbines shall be equivalent to the distance from ground to the top of blade in vertical position:

1. From property lines or public road setback four times the height.
2. From all existing residences or buildings occupied by civic use-types setback eight times the height.
3. From the furthestmost property line of adjacent parcels which are vacant setback nine times the total height.
4. Setbacks for experimental wind turbines (those which are not produced by an established wind turbine manufacturer on a production basis) may be greater than those specified above based on the discretion of the permit granting authority.
5. Setbacks may be reduced up to a maximum of 50 percent with the written consent to the granting of a setback reduction signed by the owner or owners of each lot or parcel affected by the proposed setback reduction.

Fencing. Public access shall be restricted through the use of a fence with locked gates, non-climbable towers or other suitable methods.

Signs. Suitable warning signs containing a telephone number and an address for emergency calls and informational inquiries shall face all approaches to the project. Individual signs shall be between 5 and 16 square feet.

Noise. The project shall meet the sound level limits of Title 3, Division 6, Chapter 4 of the San Diego County Code (Noise Abatement and Control).

Height. For the purposes of calculating height, the height of the wind turbines shall mean the distance from ground to the top of the blade in vertical position. The system shall not exceed 80 feet.

Visual. The following measures should be followed whenever possible in order to minimize the visual impact of the project:

1. Removal of existing vegetation should be minimized.
2. Internal roads should be graded for minimal size and disruption.
3. Any accessory buildings should be painted or otherwise visually treated to blend with the surroundings.
4. The turbines and towers should be painted with non-reflective paint to blend with the surroundings.

Turbine Description. The following information shall be specified as part of the permit:

1. The wind turbine manufacturer, model, power rating and blade dimensions.
2. The tower manufacturer and model.

The requirements set forth above are the current zoning regulations per the County of San Diego Zoning Ordinance. However, County staff is currently working on amendments to the County Zoning which would: (1) update existing County regulations pertaining to wind turbine systems, and (2) add new provisions related to the siting and permitting of solar energy systems and facilities. The draft Renewable Energy Ordinance and CEQA Negative Declaration prepared by the County should be available for public review in February 2010. The ordinance will be presented to the County Board of Supervisors in 2010. Once adopted, the regulations set forth in this ordinance would be applicable to all renewable energy projects in the unincorporated portions of the County.

County of San Diego Code of Regulatory Ordinances Sections 86.601-86.608, Resource Protection Ordinance

“The RPO protects sensitive lands and prevents their degradation and loss by requiring the Resource Protection Study for certain discretionary projects. It also preserves the ability of affected property owners to make reasonable use of their land subject to the conditions established. It is the intent of the ordinance to increase the preservation and protection of the County’s unique topography, natural beauty, diversity, and natural resources and a high quality of life for current and future residents of the County of San Diego.”

Conservation Element (Part X), Chapter 7 Astronomical Dark Sky

The San Diego County General Plan Conservation Element’s chapter on astronomical dark skies discusses the importance of maintaining dark skies in the county. This chapter makes several findings pertaining to suitable observatory site criteria. It also sets out several policy and action programs designed to limit light pollution and ensure the protection of dark skies, including minimizing the impacts of development on the useful life of the observatories, assisting in the regulation of dark sky conservation,

amending ordinances to control potentially significant adverse effects to Palomar and Mount Laguna Observatories, and designing future roadways and development in a way suitable for the protection of dark skies near the observatories.

Conservation Element Policy 1 (X-86) – Astronomical Dark Skies

The County of San Diego will act to minimize the impact of development on the useful life of the observatories.

County of San Diego Ordinances

San Diego County Dark Skies Ordinance

The Light Pollution Code (LPC), also known as the Dark Sky Ordinance, was adopted “to minimize light pollution for the enjoyment and use of property and the night environment by the citizens of San Diego County and to protect the Palomar and Mount Laguna observatories from the effects of light pollution that have a detrimental effect on astronomical research by restricting the permitted use of outdoor light fixtures on private property” (Sec. 59.101). Parties involved in the development of the LPC included representatives from the San Diego County Department of Planning and Land Use, the Department of Public Works, as well as members of the lighting industry, community planning, and sponsor groups, representatives from both of San Diego County’s observatories, and San Diego Gas and Electric Company (SDG&E). The LPC regulates applicants for any permit required by the County for work involving outdoor light fixtures, unless exempt. Exempt fixtures include certain ones existing prior to January 18, 1985, those producing light via fossil fuels, those on or connected with facilities and land owned or operated by the federal government or the State of California, holiday decorations, and U.S. or California illumination. Special provisions are made for airports in keeping with the Federal Aviation Administration’s (FAA) lighting requirements and nearby correctional institution (Sec. 59.108). The code was established to limit harmful effects of outdoor lighting on the Palomar and Mount Laguna Observatories. The LPC designates all areas within a 15-mile radius of each observatory as Zone A, with all other areas of the county designated as Zone B. Zone A has more stringent lighting restrictions, including limits on decorative lighting, so that night skies are dark enough for clear viewing through the telescopes at the observatories. The project would require Class II lighting for outdoor lighting used for, but not limited to, illumination for walkways, roadways, equipment yards, parking lots, and outdoor security.

3.11.3 Environmental Consequences/Impact Analysis

California Environmental Quality Act Significance Criteria

Appendix G of the *CEQA Guidelines* states that the project would have a significant effect on land use if it would:

- Physically divide an established community;
- Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect;
- Conflict with any applicable habitat conservation plan or natural community conservation plan.

NEPA provides no specific thresholds of significance for the assessment of project impacts on land use.

Physically Divide an Established Community

Construction, Operation and Maintenance, and Decommissioning

The project is proposed in an area that is largely vacant and rural in nature. The project is anticipated to have temporary impacts to existing residents in the surrounding areas. There is potential during the construction and decommissioning phases that roadways and freeway off-ramps may experience delays or temporary closures during delivery or hauling of turbine components. This would be considered a temporary impact and would not have any lasting effects on the project area or surrounding community; therefore, a less than significant impact is identified.

During operation and maintenance of the turbines, the project is not anticipated to physically divide an established community; therefore, no impact is identified.

Conflict with any Applicable Land Use Plan, Policy, or Regulation

Eastern San Diego County Resource Management Plan and Record of Decision

Construction

The RMP designates the project area as “Lands Available for Wind Energy Development” in accordance with BLM regulations, policies and BMP’s included in the Final PEIS on Wind Energy Development. The Final PEIS on Wind Energy Development identified considerations for wind energy development on BLM lands including: impacts to the management of BLM-administered lands, impacts to aviation, impacts to the conservation system, in addition to recreational land uses.

Impacts to the Management of BLM-Administered Lands. Generally, all public lands unless otherwise classified, segregated, or withdrawn are available at the BLM’s discretion for ROW authorization for wind energy development under the Federal Land Policy and Management Act of 1976 (FLMPA). The project is considered a Commercial use activity (ROW) on BLM-administered lands. ROWs can have a major impact by eliminating, fragmenting, and altering existing land conditions. However, the RMP indicates that high-quality wind resources in McCain Valley and its proximity to the existing utility corridor make it a logical area to focus wind energy development in the Planning Area. The proposed project will be developed in accordance with all applicable federal, state, and local laws; therefore, the project would not conflict with the management of BLM-administered lands; therefore, no impact is identified.

Impacts to Aviation. Each turbine will be a maximum of 492 feet tall, as measured from the ground to the turbine blade tip, and will be mounted on a concrete pad. Each turbine will have a turbine rotor and nacelle mounted on top of its tubular tower, giving a rotor hub height of up to 328 feet. All of the turbine components (towers, nacelles, and rotors) will be painted or finished using low-reflectivity, neutral white colors in compliance with Federal Aviation Administration (FAA) rules. Turbine facility lighting will meet FAA requirements. There are currently no active airports in the vicinity of the project and the FAA has been contacted regarding the proposed project to minimize any potential conflict with aviation requirements; therefore, no impact is identified.

Impacts to Military Operations. The project area is not located on a military installation (previous or future). According to the FAA DOD Preliminary Screening Tool, the project site could have the potential to impact Air Defense and Homeland Security radars. As a condition of approval, an aeronautical study is

required; therefore, the impact is considered to be less than significant. Iberdrola Renewables filed a Notice of Proposed Construction or Alteration (7460-1) with the FAA on December 15, 2006, a determination of no hazard was received on February 18, 2007, and an extension of studies will be valid through November 25, 2010. Iberdrola Renewables will coordinate with the DOD to ensure that the project does not impact any military air stations that may be located nearby.

Impacts to the Conservation System. The project is within a portion of an ACEC. The eastern portion of the project area is within the In-Ko-Pah ACEC. The FLPMA defines an ACEC as an area within the public lands where special management attention is required to protect and prevent irreparable damage to important historic, cultural, or scenic values; fish and wildlife resources; or other natural systems or processes; or to protect life and safety from natural hazards. To the extent possible, the project will be sited away from wetlands, drainages and critical habitat areas. These sensitive areas will be excluded from the right-of-way and/or mitigated as appropriate. In addition, the construction workforce will be trained to identify and avoid any sensitive areas that have been excluded from the right-of-way. Prior to any earth disturbance activities, sensitive areas will be flagged to minimize the potential for accidental disturbance from construction equipment and crews. Any potential impacts to biological resources are included in the analysis in Section 3.4, Biological Resources.

The Wind Energy PEIS established the previous policy that all ACECs were to be excluded from wind development. However, the BLM has revised and clarified its Wind Energy Development Policy (IM No. 2006-216 and IM No. 2009-043) which supports development of wind energy in acceptable areas on BLM administered lands and minimizes potential environmental impacts. The policy ensures consideration of the purpose and specific environmental sensitivities for which the area was designated. All new, revised, or amended land use planning efforts will address and analyze ACEC land use restrictions individually, including restrictions to wind energy development. ACECs will not universally be excluded from wind energy site testing and monitoring or wind energy development but will be managed consistent with the management prescriptions for the individual ACEC. Existing land use plans and planning efforts may be amended as necessary, with appropriate level of NEPA analysis and decision, to address this change in wind energy and ACEC policy, consistent with the procedures of 43 CFR 1610.5.5. The project is anticipated to be sited away from any critical habitat areas and appropriate mitigation measures will be implemented into project design. Impacts to the conservation system would be considered significant and would require appropriate mitigation measures, as described in Section 3.4, Biological Resources.

Impacts to Recreational Areas. The project area is near two BLM recreational areas: the Cottonwood Campground, towards the central northwest of the proposed project area, and the Lark Canyon Campground and OHV recreation area. It is anticipated that the campgrounds will be open during the construction phase of the project, although some OHV trails may experience temporary closures over the course of 18 to 24 months of construction. Upon completion of the project, the OHV trails and turbine access roadways are not anticipated to be blocked from public access. A few exceptions will include fencing around the O&M facility, as well as around the perimeter of the electrical substation. Turbine tower access doors will also be locked to limit public access. During project construction, some temporary restrictions to public access may be necessary to protect public health and safety. Temporary access restrictions may include security fencing around construction staging areas, storage yards, and excavation areas. Other areas may be restricted from public access if blasting is necessary. Temporary fences will likely consist of a 6-foot-high chain link structure with additional security wiring located at the top. When construction is complete, temporary fences will be removed and the staging areas will be returned to their natural state. Noting the few exceptions above, all activities that are currently allowed on

BLM lands will continue to be allowed within the project area. Impacts to recreational areas are anticipated to be less than significant.

Impacts to Permitted Grazing. The project area is currently used and permitted for grazing purposes, per the McCain Valley Allotment. The permit will expire on September 18, 2010. A two-year notification letter for the McCain Valley Allotment was sent to the permit holder on September 18, 2009. The BLM RMP/ROD has indicated that public lands will no longer be available for livestock grazing. Project construction is anticipated to begin in December 2010, and will be developed in accordance with the BLM RMP/ROD. Although grazing activities are currently in existence, conflicts between proposed construction activities and existing grazing on the project site are not anticipated. Therefore, no impact is identified.

Operation and Maintenance, and Decommissioning

Emerging trends pose increasing challenges to the BLM's efforts to preserve scenic character and open space while balancing ever-increasing local, regional, and national resources demands. Rapidly expanding population, shifting demographics, and residential growth have placed increasing demands and expectations on the BLM's multiple use management of visual resources on public lands. Towns and cities have expanded outward to reach once-remote BLM-administered lands. Recreation activities such as OHV use, hunting, hiking, and camping, have increased simultaneously with increases in traditional uses of public lands for livestock grazing, mining, and energy development, thus creating an environment in which the BLM-administered lands are often the center of both conflict and opportunity. Recreational uses in the surrounding area would be allowed to continue throughout the life of the project. The benefits of generating new sources of renewable energy in this location to fulfill the energy demands of the growing population is highly necessary and is expected to outweigh the negative aspects that are sometimes drawn to such a project of this type. The operation and maintenance, and decommissioning of the project are not anticipated to have any additional effects on the issues discussed above any greater than what would occur during the construction phase of the project. The project would be developed in accordance with BLM goals and priorities of the RMP/ROD. No impact is identified.

County of San Diego General Plan and Zoning Ordinance

Construction, Operation and Maintenance, and Decommissioning

The project site is within the General Agriculture, Open Space and Multiple Rural Use designations of the County of San Diego General Plan. The project is considered a Major Impact Services and Utilities in the Zoning Ordinance. Major Impact Services and Utilities are permitted in these designations with the approval of a MUP. An application for a MUP was submitted to the County of San Diego on October 9, 2009, and is pending approval. With approval of the MUP, the project would not conflict with the County's General Plan and Zoning Ordinance.

Conflict with any Applicable Habitat Conservation Plan

Construction, Operation and Maintenance, and Decommissioning

The project is not within the boundary of any adopted Habitat Conservation Plan (HCP). However, the County of San Diego is currently preparing the East County Multiple Species Conservation Plan (MSCP). During this time of preparation, the project is considered an interim project and is subject to an interim

review process, on behalf of the County of San Diego. Once the MSCP is adopted, the policies and regulations set forth in the Final East County MSCP will be applicable to the project.

The Draft Focused Conservation Areas (FCA) Map identifies Conservation Strategy Areas over the project area. The project site is identified with the following Conservation Strategy Areas:

- RMS 3 – Land Managed as Open Space;
- Agriculture or Natural Upland within FCA;
- Riparian/Wetland Habitat and Transition Zone within FCA; and
- Tribal Lands.

Field investigations are being performed on the majority of the project area including construction and temporary staging areas. Quino checkerspot butterfly, avian, and bat surveys have been completed for the project area (refer to Section 3.4, Biological Resources, for project specific biological impacts) and are on-going. Field teams will note any sensitive locations, such as sensitive watersheds or areas with threatened and endangered species. These sensitive areas will be excluded from the right-of-way or mitigated as appropriate. The project will comply with all applicable federal, state, and local laws regarding habitat conservation and avoidance to areas of critical environmental concern.

To the extent possible, the project will be sited away from wetlands, drainages and critical habitat areas. Construction activities will limit ground disturbance and related impacts to be outside of sensitive areas. In addition, the construction workforce will be trained to identify and avoid any sensitive areas that have been excluded from the ROW. Prior to any earth disturbance activities, sensitive areas will be flagged to minimize the potential for accidental disturbance from construction equipment and crews. The Biological Technical Report (BTR) and all biological studies prepared for the project will not conflict with any HCP. As mentioned previously, impacts to the conservation system are anticipated to be significant and will require appropriate mitigation measures, as described in Section 3.4, Biological Resources.

3.11.4 Cumulative Impacts

According to the cumulative projects outlined in **Table 2.0-8**, the majority of the projects in the general vicinity do not have impacts to land use and planning.

The project fits into the regional system with two proposed projects which will connect with the proposed Tule Wind Project; the East County (ECO) Substation and the Energia Sierra Jaurez United States Transmission Generation Tie Line (ESJ) project. SDG&E is proposing to rebuild the Boulevard Substation (Rebuilt Boulevard Substation) with the upgraded ECO Substation. The Rebuilt Boulevard Substation will facilitate the additional 200 MW of energy that the Tule Wind Project will add to the power grid. The upgrades will increase the utility's ability to bring renewable energy into its system and is expected to improve the reliability of the local transmission system.

The contribution to cumulative impacts resulting from the Tule Wind Project would likely be small or negligible because a significant, permanent, uncompensated loss of the current productive use of the site will not occur, and will not preclude any future uses to the site. The project would generally be compatible with many other land uses, including livestock grazing, recreation, and wildlife habitat conservation. Therefore, a less than significant impact is identified.

3.11.5 CEQA Levels of Significance Before Mitigation

The project is not anticipated to have significant impacts related to land use and planning. The project will be developed in accordance with all federal, state, and local regulations and laws that are applicable to large scale wind energy developments. As the project moves forward, the approval of permits and ROW authorizations will be required for construction of the project. A MUP has been filed with the County of San Diego (MUP 09-019), a ROW authorization has been pursued with the BLM, a surface land lease has been pursued with the CSLC, and a surface land lease agreement with the Ewiiapaayp Indian Reservation. Other entitlements and approvals will also be required prior to construction.

3.11.6 Mitigation Measures

No significant impacts to land use and planning have been identified; therefore, no mitigation measures are necessary.

3.11.7 CEQA Levels of Significance After Mitigation

There are no significant impacts to Land Use and Planning resources from the proposed project, thus no mitigation measures are necessary. The project will require review and approval of multiple discretionary permits for construction and operation. All interested agencies will have ample time to review the project to ensure it is developed in accordance with all applicable goals, policies, and regulations for that agency. It is anticipated that the applicant will work with the agencies and public to minimize any concerns and develop the project in accordance with all mitigation measures proposed in this environmental document. No impacts are identified.

3.11.8 Comparison of Alternatives

In developing the alternatives to be addressed in this environmental document, the potential alternatives were evaluated in terms of their ability to meet the basic objectives of the project, while avoiding or reducing the environmental impacts of the project. The alternatives will contain the same components and construction corridor as the proposed project except they may vary in number and location.

No Project/No Action Alternative

Under the No Project/No Action Alternative, the proposed project would not be implemented. This alternative would mean that the project area would remain the same.

Although there would be no impacts to land use by the Tule Wind Project, the BLM's determination that the area is conducive to wind and renewable energy development will still be valid, thus leaving the area available for another project. Also, this alternative would still leave the San Diego County region dependent on electricity generated by fossil fuels and without a more reliable source of electricity. The BLM, State, and County would be forced to continue to search for renewable energy projects to contribute to their renewable energy mandates and portfolios. Additionally, the County of San Diego would not move closer to meeting air quality and attainment goals.

Alternate Transmission Line Alternative #1

The Alternate Transmission Line Alternative #1 (T-line Alternative #1) would include all of the same components as the proposed project except for an alternate overhead 138 kV transmission line (T-line

Alternative #1), as shown in **Figure 2.0-12**. The T-line Alternative #1 would be located parallel to, but in lieu of, the proposed transmission line. T-line Alternative #1 would be located further west and run from either the proposed or deviant collector substation approximately 5.5 miles south to the Rough Acres Ranch (south of turbine G-19). From Rough Acres Ranch, the line would continue west to Ribbonwood Road. The line would continue south on Ribbonwood Road to Old Highway 80, and east along Old Highway 80 to the SDG&E proposed Rebuilt Boulevard Substation.

This alternative would increase the land disturbance by approximately 7.6 acres, from 772.7 acres to 780.3 acres, utilizing the deviant collector substation. The 138 kV transmission line would increase in distance from 9.7 miles to 11.7 miles and would increase the amount of transmission line poles from 116 poles to 152 poles, utilizing the deviant collector substation. The 34.5 kV overhead collector lines would remain the same distance of 9.4 miles, and would require the same amount of collector line poles (250), and the underground collector lines would also remain the same distance of 29.3 miles, utilizing the deviant collector substation.

Physically Divide an Established Community

Construction, Operation and Maintenance, and Decommissioning

This alternative will not physically divide an established community and is not anticipated to have a greater impact to the surrounding community than the proposed project throughout all phases of the project. Therefore, no impact is identified.

Conflict with any Applicable Land Use Plan, Policy, or Regulation

Construction, Operation and Maintenance, and Decommissioning

This alternative will not conflict with any applicable land use policies, regulations or adopted plans for the project area. This alternative would be developed in accordance with the BLM RMP/ROD and the San Diego County General Plan and Zoning Ordinance. Impacts from this alternative will not have a greater impact than the proposed project, and are considered less than significant.

Conflict with any Applicable Habitat Conservation Plan

Construction, Operation and Maintenance, and Decommissioning

This alternative will not conflict with any applicable habitat conservation plan for the project area. This alternative would be developed in accordance with the BLM RMP/ROD and the San Diego County MSCP that is currently being developed. Impacts from this alternative will not have a greater impact than the proposed project, and are considered less than significant.

This alternative has the same level of impacts to land use and planning as the proposed project.

Alternate Transmission Line #2 and Collector Substation Alternative

The Alternate Transmission Line #2 and Collector Substation Alternative would include the alternate O&M/Substation facility co-located on Rough Acres Ranch (T17S R7E Sec9), the Alternate Transmission Line #2 (138 kV), as well as an alternate overhead collector system, as shown in **Figure 2.0-13**. This alternative would consist of two 34.5 kV lines connecting the turbines to the alternate collector substation location. All other elements of the project including the turbine locations, parking and laydown areas, roadway upgrades, and batch plant would remain as described in the proposed project. The Alternate Transmission Line #2 would run from the alternate collector substation south along McCain Valley Road, and then west along Old Highway 80 until reaching the SDG&E proposed Rebuilt Boulevard Substation.

This alternative would increase the land disturbance by 1.9 acres, from 772.7 acres to 774.6 acres. The 138 kV transmission line would decrease in distance as a result of this alternative from 9.7 miles to 3.8 miles and would decrease the amount of transmission line poles from 116 poles to 44 poles. The 34.5 kV overhead collector lines would increase in distance from 9.4 miles to 17 miles, and would increase the amount of collector line poles from 250 to 452 poles. The underground collector lines would decrease in distance from 29.3 miles to 28.9 miles.

Physically Divide an Established Community

Construction, Operation and Maintenance, and Decommissioning

This alternative will not physically divide an established community and is not anticipated to have a greater impact to the surrounding community than the proposed project throughout all phases of the project. Therefore, no impact is identified.

Conflict with any Applicable Land Use Plan, Policy, or Regulation

Construction, Operation and Maintenance, and Decommissioning

This alternative will not conflict with any applicable land use policies, regulations or adopted plans for the project area. This alternative would be developed in accordance with the BLM RMP/ROD and the San Diego County General Plan and Zoning Ordinance. The alternate O&M/Substation facility, being proposed on privately owned lands within the jurisdiction of the County of San Diego, would be considered a minor impact utility and thus subject to a Minor Use Permit. Upon the approval of a Minor Use Permit, this alternative would have a less than significant impact on existing land use. This alternative would not have a greater impact than that identified for the proposed project.

Conflict with any Applicable Habitat Conservation Plan

Construction, Operation and Maintenance, and Decommissioning

This alternative will not conflict with any applicable habitat conservation plan for the project area. This alternative would be developed in accordance with the BLM RMP/ROD and the San Diego County MSCP that is currently being developed. Impacts from this alternative will not have a greater impact than the proposed project, and are considered less than significant.

This alternative has the same level of impacts to land use and planning as the proposed project.

Alternate Transmission Line #3 and Collector Substation Alternative

The Alternate Transmission Line #3 and Collector Substation Alternative would include the alternate O&M/Substation facility co-located on Rough Acres Ranch (T17S R7E Sec9), the Alternate Transmission Line #3 (138 kV), as well as an alternate overhead collector system as shown in **Figure 2.0-14**. This alternative would consist of two 34.5 kV lines connecting the turbines to the alternate collector substation. All other elements including the turbine locations, parking and laydown areas, roadway upgrades, and batch plant would remain as described in the proposed project. The Alternate Transmission Line #3 would run from the alternate collector substation west to Ribbonwood Road, continue south along Ribbonwood Road, and then east along Old Highway 80 until reaching the SDG&E proposed Rebuilt Boulevard Substation.

This alternative would increase the land disturbance by 7.3 acres, from 772.7 acres to 780.0 acres. The 138 kV transmission line would decrease in distance as a result of this alternative from 9.7 miles to 5.4 miles and would decrease the amount of transmission line poles from 116 poles to 60 poles. The 34.5 kV overhead collector lines would increase in distance from 9.4 miles to 17 miles, and would increase the amount of collector line poles from 250 to 452 poles. The underground collector lines would decrease in distance from 29.3 miles to 28.9 miles.

Physically Divide an Established Community

Construction, Operation and Maintenance, and Decommissioning

This alternative will not physically divide an established community and is not anticipated to have a greater impact to the surrounding community than the proposed project throughout all phases of the project. Therefore, no impact is identified.

Conflict with any Applicable Land Use Plan, Policy, or Regulation

Construction, Operation and Maintenance, and Decommissioning

This alternative will not conflict with any applicable land use policies, regulations or adopted plans for the project area. This alternative would be developed in accordance with the BLM RMP/ROD and the San Diego County General Plan and Zoning Ordinance. The alternate O&M/Substation facility, being proposed on privately owned lands within the jurisdiction of the County of San Diego, would be considered a minor impact utility and thus subject to a Minor Use Permit. Upon the approval of a Minor Use Permit, this alternative would have a less than significant impact on existing land use. This alternative would not have a greater impact than that identified for the proposed project.

Conflict with any Applicable Habitat Conservation Plan

Construction, Operation and Maintenance, and Decommissioning

This alternative will not conflict with any applicable habitat conservation plan for the project area. This alternative would be developed in accordance with the BLM RMP/ROD and the San Diego County MSCP that is currently being developed. Impacts from this alternative will not have a greater impact than the proposed project, and are considered less than significant.

This alternative has the same level of impacts to land use and planning as the proposed project.

Operation and Maintenance Facility Location #1 Alternative

The O&M Facility Location #1 Alternative would be located on private property (T17S R7E Sec4), north of the alternate collector substation and located west of McCain Valley Road, as shown in **Figure 2.0-13**. This alternative would consist of separating the 5-acre O&M building site from the collector substation; however, both would remain on Rough Acres Ranch property. Alternate Transmission Line #2 would be utilized under this alternative, as well as the Alternate Overhead Collector System consisting of two 34.5 kV lines connecting the turbines to the alternate collector substation. All other elements of the project including the turbine locations, parking and laydown areas, and batch plant would remain as described in the proposed project.

This alternative is estimated to have the same land disturbance impacts as the Alternate Transmission Line #2 and Collector Substation Alternative. However, by relocating the O&M building site to the northern portion of Rough Acres Ranch, this alternative would require an approximate 650-foot new access road to be constructed on the west side of McCain Valley Road, thus necessitating an approximate 0.07 acres of permanently impacted area and a temporary impact of 0.55 acres. In comparison to the proposed project, this alternative would decrease the land disturbance by approximately 2.5 acres, from 772.7 acres to 775.2 acres. The 138 kV transmission line would decrease in distance as a result of this alternative from 9.7 miles to 3.8 miles and would decrease the amount of transmission line poles from 116 poles to 44 poles. The 34.5 kV overhead collector lines would increase in distance from 9.4 miles to 17 miles, and would increase the amount of collector line poles from 250 to 452 poles. The underground collector lines would decrease in distance from 29.3 miles to 28.9 miles.

Physically Divide an Established Community

Construction, Operation and Maintenance, and Decommissioning

This alternative will not physically divide an established community and is not anticipated to have a greater impact to the surrounding community than the proposed project throughout all phases of the project. Therefore, no impact is identified.

Conflict with any Applicable Land Use Plan, Policy, or Regulation

Construction, Operation and Maintenance, and Decommissioning

This private property O&M facility is located on lands governed by the County of San Diego, and is designated as General Agriculture. The construction of the O&M building would be allowed under the zoning for general agriculture as a general maintenance building or accessory use. The alternate substation, being proposed on privately owned lands within the jurisdiction of the County of San Diego, would be considered a minor impact utility and thus subject to a Minor Use Permit. Upon the approval of a Minor Use Permit, this alternative would have a less than significant impact on existing land use. This alternative would not have a greater impact than that identified for the proposed project.

Conflict with any Applicable Habitat Conservation Plan

Construction, Operation and Maintenance, and Decommissioning

This alternative will not conflict with any applicable habitat conservation plan for the project area. This alternative would be developed in accordance with the BLM RMP/ROD and the San Diego County

MSCP that is currently being developed. Impacts from this alternative will not have a greater impact than the proposed project, and impacts are less than significant.

This alternative has the same level of impacts to land use and planning as the proposed project.

Operation and Maintenance Facility Location #2 Alternative

The O&M Facility Location #2 Alternative would be located on private property (T17S R7E Sec 16), south of the alternate collector substation and located west of McCain Valley Road, as illustrated in **Figure 2.0-13**. This alternative would consist of separating the 5-acre O&M building site from the collector substation; however, both would remain on Rough Acres Ranch property. Alternate Transmission Line #2 would be utilized under this alternative as well as the Alternate Overhead Collector System consisting of two 34.5 kV lines connecting the turbines to the alternate collector substation. All other elements of the project including the turbine locations, parking and laydown areas, and batch plant would remain as described in the proposed project.

This alternative is estimated to have the same land disturbance impacts as the Alternate Transmission Line #2 and Collector Substation Alternative. However, by relocating the O&M building site to the southern portion of Rough Acres Ranch, this alternative would result in a very slight difference of 1.0 acres of permanent impacts and 0.08 acres of temporary impacts resulting from the construction of new access roads than those described in **Table 2.0-10**. In comparison to the proposed project, this alternative would increase the land disturbance by approximately 2.0 acres, from 772.7 acres to 774.7 acres.

The 138 kV transmission line would decrease in distance as a result of this alternative from 9.7 miles to 3.8 miles and would decrease the amount of transmission line poles from 116 poles to 44 poles. The 34.5 kV overhead collector lines would increase in distance from 9.4 miles to 17 miles, and would increase the amount of collector line poles from 250 to 452 poles. The underground collector lines would decrease in distance from 29.3 miles to 28.9 miles.

Physically Divide an Established Community

Construction, Operation and Maintenance, and Decommissioning

This alternative will not physically divide an established community and is not anticipated to have a greater impact to the surrounding community than the proposed project throughout all phases of the project. Therefore, no impact is identified.

Conflict with any Applicable Land Use Plan, Policy, or Regulation

Construction, Operation and Maintenance, and Decommissioning

This private property O&M facility is located on lands governed by the County of San Diego, and is designated as General Agriculture. The construction of the O&M building would be allowed under the zoning for general agriculture as a general maintenance building or accessory use. The alternate substation, being proposed on privately owned lands within the jurisdiction of the County of San Diego, would be considered a minor impact utility and thus subject to a Minor Use Permit. Upon the approval of a Minor Use Permit, this alternative would have a less than significant impact on existing land use. This alternative would not have a greater impact than that identified for the proposed project.

Conflict with any Applicable Habitat Conservation Plan

Construction, Operation and Maintenance, and Decommissioning

This alternative will not conflict with any applicable habitat conservation plan for the project area. This alternative would be developed in accordance with the BLM RMP/ROD and the San Diego County MSCP that is currently being developed. Impacts from this alternative will not have a greater impact than the proposed project, and impacts are less than significant.

This alternative has the same level of impacts to land use and planning as the proposed project.

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