

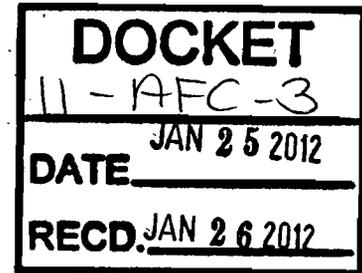


# CITY OF SANTEE

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January 25, 2012

California Energy Commission  
Eric Solorio, Project Manager  
1516 Ninth Street  
Sacramento, CA 95814-5512

**SUBJECT: Quail Brush Generation Project: Application for Certification Docket No. 11-AFC-3**

Dear Mr. Solorio:

The City of Santee provides these written comments on the Application for Certification submitted by Quail Brush Genco LLC to the California Energy Commission ("CEC") for the construction and operation of a 100-megawatt electrical generating facility in the City of San Diego ("Project") and within one mile of the City of Santee. Given that the CEC is the designated Lead Agency under the California Environmental Quality Act, and will analyze the proposal in an equivalent process, the City of Santee submits the following comments pertaining to the Project's visual and aesthetic effects, the short-term and long-term noise associated with construction and plant operations respectively, comments on water and biological resources, and clarification as to Santee's emergency response role. These subject areas are discussed more fully, as follows:

**Visual Resources (Section 4.5)**

Santee's location within East County is comparable to no other for its natural setting. When entering Santee on State Route 52 and Friars/Mission Gorge Road in particular, these gateways offer sweeping views of the surrounding hills and the San Diego River. Mission Trails Regional Park and lands within the region's Multiple Habitat Planning Area play key roles in the preservation of these scenic gateways and the natural attributes of the City of Santee and East County as a whole.

This sentiment is shared by Santee residents and businesses, and by the greater San Diego East County community. The Project would be located at a main gateway to our City, which, in turn is a gateway to other East County communities. Seeing 11 stacks,

each 100 feet in height, is not a first impression that the City of Santee wants to offer its citizens and visitors.

While "Land Use" has been identified as a potential "Major Issue" in the CEC's Issues Identification Report dated January 13, 2012, preliminary evaluation is limited to a disclosure of conflicts with existing City of San Diego land use plans. Modifications to land use plans that in turn enable the construction and operation of the Project must be analyzed in conjunction with effects upon existing visual resources.

The City of Santee strongly believes that "Visual Resources" is a "Major Issue" that should be fully analyzed by the CEC because:

1. Where there is currently an undisturbed vegetated slope, the Project proposes a level graded pad at 465 AMSL, an access road and vegetation clearing to accommodate a 25,550 square foot metal building enclosing eleven (11) engines, 11 towers, each 100 feet in height, outdoor tank storage with secondary containment, overhead transmission lines on new poles upslope of the plant, and maintenance of firebreaks. Combined, these would be significant industrial project features, but the City of Santee is most concerned about the number and height of the stacks and their potentially significant visual and economic impacts on our community; and
2. The Project should be designed to fit the terrain rather than altering the terrain to fit the Project.

Therefore, the City of Santee urges all regulatory authorities involved to seriously explore options that result in a lower Project profile. Measures include:

- Placing the pad lower on the hillside and designing the facility to more closely fit the existing topography.
- Combining the stacks and lowering their height. The applicant believes it is possible to remain in compliance with CARB's air emissions requirements with combined and lower height stacks.
- Replacing metal buildings with architecturally designed buildings representative of the Mission Trails Regional Park design standards.
- Ensuring that retaining walls and perimeter fencing are architecturally designed to blend with natural topography to the maximum extent feasible.
- Poles and transmission lines should utilize existing road alignments to minimize the need for vegetation clearing on visible hillsides.

### **Noise (Section 4.3)**

Short-term Construction Noise: as written in the Application for Certification, "California Energy Commission (CEC) staff has stated that construction noise is typically insignificant if (1) the construction activity is temporary, (2) use of heavy equipment and noisy activities are limited to daytime hours, and (3) all feasible noise abatement measures are implemented for noise-producing equipment."

Nevertheless, the City is concerned about construction noise if helicopters are used for pole installation. If helicopters become necessary, then notification to the City of Santee and to surrounding affected residents should be required. Since the project could take up to 18 months to complete, it will be important to also establish a longer term public relations program that informs residents of the construction schedule and what to expect in the way of noise, traffic and helicopter activities, as appropriate.

The City would expect compliance with the regulations of Chapter 8.12 of the Santee Municipal Code (Noise Abatement and Control) that establish appropriate construction times during daylight hours in an effort to minimize adverse effects associated with construction.

Long-term Operational Noise: the Application for Certification relies on a 5 dBA cumulative increase in ambient noise level in assessing compliance with relevant ordinances. The City of Santee utilizes a 3 dBA threshold in determining the significance of a noise impact. Specifically, noise impacts shall be considered significant when, "as a direct result of the proposed development, noise levels which already exceed the levels considered compatible for that use are increased by 3 or more decibels." (Santee General Plan, Noise Element, Section 8.0).

Without effective noise attenuation measures, the plant could significantly increase noise levels. For example, the towers alone carry sound, described as stack sound power. According to the information provided in the Application For Certification, "Stack sound power was estimated at 130 dBA based on data provided by the equipment manufacturer". Attenuation measures reduce this to 95 dBA.

Because it is likely that the plant could run continuously for months, day and night, the City requests that the 3 dBA threshold be taken into account in the noise analysis, and conclusions revised as necessary. In any event, all feasible sound attenuation measures should be incorporated at the time of Project construction so as to minimize noise complaints from residents in existing affected neighborhoods and those from future neighborhoods such as Castlerock.

### **Water Resources (Section 4.13)**

Implementation of the project, which adds impervious surfaces, a septic tank and various chemical and oil storage facilities, would result in greater runoff and pollutant loads than currently exist, and could potentially impact water quality. The project should be designed to comply with current Standard Urban Stormwater Mitigation Plan (SUSMP) requirements and Hydromodification Plan (HMP) requirements. The project proponents should prepare a Stormwater Management Plan (SWMP) or City of San Diego equivalent to demonstrate compliance with these requirements.

Note that the project incorporates the addition of roads which have been demonstrated to be a source of bacteria loading. In addition other pollutants may be generated by the Project for which the San Diego River is already impaired, such as nutrients. The Project should incorporate both structural and non-structural measures as required by the City of San Diego Stormwater Department to ensure that there is no additional loading to the San Diego River from plant operations.

The remaining comments represent corrections and recommended clarifications to this Section.

- Reference is made to changing the shape of the South watershed (refer to page 4.13-13). This should be explained more fully.
- More specificity is needed as to where wet ponds and extended detention basins TC-20 and TC-22 referenced on page 4.13-15 are to be located, what drainage areas they will treat, and how they will be maintained.
- "Inundation from upstream dams" and "reservoir overflow" are mentioned several times as sources of water flow in the San Diego River. It is our understanding that this has not occurred for decades. A more accurate source of water is groundwater ingress.
- Table 4.13-3 and the accompanying text should reflect that the 2008-2010 CWA Section 303(d) list of impaired waters has been reviewed by USEPA and has been issued. Table 4-13-3 and the text should be reviewed and updated to reflect what was approved.
- If the relevant washes/drainages eventually discharge to the San Diego River, then this should be stated.
- The discussion of groundwater does not describe the groundwater beneficial uses for the Santee HSA (907.12) which include municipal, agricultural, industrial and processing uses. This information should be added.

- The Friars Formation, which underlies the project, is considered to be an aquifer (i.e. it has a beneficial use). Groundwater does not readily accumulate in excavations in the Friars Formation, but may become apparent after a 24-hour period. Since a septic tank is proposed within this Formation, more geotechnical field study may be warranted to ensure that groundwater resources would not be affected.
- Roof drains must not be directed to a drainage system. Rather, drains should be directed to an Integrated Management Practice (IMP) structure to allow for infiltration of the water, per the state's Low Impact Development (LID) practices.
- Page 4.13-2 – The rainy season is October 1 through April 30, per RWQCB order number R9-2007-0001.
- Table 4.13-1 – Annual average rainfall total is less than for the month of January, and should be corrected.

### **Biological Resources (Section 4.12)**

The Biological Resources subject area is identified as a "Major Issue" in the CEC's Issues Identification Report. Of particular interest to Santee is the recovery of the endangered Quino checkerspot butterfly, since one was sighted and mapped about 4 miles to the northeast of the Project site. Any mitigation measures that are developed should take into account the City of Santee's preservation of over 1,200 acres of suitable, modeled habitat that could support the butterfly, a mere 4 miles away within the Fanita Ranch preserve.

### **Emergency Response**

A reference to the City of San Diego's website indicates that the City of San Diego Fire Department Fire Station #39 would serve the Project site (source: San Diego Fire-Rescue Department website, 2011). Fire Station #39 was placed in service in June 1976 and serves the Tierrasanta neighborhood and surrounding area. The station is located at 4949 La Cuenta Drive, approximately 6.5 miles away from the Project site.

Although the City of San Diego website indicates that San Diego Fire Station #39 will serve the proposed project, the City of Santee Fire Department would be expected to perform emergency response functions due to the closer location of the Carlton Oaks Drive Fire Station only 1.6 miles away from the Project site. However, there is no formal automatic aid emergency response agreement with the City of San Diego that addresses response to medical emergencies, fires or other catastrophic events. The role of the City of Santee in providing necessary emergency response should be evaluated.

The data adequacy assessment should also include mandatory compliance with the current edition of the California Building and Fire Code Standards to ensure the safety of Santee citizens and emergency responders who may be called upon to mitigate emergency incidents at or on the proposed site.

Thank you for the opportunity to comment on this Project. As a registered "Interested Agency", the City of Santee looks forward to working with the CEC as this project progresses through the CEC and other regulatory processes.

Sincerely,

A handwritten signature in black ink that reads "Melanie Kush". The signature is fluid and cursive, with a long horizontal stroke at the end.

Melanie Kush, AICP  
Director of Planning

- c. Keith Till, City Manager  
Pedro Orso-Delgado, Deputy City Manager/Development Services Director  
Robert Leigh, Fire Chief, Santee Fire Department  
Richard Neff, Cogentrix Energy LLC