

# Protect Our Communities Foundation

July 31, 2012

Senator Christine Kehoe, Chair  
Senate Appropriations Committee  
2445 Fifth Ave., Suite 200  
San Diego, CA 92101

**Subject: Opposition to AB 2551 – Infrastructure Financing Districts: Renewable Energy Zones**

Dear Chairwoman Kehoe:

The Protect Our Communities Foundation (<http://protectourcommunities.org/>) is a San Diego County 501(c)3 non-profit organization dedicated to: 1) protecting San Diego County backcountry from ill-conceived energy development, and 2) promoting smart energy solutions for the region. AB2551 is a proposed bill that will remove the requirement of local voter approval to create renewable energy infrastructure finance districts. These finance districts are similar to redevelopment agencies run by non-government non-profits. Renewable energy projects enabled by AB 2551 represent a potential threat to current land uses, zoning, existing rural residential areas, and farming and livestock operations, both small and large.

Please vote no on AB 2551. It poses a significant direct, indirect, and cumulative adverse public health and safety, socio-economic and environmental impacts on predominantly low- income rural residents and high value natural environments. AB 2551 is unnecessary because:

- Infrastructure Finance Districts are already allowed by law.
- It is undemocratic and unfair to remove the voter approval requirement for AB 2551 renewable energy infrastructure finance districts.
- An independent Health Impact Assessment being conducted for the Manzanita tribe is currently underway through the National Latino Research Center at Cal State San Marcos related to adverse impacts of living in proximity to large wind turbines. More time is needed for the study to be concluded before further incentivizing large-scale wind developments in East County.
- East County Renewables Coalition (ECRC) is sponsoring this unnecessary bill.
- ECRC ([www.ecrcsd.org](http://www.ecrcsd.org)) includes numerous absentee developers of wind/solar projects.
- At the end of the AB 2551 legislative analysis, listed sponsors include Hamann Companies. Hamann Companies Boulevard Rough Acres Ranch is part of SDG&E's Sunrise Powerlink right-of-way, a major part of Tule Wind, and the site of Soitec's 785 acre 80 MW Rugged Solar project.
- ECRC officers and members have conflicts-of-interest due to their numerous large-scale industrial energy/transmission projects proposed in Eastern San Diego County, and related consulting, investment, ownership, contractual, and mitigation property interests.
- The proponents of AB 2551 have repeatedly fail to disclose their conflicts of interest when making comments and attempting to influence this legislation.

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- Jim Whalen of J. Whalen and Associates, and ECRC Executive Director, has confirmed that he and John Gibson of Hamann Companies, and ECRC President, asked Assemblyman Ben Hueso to sponsor AB 2551 specifically to help them with their many energy projects planned for targeted rural community and ranchlands.
- Assemblyman Hueso does not represent East County. However, his former chief of staff is Mr. Whelan's current chief of staff, according to public comments made by Mr. Whalen.
- The AB 2551-enabled renewable energy infrastructure zone will create an overlay on predominately low-income rural Eastern San Diego County residential neighborhoods and properties.
- This overlay will need to be disclosed to potential buyers during real estate transactions. This will further erode property values.
- One ECRC comment letter on San Diego County's Wind Energy Ordinance seeks reduced wind turbine setbacks, less restrictive noise regulation, and makes false claims that there are no related adverse health effects.
- AB 2551 will enable at least 4 to 6 industrial wind turbine projects, about a dozen industrial solar projects, and a complicated web of related transmission infrastructure.
- San Diego County Planning Commissioners have already acted and further stated that they do not intend to industrialize East County rural communities nor do they want to face potential liability related to adverse health effects generated by these large projects.
- The Hamann Companies proposed 80 MW Rugged Solar project includes over 3,000 tracking CPV modules each measuring 25 feet tall by 48 feet wide (1,200 square feet) for a total of over 3,000,000 square feet in an area zoned for one dwelling unit per 80 acres in the General Plan Update approved in August 2011. Private non-participating residences are close these projects. To put this in perspective, a WalMart Super Center measures about 185,000 square feet.

The Governor's target of 12,000 MW of new local renewable generation by 2020, and the state's focus on zero net energy buildings in the *Long-Term Energy Efficiency Strategic Plan*, represent the right direction for the state. AB 2551 would take California in the wrong direction, rewarding insider dealmaking over good public policy. Please vote against AB 2551.

Please call me at (619) 917-2941 or e-mail at [bpowers@powersengineering.com](mailto:bpowers@powersengineering.com) if you have any questions about this letter.

Regards,



Bill Powers, P.E.  
Boardmember, Protect Our Communities Foundation

cc:

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Senator Curren Price

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