

BACKCOUNTRY AGAINST DUMPS

P.O. Box 1275, Boulevard, Ca 91905

COMPLAINT FILED WITH THE PUBLIC UTILITIES COMMISSION WITH REQUEST TO REVOKE SDG&E'S FLAWED WATER SUPPLY PLAN FOR 90 MILLION GALLONS OF WATER AND TO SUSPEND THEIR ACTIVE PERMIT TO CONSTRUCT FOR THEIR ECO SUBSTATION, BOULEVARD SUBSTATION, AND 14 MILES OF NEW 138KV LINE– FOR VIOLATIONS RELATED TO USE OF UNCONFIRMED AND UNAVAILABLE SOURCES INCLUDING STRESSED AND CONTROVERSIAL GROUND WATER SUPPLIES THAT PLACE EXISTING USERS AT RISK—ALL DURING DROUGHT CONDITIONS WITH LITTLE TO NO GROUNDWATER RECHARGE

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On March 10th, on behalf of our grassroots non-profit group, Backcountry Against Dumps (BAD), Volker Law filed the attached complaint with the California Public Utilities Commission:

Backcountry seeks as a remedy an Order from the Commission (1) finding SDG&E has violated MM HYD-3; (2) directing SDG&E to rescind its September 30, 2013 Water Supply Plan; (3) ordering SDG&E to develop a new water supply plan that complies with Decision 12-06-039 and MM HYD-3; (4) suspending SDG&E's Permit to Construct the ECO Substation Project; and (5) rescinding the Energy Division's approval of SDG&E's Minor Project Refinement Request #8.

At least three of SDG&E's identified sources of water – the Live Oak Springs Water Company, the City of San Diego, and groundwater from the Campo Indian Reservation – are unconfirmed, if not entirely unavailable. SDG&E's permit with the City expired in November 2013. The lone remaining source, the Jacumba Community Service District, cannot even come close to meeting the Project's remaining construction water supply needs, and appears to be in violation of its own governing documents by selling water outside its sphere of influence. BAD is injured by SDG&E's failure to comply with mitigation measure (MM HYD-3) and its impacts on eastern San Diego County's already strained water supplies, concerns BAD has repeatedly raised since it intervened in the Commission's proceeding on SDG&E's Permit To Construct (PTC) application for the ECO Substation.

Volker Law has requested a prehearing conference on April 11, and a merits hearing on May 15, both in Jacumba Hot Springs so impacted residents may attend. BAD hopes to secure a ruling from the CPUC, by early summer. A recent groundwater impact investigation conducted Dr. V.M. Ponce, on the 1,500 acre Soitec Solar projects planned in Boulevard (<http://www.ponce.sdsu.edu/boulevardsoitec.html>), concluded that, *“Excessive reliance on limited groundwater resources, over and above current consumption, is bound to place at risk existing uses and users, both natural and anthropogenic. Domestic groundwater users on both sides of the U.S.-Mexico border are likely to be affected”*. Dr. Ponce has taught hydrology at San Diego State University since 1980. He has more than forty (40) years of experience in the water resources field.

BAD is a 501 c4 Public Benefit Non-Profit: Our main purpose is to gather information and conduct research to inform and defend groundwater dependent communities from environmentally unsafe facilities and projects.