

Statement of Supervisor Hank Kuiper
Member Imperial County Board of Supervisors
Before the U.S. Department of Energy Scoping Meeting
On the Baja California Power, Inc. and
Semptra Energy Resources Power Transmission projects.
El Centro, California
November 20, 2003

My name is Hank Kuiper; I am an elected member of the Imperial County Board of Supervisors representing the 2nd District.

I am here to urge you to reject the preferred alternative, and instead to consider the 4th alternative. When the initial FONSI (Finding of NO Significant Impact) was filed in response to the original Environmental Assessment there was little thought given to the effect that the powerplants in Mexico would have on the air and water quality of the Imperial Valley.

Part of the rationale for not considering the air and water impacts, was that the transmission lines were thought to be independent projects from the powerplant projects. The powerplants were under construction in Mexico, and were being built to Mexican standards under the Mexican permitting regime.

I strongly suggest that this full NEPA review consider the total impact of the transmission lines AND the powerplants on the environment of our region, as they are inexorably linked to one another. Intergen has told us and the state legislature that they have the option of selling their power into either Mexico or the United States. In fact, THEY DO NOT.

The Mexicali Valley is an isolated electricity market from the rest of the State of Baja California and the Mexican mainland in terms of their ability to transmit electricity. They do not even have transmission line capability from Mexicali into the San Felipe coastal region, which is part of Mexicali. San Felipe's electricity must come from the Pacific side of Baja due to the limited transmission infrastructure in and out of the Mexicali Valley. Surplus electricity from Mexicali's generation has historically been exported through the Imperial substation, and their imports have come from connections with the Imperial Irrigation District.

Since the original Intergen plants were proposed, Mexicali's demand for electricity has remained constant or even declined due to the flight of numerous maquiladoras from Mexicali to Asia. In other words, there will be very limited demand for new power from these plants in Mexico. We can

expect all of the power from the Sempra plant, and up to 75 per cent of the generation from the Intergen plant to be produced specifically for export into the United States.

I mention all of this to make the point that without the transmission lines under consideration in these studies; the Mexican powerplants would have no market and no reason to operate.

It is NOT the purpose of the people of Imperial County to deny urgently needed power supplies to the rest of California. It is however, our intention to protect the health and environment of this very poor and largely minority population. We expect you to do this by first finding that the operation of the powerplants is dependent on the construction of these transmission lines, and therefore it is logical to consider a requirement that the increased pollution from these plants be FULLY mitigated as a condition of approval of the lines.

Because of the proximity (three miles) of these plants to Imperial County, and the fact that, but for the transmission lines, the plants would necessarily remain idle for lack of an alternative market for the power, the

pollution from the plants must be considered as a direct result of the construction of these lines. CEQA, NEPA and the Clean Air Act, all require that the added pollution be mitigated.

We have also heard reports that the companies who own the existing powerplants, Intergen and Sempra are planning to build two ADDITIONAL powerplants in Mexicali. We believe this should be investigated and any final permit to operate the transmission lines should necessarily include a requirement to fully mitigate any additional pollutants from future powerplants that may be built with the expectation of exporting power on these lines.

Imperial County took this issue to the state legislature and they are in the process of considering legislation (Assembly Bill 151) that would establish a mitigation fund to enable the Imperial County Air Pollution Control District (ICAPCD) to acquire mitigation offsets to accomplish this objective. Given the uncertainty of the legislation, and given your legal obligation to propose mitigation for adverse environmental or health consequences resulting from a proposed project, alternative Four appears to be most appropriate choice in this process.

We believe that even with the selective catalytic converters that are proposed for the Intergen plant, that there will still be a significant increase in measurable pollutants that will cross into the county's air shed. In fact, the Intergen plant will have no Carbon Monoxide controls and Calexico is already classified as "non-attainment" for CO.

If these plants were built in the United States the operators would be required to obtain mitigation offsets for every new pollutant that is introduced into the environment. Because these transmission line projects are totally reliant on the production of electricity at the new powerplants, it is within the power of the Department to require the acquisition of full mitigation offsets for these plants.

These offsets should be measurable, enforceable, and preferably located in the United States portion of the shared air basin. If the offsets are obtained in Mexico, the ICAPCD should have to ability to inspect and verify that the offsets are real and permanent.

Given the recent decision of the 9th Circuit Court of Appeals that overruled an EPA decision that waived certain air standards in Imperial County due to the fact that we have no control over emissions that originate in Mexico, yet pollute our skies, it is imperative that these new sources of PM-10s, Carbon Monoxide, NOx, and other contaminants be mitigated to the full extent that would be required if they were built on our side of the border.

This is the right thing to do, I urge you to do it.

Thank you.