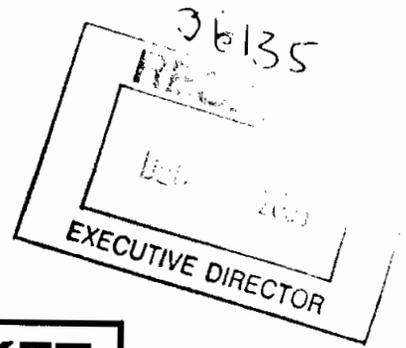
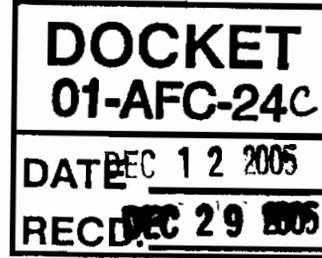


1224 Via Privada
Escondido, CA 92029-7711
(760) 489-8796
jswitzer@evermail.com



December 12, 2005

Mr. B.B. Blevins
Executive Director
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814



Dear Mr. Blevins:

I'm contacting you concerning:

Application for Certification Palomar Energy Project, Escondido, CA
By Palomar Energy, LLC – November 2001

This is a follow-up to a letter I sent to you on October 3, 2005 to which you replied on October 20, 2005. Thank you for your reply. A copy of each of these letters is attached.

When I wrote my original letter I was concerned because there are significant planned changes for the area around the Palomar Energy Project which were not known when the original application was filed and approved.

My understanding of your reply was that Escondido would prepare a revised EIR which would address my concerns. Instead of Escondido dealing with the EIR, it was Palomar Pomerado Health (PPH) which acted as lead agency.

PPH issued an addendum to the original EIR which meant that there was no public review period and the revised EIR wasn't generally available until the actual PPH Board Meeting to vote on the EIR which was December 6, 2005. The PPH Board approved the revised EIR at that meeting. I did prepare and deliver a letter to the PPH Board based on a draft Addendum which was available the day before the Board Meeting. I also presented the contents of the letter to the Board at the December 6th meeting during the public comments period. A copy of the letter I delivered to the PPH Board is attached.

I believe based on reviewing the draft Addendum that PPH didn't actually consider the significant affects which the Palomar Energy Project will have on the new Medical Center. This appeared to be a very hasty process. I still have not been able to obtain a copy of the final Addendum. It was not provided at the Board meeting to the public.

I suggest that now since a Medical Center has been approved for the Escondido Research and Technology Center (ERTC) that this action represents a significant change to the EIR which was prepared for the Palomar Energy Project and that a new EIR must be prepared for the Project. I seriously question if the Palomar Energy Project would have been approved is a Medical Center was already planned and approved for the ERTC.

Palomar Energy Project

Thank you for your time. I hope that this information is useful to you. Please let me know if you have any questions or need further information.

Sincerely,



Jeff Switzer

PALOMAR POMERADO HEALTH
BOARD OF DIRECTORS
SPECIAL MEETING AGENDA

Tuesday, December 6, 2005
Open Session: 5:30 p.m.
Meeting Room E

Pomerado Hospital
15615 Pomerado Road
Poway, California 92064

PUBLIC HEARING

- | | <u>Time</u> |
|---|-------------|
| I. CALL TO ORDER | |
| II. PUBLIC COMMENTS
<i>(5 mins allowed per speaker with cumulative total of 15 min per group – for further details & policy see Request for Public Comment notices available in meeting room).</i> | 5 |
| III. * Resolution No. 12.06.05 (01) – 24 of Adoption and Required Findings and Statement of Overriding Considerations for the Addendum to the Final Environmental Impact Report for the Escondido Research and Technology Center Specific Plan pursuant to the California Environmental Quality Act | 15 |
| IV. * Resolution No. 12.06.05 (02) – 25 Evidencing Compliance with the California Environmental Quality Act – Escondido Research and Technology Center Specific Plan Amendments for new Palomar Pomerado Healthcare Facilities | 15 |
| V. * Resolution No. 12.06.05 (03) – 26 of Approval for Palomar Medical Center Project | 15 |
| VI. ADJOURNMENT | |

*Asterisks indicate anticipated action;
Action is not limited to those designated items.*

"In observance of the ADA (Americans with Disabilities Act), please notify us at 858-675-5106, 48 hours prior to the meeting so that we may provide reasonable accommodations"

1224 Via Privada
Escondido, CA 92029-7711
(760) 489-8796
jswitzer@evermail.com

October 3, 2005

Mr. B.B. Blevins
Executive Director
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

COPY

Dear Mr. Blevins:

I'm contacting you concerning:

Application for Certification Palomar Energy Project, Escondido, CA
By Palomar Energy, LLC – November 2001

I'm concerned because there are significant planned changes for the area around the proposed Palomar Energy Project (the Project) which were not known when the original application was filed and I believe has been approved. I'm just a concerned citizen with no financial interest in any of this. Here are the changes:

Overview:

A 453-bed Acute Care Medical Center – Palomar Medical Center East is now planned for the same Research Park as the Project. This Medical Center will be about 500 feet from the Project – the power plant. It will consist of buildings up to 9-stories in height with helicopters landing on the top of the 9-story tower. I'm not an expert but here are my opinions on how the Project will affect this Medical Center: (by item number in the Application)

5.9 Noise

The nearest residence was listed as 1,800 feet from the Project. Now there will be hospital with patients about 500 feet away.

5.10 Visual

The Medical Center is emphasizing a healing environment with plants and calming views. The Project will like be clearly visible from patient's rooms in the 9-story nursing towers.

5.11 Traffic and Transportation

The Medical Center will likely generate added traffic over initial projections and it includes 300,000 sq. ft. of office space which will generate even more traffic.

Palomar Energy Project

5.15 Public Health

In the Application the nearest sensitive receptor was given at 1.7 miles away from the Project. The nearest medical center was 4.3 miles. There will now be a medical center .1 miles that is about 500 feet away. The Medical Center will be essentially across the street from the Project. The Medical Center will have 9-story nursing towers which will likely be above the level of the Project exhaust stacks, plus many areas below the stacks. In addition there is what looks like a 15-foot or so tall mound all around the Medical Center site which would seem to me to hold pollutants. Clearly the Medical Center creates a new situation here which needs to be fully evaluated.

Overall Safety

There are number of safety issues which I believe apply. There will be helicopters landing at the Medical Center to deliver emergency patients. There are number of very tall power lines in the area. It would be very possible for a helicopter to crash either on its own or due to hitting a power line and hit the Project. This could cause an explosion, fire or other problem which could endanger the Medical Center.

I have seen what happened when an excavator hit a good sized underground natural gas line. The results were frightening and clearly potentially very destructive for people and structures within a significant radius.

I would believe that power plants could be terrorist targets. In the event the Project was attacked this could cause an explosion or fire or other problem which could endanger the Medical Center.

Aqueous ammonia is to be transported to the Project via trucks on a road which runs directly in front of the Medical Center. A traffic accident in front of the Medical Center involving one of these trucks could release large quantities of this hazardous material.

Large quantities of aqueous ammonia are to be stored onsite at the Project. A rupture in a storage container, either intentionally or by accident could release significant amounts of this hazardous substance.

Thank you for your time. I hope that this information is useful to you. Please let me know if you have any questions or need further information.

Sincerely,

Jeff Switzer

CALIFORNIA ENERGY COMMISSION

1516 NINTH STREET
SACRAMENTO, CA 95814-5512
www.energy.ca.gov



October 20, 2005

Mr. Jeff Switzer
1224 Via Privada
Escondido, CA 92029-7711

Dear Mr. Switzer:

Thank you for your letter of October 3, 2005, detailing the proposed development of the Palomar Medical Center East adjacent to the Palomar Energy project in Escondido, California.

As your letter states, the Energy Commission was not aware of the potential for the development of a hospital at this location and, as a result, did not perform an analysis of potential impacts of the Palomar project to a medical facility. The Energy Commission's August 6, 2003 decision to approve the project contemplated the adjacent land uses identified by the City of Escondido in their Environmental Impact Report (EIR) for the Escondido Research and Technology Center (ERTC) Specific Plan. The permitted land uses identified by the City included light industrial, as well as administrative, business, and professional offices. Use of the ERTC for a regional medical center was not an approved land use identified in the ERTC Specific Plan. As a result, the City of Escondido did not analyze this use during their environmental review of the ERTC Specific Plan.

In order to allow the construction of the Palomar Medical Center East at the ERTC the City of Escondido will be required to update the ERTC Specific Plan and complete a new EIR for the revised use. Your letter raises a number of questions regarding the proposed use that should be addressed by the City during their EIR review.

Thank you again for bringing this important issue to my attention. If you need further assistance please contact Bob Eller of my staff at (916) 651-8835 or via email to beller@energy.state.ca.us.

Sincerely,

A handwritten signature in black ink, consisting of stylized, overlapping loops and a long horizontal stroke at the bottom.

B. B. BLEVINS
Executive Director

cc: Jonathan Brindle, City of Escondido Planning Department

1224 Via Privada
Escondido, CA 92029-7711
(760) 489-8796
jswitzer@evermail.com

December 6, 2005

Marcelo Rivera, M.D.
Chairman – Board of Directors
Palomar Pomerado Health
15255 Innovation Drive, Ste 204
San Diego, CA 92128-3410

COPY

Dear Dr. Rivera:

I'm contacting you concerning:

Addendum to the Escondido Research and Technology Center Specific Plan
Final Environmental Impact Report

I'm concerned because there are significant planned changes for the ERTC as noted in the Addendum. Because of these changes a revised EIR should be prepared for the Escondido Research and Technology Center (ERTC). While only a brief few hours were available to review the Addendum here are some significant points which arose from that review:

Overview:

A 453-bed Acute Care Medical Center – Palomar Medical Center East is now planned for the ERTC. This Medical Center will be located about 900 feet from the Palomar Energy Project (PEP) – a 500 Megawatt power plant. Neither of these projects was originally included in the original Final Environment Impact Report. (FEIR) The PEP was approved by the California Energy Commission as detailed in "Application for Certification Palomar Energy Project, Escondido, CA by Palomar Energy, LLC – November 2001."

In developing and approving an EIR for the ERTC, PPH as the lead agency needs to include the existence and effects of the PEP in their work.

Examples of affected areas:

Here are specific sections of the PEP certification which are now changed by the new Medical Center:

Noise

The nearest residence was listed as 1,800 feet from the PEP. Now there will be a Medical Center with patients about 900 feet away and 9-story towers which may reinforce the sound in unanticipated ways. The new Medical Center has an emphasis on healing gardens which are negatively affected by noise.

Visual

Addendum to ERTC Environment Impact Report

The Medical Center is emphasizing a healing environment with plants and calming views. The PEP and associated power transmission lines will likely be clearly visible from patient's rooms in the 9-story nursing towers. The 9-story towers also represent a significant visual change to the area.

Traffic and Transportation

The new Medical Center will significantly adversely affect parking at the ERTC. The addendum proposes that 1.25 parking spaces be allocated for each hospital room. In the recent Pomerado Hospital EIR this figure was 2.00 parking spaces per room based on an extensive consultant study. Allowances for medical office building were similar in each case. For a 453-bed facility this means that 313 fewer parking spaces will be allocated at the ERTC than would be case if the Pomerado figures were used. This means that parking for the new Medical Center will affect available street parking and nearby office structures.

Based on this allocation there will be fewer parking spaces at the new Medical Center allocated to the Hospital (not the Medical Office Building which has its own parking) than there are at the existing Palomar Medical Center and its parking is considered to be unacceptable according to the PPH Master Facilities Plan.

The traffic studies in the original EIR and the addendum appear to not include the affect of the SPRINTER railway commuter line which crosses Nordahl Road just south of West Mission Rd. This railway is a significant change to traffic in the area. This railway will have a negative effect on the flow of traffic on that road which is the busiest access feeder to the ERTC site. This affect needs to be considered in any new EIR.

Pubic Health

In the PEP Application the nearest sensitive receptor was given as 1.7 miles away from the Project. The nearest medical center was 4.3 miles. There will now be a medical center 900 feet away. The Medical Center will be essentially across the street from the Project. The Medical Center will have 9-story nursing towers which will likely be above the level of the Project exhaust stacks, plus many areas below the stacks.

The PEP application only considered areas around the ERTC not areas in the ERTC. There is what appears to be a 15-foot or so tall mound all around the Medical Center site which would seem to hold pollutants. It did not appear to be included in the analysis in the PEP Application. Based on the air quality studies in the PEP Application it is very possible that pollution limits will exceed acceptable values at the new Medical Center due to the PEP. Clearly the Medical Center creates a new situation here which needs to be fully evaluated.

Overall Safety

There are number of safety issues which I believe apply. There will be helicopters landing at the Medical Center to deliver emergency patients. There are number of very tall power lines in the area. It would be very possible for a helicopter to crash either on its own or due to hitting a power line and hit the PEP. This could cause an explosion, fire or other problem which could endanger the Medical Center. There a many examples of this type of helicopter crash in the U.S. over the past few years.

Addendum to ERTC Environment Impact Report

I have seen what happened when an excavator hit a good sized underground natural gas line. The results were frightening and clearly potentially very destructive for people and structures within a significant radius. The PEP has huge gas lines.

Power plants could be terrorist targets. In the event the PEP was attacked this could cause an explosion or fire or other problem which could endanger the Medical Center.

Aqueous ammonia is to be transported to the Project via trucks on a road which runs directly in front of the Medical Center. A traffic accident in front of the Medical Center involving one of these trucks could release large quantities of this hazardous material.

Large quantities of aqueous ammonia are to be stored onsite at the Project. A rupture in a storage container, either intentionally or by accident could release significant amounts of this hazardous substance. The PEP Application included reference to this hazard but didn't do the evaluation with a Medical Center located across the street.

Finally the grade level railway crossing on Nordahl Rd. will cause delays for emergency vehicles delivering patients to the new Medical Center which may be life threatening. A study of the average a maximum delays at that railway crossing needs to be part of a new EIR. An overpass may be required to mitigate this issue.

Recommendation:

Due to the significant changes in the planned use of the ERTC since the original EIR a full new EIR should be prepared for the ERTC.

Sincerely,

Jeff Switzer

Copies:

Nancy L. Bassett, R.N., M.B.A. - Vice-Chair
T.E. (Ted) Kleiter - Treasurer
Nancy H. Scofield- Secretary
Linda Greer, R.N. - Director
Bruce Krider - Director
Alan W. Larson, M.D. - Director