

Pfeifer, Kathy

#2

From: Bright, Rita [Rita.Bright@amec.com]
Sent: Tuesday, October 07, 2014 9:53 AM
To: Pfeifer, Kathy
Subject: Cuyama Solar Facility and Comprehensive Plan/LUDC Amendments EIR: 11EIR-00000-00005 - Comments Submitted by Jason Vosburgh

Hello Kathy,

As you've requested, AMEC reviewed the email submitted by Mr. Jason Vosburgh dated October 3, 2014, and offers the following response:

Regarding the ALUP, San Luis Obispo County's Airport Land Use Commission states that an ALUP is only required for the McChesney Field, the Oceano Airport, and the Pos Robles Municipal Airport within SLO County. As such, there is no ALUP that applies to the Vosburgh airfield. Therefore, we state in the EIR: ***"The proposed Solar Facility and PG&E Substation Additions would be located near a private air strip but are not within an airport land use plan. The New Cuyama Airport is located approximately 5 miles from the Project area. This public airport consists of one runway on 240 acres and is lightly used. According to the ALUP, the Solar Facility is located outside (approximately 5 miles) of any restricted or safety zones and would not require formal review or approval by aviation facilities."***

With regard to the FAA regulations, we confirmed that the *"Proposed Project would not be considered a construction project that would require FAA notice based upon criteria provided in 14 Part 77.13. Specifically the Proposed Project does not exceed height and location criteria."*

It appears we have addressed all the concerns provided in Mr. Vosburgh's original comment letter regarding impacts to views and affects of glare on pilots, including with substantiated evidence (Shields 2010). The EIR response states:

The visual resources analysis was prepared consistent with the County's Visual Aesthetic Impact Guidelines, Santa Barbara County Thresholds Manual and CEQA Guidelines. Additionally, the Project was assessed for consistency with the County's visual resource protection policies and Federal Aviation Administration (FAA) requirements under Title 14 of Code of Federal Regulations (CFR) Part 77. Impacts AV-4 and AV-9 discuss potential impacts associated with glare from the Proposed Project. Impacts associated with glare were determined to result in significant and unavoidable impacts (Class I). Data cited in the DEIR regarding the reflectivity of solar panels is sourced from scientific studies, including PV Systems: Low Levels of Glare and Reflectance vs. Surrounding Environment (Shields 2010), and available information. Solar arrays are increasingly used in the proximity of airports, including 9,200 tracking panels near the Denver International Airport, 20 acres approved by the FAA near the Fresno-Yosemite Airport approach zone, and 81,000 square feet of rooftop panels near the Oakland International Airport. In addition, the DEIR identifies a series of mitigation measures to reduce potential impacts associated with adverse visual impacts, including aesthetic design treatments, use of low-intensity lighting, and minimization of glare (refer to pg. 3.1-43).

Please feel free to contact me with any questions.

Regards,

Rita

Rita Bright
CEQA-NEPA Project Manager
Land Use Policy Specialist

AMEC

2014 OCT -7 AM 10:05
COUNTY OF SANTA BARBARA
CLERK OF THE
BOARD OF SUPERVISORS

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Pfeifer, Kathy

From: jason.vosburgh@sbcglobal.net
Sent: Friday, October 03, 2014 12:42 PM
To: Pfeifer, Kathy; Pfeifer, Kathy
Cc: Curtis, Susan; SupervisorCarbajal
Subject: Fw: 11EIR-00000-00005

Dear Ms. Pfeifer,

We recently discovered Section 3.9-2 of Land Use and Planning omitted our airport. We are the closest proximity to the project of all the airports that were listed. That "existing and planned airport operations are not inhibited, safety of people living and working in airport environments is assured" is not an accurate statement. ALUP requirements need to be revisited in addition to glint and glare report that is standard to airports with solar projects in operational proximity.

<http://www.airnav.com/airport/5CN4>

Regards,

Jason Vosburgh

----- Original Message -----

From: Richard Fanning
To: kathypm@co.santa-barbara.ca.us
Cc: [Vosburgh](#)
Sent: Monday, March 03, 2014 12:30 PM
Subject: 11EIR-00000-00005

Dear Ms. Pfeifer.

My name is Richard Fanning. I am an attorney duly licensed to practice law in any court in the State of California. My State Bar number is 263912. I represent the interests of Jason Vosburgh, dba Vosburgh Airfield. Mr. Vosburgh's private airfield is located approximately 2 miles to the Northeast of the proposed Cuyama Solar Array Project, in San Luis Obispo County.

Mr. Vosburgh has concerns that the EIR prepared for this proposed project has not adequately addressed the impact the proposed project will have on his property. Specifically, there is no evidence in the EIR that the effect of glare from the solar panels on pilots of incoming aircraft has been properly addressed. There is no evidence that any study was done regarding what measures could be taken to mitigate the effect of any glare emanating from the panels on aircraft pilots. Rather, the EIR seems to accept (without any scientific data to back up) that PV panels do not produce significant glare and are therefore not a problem. Mr. Vosburgh feels the project should not move forward until this issue has been more adequately addressed in the EIR.

Further, Mr. Vosburgh (as well as some of his neighbors) feels that negative view shed effects from the project have been downplayed or ignored altogether. It should be noted that Vosburgh Airfield periodically hosts hot air ballooning events as well as air races and fly-ins, for the public benefit of the surrounding Cuyama Valley, and the negative view shed has the potential to substantially negatively impact the continued viability of such events. While Mr. Vosburgh's permit to operate the airfield precludes commercial flights, he can engage in the sale of goods and services during such public benefit events. The negative impact on those events thus has the

potential to cause an economic loss to Mr. Vosburgh which needs to be addressed prior to the project moving forward. Add to that the negative visual effects the project will have on Mr. Vosburgh's enjoyment of his property and you can see that this project will have a substantial overall negative effect on Mr. Vosburgh, his family and his business unless further mitigation is forthcoming. Finally, the value of Mr. Vosburgh's property, as well as that of his neighbors, to any future buyer, will be diminished if mitigation to the view shed is not adequately addressed.

Thank you for your attention to my email, I look forward to hearing from you in this matter.

Sincerely,

Richard Fanning
Attorney at law

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