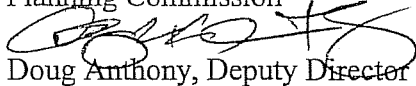


TO: Planning Commission

FROM: Doug Anthony, Deputy Director
Energy Division, Planning and Development
Staff Contact: John Day (568-2045)

DATE: June 26, 2009

RE: CEQA Determination: Finding that CEQA section 15164 (Addendum) applies to Lompoc Wind Energy Project Temporary Meteorological Towers (Case #09APL-00000-00011; 09LUP-00000-00146). CEQA section 15164 allows an addendum to be prepared when only minor technical changes or changes which do not create new significant impacts would result. The Environmental Impact Report (06EIR-00000-00004; SCH# 2006071008) prepared for the Lompoc Wind Energy Project (Case #06CUP-00000-00009) is hereby amended by this 15164 letter for Lompoc Wind Energy Project Temporary Meteorological Towers (Case #09APL-00000-00011; 09LUP-00000-00146).

Location: The project is located adjacent to San Miguelito Road near its southern terminus, from 3525 to 5555 San Miguelito Road, Lompoc area; Third Supervisorial District; APN #s 083-080-004, 083-090-001, 083-090-002, 083-090-003, 083-100-004, 083-100-008, 083-250-011, 083-250-019, 083-090-004, 083-100-007.

Background:

The Environmental Impact Report (06EIR-00000-00004; SCH# 2006071008) for the Lompoc Wind Energy Project was certified by the Santa Barbara County Board of Supervisors in a public hearing on February 10, 2009. A Conditional Use Permit for the project was approved at the same hearing. As a result of this project, significant effects on the environment are anticipated in the following areas: Aesthetic/Visual Resources, Air Quality, Biological Resources, Cultural Resources, Fire Hazards and Emergency Services, Geology/Soils, Land Use, Noise, Paleontological Resources, Risk/Safety, Traffic/Circulation, and Water Resources. Implementation of the recommended mitigation measures would reduce the environmental effects to less than significant, except for effects on Aesthetic/Visual Resources and Biological Resources, which would be significant and unavoidable.

The proposed actions involve minor modifications to the Lompoc Wind Energy Project, to extend the schedule for removal of temporary meteorological towers ("met towers"), reduce the number and height of permanent met towers, and install one permanent tower earlier than stated in the project description in the final EIR (§2.3.4). The changes are as follows:

1. Extend the removal deadline for two met towers from February 10, 2010, until December 31, 2010.
2. Extend the removal deadline for two temporary met towers from 90 days after CUP approval to December 31, 2010.

3. Extend the removal deadline for all other existing temporary met towers from 90 days following CUP approval until 45 days following issuance or denial of the Land Use Permit for this project.
4. Modify the project description to allow only one permanent 30-meter, unguyed met tower without lighting for the project, instead of up to ten 80-meter towers, which may be permitted and constructed prior to approval of the final plans for Phase I project construction.

These modifications are described and analyzed in detail in the Substantial Conformity Determination dated April 16, 2009, and the staff report for the Planning Commission hearing July 15, 2009, which are incorporated herein by reference.

Changes in Project Impacts:

The proposed project changes, as described above, will not cause any new environmental impacts, nor increase previously identified impacts, nor require any new or modified mitigation. The changes will reduce long term impacts to visual and biological resources and will support County Comprehensive Plan policies and Land Use and Development Code regulations.

The proposed changes should be considered as a whole. Two existing, 80-meter high temporary met towers would remain in place up to approximately 11 months longer than previously approved; two existing 60-meter towers would remain approximately 1 year and 8 months longer than previously approved; and four other existing, 60-meter towers would remain until 45 days following LUP issuance. In contrast, the permanent met towers, to be installed for the 30-year project life, would be reduced from up to ten 80-meter towers (with possible FAA obstruction lights) to a single, 30-meter tower (without lighting), which would be installed prior to the main project construction.

The environmental impacts of the temporary met towers are not analyzed separately from the permanent met towers in the EIR. However, the met towers will contribute to significant impacts to birds and bats, due to potential for fatal collisions (Impact Bio-11, EIR p. 3.5-82). The met towers will also contribute to significant impacts to visual resources (Impact Vis-1, EIR p. 3.2-31). (Note that the primary biological and visual impacts described in the EIR are from wind turbines, not met towers.) Although the delay in removal of the temporary met towers will extend slightly the short-term impacts to the affected resources, the reduction in permanent met towers to a single, 30-meter tower represents a major reduction of the permanent towers on the site and a corresponding reduction of biological and visual impacts. The reduced configuration of permanent met towers will also reduce impacts to geology and soils (EIR §3.9.3.3), due to avoidance of the substantial excavation and grading required for the foundations of free-standing, 80-meter, permanent towers.

The extension of operation of the temporary towers would not involve any new ground disturbance or construction beyond that considered in the approved project description. The proposed addition of bird diverters on the guy wires will minimize impacts to birds and bats from possible collisions with the wires.

The reduction of permanent, tall structures on ridges and steep slopes is also beneficial and consistent with the County Comprehensive Plan policies and Land Use and Development Code regulations that prohibit development on ridgelines and steep slopes, except where infeasible or where technical requirements dictate otherwise (EIR §3.10.4). In particular, the reduced met tower configuration would reduce grading impacts pursuant to Hillside and Watershed Policies (EIR p. 3.10-16), reduce visual impacts pursuant to Visual Resources Policy 2 (EIR p. 3.10-18), reduce visual impacts and development on steep slopes pursuant to the Land Use Policies (EIR p. 3.10.20), reduce exceedances of height limits consistent with LUDC §35.30.090 (EIR p. 3.10-23), and reduce visual impacts and ridgeline development consistent with LUDC §§35.57.050.k and 35.62.040 (EIR p. 3.10-25; 3.10-26).

Findings:

It is the finding of the Planning and Development Department that the previous environmental document as herein amended may be used to fulfill the environmental review requirements of the current project. Because the current project meets the conditions for the application of State CEQA Guidelines Section 15164, preparation of a new EIR or ND is not required.

Discretionary processing of Lompoc Wind Energy Project Temporary Meteorological Towers (Case #09APL-00000-00011; 09LUP-00000-00146) may now proceed with the understanding that any substantial changes in the proposal may be subject to further environmental review.