



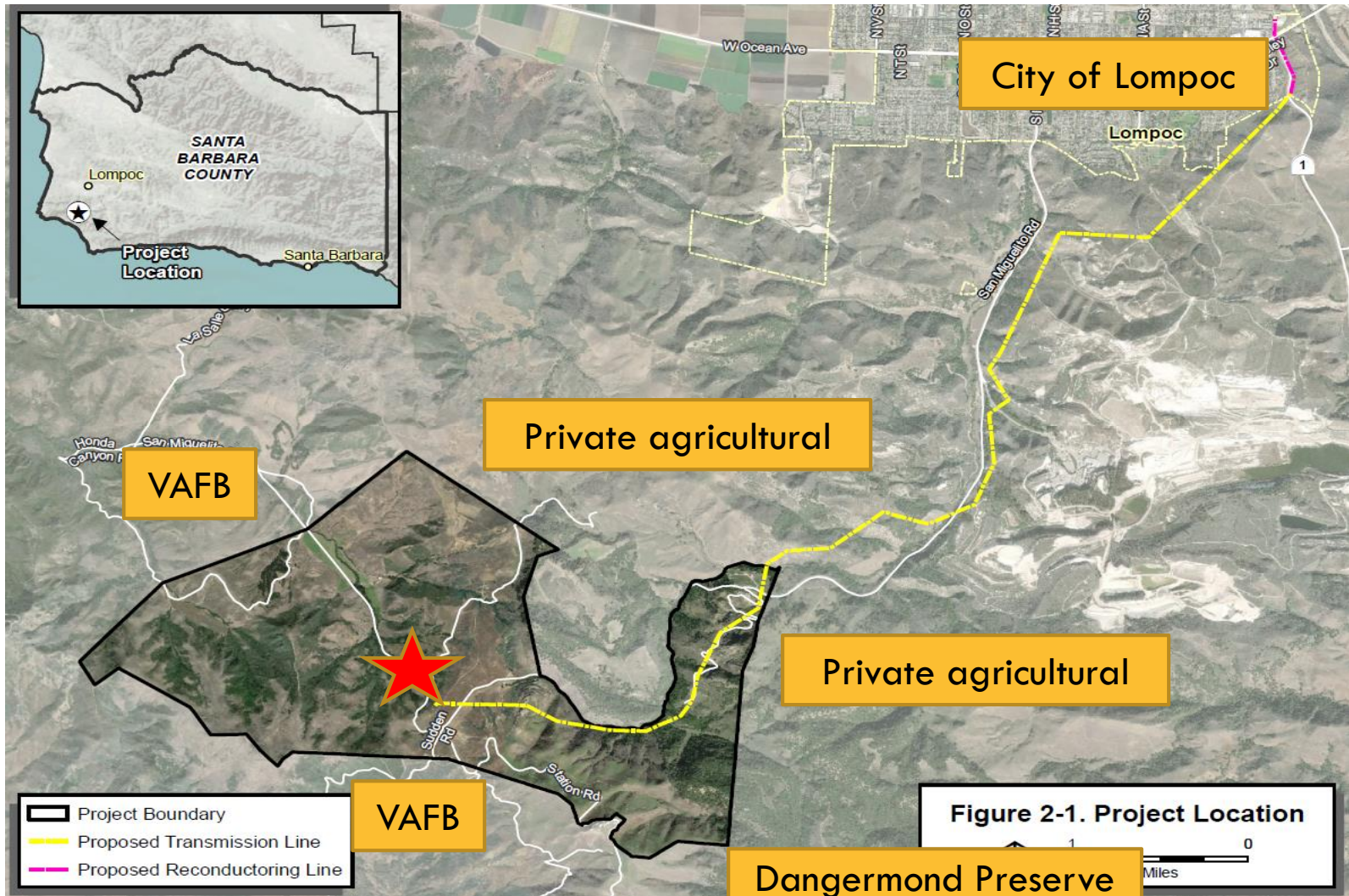
Appeals of the Strauss Wind Energy Project

Case Nos. 19APL-00000-00033, 19APL-00000-00034,
19APL-00000-00035, 16CUP-00000-00031
and 18VAR-00000-00002
EIR No. 18EIR-00000-00001

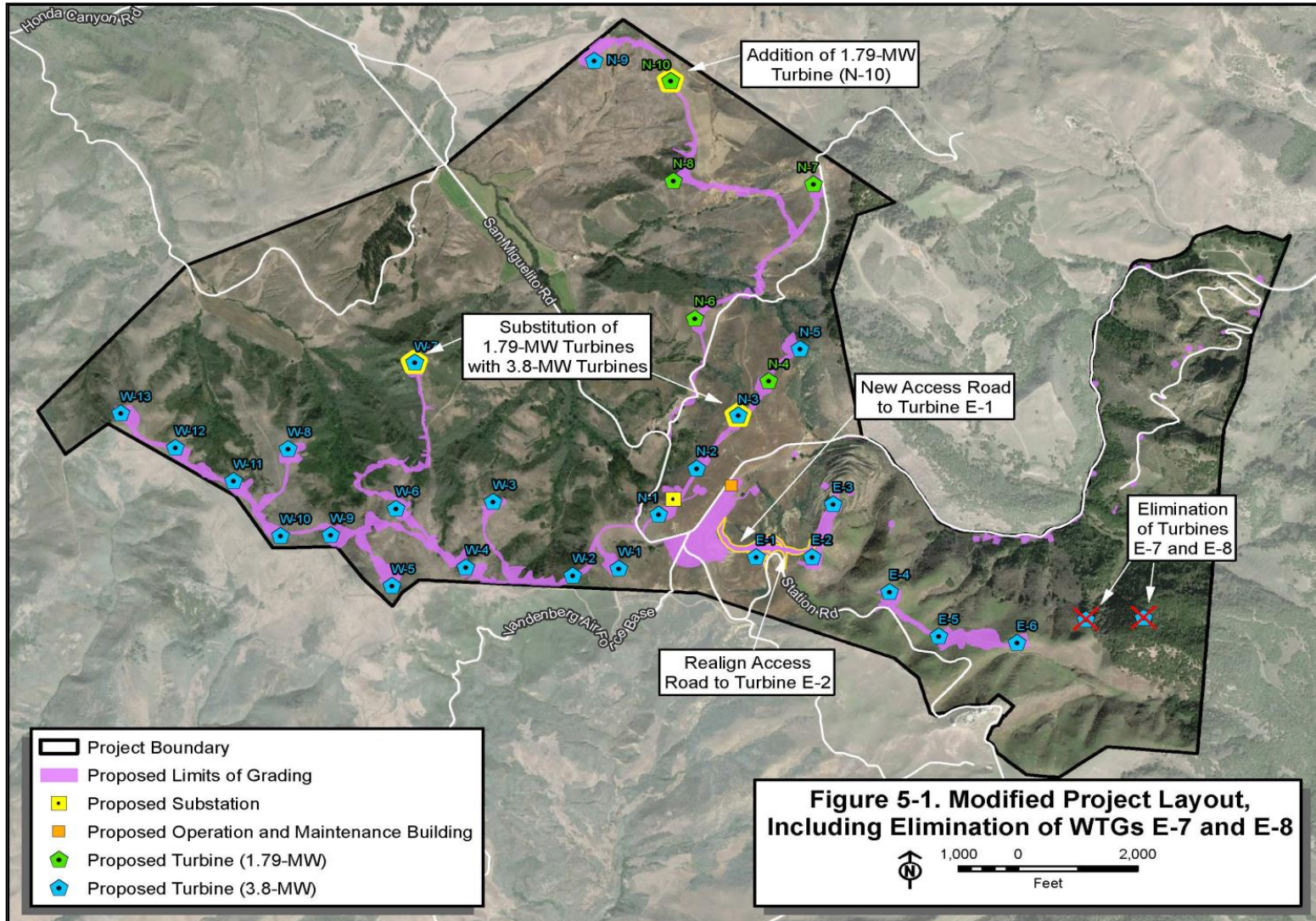
Board of Supervisors Hearing

January 28, 2020

Project Vicinity



SWEP Wind Turbine Site





Environmental Review

- Supplement to the Lompoc Wind EIR
- DSEIR public review – 52 days
- Public comments incorporated
- Final SEIR published October 31
- Final SEIR Revision Letter #1

Final SEIR Class I Impacts



5

SWEP Board of Supervisors Hearing, January 28, 2020

□ **Aesthetics:**

- WTGs from views in the Project vicinity
- WTGs from Jalama Beach
- Transmission line from roads and City of Lompoc
- Tree removal along San Miguelito Rd
- WTGs FAA lighting at nighttime

□ **Biological Resources:**

- Construction impacts to oak woodland and forest
- Avian and Bat collisions with WTGs

Final SEIR Class II Impacts



6

SWEP Board of Supervisors Hearing, January 28, 2020

- **Aesthetics**
- **Air Quality**
- **Biological Resources**
- **Cultural/Tribal Resources**
- **Fire Hazards/Emergency Services**
- **Geology/Soils**
- **Hydrology/Water Quality**
- **Land Use**
- **Noise**
- **Paleontological Resources**
- **Recreation**
- **Traffic and Transportation**
- **Utilities and Service Systems**

Final SEIR Class IV Impacts



7

SWEP Board of Supervisors Hearing, January 28, 2020

Beneficial Impacts

- Renewable Energy Supply
- Greenhouse Gas Emission reductions

Final SEIR –Project Alternatives



- No Project Alternative
- Modified Project Layout, including elimination of WTGs E-7 and E-8
- Alternative Switchyard Location
- Alternative Surface Transport Route

SWEP Appeals



Three appeals filed:

- Juarez, Adam & Farley, LLP on behalf of George and Cheryl Bedford
 - Issues 1a – 2a

- Adams, Broadwell, Joseph & Cardozo, LLP on behalf of Citizens for Responsible Wind Energy
 - Issues 3a – 12b

- California Native Plant Society
 - Issues 13a – 16a

Juarez, Adam & Farley, LLP on behalf of George and Cheryl Bedford



10

SWEP Board of Supervisors Hearing, January 28, 2020

- Appellant – Insufficient analysis for dismissing project alternative - Siting WTGs below Ridgelines

- Staff response – FSEIR analysis provides substantive reasoning for dismissal of alternative
 - Increases grading and biological impacts
 - Uncertain if reduces avian fatalities
 - Reduces capture of wind resource, reduces energy generating capacity, reduces project feasibility

Juarez, Adam & Farley, LLP on behalf of George and Cheryl Bedford



11

SWEP Board of Supervisors Hearing, January 28, 2020

- Appellant – Project conflicts with LUDC and Comprehensive Plan’s visual standards and policies

- Staff Response
 - LUDC provides flexibility and discretion to interpret and apply Ridgeline and Hillside Development Guidelines

 - Project includes features which have “technical requirements” that cannot be altered

Adams, Broadwell, Joseph & Cardozo, LLP on behalf of Citizens for Responsible Wind Energy



12

SWEP Board of Supervisors Hearing, January 28, 2020

- Appellant – Draft SEIR must be recirculated due to added significant information
 - Golden eagle
 - Groundwater

- Staff response
 - FSEIR included additional information, which clarifies and amplifies what was documented in DSEIR

Adams, Broadwell, Joseph & Cardozo, LLP on behalf of Citizens for Responsible Wind Energy



13

SWEP Board of Supervisors Hearing, January 28, 2020

- Appellant – Inadequately analyzes collision impacts on avian/bats, specifically golden eagles
 - Failed to conduct golden eagle risk assessment
- Staff response – Analysis is consistent with CEQA
 - Analyzed direct and indirect of avian/bats, including golden eagle in FSEIR Impacts BIO-1, BIO-7 through BIO-12
 - Risk assessment – software tool used by USFWS
 - COA 38 Mitigation Measure BIO-16 requires authorization from USFWS for take permit

Adams, Broadwell, Joseph & Cardozo, LLP on behalf of Citizens for Responsible Wind Energy



14

SWEP Board of Supervisors Hearing, January 28, 2020

- Appellant – Finding 1.8 not supported by substantial evidence
- Staff response
 - Five benefits listed that outweigh significant and unavoidable impacts
 - Second benefit listed: carbon dioxide emission reductions
 - Carbon dioxide emission factor value
 - Staff recommends revision



▣ Finding 1.8 – Statement of Overriding Consideration

■ Second benefit revised as follows:

2. The project will offset the need for additional electricity generated from fossil fuels and thereby assist the California in meeting its air quality goals and reducing greenhouse gas emissions. The project will reduce carbon dioxide emissions by as much as 60,000-73,000~~-200,000~~ metric tons annually.



- Appellant – Final SEIR inadequately analyzes and mitigates impacts to Gaviota tarplant and other rare plants

- Staff Response
 - Final SEIR analysis is based on acreage of occupied habitat
 - More reliable method of quantifying impacts versus identifying number of individual plants
 - Mitigation ratio of 3:1 is consistent with County practice of rare plants



Strauss Wind Energy Project Appeals

17

SWEP Board of Supervisors Hearing, January 28, 2020

- **Staff Recommended Actions:**
 - Deny the three appeals
 - Make required findings for approval
 - Certify the Final Supplemental EIR
 - Grant *de novo* approval of SWEP, consisting of the Modified Project Layout and Alternative Surface Transportation Route