



**SANTA BARBARA
AUDUBON SOCIETY**

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7/12/23

P.O. Box 6737
Santa Barbara, CA 93160
www.SantaBarbaraAudubon.org

July 6, 2023

To: Santa Barbara County Planning Commission

Re: Case No. 23RVP-00031 for approval of a revision to the Strauss Wind Energy Project (SWEP) Conditional Use Permit (CUP)

Santa Barbara Audubon Society (SBAS) is a chapter of the National Audubon Society with approximately 1100 members in the Santa Barbara area. The mission of the SBAS is to protect area birdlife and habitat and connect people with birds through education, conservation, and science.

SBAS supports all forms of renewable energy, including wind energy. SBAS has a long history with wind projects on the Strauss site, starting with the Lompoc Wind Project almost 20 years ago. We have endeavored to influence the development of Strauss to ensure that it would be designed and operated to have the minimum feasible impact on birds and other wildlife. We hope that our efforts have been constructive.

SBAS supports the Planning staff recommendation to deny the proposed changes to the CUP

SBAS has reviewed the staff report¹ and we agree with staff's recommendation to deny the proposed changes. We specifically note the following:

Under CEQA, modifications to an adopted mitigation measure must be supported by a legitimate reason for the change based on substantial evidence. BayWa has no legitimate reason for this change. The reason that they want the change is that they chose, for more than three years, not to submit their application for an eagle incidental take permit (ITP) and now they need the ITP (see below).

The ITP process requires environmental analyses that will yield valuable insight to the impact of Strauss on local eagle populations. The staff report points out that "Through the ITP process, USFWS would: 1) find that Strauss would 'to the maximum extent practicable, minimize and mitigate the impacts' of potential golden eagle take; and 2) condition the ITP to ensure compliance." Without an ITP, golden eagles would lose these important protections.

The staff report also notes that BayWa's proposed changes to the CUP "would result in less protective and less enforceable mitigation measures for golden eagles than is provided for by the existing condition." SBAS strongly opposes reducing protections and mitigation measures for golden eagles at Strauss.

¹ Staff Report for the Revision to Permit Condition No. 38, MM BIO-16 (Golden Eagle Take Permit) for the Strauss Wind Energy Project, Case No. 23RVP-00031

BayWa has had more than three years to submit its application for an ITP, but chose not to do so.

The Santa Barbara County Board of Supervisors approved the Strauss Wind Energy Project on January 28, 2020, over three years ago. BayWa has known about the requirement to submit an ITP to the USFWS since at least that time. In fact, County Energy Division planners repeatedly reminded BayWa that they needed to submit their application for the ITP². The planners told BayWa that the process at the USFWS could take one to two years. Yet, BayWa did not submit its application for the ITP until March of 2023, over three years after project approval. Submitting the application for the ITP was totally under BayWa's control, yet they chose not to do it. For this reason, the County should not allow the proposed change to the CUP.

Now BayWa is asking for permission to start operation without a major condition of approval, namely having the eagle ITP in place. If they had submitted their application immediately after approval, it is highly likely that the ITP would be in place by now.

Denying this change will avoid setting a bad precedent.

The County, in good faith, approved the project with certain conditions of approval, to which BayWa agreed. Allowing BayWa to not comply with these conditions would set a bad precedent for approved projects in Santa Barbara County. Developers would be tempted to agree to conditions with the hope that the conditions could be relaxed later. This request by BayWa is especially egregious since BayWa had total control of meeting the conditions of approval, yet chose not to do so.

If an eagle is killed without a permit in place, BayWa and the Strauss project could be in jeopardy.

If the Strauss project were to begin operations before an ITP was issued and an eagle were killed by the project, Strauss would be in violation of the Bald and Golden Eagle Act. Such a violation would be referred to the USFWS Office of Law Enforcement. The USFWS would do an investigation and work with the developer to avoid or minimize further take. The USFWS would submit the results of the investigation to the US Department of Justice (DOJ), and the DOJ would decide whether to prosecute. Obviously, all of this would be complicated and time-consuming. Certainly something to be avoided, if possible.

Other wind farms have been prosecuted for killing eagles without an ITP.

In 2013, Duke Energy pleaded guilty to violating the federal Migratory Bird Treaty Act (MBTA) in connection with the deaths of protected birds, including golden eagles, at the company's wind projects in Wyoming.³ The court found that Duke Energy failed to make all reasonable efforts to build the projects in a way that would avoid the risk of avian deaths by collision with turbine

² See, for example, email from County Energy Division Planner Rey Harmon to Steve Ferry of Santa Barbara Audubon, April 22, 2022: "USFWS Take Permit: BayWa has been repeatedly encouraged by the County, CDFW, and USFWS to apply for the take permit asap. USFWS has advised that it may take 1-2 years to process the permit. No application has been submitted yet."

³ See <https://www.justice.gov/opa/pr/utility-company-sentenced-wyoming-killing-protected-birds-wind-projects>

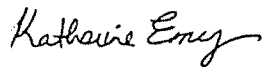
blades, despite prior warnings about this issue from the USFWS. The company was sentenced to pay fines, restitution and community service totaling \$1 million and was placed on probation for five years. The company was also required to apply for an Eagle Incidental Take Permit which provided a framework for minimizing and mitigating the deaths of golden eagles at their wind projects.

County legal jeopardy if Strauss begins operation without an ITP?

It is conceivable that the County could have some liability for eagle deaths if the County were to give BayWa permission to proceed without meeting a condition of its own permit (the requirement to have an ITP before operation commences). This is an issue that the County may want to consider.

SBAS hopes that the Planning Commission will consider the issues we have raised in this letter and the issues described in the staff report and deny the proposed changes to the Strauss Conditional Use Permit.

Regards,



Katherine Emery, Ph.D.
Executive Director
Santa Barbara Audubon Society

Villalobos, David

From: Dolores Pollock <dolores.pollock@verizon.net>
Sent: Thursday, July 6, 2023 2:19 PM
To: Villalobos, David
Subject: Denial of SWEP Conditional Use Permit Revisions
Categories: Purple Category

2

7/12/23

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

TO: Santa Barbara County Planning Commission

re: Case No. 23RVP-00031 for approval of revision to the Strauss Wind Energy Project (SWEP) Conditional Use Permit (CUP)

Dear Commissioners:

As you know, Santa Barbara Audubon has been vigilant regarding SWEP since its inception. When studying this project, the issue for us has not been alternative energy--which we support--but the protection of wildlife.

As former President of the chapter and an active member, **I want to express my strong support now for the Planning staff recommendation to deny the proposed revisions to SWEP's CUP.**

I believe there is no legitimate reason for the requested changes. Moreover, I'm distressed that full compliance by SWEP with the conditions of the CUP seems to have been delayed for no good reason.

In line with Audubon's mission, I strongly oppose reducing protections and mitigation measures for golden eagles. Certainly, the Intentional Take Permit should be issued before BayWa is permitted to start operations.

Again, I strongly support the Planning staff's recommendation in this matter.

Sincerely yours,

Dolores Pollock

President, Santa Barbara Audubon 2014-2021

Villalobos, David

From: Ken Pearlman <kenpearlman@comcast.net>
Sent: Friday, July 7, 2023 8:17 AM
To: Villalobos, David
Subject: Planning Commission must deny requested SWEP Conditional Use Permit Revisions
Categories: Purple Category

2
7/12/23

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

TO: Santa Barbara County Planning Commission

RE: Case No. 23RVP-00031 for approval of revision to the Strauss Wind Energy Project Conditional Use Permit

Dear Commissioners:

I am writing to express my strong support for the County's Planning staff recommendation to deny BayWa's proposed revisions to the Strauss Wind Energy Project's (SWEP) Conditional Use Permit (CUP). These proposed revisions would weaken the important protections to Golden Eagles afforded by the incidental take permit (ITP) process that BayWa had previously agreed to and now seeks to abrogate for no legitimate reason.

Failure to deny BayWa's baseless request would set a terrible precedent and constitute a betrayal of the public trust in the County's planning process by undermining a key SWEP condition of approval that had been agreed to in good faith by both the County and BayWa. It is imperative that the County stick to its agreed-upon conditions and not allow BayWa to commence operations until the required eagle ITP is issued.

I was very pleased to see the County's Planning staff report support this view and I urge the Planning Commission to accept staff's recommendation and deny BayWa's request.

Sincerely,

Kenneth Pearlman
Goleta, CA

Villalobos, David

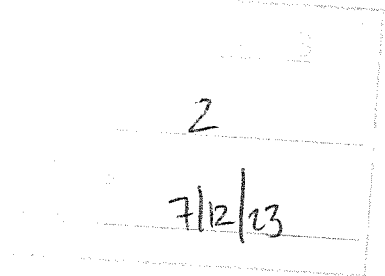
From: Katie Davis <kdavis2468@gmail.com>
Sent: Friday, July 7, 2023 2:08 PM
To: Villalobos, David; John Parke; Laura BridleyPC; Michael Cooney
Cc: Ybarra, Jacquelynn; Zorovich, John
Subject: 7/12/23 Agenda Item #2 - Revisions to Condition #38 Strauss Wind Energy Project SUPPORT

Categories: Purple Category

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July 7, 2023

Santa Barbara County Planning Commission
123 East Anapamu Street
Santa Barbara, CA 93101
Via email to: dvillalo@countyofsb.org



Re: July 12, Agenda Item #2 - Revisions to Condition #38 Strauss Wind Energy Project SUPPORT

Dear Santa Barbara County Planning Commissioners,

The Sierra Club strongly supports the Strauss Wind Project, and we thank you for your past unanimous support for this project, which will provide enough renewable energy for 45,000 homes, while creating green collar jobs in north county. We need to rapidly deploy renewable energy projects like this to help us achieve the County and State's ambitious climate goals.

We are proud of the native plant and animal conservation elements in the plan, and it is our understanding that the Strauss project is abiding by them. For instance, they have installed a state-of-the-art bird detection system IdentiFlight. They likely could have provided a letter from USFWS stating that a golden eagle Incidental Take Permit (ITP) is not necessary, as other wind projects have gone forward without this. However, since they chose to go to the time and expense to apply for such a permit, they have to wait for the permit to be approved. We should not punish them for taking this voluntary step.

We urge the Planning Commission to approve the amendment to COA 38 and allow the Strauss Wind Project to operate as soon as possible. It is a reasonable request to allow operations upon the Eagle Take Permit application being determined complete (which the company can control), rather than upon permit issuance (which they cannot control and could take many years). This change actually strengthens the requirements, as the prior conservation element wording allowed them to opt out of applying for an ITP entirely.

Don't let this completed project languish. The longer it takes to get projects in operation, the longer we must rely on fossil fuels that are contributing to climate change, which is affecting us here in Santa Barbara County with rising sea levels, longer periods of drought, and deadly wildfires and mudslides. Globally, we face the extinction of a million species, a cost to the United States economy of hundreds of billions of dollars a year, and an increasingly hotter and more inhospitable world.

We must accelerate the transition away from fossil fuels, fulfill our commitment to the County's climate goals, help our local employers, and facilitate corporate compliance with conservation requirements. Please approve the requested amendment to condition #38.

Thank you,

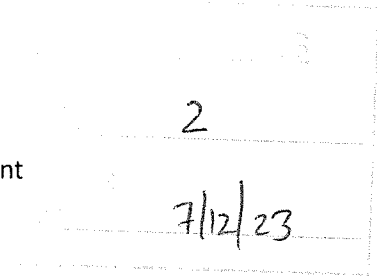
Katie Davis
Chair, Sierra Club Santa Barbara-Ventura Chapter
PO Box 31241, Santa Barbara CA 93130-1241



SIERRA CLUB
SANTA BARBARA-VENTURA CHAPTER

Villalobos, David

From: John Callender <callender.john@gmail.com>
Sent: Sunday, July 9, 2023 3:33 PM
To: Villalobos, David
Cc: Jessie Altstatt
Subject: BayWay/Strauss CUP modification public comment
Categories: Purple Category



Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

July 9, 2023

To: Santa Barbara County Planning Commission
Re: Case No. 23RVP-00031 for approval of a revision to the Strauss Wind Energy Project (SWEP) Conditional Use Permit (CUP)

Dear Commissioners,

As a resident of Santa Barbara County and an avid birder, I am deeply concerned about the request by BayWa, the Strauss Wind Energy Project operator, to modify their Conditional Use Permit. Like the Santa Barbara Audubon Society (SBAS), I support the Planning staff recommendation to deny these proposed changes.

The SBAS letter dated July 6, 2023, thoroughly details the reasons why this request should be denied. In addition to echoing their sentiments, I'd like to emphasize some points and offer my own observations.

Under the California Environmental Quality Act (CEQA), changes to an adopted mitigation measure must be substantiated with substantial evidence. BayWa's delay in submitting their application for an eagle incidental take permit (ITP) forms the basis of their request for changes, which is hardly a legitimate reason.

The importance of the ITP process cannot be overstated, as it yields valuable insights into the project's impact on local golden eagle populations and ensures necessary mitigations are undertaken. Any reduction in these protections would be detrimental to the golden eagles.

Recently, data from eBird and other reports indicate a decrease in golden eagle sightings at the site compared to previous years. Multiple sightings of golden eagles occurred at the site during the breeding season as recently as July of 2022. However, this spring and summer, there have been no such reports.

This decrease coincides with BayWa's construction activity, which has dramatically transformed the site from a wide, grassy bowl teeming with ground squirrels and with a limited human presence into a busy construction site with extensive grading, vehicles, trailers, generators, and earth-moving equipment. This drastic change in environment may well be connected to the dwindling golden eagle sightings.

Under the Bald and Golden Eagle Protection Act, "take" is defined as "pursue, shoot, shoot at, poison, wound, kill, capture, trap, collect, molest or disturb" an eagle. The "disturb" clause in this definition is particularly significant here, meaning "to agitate or bother a bald or golden eagle to a degree that causes, or is likely to cause, based on the best scientific information available, 1) injury to an eagle, 2) a decrease in its productivity, by substantially interfering with normal breeding, feeding, or sheltering behavior, or 3) nest abandonment, by substantially interfering with normal breeding, feeding, or sheltering behavior."

Given the marked decrease in golden eagle sightings and the simultaneous construction activity, it's plausible to consider that BayWa's actions may already have resulted in the incidental 'take' of golden eagles, as defined by the Act. It seems contradictory, then, for BayWa to use the displacement of golden eagles as a reason to request relaxation of the ITP conditions.

Allowing BayWa to evade these conditions sets a worrying precedent for future projects. This sends a signal that conditions of approval can be easily altered or dismissed, undermining the approval process's integrity.

For these reasons, I urge the Planning Commission to deny the proposed changes to the Strauss Conditional Use Permit.

Best Regards,

John Callender
4466 Mesa Ln, Carpinteria, CA 93013
805-455-0053
jbc@jbcsystems.com

Villalobos, David

From: Lori Gaskin <lgaskin@sbcc.edu>
Sent: Monday, July 10, 2023 9:15 AM
To: Villalobos, David
Subject: Public Comment: Case No. 23RVP-00031 for approval of a revision to the Strauss Wind Energy Project (SWEPE) Conditional Use Permit (CUP) 2

Categories: Purple Category

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July 12, 2023

To: Santa Barbara County Planning Commission

Re: Case No. 23RVP-00031 for approval of a revision to the Strauss Wind Energy Project (SWEPE) Conditional Use Permit (CUP)

Dear Planning Commissioners:

I am a resident of Santa Barbara County and a member of the Santa Barbara Audubon Society. I support the County's commitment to renewable energy with the caveat that environmental considerations must be honored in the pursuit of sustainability. The case before you is a prime example of the need for the County to ensure it doesn't compromise its environmental stewardship responsibilities while advancing alternative energy sources. Specifically, I strongly urge the Planning Commission to support the Planning staff recommendation to deny the proposed changes to the CUP for the Strauss Wind Energy Project.

By denying the proposed changes to the CUP, the Planning Commission will be upholding the spirit and intent of the conditions agreed to by the owner of the project, BayWa, and the County with respect to incidental take permits under the Migratory Bird Treaty Act. Doing anything less (i.e., not supporting the Planning staff recommendation) sends a message that the County is uninterested in bird and wildlife protection and is willing to compromise its stewardship role and responsibility in that regard.

Thank you, in advance, for taking a clear and strong position to both uphold (1) the original conditions under which the Strauss Wind Energy Project was approved and (2) the responsibility the County has to the environmental protection of birds and wildlife.

Thank you.

Lori Gaskin, Santa Barbara

Villalobos, David

From: BILL WOODBRIDGE <bill.woodbridge@verizon.net>
Sent: Monday, July 10, 2023 10:40 AM
To: Villalobos, David
Subject: 7/12/23 agenda item #2
Categories: Purple Category

2

7/12/23

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Dear Planning Commission:

Please support the immediate start of the Strauss Wind Project. Please allow them to change the status of their Eagle Take Permit to "permit applied for" so that operation can commence. We NEED this power. More than a few Eagles' nests and other birds will be destroyed or killed by the wildfires that fossil fuel burning is causing. The only way to reduce the fires (and deaths of many more birds than this wind farm will cause) is to utilize these sources of power other than fossil fuels.

Thank you,

Bill Woodbridge
Goleta

Villalobos, David

From: Jessie Altstatt <jessie.altstatt@gmail.com>
Sent: Monday, July 10, 2023 11:21 AM
To: Villalobos, David
Subject: Please accept Staff recommendation to Deny SWEP Conditional Use Permit Revisions

Categories: Purple Category

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Regarding: Case No. 23RVP-00031 for approval of revision to the Strauss Wind Energy Project (SWEP) Conditional Use Permit (CUP)

Dear Planning Commissions,

I am a biologist and I have lived in Goleta for ~ 30 years. Environmental protections are a large reason for why I live and work in this County. Because of my love for the natural world, I look for opportunities to help protect it, and thus I serve as the Chair for Santa Barbara Audubon Society's Conservation Science Committee. I also provided public testimony when the SWEP was going through the approval process in 2019.

Please do not let BayWa, the owners of the Strauss Wind Energy Project, change the rules that govern their operating practices and their impacts to wildlife. Santa Barbara County approved this wind farm in part due to the company's sworn commitment to abiding by the required permitting process and mitigation planning. Allowing this request would set an irreversible precedent throughout the County planning arena.

Although I support and urge the rapid phase-out of fossil fuels, alternative sources of energy must not come at the expense of already-threatened living creatures that share this County with us. We have a responsibility to care for this planet, and while I do not personally think that State and Federal law goes far enough to protect iconic species such as eagles, condors and large raptors, I certainly do not want to see Santa Barbara County caving under pressure to back-track on already-agreed-upon permitting and operating conditions.

Finally, I would like to point out that in 2022, ESI Energy company was fined 8 million dollars in fines and restitution by the DOJ, for killing eagles at their wind farms that were in operation without the company first seeking and being granted the appropriate Incidental Take permits. It is federal law that these permits must be granted before operation. And, I have recently learned of a wind farm near Tehachapi, that killed a Golden Eagle within 23 days of start up. It is an established fact that eagles breed and forage in and around the footprint of the Strauss wind farm site. It is also an established fact that wind turbines kill thousands of birds and bats each year. What will happen to Strauss, if you approve the request to begin operations without the required Federal take permits in place, and then an eagle is killed? I cannot imagine that Santa Barbara County would want a similar scandal taking place here.

Please accept your staff's recommendation and deny BayWa's request to begin operations before being granted an Incidental Take permit by USFWS.

Thank you, and sincerely-

Jessica Altstatt
Goleta CA 93117

Villalobos, David

From: Michal Lynch <michalcathy@cox.net>
Sent: Monday, July 10, 2023 11:23 AM
To: Villalobos, David
Subject: 7/12/23 Agenda item #2 - support

Categories: Purple Category

2

7/12/23

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Support the start of the Strauss Wind project

Please approve this wind project, on basis that permit is applied for. A 5-year permit approval process is not functional, and must not be relied on.

- Michal Lynch, Santa Barbara

Villalobos, David

From: SUSAN CASE <susanhcase@mac.com>
Sent: Monday, July 10, 2023 11:42 AM
To: Villalobos, David
Subject: Please support the Strauss Wind project

2

Categories: Purple Category

7/12/23

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Susan Case

Sent from my iPad

Villalobos, David

From: Michael Chiacos <mchiacos@cecmail.org>
Sent: Monday, July 10, 2023 12:56 PM
To: Villalobos, David; _
Cc: Ybarra, Jacquelynn; Zorovich, John
Subject: July 12, Agenda Item #2 - CEC Supports Revisions to Condition #38 Strauss Wind Energy Project
Categories: Purple Category

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July 10, 2023

Santa Barbara County Planning Commission
123 East Anapamu Street
Santa Barbara, CA 93101
Via email to: dvillalo@countyofsb.org

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7/12/23

Re: July 12, Agenda Item #2 - Revisions to Condition #38 Strauss Wind Energy Project SUPPORT

Dear Santa Barbara County Planning Commissioners,

Community Environmental Council supports the Strauss Wind Energy Project and urges the Planning Commission to accept the revisions to Condition #38 of the project and allow the project to move forward.

The Strauss Wind Project is largely built and ready to contribute a significant amount of renewable energy to California's grid. While it is regrettable that the applicant did not submit an Eagle Take Permit to USFWS until March 2023, this permit could take years to be approved, and other wind farms have not been required to have this permit.

The project includes many significant plant and animal mitigation efforts, including the Identiflight bird detection system, which can identify birds and turn off individual turbines as they are approaching a turbine. The Planning Commission should approve the revisions to Condition #38 so that the Project can be energized with the permit pending, rather than wait potentially years for it to be approved.

Sincerely,

Michael Chiacos { he / him }
Director of Climate Policy
Community Environmental Council
P.O. Box 90660
Santa Barbara, CA 93190-0660

mchiacos@cecmail.org

(805) 730-0204 office
(805) 284-4179 cell
Connect on LinkedIn

Clean Coalition

Making Clean Local Energy Accessible Now

August 28, 2019

Salud Carbajal
24th District Congressman
360 S. Hope Ave, Suite C-301
Santa Barbara, CA 93105

2
7/12/23

Dear Congressman Carbajal,

As the Founder & Executive Director of the Clean Coalition, and as a former renewable energy project developer, I am extremely surprised and disappointed that the approvals for the Strauss Wind Project are not already secured. The Clean Coalition strongly supports the Project and encourages Santa Barbara County to finalize the necessary approvals promptly so the Project can meet its timeline, which is the only way that it will come to fruition. The Strauss team is ready to construct this incredible Project upon County approval. I urge the County to take immediate action.

The Clean Coalition is a nonprofit organization with the mission to accelerate the transition to renewable energy and a modern grid – through technical, policy, and project development expertise. The Clean Coalition’s tagline is Making Clean Local Energy Accessible Now, and the 98 MW Strauss Wind Project is an exemplary clean local energy project that is accessible now.

My experience in renewable energy project development helps me understand the complexity of securing project approvals, but in this case, the Strauss Wind Project is located on the same site as the previously proposed Lompoc Wind Project, which the County approved in 2009 and was ready to be constructed before the previous developer walked away. Now, a new developer has proven its motivation to realize this tremendous opportunity for Santa Barbara County. The new developer has even greatly improved the Project by reducing the turbine count to 29, from 65, and further reducing the impact to oak trees by 90% from its original proposal; and furthermore, the Strauss Wind developer will replace each lost oak tree with 10 new plantings. Please ask yourself if it could ever get better than the Strauss Wind opportunity that is before you. My experience says that the Strauss Wind Project is as good as it gets, and I encourage you to ensure this opportunity is not squandered.

To date, Santa Barbara County has done very little to support local renewable energy. The Strauss Wind Project is an immediate opportunity for the County to support a local renewable energy project and demonstrate its commitment to goals that were set over a decade ago in the County's Energy and Climate Action Plan. The Thomas Fire that resulted in 22 fatalities in Santa Barbara and Ventura Counties and the 2015 Refugio State Beach oil spill that poured 142,800 gallons of crude oil into the ocean, devastating birds and sensitive coastal resources, should serve as stark reminders of inaction.

The Strauss Wind Project will generate enough clean local energy to power nearly 45,000 homes each year. During its 30-year life, the Project will prevent more than 6 million metric tons of carbon dioxide from polluting the environment – the equivalent of eliminating almost 15 million gallons of oil combustion. The Project will also provide hundreds of jobs during construction, including union labor, and infuse tens of millions of tax dollars into Santa Barbara County.

I also want to emphasize that wind turbines are responsible for less than 1% of all human-caused avian fatalities, while climate change threatens the extinction of half the US avian species – along with threatening the existence of countless additional species and causing unfathomable disasters and economic calamities.

As weeks and months pass without the County taking meaningful action to finalize the Strauss Wind Project approvals, we all come closer to never realizing the economic and environmental benefits of the Project. Now, the time has come for Santa Barbara County to demonstrate clean local energy leadership by ensuring that the Strauss Wind Project is successful – and the Clean Coalition beseeches the County to make it so!

Please feel free to contact me with any questions at the details below.

Sincerely,



Craig Lewis
Executive Director
Clean Coalition
Santa Barbara | Menlo Park | Denver
650-796-2353 mobile
craig@clean-coalition.org

Villalobos, David

From: Sharon Broberg <slbroberg@gmail.com>
Sent: Monday, July 10, 2023 3:45 PM
To: Villalobos, David
Subject: Support the start of Strauss Wind Project

Categories: Purple Category

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Dear County Planners,

Please support the start of the Strauss Wind Project. We need clean energy in the county.

I believe it's reasonable to start the project with an applied permit regarding the eagles.

Sincerely,
Sharon Broberg
93103

Sharon Broberg
2
7/12/23

Villalobos, David

To: Ybarra, Jacquelynn
Subject: RE: 912/Strauss-Wind-Energy-Project

From: Mary Edwards <mcedwards28@yahoo.com>
Sent: Monday, July 10, 2023 8:34 PM
To: Hartmann, Joan <jHartmann@countyofsb.org>; Ybarra, Jacquelynn <jybarra@countyofsb.org>
Subject: 912/Strauss-Wind-Energy-Project

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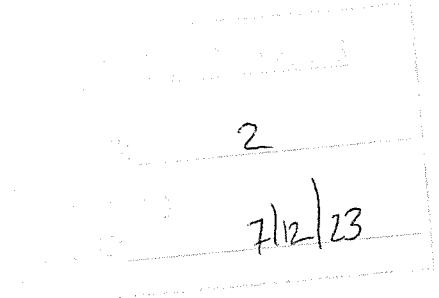
Evening,

I'm responding to a notice of the proposal to make a revision to condition of approval 38(MM BIO-16 Eagle take permit) for the Strauss Wind Energy Project 16CUP-00000-00031. I think you have allowed Strauss to run amuck for too long, if they have a incompetent project manager who can't file permits in a timely manner and believe we will just agree to their request we must send a clear signal to them. Our environment is already seeing the effects of their project. Wildlife isn't seen in the canyon as before, no deer, reduction of the birds, wild turkeys, bobcats to offer some examples.

Our eagle population is already reduced, Cornell University was out here just one year ago an only saw 1 pair of Brown eagles, we are preventing our environment to rebound from all the changes this project has cause to them as well as the residents of the county.

You have got to allow Fish and Wildlife to do their jobs in full before allowing Strauss to bully all of you and our county. Rushing to their incompetency is not what Santa Barbara is known for. Hold Strauss to the same standards as the residents, there are rule and regulations for a purpose, please use them.

Mary Edwards
1375 San Miguelito Rd
Lompoc Ca 93436
321-946-5257





MARIN COUNTY | NAPA COUNTY | UNINCORPORATED CONTRA COSTA COUNTY | UNINCORPORATED SOLANO COUNTY
BENICIA | CONCORD | DANVILLE | EL CERRITO | FAIRFIELD | LAFAYETTE | MARTINEZ | MORAGA | OAKLEY
PINOLE | PITTSBURG | PLEASANT HILL | RICHMOND | SAN PABLO | SAN RAMON | VALLEJO | WALNUT CREEK

July 11, 2023

Santa Barbara County Planning Commission
123 East Anapamu Street
Santa Barbara, CA 93101
Via email to: dvillalo@countyofsb.org

Re: July 12, 2023 Agenda Item #2: Revisions to Condition #38 Strauss Wind Energy Project

Dear Santa Barbara County Planning Commissioners,

Marin Clean Energy (MCE) writes to express its interest in the Strauss Wind Energy Project (Strauss Wind).

MCE is a not-for-profit public agency that provides electricity service to more than one million residents and businesses in 37 member communities across four Bay Area counties (Contra Costa County, Marin County, Napa County, and Solano County).

Under a 15-year Power Purchase Agreement initially entered into in 2018, MCE will be purchasing renewable energy and resource adequacy from the 94-megawatt Strauss Wind project once it is online. The renewable energy Strauss Wind is expected to produce will provide clean, greenhouse gas (GHG) free energy supply to MCE, particularly when other sources of renewable energy, such as solar, are unable to produce energy to serve load. Strauss Wind's clean energy production profile will help reduce the risk of power outages, lower costs for MCE's customers, and reduce the need for fossil-fueled peaker plants during times of grid needs, including more frequent and severe extreme heat events.

MCE has depended on this resource to produce clean, GHG-free electricity for its customers since 2020, and the project has been, and continues to be a material component of MCE's near- and long-term procurement plans. The persistent project delays have come at a cost to MCE's customers and have prevented this valuable clean energy resource from supporting load serving capability and mitigating the impact of extreme weather events experienced over the last several summers. An expeditious, yet environmentally responsible resolution to Strauss Wind's request will contribute significantly to helping California meet the ever-growing need for in-state, clean, reliable energy.

Sincerely,

DocuSigned by:
Vicken Kasarjian
ACC488FA2E834F3

Vicken Kasarjian
Chief Operating Officer, MCE

Villalobos, David

From: Peggy Kearns <kearnsp@cox.net>
Sent: Wednesday, July 12, 2023 9:04 AM
To: Villalobos, David
Subject: Santa Barbara County Planning Commission Re: Case No. 23RVP-00031 for approval of a revision to the Strauss Wind Energy Project (SWEP) Conditional Use Permit (CUP)

Categories: Purple Category

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David,

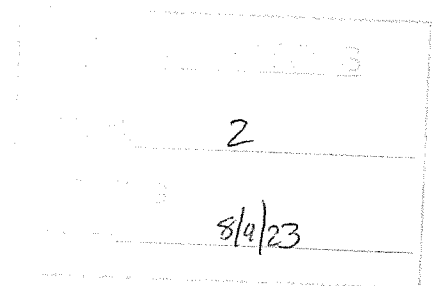
I am a SB Audubon member. I fully support the Audubon letter that was sent to the planning commission on July 6.

Myself & SB Audubon fully support alternative power however, with the human assault on our birds & wildlife, we must take care to protect them. Especially, since the company was well aware of the regulations that guide such projects to protect the birds that come in harms way because these rules have not been followed.

If this company is granted a waiver, the precedent is set. How can you turn down future projects that do NOT follow the county guideline?

Hopefully, this email will be considered b/f your meeting today.

Peggy Kearns
kearnsp@cox.net





August 5, 2023

To: Santa Barbara County Planning Commission

Rc: Case No. 23RVP-00031 for approval of a revision to the Strauss Wind Energy Project (SWEP) Conditional Use Permit (CUP)

Santa Barbara Audubon Society (SBAS) is a chapter of the National Audubon Society with approximately 1100 members in the Santa Barbara area. The mission of the SBAS is to protect area birdlife and habitat and connect people with birds through education, conservation, and science.

SBAS supports all forms of renewable energy, including wind energy. SBAS has a long history with wind projects on the Strauss site, starting with the Lompoc Wind Project almost 20 years ago. We have endeavored to influence the development of Strauss to ensure that it would be designed and operated to have the minimum feasible impact on birds and other wildlife. We hope that our efforts have been constructive.

SBAS understands that the Planning Commission, on July 12, 2023, tentatively approved the changes to the Strauss CUP mentioned in the referenced Case. Importantly, these changes would allow BayWa to start operation of Strauss without the required eagle Incidental Take Permit (ITP). This is a major concession by the County.

SBAS strongly disagrees with the statement in the staff report, "Strauss asserts that the proposed project would provide both equal protection and mitigation for potential impacts to golden eagles . . ." Just because the applicant makes such a statement does not make it so. The applicant's self-interest in making such a statement is obvious.

In addition, SBAS respectfully strongly disagrees with the similar statement in the latest staff report that "The proposed project provides no less protection to golden eagles, and potential impacts remain mitigated to the maximum extent feasible". By this logic, the ITP would not be necessary because the current proposed project would provide sufficient protection and mitigation for the eagles. Clearly, the USFWS thinks otherwise. The USFWS will continue with its ITP process, which includes NEPA analysis and determining future additional mitigation measures. However, the USFWS mitigation measures will not be in effect from the time Strauss starts operation until the time the ITP goes into effect, potentially more than one year. This leaves golden eagles without the protection of USFWS requirements and mitigation measures for all that time. The County, in the staff report, proposes adding some reporting on the status of the ITP and some additional monitoring. These do little or nothing to protect eagles or mitigate any harm that they should suffer during the time that no ITP is in place.

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2	
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The County should strengthen mitigation measures on Strauss

SBAS believes that the County should modify some of the language in BayWa's proposed changes in order to provide improved protection and mitigation of impacts on birds. Our suggestions are the following:

- **Provide an enforcement mechanism to ensure completion of the ITP.**

BayWa's proposed changes allow BayWa to "provide a letter of commitment to P&D stating the Owner/Operator shall maintain an active eagle take permit application with the USFWS and will ensure compliance with all compensatory mitigation requirements that may result from the permit." In addition, the proposed changes state that "P&D compliance monitoring staff will ensure that the eagle take permit application remains active with the USFWS". There is no enforcement mechanism stated. Given that BayWa has already demonstrated non-compliance with a major requirement of the CUP (the ITP), the County should include consequences in this new requirement if BayWa does not actively promote the completion of the ITP by the USFWS or does not provide all data needed by the USFWS in a timely manner.

- **Require that the USFWS ITP process used for Strauss be the current process.**

The USFWS has issued a proposed rule that would revise the regulations for the eagle take permit program¹. Under the proposed rule, a "general" incidental take permit could be issued for a project like a wind farm. However, this proposed rule is not now in effect and will be issued by the end of this year, at the earliest. The County should require that the Strauss ITP be devised under the present specific USFWS ITP rules, to preclude further delay of the issuance of the ITP. i.e., it is conceivable that in six months or a year the applicant could ask for a change to the USFWS ITP process to allow issuance under the new general ITP process. This would likely delay the issuance of the ITP even further.

- **Devise additional mitigation measures in the event that an eagle is killed before the ITP is in place.**

The ITP will not be in place when BayWa is ready to start operation of Strauss in a few months. As a result, if an eagle is killed before the ITP is issued, there will be no compensatory mitigation requirements that the USFWS would have imposed had the ITP been in place (with the exception of the requirements in the Adaptive Management Plan). The County should devise mitigation measures and impose them on BayWa in the event of an eagle kill before the ITP is in place. For example, the County could impose a penalty of \$30,000 per eagle kill, similar to what has been imposed at another wind farm².

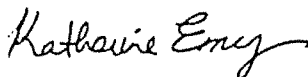
¹ "U.S. Fish and Wildlife Service Proposes Revisions to Eagle Take Permit Regulations". Sandra Snodgrass, Holland and Hart Insight, 10/03/22. <https://www.hollandhart.com/us-fish-and-wildlife-service-proposes-revisions-to-eagle-take-permit-regulations>.

² The wind company ESI Energy will pay \$29,623 per dead eagle under a plea deal with federal prosecutors. "ESI Energy LLC, Wholly Owned Subsidiary of Nextera Energy Resources LLC, is Sentenced After Pleading Guilty to Killing and Wounding Eagles in Its Wind Energy Operations, in Violation of the Migratory Bird Treaty Act", U.S. Department of Justice, April 5, 2022. <https://www.justice.gov/opa/pr/esi-energy-llc-wholly-owned-subsiary-nextera-energy-resources-llc-sentenced-after-pleading>

- **Require that Identiflight units demonstrate capability before Strauss starts operation.** BayWa’s proposed changes states that BayWa shall “provide documentation demonstrating the complete installation of active surveillance technology (such as Identiflight units)”. This is insufficient. In order to protect eagles and other large birds, the Identiflight units must be operational. They should have gone through acceptance testing and have demonstrated adequate detection capability before operation starts. If the Identiflight units are only installed, but not operating, they will do nothing to protect birds at Strauss. The language in the proposed change should be modified to say, “provide documentation demonstrating the complete installation **and satisfactory operational test data of at least three** active surveillance technology (such as Identiflight units) **before Strauss operation commences.**” (added text in bold/underline).
- **Increase the frequency of carcass searches and use dogs.** Carcass searches stated in MM BIO-16b: this mitigation measure currently calls for carcass searches once every two weeks at 30 percent of the WTGs (wind turbine generators). This is insufficient to adequately determine the bird mortality at Strauss. Coyotes and other scavengers can remove the carcasses in a single night. This requirement should be changed to require carcass searches every week at all of the WTGs and the carcass searches should use dogs³. Sufficient coverage of carcass surveys is particularly important in the early months of operation when it is vital to accurately determine how many birds are being killed at Strauss.

SBAS hopes that the Planning Commission will seriously consider the issues we have raised in this letter and make the modifications stated herein to the proposed changes to the Strauss Conditional Use Permit.

Sincerely,



Katherine Emery, Ph.D.
Executive Director
Santa Barbara Audubon Society

³ Dogs are much more effective than humans in finding carcasses. See Domínguez del Valle J, Cervantes Peralta F, Jaquero Arjona MI. “Factors affecting carcass detection at wind farms using dogs and human searchers”, *J Appl Ecol.* 2020;57:1926–1935. <https://doi.org/10.1111/1365-2664.13714>. “All studies to date agree that dogs out-perform human searchers at finding bird and bat carcasses around wind turbines”. “A generalized linear mixed model reveals a high performance of dogs (~80% detection rate)” “Humans performed poorly at detecting small carcasses (~20% detection rate)”.

BRISCOE IVESTER & BAZEL LLP
235 MONTGOMERY STREET,
SUITE 935
SAN FRANCISCO CALIFORNIA 94104
(415) 402-2700

Tony Francois
(415) 402-2707
tfrancois@briscoelaw.net

August 7, 2023

By email only dvillalo@co.santa-barbara.ca.us

County of Santa Barbara Planning Commission
123 East Anapamu Street
Santa Barbara, CA 93101

Re: August 9, 2023, Standard Agenda Item 2 (23RVP-00031)

2
8/9/23

Dear Planning Commissioners,

We are writing on behalf of the Santa Barabara County Coalition of Labor, Agriculture & Business (COLAB) to oppose the modification of Condition #38 of BayWa r.e.'s conditional use permit for the Strauss Wind Energy Project.

COLAB is the first and only Santa Barbara County coalition to bridge the gap between the Northern and Southern portions of our County, and successfully bring together organized labor, agriculture and business. COLAB boasts over 1000 members from throughout Santa Barbara County. It is an organization that has a profound affect on curbing the growth of county government as well as improving the regulatory climate. It has helped businesses big and small to survive by demanding our elected officials consider the impact to businesses and taxpayers for virtually everything they do. We have also insisted that local county government follow Federal and State law versus leaving it to county staff or leaders to create their own laws.

It is in this last role that COLAB opposes modifying BayWa r.e.'s obligation to obtain an Incidental Take Permit from the US Fish and Wildlife Service before operating the Strauss Wind Energy Project. State and federal wildlife laws are exacting in their requirements on businesses both large and small, on homeowners, farmers, and other landowners, and on local governments and their taxpayers and other constituents. COLAB advocates for reasonable application of these laws, and for **even handed** application of them.

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It is beyond credulity that any small business, farmer, homeowner, or other ordinary permit applicant, who had simply **neglected to apply** for a sister agency permit required as a condition of a county permit, would get a favorable decision from the county to defer (with no new deadline!) the county requirement and allow the project to go forward without it.

We agree with the Santa Barbara Audubon Society's July 2, 2023, letter that doing so in this case (for an international energy company at that) would set a very bad precedent. One important aspect of that precedent is the obvious appearance of favoritism and disrespect for the rule of law when it is inconvenient to the preferences of County leaders. The message this action will send to the County's thousands of small business owners and employees and landowners who are not well enough connected to get special favorable treatment will undermine the credibility of County leaders as well as the laws that get enforced unevenly.

In addition to being bad government and bad policy to preferentially excuse BayWa r.e. from complying with the Bald and Golden Eagle Protection Act, the contemplated action is illegal and cannot be approved without exposing the County to liability.

The proposed modification of Condition #38 substitutes no mitigation for golden eagle take in place of the existing obligation that BayWa r.e. obtain an ITP from the US Fish and Wildlife Service. The EIR for this project identifies take of golden eagles by the project as a significant impact requiring mitigation, and permit condition #38 accomplishes that mitigation by requiring the applicant to apply for and obtain a federal ITP for golden eagles. The application and resulting review will more concretely assess the likely scope of take and prescribe adequate and enforceable mitigation for that take. As disclosed in your July 3, 2023, staff report on this issue, the adoption of this mitigation measure was part of the basis for the County's subsequent finding of overriding concerns to proceed with the project despite any remaining unmitigated harm to golden eagles and other wildlife. Without this mitigation measure, the finding

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of overriding concerns is invalid, and formally removing the mitigation measure would expose that finding to legal challenge as the result of the proposed action.

There is no question that the mitigation measure included in existing Condition 38 is feasible. We are unaware of any objection to it raised by the applicant at the time the EIR was certified, and the project approved with this mitigation measure, in January of 2020. Any litigation to challenge the feasibility of this measure would be long since untimely.

In its place, BayWa r.e. offers only to (a) comply with other permit conditions that it already has to comply with anyway, and (b) to pursue an application for a federal ITP while keeping the County posted on the progress. In place of a deadline certain (i.e. “before project operation”) the County now proposes **no** deadline. Instead, there will be updates every two years into the indefinite future. This amounts to entirely waiving Condition 38 in practice for the indefinite future.

The proposed modifications provide **no** mitigation for any golden eagle take that occurs between now and the years-in-the-future someday when BayWa r.e. may finally get an ITP. While the action is characterized as a modification of the permit condition, it is in effect an open-ended waiver of the condition. And the **only** reason for even thinking about modifying the already adopted condition that an ITP be obtained before operation is that the operator of a large complex energy generation project with multiple regulatory authorities and responsibilities ... neglected to apply for it for the last three years. One has to wonder what else this operator may have neglected to do.

CEQA Violations

The County may only modify an adopted CEQA mitigation measure for legitimate reasons. The courts have generally only identified **infeasibility** of a mitigation measure as a “legitimate reason” to modify it, and require a supplemental EIR to support the finding of infeasibility before the mitigation measure may be modified. *See generally Lincoln Place Tenants Assoc. v. City of Los Angeles*, 130 Cal.App.4th 1491, 1509 (2005).

Here, none of the reasons proposed by the Planning Commission in its last hearing and dutifully reported back by the staff in the August 1, 2023, staff report remotely serve as “legitimate reasons.” Nothing in the staff report even tries to explain how any of the offered reasons renders existing Condition #38 infeasible. All of them were more or less true and accurate three and a half years ago when the County approved the permit with Condition 38 included. There are no changed circumstances in the environment, or in the significant impacts of the project as approved, or in the legal obligation to mitigate those impacts through all feasible measures, or in the necessary actions to mitigate those impacts.

There is a logic to existing Condition 38. The County is not expert in assessing and mitigating golden eagle take. But is aware that take will be a significant impact on the environment and so must be mitigated to the extent feasible. Requiring the project to obtain a federal ITP before operating is the appropriate way of ensuring the impacts are more concretely assessed, by an agency with expertise to do so, and that mitigation is put in place (again, prescribed by those with expertise) before any of the take occurs.

Putting this more basically, the County’s EIR and permit for the SWEP entirely “outsources” mitigation of golden eagle take to the US Fish and Wildlife Service. That “outsourcing” is appropriate in this instance, but it is still the case that the **only mitigation measure** in the permit for golden eagle take is the obligation to obtain an incidental take permit from the US Fish and Wildlife Service. Without that measure as adopted, there is no mitigation for golden eagle take in the permit.

The County has not imposed any other measure that directly mitigates the significant impact of golden eagle take, and decided in January 2020 that the necessary approach was to require mitigation be in place, through federal ITP permitting, before the impacts occur. Again, the federal ITP is the **only** direct mitigation for golden eagle take in the EIR or the permit. There is no replacement mitigation in the proposed modification of the permit. What there is instead is years of reports on how it is going with a permit process that may eventually (the modifications impose no obligation to ever get an incidental take permit) establish some mitigation.

Since there are no changed conditions, the County has no basis to find either that the existing mitigation measure is no longer feasible or that it is no longer required due to some other mitigation that takes its place. The only reason this is being considered at all is that the applicant did not bother to apply for the permit until a few months ago, after knowing for more than three years that it would be required before operation.

But this failure by the project operator does not render the existing condition infeasible. Indeed, the fact that the operator is offering to make a plausible effort to get a federal ITP sometime in the future demonstrates that it remains feasible. Otherwise, BayWa r.e. would be suggesting some substitute mitigation measure, or trying to make the case that mitigation is not necessary.

None of the reasons to modify the condition proffered in the August 1 staff report provide any evidence that the existing condition is no longer feasible. At very best they intimate that there is a financial cost to the project of complying with the existing measure. But that alone has nothing to do with feasibility. There is no evidence in the record of what the cost of compliance is, and how that differs from when the condition was first imposed. See generally *Uphold Our Heritage v. Town of Woodside*, 147 Cal.App.4th 587 (2007). “The fact that an alternative may be more expensive or less profitable is not sufficient to show that the alternative is financially **infeasible**. What is required is evidence that the *additional* costs or lost profitability are sufficiently severe as to **render** it impractical to proceed with the **project**.” *Citizens of Goleta Valley v. Board of Supervisors*, 197 Cal.App.3d 1167, 1181 (1988) (emphasis added).

It is also worth noting that when the permit was approved in January 2020, it was only *estimated* that the ITP could be obtained in 1-3 years. While probably a solid estimate, the time that it would take to obtain the permit was not a factor in whether it was feasible. BayWa r.e. was never guaranteed a start date, at which the ITP obligation would lapse or be deferred if not already completed.

The only issue is delay (of the project's making) in commencing operation because of BayWa r.e.'s failure to competently file an application on a timely basis. The mitigation measure remains feasible, but now the project operator's lack of competence renders the measure inconvenient. We are hard pressed to find any legal authority that allows a local government to modify an adopted CEQA mitigation measure on the sole basis that it exceeds the project operator's competence to timely perform, and will therefore impose opportunity costs on the operator to finally comply. Lack of effort to comply with a mitigation measure cannot serve as a legitimate reason to modify the measure. If it were otherwise, every developer in California would "forget to file" for necessary but inconvenient state and federal permits on which local governments routinely condition land use approvals. To pretend otherwise is to re-imagine CEQA as the California Environmental Quality Suggestion, with mitigation of known significant environmental impacts left to developer discretion. A hyperbolic assessment perhaps, but certainly for the well connected and politically preferred, this will certainly be the result.

CESA Issues

Golden eagles are a California fully protected species. Until very recently, there was no way to obtain a state permit for incidental take of fully protected species. But as of July 10, 2023, new Fish and Game Code section 2018.15 authorizes California Fish and Wildlife to issue incidental take permits for fully protected species to wind energy projects. See SB 147 (2023); Fish & Game Code § 2018.15(b)(4).

As a result of this newly available state permitting process, the County must impose a state ITP requirement on the project if it is modifying Condition 38. Failure to do so would expose the County to citizen suit liability under CESA as well as CEQA.

Finally, the County's authorization of operation of the SWEP without an ITP would expose the County as well as the operator to take liability under the Eagle Protection Act and CESA. Not only would the proposed modification of Condition 38 be a "but for" cause of any take of golden eagles at the project, but it would proximately cause that take. See *Strahan v. Coxe*, 127 F.3d 155 (1st Cir. 1997). There is a direct and

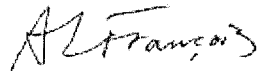
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unmediated link between the requested modification of Condition 38 and operation of the wind turbines at the project, which would be the immediate cause of any take. It is not speculative or unforeseeable that allowing the turbines to operate will cause take. That take is foreseeable and likely is, after all, why it was addressed in the EIR and why a federal ITP is required as a mitigation measure in existing Condition 38.

Thank you for considering these comments. If you have any questions or need additional information I can be reached at the above phone number or email address.

Sincerely,

BRISCOE IVESTER & BAZEL LLP

A handwritten signature in black ink that reads "Tony Francois". The signature is written in a cursive, slightly slanted style.

Tony Francois
Partner

On behalf of Santa Barbara Coalition of
Labor, Agriculture & Business

TF:

cc: COLAB

Villalobos, David

From: MiTmite9 <bluesunflowersb@gmail.com>
Sent: Tuesday, August 8, 2023 11:59 AM
To: Villalobos, David
Subject: Deny Permit for Lompoc Windmill Farm

Categories: Purple Category

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Dear Santa Barbara County Planning Commissioners:

My family and I urge members of the Santa Barbara Planning Commission to deny the permit for the Lompoc Windmill Farm.

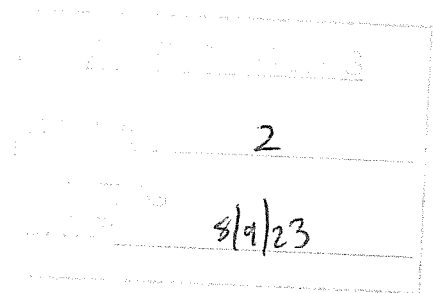
Further study must be done and better methods found to reduce and even completely cease the windmills' "incidental" killing of birds. Until such time as windmills are made safe for migratory birds, no windmill farms can be allowed.

Please think of the devastating effect the windmills will have on all raptors, many other species of birds and also bats. At a time in our history when bird and bat life is becoming more and more precious, and bird and bat populations are in steep decline, we cannot intentionally contribute to these animals' untimely and wholly unnecessary demise.

Thank you for your consideration of our comments herein. We hope you will do right by migratory birds and bats.

Sincerely,

Lisa Ann Kelly and Family
1724 Olive Avenue
Santa Barbara, CA 93101-1021



Villalobos, David

From: Celeste Barber <celeste.barber@cox.net>
Sent: Monday, August 7, 2023 5:08 PM
To: Villalobos, David; jhparke@icloud.com
Subject: Agenda Item Re; Strauss Wind Energy Project, Lompoc Valley

Categories: Purple Category

Caution: This email originated from a source outside of the County of Santa Barbara. Do not click links or open attachments unless you verify the sender and know the content is safe.

Please direct this email to Planning Commission, prior to Wednesday, August 9, Hearing

Dear Commission President Parke and Commissioners Cooney, Bridley, Ferini, and Martinez:

I stand with Santa Barbara Audubon Society and COLAB in urging the Planning Commission To DENY the proposed changes to the Conditional Use Permit. I reference the July 6, 2023 letter to the commissioners from SB Audubon Society; also, the August 7, 2023 letter written on behalf of COLAB by Briscoe Ivester & Bazel. I also read the August 7, 2023 letter from MayWa r.e. I am concerned that at this late date – two days before the hearing – the Strauss Wind Energy Project is just now offering to work through the process and get permitted. I don't trust it. Your responsibility is to the LAW. This corporation knows the law, and they chose to disregard the process these past several years.

I'd also like to touch on something else, an important point that must be made regarding the Strauss Wind Energy Project application. These huge windmills will be erected in the Lompoc Valley. Lompoc is a community with a high percentage of its population living at or below the poverty threshold. That's concerning: a project that will have a major impact on this community, citizens who do not have the ability to fight an international corporation. Lompoc citizens will have to live with the impacts on golden and bald eagles, other raptors, bats, and birds in general – what is politely termed "takes." Not the CEO, Gordon MacDougall, who lives far away from Santa Barbara's North County coast. And the ugliness, too. I've driven through Mojave. The windmills are a blight.

Historically, North Santa Barbara County has been the underserved, often ignored, stepchild to South County. (Recall when the County proposed contracting with the City of Lompoc to deliver South County trash to their landfill?) There's a reason why Strauss Wind did not propose a wind energy project through the channel from Summerland to Goleta: Montecito, Hope Ranch, UCSB students and faculty – NONE of those groups would allow it, and they have the political clout (not to mention money) to fight such projects. Recall the recent concern over the red tide and its impact on marine life last month. And that was a natural, recurring occurrence. Wind Energy is man-made and devastating for migratory birds.

Deny the proposed changes to the CUP. I wish we could deny the entire damn project. The Lompoc Valley, your neighbors, deserve better. And so does Nature.

Sincerely,

Celeste Barber
Santa Barbara County Woman of the Year, 4th District (former)
4065 La Barbara Drive / Santa Barbara, CA. 93110

Sent from [Mail](#) for Windows