

Santa Barbara County Board of Supervisors

Lompoc Wind Energy Project Appeals

February 10, 2009

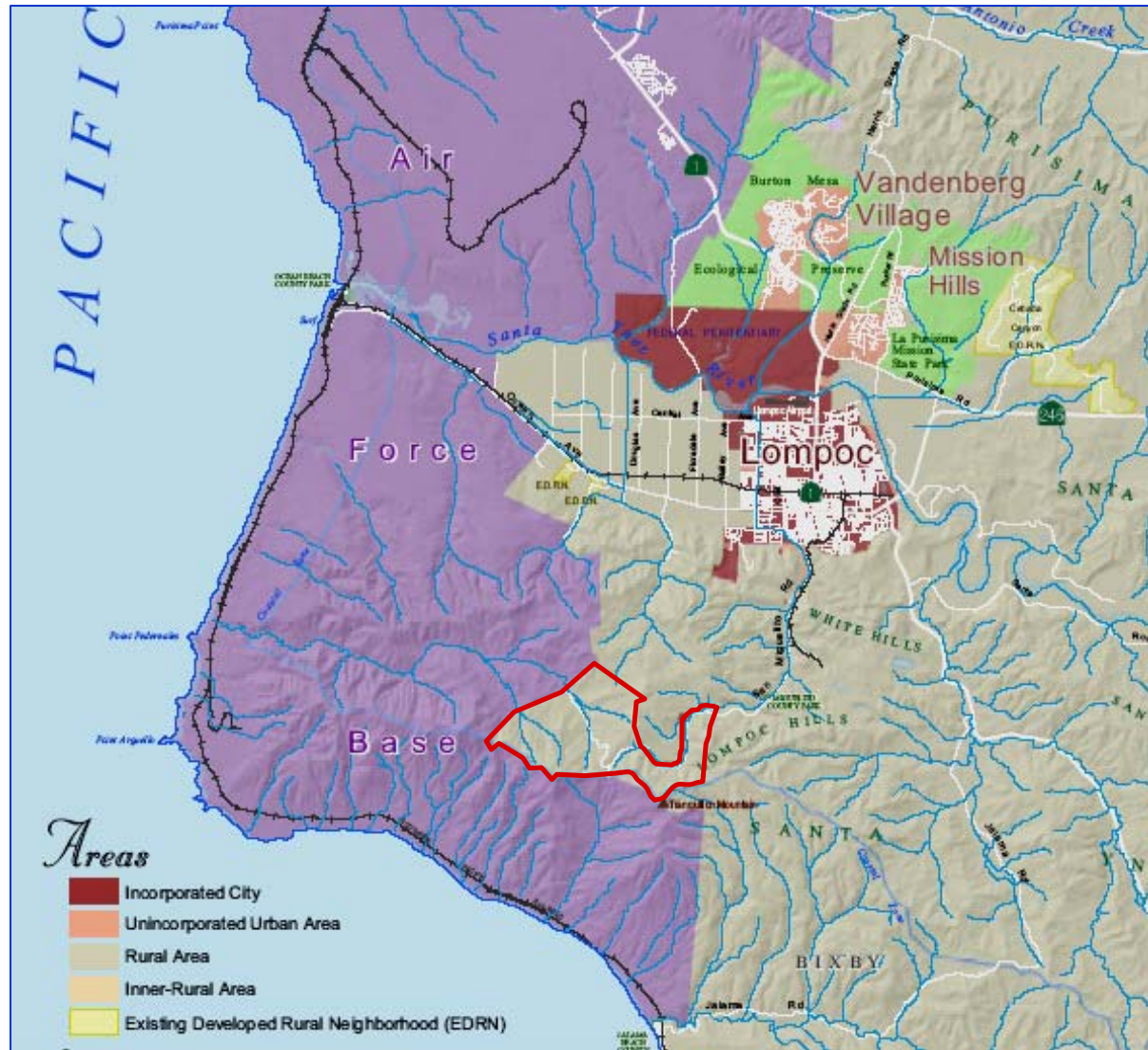
Background

- Planning Commission Approved Project
 - September 30, 2008
 - 5-0 vote
 - Strong public interest and support
- Two Appeals filed
 - Calif. Dept. of Fish & Game
 - George and Cheryl Bedford

Hearing Procedure

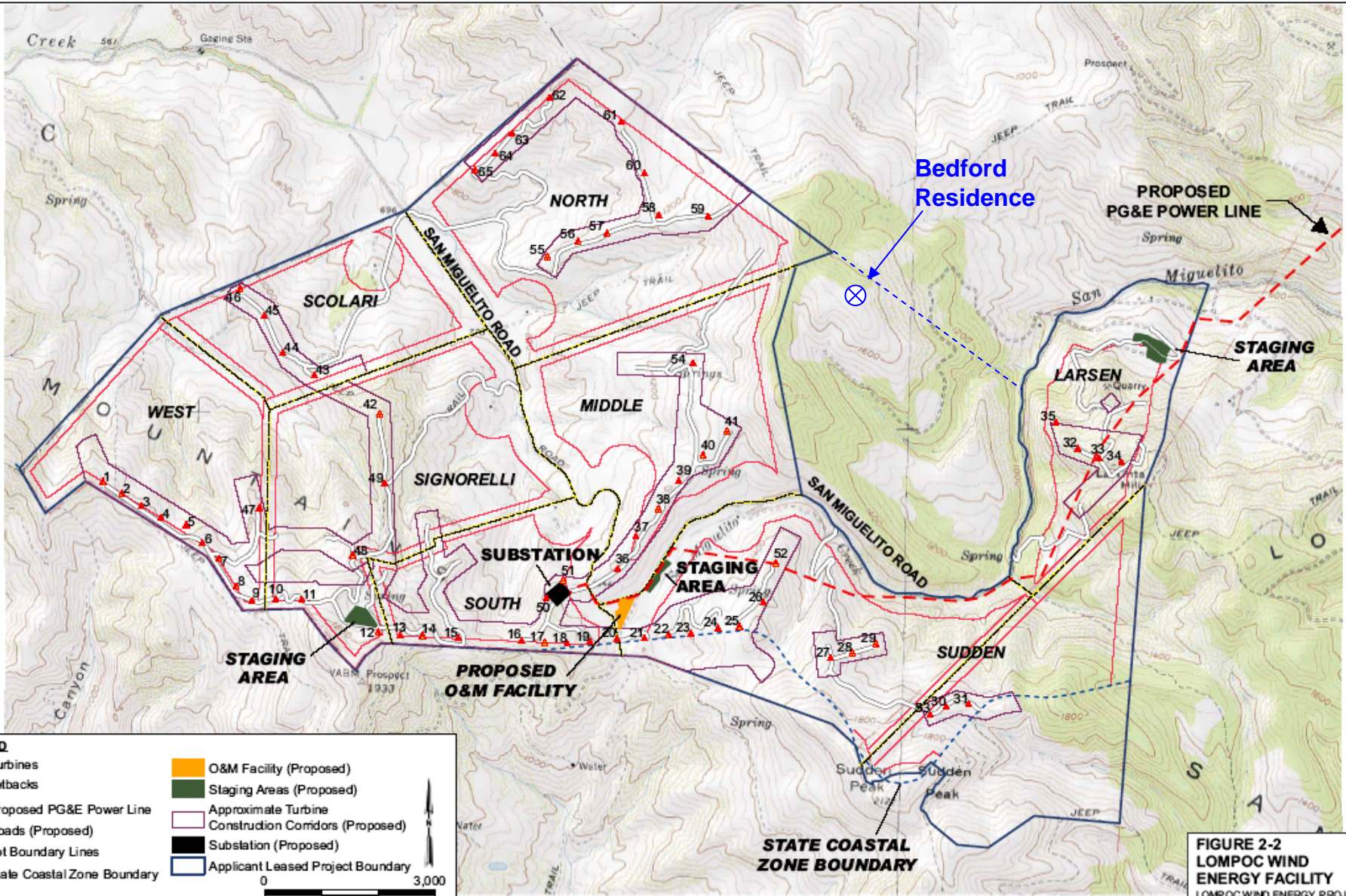
- Staff Presentations
 - Project overview (Kevin Drude)
 - Appeal points (John Day)
- Presentations (CDFG, Bedford, Acciona)
- Public Comments
- Rebuttals (CDFG, Bedford, Acciona)
- Staff Comments
- Board Deliberation
- Board Actions on EIR and Project

Project Location



Project Description

- Wind Energy Generation Facility
 - 65 Wind Turbine Generators (WTGs)
 - Gravel access roads
 - Operations-maintenance building
 - Project substation
 - Electrical and communications lines
 - Meteorological towers



Bedford Residence

PROPOSED PG&E POWER LINE

STAGING AREA

LARSEN

MIDDLE

SIGNORELLI

SUBSTATION

STAGING AREA

SOUTH

STAGING AREA

PROPOSED O&M FACILITY

SUDDEN

STATE COASTAL ZONE BOUNDARY

LEGEND

1 Turbines	O&M Facility (Proposed)
Setbacks	Staging Areas (Proposed)
Proposed PG&E Power Line	Approximate Turbine Construction Corridors (Proposed)
Roads (Proposed)	Substation (Proposed)
Lot Boundary Lines	Applicant Leased Project Boundary
State Coastal Zone Boundary	

0 3,000
Scale in Feet

**FIGURE 2-2
LOMPOC WIND
ENERGY FACILITY**
LOMPOC WIND ENERGY PROJECT
SANTA BARBARA COUNTY, CALIFORNIA
Source: Adapted from figure prepared by CH2MHill



Wind turbine generators

- 1.5 MW each (total =97.5 MW)
- 3-blade, monopole tower
- Overall height 397 ft.
- Tower height 262 ft.
- Blade length 135 ft.
- Tower diameter 15 - 7 ft. (tapered)

Acciona AW-1500







- Construction – 6-10 months
- Operations – approx. 30 yrs
- Decommissioning / Options
 - Repowering
 - Partial decommissioning

■ PG&E Power Line

- 115 kV power line from project site to Lompoc
- Analyzed in EIR
- CPUC sole jurisdiction

Class I Impacts – Birds & Bats

Fully Protected Species

Other Sensitive Species

Raptors



Class I Impacts – Birds & Bats

- Turbine collisions likely
- Bird usage is typical for habitat
- 20-40 miles from migration path
- Mitigation –
 - Avoidance
 - Monitoring & adaptive management



View from Jalama Beach (4.5 mi south)



View from Miguelito Park (1+ mi north)



View from road outside Miguelito Park



Sudden Road & San Miguelito Road

Class II Impacts – Noise

WTG Noise

- Dual noise thresholds
 - Participants – 65 dBA_{CNEL}
 - Non-participants – 50 dBA_{CNEL}
- Pre-construction noise modeling
- Post-construction noise studies

Project Alternatives

- Other Locations
- Alternative 1 – No WTGs visible from Jalama and Miguelito parks
- Alternative 2 – same as above, but single construction phase

Project Benefits

- Promote agricultural viability
- Clean renewable energy



CDFG Appeal

- Potential impacts to birds and bats.
- CDFG is a *Trustee Agency* for birds and bats.
- Facilitation attempted by County, but appeal not yet withdrawn.

CDFG Appeal

Contention #1

Adhering to the Wind Energy Guidelines is critical to meet CEQA disclosure and mitigation requirements.

Responses

- Guidelines are entirely voluntary.
- Guidelines are not CEQA standards.
- The Guidelines allow local flexibility.

CDFG Appeal

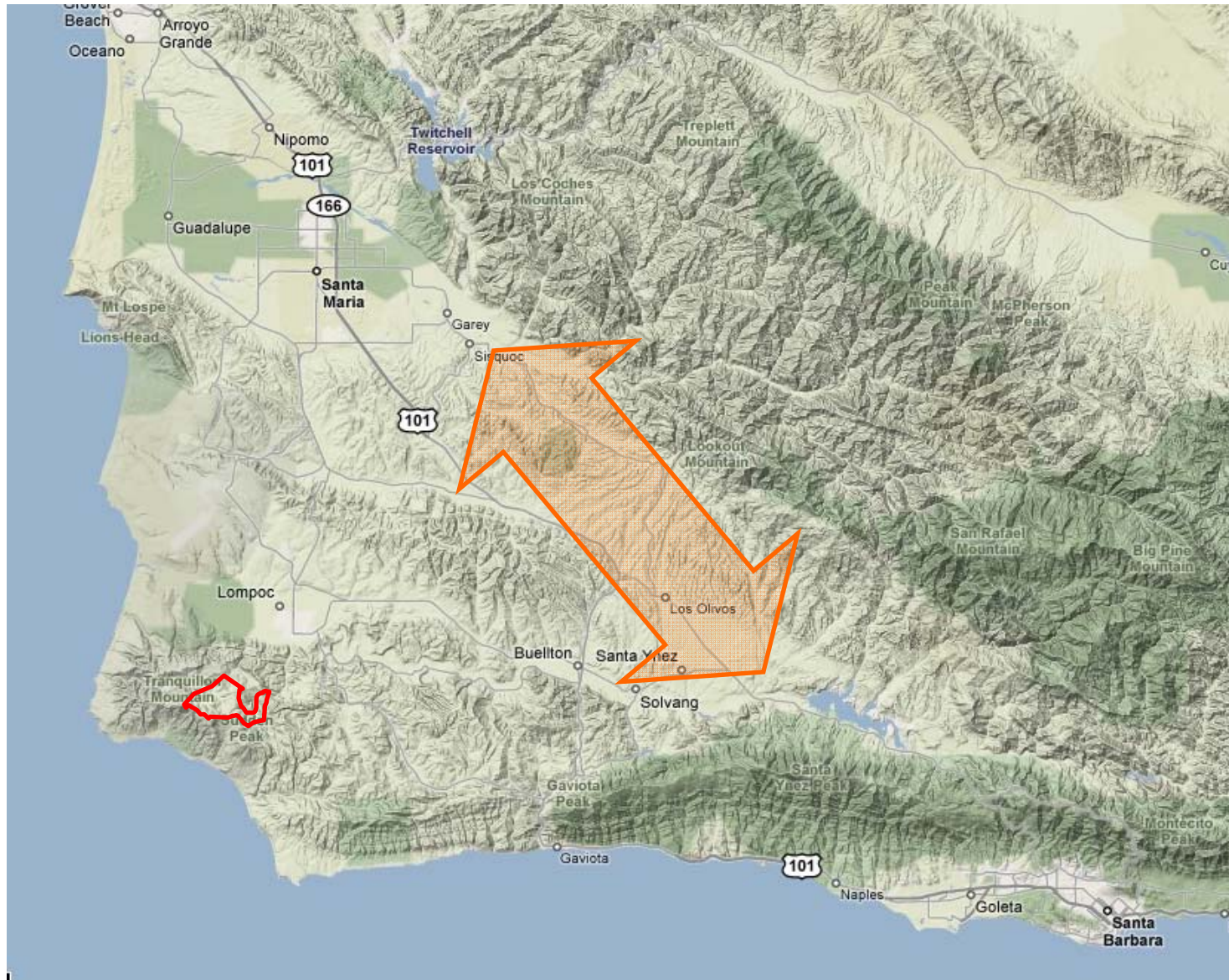
Contention #2

EIR Surveys do not adequately describe existing environmental conditions or significant project-related impacts.

Responses

- Bird and bat studies do provide adequate CEQA baseline information.
- Extensive additional studies in response to Draft EIR comments.
- Studies confirm Class I impacts to special status birds and bats.

Main migration route is 20-40 miles east of project



CDFG Appeal

Contention #3

Significant project-related impacts are not mitigated to the extent feasible as required by CEQA.

Mitigate to less than significant with:

TAC

Adaptive Management Plan

Conservation Easements

CDFG Appeal

Responses #3

- TAC is not mitigation. Consultation with CDFG is already in permit conditions.

CDFG Appeal

Responses #3

An Monitoring and Adaptive Management Plan will be implemented in consultation with CDFG.

- Before/After studies
- Mortality monitoring
- Prey base reduction
- Adaptive management
 - 1) intensified survey
 - 2) response options



CDFG Appeal

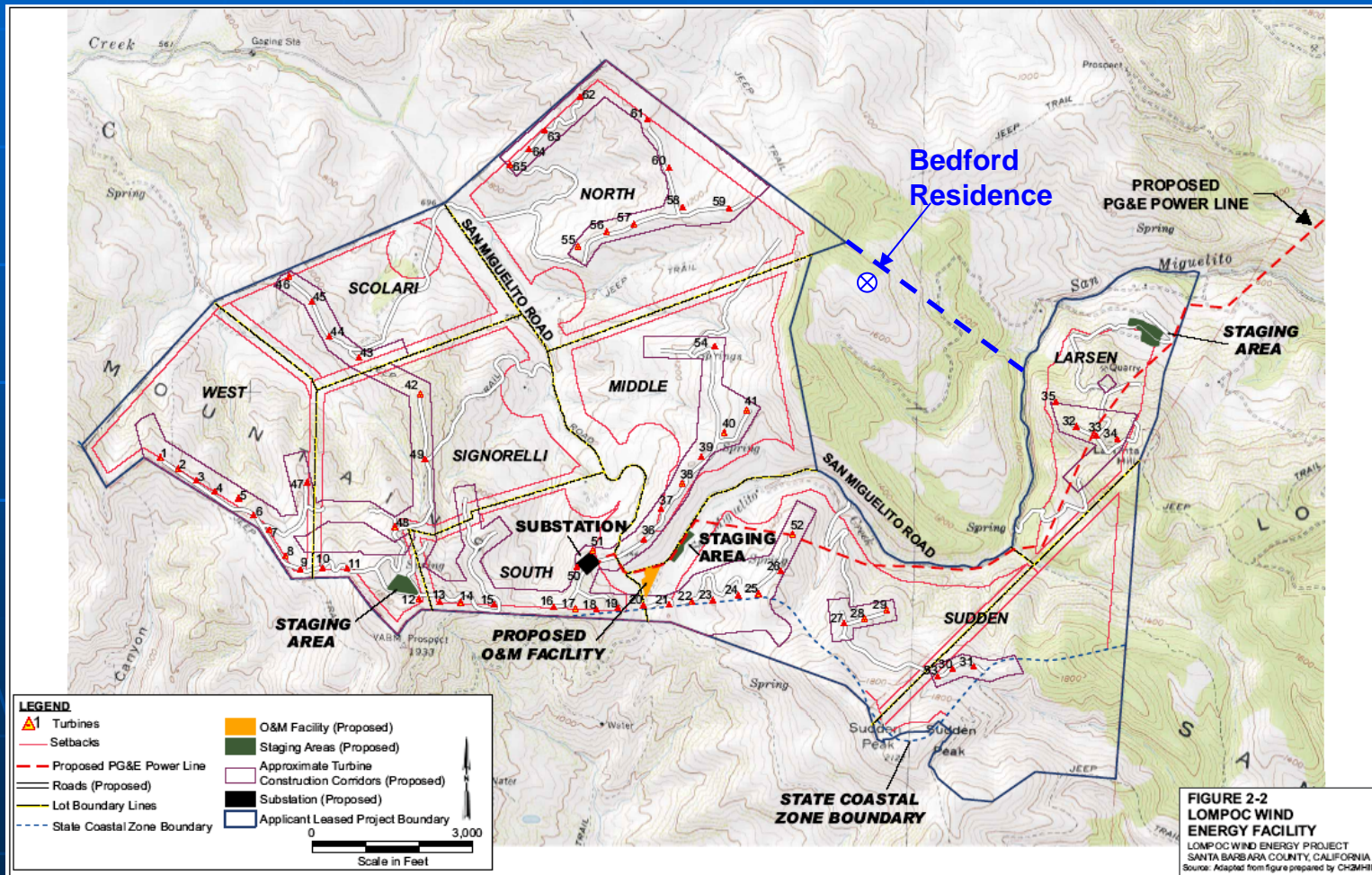
Responses #3

Conservation easements / Habitat enhancements

- Similar habitat is abundant and protected from most development.
- Not effective mitigation for fatalities
- Not proportional to impacts
- Would not mitigate to insignificance

Bedford Appeal

Bedford property is adjacent to project site



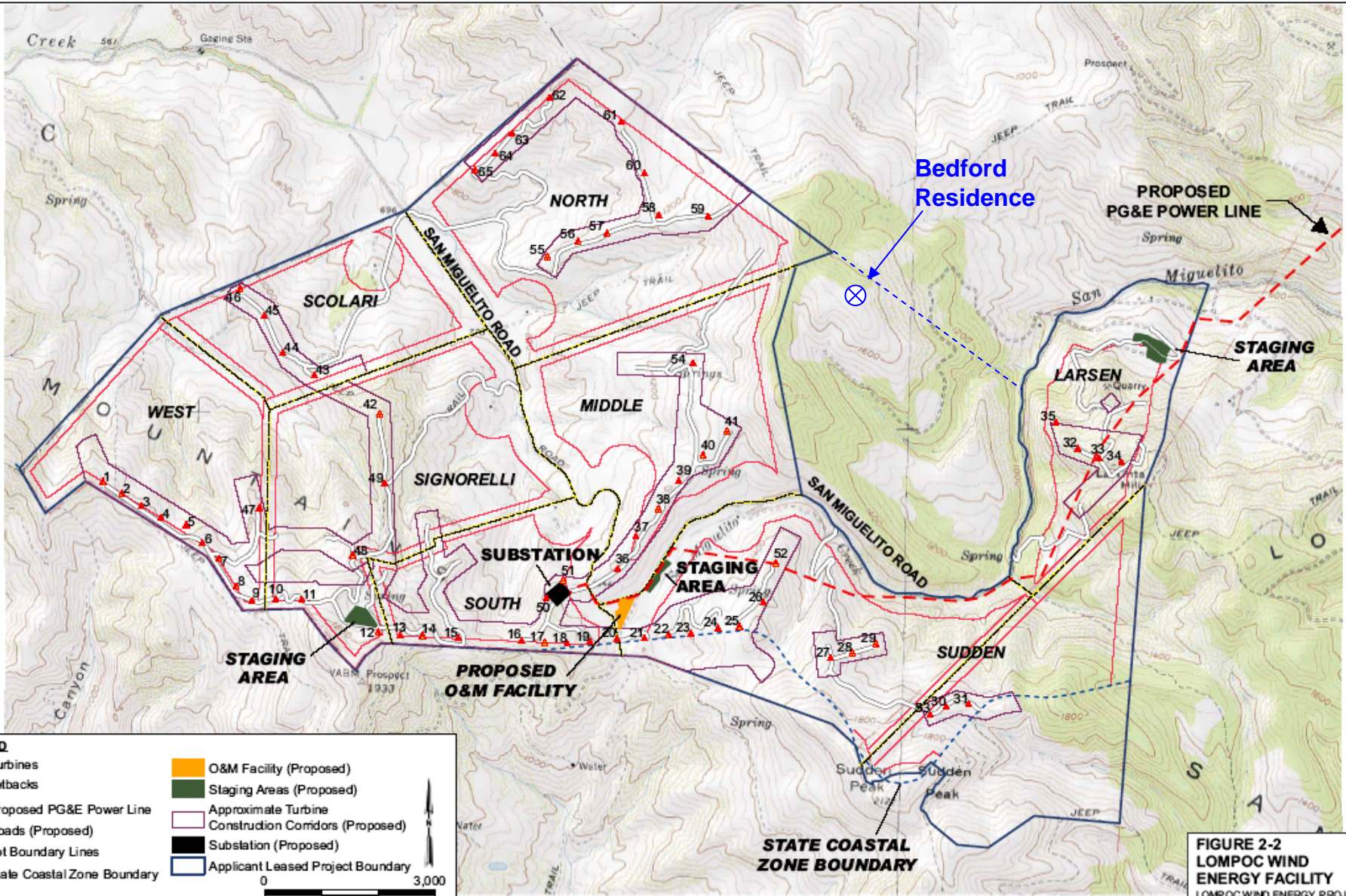
Bedford Appeal

Contention #1

The project and alternatives not adequately defined per CEQA

Responses

- Some siting flexibility is needed
- Turbine construction corridors are defined
- Worst-case layouts are analyzed
- Entire corridors surveyed
- Impacts will be mitigated to maximum



Bedford Residence

**FIGURE 2-2
LOMPOC WIND
ENERGY FACILITY**
LOMPOC WIND ENERGY PROJECT
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Bedford Appeal

Contention #2

Project alternatives were not adequately analyzed or shown to be infeasible

Responses

The Alternatives Analysis is Adequate

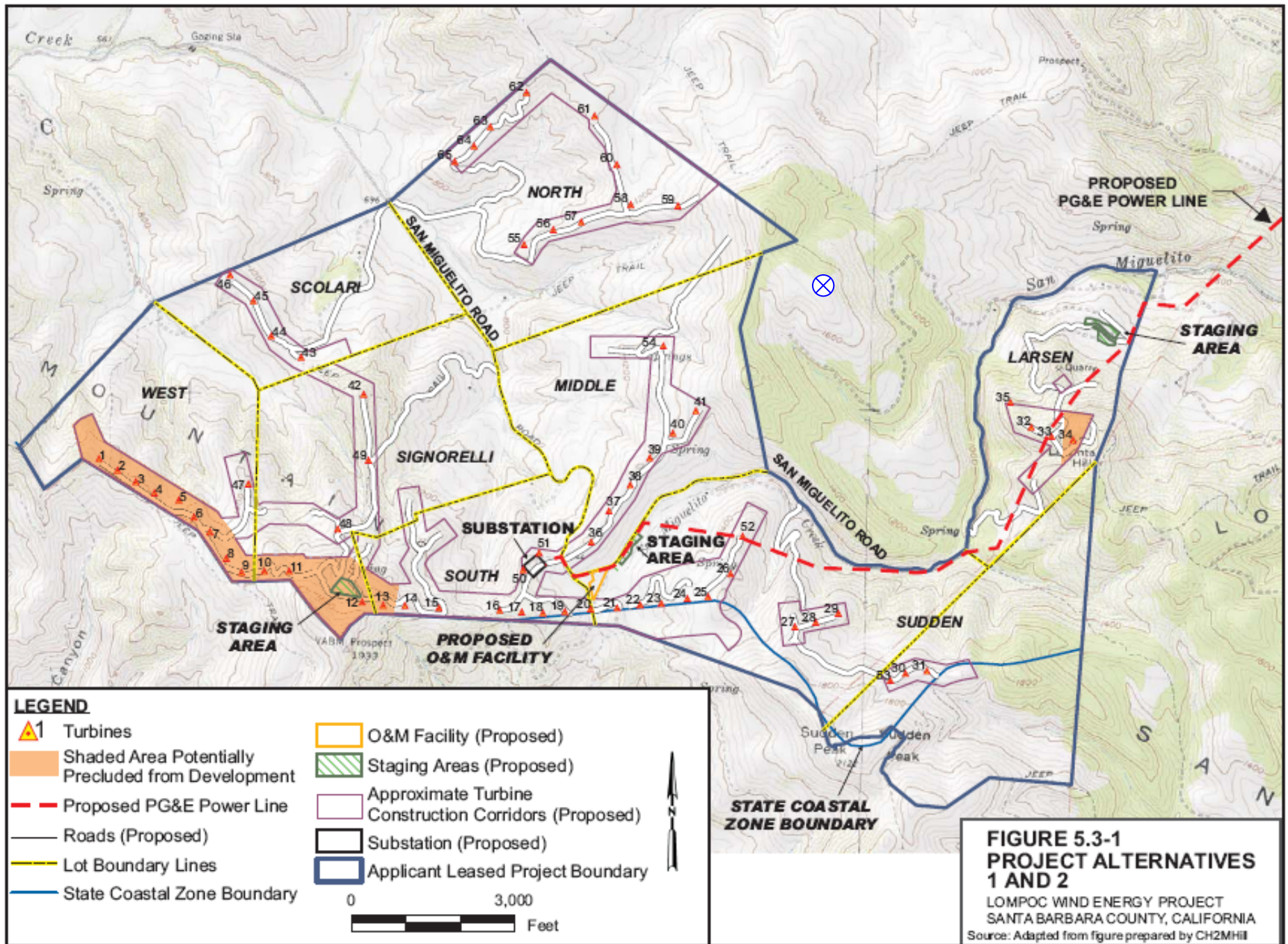
4 alternative locations considered / dismissed

- Not feasible to develop
- Would not reduce environmental impacts
- Fail to achieve project objectives












Bedford Appeal

2 downsized project alternatives analyzed

- Proposed to reduce visual impacts
- Were considered potentially feasible in EIR
- Later determined infeasible – would not achieve project objectives



LEGEND

-  1 Turbines
-  Shaded Area Potentially Precluded from Development
-  Proposed PG&E Power Line
-  Roads (Proposed)
-  Lot Boundary Lines
-  State Coastal Zone Boundary
-  O&M Facility (Proposed)
-  Staging Areas (Proposed)
-  Approximate Turbine Construction Corridors (Proposed)
-  Substation (Proposed)
-  Applicant Leased Project Boundary



**FIGURE 5.3-1
PROJECT ALTERNATIVES
1 AND 2**

LOMPOC WIND ENERGY PROJECT
SANTA BARBARA COUNTY, CALIFORNIA
Source: Adapted from figure prepared by CH2MHill

Bedford Appeal

Contention #3

Project conflicts with County General Plan visual resource policies and zoning code

Responses:

The project is fully consistent with policies and ordinances, which provide flexibility.

Bedford Appeal

▪ Visual Resources Policy 2

exception for technical requirements

“in areas designated as rural on the land use plan maps, the height, scale, and design of structures shall be compatible with the character of the surrounding natural environment...”

“except where technical requirements dictate otherwise.”

Bedford Appeal

- Wind energy development standards
applies "to the greatest extent feasible"
- Ridgeline and Hillside Guidelines
BAR "discretion to interpret and apply"

Bedford Appeal

Contention #4

The project violates CEQA and County noise policies.

Responses

- Conservative noise threshold for non-participating residences
- Potential to exceed threshold without required mitigation
- Exceeding thresholds prohibited by permit conditions

Modifications to Permit Conditions and CEQA Findings

- 1) Add Permit Condition 11 –
County indemnification for ESA
- 2) Modify CEQA Finding 1.7 –
Clarifies infeasibility of project
alternatives
- 3) Modify CEQA Finding 1.4 –
Why conservation easements
ineffective mitigation for LWEP

Staff Recommendations

- Deny both appeals.
- Certify the Lompoc Wind Energy Project Final EIR.
- Adopt the required findings including CEQA findings, with modifications.
- Approve the Conditional Use Permit and Variance, with modifications.