

POD10-007, LOG NO. 09-00-003; SCH NO. 2010091030
WIND ENERGY ZONING ORDINANCE AND GENERAL PLAN AMENDMENT
PUBLIC COMMENTS
TO WHOM IT MAY CONCERN:

Thank you for the opportunity to comment on the County of San Diego's Wind Energy Zoning Ordinance and General Plan Amendments. We have general comments on the Ordinance and Amendments below, and comments based on first-hand observations on the next page.

The Wind Energy Zoning Ordinance Amendment is very thorough, however, we think it is UNACCEPTABLE to adopt an ordinance that allows wind turbines that do not meet current acceptable standards. Competing public objectives which have the potential to cause one or more significant effects on the environment should not be used as an EXCUSE FOR ABUSE. Therefore, we disagree with adopting Section 4.6, the "Environmentally Superior Project", or ANY of the other project alternatives, except for the "NO PROJECT" alternative. This is the ONLY alternative with NO significant and unavoidable adverse impacts that also leaves in place what has already been established.

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The term "UNAVOIDABLE" used in the Wind Energy Zoning Ordinance to describe adverse impacts from wind turbines applies only to those that cause these impacts. The well-documented adverse impacts (some of which are significant and unmitigable, infeasible, irreversible or irreparable), however, ARE AVOIDABLE. A Wind Energy Zoning Ordinance that allows only wind turbines with negligible adverse impacts could be adopted. We think this type of Ordinance is the only ACCEPTABLE alternative. A statement of considerations to override or modify the existing Zoning Ordinance, General Plan, or Community Plans of Borrego or Boulevard to accommodate potentially non-compliant wind turbines that cause significant and unavoidable adverse impacts is UNACCEPTABLE.

The public and the environment SHOULD NOT have to sustain significant and unavoidable adverse impacts (in up to possibly nine categories, in some alternatives) from wind turbines in order to facilitate a mandate or the wind industry. Other renewable alternative energy sources that don't have these adverse impacts are readily available and located where the energy is used, such as rooftop solar or vertical axis wind turbines, some of which are roof-mounted. Focusing on alternative renewable energy sources that DO NOT have significant and unavoidable adverse impacts would meet the NOBELIST MOTIVE which is the PUBLIC GOOD and what is also GOOD for the ENVIRONMENT, instead of WHAT IS NOT.

We recently discovered and photographed a pair of Golden Eagles in a public area that could potentially be impacted by future proposed wind turbine projects. We have reported our sightings and photographs to the County of San Diego and to professional avian organizations for further investigation and documentation. Golden Eagles were not previously known to be using this area. Risk of collision with the blades of the wind turbines and transmission lines could occur for Golden Eagles and other birds and bats. Candidate, Sensitive or Special-Status Species should NOT BE FORSAKEN for the production of wind energy if significant adverse impacts cannot be lessened below a significant level.

Fragmentation of the environment suitable as foraging habitat throughout the project area by the Sunrise Powerlink and connected future wind turbine projects already are and will have significant adverse effects on impacted WILDLife, including Golden Eagles. Also, larger nest search areas are needed for eagles as explained in USFWS's Draft Eagle Conservation Plan Guidance (USFWS 2011). There already are and will continue to be significant adverse impacts from construction activities, noise and lighting.

Additionally, the Golden Eagles we sighted may be in a public area designated as environmentally sensitive. We use this kind of public area for RECREATIONAL HIKING to experience the WILderness, and that is why we sighted the Golden Eagles where we did. We

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have also sighted and photographed a Bald Eagle where it was not previously known to exist in the same kind of public area. WHAT A THRILL!!! :D Opportunities to experience the WILDerness and observe the WILDlife that dwells there will no longer exist in the County of San Diego whenever these areas are adversely impacted by wind turbine projects.

Lastly, the aesthetics of an UNDISTURBED NATURAL VIEWSHED will be desecrated, and instead, it will be replaced by visual blight from ugly, high-profile industrial structures and transmission lines. Is this the choice we are willing to make and leave as a legacy and heritage for future generations?

There is a sign posted by the State of California on the Pepperwood Trail in McCain Valley that reads, "FEATURES PROTECTED. THIS IS YOUR HERITAGE - HELP GUARD IT." That is what we are trying to do.

Sincerely,

Charles and Laurie Baker
10217 Strathmore Dr.
Santee, CA 92071

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Response to Comment Letter S

Individual

Charles and Laurie Baker

December 23, 2011

- S-1** The comment indicates that the ordinance would allow turbines that do not meet current acceptable standards. The County disagrees with this interpretation. The proposed ordinance would update regulations for wind energy projects and better meet current standards for turbines when compared to the existing Zoning Ordinance.
- S-2** It is unclear what this comment means and, therefore, no response is provided.
- S-3** The County acknowledges and appreciates this comment. Ultimately, the Board of Supervisors must determine which project alternative will be approved. The information in this comment will be in the Final EIR for review and consideration by the County Board of Supervisors.
- S-4** The County does not agree with this comment. As described in DEIR Section 4.5.2, the No Project Alternative would result in significant unavoidable impacts to aesthetics, agriculture and forestry resources, air quality, biological resources, cultural resources, hazards associated with wildland fire, land use and planning, noise, and transportation and traffic.
- S-5** The term "unavoidable" is not used in the proposed ordinance; however, it is used in the DEIR in accordance with CEQA. As described in Chapter 2 of the DEIR, certain environmental impacts were determined to be significant and unavoidable.
- S-6** The comment states that a wind energy ordinance with only negligible adverse impacts could be adopted. While this may be true, the purpose of the DEIR is to analyze the project that meets the direction provided by the Board of Supervisors.
- S-7** The comment affirms the commenter's objection to the proposed project. This information will be in the Final EIR for review and consideration by the County Board of Supervisors.
- S-8** The County allows other types of renewal energy projects within its jurisdiction. However, the Wind Energy Ordinance is a proposed update of the regulations related to wind turbines in particular.
- S-9** Issues raised in this comment are not inconsistent with the existing content of the DEIR.

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- S-10** The DEIR includes feasible mitigation for impacts to special status species while still meeting the project objectives. The County welcomes recommendations on any additional feasible measures that will help to reduce impacts to a level below significant.
- S-11** Issues raised in this comment are not inconsistent with the existing content of the DEIR. Section 2.4.4.1 discusses cumulative impacts to biological resources, including effects from the Sunrise Powerlink.
- S-12** Staff is not aware of any area in the County designated as "environmentally sensitive." If the area referred to in this comment is on state, federal or tribal lands, it would not be subject to the proposed ordinance amendment. Only lands under the County of San Diego's jurisdiction would be subject to the proposed ordinance. Large turbine projects on land under the County's jurisdiction would be subject to full, project-specific environmental review, while small turbine projects would be allowed under the zoning verification process.
- S-13** As discussed in DEIR Section 2.1, potential impacts to scenic vistas, scenic resources, and visual quality or character would be significant. Mitigation Measure M-AES-1 would help reduce future impacts from large turbine projects, but not necessarily to a level below significant. Therefore, the issues raised in this comment are not inconsistent with the existing content of the DEIR.
- S-14** The County acknowledges and appreciates this comment. This information will be included in the Final EIR for review and consideration by the County Board of Supervisors.