Three Points-Liebre Mountain Town Council
P. O. Box 617
Lake Hughes, CA 93532

VIA EMAIL

26 November 2013

Ms. Thuy Hua
Los Angeles County Department or Regional Planning
320 West Temple Street, 13th floor
Los Angeles, CA 90012

RE: Draft Renewable Energy Ordinance

Dear Ms. Hua,

On behalf of our Town Council, I would like to say we are appreciative of the opportunity to comment on the new Draft Renewable Energy Ordinance, and we look forward to continuing our activities as they relate to plans and other ordinances that affect our rural community. Regarding this particular ordinance, our main interests lie in preservation of our lifestyle, our viewshed, and the environment we share with amazing wildlife. To this end, we are concerned about the unsightly visual effects; excessive noise; unhealthful air quality; potential hazardous waste generation; water quality; ill-effects to local, and valley-wide biota created by utility-scale, and also small-scale projects. Please see our comments below.

Yours Truly,

Susan Zahnter

Susan Zahnter
Vice President

Renewable Energy Ordinance Comments

- Pg 2/21—Confirm the definition of "Decommissioning" as removal of all components of utility-scale projects, including concrete bases, and restoration to include roads.
- Pg 3/21—Guy Wires. Guy wires should not be permitted on temporary meteorological towers. Studies have show increased mortality to avian species from collision with wires. If guy wires must be used for small-scale wind towers, they should be marked.
- Pg 7/21—Table 22.52.1620 A, Temporary Met Towers for Utility-Scale Renewable Energy projects should be required to have a Conditional Use Permit, and the associated public review periods, as opposed to a Site Plan Review. These are precursors to large projects with the potential to have significant impacts.
- Pg 7/21All utility-scale projects, ground-mounted or structure-mounted should require a CUP. In a scenic or recreational area, they could potentially obstruct views.
- Pg 9/21—All utility-scale projects should be excluded from Significant Ecological Areas, and Scenic Highways, current and proposed.
- Pg 10/21—Table 22.52.1640-A Setbacks, 1000 feet may be inadequate for "buffering" obtrusive aesthetic qualities from Scenic Drives and Routes.
- Pg 11/21—F. 1., Setbacks for all should be at least 500 feet.
- Pg 12/21—No small-scale wind system should extend beyond 35 feet tall, regardless of property size. If they are to be allowed; they should be structure mounted or of a style that is visually pleasing.
- Pg 13/21—Noise. 60 decibels of noise is equivalent to a vacuum cleaner running. Maximum noise at nearest adjacent residence should not exceed "Quiet Rural Area" at 30 dB. See Below: http://www.chem.purdue.edu/chemsafety/training/ppetrain/dblevels.htm

Noise Sources and Their Effects

Noise Source	Decibel Level	comment
Jet take-off (at 25 meters)	150	Eardrum rupture
Aircraft carrier deck	140	
Military jet aircraft take-off from aircraft carrier with afterburner at 50 ft (130 dB).	130	
Thunderclap, chain saw. Oxygen torch (121	120	Painful. 32 times as

dB).		loud as 70 dB.
Steel mill, auto horn at 1 meter. Turbo-fan aircraft at takeoff power at 200 ft (118 dB). Riveting machine (110 dB); live rock music (108 - 114 dB).	110	Average human pain threshold. 16 times as loud as 70 dB.
Jet take-off (at 305 meters), use of outboard motor, power lawn mower, motorcycle, farm tractor, jackhammer, garbage truck. Boeing 707 or DC-8 aircraft at one nautical mile (6080 ft) before landing (106 dB); jet flyover at 1000 feet (103 dB); Bell J-2A helicopter at 100 ft (100 dB).	100	8 times as loud as 70 dB. Serious damage possible in 8 hr exposure
Boeing 737 or DC-9 aircraft at one nautical mile (6080 ft) before landing (97 dB); power mower (96 dB); motorcycle at 25 ft (90 dB). Newspaper press (97 dB).	90	4 times as loud as 70 dB. Likely damage 8 hr exp
Garbage disposal, dishwasher, average factory, freight train (at 15 meters). Car wash at 20 ft (89 dB); propeller plane flyover at 1000 ft (88 dB); diesel truck 40 mph at 50 ft (84 dB); diesel train at 45 mph at 100 ft (83 dB). Food blender (88 dB); milling machine (85 dB); garbage disposal (80 dB).	80	2 times as loud as 70 dB. Possible damage in 8 h exposure.
Passenger car at 65 mph at 25 ft (77 dB); freeway at 50 ft from pavement edge 10 a.m. (76 dB). Living room music (76 dB); radio or TV-audio, vacuum cleaner (70 dB).	70	Arbitrary base of comparison. Upper 70s are annoyingly loud to some people.
Conversation in restaurant, office, background music, Air conditioning unit at 100 ft	60	Half as loud as 70 dB. Fairly quiet
Quiet suburb, conversation at home. Large electrical transformers at 100 ft	50	One-fourth as loud as 70 dB.

Library, bird calls (44 dB); lowest limit of urban ambient sound	40	One-eighth as loud as 70 dB.
Quiet rural area	30	One-sixteenth as loud as 70 dB. Very Quiet
Whisper, rustling leaves	20	
Breathing	10	Barely audible

[modified from **http://www.wenet.net/~hpb/dblevels.html**] on 2/2000. SOURCES: Temple University Department of Civil/Environmental Engineering (www.temple.edu/departments/CETP/environ10.html), and *Federal Agency Review of Selected Airport Noise Analysis Issues*, Federal Interagency Committee on Noise (August 1992). Source of the information is attributed to *Outdoor Noise and the Metropolitan Environment*, M.C. Branch et al., Department of City Planning, City of Los Angeles, 1970.

- Pg 13/21—D., What does "except during short-term events such as utility outages and severe windstorms" mean? Utility outages should not create noise, and a small-scale wind-energy system should not be operating during windstorms, since the opportunity for destruction and debris flying away from the tower is probable.
- Pg 14/21—E. 1. Visual Impact—Really, no wind energy system should be allowed in the viewshed of any ridge or mountain. Maybe a minimum of 200 feet.
- Pg 14/21—E. 2.—As mentioned before, no wind or solar system, small or utility-scale should interfere with viewshed.
- Pg 14/21—E. 3.--"Within the coastal zone, the placement of any small-scale wind energy system shall not obstruct public views of the ocean from a scenic element (i.e.,significant ridgeline, scenic route, scenic area, scenic viewpoint) identified in the applicable local coastal program, unless specific provisions for such siting are provided for in the applicable local coastal program and coastal development permit or long range development plan." This is insulting. The coastal zone is well protected. Why aren't the special features of the North County protected in the same way? This could be construed as injustice to the rural residents of the Antelope Valley whose property values, viewsheds and vistas, peace and quiet, are at risk with this whole ordinance. Many foothill and mountain residents have already had their views dramatically altered by utility-scale solar and wind projects –(think flashing red lights at night, too). Additionally, public and private trust lands are at risk. Accordingly, was a RE Ordinance meeting arranged for the Malibu Mountains? Altadena? Castaic? Gorman?, etc.
- Pg 15/21—C.--Fencing--Non-opaque fencing "required" and no chain-link with barbed wire. The fencing of large scale projects creates hundreds and even thousands of acres with an "industrial" feel in areas that are not industrial.

- Pg 15/21—C.4—Serious problems are anticipated with non-native invasive species wherever the ground is disturbed. Subsequent use of herbicides cause harm to wildlife, especially when it ends up in water.
- Pg 16/21—D.—Exactly what lighting is required for safety and security at unmanned projects? Motion-sensor lighting is horrible, going on and off all night long. No motion-sensor lighting. Since these projects are unmanned, why have the lights on motion-sensors?
- Pg 16/21—E. Setbacks should be at least 100 feet to allow for the possibility of disguising fencing and overall aesthetic injuries.
- Pg. 16/21—G--Site Disruption—Fuzzy Language "minimized to the greatest extent possible." This kind of language, here, and elsewhere in this document allow for such a range of interpretation. In this section, please note that it is impossible for construction to occur without damaging existing vegetation. What methods will maintain root systems and allow native vegetation or grasslands to flourish after being mowed to a maximum of six inches, as required by the Los Angeles County Fire Department? Using composted wood chips to six inched deep would help erosion and fugitive dust, but in dry areas could create a serious fire danger.
- Pg 16/21—G. 2—Existing water courses should be retained—not restored. Will water in retention basins be required to meet standards that certify no pollutants exist?
- Pg 17/21—G. 3—What are "all applicable standards for addressing grading?" Grading plans should be required and provided prior to permitting process, not after. There is limited opportunity for public review and comment after a CUP is issued by Regional Planning.
- Pg 17/21—G.4—What exactly are "suitable" fugitive dust mitigation measures? It is noted that destruction of vegetation is increased by airborne soil stabilizers, which have, so far, proved incapable of controlling wind-driven dust events in the Antelope Valley.
- Pg 18/21—I. 1—How will visual impacts be minimized in the instance of utility-scale wind energy projects, in particular?
- Pg 18/21—I. 2.--Again why should the Coastal Zone be protected and not the considerable viewshed areas of the Antelope Valley? Can we be accorded a High Desert Environmental Zone and commensurate local desert plan?
- Pg 18—J.--Water quality protection. No mention of hazardous waste, i.e., petroleum based oil from turbine gearboxes leaking into water courses or other maintenance operations leaving residues to be washed into water courses or retention basins, which could attract and harm wildlife, soils, and groundwater.
- Pg 19/21-- M. Table 22.52.1660A—Setbacks are insufficient to alleviate visual, noise, and air pressure effects generated by wind turbines.
- Pg 20/21—22.52.1670—Standards for Structure-Mounted Utility-Scale Renewable Energy Facilities—A., B.--Height—How is it height limits are restricted to no more than five feet on a building built to maximum height in a residential or agricultural zone, commercial or manufacturing zone? This provides a measure of protection afforded industrial and commercial areas, but not our rural or agricultural communities. This is unfair. Ground-mounted RE could stand 50 storeys in areas with nothing else that tall.

- Pg 21/21—22.52.1680—Modifications—A. 1. “Due to topographic or physical features of the site, strict compliance with all of the required standards would substantially and unreasonably interfere with the establishment of the proposed project on the subject property--” If physical features are such that compliance is difficult, then the project should not be built on subject property. This opens the ordinance up to almost anything goes, and no project would be restrained from occurring in sub-optimal conditions.
- There should be exclusion of utility-scale renewable energy projects from Significant Ecological Areas, along scenic roads and highways, along Forest Service viewshed, and within view of public and private trust lands. These projects are injurious to tourism-based economies prevalent in mountain areas and open space in the Antelope Valley.