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Preserving natural lands in the Antelope-Fremont Valleys and
Upper Santa Clara River Watersheds

November 20, 2013

Attn: Thuy Hua, AICP, Senior Planner
Regional Planning Department
County of Los Angeles
320 W. Temple Street, 13th Floor
Los Angeles, CA 90012
via email thua@planning.lacounty.gov

re: Draft Renewable Energy Ordinance

Dear Ms. Hua and Whom It May Concern,

The Antelope Valley Conservancy Board of Directors appreciates this opportunity to comment on the County of Los Angeles Draft Renewable Energy Ordinance.

Antelope Valley Conservancy (AVC) is a public benefit corporation that preserves habitat and watershed resources in northern Los Angeles County and southeastern Kern County. AVC operates a State-authorized Mitigation Program and, through mitigation implementation and grant-funded acquisitions, works to fulfill Los Angeles County's General Plan goal of preservation of critical biotic and watershed resources.

AVC thanks the Los Angeles County staff who worked on this Ordinance for their considerations of light minimization and control, undergrounding transmission lines in ridgeline view-sheds, and requirements for strict adherence to the *California Guidelines for Reducing Impacts to Birds and Bats from Wind Energy Development*.

AVC still has concerns that warrant comment.

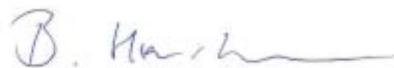
1. Upon reviewing the minimal setback requirements for large and small-scale wind energy systems, AVC would like to see requirements for off-site residential or habitable structures and Significant Ecological Area (SEA) location setback distance to be further increased. The minimal setback is insufficient to buffer wildlife relying on SEA habitats for forage, breeding, and dispersal from potential effects of lights, strobe, noise, vibrations, fencing, or other impacts of wind energy systems. The research literature shows that direct noise, shadow "flicker", and vibration and low frequency emissions can impact distances from three miles to over ten miles. Light, sound, and vibration have been scientifically documented as impacting a variety of plant and animal species, including human beings, although the extent of such impacts is not quantified. It is also

important to consider residents and landowners in the vicinity of wind energy sites, who have chosen their housing locations and investments with care, and whose quality of life and property value are negatively affected by proximity to industrial scale energy systems.

2. The current Draft Renewable Energy Ordinance addresses the issue of noise by stating that noise should not exceed a single event level of 60 dBA, as measured at the closest neighboring inhabited dwelling. AVC would like the ordinance to address limits for allowable sustained noise levels, measured at the closest neighboring property and/or SEA.
3. Large scale fencing inhibits the movement of wildlife, and wildlife permeable fencing should be used at renewable energy sites. The Draft Renewable Energy Ordinance does not specify what kind of fencing must be used. While the SEA Ordinance states that wildlife impermeable fencing is to be used in areas approved for ground disturbance, the current draft renewable energy ordinance states that removal of existing vegetation shall be minimized to the greatest extent possible. This suggests a minimal ground disturbance site, for which the SEA Ordinance would suggest the use of wildlife permeable fencing, such as fencing with a constant gap of 18 inches, as measured from the ground up. Furthermore, the current draft renewable energy ordinance does not specify whether fencing is allowed to encompass the entire site or just enclose each individual wind tower. AVC would like to see the ordinance require fencing to only be permitted around individual wind towers enclosing a minimal square footage that would still allow for proper access and maintenance. By doing so, the restriction to wildlife movement would be greatly minimized.

Thank you for your time and consideration of our comments. We appreciate the County's extremely difficult task of balancing competing interests. Please feel free to contact us at (661) 943-9000 if you have any questions.

Respectfully Submitted,
By Resolution of the Board of Directors
ANTELOPE VALLEY CONSERVANCY



by **B. Harsha, Corporate Secretary**