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Rio Dell City Hall  
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Rio Dell, CA 95562  
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## PRESS RELEASE

6-6-2019

### **Rio Dell City Council Opposes Wind Energy Proposal**

The Rio Dell City Council met on the evening of June 4, 2019 to discuss a response to the Draft Environmental Impact Report (DEIR) for a proposed 155 megawatt wind farm composed of potentially up to sixty towers. The project and its towers would be located on Monument Ridge and Bear River Ridge and would be visible from town.

After careful consideration, the Council voted 4-0 (Councilmember Wilson recused) to issue a strongly worded response to the DEIR officially opposing the project and recommending the “No Project” alternative. The letter is attached to the release for review.

In January of 2018 the Rio Dell City Council opted to participate in a Regional Climate Action Plan along with a coalition of other local governments and the city is generally supportive of green energy. However, the city believes the project is being fast-tracked in a manner that defers critically important technical studies. Furthermore, the city is concerned that this fast-tracked process is not in the public interest, but serves the interests of the project proponents who desire valuable tax credits that expire at the end of 2019.

“When people hear the word windmill, they have to understand the real scale of what is being talked about.” Rio Dell Mayor Debra Garnes stated. “If you placed one of these structures in downtown San Francisco, only five buildings in the entire city would be taller. The proposal is for up to sixty (60) of these towers just outside of Rio Dell.” Garnes expressed concern that virtually every citizen of Rio Dell would be impacted by the presence of the rotating towers and that there would be a negative impact on property values.

The project includes extensive road grading and land clearing to facilitate access to the ridgetops as well as new above-ground power transmission lines. “I was surprised to hear that the geological report had been deferred considering the immense scale of what is proposed and its potential impact to water quality on the Eel.” Stated Rio Dell Mayor Pro-Tem Julie Woodall. “Everyone knows that the ground in this part of the country is unstable and unpredictable. A project like this poses significant risk to our water system, not to mention the fish.” Rio Dell’s main water intake is just downstream of the proposed roadway projects.

Residents interested in commenting on the project are encouraged to do so by emailing [CEQAResponses@co.humboldt.ca.us](mailto:CEQAResponses@co.humboldt.ca.us) before 5:00 pm on June 14, 2019.

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675 Wildwood Avenue  
Rio Dell, CA 95562  
(707) 764-3532



June 5, 2019

Elizabeth Burks  
County of Humboldt  
Planning and Building Department  
3015 "H" Street  
Eureka, CA. 95501

Subject: Humboldt Wind Energy Project  
Draft Environmental Impact Report; SCH 2018072076

Dear Ms. Burks:

The City of Rio Dell is writing in response to the Draft Environmental Impact Report (DEIR) for the proposed Humboldt Wind Energy Project to be located immediately south and southwest of the City and the Town of Scotia on Monument and Bear River Ridges. The City supports alternative energy, including wind energy. However, the proposed location will have significant visual impacts to the community of Rio Dell. Many residents choose to live in Rio Dell due to its outstanding visual surroundings. The project if approved and built will have a dramatic adverse change to the City's surroundings. The City believes the project will impact current and potentially future residents desire to live in Rio Dell, materially affecting property values in the City.

In addition to the visual impacts, we have a number of other concerns associated with the proposed project, including timberland conversion, biological impacts, increased fire danger, significant amounts of grading, erosion, geologic stability and sediment discharges into the Eel River. The City's primary water source (an infiltration gallery) is just a couple miles downstream from the project site.

Because of these impacts, we believe the proposed project will be materially injurious to the City and its residents, in that the City believes it will impact potential residents and as a result fewer businesses decision to relocate to the City. According to a September 2015 article "Do Wind Turbines Lower Property Values?" in Forbes Magazine, it's "...clear that wind power DOES impact property values...". The article refers to a long list of articles, studies and court cases documenting how wind power does affect property values. A copy is enclosed. As such, the project will impact property values in the City and the surrounding areas.

In addition to the number of significant environmental impacts, given the magnitude of the project, the City is concerned that the project is being "fast-tracked" for the benefit of the developer and the detriment of the community. Another concern is the fact that the DEIR did not include the Mitigation Monitoring or Reporting Program (MMRP) required by Section 15097 of the CEQA Guidelines. Without this important component of the Environmental Document, it is very difficult if not impossible for the City, the public and decision makers to determine how effective the proposed Mitigation Measures will be.

For these reasons and the information contained herein the City of Rio Dell officially **opposes** the proposed Humboldt Wind Energy project and recommends the "No Project" alternative in the DEIR.

## Project Objectives

The applicant has identified seven (7) objectives of the project. All of the objectives can be obtained at other locations throughout the State. There is one objective that specifically references Humboldt County. That one objective is the result of the project in any jurisdiction. Below is a copy of the only stated objective that references Humboldt County.

*Develop a wind energy facility in Humboldt County that supports the economy by creating short- and long-term employment opportunities and increasing tax revenue.*

The City believes Terra Gen did not come to Humboldt County in the name of creating jobs and increasing revenue for the citizens of Humboldt County. Terra Gen came to Humboldt with one thing in mind, and that's to make money. The City supports creating local jobs and increasing tax revenue, but at what expense? Again, the City believes this objective is a result of the project, regardless of the location.

In this particular case the City believes there are other sites throughout the State and within the County that could accommodate the stated objectives. The City believes it's possible that other locations that were not included in the Alternative Analysis may result in fewer unavoidable significant environmental impacts.

According to wind maps produced by the National Research Energy Laboratory (NREL) there are dozens of areas up and down the State that exhibit similar and many actually better wind characteristics that are near transmission facilities, are readily accessible and could have fewer significant environmental impacts.

Locally, the off-shore winds apparently have significant potential to generate power. Again, according to NREL maps, the area off of Cape Mendocino may have the best wind power potential on the west coast. In fact, the Redwood Coast Energy Authority (RCEA) along with Principle Power Inc., EDPR Offshore North America LLC and Aker Solutions Inc. recently submitted a lease application to the Bureau of Ocean Energy Management (BOEM) for a 100 – 150 megawatt off-shore wind energy farm.

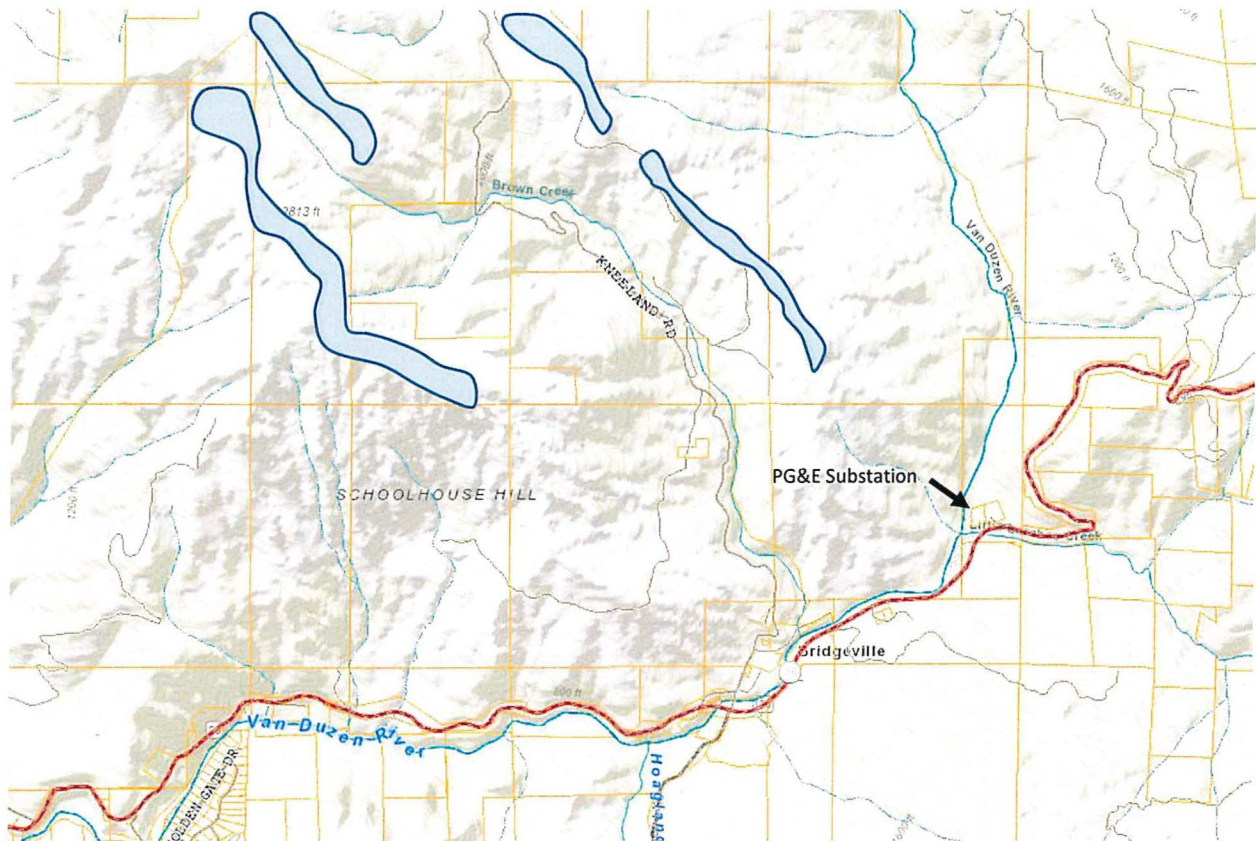
According to RCEA's September 12, 2018 Press Release *"The project is expected to bring significant economic benefits to the region in the form of jobs and increased spending in the local community and State of California. A longer-term goal of the project is for Humboldt Bay to become a central hub of a US west coast offshore wind industry."*

Given this project has been under review since 2017 and according to RCEA the project could be online in 2024, it's disconcerting that the project was not identified as an Alternative in the DEIR. The City believes it was intentionally not included as an Alternative because (1) Terra Gen is not part of the off-shore RCEA consortium; and (2) it is likely an environmentally superior Alternative. At a minimum it needs to be included as a potential Alternative in the EIR.

Again, referring to the NREL Maps, Schoolhouse Hill just west of PG&E's Bridgeville Substation exhibits very similar wind characteristics as does the Monument and Bear River ridges. This location would certainly not be as visible from local communities and the millions of tourists that travel Highway 101. The site would not require 25+/- miles of overhead transmission lines (reducing potential fire danger), would not require almost 100 acres of timberland conversion and could have other fewer significant



impacts if the site(s) were evaluated in the Alternative Analysis. Terra Gen will likely argue that they do not have control over the site and therefore does not have to include it in the Alternative Analysis. At a minimum the County should either contact the property owner(s) or require Terra Gen to make a good faith effort to reach out to the property owner(s).



The City has the following specific comments and concerns regarding the project and the Draft Environmental Impact Report (DEIR).

**3.2 Aesthetics:** As indicated above, the primary concern of the City Council and the City's residents are the visual impacts of the project. Humboldt County is one of the most beautiful landscapes in the State if not the entire Country. Millions of travelers from all over the world come to Humboldt County each year to enjoy its scenic qualities, redwoods, rivers and beaches. The forested ridge tops, open meadows and the Scotia-Rio Dell bluffs surrounding Rio Dell create a visually stunning landscape.

The installation of up to sixty 650' tall (Figure 2-3 DEIR) wind turbine generators with each having two medium-intensity flashing white lights during the day and twilight and two flashing red beacons at night will significantly degrade the visual quality of the area. The City understands that the proposed windmills may be among the tallest land based windmills in the world. In addition, the installation of six meteorological towers with the required FAA lighting up to 400' will also impact the visual quality of the Rio Dell and the entire Eel River valley.

The photo simulations in the DEIR appear to be taken on a hazy day, minimizing the visual impacts. In fact, the DEIR refers to the areas "atmospheric conditions" (fog, haze and clouds) numerous times in

what appears to be an attempt to minimize the visual impacts. On clear days, these “iron giants” will likely be visible from 20+/- miles away. The City is also concerned about “shadows” generated by the windmills. There was no discussion regarding resulting “shadows”. The “shadows” should be discussed and analyzed.

One of the Aesthetic Mitigation Measures requires that “The WTGs shall be clustered or grouped to break up overly long lines of WTGs.” Based on Figure 2-1 of the DEIR, it appears that the placement of the WTGs does in fact create overly long lines.



Figure 2-1 DEIR

The DEIR (3.2-2) also seems to minimize the visual impacts on scenic resources along a State Scenic Highway. Although Highway 101 in the area is not officially designated as a State Scenic Highway, it cannot be argued that the project will have a significant visual impact to the scenic resources visible from the Highway. The City recommends that the County Board of Supervisors officially request Caltrans to designate those eligible portions of State Highways throughout the County as State Scenic Highways.

In addition to the City’s outstanding weather, the surrounding river, mountains, prairies and bluffs provide an incredible visual backdrop to the City. Some say the setting is almost surreal. These features make Rio Dell a desirable place to live and work. The visual impacts of up to sixty, 650 foot tall (Figure 2-3 of the DEIR) towers with the required Federal Aviation Administration’s (FAA) flashing strobe lights will be materially injurious to the City.

Pursuant to Section 312-17 *et. seq.* of the Humboldt County Zoning Regulations in order to approve the project, the Planning Commission must find:

*The proposed development and conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or **materially injurious to properties or improvements in the vicinity** (emphasis added).*

Obviously, the City believes this finding cannot be made. It’s very clear to this City Council that there is no doubt that the proposed project will affect property values, having a direct and substantial impact on the materially wellbeing of the City of Rio Dell.



**3.3 Agriculture and Forestry Resources:** The DEIR indicates that 91 acres of timberland will be converted. Although not specifically identified, the City assumes the conversion of the 91 acres is a result of the significant road widening and overhead transmission facilities associated with the project. Although the 91 acres is insignificant in terms of timberland in Humboldt County, residents have expressed concerns regarding the conversion of timberland to accommodate road widening and the overhead transmission lines.

**3.5 Biological Resources:** Residents have expressed concerns regarding the impact of the project on Marbled Murrelets, Northern Spotted Owls, Bald and Golden Eagles and other raptors including Falcon's, Hawks, Osprey, Kite's and Turkey Vultures. In addition, Condors are to be reintroduced in the Bald Hills area of the Redwood National Park in the near future. The applicant has indicated that within six months of releasing the Condors that they will implement detection technology tied to the Condor's transponders to shut down the windmills when Condors are in the area. This begs the question "What if the Condors establish residency in the area of the project, then what?"

The project site is in an area of nesting, foraging and stopover habitat for an incredible number of avian species. The DEIR concludes that bird deaths will occur, however it's difficult to quantify the number of deaths associated with the life of the project. A Mitigation Measure (3.5-2b) requires Post Construction Mortality Monitoring (PCMM). Another Mitigation Measure (3.5-5a) requires the applicant to maintain the landscape around the WTGs so as to discourage rodent prey populations (rabbits, squirrels and other prey). Without the required (Section 15097 CEQA Guidelines) Mitigation Monitoring and Reporting Program (MMRP), the City has no idea how the mitigation will be implemented, the details of the mitigation or how it will be monitored. The City believes this is contrary to the CEQA process by omitting potentially important input of the public and interested agencies regarding the effectiveness of the proposed mitigation measures.

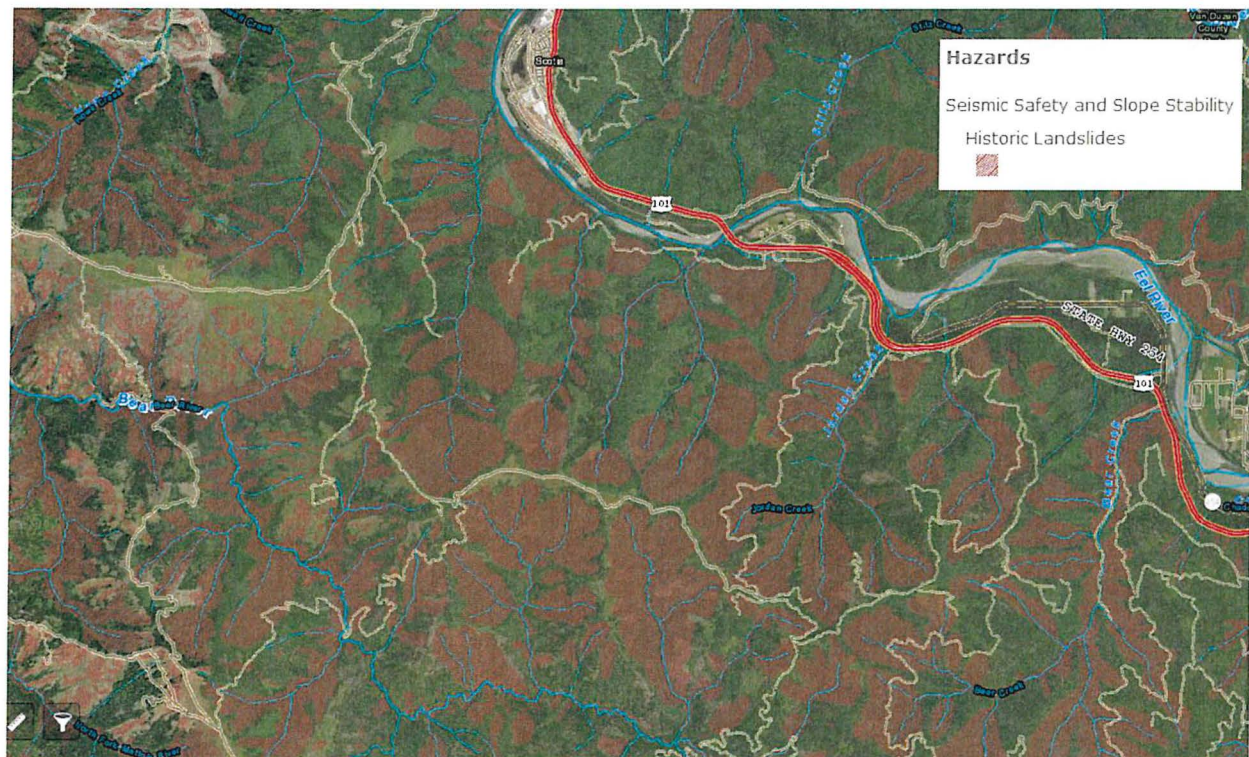
Mitigation Measure 3.5-7 requires the applicant to develop a map depicting the locations of foraging, nesting and roosting habitat for northern spotted owls. The information is to be used to minimize habitat impacts during the project's final design. The City believes this information should not be deferred. In fact, the Courts basically ruled that studies cannot be deferred in the landmark court case *Sundstrom vs. County of Mendocino* (1988 202 Cal. App. 3d 296). Below is a brief summary of the case:

*As to the condition of a future study, the appellate court held this was inappropriate: "By deferring environmental assessment to a future date, the conditions run counter to that policy of CEQA which requires environmental review at the earliest feasible stage in the planning process." (Sundstrom, supra, 202 Cal. App. 3d at p. 307.) In addition, the condition "improperly delegated the County's legal responsibility to assess environmental impact by directing the applicant himself to conduct the hydrological studies subject to the approval of the planning commission staff." (Ibid.) This condition circumvented the provisions of CEQA governing the process of environmental review, by omitting the important input of the public and interested agencies. (Id. at pp. 307-308.)*

The City believes there must be other areas suitable for wind power that would not impact the significant number of avian species located in the project area. At a minimum any referenced deferred studies, technical reports and the Mitigation Monitoring and Reporting Program (MMRP) should be

included in the DEIR so the public and agencies can review the information. It appears there are number of deferred studies and or surveys, including botanical surveys, reclamation, vegetation and weed control plans, maps depicting the locations of foraging, nesting and roosting habitat for northern spotted owls.

**3.7 Geology and Soils:** The City and the residents are concerned regarding the significant amount of grading that is required to improve the access roads to accommodate the various components of the WGTs. The project area is in one of the most seismically active areas in the world. According to the County's GIS mapping program, the area is inundated with historic landslides and is in areas of moderate to high instability.



Source: Humboldt County GIS

The City is surprised that a Geotechnical Report and subsequent Grading Plan was not included in the DEIR given the significant (un-quantified) amount of required grading that apparently has yet to be quantified. The DEIR recognizes there are unstable slopes within the study corridors and notes that the "...greatest risk of landslides is in areas where the slopes would exceed 33 percent. A review of the study corridor indicates that the topography is rugged with the majority of the land sloping at 30 percent or more."

The Humboldt County General Plan, Standard S-S1 requires site specific geologic reports for discretionary and ministerial projects. In addition, Section 336-5, the Geologic Hazards Land Use Matrix of the Humboldt County Code requires the preparation and submittal of an R-1 Report Geologic and Soils Report for the project. Furthermore Section 331-14(e) of the Humboldt County Code requires an

Engineered Grading Plan, including a Soils Engineering Report and Engineering Geology Report when grading activities exceed 5,000 cubic yards.

Without the required Geologic Report and Grading Plan it's all but impossible for the community to know the extent of the grading and the geologic risks associated with the grading. Again, referring to *Sundstrom vs County of Mendocino*, the City believes the deferral of the required Reports circumvents the provisions of CEQA governing the process of environmental review, by omitting the important input of the public and interested agencies. Without these technical studies and plans, the City questions how the DEIR can determine that "Possible risks to People and Structures Caused by Strong Seismic Ground Shaking, Seismic-Related Ground Failure, Liquefaction and Landslides and Geologic Hazards Related to Expansive Soils" are less than significant.

Based on the seismic activity, the soils, slopes and historic landslides in the project area, the City believes the Geologic Reports and Engineered Grading Plans be included in the DEIR and recirculated. In addition, the City request that all grading activities be limited to after June 1<sup>st</sup> and before October 15<sup>th</sup>.

**3.9 Hazards and Hazardous Materials:** Residents expressed concerns regarding air traffic in the area of the project. It was reported by County staff at the meeting of May 7, 2019 that the WTGs and the six 400+/- foot tall meteorological towers would be marked as required by the Federal Aviation Administration (FAA). The City understands that the FAA requires structures taller than 200 feet be marked with flashing strobe lights. In addition, one resident expressed concerns for possible conflicts with military over-flights.

**3.10 Hydrology and Water Quality:** As previously mentioned, the City's primary water source is an infiltration gallery in the river just a couple of miles downstream of the project site. The City and our residents are concerned about potential erosion and sediment discharges to the river. In addition, residents have expressed concerns regarding potential erosion and sediment discharges to the river and its impact to the fishery and its associated aquatic life. Again, should the project be approved, the City requests that all grading activities not occur during the rainy season (October 15<sup>th</sup> through June 1<sup>st</sup>).

**3.12 Transportation and Traffic:** The City has concerns regarding potential impacts to City streets, including Wildwood Avenue, Pacific Avenue and Monument Road. Although the DEIR states that only pickup trucks without trailers will be accessing Monument Road through the City, without the Mitigation Monitoring and Reporting Program (MMRP), the City is not sure how this Mitigation Measure (MM 3.12-1) will be enforced. The City previously expressed concerns to the applicant regarding impacts to City streets. The applicant agreed that heavy trucks/equipment would not access the project area through the City. However, a 100 ton crane later used Wildwood Avenue, Pacific Avenue and Monument Road to access the project area.

The City requests that the applicant provide a copy of the Haul Route Map(s) to the City. In addition, the City requests that signage be placed along Wildwood Avenue, near the Highway 101 off-ramp stating that access to the project area through the City is limited to conventional vehicles, including light duty pickup trucks.



**3.13 Fire Protection Services and Wildfire Hazards:** Residents have expressed concerns regarding an increased risk of wildfire associated with the project. The project proposes 32+/- miles of new overhead transmission lines. The area is identified by Cal Fire as a “High” fire severity zone.

Transmission lines have been the source of a number of devastating fires, including the deadly Camp Fire near Paradise. According to an article in the November 16, 2018 edition of the Sacramento Bee, Cal Fire investigators believe at least 17 major wildfires in Northern California were caused by problems with power lines in 2017. In the same article according to PG&E there were 1,051 reported fire incidents from 2014 through 2016.

The DEIR states that the construction and operations of the project would include activities that may create sparks or flames which would exacerbate the risk of wildfire resulting in a potentially significant impact. However, with the incorporation of Mitigation Measure 3.13-2a, the impact will be less than significant. Mitigation Measure 3.13-2a requires the preparation and implementation of a Fire Safety and Management Plan. Once again, another deferral of a study or plan. Even with a Fire Safety and Management Plan, the City believes the potential risk for a wildfire associated with the project is a “Significant” impact.

According to researchers from Imperial College London, the University of Edinburgh and SP Technical Research Institute of Sweden fire is the second leading cause of accidents in wind turbines, after blade failure.

The City believes that the DEIR should have analyzed utilizing PG&E’s substation in Rio Dell. When Shell Energy was proposing a similar project some years ago, they were going to utilize and upgrade the Rio Dell substation. Utilizing the Rio Dell substation would eliminate the need of more than 20 miles of new overhead transmission facilities, thus reducing the risk of wildfire associated with transmission lines. This alternative should be explored.

## **Alternatives**

The DEIR considered five Alternatives, including the “No Project” alternative. As stated in the “No Project” alternative discussion, if the proposed project is not approved, it is reasonably foreseeable that renewable power needed to meet state renewable energy standards would be obtained from a project proposed at other suitable sites. The City concurs that wind power projects will be developed throughout the State in order to meet the State’s 2045 renewable energy goals. Based on the concerns and information presented herein, the City of Rio Dell recommends the “No Project” alternative.

Alternative 2 includes the realignment of the transmission lines around the Town of Stafford to avoid placing transmission lines under the Eel River. Alternative 2 also includes an alternate access road alignment at the Jordan Creek staging area (the “realigned Jordan Creek access”) to avoid impacts on a northern spotted owl flyway near Jordan Creek.

Alternative 3 would reduce the total number of WTGs from 60 to 23 and would avoid placing WTGs on Monument Ridge. This alternative would likely minimize visual impacts to the City, but the visual impacts of the project would still be regionally significant.

Alternative 4 would place 31 WTGs within the same study corridor as the project. Access to the WTG site would be provided from the planned road at Jordan Creek staging area and the gen-tie would extend to the Bridgeville Substation under the same alignment as the proposed project. Because the turbine count would be reduced, the WTGs selected for installation would be the largest (600-foot maximum height).

Alternative 5 would reduce the total number of WTGs from 60 to 37 and would avoid placing WTGs on Bear River Ridge. Because the turbine count would be reduced, the WTGs selected would likely be the largest (600-foot maximum height). Fewer WTGs would provide greater spacing from sensitive areas identified in the project corridor. This alternative would avoid impacts on Bear River Ridge, which is considered a tribal cultural resource, and would reduce indirect effects on the Scotia historic district.

CEQA requires that an Environmentally Superior Alternative be identified. The DEIR identified Alternative 5, Reduced Turbine Footprint—Bear River Ridge, as the environmentally superior alternative. Compared to the proposed project, this alternative would reduce impacts on all resource areas except biological resources, GHG emissions, and fire protection services and wildfire hazards. Alternative 3, Reduced Turbine Footprint—Monument Ridge, would also meet most of the project objectives, although not to the same extent as the proposed project because it would fail to generate 155 MW of renewable energy.

As previously discussed, the City believes offshore facilities should be evaluated as a possible alternative. According to the Schatz Energy Research Center, the offshore wind resource near Humboldt Bay is among the best in the nation, with wind speeds often exceeding 10 meters per second at 90 meters above the ocean's surface — and even faster at heights around 120 meters, where the turbines are likely to be centered. Furthermore, offshore wind speeds have a consistent profile between different seasons and throughout the day (with a peak in the early evening), offering the ability to provide stable power throughout the year and help balance the grid as solar power goes offline at dusk.

## **Conclusion**

Residents also expressed concerns regarding the removal of the WTGs after the projects life (30+/- years). Apparently the removal of WTGs has been an issue in a number of communities throughout the Country and in fact the world. The City recommends, if the project or one of its alternatives is approved that a Performance Bond be required to ensure the visual blight (WTGs), the foundations, transmission facilities are removed and the natural contours restored.

As previously indicated the City is also concerned that the project is being fast-tracked. For such a large project that will change the landscape of the area for decades, maybe even longer, the City believes the County should move cautiously. The City understands that there are significant tax credits (Production Tax Credits and Investment Tax Credits) available to the applicant for projects that start construction before the end of 2019. This should not cause the County to act hastily.

Although the applicant has held a number of outreach meetings, we are concerned and surprised that so many people are not aware of the project.

Included are copies of City Council minutes of May 7<sup>th</sup> and May 14<sup>th</sup> regarding public comment about the project. We respectfully request that they be considered and responded to in the Final Environmental Impact Report (FEIR).

With the deferral of technical studies, including Geologic Reports and Grading Plans, the required Mitigation Monitoring and Reporting Program (MMRP), the City believes that the DEIR is technically and legally flawed. At this point the public and the decision makers have no idea how much grading will occur and if the areas to be graded and filled are stable enough to support the activity. At a minimum the City believes all the deferred technical studies and MMRP should be included in the DEIR and the DEIR be recirculated for public comment.

For the reasons discussed herein the City of Rio Dell officially **opposes** the proposed Humboldt Wind Energy project and recommends the "No Project" alternative in the DEIR.

Sincerely,



Debra Garnes  
Mayor  
City of Rio Dell

Enclosures

Copy:

Humboldt County Board of Supervisors  
Humboldt County Planning Commission  
Humboldt Redwood Company  
Russ Ranch and Timber Company

# Do Wind Projects Adversely Affect Proximate Residential Property Values?

The most basic law of economics is that things are valued based on the “Law of Supply and Demand.” It is exceedingly obvious, all things being equal, that many people (due to view, sound, flicker, etc) would choose NOT to buy a home where there are industrial wind turbines close by. (Whether they are right or wrong in their reasons is irrelevant.)

These beliefs would **reduce demand**, which clearly would have **some** negative impact on the price of such a property. Any report that concludes that there are zero negative property value effects related to wind projects simply can not be considered seriously. The only real question is *how much of an impact?*

This list is intended to identify just some of the more objective studies and commentary about the adverse effects of wind energy projects on home values near wind projects.

## 1 - Here are some more detailed analyses about wind project effects on property values, by *independent professionals*:

A 2013 [Study](#) of over a million homes by the *London School of Economics*, concluded that properties near turbines will decline in value.

[Searchlight wind farm could reduce property values by 25-60 percent, suggest studies.](#)

A 2012 study by Lansink Appraisers: [Diminution in Price.](#)

A 2012 Study by E.ON Energy Research Center (German Utility company): [The Impact of Wind Farms on Property Values.](#)

2012 [testimony](#) in Lee County, Illinois, by appraiser Michael McCann.

A 2011 study [Values in the Wind: A Hedonic Analysis of Wind Power Facilities](#) by Clarkson economics professor, Dr. Martin Heintzelman.



A 2011 [Study](#) by appraiser Michael McCann on property value impacts in Cape Vincent, New York.

A 2011 [Report](#) by appraiser Michael McCann on property value impacts in Brewster, Massachusetts.

[Testimony](#) of appraiser Michael McCann on property value impacts in Adams County, Illinois.

A [study](#) done by Metropolitan Appraisal, regarding the Forward Wind Project (Wisconsin).

“A [Wind Turbine Impact Study](#)” by appraisers: Appraisal Group One, and a [later version](#).

A valuable [report](#): “Impact of Wind Turbines on Market Value of Texas Rural Land” by Gardner Appraisal Group.

“Living with the impact of windmills” [presentation](#) by Real Estate broker Chris Luxemburger, is an analysis of some 600 sales over a three year period.

[Testimony](#) of Maturen & Associates, Real Estate Appraisers, concerning the effects of wind projects on home values.

In addition to being an excellent noise and health effects report, this [document](#) has a twenty page appendix on property values.

Wind Power Siting Issues: [Overview](#)” (by energy expert Tom Hewson): cites several studies.

Appraisers report property value [losses](#) near turbines.

Government Agency [agrees](#) that turbines do devalue property!

Property assessments [reduced](#) near turbines.

Property assessment [lowered](#) for home near wind project.

[Grafton Vermont Property Values Forum](#) (1/17/14): Mike McCann

[Council tax cut for homes near wind farms.](#)



## **2 - These are some other analyses and commentary about wind project effects on property values:**

[Wind farm 'blight' cutting value of homes by up to a third.](#)

[“How do wind turbines affect property value?”](#)

[Property values are the new front line in the war over wind turbines](#)  
[32 Lawsuits against wind developer — including property value loss](#)

[Falmouth Real Estate - “The Turbine Effect”](#)

[Turbines complicate sales of abutting homes.](#)

“Wind Industry [Big Lie](#): Your Property Value Will Not Be Affected.”.

[Vermont Wind Developer buys neighboring property after lawsuit](#)

“A new slant on wind projects” offers a very helpful [idea](#) as to put some of the economic benefits of wind projects into perspective.

This [site](#) has a fine collection of property value articles.

“Property Values decrease by 40% if view of wind turbines” is an [analysis](#) of a real estate broker on turbine impacts on residential values.

An excellent [discussion](#) by the Wisconsin Realtor Association about the adverse effects of wind development.

An [analysis](#) by an Illinois Realtor about effects of wind projects.

A [survey](#) by a Wyoming Realtor concluded that properties nearby a wind project were virtually unmarketable.

“Property values blowing in the wind” is a [report](#) done by a local Realtor about wind project effects in her area of northern NY.

See [here](#) and [here](#) where two Realtors make formal testimony about the effects of wind turbines on property values.

[Landowners say Turbines have Hurt their Property Values.](#)

[Wind turbines have reduced property values, court says.](#)

[Wind Turbine Compensation Stirring Discontent](#) (Denmark).

“How Industrial Wind Projects Affect Property Values” is a worthwhile [commentary](#) by Chuck Ebbing.

A nice [presentation](#) “Turbine Effects on View Shed” by engineer Chuck Ebbing.

“[Impact of wind farms on the value of residential property and agricultural land](#)” an RICS (Royal Institution of Chartered Surveyors) Survey.

“Farm couple [fights](#) wind turbines”.

A newspaper [article](#): “Critics say wind turbines hurt land values.”

“Wind turbine homes threat” is a news [report](#).

“I predict a series of rural ghettos of abandoned, unmaintained homes” [says](#) an experienced appraiser.

The [Better Plan](#) website has a good example of a real estate problem, plus some good recommendations.

Here is a good news story about homeowners holding out for the wind developers to buy their property — and succeeding [very well](#).

This [article](#) says: “Horizon, opponents debate effects on property”.

“U.S. wrestling with property values and setbacks for its wind turbines” touches on several related [matters](#).

This UK site [site](#) lists several other sources regarding property values.

“Giant blades are slicing home prices” an [article](#) about experiences in England.

“An Ill Wind Blowing” is a [story](#) about an English family’s experiences with a wind project depreciating their home value.

Ontario Parliament member calls for a provincial home value [study](#) about another English family’s experiences with a wind project depreciating their home value.

“Windfarm Blows House Value Away” is a [story](#) about another English family’s experiences with a wind project depreciating their home value.

“Wind farm property sells at sheriff’s [sale](#).”



**3 - This is specifically directed at landowners who are considering signing a wind lease:**

[“Know The Facts BEFORE You Sign”](#) by the *Informed Farmers Coalition*.

**4 - Here are some sample Property Value Guarantee agreements:**

Note that despite the wind energy proponent's continued claims that their projects have no adverse effects on property values, Iberdrola officially told this NNY community that they would not construct a project there if they were required to compensate land owners for property value losses. Most people would see that as being very hypocritical.

*In my view this brings up a KEY point. Wind developers often get approval based on specious claims (regarding jobs created, CO2 saved, etc.). They get away with this as there is no real penalty for exaggerations or stretching the truth. One of the best ways to counter this is to require that **all** these claims be legally guaranteed, in writing. Just like what happened in the above case, you will see an immediate back-tracking. This will reveal to citizens the accuracy and sincerity of the developer's assertions.*

The Carteret County (NC) [Tall Structure Ordinance](#) includes an excellent property value guarantee. This was passed in February of 2014.

The Town of Newport (NC) also has a similar property value guarantee that was included in their wind law ([Article IX](#)), in late 2013.

This basic real [Property Value Guarantee](#) agreement was based on a plan drafted by Illinois lawyers.

DeKalb County (Illinois) Property Value Guarantee [Agreement](#). Some good [commentary](#) on the DeKalb Property Value Guarantee.

Property Value Guarantee [Agreement](#) from Adams County, Illinois.

An explanation of the fine Property Value [Agreement](#) created in Hammond, NY, and a later [version](#). [Wind developer for Hammond says [they will leave](#) if there is a Property Value Guarantee.]

Montville Maine [Wind Ordinance](#) includes a Property Value Guarantee.

[New Hampshire Town passes 3 mile Property Value Guarantee](#) (2014)

A [Property Value Guarantee](#) proposed for the entire state of Maine.

In March 2014, the New Hampshire Senate passed a bill ([SB281](#)) requiring:

“The use of best available mitigation measures to avoid or minimize aesthetic, ecological, health, and **property value impacts** as a condition for a certificate, and the establishment of a methodology to evaluate and **mitigate negative impacts on property values**.”

[“Wind turbines constitute a ‘taking’ of private property value.”](#)

[Sumner Maine PVG](#) — note they propose a condition that the developer must enter into separate agreements with proximate property owners.

[This](#) is the “Fenner, NY: Canastota Wind Power LLC: Property Value Assurance Plan”.

This is Denmark’s [federal wind energy law](#), which (among other things) says:

“An erector of a wind turbine has a duty to pay compensation for loss of value.”

Proposed [Property Value Guarantee](#) for Riga, Michigan (2011).

Proposed [Property Value Guarantee](#) for Town of Knox, NY (2013).

[“Developers seek elimination of property value guarantee”](#) (2013) and [“BZA limits property value guarantee testimony”](#) (same project).

A town meeting [video](#) where a wind developer (and his ally) is quizzed about providing a Property Value Guarantee. Note they refuse to offer one.

## **5 - These are some critiques of the Hoen/Wiser report:**

[Debunking](#) of Hoen’s latest turbine property value missive (8/13).

“Wind Farms, Residential Property Values and Rubber Rulers” - is [commentary](#) by appraiser Albert Wilson.

[“Critique](#) of The Impact of Wind Power Projects on Residential Property Values in the US: A Multi-Site Hedonic Analysis” by Wayne Gulden.

“DOE study says wind farms don’t affect property values, but...” is a [report](#) by The Acoustical Ecology Institute.



A detailed [critique 1](#) by appraiser Mike McCann, and a second one about a later Hoen report [critique 2](#).

“Turbine Effects on View Shed” are [observations](#) by engineer Chuck Ebbing (starts on page 20).

“False conclusions based on flawed real estate studies” are some fine commentaries [here](#), [here](#), and [here](#) by WindAction.

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A good [critique](#) of two earlier studies (similar to Hoen/Wiser) by Michael J. Miller, FCAS, MAAA.

[The Proposed Prairie Breeze Wind Project Will Harm the Property Values of Non-participating Owners.](#)

## **6 - Some Other Options:**

In my view we should be piggybacking on ideas currently being employed by environmental groups to stop hydrofracking. Here is an example: [Sue Your Neighbor](#). Make sure to look at the part about an “anticipatory nuisance.” *Constructive condemnation* is another possibility, but appears to be a subset of the “anticipatory nuisance” legal definition.

Here is a relevant [case](#) where a Canadian homeowner sued to have his property assessment lowered due to nearby noise from a power station. He won the lawsuit and received a significant reduction.

*If you know of other good material, or there are errors of omission or commission here, please email these to John at: “aaprjohn at northnet dot org”.*

Rev 11/29/14



## **Sundstrom v. County of Mendocino**



In *Sundstrom v. County of Mendocino* (1988) 202 Cal. App. 3d 296, the appellant objected to the approval of a mitigated negative declaration for a use permit for a small motel, restaurant and seven unit apartment. (202 Cal. App. 3d at p. 301.) In part, the appellant objected because conditions for the use permit required the developer to conduct future hydrological studies concerning drainage and to provide an "approved plan for the disposal of sludge that shall be approved by the Regional Water Quality Control Board and the Department of Public Health, Environmental Health Division." (Id. at pp. 306-308.)

As to the condition of a future study, the appellate court held this was inappropriate: "By deferring environmental assessment to a future date, the conditions run counter to that policy of CEQA which requires environmental review at the earliest feasible stage in the planning process." (*Sundstrom*, supra, 202 Cal. App. 3d at p. 307.) In addition, the condition "improperly delegated the County's legal responsibility to assess environmental impact by directing the applicant himself to conduct the hydrological studies subject to the approval of the planning commission staff." (*Ibid.*) This condition circumvented the provisions of CEQA governing the process of environmental review, by omitting the important input of the public and interested agencies. (Id. at pp. 307-308.)

As to the condition the project proponent submit an approved plan for sludge disposal, the court stated: "On its face, the condition is entirely proper; it merely provides that 'an approved plan for the disposal of sludge shall be approved by the Regional Water Quality Control Board and the Department of Public Health, Environmental Health Division.' . . . A condition requiring compliance with environmental regulations is a common and reasonable mitigating measure. The similar conditions in the use permit relating to compliance with air and water quality standards are beyond criticism." (*Sundstrom*, supra, 202 Cal. App. 3d at p. 308.) For the latter conditions concerning air and water quality, "the County possessed 'meaningful information' reasonably justifying an expectation of compliance. . . . But the only information in the record concerning sludge disposal raised an obstacle to an environmentally satisfactory solution--the absence of any suitable disposal site in the county. By adopting the condition that applicant would comply with environmental standards for sludge disposal, the County effectively removed this aspect of the project from environmental review, trusting that the Regional Water Quality Control Board and the applicant would work out some solution in the future." (Id. at pp. 308- 309.)

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Motion was made by Wilson/Strahan to approve Resolution No. 1421-2019 *Adopting a List of Projects for FY 2019-20 Funded by SB-1, The Road Repair and Accountability Act of 2017*. Motion carried 4-0.

**REPORTS/STAFF COMMUNICATIONS**

City Manager Knopp provided an overview of the Staff Update and announced that the Finance Director had accepted a position with another jurisdiction and would be leaving the City at the end of the week. He wished her well in her next stage of her career. She received a big thank you and a round of applause.

He also reported that work was wrapping up on the habitat project and the street asphalt work; and noted that artist, Dan McCauley would be replacing the owl sculpture in the median with one an Ibex Ram on May 17<sup>th</sup>.

Councilmember Wilson questioned the cost of the new video/audio recording system for live broadcasts of City Council meetings.

City Manager Knopp noted that there were funds in the current budget for Access Humboldt with the cost for the installation of the equipment around \$5,000. He said that there were some additional costs for the sound system as well as some costs built in to extend the fiber connection however, no direct cost to the City.

Finance Director Kerrigan commented that there would be a monthly cost from Access Humboldt for broadcasting the meetings.

Councilmember Strahan expressed disappointment in Community Development Director Caldwell not being present as she had a question regarding his meeting with Litica Labs.

City Manager Knopp noted that he would have him follow up with her.

**Sharon Wolff** asked for a start date for the meetings to be broadcasted.

City Manager Knopp indicated that this meeting was being broadcasted and that it could be viewed through the Access Humboldt website or on the Suddenlink channel.

**SPECIAL PRESENTATIONS/STUDY SESSIONS**

Presentation and Discussion on Draft Environmental Impact Report (EIR) for Terra Gen Wind Energy Project

City Manager Knopp introduced Beth Burks and John Ford as the representatives from the County of Humboldt present to provide an overview of the Draft Environmental Impact Report for the proposed wind energy project.



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Beth Burks provided a power point presentation outlining the key components of the project consisting of up to 60 wind turbine generators and associated infrastructure generating up to 155 MW of power. The maximum height of the turbines was reported as 600 feet with concrete foundations placed ten feet below grade and one foot above. The life span of the project was identified as 30 years at such time the applicant would have to reapply for a new Conditional Use Permit with the County of Humboldt or decommission the equipment. The large components would be shipped by barge to Fields Landing then trucked to the site from Jordan Creek. It was noted that there would be no heavy truck transports through Rio Dell.

Ms. Burks explained that through the EIR process, they identified project impacts, which included such things as visual impacts, aesthetics, noise, and air quality to name a few.

Project alternatives included having no project at all; realigning the gen-tie and access road and taking it to another location near Stafford and attaching it to the bridge thus eliminating underground drilling in the Eel River; reducing the project footprint by eliminating the turbines on Monument Ridge; or on Bear River Ridge.

It was noted that all written comments regarding the proposed project must be submitted to the Humboldt County Planning and Building Department by 5:00 p.m. June 5, 2019.

Councilmember Wilson asked what the definition is of a heavy truck and if it was included in the report.

Ms. Burks indicated that she anticipated a heavy truck as any construction truck larger than a pickup.

City Manager Knopp noted that mitigation measures were identified on page 3.12-14 of the report.

Councilmember Wilson asked what the two temporary bypasses entailed for transporting oversize loads.

Ms. Burks explained that it would require temporary road closures at the 12<sup>th</sup> St. bypass in Fortuna and at Hookton Road.

Councilmember Wilson asked what the estimated timeframe was for construction of the project.

Ms. Burks said that they hope to begin construction this calendar year with completion of the project by the end of 2020.

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Councilmember Strahan noted that 600 feet is equivalent to 55 stories and that she recently went on a cruise through the Panama Canal and that there was a ship next to them that had blades that were massive.

She expressed concern regarding a limit on the distance from the turbines to the nearest airport with regard to the lights.

Ms. Burks explained that there would be a single light on each antenna or in accordance with Federal Aviation Administration (FAA) regulations.

Councilmember Strahan indicated that her father used to own Fortuna Aviation and flew planes in and out of the area. When there was heavy fog the plane would have to find that ridge and follow along the river back to the airport noting that it seems very dangerous to have these turbines this close to an airport. She suggested a radar system to detect planes nearby so lights come on when a plane is detected.

Mayor Garnes questioned air contaminants.

Ms. Burks said the primary source of air contaminants would be dust from the truck traffic.

Mayor Garnes commented that only two types of birds were mentioned as threatened species.

Ms. Burks stated that in the EIR report there are several other birds mentioned including mitigation measures for bats and owls.

Mayor Garnes asked why Monument Ridge and Bear Ridge were specifically chosen as the project site.

Ms. Burks said according to the applicant, it is because that is where the wind resource is.

**Rich Pelren** commented that everybody is interested in reducing the carbon footprint and that with these windmills being placed so high on the hill; he doesn't see them as blight to the community. He expressed concern about the 117,000 volts of power transmitted to the PG&E Bridgeville substation and asked if it would be transmitted overhead or underground. He expressed concern about negative effects to birds.

Ms. Burks agreed that that 117,000 is high voltage power and indicated that the power would be transmitted overhead.

**Ranada Laughlin** expressed concern about the truck traffic and asked if the proposed alternatives were set in stone or if there was flexibility to make modifications to them.



John Ford explained that one of the things they would like to do is have the ability to take some of the better elements of all the alternatives and provide environmental enhancements to create a superior alternative which is something they would probably recommend for approval.

**Beverly Chang** expressed concern about seismic activity and noted that Nathan Vajdos from Terra Gen noted that there was no extra consideration given in that regard.

Her other concern had to do with continual red lights blinking at odd times and commented that a radar tracking system was needed. She also expressed concern about decommissioning at the end of the 30-year agreement noting that there would be significant impacts. She said that the bond doesn't go into effect for 10 years and that she asked for a copy of the bond to review the terms and was denied because it apparently is not a public record.

**Carol Hoopes** asked for clarification of Beth Burks' position and asked what happens to citizen comments. A letter from Ms. Hoopes opposing the project was provided to staff as part of the record.

Ms. Burks noted that she works for Laco and Associates but is contracted with the County to work on the EIR. She explained that all comments go to the County and that they are required to respond to each and every one in the final EIR.

John Ford reviewed the EIR process and said that all comments are due by 5:00 on June 5, 2019. The Council will review the comments and respond to them in the final EIR which goes to the Board of Supervisors for final approval. He noted that on June 11<sup>th</sup> they will walk through the entire EIR document.

**Morgan Dodson** stated that getting the equipment to the site would require cutting down trees, which is a concern. She questioned the positive aspects of the project and whether local contractors would be utilized. She said that the creation of 15 permanent jobs over a 30-year project was a concern. She questioned the impact of the overhead transmission of power to the Bridgeville substation and expressed the need to utilize the power locally.

John Ford said in terms of the truck transporting equipment to the site, the needed improvements to the road were already identified in the EIR. He said the proposal is to remove trees, maintain the existing 24-foot roadway and to restore a 20-foot shoulder on each side for a total of 64 feet. He said the biggest positive aspect of the project is to create non-carbon based energy in keeping with the State's desire. He said that like to see an agreement with the power company for the energy to stay local but does not know if that is feasible. He indicated that the economy and jobs are in discussion but there are no promises at this time.



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Councilmember Strahan asked if the new road at Jordan Creek would remain permanent for use by fire and other emergency vehicles.

John Ford said that the road has been served as access and will continue to be used by Humboldt Redwood Co. (HRC) for timber harvesting and other purposes.

Councilmember Strahan questioned the process for decommissioning.

John Ford indicated that they do need to look at the bond but it may be a private agreement between the applicant and the property owner. He said the concrete would be taken down three feet below grade and the rest of the concrete would remain on site.

**Nick Angeloff** spoke on behalf of the chamber of Commerce and said as this project moves, he understands there will be a source of revenue coming into the County and he would like to see a portion dedicated to Rio Dell and Scotia.

Councilmember Wilson asked what the voltage is coming out of King Salmon in which John Ford was not able to answer.

Councilmember Wilson said that he represents the City on the Redwood Coast Energy Authority (RCEA) Board and that it doesn't matter who buys the power and it will be consumed by the least path of resistance. He pointed out the RCEA currently purchases power from Washington.

He asked if the City actually has a say whether this project takes place or not, or if the decision is entirely up to the County.

John Ford responded that the County is the lead agency and has the final say since the location of the project site is within the County's jurisdiction.

Mayor Garnes commented that some of her constituents asked her if the City Council would write a letter to the County expressing the various concerns of the community.


Councilmember Strahan made motion that the City Council sends a letter of opposition to the County on the Humboldt Wind Energy project as proposed with the request to relocate the wind turbines to another ridge closer to the Bridgeville substation. In addition that if the project moves forward, that the City of Rio Dell gets a larger part of the tax.

Councilmember Wilson said that he would endorse the City putting together a statement expressing where the City Council as a whole stands.

City Manager Knopp said that staff's suggestion would be to schedule a special meeting to go over the mitigation measures and endorse an alternative(s). He said that there are a lot of nuances and details to this project. He said if after that the City Council could not support the project then that would be the time to address it with the County.

Councilmember Strahan withdrew her motion.

Consensus of the Council was to schedule a special meeting on May 14, 2019 at 6:00 p.m. to review the mitigation measures and alternatives in the EIR and come up with a list of concerns for submittal to the County by the June 5, 2019 deadline.

 City Manager Knopp encouraged citizens to submit individual responses regarding the EIR to the County.

JJA, Inc. – Independent Auditor's Report for FY 2018-19

Finance Director Kerrigan introduced Brett Jones, Senior Accountant from the accounting firm of JJA, Inc. present to provide a presentation on the City's audited financial statements for FY 2018-19.

Mr. Jones provided an overview and analysis of the financial activities of the City for the fiscal year ended June 30, 2018, noted that they were able to issue the highest opinion (unqualified opinion) in accordance with auditing standards, and generally accepted accounting principles as applied to governmental agencies. He said that they also issued a communications letter to the City council with no reported findings thanks to the Finance Director and the finance staff.

He called for questions from the Council in which no questions or comments were received.

**SPECIAL CALL ITEMS/COMMUNITY AFFAIRS**

Approve Planning Commission Appointment to fill one (1) unexpired term ending December 31, 2019

City Manager Knopp provided a brief staff report regarding the process for appointment to the Planning Commission.

John McManus withdrew his name as a candidate for Planning Commissioner in hopes to contribute to the City in another way. Since that left only one candidate to be considered for appointment, there was no need proceed with the vote by written ballot.

Motion was made by Wilson/Strahan to approve the appointment of Jacqui Wilson to fill the unexpired term on the Planning Commission ending December 31, 2019. Motion carried 3-0 with one abstention (Councilmember Richter).

## MAY 14, 2019 MINUTES

### Page 2

Councilmember Strahan removed Item numbers 3 and 4 for separate discussion.

Motion was made by Woodall/Wilson to approve the consent calendar including approval of the minutes of the May 7, 2019 regular meeting; approval of Resolution No. 1422-2019 adopting the Gann Appropriations Limit for FY 2019-20; acceptance of work and authorization to file Notice of Completion and Release of Funds to Kernen Construction for the Habitat Parcel soil nail wall, sidewalk and fence; and acceptance of work, authorization to file Notice of Completion and Release of Funds to Mercer Fraser for 2019 Asphalt Street Repairs. Motion carried 4-0.

### ITEMS REMOVED FROM CONSENT CALENDAR

#### Authorize the City Manager and Chief of Police to Sign MOU with the City of Fortuna for Dispatch Services

Councilmember Strahan asked if the increase for dispatch services was included in the new budget.

City Manager Knopp indicated that the budget did reflect the new monthly fee.

#### Adopt Resolution No. 1423-2019 authorizing the City Manager or designee to execute Right-of-Way Certificates for Transportation Projects using State or Federal funds

Councilmember Strahan asked how many projects the City has, other than the Safe Routes to School Project involving state or federal funding.

City Manager Knopp indicated that there were no current contracts for transportation.

Motion was made by Strahan/Woodall to adopt Resolution No. 1423-2019 authorizing the City Manager or designee to execute Right-of-Way Certificates for Transportation Projects using State or Federal funds. Motion carried 4-0.

### SPECIAL MEETING MATTERS

#### Review Draft Environmental Impact Report (DEIR) Executive Summary and Identify areas of concern

Community Development Director Caldwell provided a staff report and said that staff from the Humboldt County Planning Department attended the May 7, 2019 City Council meeting and provided an overview of the proposed Humboldt Wind Energy Project and associated Draft Environmental Impact Report (DEIR). Councilmembers and citizens had a number of questions and concerns regarding the project including concerns related to visual impacts, agriculture and forest resources, short-term air quality, biological resources, geology and soils, hazards for aircraft, transportation and traffic, and wildfire hazards. Other areas of



concern were retaining the generated energy locally, utilization of local labor, decommissioning the project after its expected 30-year life span and the need for a performance bond, and the desire for a revenue sharing agreement with the City of Rio Dell and Scotia.

Community Development Director Caldwell noted that another possibility that apparently was not considered was the potential offshore wind project off Humboldt Bay. He said the Council might want to recommend that it be considered in the alternative analysis. He said another alternative could be to consider moving the project to Rainbow Ridge or at an alternative location closer to the Bridgeville substation.

He explained that the purpose of the EIR is to evaluate the potential environmental effects of the proposed project and to inform public agencies and the public of the significant environmental impacts, identify possible ways to minimize the significant effects, and describe reasonable alternatives to the project to lessen or avoid any of the significant environmental impacts.

He said that this is the time for the Council to review the document, identify concerns and potential recommendations and to direct staff to prepare a letter summarizing those concerns and any proposed alternatives.

Community Development Director Caldwell explained that the EIR provides five alternatives to the proposed project for the public agencies to consider. The five alternatives were as follows:

- 1) No Project
- 2) Realigned Gen-Tie and Access Road
- 3) Reduced Turbine Footprint – Monument Ridge
- 4) Reduced Turbine Count
- 5) Reduced Turbine Footprint – Bear River Ridge

Under CEQA Regulations, the EIR must identify the environmentally superior project alternative, which, in this case is Alternative No. 1, No Project. As such, the EIR must also identify an environmentally superior alternative from among the others. Based on the information provided, Alternative No. 5, *Reduced Turbine Footprint – Bear River Ridge* was considered environmentally superior to the project.

Community Development Director Caldwell explained that the 45-day public review period for review of the DEIR ends on June 5, 2019 so written comments to the County must be postmarked no later than that date. After close of the public review period, responses to the comments on the environmental issues will be made available for review.

Mayor Garnes opened the discussion to public comment.

**Beverly Chang**, 2501 Monument Road expressed concerns regarding legal ownership of Terra Gen, which she said is questionable, lack of a public bond, fire hazards, maintenance and upkeep, and possible severe wind damage.

She commented that she respectfully disagrees with the City Manager's advice to the City Council at the May 7, 2019 meeting because if the Council supports any other option than to not support the project and the public comment period closes, the City will not have another opportunity to say they do not want the project. She also said that she does not believe that pushing the project to our neighbors in Scotia is being a good neighbor. The City Council's support of this project in any way would result in an altered view scape for years to come. She said that with regard to her severe fire concerns, she took a picture of the Car Fire and the transmission lines to show what it did to them. In addition, peak wind gusts of up to 69 MPH have been reported at Humboldt Bay and turbines literally can explode with winds that strong.

She also indicated that she had spent a lot of time with the Humboldt County Building Department because of the seismic activity in the area and what was interesting is that they do not know what it is going to take to construct the foundations for the turbines until the plans are engineered. She noted that the depth of the anchors will vary but they assured her that they would be stable enough to withstand most earthquakes.

She questioned how a full EIR could be done without seeing the engineered plans.

**Carol Hoopes**, 2330 Monument Road mentioned that Terra Gen is owned by two hedge funds and reminded everyone of what Maxam Corp. also owned by a hedge fund, did when they took over Pacific Lumber Co. At the last meeting, the Planning Commission was given five options and the only option she feels is feasible is No. 1, which is *No Project*. She said with all the recent wildfires, why would the City Council want to endorse the project that could cause destruction, deaths and who knows what else to the community. She said that the Humboldt Wind Energy Project is a private project and does not involve PG&E. She said that there is no power purchase in place and questioned who would maintain these high voltage transmission lines spanning over 24 miles. She ended her comments by stating that we do not need hedge fund companies investing in our future and do not need high voltage overhead transmission lines in our forests. She recommended maintaining safety in our community and that no project is built.

**David Chang**, 2501 Monument Road commented that the ATV (average traffic volume) is unknown on Monument Road and that Terra Gen claims that they will survey the road and put it back to its original condition if any damage is done and pointed out the upper portion of Monument is an oiled surface rather than pavement. He said the slip out at the lower portion of Monument is a concern, as it will continue to slide with increased traffic.



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Mayor Pro Tem Woodall commented that the project describes 117 volts of power being transmitted overhead to the Bridgeville substation and asked why the lines could not be underground. She said she was also concerned about potential decommissioning of the project at the end of the agreement, thought the turbines should be located closer to the Bridgeville substation, why offshore wind energy is not being considered, and the visual impacts to the community. She supported alternative No. 1 for no project.

Councilmember Strahan also opposed the project and pointed out that citizens do not want to look at wind turbines and that people come to Humboldt County for the views. She noted that Rainbow Ridge was mentioned in the Draft EIR but not listed as an alternative location.

Councilmember Wilson commented that he had heard at least six (6) of the Terra Gen presentations and at a meeting in Scotia, they talked about overhead versus underground transmission lines and that they said that it was cost prohibitive to go underground. He said that his biggest concern is that he thinks the EIR needs more time to study the impacts of the project. He used the Eureka-Arcata corridor project as a comparison and said that it took 15 years and \$6 million to do the environmental study. He said that it is not practical to move heavy equipment up Monument Road and at this point, it is up to Rio Dell and Scotia to oppose the project.

He added that the County has expressed desire to go green and Redwood Coast Energy Authority (RCEA) has set the goal to go 100% green by 2025. He explained that they are not bringing power here but buying it out of Washington or southern California so those electrons never actually come to Humboldt County. The owner of this electricity owns it on paper, turns around, and sells it to other places. He said the same thing would apply to this power noting that it would go out to the Bridgeville substation and whatever is needed here would come here and any excess would go east to wherever the grid takes it.

With regard to the offshore wind energy project, the more you hear about it, the farther out it is. He commented to slow this project down; somebody is going to have to file a lawsuit that encompasses the questions and concerns. He said that other than the green power aspect, he does not think the project is a good idea because of the negative impacts.

Mayor Garnes agreed that everyone should strive for green energy but noted that she had not spoken to any citizens in favor of the project here.

Councilmember Wilson commented that most people here are unaware of the project and people north of Rio Dell really do not care because it does not affect them. He pointed out that Frank Basik (Town of Scotia), made a powerful statement regarding cutting of timber and had comments about Monument Creek and potential effects of the project to Scotia's water system.



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Councilmember Strahan said that she liked the letter presented from the Town of Scotia and suggested the City send a letter stating support for alternative No. 1 *No Project* outlining the reasons as discussed at the last meeting.

Mayor Garnes suggested staff bring back a list of its own alternatives; not necessarily the alternatives in the DEIR.


City Manager Knopp suggested staff come back to the Council on June 4, 2019 with two (2) draft letters for consideration; one stating No. 1 *No Project* as the preferred alternative and one with alternative mitigations as discussed.

Mayor Garnes commented that she did not want Rio Dell to be a bad neighbor and was opposed to alternatives that would increase negative effects to Scotia.

Community Development Director Caldwell stated that he agreed with Councilmember Strahan's suggestion and noted that the Council would have an opportunity to submit additional comments after the final EIR is released. He said that during this initial public review process, the city council submits its comments to the Humboldt County Planning Department and they will then respond to all of the comments and concerns as part of the final EIR. The Council would have a chance to review those comments and submit a final letter with any additional comments. He indicated that he would not imagine this going to the County Planning Commission until mid-August.

Councilmember Wilson reiterated that the timeline on the EIR seems aggressive.

It was confirmed that the regularly scheduled meeting for May 21, 2019 would be cancelled.



Motion was made by Woodall/Strahan to direct staff to return to the Council on June 4, 2019 with a draft letter identifying the City Council's preferred alternative as No. 1, *No Project*, with reasons and concerns outlined. Motion carried 4-0.

Budget Study Session – Review of Operating and Capital Budget for FY 2019-2020

City Manager Knopp reviewed two minor corrections to the budget worksheet, which included: 1) \$35,000 for an Employee Compensation Study; and 2) a correction in the calculation for the City-wide change in reserves to reflect the transfer of reserves of \$300,000 (bringing the total to (\$223,698). He explained that with the noted corrections, this is what would be presented to the Council for formal adoption.

Councilmember Wilson said that it appears that the proposed budget includes several studies and that he does not necessarily agree with the Employee Compensation Study. He asked what staff was proposing to do with regard to the water and sewer rate studies.