LETTER S: LEONA VALLEY TOWN COUNCIL

Leona Valley Town Council
Commentary & Analysis of:
Barren Ridge
Renewable Energy
Transmission Project

October 2011
EXECUTIVE SUMMARY

The Leona Valley Town Council represents the concerns of the citizens of Leona Valley. While we are generally supportive of the need for renewable energy (RE) development, our concern is that utility organizations and utility-scale RE providers, in their rush to meet the State-mandated Renewable Portfolio Standard (RPS) and grab the related potential business opportunities, are causing serious negative impacts on our rural community and environment.

The designated process for weighing and acting on the competing interests of the various stakeholders concerned with the movement of power from utility scale concentrations of RE to major load centers is the California Environmental Quality Act (CEQA) and the National Environmental Policy Act (NEPA). As is required by CEQA as well as NEPA, the LADWP has prepared an Environmental Impact Report for the proposed Barren Ridge Renewable Energy Project. Based upon our initial findings, there are serious deficiencies that will require considerable further analysis and review by the LADWP.

We seek corrections and further scrutiny of the errors and omissions. The Leona Valley Town Council is providing clear notice to LADWP, that the CEQA and NEPA process is not just a paperwork exercise to get past. Whatever Alternative is ultimately chosen, true mitigation efforts and fair compensation for the private pain that is endured to meet the common good must be effectuated. Undergrounding portions of the power lines, which was requested at numerous scoping meetings, would lessen the adverse impact on our communities. More generally, we believe that an emphasis on distributed generation (e.g., rooftop solar installations) and energy efficiency would negate a significant portion of the need for new transmission capacity and thus the visual blight, fire-fighting interference, adverse species impacts and private-property acquisitions that have so aroused our communities.
Table of Contents

Executive Summary ..................................................................................................................... 1

Table of Contents ..................................................................................................................... 2

Save Mono Lake .......................................................................................................................... 3

Cumulative Impacts & Illegal Segmentation ............................................................................. 5

Socio Economics, Discrimination & Abuse of Power ................................................................. 14

Eminent Domain and Compensation ....................................................................................... 16

Homeland Security .................................................................................................................... 18

500kv Lines and the Federal Aviation Administration ............................................................ 19

Impact on Native American Lands ............................................................................................ 20

Alternative 3 Species Inventory ............................................................................................... 21

Leona Valley is the San Andreas Significant Ecological Area .................................................. 22
SAVE MONO LAKE

In 1941, the Los Angeles Department of Water & Power began diverting water from Mono Lake's tributary streams 350-miles south to meet the growing water demands of the City. Deprived of its freshwater sources, the volume of Mono Lake halved, while its salinity doubled. Unable to adapt to these changing conditions within such a short period of time, the ecosystem began to collapse. Islands, previously important nesting sites, became peninsulas vulnerable to mammalian and reptilian predation. Photosynthetic rates of algae, the base of the food chain, were reduced while reproductive abilities of brine shrimp became impaired. Stream ecosystems unraveled due to lack of water. Air quality grew poor as the exposed lake bed became the source of air-borne particulate matter, violating the Clean Air Act. If something was not done, Mono Lake was certain to become a lifeless chemical sump. In 1978 the Save Mono Lake Committee was formed. Since 1978, numerous accomplishments have been achieved to save the lake, through negotiation, legislation and litigation. In a 1994 landmark decision made by the State Water Resources Control Board, the Los Angeles Department of Water and Power had its licenses amended, forcing compliance with Fish and Game code requirements for Mono Lake's tributary, steams and on top of the water need to protect the fisheries, thereby amending the agreement of water diversion with the LA DWP. As of 1998, the State ordered a restoration of Mono Lake. Today, the LADWP conducts annual monitoring of the restoration process.

In 2007, Mayor Antonio Villaraigosa implemented a plan to secure the water supply of Los Angeles. In doing so, the City will become less reliant on outside resources, such as Mono Lake, by the use of conservation measures such as recycling water, capturing storm-water, acceleration of groundwater basin clean-up and expanding groundwater storage. Because of its historical effort to obtain water from alternate resources, the City of Los Angeles ultimately lead the way to severely degrading the environment in the Owen’s Valley. Today, the City has committed to making environmental enhancements which are considered among the most far-reaching environmental restoration projects in United States history.

This history of the City of Los Angeles and how it is tied to the incredible environmental degradation of the Owen’s Valley as well as numerous other areas throughout the State of California is a lesson learned by many. Unfortunately, this lesson appears to be ignored by the City of Los Angeles and its Department of Water & Power. For in its desire to obtain electricity

1 http://www.monolake.org/about/story
2 http://www.city.clay.org/Portfolio/Document/1228322342594.pdf
Response S-1: Your comments will be considered in the decision-making processes prior to final decisions on the Proposed Action by the BLM, USFS, and LADWP. The Draft EIS/EIR did fully evaluate the environmental impacts of the Proposed Action and Alternatives, and the cumulative effects of projects such as the Tehachapi Renewable Transmission Project. Additionally, the cumulative project list has been updated in the Final EIS/EIR to reflect current status of present and reasonably foreseeable future projects in the Project area (refer to Section 5.2 in Chapter 5 of the Final EIS/EIR).

Response S-2: Assembly Bill 32, the Global Warming Solutions Act, which established statewide greenhouse gas emission limits, is not the Proposed Action, nor a part of the Proposed Action, described in the Draft EIS/EIR. Additionally, LADWP is not subject to the State-mandated Renewable Portfolio Standard, but rather, the City of Los Angeles has its own renewable standards. As such, the Project has not been illegally segmented.

Chapter 5 (pages 5-1 through 5-105) of the Final EIS/EIR is the evaluation of cumulative effects. Additionally, the cumulative project list has been updated in the Final EIS/EIR to reflect current status of present and reasonably foreseeable future projects in the Project area (refer to Section 5.2 in Chapter 5 of the Final EIS/EIR).
CUMULATIVE IMPACTS AND ILLEGAL SEGMENTATION

Separately Analyzing Aspects of the Total Project is Piecemealing

The Los Angeles Department of Water and Power proposes the Barren Ridge Transmission Project in order to access renewable energy resources from the Tehachapi Mountains and the Mojave Desert area. A project associated with Barren Ridge is the Pine Tree Wind Power facility, the largest municipally owned wind farm in the United States with 80, 1.5 MW GE wind turbines sited on 8,000-acres. In part, the need for the Barren Ridge Transmission Project is to deliver the wind energy from Pine Tree to the Los Angeles Basin.

During the September 29, 2011 LADWP Barren Ridge scoping meeting in Leona Valley, the community was informed of other potential projects by energy developers that are presently in the LADWP “queue”, waiting in line in the event this project is approved. A similar circumstance had arisen with Southern California Edison’s Tehachapi Renewable Energy Project. Wind and solar renewable energy projects were in Edison’s “queue” and are now being executed with plans to connect to the new Edison 500kV transmission lines. The cumulative impacts were never assessed or addressed. Upon the Record of Decision, these projects began a permit process and were therefore, a foreseeable event in violation of the California Environmental Quality Act. Based upon immediate past events we believe these projects in the LADWP “queue” as well as solicitations not yet in the system, should also be considered as part of the whole project, with plans to connect to the LADWP transmission lines. The projects in the “queue” are in fact part of the whole action.

The LADWP Barren Ridge Project and the Tehachapi Renewable Transmission Project are part of the same mandated and established Renewable Portfolio Standard (RPS) by the State of California. As such, both projects are part of the same cumulative impacts of the same action. The LADWP and its environmental impact report attempt to address several of the projects associated with the Tehachapi Renewable Energy Project, but missed numerous projects that are presently under consideration by the County of Los Angeles Planning Department as well as the cities of Lancaster and Palmdale. As such, the cumulative impacts were not properly assessed.

The map on the following page depicts some of the proposed wind and solar energy installations in the unincorporated portions of the West Antelope Valley.

Response S-3: We began compiling the list of present and reasonably foreseeable actions for the cumulative effects analysis with the scoping process for this Project and completed the list during the final preparations for release of the Draft EIS/EIR (in August 2011). However, several renewable projects found on the Los Angeles County Department of Regional Planning’s Renewable Energy Projects List have been added to the Final EIS/EIR in Table 5-1. These include projects that have recently started the environmental review process. The table has also been updated to include all known projects in the impact area currently under review with Kern County, Los Angeles County, and federal agencies prior to release of the Final EIS/EIR.

The LADWP interconnection queue represents projects for which a request has been made to interconnect to LADWP’s existing or planned facilities. It is known in the electric utility industry that many of these projects in the queue are speculative, never proceed to environmental review, and are never constructed and operated. It is not possible to know which projects in the interconnection queue will be built and which ones won’t. Instead, the cumulative effects analysis used a list of projects that have initiated environmental review, e.g., the NEPA or the CEQA environmental review process. This project list better represents the reasonably foreseeable actions and, as stated in the Draft EIS/EIR, was current as of April 2011. See Mandelker, NEPA Law and Litigation (2011) at 10:42.3 (“Most courts have … held that Kleppe [v. Sierra Club, 427 U.S. 390 (1976)] does not require discussion of the cumulative impacts of actions that are only planned or contemplated.”). LADWP is not subject to the State-mandated Renewable Portfolio Standard that may involve projects such as the Tehachapi Renewable Transmission Project. Instead, the City of Los Angeles has its own renewable standards. The BRRTP is solely the responsibility of the LADWP for the City of Los Angeles.
<table>
<thead>
<tr>
<th>Project Name/Applicant</th>
<th>Project Number</th>
<th>Technology</th>
<th>Power (MW)</th>
<th>Size (Acres)</th>
<th>Status</th>
<th>Planner</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Alpine Solar Project NRG</td>
<td>R2000-02089</td>
<td>Photovoltaic Solar</td>
<td>62</td>
<td>800 (800 used for energy production)</td>
<td>Approved</td>
<td>Adam Thrall</td>
<td></td>
</tr>
<tr>
<td>Alpine Solar 35-Acre Project NRG</td>
<td>R2000-02089</td>
<td>Photovoltaic Solar</td>
<td>N/A</td>
<td>35</td>
<td>Early environmental review</td>
<td>Adam Thrall</td>
<td>Thirty-five-acre addition to Alpine Solar Project</td>
</tr>
<tr>
<td>Antelope Solar Farm/Fry</td>
<td>R2011-00377</td>
<td>Photovoltaic Solar</td>
<td>20</td>
<td>520 (200 used for energy production)</td>
<td>Early environmental review</td>
<td>Anthony Curat</td>
<td></td>
</tr>
<tr>
<td>L.A. Solar 20/L.A. Solar 20, LLC</td>
<td>R2010-01656</td>
<td>Photovoltaic Solar</td>
<td>20</td>
<td>125</td>
<td>Early environmental review</td>
<td>Anthony Curat</td>
<td></td>
</tr>
<tr>
<td>Recurrent Antelope Solar 1/Recurrent Energy</td>
<td>R2010-00911</td>
<td>Photovoltaic Solar</td>
<td>10</td>
<td>111</td>
<td>Early environmental review</td>
<td>Anthony Curat</td>
<td></td>
</tr>
<tr>
<td>Recurrent-105th Street North/Recurrent Energy</td>
<td>R2010-00141</td>
<td>Photovoltaic Solar</td>
<td>6</td>
<td>40</td>
<td>Early environmental review</td>
<td>Anthony Curat</td>
<td></td>
</tr>
<tr>
<td>Blue Sky/Neutra</td>
<td>R2011-00408</td>
<td>Wind Turbine</td>
<td>225</td>
<td>6300</td>
<td>Early environmental review</td>
<td>Adam Thrall</td>
<td></td>
</tr>
<tr>
<td>Wildflower Green Energy Farm/Element Power</td>
<td>R2010-00256</td>
<td>Wind Turbine</td>
<td>300</td>
<td>5787</td>
<td>Early environmental review</td>
<td>Anthony Curat</td>
<td></td>
</tr>
<tr>
<td>Gray Batte Solar</td>
<td>R2010-00144</td>
<td>Photovoltaic Solar</td>
<td>150</td>
<td>1100</td>
<td>DEIR under preparation</td>
<td>Anthony Curat</td>
<td></td>
</tr>
<tr>
<td>Antelope Valley Solar/Renewable Resources Group</td>
<td>R2010-00808</td>
<td>Photovoltaic Solar</td>
<td>670 (156 in LA County)</td>
<td>1238 in LA County, 3957 in Kern County</td>
<td>DEIR released, awaiting hearing at RPC</td>
<td>Adam Thrall</td>
<td>Jesse Kern/LA Project, Kern County Lead Agency</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td></td>
<td></td>
<td><strong>1,755</strong></td>
<td><strong>16,652</strong></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The above table includes all of the unincorporated Los Angeles County Renewable Energy Projects as of June 2011.

Those projects depicted in red, were not included in the “Proposed Generation Projects in the Project Vicinity” in the Cumulative Impacts section of the Environmental Impact Report.
Other renewable energy projects missing from the LADWP environmental impact report which were not considered in the cumulative impacts include, but are not limited to the following:

- Tunsso Solar: 216 acres with 20 megawatts of generation
- Beautiful Earth: 187 acres, 38 megawatts of generation
- Palmdale Hybrid Power Plant

Map depicting Beautiful Earth Solar and Tunsso Solar
Response S-4: The Project would not involve any land that would be taken via eminent domain by the Department of Energy. The Department of Energy is not involved in the BRTP. It is not possible to know at this juncture how much land would be acquired by LADWP through eminent domain in the implementation of the proposed Project. Eminent domain would only be used as a last resort to acquire necessary land rights, and land acquisition instead will be done through a process of negotiations with the landowners. The process of negotiating for the required land across private property is described on page 2-59 of the Final EIS/EIR.
Response S-5: The LADWP interconnection queue represents projects for which a request has been made to interconnect to LADWP’s existing or planned facilities. It is normal that many projects in the queue never proceed to environmental review and are never constructed and operated. It’s not possible to know which projects in the queue will be built and which ones won’t.

Refer to Chapter 5 of the Final EIS/EIR for the analysis of cumulative effects and to Response S-3 above. This analysis is not deficient because it thoroughly considered the past, present, and reasonably foreseeable future actions within the Project impact area as defined in Section 5.1.1, Methodology, in the Final EIS/EIR and in Response S-3 above). The interconnection process alone, as you suggest, was not considered to reliably represent the list of projects that would actually be constructed and operated, and was not considered a reasonable approach. Instead, as described in Response S-3 above, we used the list of projects that have initiated the NEPA or CEQA environmental review process. Additionally, the cumulative project list has been updated in the Final EIS/EIR to reflect the current status of present and reasonably foreseeable future projects in the Project area (refer to Section 5.2 in Chapter 5 of the Final EIS/EIR).

While cumulative effects to sensitive bird species and habitat are described in Chapter 5, Section 5.3.2, Biological Resources, of the Final EIS/EIR, the Audubon Antelope Valley Important Bird Area was not specifically addressed in the Draft EIS/EIR. A discussion of the Audubon Antelope Valley Important Bird Area has been added to the cumulative effect analysis on page 5-100 of the Final EIS/EIR.
Valley Important Bird Area, thereby putting a critical habitat and internationally recognized special status at risk.

Leona Valley, which is part of the San Andreas Significant Ecological Area, is presently completing a study to establish its own Audubon Important Bird Area which will include the land north of the Angeles National Forest, south of Portal Ridge and the desert floor, extending from Three Points/Liebe Mountain through Elizabeth Lake, Lake Hughes, Leona Valley, Ritter Ranch and terminating at Palmdale Lake. Based upon our initial analysis, there is a sufficient
Response S-6: An analysis of additional birds has been added to the Final EIS/EIR, Section 4.3.1, including an analysis of the potential to occur on each segment/alternative, respectively, and potential Project impacts. Based on the most current (November 2011) California Natural Diversity Database data of special-status species that have been recorded in the BRTP area, this will include tricolored blackbird, grasshopper sparrow, mountain plover, white-tailed kite, and Le Conte’s thrasher.

Response S-7: The Pine Tree Wind Farm Project is addressed in Chapter 5, Cumulative Effects of the Draft and Final EIS/EIR. Refer to Response S-3 above.
Response S-8: The cumulative effects analysis contained in all of Chapter 5 is reasonable and adequate for decision-making, and is not piecemealed. New projects have been added to the cumulative effects analysis (refer to the updated Table 5-1) in the Final EIS/EIR. Therefore, the decision-makers are adequately and appropriately informed about Project impacts from the analysis contained in the Draft EIS/EIR, the public comments on that document, and the Final EIS/EIR.

Response S-9: The Project has been defined in Chapter 2 under Section 2.4, Proposed Action, of the Final EIS/EIR. The Project is not a government mandate for renewable energy, and cumulative effects have been adequately addressed. Refer to Responses S-2, S-3, S-5, and S-8 above.
Response S-10: Per the requirements of Executive Order 12898, the environmental justice analysis in the Draft EIS/EIR did address both low-income and minority populations. The Draft EIS/EIR showed that the Project alternatives all traverse areas with generally lower proportions of minority and low-income persons than the Project region as a whole. It also indicated that, of the Alternatives, Alternative 3 had a population of Census Block Groups within six miles that had slightly higher proportions of low-income and minority populations than Alternatives 1, 2, and 2a. See Section 6.6.12 in Chapter 6 of the Final EIS/EIR for a full description of the environmental justice analysis.

The closer examination of the populations within six miles of Project alternative routes, conducted in response to the comments received on the Draft EIS/EIR, indicates that one possible adverse impact on environmental justice communities could occur for Alternative 3 that would not occur for Alternatives 1, 2, or 2a (on low-income communities in Census Block Group 1, Census Tract 9102.05, which would be traversed by Alternative 3 facilities), but that this impact would be, at most, moderate. Some potential for previous and/or ongoing impacts on environmental justice communities by existing transmission lines in the Project area may exist. No other potential adverse impacts on environmental justice communities for any alternative were identified.

The environmental justice evaluation is one of many factors included in the EIS/EIR that provide for comparison between Alternatives. This information will be considered during the decision-making process.

A Solar Generation Alternative that would locate generation near the load center was considered but eliminated from detailed evaluation because it would not meet the Project purpose and need. Refer to the Alternatives Development Report, included as
Appendix B to the Final EIS/EIR, and Chapter 2 of the Final EIS/EIR, page 2-14, for a full discussion of this alternative.

Response S-11: Your comment is acknowledged, and additional information is provided below. Films, television productions, documentaries, commercials, and multimedia productions shot on location in the area of Leona Valley and other communities on occasion contribute to the areas’ economies for their duration (typically days to months). They provide job opportunities because companies often hire local residents for their production teams, and film workers coming to the area for the time of their assignments patronize local businesses such as hotels, restaurants, and miscellaneous retail and rental establishments.

Filming is subject to permitting by the Kern County Film Commission, Los Angeles County, and the incorporated communities in the study area.

FilmLA, a nonprofit organization, acts as ombudsman for filmmakers and localities in Los Angeles County (coordinating permitting and production), and reports 43,646 Permitted Production Days in which it participated in 2010 (FilmLA 2011). Actual production days in Los Angeles County, including those outside the purview of FilmLA, are likely much higher, and location scouting activities are not included in the day count.

Data for Kern County are not compiled on an identical basis as those for Los Angeles County, but are indicative of general use of the area for filming. In 2010, there were 382 days (208 projects) of production in Kern County. In what the Kern County Film Commission calls the Aerospace Valley (Tehachapi, Rosamond, Mojave, California City, Boron, Edwards AFB, and the Antelope Valley side of Tejon Ranch), 116 shoot dates were counted in 2010. Employment estimates are not available, but the Association
EMINENT DOMAIN AND COMPENSATION

The real estate market in the Antelope Valley is comprised of a boom or bust economy. When market conditions are appreciating in Los Angeles County, the rate of appreciation is generally good in the North County area. However, in the “boom” cycle, the Antelope Valley declines at a far greater rate and level than the County as a whole. We are presently in a historically weak real estate cycle and the economy in the Antelope Valley is extremely depressed, with a higher per capita unemployment rate when compared to the State or even the County of Los Angeles. The following illustrates the trend in housing prices for zip code 93551, where Alternative 3 is located:

<table>
<thead>
<tr>
<th>Year</th>
<th>Median Price</th>
<th>% Change from Prior Year</th>
</tr>
</thead>
<tbody>
<tr>
<td>2006</td>
<td>$415,000</td>
<td></td>
</tr>
<tr>
<td>2007</td>
<td>$460,000</td>
<td>-5.03%</td>
</tr>
<tr>
<td>2008</td>
<td>$260,000</td>
<td>-36.43%</td>
</tr>
<tr>
<td>2009</td>
<td>$210,000</td>
<td>-19.23%</td>
</tr>
<tr>
<td>2010</td>
<td>$211,000</td>
<td>-4.8%</td>
</tr>
<tr>
<td>September 2011</td>
<td>$207,000</td>
<td>-1.9%</td>
</tr>
<tr>
<td>2006 vs. September 2011</td>
<td>$435,000 vs. $207,000</td>
<td>-52.43%</td>
</tr>
</tbody>
</table>

Source: Datacamps

For the Barren Ridge Renewable Energy Transmission Project, location and land that is taken by eminent domain is compensated in terms of “fair market value”. This is defined as, “The fair market value of the property taken is the highest price on the date of valuation that would be agreed to by the seller, being willing to sell but under no particular or urgent necessity for doing so, and by a buyer, being ready, willing and able to buy but under no particular necessity for doing so, each dealing with the other with full knowledge of all the uses and purposes for which the property is reasonably adaptable and available.” However, there are several issues that are not addressed relative to compensation and eminent domain.

Response S-12: Removal of these single-family residences would not be avoided if Alternative 3 was selected in the decision process. While Alternative 3 was designed to minimize potential take of private residences (see page 2-114 in Chapter 2 of the Final EIS/EIR for a description of the Avenue L Re-Route), due to design and feasibility constraints, impacts to private residences would be unavoidable if Alternative 3 were selected. It is for these reasons and others that Alternative 3 is not the preferred Alternative. Your comment will be considered during the decision-making processes prior to final decisions on the Proposed Action by the BLM, USFS, and LADWP.

Response S-13: Please refer to Chapter 2, Section 2.4.2, of the Final EIS/EIR, Right-of-Way Permits and Grants, for information regarding property acquisition and to Chapter 4, Section 4.2.3, of
who are upside down on their mortgages have taken the honorable approach and assume the market will eventually correct itself, but when the LADWP takes the property, there is no such hope of recovery and the LADWP has taken away the future opportunity of economic recovery, leaving the impacted party with a financial burden and no property. For those who are holding on to vacant land, many have single-family or subdivision plans that are approved and on hold as a result of the economic downturn. Again, with eminent domain there is a taking of anticipated future profits that has not been addressed.

Other factors to consider are relocation fees. Most of the properties impacted by the action are small ranchettes or farms that have different relocation needs when compared to a standard single-family residence. No information pertaining to relocation compensation was mentioned and the time and cost associated with moving (which can include livestock and equipment) is quite expensive. This should not be a cost carried by the individual as a result of a LADWP taking.

The Environmental Impact report failed to address business operations that could be disrupted or halted as a result of eminent domain. According to California Eminent Domain Law, there is a provision for a business owner indicating that they may be entitled to any loss of business "goodwill" caused by the taking of property on which the business is located. Goodwill is defined as "The benefits that accrue to a business as a result of its location, reputation for dependability, skill or quality, and any other circumstances resulting in the probable retention of old or acquisition of new patronage."

In considering an eminent domain action, the City of Los Angeles Department of Water and Power is in a position in which its will and rights are exercised over another. As required by the California Environmental Quality Act, the least amount of harm should result. In considering the harm and rights of the individual, the LADWP must consider the circumstances surrounding each property, the economic climate, and should leave those adversely impacted by the project in a better position than before the eminent domain action commenced. Anything less would constitute irreparable harm.
Response S-14: Please refer to Response S-3 regarding cumulative impacts and Response S-2 regarding the definition of the Project. LADWP operates under specific regulations addressing homeland security issues, and as such the Project has been under such scrutiny from its inception several years ago.

Response S-15: It is not accurate that more than three lines within a single corridor would result in a substantial risk to homeland security. Reliability has been carefully evaluated during Project design using LADWP’s criteria for all alternatives as described in Section 2.2 of the Final EIS/EIR. Potential alternatives that would not meet the Project Purpose and Need/Objectives, including to increase LADWP’s system reliability and flexibility, were eliminated from detailed evaluation in the EIS/EIR. All action Alternatives considered in the EIS/EIR would result in the condition of three or more lines being located within a single corridor in some areas.
500KV LINES AND THE FEDERAL AVIATION ADMINISTRATION

Leon Valley is the first community in the State of California to be designated with Lighting Zone 1, which is an intrinsically dark sky environment. This designation is typically reserved for parks, forests, and nature preserves. Partly due to our higher elevation, dark skies are a coveted asset in this and other rural communities in the northern portion of the County of Los Angeles. It is better for the environment, conserves energy and promotes living in harmony with wildlife.

During the September 29, 2011 scoping meeting, a resident of Leon Valley had asked if the towers would be lit in compliance with aviation requirements; the audience was advised that none of the towers would be tall enough to require lights, which was a relief to those concerned. Subsequent to the scoping meeting, we have received confirmation that a similar previous project, Southern California Edison’s Tehachapi Renewable Transmission Line Project (TRTP) will be required to put aviation lights on a large number of towers. The Federal Aviation Administration (FAA) is requiring lights on all transmission towers that are 200 feet and taller; a large number of very visible colored balls will also be required on the conductor lines. While it is anticipated that the LADWP towers will not exceed 200 feet in height, we wish to advise the LADWP, in writing, our concern that the possibility exists that the FAA could require lighting for some of the proposed towers. There is also a concern for the need of off-site illumination during construction, which would not be in compliance with the current community standards.

Response S-16: FAA regulations (14 C.F.R. part 77) establish standards for determining obstructions in navigable airspace if the project meets criteria detailed in FAA Form 7460-1 (Notice of Proposed Construction or Alteration), including the construction of structures that are taller than 200 feet or within 20,000 feet of an airport. As part of the Form 7460-1 filing, final engineering that would include precise structure locations, ground surface elevations, and design height for each structure is necessary. After Form 7460-1 submittal, the FAA would conduct an aeronautical study to determine potential hazards and requirements for visual marking.

While specific locations of required markers cannot be determined prior to final design, obstruction marking for aircraft safety is expected to occur in only limited locations on conductor spans over major drainages or canyons. Based on preliminary design, no transmission line towers are expected to exceed 200 feet in height or trigger FAA requirements for obstruction marking or lighting.

A discussion of the implementation of these FAA requirements has been added to description of the Proposed Action in Chapter 2, Section 2.4.2, page 2-76 of the Final EIS/EIR, and potential impacts are discussed in Chapter 4, Section 4.2.1, Air Quality, Section 4.22, Noise, Section 4.29, Visual Resources, and Section 4.3.1, Biological Resources. As stated in the Final EIS/EIR, LADWP would consult with the FAA to ensure Project compliance with FAA lighting and marking requirements.

Off-site illumination may be required during construction in staging, yarding, and construction management areas dedicated to the Project. The locations of the areas would be determined by the contractor selected after final engineering, and may be on private property within the Leona Valley Community Standards District. Illumination of these areas would only occur for short durations in
the early evening hours because construction activities would occur during daylight hours and lighting would only be necessary at the end of the regular working day during seasons of shorter daylight. Leona Valley Community Standards District Community-Wide Development Standards state that lighting on private parcels shall be designed to prevent off-site illumination. To minimize lighting impacts and as stated in the Draft EIS/EIR, mitigation measure VIS-8 (Reduce Glare and Light Spill) would be implemented to reduce the effects of lighting required to meet minimum safety and security standards, and light fixture hoods, sensors, and switches to regulate lighting would be used during Project construction.

**Response S-17:** [Note: Information on the specific locations of cultural resources is confidential and cannot be made available to the public. Sensitive information in comment letter S has been redacted.]

The Angeles National Forest’s Native American consultation process for BRRTP is on-going, and input received from federally recognized Tribes and Native American organizations, groups, and individuals will continue to be considered during the impact analysis process, the selection of a route, implementation of mitigation measures, and construction.

The Leona Valley portions of Alternatives 2 (Proposed Action), 2a, and 3 have not yet been surveyed for cultural resources. As discussed in the Final EIS/EIR on page 4-268, the selected alternative would be surveyed in its entirety for cultural resources and appropriate measures would be implemented to evaluate the resources, assess adverse effects, and avoid or mitigate adverse effects per a Programmatic Agreement established for this Project under 36 CFR 800.14(b)(3). The Programmatic Agreement is included as Appendix O in Volume II of the Final EIS/EIR.
Archaeological sites located in the Tehachapi Renewable Transmission Project (TRTP) area in Leona Valley are not likely to be physically affected by BRRTP. BRRTP Alternative 3 would be approximately 1,000 feet from the TRTP ROW, and BRRTP Alternative 2, the Proposed Action, would be over 10 miles from where TRTP crosses Leona Valley.
Response S-18: As described above in Response S-6, an analysis of tricolored blackbird has been included in the Final EIS/EIR. This includes an analysis of the species’ potential to occur on each segment/alternative, respectively, as well an analysis of potential Project impacts for areas where it could occur. Also refer to Response S-3 above for a complete explanation of cumulative effects and the revisions made to the Final EIS.

**ALTERNATIVE 3 SPECIES INVENTORY**

While the environmental firm that was engaged to prepare the impact report for Barren Ridge spent more than three years researching the various alternatives, we were permitted only sixty days for our comment period. As such, we believe this is a woefully insufficient amount of time to adequately address the issue of species within Alternative No. 3. We would have like to have compared the present study to other studies that have been done in the same general location. Due to time constraints, this is not a possibility.

At first glance, however, there is a glaring oversight that must be addressed. If the environmental firm looked at the welcome page on the Leona Valley Town Council website, they would have discovered that one bird is prominently featured with a link to Audubon California. In fact, further research would indicate a quote from Robert Meese, ornithologist from UC Davis who has determined that Leona Valley is regionally significant for the tricolored blackbird.

Leona Valley is home to half of the Southern California winering population of tricolored blackbirds. This is a California Species of Special Concern, the status of which will likely be reclassified to federally endangered. Breeding populations are located in the Leona Valley vicinity include Petersen Ranch, Leona Pond, Eitter Pond and historically at an area of Anangusa ponding (pending restoration) at Elizabeth Lake Road and Highland Avenue. Important foraging locations are throughout Leona Valley, including the area of proposed Alternative No. 3. While the action of one project may or may not have a significant impact on this species, the cumulative impact of the total actions including those projects in the “queue” and the associated Tehachapi Renewable Energy Transmission Projects, will impact breeding and foraging opportunities in the short and long term. Therefore, it is important for the planners of this study to address all of the species within this alternative as well as possible direct and indirect impacts or an erroneous and potentially fatal result, such as what happened at the LADWP’s Pine Tree Wind Farm, can occur.
Leona Valley

It is important to note that the project potentially impacts a rural farming community that enjoys a careful balance between agriculture and wildlife. For more than one-hundred years, this small town has protected its occupants, including the countryside and the creatures that call Leona Valley home. Therefore, it is important for the decision makers to see Leona Valley, not just in a written analysis by environmental experts, but through the eyes of those who live here. Leona Valley is arguably the most picturesque small town in the County of Los Angeles; its biggest asset is its sheer beauty............................ It is:

The San Andreas Significant Ecological Area

The following are photographs of Leona Valley, the location of the proposed action Alternative
Leona Valley Ranch
White Crowned Sparrow
Female Tricolored Blackbird, Native to Leona Valley
Family Farm
Cottonwood in the Summer Landscape
Lark Sparrow
Open Fields
Dark Eyed Junco, Leona Valley’s Winter Visitor
Hidden Habitat
Family Farm
Miles of Untouched Grasslands
A Common House Finch
More Than 1,000 Tricolored Blackbirds Make Leona Valley Their Winter Home
Horse Ranch
Leona Valley: Where Farms and Habitats Live in Harmony