

## **APPENDIX A**

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### Notice of Preparation and Scoping Report

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Notice of Preparation



**COUNTY OF HUMBOLDT  
PLANNING & BUILDING DEPARTMENT**

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3015 H Street Eureka, CA 95501  
Phone: (707) 445-7541 Fax: (707) 268-3792  
<http://www.co.humboldt.ca.us/planning/>

**NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT**

Date: July 31, 2018

To: Interested Parties  
All Recipients on the Distribution List

Lead Agency: County of Humboldt Planning & Building Department

Contact: Cliff Johnson, Senior Planner  
County of Humboldt Planning & Building Department  
3015 H Street  
Eureka, CA 95501

Project Title: Humboldt Wind Energy Project

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**BACKGROUND**

The County of Humboldt (County) Planning & Building Department has received an application from Humboldt Wind, LLC (Applicant) for a conditional use permit (CUP) to construct and operate the Humboldt Wind Energy Project (Project), a wind energy generation facility in Humboldt County, California. The issuance of the CUP is a "project" as defined by the California Environmental Quality Act (CEQA) and subject to environmental review. After examining the application, the County determined that an environmental impact report (EIR) is required and released this notice of preparation (NOP) consistent with the requirements outlined in Section 15063(a) of the State CEQA Guidelines.

**NOTICE OF PREPARATION**

Once the decision to prepare an EIR is made, the lead agency must distribute an NOP for a 30-day comment period to inform all responsible and trustee agencies and interested persons that an EIR will be prepared (State CEQA Guidelines, Section 15082). The intent of an NOP is to provide stakeholders with sufficient information describing a proposed project and its potential environmental effects to enable responsible and trustee agencies and the public to make a meaningful response related to the scope and content of information to be included in the EIR.

The purpose of this notice is twofold:

- (1) to solicit input, by **August 30, 2018**, from interested individuals, groups, and responsible and trustee agencies about the desired content and scope of the draft EIR to be prepared by the County of Humboldt for the proposed Project (see attachments); and
- (2) to announce public scoping meetings for the proposed Project, to be held at the following times and locations:
  - a. August 14, 2018: 2–4 p.m. Regulatory agency only consultation at Sequoia Conference Center, 901 Myrtle Avenue, Eureka
  - b. August 14, 2018: 6–8 p.m. Public meeting at Sequoia Conference Center, 901 Myrtle Avenue, Eureka
  - c. August 15, 2018: 6–8 p.m. Public meeting at Winema Theater, 125 Main Street, Scotia

#### **DOCUMENTS AVAILABLE FOR PUBLIC REVIEW**

The NOP and related Project documents are available for public review at the following location:

County of Humboldt Planning & Building Department  
3015 H Street  
Eureka, CA 95501

The documents are also available for public review online at: <https://humboldt.gov/2408/Humboldt-Wind-Energy-Project>.

The County Planning & Building Department welcomes input from responsible and trustee agencies during this review. Written comments should be postmarked no later than **5 p.m. August 30, 2018**. Please indicate a contact person in your response and send your comments to:

Cliff Johnson, Senior Planner  
County of Humboldt Planning & Building Department  
3015 H Street  
Eureka, CA 95501  
CJohnson@co.humboldt.ca.us



## PROJECT LOCATION AND SETTING

The Project traverses land bisected by U.S. Highway 101 (U.S. 101), roughly 12 miles southeast of the city of Fortuna and 20 miles north of the community of Garberville (Figure 1). The community of Scotia is located adjacent to the northern edge of the Project alignment.

Vegetation along the alignment is primarily evergreen woodlands and the topography is steep, with elevations ranging from nearly sea level to almost 3,100 feet above sea level. A portion of the area's woodland acreage is under timber production or subject to Williamson Act contracts. The alignment for the proposed general transmission line (Gen-Tie) for the Project would require crossing the Eel River (Figure 2a). Boring under the river is planned for this segment to reduce visibility and minimize potential impacts to marbled murrelet. The point of interconnection with Pacific Gas and Electric Company's (PG&E's) transmission grid would be the Bridgeville Substation (Figure 2b) through one of three optional routes under consideration.

Table 1 lists the assessor's parcel numbers for lands along the Project alignment.

**Table 1 Project Assessor's Parcel Numbers**

Assessor's Parcel Numbers
10213204, 10301204, 10619110, 10619111, 10619112, 20502105, 20502106, 20502114, 20502115, 20502117, 20502119, 20502121, 20502122, 20502123, 20502124, 20505101, 20505108, 20505109, 20505110, 20505111, 20505122, 20506102, 20506107, 20506111, 20522101, 20531102, 20531104, 20532132, 20532133, 20532134, 20533103, 20533106, 20533107, 20534106, 20534108, 20534111, 20534113, 20534118, 20534119, 20535112, 20535126, 20535130, 20626207, 20707427, 20712405, 20712604, 20718105, 20718116, 20718119, 20718209, 20718211, 20718303, 20718304, 20718404, 20718406, 20718502, 20718503, 20718605, 20718607, 20718609, 20718613, 20721101, 20721102, 20721202, 20721301, 20721302, 20721303, 20722101, 20722103, 20722601, 20723103, 20723107, 20723201, 20723202, 20731102, 20734101, 20811109, 20811114, 20811402, 20812101, 20812107, 20812110, 20813106, 20813501, 20813503, 20813504, 20813505, 20814101, 20814111, 20908122, 20919101, 20919102, 20919103, 20919112, 20919113, 20920102, 20920103, 20920107, 20920108, 20920110, 20921108, 20921109, 20921110, 20921111, 20925102, 20926102, 20926103, 20928104, 20940101, 20940102, 20940110, 20940115, 20940116, 20940123, 21101104, 21101202, 21101301, 21102302, 21145302, 21145303, 21146101, 21146204, 21147101, 21147201

## LAND USE PLANS

The Humboldt County General Plan land use designations along the Project alignment consist primarily of Timberland, with Industrial, Agricultural Grazing, and Urban Development Area overlay where the Gen-Tie crosses U.S. 101.

Lands crossed by the Project are primarily zoned Agriculture Exclusive (AE) and Timber Production Zone (TPZ), except for limited intermittent segments of the Gen-Tie. The land is currently in timber production. Under the AE and TPZ designations, wind energy facilities require a CUP from the County. Constructing and operating electrical distribution and transmission lines are permitted uses in the TPZ;

however, a CUP is required in the AE zone. Accordingly, the applicant is submitting a CUP application pursuant to County Code Section 3.1.2, which, if approved, would cover all Project related activities.

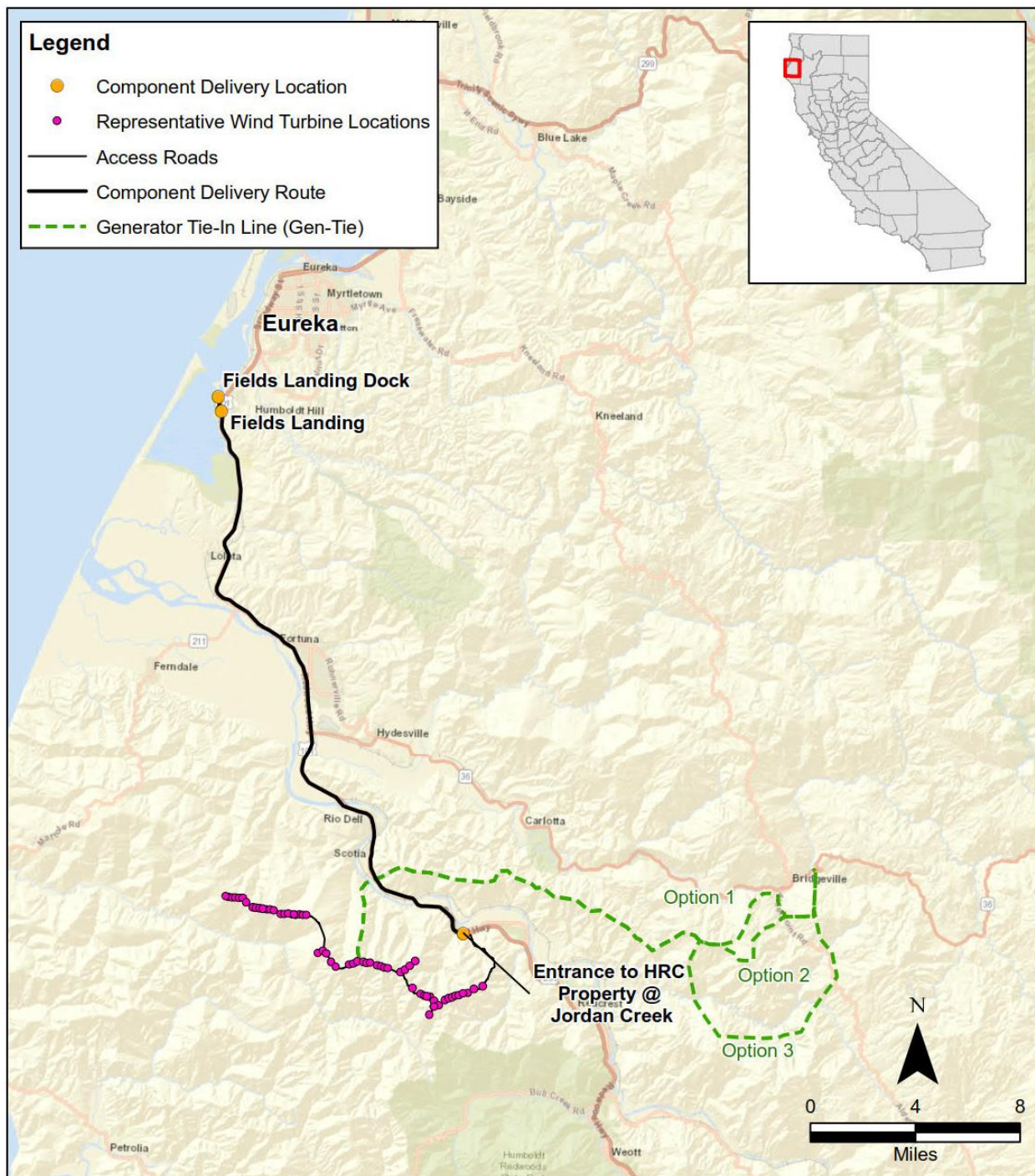
## **PROJECT DESCRIPTION**

The Project would construct and operate 60 wind turbine generators (WTGs) and associated infrastructure with a nameplate generating capacity (i.e., theoretical maximum energy generation) of up to 155 megawatts (MW). In addition to the wind turbines and transformers, the Project would include ancillary facilities such as temporary staging areas, access roads, 34.5-kilovolt (kV) collection lines (collection system), an operations and maintenance (O&M) building, a substation with energy storage infrastructure, utility switchyard modification, and a 115-kV Gen-Tie.

Figure 2a and 2b shows the representative locations of Project infrastructure based on the information available at the time this NOP was released. The Applicant is conducting studies along the planned alignment to collect information regarding the resources present. Data gained from these studies will be used to inform the Project's design, with the intent of avoiding and minimizing environmental impacts. Therefore, the Project layout depicted in Figure 2a and 2b illustrates a development corridor within which Project infrastructure would be sited, and is subject to refinement.

The Project would include the following elements:

- up to 60 WTGs depicted in Figure 2a and 2b, ranging between 2.2 and 4.5 MW, erected on tubular steel towers set on concrete foundations, and associated turbine pads, temporary staging areas, and transformers;
- new roads, including temporary access roads required for construction and permanent service roads for O&M, and improvements to existing public roads to facilitate turbine delivery;
- a 115-kV Gen-Tie connecting the Project with the existing PG&E transmission system, with a below-surface crossing of the Eel River (Figure 2a);
- a substation to connect to the Gen-Tie;
- a collection system linking WTGs to each other and to the substation;
- a communication system (fiber optic cable) adjacent to the collection system;
- an O&M facility, including an operations building and an outdoor storage area;
- permanent meteorological towers;
- a 10-acre temporary staging area and a construction trailer and parking area located within the O&M facility; and
- three, 5-acre temporary staging areas distributed throughout the Project site, including as many as two, temporary cement batch plants operating at two of the three staging areas.



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**Figure 1. Project Vicinity**

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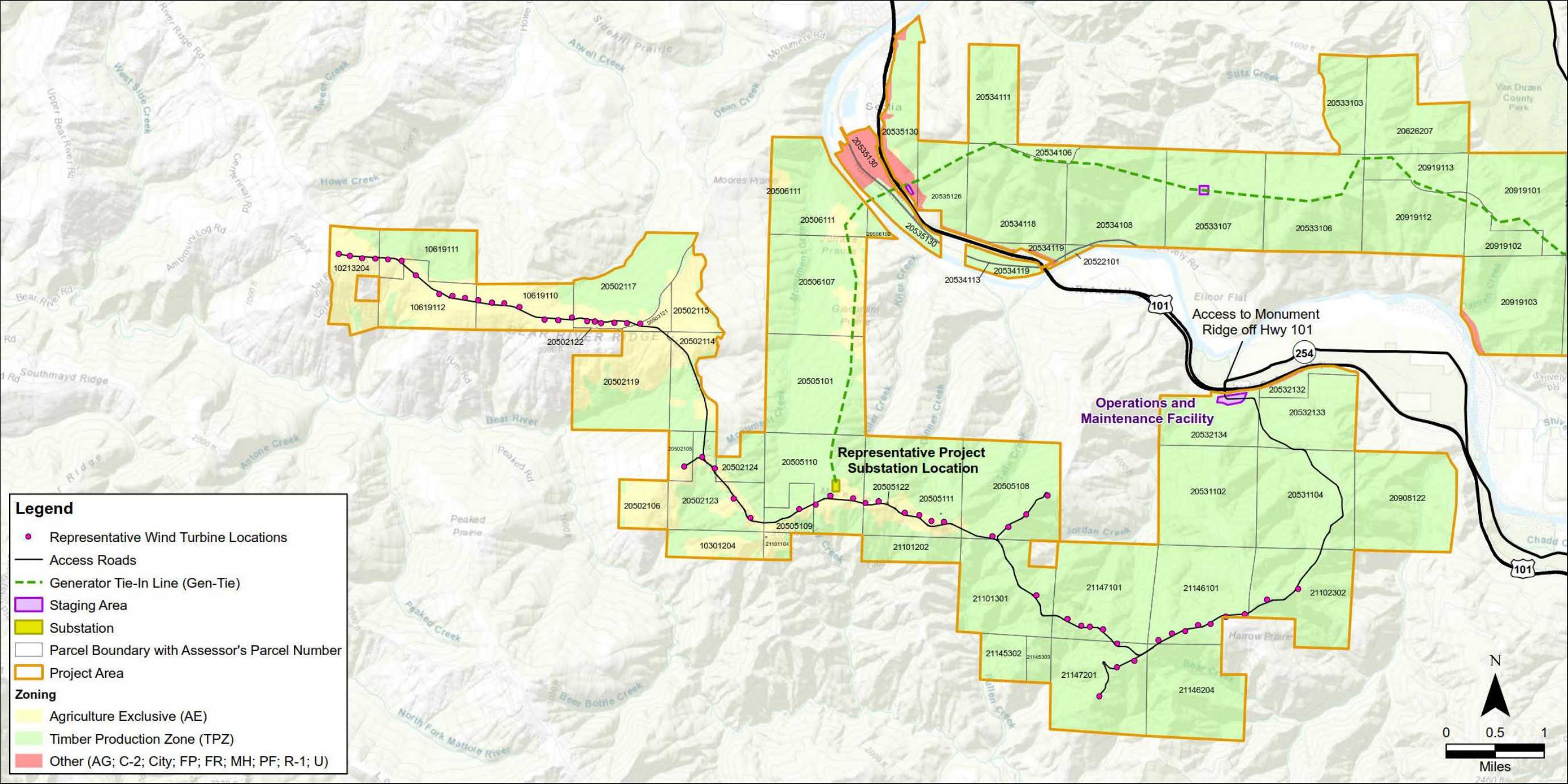
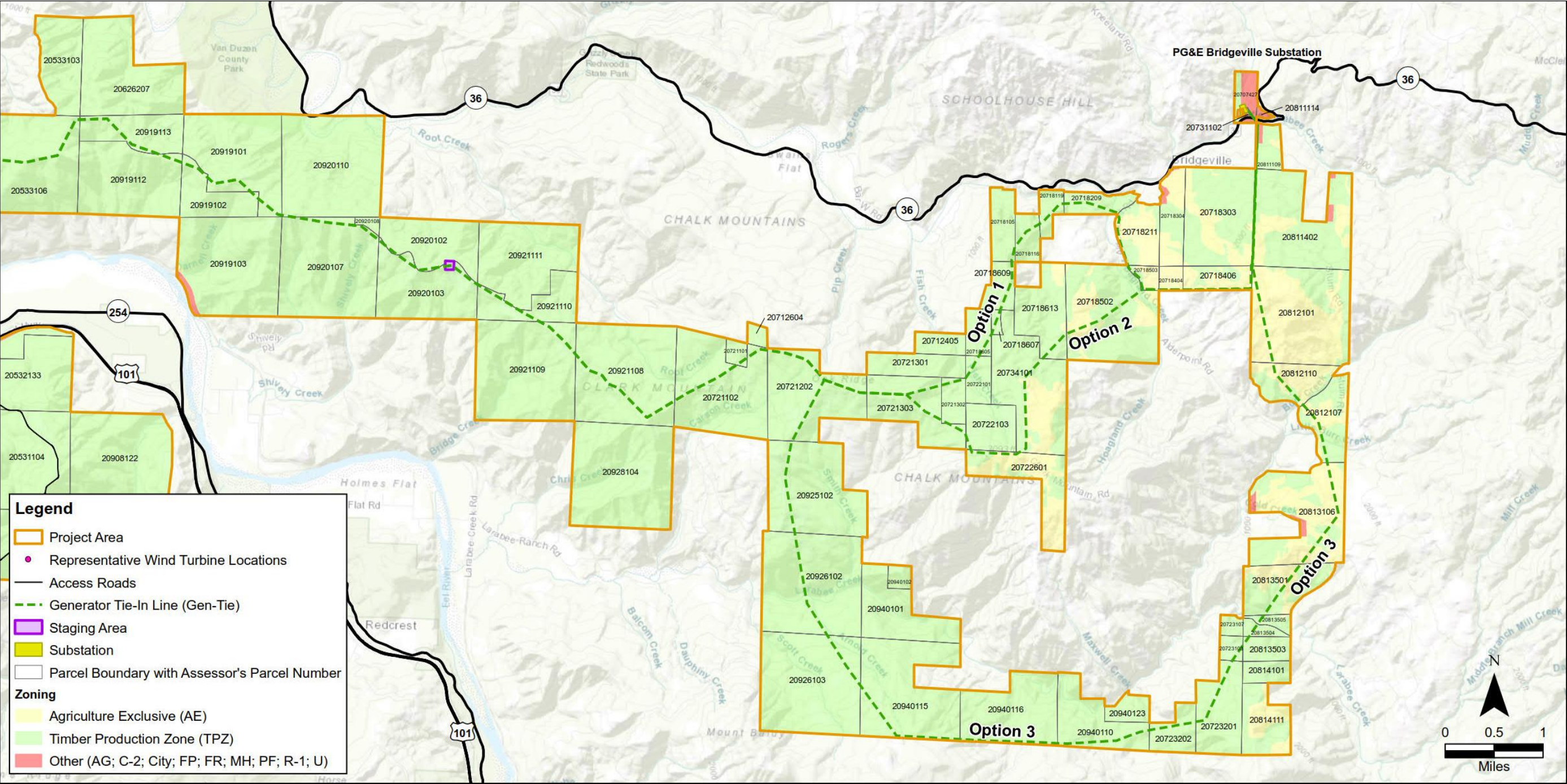


Figure 2a. Project Area and Plan (Sheet 1 of 2)





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Figure 2b. Project Area and Plan (Sheet 2 of 2)



Table 2 identifies the typical dimensions and disturbance areas for each Project component.

**Table 2: Project Components and Associated Disturbance Areas**

Component	Quantity	Typical Disturbance Area	
		During Construction	Permanent
Turbines and pads <sup>a</sup>	Maximum of 60	Approximately 4 acres per turbine	0.3 acre per turbine
Collection system <sup>b</sup>	Maximum length of 19 miles	30-foot width	12- to 24-inch-wide trench (filled)
Substation	1	5 acres	5 acres
Modified utility switchyard	1	3 acres	3 acres
Access roads	Up to 17 miles of new roads	Turbine string roads: 24-foot gravel surface with 50-foot width for crane access and 200-foot width for grading and matching slopes	<i>Turbine string roads:</i> 24-foot-wide gravel surface with a 1-foot shoulder on both sides; nominally up to an additional 12 feet on either side, where required for stormwater management control  <i>Project access roads:</i> 24-foot-wide gravel surface; 200-foot width for grading and matching slopes
O&M facility	1	Within temporary construction area; no additional disturbance	3–5 acres total, including a 5,000- to 6,000-square-foot building
Temporary construction areas (trailer and parking)	1	10 acres	NA
Temporary staging areas	2	5 acres per staging area	NA
Temporary cement batch plant	Up to 2	Within temporary construction area; no additional disturbance	NA
Meteorological towers	4 (2 would be permanent)	1.5 acres per tower	900 square feet
NA = not applicable; O&M = operations and maintenance <sup>a</sup> Includes temporary staging areas <sup>b</sup> Portions of the collection system would be constructed within access roads; no additional permanent impacts would occur in these areas. Note that acreage includes collocated underground fiber-optic communications cable.			

## **Construction Activity and Schedule**

Construction would last between 16 and 18 months. The sequence of construction activities would generally be as follows: site preparation/grading, tree clearing, access road construction, turbine foundation construction, collection system installation, substation construction, Gen-Tie installation, switchyard installation, turbine installation, final testing and turbine commissioning, O&M facilities installation, and cleanup and restoration.

The project requires creation of a temporary staging area, construction trailer area, and associated parking area on an approximately 10-acre compacted gravel pad. During construction, the staging area would be used to store large equipment and materials, to refuel equipment, and to collect and temporarily store construction waste. It also would serve as a place to park vehicles, set a temporary mobile for use as construction office space, and temporary (portable) sanitary facilities. A vendor-supplied fuel truck that would make daily or weekly deliveries to fill approved storage tanks that would be used to refuel construction vehicles. Following construction, this area would become part of the Project's O&M facility (Figure 2a).

Three smaller staging areas would also be needed along the alignment. Each would consist of five acres that would be used to stage construction equipment, materials and contractor trailers (Figures 2a and 2b). The temporary staging areas would be cleared of vegetation, compacted to support construction equipment, and may be graveled depending on soil conditions.

The applicant is in the process of determining the point of delivery for the Project's wind turbines and related equipment. It is anticipated that equipment would be shipped to Field's Landing in Humboldt Bay, and would be delivered by truck via U.S. 101 to the temporary staging area(s) located near the Jordan Creek off-ramp (Figure 1). Upon arrival at the temporary staging area(s), the equipment either would be offloaded or stored, or would be hauled directly to the worksite and installed. Access roads would be used to transport equipment from the temporary staging area to the worksite.

To facilitate the delivery of Project components along the U.S. 101 corridor, modifications to existing roads may be required. Such modifications could include but would not be limited to creating temporary off-ramps to bypass portions of U.S. 101; temporarily relocating obstacles such as fences and street signs; temporarily relocating or extending overhead utility poles; and removing or pruning vegetation within existing road rights-of-way. If needed, Project-specific traffic controls would allow for equipment delivery while maintaining ingress and egress for emergency service providers. The Applicant is determining the scope of the temporary modifications and traffic controls and will submit a transportation plan to the County and the California Department of Transportation.

## **SUMMARY OF KEY ENVIRONMENTAL ISSUES TO BE ADDRESSED IN THE EIR**

Pursuant to Section 15064 of the State CEQA Guidelines, the discussion of potential Project effects on the environment in the EIR will concentrate on those impacts that the County has determined may be potentially significant. The detailed analysis will evaluate the Project; however, the EIR will also describe a range of reasonable alternatives to the proposed Project that are capable of meeting most of the Project's objectives, and that would avoid or substantially lessen any of the significant effects of the Project, consistent with State CEQA Guidelines Section 15126.6. The EIR will also evaluate the cumulative impacts of the Project when considered in conjunction with other related past, present, and reasonably foreseeable future projects.



The following topics will be evaluated in the EIR:

- **Aesthetics**—The EIR will characterize the visual setting through use of photographs and computer modeling. Through use of photo-realistic visual simulations, impacts of Project construction and operation on scenic resources and vistas will be described. Avoidance and mitigation measures would be imposed where significant impacts are identified.
- **Agriculture and Forestry Resources**—The EIR will evaluate the potential direct and indirect impacts to timberlands and land designated Agricultural Preserves that are subject to Williamson Act contracts.
- **Air Quality**—The Draft EIR will consider direct and indirect impacts to regional and local air quality because of project construction and operation. Emissions of criteria air pollutants will be estimated using computer models and methodology approved by the North Coast Unified Air Pollution Control District (NCUAPCD). Project consistency with adopted plans or policies intended to address air quality will be evaluated and avoidance measures identified.
- **Biological Resources**—The Project area is covered in managed forestlands, mixed with evergreen and deciduous forest types. Shrub/scrublands, annual grasslands, and developed roads make up the remaining land cover in the Project area. The EIR will characterize the existing resources found along the project alignment and analyze impacts of the proposed Project on these biological resources. No avoidance measures or permits have been identified at this time, but such measures may be included in the Project EIR.
- **Cultural Resources**—The EIR will identify and analyze impacts of the proposed Project on cultural and tribal cultural resources based on the findings of a Phase 1 cultural resources survey. In addition, consultation with representatives of the Yurok and Wiyot, Karok, Hoopa, Chilula, and Whilkut tribes, and other Native American tribe interests, may need to be conducted in compliance with Assembly Bill (AB) 52, which requires such consultation as part of a project's CEQA review.
- **Geology and Soils**—In general, the Project area is susceptible to ground shaking. Slope stability in the Project area ranges from moderate to highly unstable. The EIR will programmatically evaluate impacts from landsliding and unstable soils that could result from grading, roads, and new development. It is anticipated that site-specific geotechnical investigations would be conducted before construction.
- **Greenhouse Gas Emissions**—In the North Bay Air Basin, North Coast Unified Air Quality Management District (NCUAQMD) regulates greenhouse gas emissions through its Rule 111 (Federal Permitting Requirements for Sources of Greenhouse Gases). The EIR will evaluate the Project in terms of its consistency with Rule 111, California's Greenhouse Gas (GHG) reduction goals, recommendations contained in the AB 32 Scoping Plan, and other recent guidance documents regarding Project-generated GHG emissions. Avoidance measures or permits may be identified in the Project EIR.
- **Hazardous and Hazardous Materials**—The EIR will assess hazards and hazardous materials impacts from wind energy sites by considering storage, handling, and application practices of hazardous materials, and will review the hazards of permitting new and wind energy activities in

areas of wildland fire risk. The EIR will also analyze specific requirements for the Project based on the turbine heights. Site-specific aviation conditions will be developed in conjunction with the Federal Aviation Administration (FAA), and turbine lighting would be consistent with all FAA requirements.

- **Hydrology and Water Quality**—Rivers, creeks, and drainages within the Project boundaries could be subject to disturbance during construction. The EIR will identify and analyze impacts of the Project on hydrology and water quality in the area. Avoidance measures to minimize impacts on water quality, including boring under the Eel River, have been identified and are included in the Project design. To support the EIR, a delineation of wetlands and waters will be conducted to determine jurisdictional water features on the Project site.
- **Land Use and Planning**—The Project site is located within lands designated for agricultural and timber production by Humboldt County. The EIR will evaluate the proposed Project for consistency with existing local land use policies and regulations, including applicable habitat conservation plans, local coastal plans, and airport land use plans. No avoidance measures or permits have been identified at this time, but such measures may be included in the Project EIR.
- **Mineral Resources**—Humboldt County is one of 16 counties within California where the State Geologist has not classified the land based on the known or inferred mineral resource potential of that land, pursuant to the Surface Mining and Reclamation Act (SMARA) classifications. The location of some of the proposed wind turbines and the Gen-Tie would overlap some of the SMARA parcels. The EIR will identify and analyze impacts of the Project on mineral resources in Humboldt County. No avoidance measures or permits have been identified at this time, but such measures may be included in the Project EIR.
- **Noise**—The Project site lies in undeveloped area of the county where noise levels are very low, limited to noise from cattle grazing and occasional vehicles. The EIR will identify and analyze impacts of the Project on ambient noise levels, with emphasis on changes experienced by noise-sensitive receptors. No avoidance measures or permits have been identified at this time, but such measures may be included in the Project EIR.
- **Population and Housing**—The Project site lies in an unincorporated and largely undeveloped area of the county, and there is no housing on the Project site or in the immediate vicinity. The EIR will identify and analyze impacts of the Project on population and housing.
- **Public Services**—The Project site travels across land containing a High or Very High Fire hazard designation. The EIR will examine the potential for construction and operation to increase demands on local firefighters. The California Highway Patrol is responsible for enforcing traffic laws on roadways in unincorporated areas and on state highways throughout the county. The sheriff's office has mutual aid agreements with cities and the California Highway Patrol. The EIR will examine the potential for construction and operation to increase demands on law enforcement.
- **Recreation**—Humboldt Redwoods State Park, Grizzly Creek State Park, and Van Duzen County Park lie within 5 miles of the Project site. The EIR will identify and analyze impacts of the Project on recreational resources.

- **Transportation and Traffic**—The roadway network in the unincorporated parts of the county is primarily rural in character, serving small communities through a system of federal and state freeways and highways, county roads (including arterials, collectors, and local streets), and private roads. The EIR will identify and analyze impacts of the Project on the circulation system. No avoidance measures or permits have been identified at this time, but such measures may be included in the Project EIR.
- **Utilities and Service Systems**—The Project alignment is located on rural hillsides in an area that is not provided with municipal services such as potable-water delivery or wastewater systems. The EIR will identify and analyze impacts of the proposed Project on existing utility systems and services. No avoidance measures or permits have been identified at this time, but such measures may be included in the Project EIR.

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Scoping Report

Draft Environmental Impact Report  
2018 Scoping Summary  
**Humboldt Wind Energy Project**



Prepared for:  
Humboldt County

**AECOM**

October 2018

Draft Environmental Impact Report  
2018 Scoping Summary  
Humboldt Wind Energy Project



Prepared for:  
Humboldt County

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Contact:  
Ken Koch  
Senior Project Manager  
916/414-5800

**AECOM**

October 2018

# TABLE OF CONTENTS

Section	Page
Introduction .....	1
Scoping Meetings .....	1
Public Comments .....	1
County Wrap-up .....	2
Written Comments .....	2
Scope of the Environmental Impact Report .....	12

## Appendices

A	Notice of Preparation
B	Scoping Meeting Sign-in Sheets
C	Scoping Meeting Presentation
D	Speaker Cards
E	Comment Letters and Comment Cards

## Tables

Table 1. List of Written Comments .....	2
Table 2. Synopsis of Written Comments .....	4



## ACRONYMS AND OTHER ABBREVIATIONS

Caltrans	California Department of Transportation
CEQA	California Environmental Quality Act
County	Humboldt County
EIR	environmental impact report
HCP	habitat conservation plan
NEPA	National Environmental Policy Act
NOP	notice of preparation
PG&E	Pacific Gas and Electric Company
proposed project	Humboldt Wind Energy Project

## INTRODUCTION

Humboldt County (County) is the lead agency for the Humboldt Wind Energy Project (proposed project), and will prepare a draft environmental impact report (EIR) for the proposed project to satisfy the requirements of the California Environmental Quality Act (CEQA) (Public Resources Code Section 21000 et seq.). The County is preparing a draft EIR because the County Planning & Building Department has received an application from Humboldt Wind, LLC, for a conditional use permit to construct the proposed project, a wind energy generation facility.

The County issued a notice of preparation (NOP) of a draft EIR for the proposed project on July 31, 2018 (Appendix A), and held public scoping meetings in Eureka on August 14, 2018, and Scotia on August 15, 2018. The NOP was distributed using the County's mailing lists and was noticed in *The Times-Standard*. The State CEQA Guidelines provide a 30-day period for responsible and trustee agencies to respond to an NOP and provide specific detail about the scope and content of the environmental information that must be included in the EIR (Section 15082[b]). CEQA also requires lead agencies to hold at least one scoping meeting if a project is of statewide, regional, or areawide significance (Section 21083.9[a][2]).

The purpose of this report is to document the draft EIR scoping process that was conducted by Humboldt County and to identify the comments received during the 30-day public scoping period (July 31–August 30, 2018). The County will consider all comments received during the public scoping period. This report documents the scoping process that occurred and identifies the comments received, topics of concern, and issues that will be addressed in the draft EIR.

## SCOPING MEETINGS

Humboldt County held two public scoping meetings to inform interested parties about the proposed project, and to provide agencies and the public with an opportunity to provide comments on the scope and content of the draft EIR. These meetings were held 6–8 p.m. Tuesday, August 14, 2018, at the Sequoia Conference Center, 901 Myrtle Avenue in Eureka, and 6–8 p.m. Wednesday, August 15, 2018, at the Winema Theater, 125 Main Street in Scotia. Approximately 60 interested individuals attended the meetings. Attendees were asked to sign in (see sign-in sheets in Appendix B) and provide contact information if they wished to receive future updates on the project.

Cliff Johnson, senior planner for the Humboldt County Planning and Community Development Department, welcomed attendees and discussed the meeting format. Mr. Johnson discussed the location and provided an overview of the project components. AECOM personnel explained the CEQA process and encouraged public input through the use of comment cards and speaker cards. The presentation covered the next steps in the CEQA process (draft EIR, public review for 45 days including a public hearing, final EIR, Planning Commission and Board of Supervisors hearings) and upcoming opportunities for public comment. Appendix C presents the scoping meeting presentation.

## PUBLIC COMMENTS

The presentation was followed by public comments. Meeting attendees who wished to speak were asked to sign in and to state their name before giving their statements. A total of six speakers gave public statements at the public meetings (see speaker cards in Appendix D).

## COUNTY WRAP-UP

Mr. Johnson thanked all for attending and being respectful. He invited attendees to introduce themselves and meet with County personnel in smaller groups, and to view the presentation boards that depict various aspects of the project and setting.

## WRITTEN COMMENTS

The NOP requested that written comments be submitted at the earliest possible date, but not later than 5:00 p.m. on August 30, 2018, to Cliff Johnson, Senior Planner, County of Humboldt Planning & Building Department, 3015 H Street, Eureka, CA 95501. This section provides a synopsis of the written comments received during the 30-day NOP public comment period. Several comment letters were received from responsible and trustee agencies as defined in Section 21069 and 21070 of the State CEQA Guidelines, and several letters were received from nongovernmental organizations and citizens.

Table 1 provides a list of persons who submitted comments on the NOP.

**Table 1. List of Written Comments**

Commenter	Address and/or Affiliation	Date(s)
<b>STATE AND LOCAL AGENCY COMMENTS</b>		
Melissa B. Kraemer	California Coastal Commission	August 2, 2018
Neil Manji	California Department of Fish and Wildlife	August 30, 2018
Jesse Robertson	California Department of Transportation, District 1	August 31, 2018
Jake Shannon	North Coast Regional Water Board	August 13, 2018
Gayle Totton	Native American Heritage Commission	August 3, 2018
Richard Engel	Redwood Coast Energy Authority	August 13, 2018
Sue Strahan	Rio Dell City Council	August 15, 2018
Nick Angeloff	Rio Dell/Scotia Chamber of Commerce	August 15, 2018
Paul Newmaker	Scotia Community Services District Board Member	August 15, 2018
Frank Shaw Bacik	Town of Scotia Company, LLC	August 9, 2018
Frank Shaw Bacik and Leslie Marshall	Town of Scotia Company, LLC, and Scotia Community Services District	August 1, 2018
<b>ORGANIZATION COMMENTS</b>		
Mary Sanger	350 Humboldt (affiliate of 350.org)	August 15, 2018
Holly Goyert and Hannah Nevins	American Bird Conservancy	August 30, 2018
Shaye Wolf and Lisa T. Belenky	Center for Biological Diversity	August 30, 2018
Thomas Wheeler	Environmental Protection Information Center	August 29, 2018
Stephanie Tidwell	Friends of the Eel River	August 29, 2018

Commenter	Address and/or Affiliation	Date(s)
<b>ORGANIZATION COMMENTS (cont'd)</b>		
Lauren McClure and signatories Trinity Smith, Sky Salganek, Amon Armstrong, Joseph M. Szwczak, Gretchen O'Brien, Genevieve Rozhon, Ken Mierzwa, Scott Osborn, Krista Orr, and James McIntosh	North Coast Bat Working Group	August 30, 2018
Larry Glass	Northcoast Environmental Center	August 29, 2018
Mark Rauzon	Pacific Seabird Group	August 20, 2018
Chet Ogan	Redwood Region Audubon Society	August 26, 2018
Daniel C. Barton	The Wildlife Society, California North Coast Chapter	August 30, 2018
<b>TRIBE COMMENTS</b>		
Brenda Bowie	Bear River Band of Rhonerville Rancheria Tribe	August 21, 2018
<b>INDIVIDUAL COMMENTS</b>		
Grace Archer	P.O. Box 553, 612 1st Street, Scotia	August 15, 2018
Beverly Chang	2501 Monument Road, Rio Dell	August 28, 2018
Deidre Guy	5 Redwood Avenue, Rio Dell	August 15, 2018
Jane Hartford	220 Mill Lane, Scotia	August 18, 2018
Jane Hartford	P.O. Box 143, Scotia	August 19, 2018
David Hayes	1934 Madrone Avenue, Eureka	August 15, 2018
Carol Fritz Hoopes	Monument Mountain Vineyards, LLC, 2330 Monument Road, Rio Dell	August 28, 2018
Holly Krebs	31117 State Highway 254, Scotia	August 15, 2018
Melvin Krebs	31117 State Highway 254, Scotia	August 15, 2018
Ranada Laughlin	570 Gunnerson Lane, Rio Dell	August 15, 2018
Jennifer Mackey	1961 Monument Road, Rio Dell/P.O. Box 469, Scotia	August 15, 2018
Orenda Maitri	No address provided	August 2, 2018
marbledmurreletfriends@gmail.com	marbledmurreletfriends@gmail.com	August 29, 2018
Tom Moore	P.O. Box 274, Fortuna	August 15, 2018
Margie Plant	30716 State Highway 254, Scotia	August 15, 2018
David Smith	424 Church Street, Scotia	August 15, 2018
Tim Stack	1209 Eeloa Avenue, Rio Dell	August 19, 2018
Stephen Underwood	P.O. Box 823, Hydesville	August 28, 2018
Adrienne Wohlferl	424 Church Street, Scotia	August 15, 2018

Table 2 provides a synopsis of the written comments and the section(s) of the draft EIR in which the County will include relevant information. The comments have been paraphrased for brevity. Some comments provided information that is not directly related to CEQA and the scope of the draft EIR. This information was not included in the synopsis. Furthermore, the comments included in the synopsis may not be directly addressed in the draft EIR. For example, a few comments provided project suggestions that may not be addressed until project design. Appendix E presents copies of the comment letters and comment cards received.

**Table 2. Synopsis of Written Comments**

Comment Synopsis	EIR Section(s) that will Address the Comment
<b>AGENCY COMMENTS</b>	
<b>Melissa B. Kraemer, California Coastal Commission</b>	
The commenter requests that the analysis provide details on project-associated development in the coastal zone and potential effects on coastal resources, including public access and recreation, marine resources, biological resources and sensitive habitats, water quality, coastal waters and wetlands, coastal erosion, and other hazards. The commenter notes that the project may require a coastal development permit from the California Coastal Commission and/or the County.	Introduction, Project Description, Biological Resources, Hydrology and Water Quality
<b>Neil Manji, California Department of Fish and Wildlife</b>	
The commenter states that the analysis should consider the “no project” alternative if further studies indicate that the project site has an unacceptably high risk of bird and bat fatalities throughout the project area. He also states that the project should propose alternative locations for turbines sited within the Cape Mendocino Grasslands Important Bird Area; should incorporate at least 2 years’ worth of data in determinations about significant impacts, particularly for take estimates for birds and bats; and must analyze impacts on special-status species, wetlands, and sensitive natural communities. The commenter states that the analysis should analyze impacts of decommissioning and site remediation and describe how funding for site remediation at the end of the project term will be assured. The commenter also calls for measures to minimize impacts on bat species from colliding with wind turbines; avoidance of flight paths for the marbled murrelet during final siting decisions; measures to avoid take of raptors and fully protected species; and analysis of cumulative impacts over the life of the project. In addition, he states that data collected for the project must be reported to the California Natural Diversity Database.	Project Description, Biological Resources, Alternatives, Cumulative Impacts
<b>Jesse Robertson, California Department of Transportation, District 1</b>	
A route review was conducted for the shipment of oversized materials to be used for the wind turbines. The commenter states that the project applicant will need to obtain a transportation permit from Caltrans as a condition of project approval, and a variance permit will be required for some oversize loads. An encroachment permit application must be submitted for Caltrans review for construction work or traffic control in the state right-of-way, and the scope of the work proposed would require processing as a Caltrans “oversight” project. Construction and traffic plans for work within the state right-of-way must be signed by a licensed engineer.	Introduction, Proposed Project, Transportation and Traffic
<b>Jake Shannon, North Coast Regional Water Board</b>	
The commenter identifies himself as the point of contact for 401 water quality for Humboldt County.	Project Description, Hydrology and Water Quality

Comment Synopsis	EIR Section(s) that will Address the Comment
<b>AGENCY COMMENTS (cont'd)</b>	
<b>Gayle Totton, Native American Heritage Commission</b>	
The commenter explains the recently established CEQA category of “tribal cultural resources” and related tribal consultation and environmental analysis requirements. The commenter also describes the Native American Heritage Commission’s recommendations for cultural resources assessments.	Introduction, Cultural Resources/Tribal Cultural Resources
<b>Richard Engel, Redwood Coast Energy Authority</b>	
The commenter asks why the 32-mile gen-tie described on the County’s web page for the project is not included as a project component in Table 2 of the NOP. The commenter spoke with Terra-Gen staff about the gen-tie and he believes this is a major project component with significant associated disturbed area, with much of the acreage in forested areas. The commenter believes the gen-tie is likely to create more alteration of existing vegetation than the turbines themselves, which it appears would be installed mainly on land that is already open grassland.	Project Description, Agriculture and Forestry Resources, Biological Resources
<b>Sue Strahan, Rio Dell City Council</b>	
The commenter asks why the County has not considered other ridges and states that people do not want to see ugly windmills from U.S. Highway 101 and cities. The commenter asks about the ridges nearer to Bridgeville, and the Fort Seward area. She also asks about effects on airplanes flying to the Rohnerville Airport.	Project Description, Aesthetics, Hazards and Hazardous Materials, Transportation and Traffic, Alternatives
<b>Nick Angeloff, Rio Dell/Scotia Chamber of Commerce</b>	
The commenter states that visual impacts would be only on Rio Dell and Scotia. He states that although there would be some positive impacts on businesses, there is growing concern that there would not be a direct financial benefit to the impacted communities in the form of direct revenue to the city/community services district and/or reduced end user electrical costs resulting in a direct mitigation of visual impacts. The Rio Dell/Scotia Chamber of Commerce supports the project.	Project Description, Aesthetics, Alternatives
<b>Paul Newmaker, Scotia Community Services District Board Member</b>	
The commenter expresses concern about the visual impact of the project on homeowners in Scotia. His home is directly across from the Monument Ridge and he does not want to look at the huge wind turbines. The commenter also states that the project will drop his property value.	Aesthetics, Alternatives
<b>Frank Shaw Bacik, Town of Scotia Company, LLC</b>	
The commenter states that the environmental review consultants for the current project may need to access the records and analyses from prior, relevant Scotia EIRs, including the Headwaters litigation-settlement project EIR, especially for the biological and physical tech analyses, but also for permitting and watershed analysis; the Scotia subdivision project EIR, especially regarding Scotia traffic congestion and road construction, historical resource planning and protection, and the new zoning regulations; and the Scotia Sawmill Demolition Project, which further demonstrates the application of the special Scotia Historic Resource Protection zoning provisions. The commenter also states that the initial project use permit application and current supplement lack information regarding tree harvest, silvicultural method, volume, location, etc., and project visualizations/simulations as seen from Scotia, the closest community affected.	Project Description, Aesthetics, Biological Resources, Cultural Resources, Geology and Soils, Land Use and Planning, Transportation and Traffic

Comment Synopsis	EIR Section(s) that will Address the Comment
<b>AGENCY COMMENTS (cont'd)</b>	
<b>Frank Shaw Bacik, Town of Scotia Company, LLC, and Leslie Marshall, Scotia Community Services District</b>	
<p>The commenters explain the history of Scotia and the town's recent and current subdivision and home sales efforts. They cite the potential for visual impacts on the Monument Ridge "skyline" and the adjacent town of Scotia, and request visual simulations with viewpoints from central Scotia, Main Street, residential and commercial centers, and the U.S. Highway 101 corridor. The comment letter identifies several specific sensitive community receptor sites. The commenters state that the project's existing visualizations show views from 6 miles or farther away, in contrast with Scotia, which is a mile or so from the nearest planned turbines, and ask that the visualizations show whether the project will be lighted at night. The commenters request that the analysis examine the Headwaters HCP and CEQA and NEPA documentation, and identify how project construction compares to the HCP limits and standards. They state that project disturbance within Eel River tributary watersheds could cause a significant impact on Scotia's municipal water intake. They also request analysis regarding impacts and mitigation for directional drilling or boring underground gen-tie and communications lines across the river upstream of the intake, and evaluation of possible mass wasting and other soil-disturbing activities during and after construction. The commenters also request an analysis of tree removal in terms of habitat, volume of merchantable timber, effects on the area's geology, and changes in land use away from timber production that also require permits and other reviews. They further call for a transportation plan to be presented to the Town of Scotia, Scotia Community Services District, and other stakeholders, and cite concerns about increased traffic in Scotia, where traffic levels have already been affected by previously approved projects. They cite the potential for significant cumulative impacts related to concerns such as construction traffic, noise, and dust.</p>	<p>Introduction, Project Description, Aesthetics, Agriculture and Forestry Resources, Biological Resources, Geology and Soils, Hydrology and Water Quality, Land Use and Planning, Transportation and Traffic, Utilities and Service Systems, Cumulative Impacts</p>
<b>ORGANIZATION COMMENTS</b>	
<b>Mary Sanger, 350 Humboldt (affiliate of 350.org)</b>	
<p>The commenter asks whether any of the energy generated by the project would be sold outside Humboldt County and why the electricity would be transmitted to the Bridgeville substation versus the existing power plant.</p>	<p>Project Description</p>
<b>Holly Goyert and Hannah Nevins, American Bird Conservancy</b>	
<p>The commenters recommend that the project employ the principles of the American Bird Conservancy's "Bird-Smart" wind energy policy. The commenters recommend studying the site's risk to birds for multiple years and locating wind infrastructure away from known flyways. They state that the EIR should identify where and when the project will impinge on marbled murrelet critical habitat; implement best technology and management practices; identify high-risk areas requiring burial of transmission lines; follow Avian Power Line Interaction Committee standards for aboveground lines; use lighting that minimizes nighttime mortality of migratory birds; use un-guyed meteorological towers; restore habitat disturbed by construction; and avoid disturbance of nesting habitat during construction and tree clearing. They call for quantifying the magnitude of potential bird take, monitoring impacts, conducting at least 2 years of Postconstruction study, and compensating for impacts on murrelets, such as by acquiring and protecting additional habitat off-site.</p>	<p>Project Description, Biological Resources, Utilities and Service Systems, Alternatives</p>

Comment Synopsis	EIR Section(s) that will Address the Comment
<b>ORGANIZATION COMMENTS (cont'd)</b>	
<b>Shaye Wolf and Lisa T. Belenky, Center for Biological Diversity</b>	
<p>The commenters call out the requirements that the EIR analyze a range of feasible alternatives to the project, and that minimization and mitigation measures be adopted for truly unavoidable impacts; they explain the related legal requirements under CEQA and the federal and California Endangered Species Acts. They state that the analysis of biological resources must also address lands adjacent to and surrounding the project site, and that more consistent data are needed to avoid underestimating impacts. The commenters identify the marbled murrelet as being susceptible to collisions with turbines and displacement from nesting habitat by the proposed project, and state that the EIR should analyze impacts on this species as well as the golden eagle, little willow flycatcher, and bat species. The commenters further state that the EIR should analyze the project's impacts on aquatic and terrestrial species, soils, and water quality, as well as impacts on nearby conservation lands including Humboldt Redwoods State Park. They state that the project may increase fire risk from additional electric transmission lines and substations, and from wind turbines that could catch on fire.</p>	<p>Introduction, Project Description, Biological Resources, Geology and Soils, Hazards and Hazardous Materials, Hydrology and Water Quality, Alternatives</p>
<b>Thomas Wheeler, Environmental Protection Information Center</b>	
<p>The commenter requests that the County examine two additional alternatives: The "No-Take" Alternative, which would not result in the taking of marbled murrelets; and the Large Turbine Alternative, which would minimize the total number of turbines while still achieving the project's energy goals by using the largest feasible turbines at the site. The commenter also requests that the EIR evaluate the permanent meteorological towers, operations and management facilities, communication systems, new roads, new electrical and substation connections, and staging areas. He calls for examination of their effects on at-risk species (marbled murrelet, bald eagle, golden eagle), other avian species including bats, rare plant species, tribal cultural resources, aquatic species and resources, grid capacity, and viewsheds (particularly from wilderness areas and parks), and impacts of shipment and delivery of project materials. The commenter requests that all survey data and all plans and reports be made available online and that the County consult with the Wiyot Tribe.</p>	<p>Aesthetics, Biological Resources, Cultural Resources/Tribal Cultural Resources, Utilities and Service Systems, Alternatives</p>
<b>Stephanie Tidwell, Friends of the Eel River</b>	
<p>The commenter states that because industrial wind turbines have been found to kill birds, the project should not be approved until all biological studies are complete. She notes that, for example, a 2-year study for marbled murrelets will not be complete until at least fall 2019. The commenter also requests an evaluation of limiting nighttime turbine speeds to less than 5 meters per second to mitigate impacts on bats. In addition, she requests that the analysis disclose potential impacts of drilling under the Eel River for the transmission line near Scotia, evaluate alternatives, and ensure that best management practices are required for reducing erosion and sedimentation. The EIR should minimize soil disturbance caused by the potential for chemicals and erosion. The commenter requests that the project design a transmission corridor that minimizes habitat fragmentation from logging, water and wildlife pollution from herbicides, and erosion from maintenance, and that the analysis evaluate an alternative placing the transmission line underground along existing roadways. Above ground, poles should be as far from streams as possible. The commenter asks how the proposed transmission line would differ from those that cause fires, as in Sonoma and Mendocino Counties. She also requests that the EIR evaluate potential sediment impacts downstream on salmonid, amphibian, and aquatic habitats, as well as viewshed impacts on state and county parks and other recreation areas near the project site.</p>	<p>Project Description, Aesthetics, Biological Resources, Geology and Soils, Hydrology and Water Quality, Utilities and Service Systems, Alternatives</p>



Comment Synopsis	EIR Section(s) that will Address the Comment
<b>ORGANIZATION COMMENTS (cont'd)</b>	
<b>Lauren McClure and signatories Trinity Smith, Sky Salganek, Amon Armstrong, Joseph M. Szewczak, Gretchen O'Brien, Genevieve Rozhon, Ken Mierzwa, Scott Osborn, Krista Orr, and James McIntosh, North Coast Bat Working Group</b>	
The commenters recommend preproject comprehensive bat surveys, such as long-term (multiyear, multiple-season) acoustic surveys in locations throughout the area where turbines would be located to establish a baseline of use and migratory patterns. Based on the results, the County should require the project applicant to curtail energy production during high-risk periods as operational mitigation of effects on bats.	Project Description, Biological Resources
<b>Larry Glass, Northcoast Environmental Center</b>	
The commenter states that the draft EIR should be released and decisions made about the project only after all biological and other environmental impact studies are complete, and he requests immediate release to the public of the biological resources work plan prepared for the project. He notes that, for example, 2 years of radar-based marbled murrelet studies are planned and will not be complete until at least the end of 2019. The commenter also calls for evaluation of impacts on marbled murrelets, raptors, and migratory birds and bats, using project site-specific data gathered when species are present. He also calls for discussion of impacts of road construction, improvements and operation, and transmission line construction and operation on native plant communities, aquatic resources (including sediment impacts downstream), and transmission line collision impacts on marbled murrelets. The commenter also requests analyses of the environmental impacts of upgrades to local infrastructure required for construction and transport of project materials, as well as viewshed effects for recreational users of parks and other public lands.	Biological Resources, Aesthetics, Hydrology and Water Quality
<b>Mark Rauzon, Pacific Seabird Group</b>	
The commenter expresses concern that the project could result in a significant impact on the marbled murrelet, which is listed as threatened under the federal Endangered Species Act and as endangered under the California Endangered Species Act: Birds could collide with the project's wind energy turbines, resulting in direct mortality. The commenter recommends situating turbines at least 1 mile away from occupied murrelet sites; curtailing turbine operation during the breeding season (April–September); creating robust mitigation plans; changing the turbine design to nonlethal structures; and following the U.S. Fish and Wildlife Service's best practices for wind energy.	Project Description, Biological Resources, Alternatives
<b>Chet Ogan, Redwood Region Audubon Society</b>	
The commenter states that impacts on federally listed species including marbled murrelet and northern spotted owl should be a major focus of the environmental document. He also identifies diurnal and migratory raptors such as turkey vultures, red-tailed hawk, osprey, ferruginous hawk, and rough-legged hawk, as well as Vaux's swift, burrowing owl, and California condor as species about which the Redwood Audubon Society is concerned relative to the project. The commenter encourages the project to employ local wildlife biologists to help with preproject surveys and postproject monitoring.	Project Description, Biological Resources
<b>Daniel C. Barton, The Wildlife Society, California North Coast Chapter</b>	
The commenter expresses concern about impacts of the project on all wildlife, especially bird and bat species. He states that impacts on federally listed species including marbled murrelet should be a major focus of the analysis, and also expresses concern about downstream impacts on aquatic wildlife and fisheries resources via sedimentation, including listed anadromous fishes and foothill yellow-legged frog. The commenter also suggests that any additional monitoring conducted be offered to qualified local biologists as a means of supporting the local economy.	Project Description, Biological Resources

Comment Synopsis	EIR Section(s) that will Address the Comment
<b>TRIBE COMMENTS</b>	
<b>Brenda Bowie, Bear River Band of Rhonerville Rancheria Tribe</b>	
The commenter, a Chilula Indian and part owner of trust property in Redwood Creek as well as a Wiyot Indian and Tribal Member of the recognized Bear River Band of the Rohnerville Rancheria Tribe, would like to be informed of the findings of the Phase 1 cultural resources survey for the project and consulted as a member of her Native American Tribes. She asks that the project not disturb the land if any artifacts are found, and states that she opposes the project and approval of a conditional use permit.	Cultural Resources/Tribal Cultural Resources
<b>INDIVIDUAL COMMENTS</b>	
<b>Grace Archer</b>	
The commenter questions how Humboldt County will benefit from the project, and asks whether there is a real need for it and where the water will come from for the project. The commenter states that she is worried about the aesthetics of the “monstrous” turbines. She asks that the analysis study effects on the birds, light pollution, noise pollution, and wildlife.	Project Description, Aesthetics, Biological Resources, Hydrology and Water Quality, Noise, Utilities and Service Systems
<b>Beverly Chang</b>	
The commenter expresses concern about the potential for defunct wind turbines littering the skyline. She requests that the County ensure that a bond is in place to cover a span of 35 or more years, in the amount necessary to cover the future costs of removing 60 wind turbines and related infrastructure after malfunctioning, nonoperation, or the end of the turbines’ life expectancy. The commenter also requests that the zoning in the general plan not be changed and that no conditional use permit be issued.	Project Description, Land Use and Planning
<b>Deidre Guy</b>	
The commenter asks whether the landowners will receive compensation for the use of their land for the project, whether such compensation will be a flat fee or annual payment, and whether the compensation will come from County tax revenues. The commenter also asks what the project will cost for Humboldt County residents.	Introduction, Project Description
<b>Jane Hartford (August 18, 2018)</b>	
The commenter attaches the Town of Scotia and Scotia Community Service District’s comments on the project and states that she opposes the project for the same reasons they cited, and because her reasons for buying a home in Scotia, related to the area’s redwood forests and natural beauty, would be destroyed if the project were to proceed. She alleges that the project proponent intentionally picked two of the poorest towns in Humboldt County as the project location because poverty is not conducive to active citizenship. She states that with the ongoing negative publicity about heroin addiction in the county, County officials may not want to be associated with the project in its current location because is bound to attract negative publicity from journalists. The commenter states that plenty of other mountain ridges could support the project; she suggests relocating the project closer to Bridgeville above Highway 36, or between Blue Lake and Willow Creek above State Route 299. She states that the project would hinder home sales by the Town of Scotia LLC.	Aesthetics, Biological Resources, Alternatives

Comment Synopsis	EIR Section(s) that will Address the Comment
<b>INDIVIDUAL COMMENTS (cont'd)</b>	
<b>Jane Hartford (August 19, 2018)</b>	
The commenter asks whether the reduction of carbon dioxide by the proposed project over 30 years would be greater than that of the number of trees that would be killed to make way for the project, and wants to know how much carbon dioxide would be released into the environment when the trees are killed. The commenter asks how much greater a reduction of carbon dioxide in the air would occur with the project's wind energy than would have been provided in the lifetime of the trees killed by the project (if the reduction would be greater with the project). The commenter also asks about the potential long-term cost to the environment in 30 years when the project would have to be deconstructed and hauled away. She asks whether the project proponent has considered implementing the project off the coast of the less populated area of the county near Petrolia. She states that fast-tracking the project would benefit no one and that a more methodical approach is appropriate.	Air Quality, Biological Resources,
<b>David Hayes</b>	
The commenter's property is between the Van Duzen River and Highway 36 near Mile Post 22. The commenter asks whether he is correct in understanding that the proposed location for the Gen-Tie line near his property is entirely south of the river, and requests clarification of the relationship between the proposed new Gen-Tie location and the location of the existing PG&E transmission line right-of-way.	Project Description
<b>Carol Fritz Hoopes (Monument Mountain Vineyards)</b>	
The commenter, who lives within 2 miles of the proposed project, expresses her opposition to the project. She expresses concern about noise from turbine operation; shadow impacts from the size of the proposed wind turbines; effects of the blades on television and cell phone reception and emergency response; "flicker" or strobe light reflection from rotation of the blades; traffic impacts, especially on Monument Road, which would not be upgraded but needs an upgrade; and impacts on scenic views caused by deviation from the Humboldt County General Plan in regard to agricultural and forestry resources. The commenter also opposes the project proponent's use of federal and state tax credits available until 2020 to build the project, expressing concern that the 60 turbines will be simply left in place with the proponent walking away after the 10-year bond is depleted. She states that her property value and that of residents in Rio Dell and Scotia will be adversely affected, and that the area's landscape will be forever adversely changed. The commenter states that the project will adversely affect ridgetop bird migration, migration during cloudy and foggy days, raptor inhabitation, and activities by mammals, and calls for a project review under NEPA and consultation under the Endangered Species Act. She cites the potential for erosion in remote ridgetop areas from construction work and truck traffic and parking. The commenter also questions the benefit of placing 25- to 54-story towers (wind turbines) on a visible prairie land ridge, and on typically forested mountain tops. Finally, she questions whether the power grid in Bridgeville will be able to transfer the energy generated, and provides a conceptual rendering depicting what she believes will be the view of the proposed wind turbines from her front yard.	Introduction, Proposed Project, Aesthetics, Biological Resources, Utilities and Service Systems, Hydrology and Water Quality, Alternatives
<b>Holly Krebs</b>	
The commenter asks who is being financially compensated for the project, how much, and for how long.	Introduction, Project Description
<b>Melvin Krebs</b>	
The commenter asks about the level of carbon dioxide that will not be generated by the project, stating that the answer would help environmentalists accept the project.	Project Description, Greenhouse Gas Emissions

Comment Synopsis	EIR Section(s) that will Address the Comment
<b>INDIVIDUAL COMMENTS (cont'd)</b>	
<b>Ranada Laughlin</b>	
The commenter states that the project would pose a threat to protected species: marbled murrelets, spotted owls, golden eagles, bald eagles, kestrels and other birds of prey, as well as songbirds, migratory geese, and bats. The commenter also expresses concern that sedimentation from proposed undergrounding of utilities and road construction to project sites could affect water quality for the Town of Scotia and City of Rio Dell and harm fish. The commenter further states that overhead power lines pose additional threats to birds and bats and require a corridor that must be maintained regularly, causing further habitat disruption. She calls for more public hearings and transparency and a project Web site with frequently asked questions. If the project moves forward to development, the project should develop a habitat protection plan, including a fatality monitoring program over the life of the project, and provide a publicly accessible database on bird/bat fatalities. The commenter also suggests a decommissioning plan with guidelines detailing who will be responsible for removal at the end of project life, as well as a bond and clarification of who is liable. In addition, the commenter requests an estimate of the number of birds expected to be killed annually based on data from other project locations.	Biological Resources, Hydrology and Water Quality, Utilities and Service Systems
<b>Jennifer Mackey</b>	
The commenter expresses concern about closure of the Bear River Ridge and about PG&E access lines used/easement for overland. She also asks about the final view of fencing around the project and 250-foot-wide swatch, and asks whether the turbines can be dropped behind the ridge to maintain the pristine view.	Project Description, Aesthetics, Utilities and Service Systems, Alternatives
<b>Orenda Maitri</b>	
The commenter encourages the use of tethered, airborne wind energy, stating that it is movable and the lines can be adjusted to wind flow. The commenter states that the negative impact on wildlife, including ocean mammals, would also be reduced if used near the coast.	Project Description, Alternatives
<b>marbledmurreletfriends@gmail.com</b>	
The commenter states that marbled murrelets make thousands of flights over the project area annually during breeding season and a high likelihood of direct mortality exists as a result of the proposed wind turbines. The project's environmental review documents must analyze the requirement to reinitiate consultation under the federal Endangered Species Act for listed species, including the marbled murrelet.	Introduction, Project Description, Biological Resources
<b>Tom Moore</b>	
The commenter asks whether Monument Road and Bear River Ridge Road will be improved and maintained over the life span of the turbines, and how often the roadways will be worked on. He also asks whether new power lines will be installed and maintained along Monument Road.	Project Description, Utilities and Service Systems
<b>Margie Plant</b>	
The commenter states that she supports the idea of alternative energy for the area, and asks whether the project could reduce local rates and if so, by how much. She also asks whether road construction to support transport of the wind turbines will include structural support or replacement of bridges.	Introduction, Project Description, Transportation and Traffic
<b>David Smith</b>	
The commenter asks whether the project will make power cheaper, why the particular project site location was chosen, and when he can vote yes or no.	Introduction, Proposed Project, Alternatives

Comment Synopsis	EIR Section(s) that will Address the Comment
<b>INDIVIDUAL COMMENTS (cont'd)</b>	
<b>Tim Stack</b>	
The commenter asks where the turbines will be manufactured; how much fossil fuel will be used to manufacture, transport, and install them; what their life expectancy is; and what the cost will be to decommission.	Project Description, Greenhouse Gas Emissions
<b>Stephen Underwood</b>	
The commenter states that the EIR should address marbled murrelets, including impacts from power lines and turbines; effects on raptors, spotted owls, and migratory birds (Pacific Flyway); the minimum number of long-term, full-time jobs anticipated to be provided by the project; and biological and recreational impacts on state and county parks.	Proposed Project, Biological Resources, Recreation
<b>Adrianne Wohlferl</b>	
The commenter says that she will be voting against the project and states that she didn't care for the speakers who answered questions at the meeting. She states her belief that more than 70% of the audience also opposed the project.	Introduction, Alternatives
Notes: Caltrans = California Department of Transportation; County = Humboldt County; EIR = environmental impact report; HCP = habitat conservation plan; NEPA = National Environmental Policy Act; NOP = notice of preparation; PG&E = Pacific Gas and Electric Company	

## SCOPE OF THE ENVIRONMENTAL IMPACT REPORT

Humboldt County has determined that a draft EIR should be prepared to evaluate the potential environmental impacts of the Humboldt Wind Energy Project. As required by CEQA, the draft EIR will describe existing conditions and evaluate the potential environmental effects of the proposed project and a reasonable range of alternatives, including the no-project alternative. It will address direct, indirect, and cumulative effects. The draft EIR will identify feasible mitigation measures, if available, to reduce potentially significant impacts. Topics to be evaluated in the draft EIR include:

- ▶ Project Description
- ▶ Aesthetics
- ▶ Agriculture and Forestry Resources
- ▶ Air Quality
- ▶ Biological Resources
- ▶ Cultural Resources/Tribal Cultural Resources
- ▶ Geology and Soils, Paleontological Resources
- ▶ Greenhouse Gas Emissions
- ▶ Hazards and Hazardous Materials
- ▶ Hydrology and Water Quality
- ▶ Land Use and Planning
- ▶ Mineral Resources
- ▶ Noise
- ▶ Population and Housing
- ▶ Public Services
- ▶ Recreation
- ▶ Transportation and Traffic
- ▶ Utilities and Service Systems (Water Supply)
- ▶ Alternatives
- ▶ Cumulative Impacts
- ▶ Other CEQA-Required Analyses

## **APPENDIX A**

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Notice of Preparation



**COUNTY OF HUMBOLDT  
PLANNING & BUILDING DEPARTMENT**

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3015 H Street Eureka, CA 95501  
Phone: (707) 445-7541 Fax: (707) 268-3792  
<http://www.co.humboldt.ca.us/planning/>

**NOTICE OF PREPARATION OF A DRAFT ENVIRONMENTAL IMPACT REPORT**

Date: July 31, 2018

To: Interested Parties  
All Recipients on the Distribution List

Lead Agency: County of Humboldt Planning & Building Department

Contact: Cliff Johnson, Senior Planner  
County of Humboldt Planning & Building Department  
3015 H Street  
Eureka, CA 95501

Project Title: Humboldt Wind Energy Project

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**BACKGROUND**

The County of Humboldt (County) Planning & Building Department has received an application from Humboldt Wind, LLC (Applicant) for a conditional use permit (CUP) to construct and operate the Humboldt Wind Energy Project (Project), a wind energy generation facility in Humboldt County, California. The issuance of the CUP is a "project" as defined by the California Environmental Quality Act (CEQA) and subject to environmental review. After examining the application, the County determined that an environmental impact report (EIR) is required and released this notice of preparation (NOP) consistent with the requirements outlined in Section 15063(a) of the State CEQA Guidelines.

**NOTICE OF PREPARATION**

Once the decision to prepare an EIR is made, the lead agency must distribute an NOP for a 30-day comment period to inform all responsible and trustee agencies and interested persons that an EIR will be prepared (State CEQA Guidelines, Section 15082). The intent of an NOP is to provide stakeholders with sufficient information describing a proposed project and its potential environmental effects to enable responsible and trustee agencies and the public to make a meaningful response related to the scope and content of information to be included in the EIR.

The purpose of this notice is twofold:

- (1) to solicit input, by **August 30, 2018**, from interested individuals, groups, and responsible and trustee agencies about the desired content and scope of the draft EIR to be prepared by the County of Humboldt for the proposed Project (see attachments); and
- (2) to announce public scoping meetings for the proposed Project, to be held at the following times and locations:
  - a. August 14, 2018: 2–4 p.m. Regulatory agency only consultation at Sequoia Conference Center, 901 Myrtle Avenue, Eureka
  - b. August 14, 2018: 6–8 p.m. Public meeting at Sequoia Conference Center, 901 Myrtle Avenue, Eureka
  - c. August 15, 2018: 6–8 p.m. Public meeting at Winema Theater, 125 Main Street, Scotia

#### **DOCUMENTS AVAILABLE FOR PUBLIC REVIEW**

The NOP and related Project documents are available for public review at the following location:

County of Humboldt Planning & Building Department  
3015 H Street  
Eureka, CA 95501

The documents are also available for public review online at: <https://humboldt.gov/2408/Humboldt-Wind-Energy-Project>.

The County Planning & Building Department welcomes input from responsible and trustee agencies during this review. Written comments should be postmarked no later than **5 p.m. August 30, 2018**. Please indicate a contact person in your response and send your comments to:

Cliff Johnson, Senior Planner  
County of Humboldt Planning & Building Department  
3015 H Street  
Eureka, CA 95501  
CJohnson@co.humboldt.ca.us



## PROJECT LOCATION AND SETTING

The Project traverses land bisected by U.S. Highway 101 (U.S. 101), roughly 12 miles southeast of the city of Fortuna and 20 miles north of the community of Garberville (Figure 1). The community of Scotia is located adjacent to the northern edge of the Project alignment.

Vegetation along the alignment is primarily evergreen woodlands and the topography is steep, with elevations ranging from nearly sea level to almost 3,100 feet above sea level. A portion of the area's woodland acreage is under timber production or subject to Williamson Act contracts. The alignment for the proposed general transmission line (Gen-Tie) for the Project would require crossing the Eel River (Figure 2a). Boring under the river is planned for this segment to reduce visibility and minimize potential impacts to marbled murrelet. The point of interconnection with Pacific Gas and Electric Company's (PG&E's) transmission grid would be the Bridgeville Substation (Figure 2b) through one of three optional routes under consideration.

Table 1 lists the assessor's parcel numbers for lands along the Project alignment.

**Table 1 Project Assessor's Parcel Numbers**

Assessor's Parcel Numbers
10213204, 10301204, 10619110, 10619111, 10619112, 20502105, 20502106, 20502114, 20502115, 20502117, 20502119, 20502121, 20502122, 20502123, 20502124, 20505101, 20505108, 20505109, 20505110, 20505111, 20505122, 20506102, 20506107, 20506111, 20522101, 20531102, 20531104, 20532132, 20532133, 20532134, 20533103, 20533106, 20533107, 20534106, 20534108, 20534111, 20534113, 20534118, 20534119, 20535112, 20535126, 20535130, 20626207, 20707427, 20712405, 20712604, 20718105, 20718116, 20718119, 20718209, 20718211, 20718303, 20718304, 20718404, 20718406, 20718502, 20718503, 20718605, 20718607, 20718609, 20718613, 20721101, 20721102, 20721202, 20721301, 20721302, 20721303, 20722101, 20722103, 20722601, 20723103, 20723107, 20723201, 20723202, 20731102, 20734101, 20811109, 20811114, 20811402, 20812101, 20812107, 20812110, 20813106, 20813501, 20813503, 20813504, 20813505, 20814101, 20814111, 20908122, 20919101, 20919102, 20919103, 20919112, 20919113, 20920102, 20920103, 20920107, 20920108, 20920110, 20921108, 20921109, 20921110, 20921111, 20925102, 20926102, 20926103, 20928104, 20940101, 20940102, 20940110, 20940115, 20940116, 20940123, 21101104, 21101202, 21101301, 21102302, 21145302, 21145303, 21146101, 21146204, 21147101, 21147201

## LAND USE PLANS

The Humboldt County General Plan land use designations along the Project alignment consist primarily of Timberland, with Industrial, Agricultural Grazing, and Urban Development Area overlay where the Gen-Tie crosses U.S. 101.

Lands crossed by the Project are primarily zoned Agriculture Exclusive (AE) and Timber Production Zone (TPZ), except for limited intermittent segments of the Gen-Tie. The land is currently in timber production. Under the AE and TPZ designations, wind energy facilities require a CUP from the County. Constructing and operating electrical distribution and transmission lines are permitted uses in the TPZ;

however, a CUP is required in the AE zone. Accordingly, the applicant is submitting a CUP application pursuant to County Code Section 3.1.2, which, if approved, would cover all Project related activities.

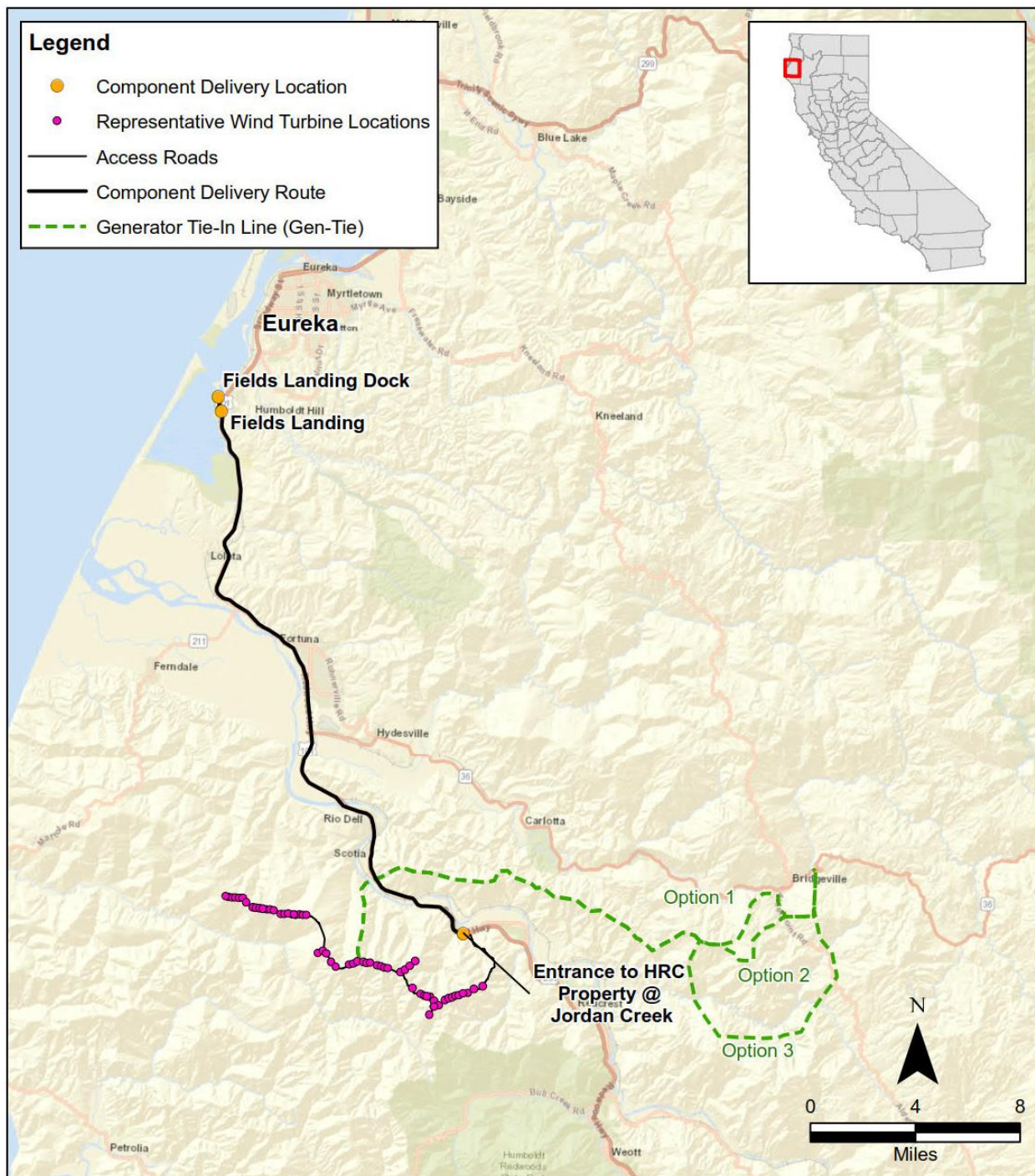
## **PROJECT DESCRIPTION**

The Project would construct and operate 60 wind turbine generators (WTGs) and associated infrastructure with a nameplate generating capacity (i.e., theoretical maximum energy generation) of up to 155 megawatts (MW). In addition to the wind turbines and transformers, the Project would include ancillary facilities such as temporary staging areas, access roads, 34.5-kilovolt (kV) collection lines (collection system), an operations and maintenance (O&M) building, a substation with energy storage infrastructure, utility switchyard modification, and a 115-kV Gen-Tie.

Figure 2a and 2b shows the representative locations of Project infrastructure based on the information available at the time this NOP was released. The Applicant is conducting studies along the planned alignment to collect information regarding the resources present. Data gained from these studies will be used to inform the Project's design, with the intent of avoiding and minimizing environmental impacts. Therefore, the Project layout depicted in Figure 2a and 2b illustrates a development corridor within which Project infrastructure would be sited, and is subject to refinement.

The Project would include the following elements:

- up to 60 WTGs depicted in Figure 2a and 2b, ranging between 2.2 and 4.5 MW, erected on tubular steel towers set on concrete foundations, and associated turbine pads, temporary staging areas, and transformers;
- new roads, including temporary access roads required for construction and permanent service roads for O&M, and improvements to existing public roads to facilitate turbine delivery;
- a 115-kV Gen-Tie connecting the Project with the existing PG&E transmission system, with a below-surface crossing of the Eel River (Figure 2a);
- a substation to connect to the Gen-Tie;
- a collection system linking WTGs to each other and to the substation;
- a communication system (fiber optic cable) adjacent to the collection system;
- an O&M facility, including an operations building and an outdoor storage area;
- permanent meteorological towers;
- a 10-acre temporary staging area and a construction trailer and parking area located within the O&M facility; and
- three, 5-acre temporary staging areas distributed throughout the Project site, including as many as two, temporary cement batch plants operating at two of the three staging areas.



**AECOM**

**Figure 1. Project Vicinity**



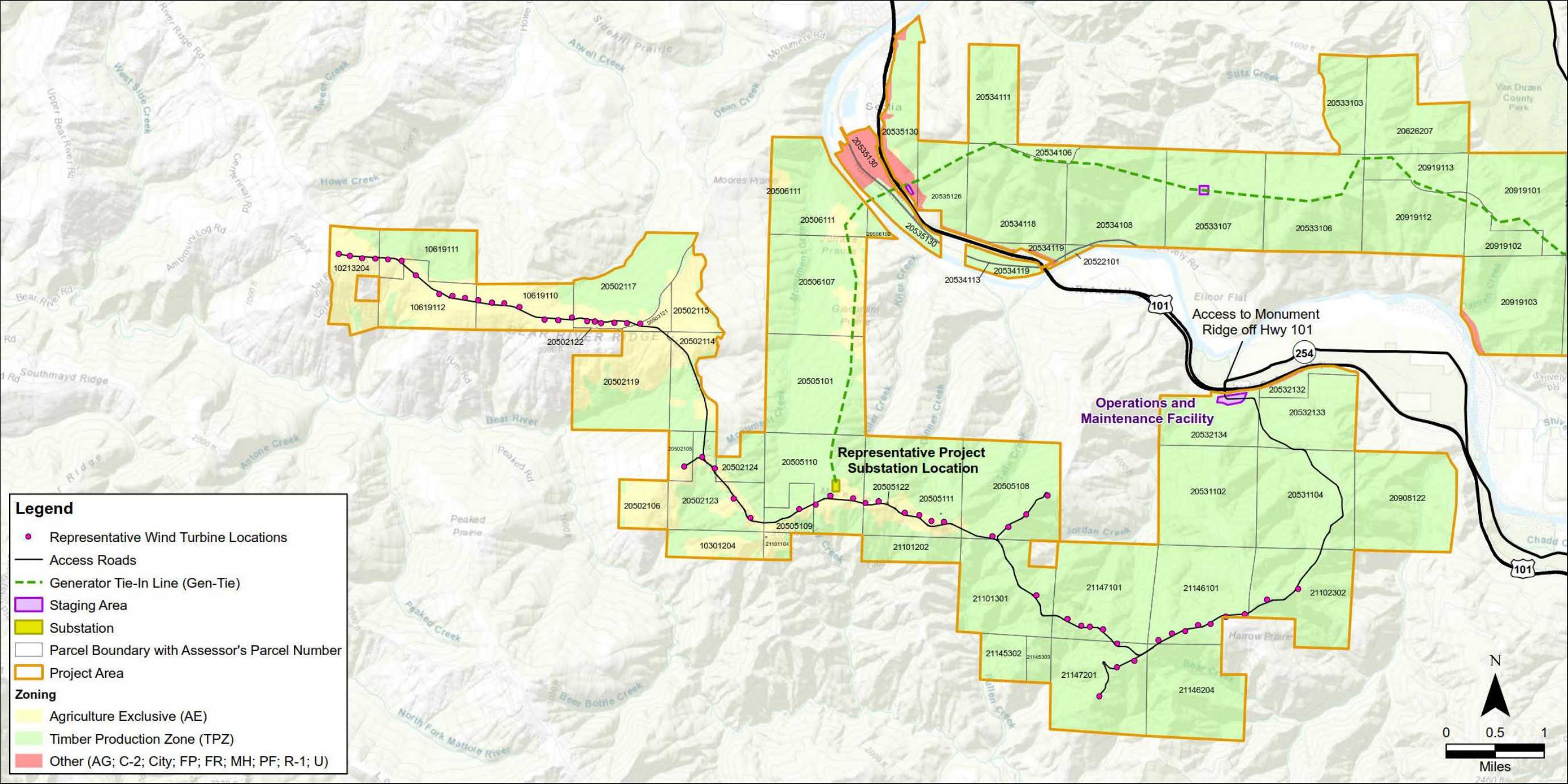
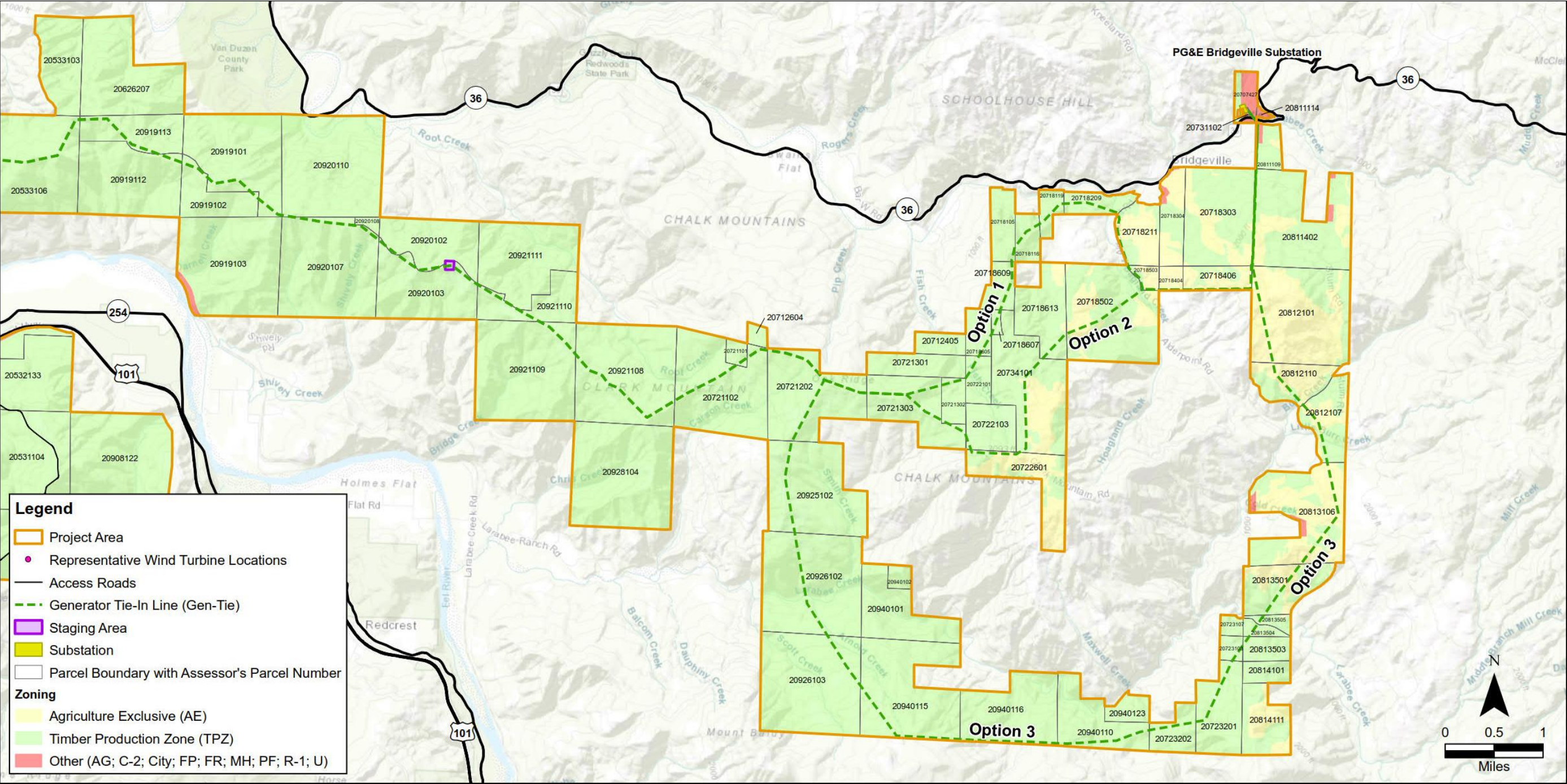


Figure 2a. Project Area and Plan (Sheet 1 of 2)





**AECOM**

Figure 2b. Project Area and Plan (Sheet 2 of 2)



Table 2 identifies the typical dimensions and disturbance areas for each Project component.

**Table 2: Project Components and Associated Disturbance Areas**

Component	Quantity	Typical Disturbance Area	
		During Construction	Permanent
Turbines and pads <sup>a</sup>	Maximum of 60	Approximately 4 acres per turbine	0.3 acre per turbine
Collection system <sup>b</sup>	Maximum length of 19 miles	30-foot width	12- to 24-inch-wide trench (filled)
Substation	1	5 acres	5 acres
Modified utility switchyard	1	3 acres	3 acres
Access roads	Up to 17 miles of new roads	Turbine string roads: 24-foot gravel surface with 50-foot width for crane access and 200-foot width for grading and matching slopes	<i>Turbine string roads:</i> 24-foot-wide gravel surface with a 1-foot shoulder on both sides; nominally up to an additional 12 feet on either side, where required for stormwater management control  <i>Project access roads:</i> 24-foot-wide gravel surface; 200-foot width for grading and matching slopes
O&M facility	1	Within temporary construction area; no additional disturbance	3–5 acres total, including a 5,000- to 6,000-square-foot building
Temporary construction areas (trailer and parking)	1	10 acres	NA
Temporary staging areas	2	5 acres per staging area	NA
Temporary cement batch plant	Up to 2	Within temporary construction area; no additional disturbance	NA
Meteorological towers	4 (2 would be permanent)	1.5 acres per tower	900 square feet
NA = not applicable; O&M = operations and maintenance <sup>a</sup> Includes temporary staging areas <sup>b</sup> Portions of the collection system would be constructed within access roads; no additional permanent impacts would occur in these areas. Note that acreage includes collocated underground fiber-optic communications cable.			

## **Construction Activity and Schedule**

Construction would last between 16 and 18 months. The sequence of construction activities would generally be as follows: site preparation/grading, tree clearing, access road construction, turbine foundation construction, collection system installation, substation construction, Gen-Tie installation, switchyard installation, turbine installation, final testing and turbine commissioning, O&M facilities installation, and cleanup and restoration.

The project requires creation of a temporary staging area, construction trailer area, and associated parking area on an approximately 10-acre compacted gravel pad. During construction, the staging area would be used to store large equipment and materials, to refuel equipment, and to collect and temporarily store construction waste. It also would serve as a place to park vehicles, set a temporary mobile for use as construction office space, and temporary (portable) sanitary facilities. A vendor-supplied fuel truck that would make daily or weekly deliveries to fill approved storage tanks that would be used to refuel construction vehicles. Following construction, this area would become part of the Project's O&M facility (Figure 2a).

Three smaller staging areas would also be needed along the alignment. Each would consist of five acres that would be used to stage construction equipment, materials and contractor trailers (Figures 2a and 2b). The temporary staging areas would be cleared of vegetation, compacted to support construction equipment, and may be graveled depending on soil conditions.

The applicant is in the process of determining the point of delivery for the Project's wind turbines and related equipment. It is anticipated that equipment would be shipped to Field's Landing in Humboldt Bay, and would be delivered by truck via U.S. 101 to the temporary staging area(s) located near the Jordan Creek off-ramp (Figure 1). Upon arrival at the temporary staging area(s), the equipment either would be offloaded or stored, or would be hauled directly to the worksite and installed. Access roads would be used to transport equipment from the temporary staging area to the worksite.

To facilitate the delivery of Project components along the U.S. 101 corridor, modifications to existing roads may be required. Such modifications could include but would not be limited to creating temporary off-ramps to bypass portions of U.S. 101; temporarily relocating obstacles such as fences and street signs; temporarily relocating or extending overhead utility poles; and removing or pruning vegetation within existing road rights-of-way. If needed, Project-specific traffic controls would allow for equipment delivery while maintaining ingress and egress for emergency service providers. The Applicant is determining the scope of the temporary modifications and traffic controls and will submit a transportation plan to the County and the California Department of Transportation.

## **SUMMARY OF KEY ENVIRONMENTAL ISSUES TO BE ADDRESSED IN THE EIR**

Pursuant to Section 15064 of the State CEQA Guidelines, the discussion of potential Project effects on the environment in the EIR will concentrate on those impacts that the County has determined may be potentially significant. The detailed analysis will evaluate the Project; however, the EIR will also describe a range of reasonable alternatives to the proposed Project that are capable of meeting most of the Project's objectives, and that would avoid or substantially lessen any of the significant effects of the Project, consistent with State CEQA Guidelines Section 15126.6. The EIR will also evaluate the cumulative impacts of the Project when considered in conjunction with other related past, present, and reasonably foreseeable future projects.

The following topics will be evaluated in the EIR:

- **Aesthetics**—The EIR will characterize the visual setting through use of photographs and computer modeling. Through use of photo-realistic visual simulations, impacts of Project construction and operation on scenic resources and vistas will be described. Avoidance and mitigation measures would be imposed where significant impacts are identified.
- **Agriculture and Forestry Resources**—The EIR will evaluate the potential direct and indirect impacts to timberlands and land designated Agricultural Preserves that are subject to Williamson Act contracts.
- **Air Quality**—The Draft EIR will consider direct and indirect impacts to regional and local air quality because of project construction and operation. Emissions of criteria air pollutants will be estimated using computer models and methodology approved by the North Coast Unified Air Pollution Control District (NCUAPCD). Project consistency with adopted plans or policies intended to address air quality will be evaluated and avoidance measures identified.
- **Biological Resources**—The Project area is covered in managed forestlands, mixed with evergreen and deciduous forest types. Shrub/scrublands, annual grasslands, and developed roads make up the remaining land cover in the Project area. The EIR will characterize the existing resources found along the project alignment and analyze impacts of the proposed Project on these biological resources. No avoidance measures or permits have been identified at this time, but such measures may be included in the Project EIR.
- **Cultural Resources**—The EIR will identify and analyze impacts of the proposed Project on cultural and tribal cultural resources based on the findings of a Phase 1 cultural resources survey. In addition, consultation with representatives of the Yurok and Wiyot, Karok, Hoopa, Chilula, and Whilkut tribes, and other Native American tribe interests, may need to be conducted in compliance with Assembly Bill (AB) 52, which requires such consultation as part of a project's CEQA review.
- **Geology and Soils**—In general, the Project area is susceptible to ground shaking. Slope stability in the Project area ranges from moderate to highly unstable. The EIR will programmatically evaluate impacts from landsliding and unstable soils that could result from grading, roads, and new development. It is anticipated that site-specific geotechnical investigations would be conducted before construction.
- **Greenhouse Gas Emissions**—In the North Bay Air Basin, North Coast Unified Air Quality Management District (NCUAQMD) regulates greenhouse gas emissions through its Rule 111 (Federal Permitting Requirements for Sources of Greenhouse Gases). The EIR will evaluate the Project in terms of its consistency with Rule 111, California's Greenhouse Gas (GHG) reduction goals, recommendations contained in the AB 32 Scoping Plan, and other recent guidance documents regarding Project-generated GHG emissions. Avoidance measures or permits may be identified in the Project EIR.
- **Hazardous and Hazardous Materials**—The EIR will assess hazards and hazardous materials impacts from wind energy sites by considering storage, handling, and application practices of hazardous materials, and will review the hazards of permitting new and wind energy activities in



areas of wildland fire risk. The EIR will also analyze specific requirements for the Project based on the turbine heights. Site-specific aviation conditions will be developed in conjunction with the Federal Aviation Administration (FAA), and turbine lighting would be consistent with all FAA requirements.

- **Hydrology and Water Quality**—Rivers, creeks, and drainages within the Project boundaries could be subject to disturbance during construction. The EIR will identify and analyze impacts of the Project on hydrology and water quality in the area. Avoidance measures to minimize impacts on water quality, including boring under the Eel River, have been identified and are included in the Project design. To support the EIR, a delineation of wetlands and waters will be conducted to determine jurisdictional water features on the Project site.
- **Land Use and Planning**—The Project site is located within lands designated for agricultural and timber production by Humboldt County. The EIR will evaluate the proposed Project for consistency with existing local land use policies and regulations, including applicable habitat conservation plans, local coastal plans, and airport land use plans. No avoidance measures or permits have been identified at this time, but such measures may be included in the Project EIR.
- **Mineral Resources**—Humboldt County is one of 16 counties within California where the State Geologist has not classified the land based on the known or inferred mineral resource potential of that land, pursuant to the Surface Mining and Reclamation Act (SMARA) classifications. The location of some of the proposed wind turbines and the Gen-Tie would overlap some of the SMARA parcels. The EIR will identify and analyze impacts of the Project on mineral resources in Humboldt County. No avoidance measures or permits have been identified at this time, but such measures may be included in the Project EIR.
- **Noise**—The Project site lies in undeveloped area of the county where noise levels are very low, limited to noise from cattle grazing and occasional vehicles. The EIR will identify and analyze impacts of the Project on ambient noise levels, with emphasis on changes experienced by noise-sensitive receptors. No avoidance measures or permits have been identified at this time, but such measures may be included in the Project EIR.
- **Population and Housing**—The Project site lies in an unincorporated and largely undeveloped area of the county, and there is no housing on the Project site or in the immediate vicinity. The EIR will identify and analyze impacts of the Project on population and housing.
- **Public Services**—The Project site travels across land containing a High or Very High Fire hazard designation. The EIR will examine the potential for construction and operation to increase demands on local firefighters. The California Highway Patrol is responsible for enforcing traffic laws on roadways in unincorporated areas and on state highways throughout the county. The sheriff's office has mutual aid agreements with cities and the California Highway Patrol. The EIR will examine the potential for construction and operation to increase demands on law enforcement.
- **Recreation**—Humboldt Redwoods State Park, Grizzly Creek State Park, and Van Duzen County Park lie within 5 miles of the Project site. The EIR will identify and analyze impacts of the Project on recreational resources.

- **Transportation and Traffic**—The roadway network in the unincorporated parts of the county is primarily rural in character, serving small communities through a system of federal and state freeways and highways, county roads (including arterials, collectors, and local streets), and private roads. The EIR will identify and analyze impacts of the Project on the circulation system. No avoidance measures or permits have been identified at this time, but such measures may be included in the Project EIR.
- **Utilities and Service Systems**—The Project alignment is located on rural hillsides in an area that is not provided with municipal services such as potable-water delivery or wastewater systems. The EIR will identify and analyze impacts of the proposed Project on existing utility systems and services. No avoidance measures or permits have been identified at this time, but such measures may be included in the Project EIR.

## **APPENDIX B**

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### Scoping Meeting Sign-in Sheets

Scoping Meeting for the Draft EIR for the  
Humboldt Wind Energy Project

**SIGN IN SHEET**

AUGUST 14, 2018

(Please sign in before the meeting.)

NAME	ORGANIZATION	ADDRESS	PHONE NUMBER / E-MAIL
Frank Wilson	Rio Dell Ctr/Council	P.O. Box 331 Scotts Ca	frw3consulting@gmail.com
Annie Nudger	Cox Castle		415 262 5107
Watauni Dine		825 5th St	707-476-2365
Rigland Muly	Humboldt Harbor	110 Rideout St. Sarnon	Janice Fog @ AOL.com
David Hayes		1934 Madrone	672-9409
Liana Emery	HSU	3503 LK Wood Arcata	cre136@humboldt.edu
Lori Biondini	RCEA		lbiondini@redwoodenergy.net
Stephen Kullmann	HDRRED	PO Box 1123 Blue Lake	kullmann.bluelake@gmail.com
Nathan Vajdas	Terra-Gen		NVAJDOS@TERRA-GEN.COM
Yasmine Akky	Stantec	100 California St. Suite 1000, SF, CA 94111	Yasmine.akkay@stantec.com
Kevin Martin	TG		Kmartin@terra-gen.com
R. Goldsmith	Ht Hays		rtgoldsmith@gmail.com
Cree DeVost	Stantec		cree.devost@stantec.com
Lynn Roberts	USFWS	1655 Herndon Rd	Lynn-M-Roberts@fws.gov



Scoping Meeting for the Draft EIR for the  
Humboldt Wind Energy Project

**SIGN IN SHEET** - Agency Meeting

AUGUST 14, 2018

(Please sign in before the meeting.)

NAME	ORGANIZATION	ADDRESS	PHONE NUMBER / E-MAIL
Kevin Martin	TBP	Bkmartin@Terra-gen.com	619-852-5314
Annie Mudge	Cox Castle for TBP	amudge@coxcastle.com	415 262 5107
Richard Engel	Redwood Coast Energy Authority	633 Third St. Eureka, CA 95501	707-26869-1700
Lori Biondini	RCEA	"	"
Yasmine Akky	Stantec	Yasmine.akky@stantec.com	415-205-4797
Erec DeVost	Stantec	Erec.Devost@stantec.com	415-269-5100
Rick Golightly	HT Harvay	rtgolightly@gmail.com	530-304-4118
Nathan Vados	Terra-Gen	NYADOS@TERRA-GEN.COM	210-831-5144
Kasey Sirkin	USACE	L.K.sirkin@USACE.army.mil	707-443-0855
Jen Olson	CDFW	jennifer.olson@wildlife.ca.gov	707-445-5387

Scoping Meeting for the Draft EIR for the  
Humboldt Wind Energy Project

**SIGN IN SHEET**

AUGUST 15, 2018

(Please sign in before the meeting.)

NAME	ORGANIZATION	ADDRESS	PHONE NUMBER / E-MAIL
Susan Pryor		129 Main St, Scotia, Ca 95561	
Steve Abrams		192 Main Scotia	P.O. Box 91 Scotia 95565
Nathan Vazros	Terra-Gen		210-831-5144 NVASDOS@TERRAGEN.COM
Kevin Martin	Terra-Gen		49-852-5314 kmartine@terra-gen.com
Tom Moore		P.O. Box 274 Fortuna, Ca. 95540	tommoore@fortunesd.com
IF BEAL		P.O. BOX 86 FERNDALE, CA	CHASHATTILA@GMAIL.COM
Steve Harrison		1118 Monument Rd. RIO DELL CA 95562	764-2778
Paul Newmaker		430 Church St. Scotia CA 95565	(707) 764-1719
Barbara Guest		1149 Holmes Flat Rd Redcrest	PKNthe1eATT.NET
Leslie Marshall	SCSD	P.O. BOX 104 Scotia CA 95565	infoscotiacsd@gmail.com
SCOTT HUNT		P.O. Box 183 Scotia, CA 95565	jehunt@scsdc.com
Karen Underwood		500 HUNTS DR MCKENLEYVILLE 95519	
Scott Guy		PO Box 823 Hydenville, CA 95547	kjg@suddenlink.net
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David Smith		"	edcusa@stauter.com
John Plant		424 Church St, 95565	1707 288 8193
		30716 State Hwy 254 Scotia 95565	707 722 4369

[illegible]



NAME	ORGANIZATION	ADDRESS	PHONE NUMBER / E-MAIL
Sam Bartlett		189 Spring Street Rio Dell	764-3491
Patsy Newmaker		PO Box 489 Scotia	764-1719
Susan Strahan		1227 Riverside Dr Rio Dell	764-3823
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Ed Lewis		751 Solenow Rd. West	707 498-1306
Ranada Laughlin		570 Gunnerson Lane Rio Dell 95562	707 764-1785
Johanna Rodoni		P.O. Box 43 Scotia	jmrondoni@humboldt1.com
Nick Angeloff		156 Grayland Hts Rio Dell	nangeloff.ceo@gmail.com
Deidre Guy		5 Redwood Ave. Rio Dell	deidreguy14@gmail.com
Natalynne Delapz		1431 D St. Eureka, CA 95801	NDELAPP707@gmail.com
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Ken Mackey		PO Box 469 Scotia, CA 95565	510-318-1351
Margie Plant		30716 Hwy. 254 Scotia 95565	
Grace Andur		612 1st Scotia	

[illegible]

NAME	ORGANIZATION	ADDRESS	PHONE NUMBER / E-MAIL
Susan Sanders	AEROM	<del>202</del> 2020 L St, Sect 95811	916 266-4921
DONNA STONEMAN		1840 MONUMENT RD R10DELL 95562	707-496-9184
Holly & Mel Krieb		31117 State Hwy 254 Scotia, 95565	707 722 4330

[illegible]

## **APPENDIX C**

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Scoping Meeting Presentation

The background of the slide is a photograph of a wind farm. On the left side, the white tower and nacelle of a wind turbine are visible, with its blades extending towards the top left. The rest of the image shows a vast landscape of rolling hills under a clear blue sky. In the distance, a dark blue line indicates the ocean. The overall scene is bright and clear, suggesting a sunny day.

# Humboldt Wind Energy Project

EIR Public Scoping Meeting

August 14, 2018

Eureka, CA



# Meeting Program

- Arrival/Sign In/Meet and Greet
- Welcome and Meeting Outline/Logistics
- Project Overview Presentation
- County Approval Process
- EIR Process
- Questions and Comments
- Adjourn

A background image showing a wind turbine on the left side, with its blades and tower visible. The rest of the image shows a vast landscape with rolling hills and a clear blue sky. The title 'Introductions/Meeting Attendees' is overlaid on the top right of the image.

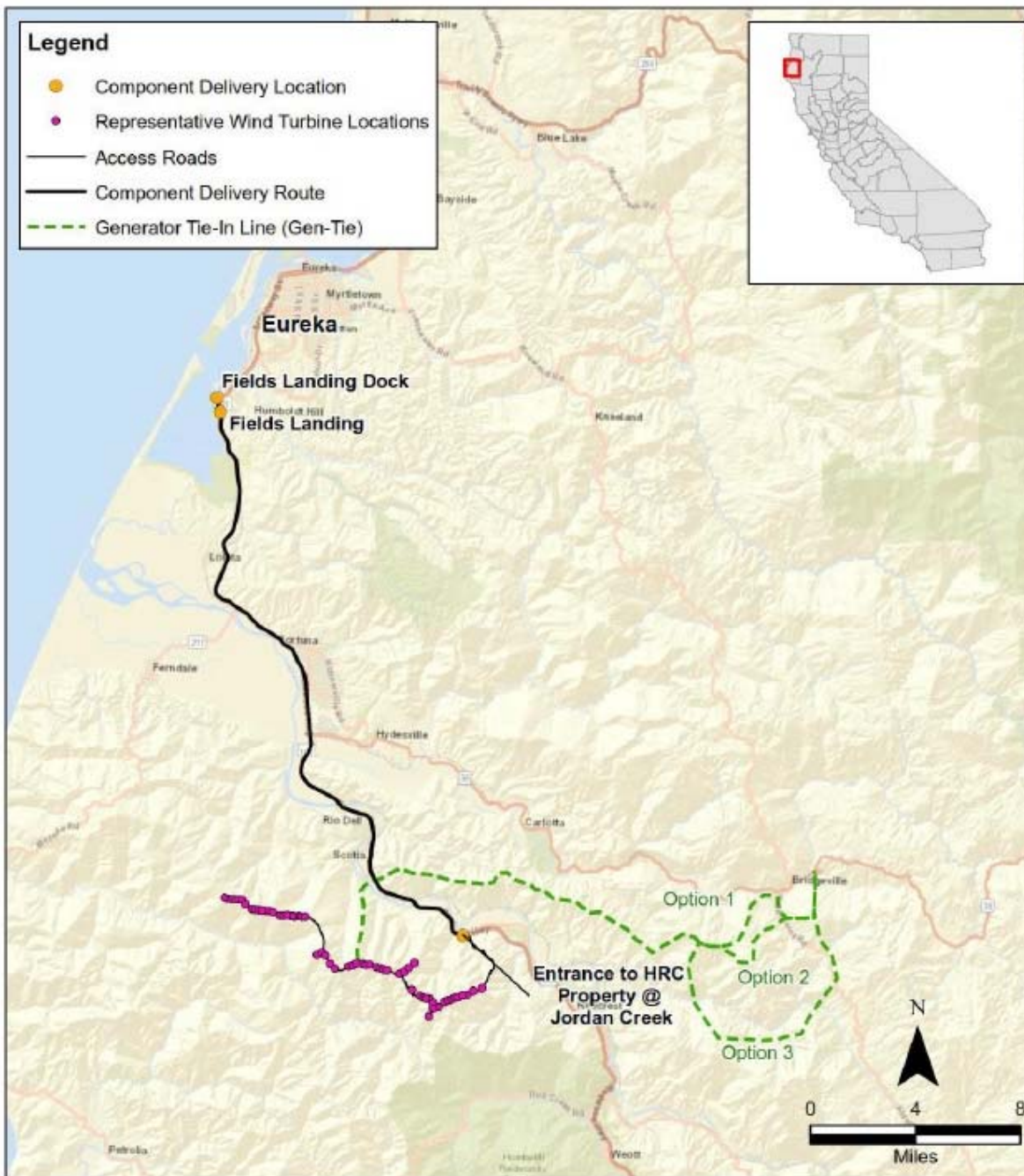
# Introductions/Meeting Attendees

- Humboldt County
- AECOM (EIR Contractor)
- TerraGen (Project Applicant)
- Stantec (Applicant Consultant)



# Logistics

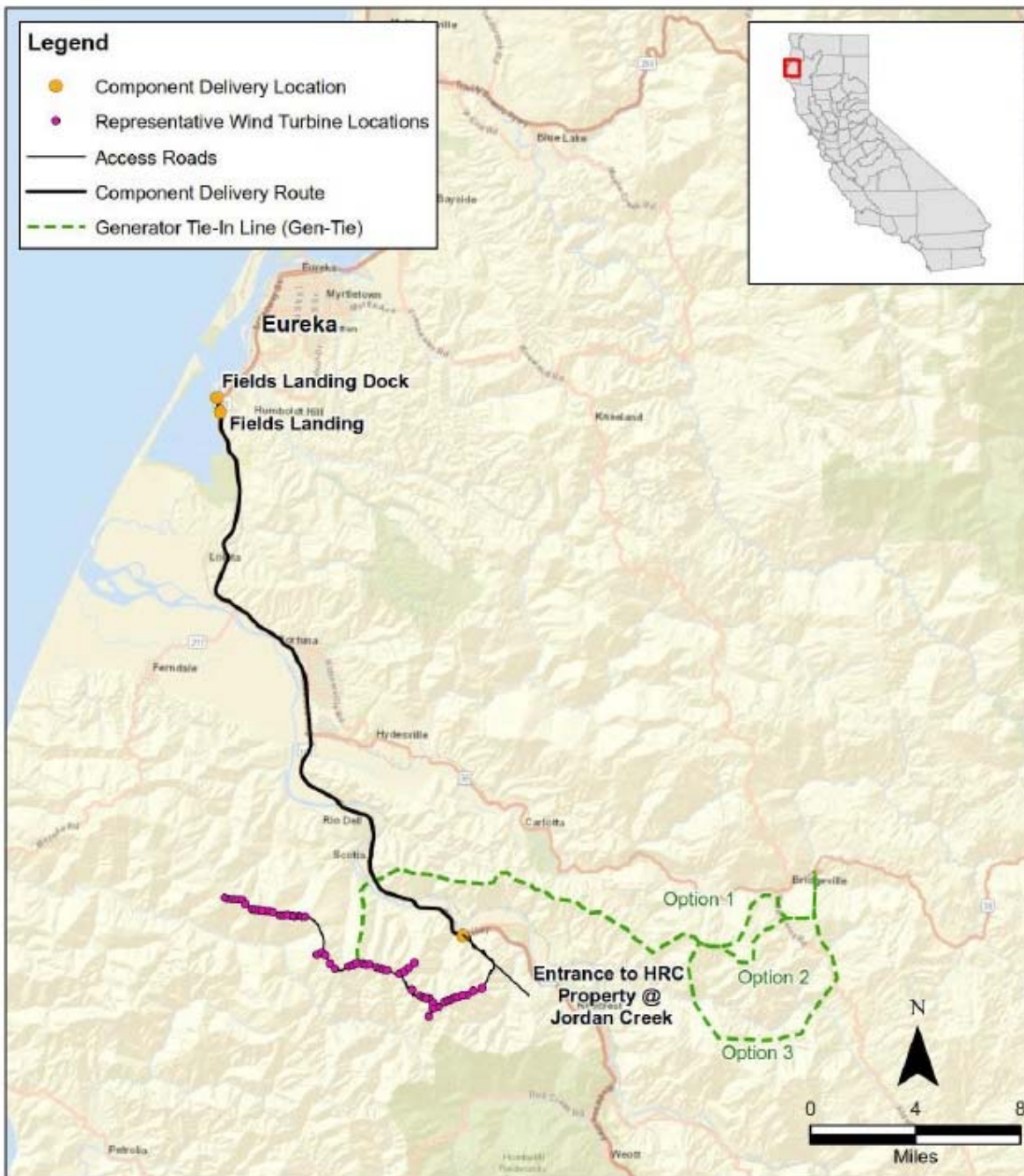
- Emergency Exits
- Restrooms
- Sign In Sheets
- Comment Forms
- Speaker Cards



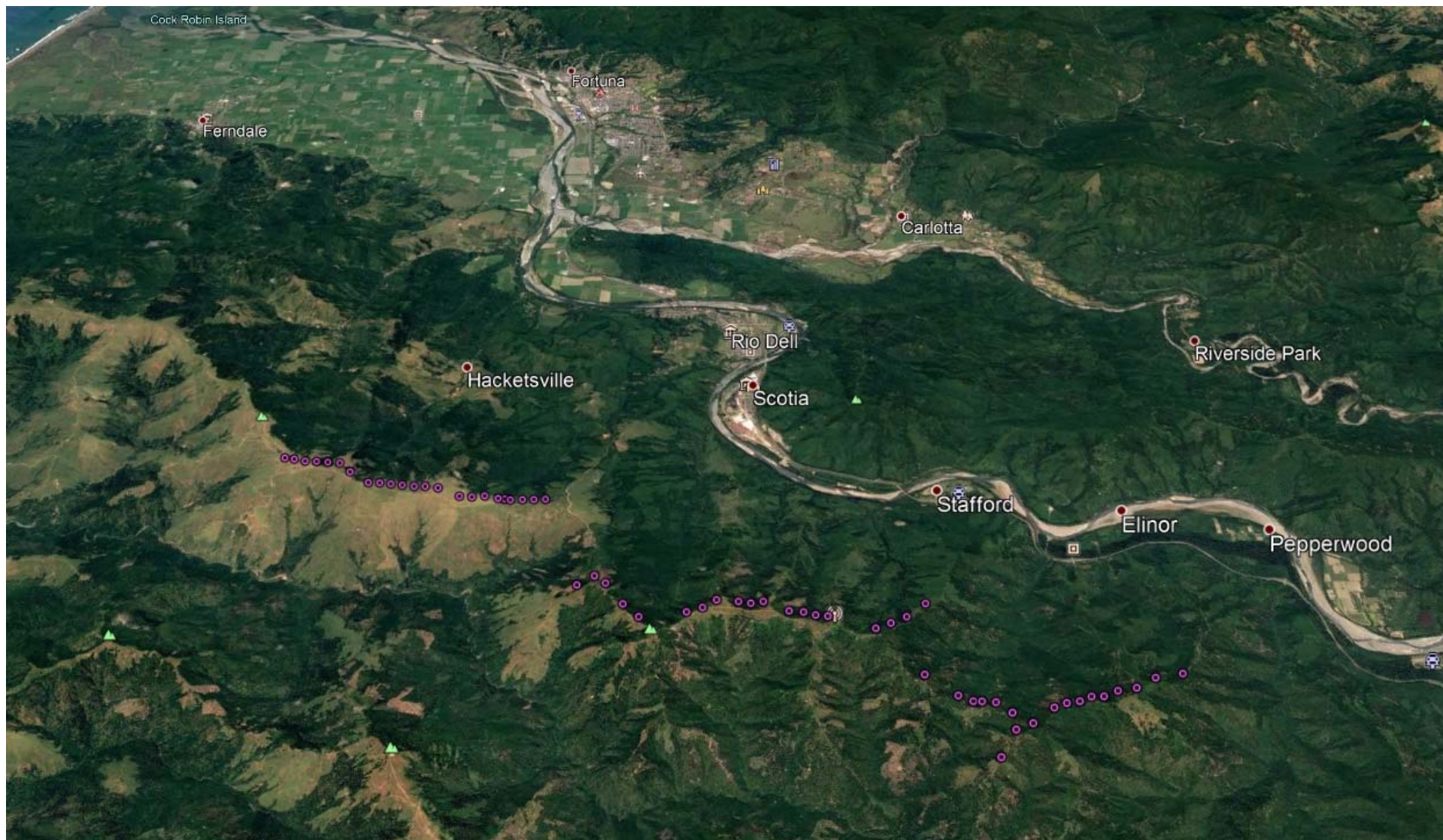


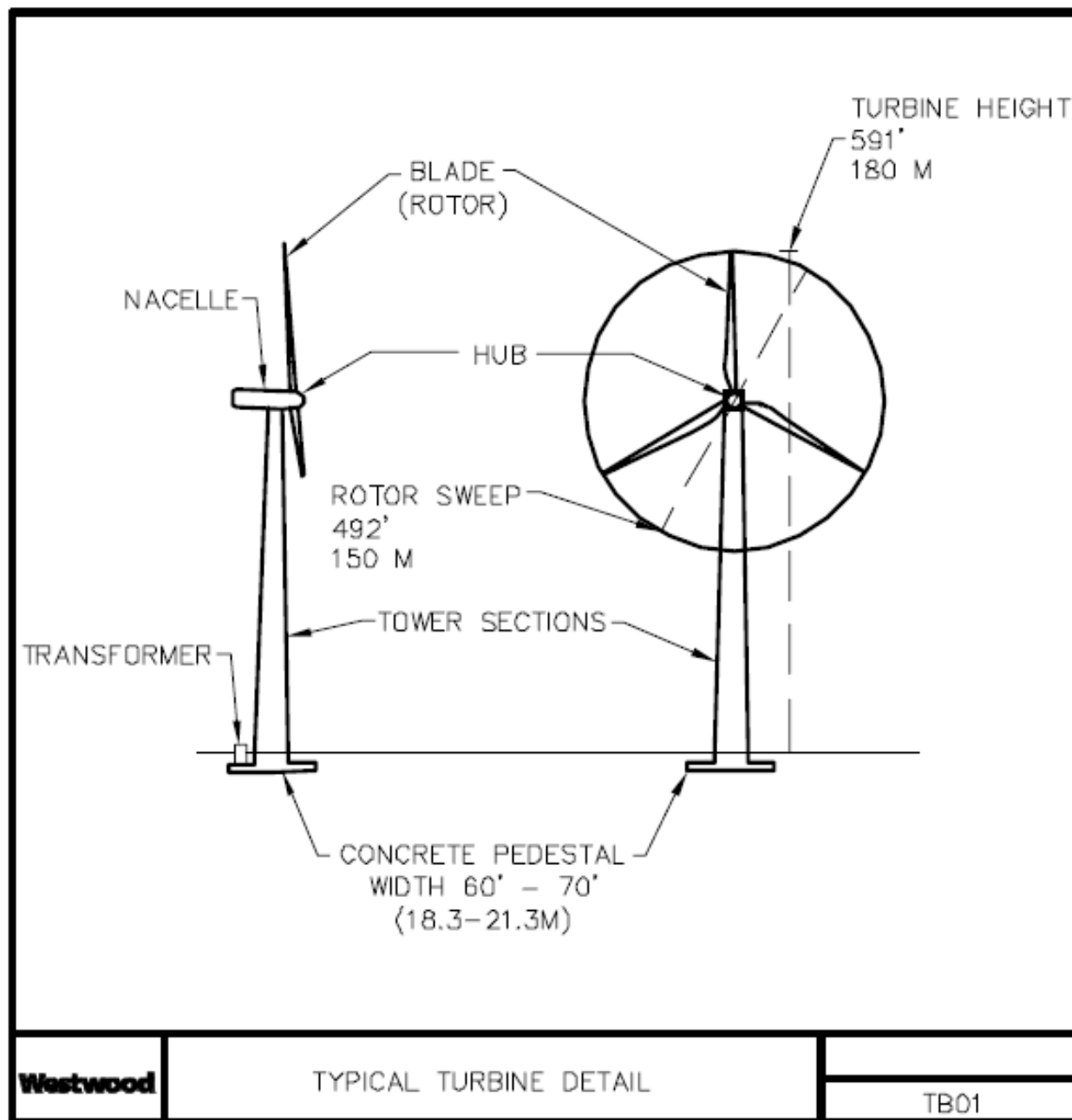




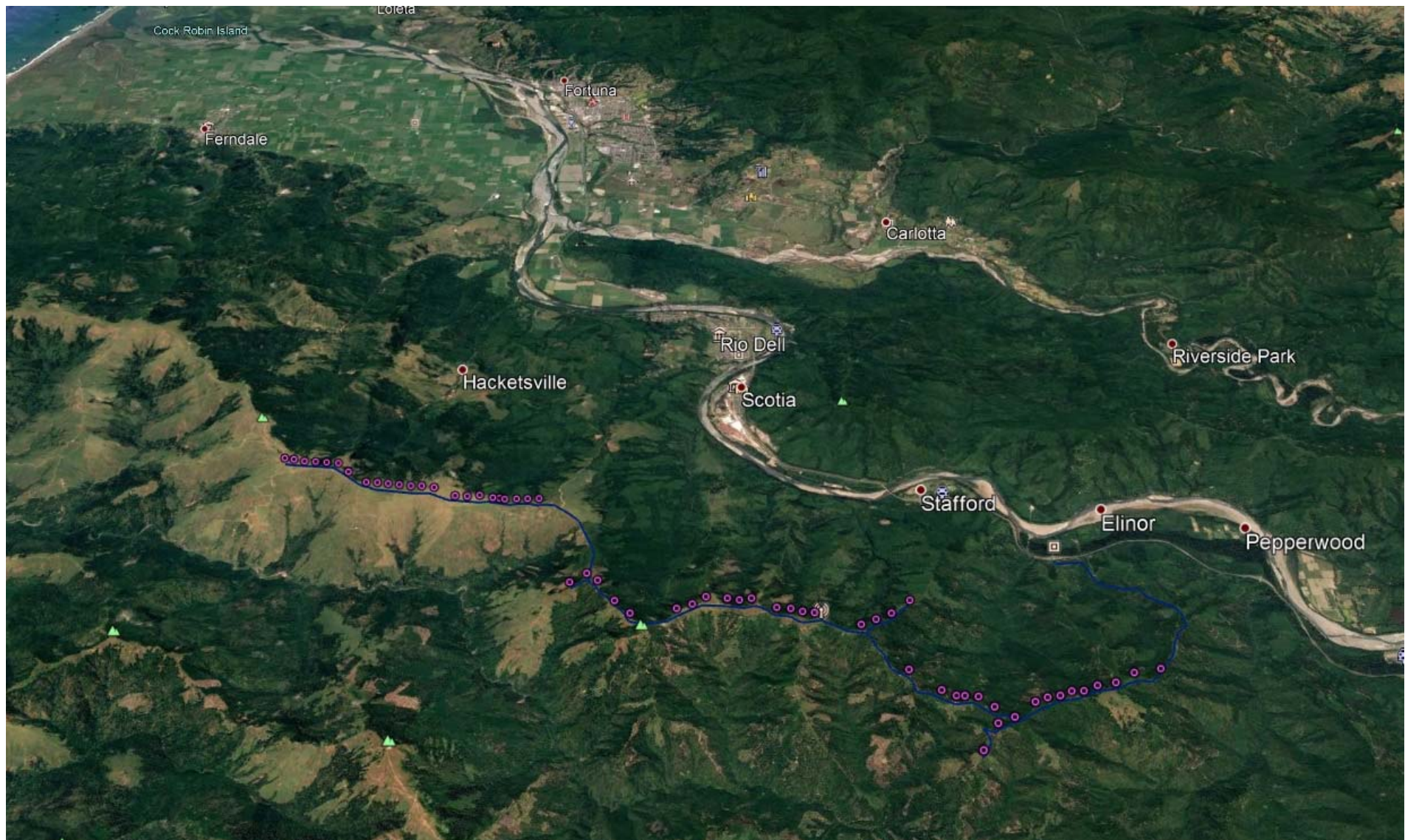












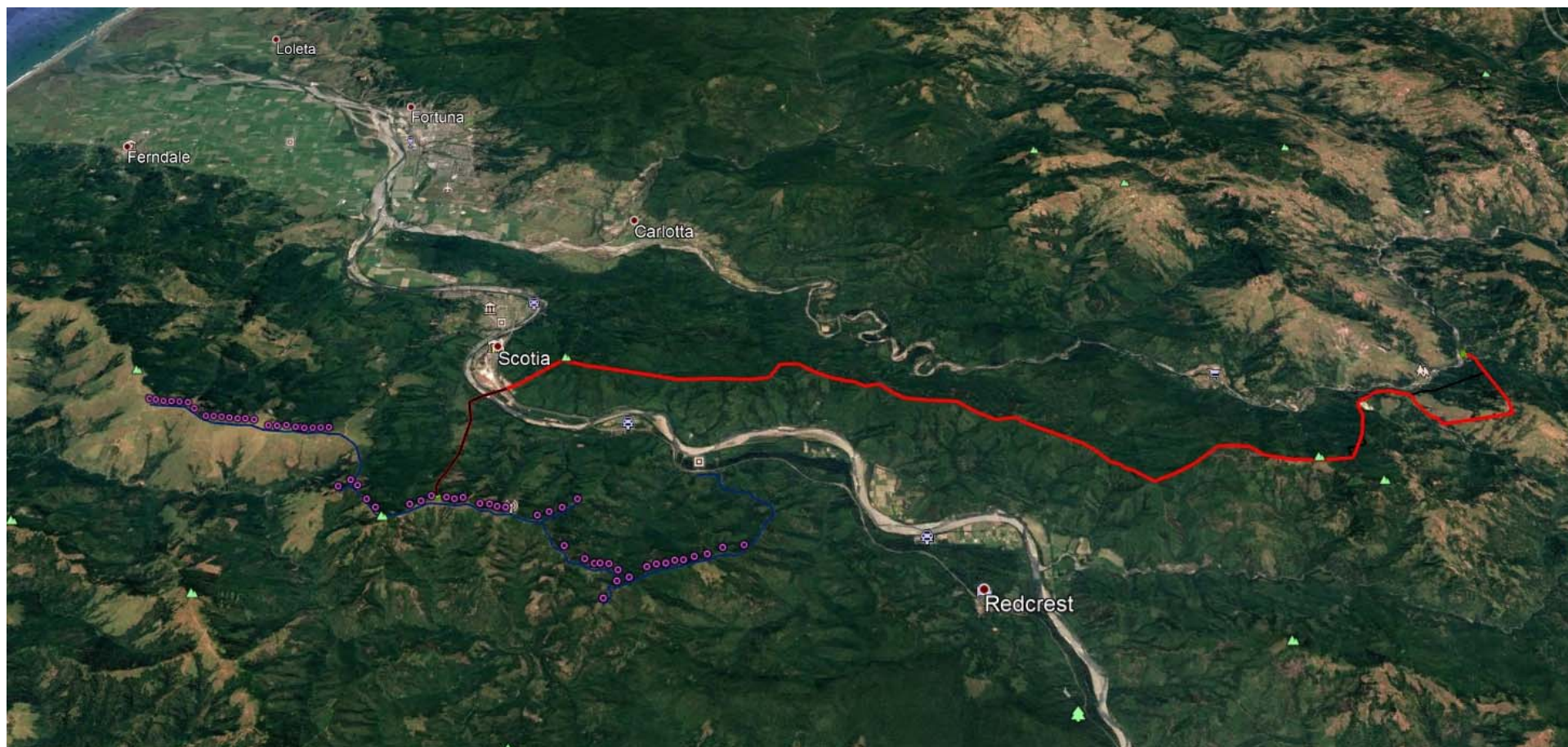


















# County Permitting Process

- Conditional Use Permit Required
  - Use that is conditionally permitted; or
  - Use not specifically enumerated that is similar to and compatible with the same uses permitted in the zone.
- Conditions
  - Assure compliance with special development regulations;
  - Minimize/mitigate adverse impact of the development upon other land;
  - Control development timing, duration of use;
  - Assure development will be maintained properly;
  - Designate location and nature of development.



# County Permitting Process

- Project Review
  - Environmental Review
  - Conformance with Zoning/General Plan
  - Referrals to other agencies
  - Written report and findings
- Public Review
  - Notice
  - Public hearings before Planning Commission
  - Receive evidence regarding findings
  - Decisions can be appealed to Board of Supervisors





# County Permitting Process

- Opportunities for Public Comment
  - EIR Scoping
  - Draft EIR
  - Public Hearings
- How to Comment/Participate
  - Scoping Meetings and Public Hearings
  - Website:  
<https://humboldt.gov/2408/Humboldt-Wind-Energy-Project>



# County Permitting Process

Please submit written comments to:

Cliff Johnson, Senior Planner  
Humboldt County Planning Division  
3015 H Street  
Eureka, CA 95501

[CJohnson@co.humboldt.ca.us](mailto:CJohnson@co.humboldt.ca.us)

The background of the slide features a photograph of several white wind turbines on a grassy hillside. The turbines are positioned on the left side of the frame, with their blades extending upwards. The landscape in the background shows rolling hills and a clear blue sky. A semi-transparent grey banner is at the top, and a blue curved line separates it from the main content area.

## EIR Process

- Notice Of Preparation (Humboldt County)
  - Filed with the State Clearinghouse July 31, 2018
  - 30 day review period; closes August 30, 2018
- NOP is available on County website:  
<https://humboldtgov.org/2408/Humboldt-Wind-Energy-Project>





# EIR Process

- EIR consultant team
  - AECOM
    - Sean McAllister (biological resources)
- Under Contract to Humboldt County
- Coordination with applicant's consultant
  - Stantec

A background image showing a wind turbine on the left side, with its blades and tower visible. The rest of the image shows a landscape with rolling hills and a body of water in the distance under a clear blue sky.

## EIR Process

- EIR will analyze the full range of potential environmental impacts resulting from project implementation
- EIR will analyze alternatives to the proposed project
- Alternatives will be developed to minimize potential impacts
- Will look at cumulative impacts



# EIR Process

- Available information
  - Draft project descriptions and graphics
  - Various technical studies under development (wetlands, plants, birds, bats, transportation, geotechnical study etc.)
  - Humboldt County GIS data and General Plan
  - Other technical documents
- Additional information currently under development to inform the analysis



# EIR Process

- Process to develop Draft EIR
  - Project initiation and data review (complete)
  - Publish Notice of Preparation (complete)
  - Project description development (ongoing)
  - EIR outline (ongoing)
  - Scoping (ongoing)
  - Scoping report (at close of scoping period)
  - Develop administrative Drafts EIR
  - County Review
  - Public Draft EIR
  - Final EIR



# EIR Process

- Draft EIR Content
  - Summary
  - Introduction/Purpose and Need
  - Alternatives (no project; proposed project; up to two others)
  - Environmental Settings, Impacts and Mitigation Measures
    - » Full range of environmental issues
  - Growth Inducing Impacts
  - Cumulative Impacts
  - Report Preparers
  - References

A photograph of a wind turbine on a hill. The turbine is white and is positioned on the left side of the frame. The background shows a clear blue sky and a distant horizon with rolling hills and a body of water.

# Questions and Comments

Thank you!



## **APPENDIX D**

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Speaker Cards

Scoping Meeting for the Draft EIR for the  
Humboldt Wind Energy Project

**SPEAKER**

(Please hand in during the meeting.)

Name: Jan Hartford

Organization (if any):

Address (optional): P.O. Box 143

City, State, Zip: Scotts, CA 95565

Scoping Meeting for the Draft EIR for the  
Humboldt Wind Energy Project

**SPEAKER**

(Please hand in during the meeting.)

Name: Adrienne Wohlert

Organization (if any):

Address (optional): 424 Church Street

City, State, Zip: Scotts CA 95565

Scoping Meeting for the Draft EIR for the  
Humboldt Wind Energy Project

**SPEAKER**

(Please hand in during the meeting.)

Name: Stephen Kullmann

Organization (if any): Humboldt Harbor District

Address (optional):

City, State, Zip: Blue Lake CA 95525

Scoping Meeting for the Draft EIR for the  
Humboldt Wind Energy Project

**SPEAKER**

(Please hand in during the meeting.)

Name: Ranada Laughlin

Organization (if any): N/A

Address (optional): ~~1000~~ 570 Gunnerson Lane

City, State, Zip: Rio Dell, CA 95562

asked about wetland  
scoping Meeting for the Draft EIR for the  
use of ridge water for batch  
plant  
Humboldt Wind Energy Project

**SPEAKER**

(Please hand in during the meeting.)

Name: Jimmie Jay Beal

Organization (if any):

Address (optional): P.O. Box 86

City, State, Zip: Seaside Calif  
annual rainfall comment

Scoping Meeting for the Draft EIR for the  
Humboldt Wind Energy Project

**SPEAKER**

(Please hand in during the meeting.)

Name: Nick Angeloff

Organization (if any): Rio Dell/Scotts  
Chamber of Commerce

Address (optional): 156 Grayland Heights Rd

City, State, Zip: Rio Dell, CA 95562

## **APPENDIX E**

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Comment Letters and Comment Cards

**DEPARTMENT OF TRANSPORTATION**

DISTRICT 1, P. O. BOX 3700  
EUREKA, CA 95502-3700  
PHONE (707) 441-4693  
FAX (707) 445-6314  
TTY 711



*Making Conservation  
a California Way of Life.*

August 31, 2018

1-HUM-101-45.9  
Humboldt Wind Energy  
SCH# 2018072076

Cliff Johnson, Senior Planner  
Planning & Building Department  
County of Humboldt  
3015 H Street  
Eureka, CA 95501

Dear Mr. Johnson :

Thank you for giving Caltrans the opportunity to review and comment on the proposed Humboldt Wind Energy Project, which proposes to construct and operate 60 wind turbine generators (WTGs) and associated infrastructure with a generation capacity of up to 155 megawatts (MW). In addition to wind turbines and transformers, the project includes temporary staging areas, access roads, 34.5 kV collection lines, an operations and maintenance building, a substation with energy storage infrastructure, a utility switchyard modification and a 115 kV "Gen-Tie". The project traverses land bisected by U.S. Highway 101 to the south of the unincorporated community of Scotia. A Route Review was prepared for the shipment of over-sized materials to be used in the construction and assembly of the wind turbines. We offer the following comments:

- The applicant will need to obtain a Transportation Permit from Caltrans as a condition of project approval. Transportation Permits are required for oversize and/or overweight loads. Based on the dimensions provided in the Route Review, it appears a Variance Permit from Headquarters (HQ) Transportation Permits Office will be required for some loads. A Variance Permit will be needed for loads that exceed 15 feet in width, 17 feet in height and 135 feet in length. Oversize loads based on weight vary according to the Route selected. Please refer to the Caltrans Transportation Permits webpage for additional information:  
<<http://www.dot.ca.gov/trafficops/permits/>>.
- The project proposes to construct temporary roads associated with the shipment of construction materials to bypass low structures, to modify vertical curves and cross sections at interchange ramps, to rebuild city curb ramps, trim trees, relocate or remove traffic signs, for traffic control, etc. Any construction work or traffic control in the state RW would require submitting a complete Encroachment Permit application for review. Additionally:
  - i. Construction that will cross State right-of-way limits with controlled access (generally Freeway sections) will require an Encroachment Permit approved by Caltrans headquarters as an "Exception to Policy."

Mr. Cliff Johnson  
8/31/18  
Page 2 of 2

- ii. Based on the scope of the work needed to adapt the route to transport materials, the work proposed within the State right-of-way could exceed the thresholds of our standard permit review and be processed as a Caltrans "oversight" project. Please refer to section 108.1 of the Caltrans Encroachment Permit Manual for more information about oversight projects: <http://www.dot.ca.gov/trafficops/permits/manual.html>, and Chapter 9, article 8 of the Project Development Procedures Manual (PDPM): <http://www.dot.ca.gov/design/manuals/pdpm/chapter/chapt09.pdf>.
  - iii. Construction and traffic plans for all work locations within the State right-of-way must be signed by a licensed engineer.
- Any work within Caltrans Right-of-Way will require an Encroachment Permit from Caltrans. Applications are reviewed for consistency with State standards and are subject to Department approval. Requests for encroachment permit applications can be sent to: Caltrans District 1 Permits Office, P.O. Box 3700, Eureka, CA 95502-3700, or requested by phone at (707) 445-6389. For additional information, the Caltrans Permit Manual is available online at: <http://www.dot.ca.gov/hq/traffops/developserv/permits/>.

Please contact me with questions or for further assistance regarding these comments at the number listed above or by email at: [jesse.robertson@dot.ca.gov](mailto:jesse.robertson@dot.ca.gov).

Sincerely,



Jesse Robertson  
Transportation Planning  
Caltrans District 1



State of California – Natural Resources Agency  
DEPARTMENT OF FISH AND WILDLIFE  
Northern Region  
610 Locust St.  
Redding, CA 96001  
www.wildlife.ca.gov

EDMUND G. BROWN JR., Governor  
CHARLTON H. BONHAM, Director



August 30, 2018

Cliff Johnson, Senior Planner  
County of Humboldt Planning & Building Department  
3015 H Street  
Eureka, CA 95501

**Subject: Notice of Preparation for the Humboldt Wind Energy Project, State Clearinghouse No. 2018072076**

Dear Mr. Johnson:

On August 2, 2018, the California Department of Fish and Wildlife (CDFW) received a Notice of Preparation (NOP) for an Environmental Impact Report (EIR) from the Humboldt County Planning and Building Department (Lead Agency) for the Humboldt Wind Energy Project (Project). It is our understanding the Lead Agency will accept written comments from CDFW through August 30, 2018.

**CDFW TRUSTEE AND RESPONSIBLE AGENCY ROLE**

As the Trustee Agency for the State's fish and wildlife resources, CDFW has jurisdiction over the conservation, protection, and management of fish, wildlife, native plants, and their habitat. As a Responsible Agency, CDFW administers the California Endangered Species Act (CESA) and other provisions of the Fish and Game Code that conserve the State's fish and wildlife public trust resources. CDFW offers the following comments and recommendations on this Project in our role as a Trustee and Responsible Agency pursuant to the California Environmental Quality Act (CEQA), California Public Resources Code section 21000 et seq.

**PROJECT DESCRIPTION**

The Project as currently proposed consists of construction and operation of a 155 megawatt wind energy development, with an initial permit term of 30 years. The Project is located in the Monument Ridge/Bear River Ridge area, south of the town of Scotia, Humboldt County, California. Project components include:

- Up to 60 wind turbines with maximum height of 591 feet from base to highest point of blade rotation, set on concrete foundations with associated turbine pads, temporary staging areas, and transformers;
- A 19-mile underground fiber optics communications system and electrical collection system linking the turbines to each other and to a substation for distribution;



- A new substation located west of Highway 101;
- A 115 kilovolt power line approximately 32 miles long beginning at the new substation, crossing under the Eel River, and continuing east as an overhead line and connecting to the PG&E Bridgeville Substation;
- Permanent meteorological towers;
- A permanent operations facility with buildings and offices on the west side of Highway 101 at the Pepperwood/Avenue of the Giants exit;
- Three 5-acre temporary staging areas within the Project site;
- Two temporary cement batch plants;
- Up to 17 miles of new access roads;
- Widening of existing access roads to accommodate oversized transportation of turbines and other oversized loads; and
- Temporary off-ramps or other modifications along Highway 101.

The Project footprint consists of 124 parcels, beginning west of Highway 101, south of Rio Dell and Scotia, and terminating east of Highway 101 in Bridgeville. The majority of the Project is proposed to be located on Humboldt Redwood Company, Russ Ranch and Timber, LLC, with the power line crossing a few other privately-held parcels. The turbines and related components would enter Humboldt County via Humboldt Bay with anticipated port of entry at Fields Landing.

## **CONSULTATION HISTORY**

CDFW has been in contact with the Project team since late 2017, and CDFW staff have attended several meetings and site visits with Project and other regulatory agency staff. CDFW provided preliminary comments on the Project's draft Biological Work Plan on February 9, 2018, and has attended two site visits at proposed turbine sites and radar survey sites. Here we provide additional comments specific to the NOP and Project as currently proposed.

## **POTENTIALLY SIGNIFICANT IMPACTS**

CDFW has identified a number of potentially significant impacts that could occur as a result of construction and operation of the proposed Project. These may include, but are not limited to:

- Take (defined by Fish & G. Code § 86 as to “*hunt, pursue, catch, capture, or kill, or attempt to hunt, pursue, catch, capture, or kill*”) of special status species (State and federally listed species and/or State Species of Special Concern);
- Take of certain bat species known to be disproportionately impacted by collisions with wind turbines;
- Impacts to rare plants from Project construction and maintenance;
- Impacts to Sensitive Natural Communities from Project construction and maintenance;
- Removal, degradation, and/or fragmentation of habitat for special status species;
- Disturbance to wildlife via light, noise, vibration, and other impacts from construction and operation of the Project;
- Cumulatively considerable impacts to wildlife over the 30 year term of the Project; and
- Cumulatively considerable impacts to water quality from the up to 17 miles of new roads and other Project activities in watersheds that are already impaired by sediment from road runoff and other anthropogenic sources.

## COMMENTS AND RECOMMENDATIONS

### 1. Siting

Based on preliminary site screening questions from the 2007 CDFW/California Energy Commission's *California Guidelines for Reducing Impacts to Birds and Bats From Wind Energy Development* (Guidelines), the site appears to belong in either the Guidelines' Category 3 – Project Sites with High or Uncertain Potential for Wildlife Impacts, or Category 4 – Project Sites Inappropriate for Wind Development. The Guidelines direct Project developers to consider the following when assessing potential for bats and birds and making a preliminary evaluation of collision risk (Guidelines page 5):

1. Are any of the following species known or likely to occur on or near the proposed project site (“near” refers to a distance that is within the area used by an animal in the course of its normal movements and activities.):
  - a. Species listed as federal or State “Threatened” or “Endangered” (or candidates for such listing)?
  - b. Special-status birds or bats?
  - c. Fully protected birds?

2. Is the site near a raptor nest, or are large numbers of raptors known or likely to occur at or near the site during portions of the year?
3. Is the site near important staging or wintering areas for waterfowl, shorebirds, or raptors?
4. Are colonially breeding species (for example: herons, shorebirds, seabirds) known or likely to nest near the site?
5. Is the site likely to be used by birds whose behaviors include flight displays (for example: common nighthawks, horned larks) or by species whose foraging tactics put them at risk of collision (for example: contour hunting by golden eagles)?
6. Does the site or do adjacent areas include habitat features (for example: riparian habitat, water bodies) that might attract birds or bats for foraging, roosting, breeding, or cover?
7. Is the site near a known or potential bat roost?
8. Does the site contain topographical features that could concentrate bird or bat movements (for example: ridges, peninsulas, or other landforms that might funnel bird or bat movement)? Is the site near a known or likely migrant stopover sight?
9. Is the site regularly characterized by seasonal weather conditions such as dense fog or low cloud cover that might increase collision risks to birds and bats, and do these events occur at times when birds might be concentrated?

Based on existing data about Bear River Ridge, it appears the answer to the majority of these screening questions is 'yes'. The Project should be prepared to consider the 'no Project' alternative if further studies indicate the Project would have unacceptable risk of bird or bat fatalities.

## **2. Important Bird Areas**

Important Bird Areas (IBAs) are designated by subject matter experts in collaboration with the National Audubon Society and BirdLife International, using standardized criteria such as whether the areas support sensitive species, or support large congregations of shorebirds or waterfowl.

The Project is approximately 5 miles from the Humboldt Bay IBA, and approximately 15 miles south of Humboldt Bay itself. Humboldt Bay is California's second largest estuary, and provides vital fish and wildlife habitat as well as stopover habitat for migratory birds. In particular, the Pacific Flyway population of black brant (*Branta bernicla*) is dependent upon the eelgrass (*Zostera marina*) in Humboldt Bay, the largest source of eelgrass between black brant wintering areas in Baja California and Willapa Bay in Washington.

Additionally, based on the map circulated with the NOP, it appears approximately half of the proposed wind turbines are currently sited along the Bear River Ridge,

within the Cape Mendocino Grasslands IBA. This is a shift from prior proposed turbine locations CDFW has reviewed, and does not follow typical best practices for wind turbine siting.

According to the National Audubon Society, the Cape Mendocino Grassland IBA encompasses one of the largest expanses of grassland in northwestern California. This IBA supports breeding populations of grasshopper sparrow (*Ammodramus savannarum*, a State Species of Special Concern [SSC]) and California horned lark, (*Eremophila alpestris actia*). California horned lark is on the CDFW Watch List (WL), a list consisting of taxa previously designated as SSCs but no longer merit that status, or which do not yet meet SSC criteria, but for which there is concern and a need for additional information to clarify status. Both species are locally rare breeders that have been identified in the 2016 Partners in Flight Landbird Conservation Plan (Rosenberg et al. 2016) as "*Common Birds in Steep Decline*," a designation for species that have lost more than 50 percent of their populations over the past 40 years. Further, based on post project monitoring at other sites, horned larks were "*by far the most commonly observed fatality*" at wind farms in Wyoming and Colorado (Erickson et al. 2002).

The following are the State Endangered (SE), Threatened (ST), or Candidate (CT/E) Species; Fully Protected (FP) Species, State Species of Special Concern (SSC), and/or State Watch List (WL) species that have been documented along or near Bear River Ridge within the Cape Mendocino Grasslands IBA. See section 4 below for a more detailed description of these special status species designations.

- Bald eagle (*Haliaeetus leucocephalus*) (SE/FP)
- Bryant's savannah sparrow (*Passerculus sandwichensis alaudinus*) (SSC)
- Burrowing owl (*Athene cunicularia*) (SSC)
- California horned lark (WL)
- Cooper's hawk (*Accipiter cooperii*) (WL)
- Ferruginous hawk (*Buteo regalis*) (WL)
- Golden eagle (*Aquila chrysaetos*) (FP)
- Grasshopper sparrow (SSC)
- Long-eared owl (*Asio otus*) (SSC)

- Northern goshawk (*Accipiter gentilis*) (SSC)
- Northern harrier (*Circus cyaneus*) (SSC)
- Olive-sided flycatcher (*Contopus cooperi*) (SSC)
- Peregrine falcon (*Falco peregrinus anatum*) (FP)
- Prairie falcon (*Falco mexicanus*) (WL)
- Purple Martin (*Progne subis*) (SSC)
- Sharp-shinned hawk (*Accipiter striatus*) (WL)
- Short-eared owl (*Asio flammeus*) (SSC)
- Vaux's swift (*Chaetura vauxi*) (SSC)
- White-tailed kite (*Elanus leucurus*) (FP)
- Willow flycatcher (*Empidonax traillii*) (SE)
- Yellow-breasted chat (*Icteria virens*) (SSC)
- Yellow warbler (*Setophaga petechia*) (SSC)

CDFW recommends alternative locations be identified for turbines currently proposed to be sited within the Cape Mendocino Grassland IBA.

### 3. Project Timeline and CEQA

Based on prior discussions with the Project team and review of the draft Biological Work Plan, CDFW understands the Project proposes two years of survey data in order to quantify the anticipated take of and/or potentially significant impacts to: listed species, special status species, resident and migrant birds, raptors, and bats. Two seasons of survey data is a small sample when considering potential inter- and intra-annual variation in wildlife use of the site. Further, the Project proposes to release a draft EIR in December 2018, before all data are collected and/or analyzed. This means that determinations about potentially significant impacts including projected take of bird and bat species will be based on one year of data.

CDFW remains concerned that an EIR informed with only one year and a half of survey data will not provide a scientifically sound basis for identifying and quantifying potentially significant impacts, informing take estimates, and



developing an alternatives analysis for a Project of this scope, particularly when assessing impacts to resident and migratory birds and bats. Additionally, an EIR based on only half the available data greatly increases the chance that the final EIR will need to be recirculated if the additional data indicates there may be a significant new environmental impact, a substantial increase in the severity of an impact, or that the lack of information in the draft EIR precluded meaningful public review and comment (CEQA guidelines § 15088.5(a)).

Finally, CDFW must rely on the EIR in order to issue incidental take coverage, and Lake or Streambed Alteration Agreement(s) for the Project. If the information included in the final EIR is insufficient, CDFW will be unable to rely on the EIR for purposes of permit issuance, and will require that a supplemental or subsequent EIR be completed. CDFW recommends that the Project incorporate results of both years of survey data into the draft EIR in order to ensure that identification of potentially significant impacts and proposed mitigation measures are informed by all data collected for that purpose.

#### **4. Special Status Species and Sensitive Habitats**

The Project has the potential to significantly impact numerous special status fish, wildlife, and plant species and sensitive habitats via a number of mechanisms, including but not limited to: mortality or injury on an ongoing basis over the 30 year life of the Project due to collisions with turbines (bats and birds), habitat degradation from ongoing operations and maintenance, habitat removal and degradation, noise, light, and other construction disturbance, and downstream impacts to waters of the State. CDFW anticipates the proposed Project may impact the following special status species and/or their habitats, although this is not intended to be a comprehensive scoping list for the Project:

##### State Endangered or State Threatened or Candidate Species:

Incidental take authorization from CDFW is required for Projects that will result in take of a State Endangered, Threatened, or Candidate species. In addition, the EIR must analyze and avoid or mitigate potentially significant impacts to these species, including but not limited to, direct take.

- Marbled murrelet (*Brachyramphus marmoratus*) (SE)
- Northern spotted owl (*Strix occidentalis caurina*) (ST)
- Willow flycatcher (*Empidonax traillii*) (SE)
- Western yellow-billed cuckoo (*Coccyzus americanus occidentalis*) SE
- Bald eagle (*Haliaeetus leucocephalus*), SE – Fully Protected (see below)

- Coho salmon – southern Oregon/northern California coast ESU (*Oncorhynchus kisutch*), ST
- Foothill yellow-legged frog (*Rana boylei*) CT
- Fisher – west coast DPS (*Pekania pennanti*), CT
- Longfin smelt (*Spirinchus thaleichthys*), ST (if dredging is required at Fields Landing or other port of entry).

State Fully Protected Species:

Pursuant to Fish and Game Code section 3511, Fully Protected species may not be taken or possessed at any time, and no licenses or permits may be issued for their take except for collecting these species for necessary scientific research and relocation of bird species for the protection of livestock. The EIR must determine how the Project will avoid take of and mitigate non-lethal but potentially significant impacts to these species (e.g., disturbance during the nesting season). If State-defined take of these species cannot be avoided in the proposed locations, the EIR should propose alternative locations that eliminate the potential for take of these species:

- Peregrine falcon
- Golden eagle
- White-tailed kite
- Bald eagle

State Species of Special Concern:

CDFW designates certain vertebrate species as SSC because declining population levels, limited ranges, and/or continuing threats have made them vulnerable to extinction or extirpation in California. Though not listed pursuant to the Federal Endangered Species Act or CESA, the goal of designating taxa as SSC is to halt or reverse their decline by calling attention to their status and addressing issues of conservation concern early enough to help secure their long-term viability. Hence, the ultimate goal of the SSC designation is to avoid CESA or ESA listing. The Project should avoid, minimize, and/or mitigate potentially significant impacts to these species and their habitat. Some species on this list may meet the criteria of endangered, rare, or threatened species pursuant to CEQA guidelines section 15380:

Bird SSCs

- Bryant's savannah sparrow
- Burrowing owl
- Grasshopper sparrow
- Long-eared owl
- Northern goshawk
- Northern harrier
- Olive-sided flycatcher
- Purple Martin
- Short-eared owl
- Vaux's swift
- Yellow-breasted chat
- Yellow warbler

Mammal SSCs

- American badger (*Taxidea taxus*)
- Sonoma tree vole (*Arborimus pomo*)
- Townsend's big-eared bat (*Corynorhinus townsendii*)
- Western red-bat (*Lasiurus blossevillei*)

Amphibian and Reptile SSCs

- Northern red-legged frog (*Rana aurora*)
- Pacific tailed frog (*Ascaphus truei*)
- Southern torrent-salamander (*Rhyacotriton variegatus*)
- Western pond-turtle (*Emys marmorata*)

Rare Plant and Sensitive Natural Communities:

Impacts to rare plants and Sensitive Natural Communities are likely as a result of a variety of Project activities. Botanical surveys should follow CDFW's 2018 *Protocols for Surveying and Evaluating Impacts to Special Status Native Plant Populations and Sensitive Natural Communities*. CDFW recommends that, in addition to a floristic level survey for rare plants, surveys identify any natural communities with a rank of S1-S3. Natural communities with ranks of S1-S3 are considered Sensitive Natural Communities to be addressed in the EIR. Please see <https://www.wildlife.ca.gov/Data/VegCAMP/Natural-Communities> for more information.

Impacts to Wetlands:

It is the Fish and Game Commission's policy to ensure that proposed projects result in no net loss of wetland or riparian habitat values or acreage. All wetland and riparian habitats should be protected by adequate buffers and other measures necessary to prevent impacts to water quality and fish and wildlife resources. The draft EIR should include a detailed analysis of potential impacts to wetland and riparian habitats including direct, indirect, and cumulative impacts to these resources. If this Project will result in the loss of wetland or riparian habitat, the draft EIR should identify mitigation for their loss. A common mitigation ratio for the loss of wetland and riparian habitat is at least 3:1, but Project-specific ratios must be developed based on the impacts identified in the EIR.

Consultation on Potential Impacts to Marine Resources:

Potential impacts to nearshore resources as a result of Project infrastructure transport must be identified and addressed in the EIR. Environmental review and permitting staff in CDFW's Marine Region (contact: [rebecca.garwood@wildlife.ca.gov](mailto:rebecca.garwood@wildlife.ca.gov)) should be included in Project communications relevant to these resources and any corresponding potential impacts and mitigation plans. It is unclear what impacts may occur at the proposed port of entry (Fields Landing), but it appears highly likely that dredging would be required to access this section of Humboldt Bay for the purpose of transporting turbine components. Dredging would require sediment analysis and disposal plans, bathymetry surveys, surveys for eelgrass and associated mitigation plans. Other requirements may exist depending on the specifics of the final transportation plan.

## **5. Decommissioning and/or Repowering**

The draft EIR should include a thorough discussion of all potential environmental impacts associated with the Project, including impacts related to decommissioning and site remediation. The decommissioning plan should include specific information on how decommissioning costs are calculated and how funding will be assured to return the site to pre-Project condition.

## **6. Bats**

The vast majority of bat fatalities at wind farms in North America are made up of migratory forest roosting bats such as the hoary bat (*Lasiurus cinereus*), the silver-haired bat (*Lasionycteris noctivagans*), and western red bat (*Lasiurus blossevillii*), all of which are likely to occur at the Project site. In particular, hoary bats comprise over 95 percent of captures at a long-term study site in nearby Humboldt Redwoods State Park (Weller et al. 2016), and also make up the largest percent of bat fatalities at wind energy facilities in North America (Arnett and Baerwald 2013). Further, recent research suggests that wind development may threaten the population viability of this species (Frick et al. 2017). A feasible mitigation measure for potentially significant impacts to bats is curtailment of operations during high risk periods for bats (low wind nights). This mitigation has been shown to reduce bat mortality by up to 93 percent without significant power loss (Arnett et al. 2011).

## **7. Marbled Murrelet**

As noted above, CDFW anticipates that take of Marbled Murrelet (MAMU) is likely as a result of the Project, given prior studies in the area show that the species travels through Project air space between inland old growth forest nesting sites and nearshore ocean foraging areas. Because of its slow reproductive rate, use of old-growth habitat for nesting, and nearshore ocean habitat for foraging, CDFW anticipates that it would be extremely difficult to fully mitigate any take of this State endangered species, as required by CESA. Thus, final siting considerations should avoid MAMU travel paths. Additionally, curtailment during peak MAMU travel hours during the breeding season may be necessary as a mitigation measure to minimize take. CDFW anticipates ongoing consultation with Project proponents and United States Fish and Wildlife Service as mitigation plans are developed for this species.

## **8. Raptors**

Fish and Game Code section 3503.5 specifically prohibits take of birds-of-prey (raptors), and pursuant to Fish and Game Code section 3511, take of Fully Protected species such as peregrine falcon, golden eagle, white-tailed kite, and



bald eagle, all of which have been observed within the Project area, cannot be authorized by CDFW. Therefore, the Project will have to determine how take of these species will be avoided. Biological monitoring and "informed curtailment" (rapid shut down turbines when raptors are seen approaching), or other technology to detect raptors and shut down turbines accordingly, may be necessary to avoid take of these species at this location.

## **9. Future Development, Cumulative Impacts**

The short- and long-term effects on wildlife of the wind turbine construction and the effects of turbine operations over the potential life of the Project (at least 30 years) should be analyzed in the draft EIR, and feasible mitigation through design modifications, operational restrictions, or other means (i.e., acquisition and protection of compensatory habitat) should be proposed to reduce Project-related impacts and cumulative effects to less than significant. The draft EIR should also forecast additional potential wind energy development that may be enabled as a result of the current Project proposal, and correspondingly include likely future wind energy generation projects in the vicinity of this Project in the cumulative impacts analysis.

## **10. Environmental Data**

CEQA requires that information developed in EIRs and negative declarations be incorporated into a database that may be used to make subsequent or supplemental environmental determinations (Pub. Resources Code § 21003, subd. (e)). Accordingly, any special status species and sensitive natural communities detected during Project surveys must be reported to the California Natural Diversity Database (CNDDDB). The online submission and PDF CNDDDB field survey forms, as well as information on which species are tracked by the CNDDDB, can be found under their corresponding tabs at the following link: <https://www.wildlife.ca.gov/Data/CNDDDB/Submitting-Data>. Bat acoustic data should also be submitted to the Bat Acoustic Monitoring Portal (BatAMP). Information on BatAMP and submitting data can be found at: <https://batamp.databasin.org/>

**SUMMARY OF COMMENTS AND RECOMMENDATIONS:**

1. Available data indicate this site has high risk of bird and bat fatalities. The EIR should consider the 'no Project' alternative if further studies indicate this risk would be unacceptably high throughout the Project area.
2. The Project should propose alternative locations for turbines sited within the Cape Mendocino Grasslands Important Bird Area.
3. The draft EIR should incorporate all data (a minimum of two years) to fully inform determinations about significant impacts, particularly take estimates of birds and bats.
4. The draft EIR must analyze potentially significant impacts to special-status species, wetlands, and Sensitive Natural Communities.
5. The draft EIR should analyze potentially significant impacts from decommissioning and site remediation and describe how funding will be assured to remediate the site at the end of the Project term.
6. Bat species at high risk of collision with wind turbines likely occur on-site. The draft EIR should propose measures to minimize impacts to these species, such as curtailment during high risk periods (low wind nights) for bats.
7. Take of MAMU is likely as a result of the Project. Final siting decisions should avoid MAMU flight paths to the greatest extent feasible. Curtailment during peak MAMU travel hours may be necessary as a mitigation to minimize potential take. Full mitigation for this species is extremely difficult given its habitat requirements.
8. Take of raptors and Fully Protected species is prohibited by Fish and Game Code. The Project must determine how take of these species will be avoided.
9. The EIR should analyze cumulative impacts over the life of the Project including impacts of likely expansion or additional wind energy development that will be enabled by this Project.
10. Data collected for the purposes of the Project must be reported to CNDDB and/or submitted to the appropriate database pursuant to CEQA section 21003 (e).

Cliff Johnson, Senior Planner  
Humboldt County Planning and Building Department  
August 30, 2018  
Page 14

These are initial comments to help the Lead Agency in preparing the draft EIR. CDFW will have additional comments as data collection proceeds and a draft EIR is circulated. Questions regarding this letter or further coordination should be directed to Environmental Scientist Jennifer Olson at (707) 445-5387 or [jennifer.olson@wildlife.ca.gov](mailto:jennifer.olson@wildlife.ca.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read "Neil Manji", with a large circular flourish at the end.

**Neil Manji**  
Regional Manager

ec: page 15

Cliff Johnson, Senior Planner  
Humboldt County Planning and Building Department  
August 30, 2018  
Page 15

cc: Cliff Johnson, John Ford, Tricia Shortridge,  
Humboldt County Planning and Building Department  
[cjohnson@co.humboldt.ca.us](mailto:cjohnson@co.humboldt.ca.us), [jford@co.humboldt.ca.us](mailto:jford@co.humboldt.ca.us),  
[tshortridge@co.humboldt.ca.us](mailto:tshortridge@co.humboldt.ca.us)

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*Bringing back the birds*

30 August 2018

To: Cliff Johnson, Senior Planner  
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Eureka, CA 95501  
[CJohnson@co.humboldt.ca.us](mailto:CJohnson@co.humboldt.ca.us)

RE: Notice of preparation of environmental impact report for Humboldt Wind Energy Project

Dear Mr. Johnson:

Thank you for the opportunity to comment publicly on the notice of preparation (NOP) of a draft environmental impact report (EIR) for the Humboldt Wind Energy Project, with respect to potentially harmful impacts to birds.

American Bird Conservancy is a 501(c)(3), non-profit membership organization whose mission is to conserve native birds and their habitats, working throughout the Americas to safeguard the rarest bird species, restore habitats, and reduce threats. ABC would like to ensure that the scope and content of the EIR contains sufficient information to address the potential environmental effects of the project on birds, and that it additionally makes a reasonable attempt to plan for impact minimization and mitigation.

American Bird Conservancy has developed a “Bird-Smart” wind energy policy, which states that wind power should employ careful siting, operation and construction mitigation, monitoring, and compensation<sup>1</sup>. The purpose of this approach is to reduce and redress any unavoidable bird mortality and habitat loss from wind energy development. American Bird Conservancy recommends that the Humboldt Wind project and other wind energy projects employ Bird-Smart principles.

Further, we would like to highlight that the project must comply with relevant state and federal wildlife protection laws, including the Endangered Species Act (ESA), Migratory Bird Treaty Act (MBTA), The Bald and Golden Eagle Protection Act (Eagle Act), and the National Environmental Policy Act. And, based on the available information, incidental take permits should be required.

The Humboldt Wind Energy Project is planned in the vicinity of two Globally Important Bird Areas (IBA), Humboldt Bay and Cape Mendocino Grasslands. Both IBAs are important to several bird species along the Pacific Flyway<sup>2</sup> managed under the MBTA, including raptors protected by the Eagle Act.

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<sup>1</sup> <https://abcbirds.org/program/wind-energy-and-birds/learn-more/>

<sup>2</sup> <https://www.fws.gov/birds/management/flyways.php>

The area is within Critical Habitat for the Marbled Murrelet (*Brachyramphus marmoratus*). This rare bird species is listed as “Threatened” under the ESA, as well as in the state of California, and “Endangered” according to Canada Species at Risk Act (SARA) and the International Union for Conservation of Nature (IUCN) global Red List. It is very unique in that it breeds in specific old-growth, late-successional forest habitat, yet feeds at-sea<sup>3</sup>. The Marbled Murrelet is highly sensitive to anthropogenic impacts both offshore and terrestrial, in particular, habitat fragmentation, disturbance at nest sites, and predation (which is exacerbated by disturbed habitat)<sup>4</sup>.

ABC recommends that the following information be included in the Humboldt EIR to elucidate and address the Humboldt Wind Energy Project’s potential impacts on birds:

### **1. Siting Location**

- Conduct multiple years of scientifically rigorous study (e.g., before-after-control-impact) to assess the level of risk that this site presents to birds and to take any necessary measures to avoid siting of wind infrastructure within known flyways.
- Identify precisely where and when the project will impinge upon Marbled Murrelet critical habitat,<sup>5</sup> <sup>6</sup> particularly suitable,<sup>7</sup> and known<sup>8</sup> nest locations.
- Quantify the vulnerability of the Marbled Murrelet to the development with respect to
  - protecting nesting sites from disturbance and
  - avoiding collisions with turbines along travel routes between nesting sites and coastal foraging areas used to feed young.
- Provide sufficient pre-construction assessment data to:
  - assist with micro-siting (e.g., by use of radar to detect local bird movements)

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<sup>3</sup> Falxa, G.A. and M.G. Raphael. (2016) Northwest Forest Plan - the first 20 years (1993-2013): Status and trends of Marbled Murrelet populations and nesting habitat. USDA Gen. Tech Report PNW-GTR-933.

[https://www.fs.fed.us/pnw/pubs/pnw\\_gtr933.pdf](https://www.fs.fed.us/pnw/pubs/pnw_gtr933.pdf)

<sup>4</sup> Nelson, S. K. (1997) Marbled Murrelet (*Brachyramphus marmoratus*), version 2.0. In *The Birds of North America* (A. F. Poole and F. B. Gill, Editors). Cornell Lab of Ornithology, Ithaca, NY, USA. <https://doi.org/10.2173/bna.276>

<sup>5</sup> [https://www.fws.gov/arcata/es/birds/mm/m\\_murrelet.html](https://www.fws.gov/arcata/es/birds/mm/m_murrelet.html)

<sup>6</sup> <https://abcbirds.org/program/wind-energy-and-birds/wind-risk-assessment-map/>

<sup>7</sup> Falxa and Raphael 2016, Fig. 2-11

<sup>8</sup> Falxa and Raphael 2016, Fig. 2-2

- create an annual baseline against which post-construction studies can be evaluated
- use all existing available bird study data
- quantify vulnerability throughout the year, especially during months when bird use can be expected to peak at the selected site.

## **2. Operation and Construction Mitigation**

- Implement the best (tested and verified) technology and management practices to avoid and minimize harm to birds.
- Identify high-risk areas that require the burial of transmission lines, potentially in addition to “boring under” the Eel River to align the proposed general transmission line (Gen-Tie), as needed to minimize potential impacts to Marbled Murrelets.
- Follow Avian Power Line Interaction Committee<sup>9</sup> standards for above-ground transmission lines.
- Use lighting that minimizes nighttime migratory bird collision mortality (such as strobe lights).
- Use un-guyed rather than guyed meteorological towers.
- Restore habitat disturbed by construction, e.g., re-compacting soils disturbed by construction and replanting native vegetation (or restoring the site if the wind facility is decommissioned).
- Ascertain that any construction activities or “tree clearing” will avoid direct and indirect disturbance to Marbled Murrelet nesting habitat.

## **3. Monitoring**

- Quantify the magnitude of potential bird take using the best available tools and techniques. Murrelets are active during dawn and dusk, so surveys need to be conducted at appropriate times of day and seasons. Proven techniques for monitoring activity include audiovisual surveys, remote sensing with radar, and automatic song meter technology.

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<sup>9</sup> <https://www.aplic.org/>



*Bringing back the birds*

- Monitor impacts from bird strikes against wind infrastructure and supporting infrastructure (transmission lines, building and lights, communications towers).
- Conduct at least two years of post-construction study (long enough to determine the efficacy of, and make needed revisions to, operational mitigation measures).
- Implement mathematical models that best account for variation in local conditions and the relative difficulty of locating bird carcasses in different habitats, as well as any scavenging by predators that may reduce the number of carcasses found.

#### **4. Compensation**

- Ensure that mitigation will be scaled appropriately to levels of take.
- Redress the loss of any birds or habitat unavoidably harmed by construction and operation to a net benefit standard. This includes bird deaths caused by collisions with turbines and their associated power lines, and lost or degraded habitat (e.g., areas of abandoned habitat).
- Mitigate impacts to murrelets, for example by habitat acquisition and protection, as well as predator (e.g., corvids) and waste management (e.g., Redwoods Parks, CA state parks). Such compensation could include acquiring additional land under protection of the National Wildlife Refuge system or other off-site habitat conservation projects.
- Specify how compensation will offset or mitigate any habitat or bird losses/displacement from the project's cumulative impacts.

We encourage the EIR to specify how the project will follow American Bird Conservancy's Bird-Smart Wind Energy policy, including each of these aforementioned four strategies. The primary goal should be to minimize impacts (for example, proper siting, burying transmission lines, etc.), as offset mitigation is rarely as effective as we would like. Please do not hesitate to contact us with any questions on how best to achieve a Bird-Smart Wind Energy approach.

Sincerely,

Holly Goyert, PhD  
Bird-Smart Wind Energy Campaign Director  
American Bird Conservancy  
4301 Connecticut Ave. NW, Ste 451  
Washington, DC 20008

Hannah Nevins  
Seabird Program Director  
American Bird Conservancy  
Santa Cruz, CA 95062



## Johnson, Cliff

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**From:** Holly Goyert <hgoyert@abcbirds.org>  
**Sent:** Thursday, August 30, 2018 1:35 PM  
**To:** Johnson, Cliff  
**Cc:** Steve Holmer; Hannah Nevins  
**Subject:** Comment on NOP of EIR for Humboldt Wind Energy Project  
**Attachments:** 2018-08-30 Comment on NOP of EIR for Humboldt Wind Energy Final.pdf

30 August 2018

To: Cliff Johnson, Senior Planner  
County of Humboldt Planning & Building Department  
3015 H Street  
Eureka, CA 95501  
[CJohnson@co.humboldt.ca.us](mailto:CJohnson@co.humboldt.ca.us)

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Further, we would like to highlight that the project must comply with relevant state and federal wildlife protection laws, including the Endangered Species Act (ESA), Migratory Bird Treaty Act (MBTA), The Bald and Golden Eagle Protection Act (Eagle Act), and the National Environmental Policy Act. And, based on the available information, incidental take permits should be required.

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Sincerely,



Holly Goyert, PhD  
Bird-Smart Wind Energy Campaign Director  
American Bird Conservancy  
4301 Connecticut Ave. NW, Ste 451  
Washington, DC 20008



Hannah Nevins  
Seabird Program Director  
American Bird Conservancy  
Santa Cruz, CA 95062

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<sup>[1]</sup> <https://abcbirds.org/program/wind-energy-and-birds/learn-more/>

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CENTER for BIOLOGICAL DIVERSITY

*Because life is good.*

*working through science, law and creative media to secure a future for all species,  
great or small, hovering on the brink of extinction.*

**VIA ELECTRONIC MAIL**

August 30, 2018

Cliff Johnson, Senior Planner  
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3015 H Street  
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[CJohnson@co.humboldt.ca.us](mailto:CJohnson@co.humboldt.ca.us)

**Re: Comments re Notice of Preparation of an EIR for Humboldt Wind Energy  
Project SCH# 2018072076**

Dear Senior Planner Johnson,

These scoping comments are submitted on behalf of the Center for Biological Diversity (“Center”) regarding the Notice of Preparation of an Environmental Impact Report (EIR) for Humboldt Wind Energy Project, SCH# 2018072076 (“Notice”). These comments are timely submitted. The Center is a non-profit public interest conservation organization with more than 1.6 million members and online activists dedicated to protecting imperiled species and their habitats, including many members who live and/or recreate in Humboldt County, California.

The Center strongly supports the development of renewable energy as a critical component of efforts to reduce greenhouse gas emissions, avoid the worst damages of global warming, and to assist California and the nation in meeting emission reductions. The generation of electricity from renewable sources is critical to shifting our energy system away from fossil fuels and for mitigating carbon pollution and its resulting harms from climate change and ocean acidification. However, like any project, proposed wind power projects must be thoughtfully planned and operated to minimize impacts to the environment. To that end, renewable energy projects should be sited and operated to avoid impacts to sensitive species and habitats and remaining impacts must be effectively minimized and mitigated including through compensatory mitigation. Only by maintaining the highest environmental standards with regard to local impacts, and effects on species and habitat, can renewable energy production be truly sustainable.

The Notice states:

The Project would construct and operate 60 wind turbine generators (WTGs) and associated infrastructure with a nameplate generating capacity (i.e., theoretical maximum energy generation) of up to 155 megawatts (MW). In addition to the wind turbines and transformers, the Project would include ancillary facilities such as temporary staging areas, access roads, 34.5-kilovolt (kV) collection lines

(collection system), an operations and maintenance (O&M) building, a substation with energy storage infrastructure, utility switchyard modification, and a 115-kV Gen-Tie.

The Notice also provides several maps of the site and proposed project.

## **I. Legal Background**

As the County is well aware, pursuant to CEQA, the “policy of the state” is that projects with significant environmental impacts may not be approved “if there are feasible alternatives or feasible mitigation measures available which would substantially lessen the significant environmental effects...” (Pub. Res. Code § 21002; Guidelines § 15021(a)(2).) A Project should not be approved if environmentally superior alternatives exist “even if these alternatives would impede to some degree the attainment of the project objectives, or would be more costly.” (Pub. Res. Code §§ 21002; Guidelines §§ 15021(a)(2), 15126.6.) The Project must be rejected if an alternative available for consideration would accomplish “most [not all] of the basic objectives of the project and could avoid or substantially lessen one or more of the significant effects.” (Guidelines § 15126.6(c).)

The project objectives frame the alternatives analysis which is critical to an adequate CEQA process. The County must consider a range of reasonable alternatives based on properly framed project objectives. (Guidelines, § 15126.6(a).) A project’s underlying purpose should be included in the objectives and a lead agency “may not give a project’s purpose an artificially narrow definition” in order to exclude alternatives. *North Coast Rivers Alliance v. Kawamura* (2015) 243 Cal.App.4th 647, 668 [quoting *In re Bay-Delta Programmatic Environmental Impact Report Coordinated Proceedings* (2008) 43 Cal.4th 1143, 1166] [finding that a draft EIR concerning control of light brown apple moths failed to include the underlying purpose as an objective of the project and because stated objective was “artificially narrow” the EIR did not sufficiently consider the full range of potential alternatives].)

“An EIR need not consider every conceivable alternative to a project. Rather, it must consider a reasonable range of potentially feasible alternatives that will foster informed decision making and public participation.” (Guidelines, § 15126.6(a).) The CEQA Guidelines expressly provide that a feasible alternative may impede achievement of the project objectives to some degree, or may be more costly. (See Guidelines, § 15126.6(a), (b).) This is reasonable because if applicants could thwart consideration of all potentially feasible alternatives simply by adopting overly narrow objectives, CEQA would be rendered meaningless. (See *Kings County Farm Bureau v. City of Hanford* (1990) 221 Cal.App.3d 692, 736-37 [holding that applicant’s prior commitments could not foreclose analysis of alternatives].) Accordingly, the EIR must consider a range of alternatives that would achieve the basic objectives of the project while avoiding or substantially lessening significant environmental effects, and it is essential that the “EIR shall include sufficient information about each alternative to allow meaningful evaluation, analysis, and comparison with the proposed project.” (CEQA Guidelines § 15126.6.) In this instance, the County should consider producing renewable energy as the project objective and examine



alternatives that could meet that objective and avoid the significant impacts of the proposal, for example, distributed solar generation, alternative siting, and others.

For truly unavoidable impacts, minimization and mitigation measures must be adopted. Mitigation of a project's remaining environmental impacts is one of the "most important" functions of CEQA. (*Sierra Club v. Gilroy City Council* (1990) 222 Cal.App.3d 30, 41.) To comply with CEQA, mitigation measures must be "fully enforceable through permit conditions, agreements, or other legally-binding instruments." (Guidelines, § 15126.4 subd. (a)(2).) Furthermore, they must be "incorporated into the project or required as a condition of project approval in such a way that [would] ensure their implementation." (*Fed'n of Hillside and Canyon Assoc. v. City of Los Angeles*, (2000) 83 Cal. App. 4th 1252, 1262). These enforceability requirements ensure the effectiveness of mitigation measures. (See Guidelines, § 15183.5 subd. (b)(2).)

As detailed below, several species that may be affected by the proposed project are protected under the Federal Endangered Species Act ("ESA"), the California Endangered Species Act ("CESA"), or other laws including, but not limited to, the marbled murrelet (state endangered, federal threatened), willow flycatchers (state endangered), and golden eagle (state fully protected). Each of these species could be harmed or killed by construction or operation of the proposed project. The purpose of CESA is "to conserve, protect, restore, and enhance any endangered species or threatened species and its habitat." (Fish & Game Code § 2052; see also *Department of Fish & Game v. Anderson-Cottonwood Irrigation Dist.* (1992) 8 Cal.App.4th 1554, 1563.) CESA broadly prohibits the "take" of species designated as endangered, threatened, or candidate species. (Fish & Game Code §§ 2080.) "Take" is defined in CESA to prohibit killing, or attempting to kill, such endangered, threatened or candidate species. (Fish & Game Code § 86.) Under limited circumstances, the Department of Fish and Game may authorize take of species by issuance of an "incidental take permit." (Fish & Game Code §2081(b).) To do so, all of the following conditions must be met:

- (1) The take is incidental to an otherwise lawful activity.
- (2) The impacts of the authorized take shall be minimized and fully mitigated. The measures required to meet this obligation shall be roughly proportional in extent to the impact of the authorized taking on the species. Where various measures are available to meet this obligation, the measures required shall maintain the applicant's objectives to the greatest extent possible. All required measures shall be capable of successful implementation. For purposes of this section only, impacts of taking include all impacts on the species that result from any act that would cause the proposed taking.
- (3) The permit is consistent with any regulations adopted pursuant to Sections 2112 and 2114.
- (4) The applicant shall ensure adequate funding to implement the measures required by paragraph (2), and for monitoring compliance with, and effectiveness of, those measures.

(Fish & Game Code § 2081(b) [emphasis added].) “Fully mitigate” is construed so as to remedy the evils of “extinction as a consequence of man’s activities” and of “destruction of habitat” expressly recognized by the Legislature. (Fish & Game Code § 2051.) In addition, the Department must make a determination that the issuance of the permit will not “jeopardize the continued existence of the species.” (Fish & Game Code § 2081(c).) “The department shall make this determination based on the best scientific and other information that is reasonably available, and shall include consideration of the species’ capability to survive and reproduce, and any adverse impacts of the taking on those abilities in light of (1) known population trends; (2) known threats to the species; and (3) reasonably foreseeable impacts on the species from other related projects and activities.” (*Id.*)

CESA requires that “that reasonable and prudent alternatives shall be developed by the Department, together with the project proponent and the state lead agency, consistent with conserving the species, while at the same time maintaining the project purpose to the greatest extent possible.” (Fish & Game Code § 2053.) In order for the County’s CEQA review to be adequate for use by the Department in its CESA review, the EIR must include alternatives to the project that could avoid impacts to covered species and meet the project objectives to the extent possible, and only after consideration of those alternatives, ensure that all remaining impacts are also minimized and fully mitigated. (Fish & Game Code §2081(b)(2).)

“Take” of a fully protected species is prohibited by California law unless it falls within narrow exceptions. The golden eagle is a fully protected species under California law. (Fish & Game Code § 3511(b)(1).) Thus, any “take” of a golden eagle, which is a fully protected species, is prohibited by California law unless it falls within certain narrow exceptions. One exception, as relevant here, could allow such take under an approved Natural Communities Conservation Plan (“NCCP”). (Fish & Game Code § 2835.) Unless an NCCP is approved that would cover this proposed project, the County cannot lawfully approve the proposed project if it may “take” golden eagles.

Section 9 of the Federal Endangered Species Act (“ESA”) specifically prohibits the “take” of listed species, a term broadly defined to include harassing, harming, pursuing, wounding or killing such species. (16 U.S.C. §§ 1532(19), 1538(a)(1)(B) .) The term “harm” is further defined to include “significant habitat modification or degradation where it ... injures wildlife by significantly impairing essential behavioral patterns, including breeding, feeding or sheltering.” (50 C.F.R. §17.3.) “Harass” includes any “act or omission which creates the likelihood of injury to wildlife by annoying it to such and extent as to significantly disrupt normal behavior patterns which include, but are not limited to, breeding, feeding, or sheltering.” (*Id.*) The ESA’s legislative history supports “the broadest possible” reading of “take.” (*Babbitt v. Sweet Home Chapter of Communities for a Great Oregon* (1995) 515 U.S. 687, 704-05.) “Take” includes direct as well as indirect harm and need not be purposeful. (*Id.* at 704; *see also National Wildlife Federation v. Burlington Northern Railroad* (9th Cir. 1994) 23 F.3d 1508, 1512.) The take prohibition applies to any “person” (16 U.S.C. § 1538(a)(1)), including state agencies and the County. (16 U.S.C. § 1532(13).) The ESA further makes it unlawful for any person to “cause to be committed” the take of a species. (16 U.S.C. § 1538(g).) Violations of Section 9 are enforceable under the ESA’s citizen-suit provision. (16 U.S.C. § 1540(g).)

Courts have repeatedly held that government regulations authorizing third parties to engage in harmful actions can constitute an illegal taking under Section 9 of the ESA. (*See Strahan v. Coxe* (1st Cir. 1997) 127 F.3d 155, 158, 163-64, cert. denied, 525 U.S. 830 (1998) [state agency caused takings of the endangered right whale because it “licensed commercial fishing operations to use gillnets and lobster pots in specifically the manner that is likely to result in violation of [the ESA]”]; *Defenders of Wildlife v. Administrator, Env’tl. Protection Agency* (8th Cir. 1989) 882 F.2d 1294, 1300-01 [federal agency caused takes of endangered black-footed ferret through its “decision to register pesticides” even though other persons actually distributed or used the pesticides]; *Loggerhead Turtle v. City Council of Volusia County* (11th Cir. 1998) 148 F.3d 1231, 1253 [county’s inadequate regulation of beachfront artificial light sources may constitute a taking of turtles in violation of the ESA].) Section 7 of the ESA provides an avenue to authorize incidental take of listed species for Federal agency actions, including permit approvals, by obtaining a biological opinion and incidental take statement, and section 10 of the ESA provides an avenue for private parties or non-federal agencies such as states and counties to apply for incidental take permits where habitat conservation plans have been approved by the U.S. Fish and Wildlife Service.

## **II. Biological Resources**

Based on the proposed project description, it appears that this site is within an area of high ecological value and the project may affect a suite of listed, rare, and imperiled species. Robust baseline data is needed to support any analysis of direct, indirect and cumulative impacts and to analyze whether alternatives can be developed to avoid and minimize impacts and then to mitigate any unavoidable impacts.

### **A. Baseline Data: Biological Surveys and Mapping**

The Open House poster states that various baseline data will be collected by the applicant:

- Bird Use Count Surveys
- Small Bird Use Count Surveys
- Eagle Use Count Surveys
- Nesting Bald and Golden Eagle Aerial Surveys
- Marbled Murrelet Radar Surveys
- Marbled Murrelet and Northern Spotted Owl Habitat Assessment
- We will conduct follow-up Activity Center Searches and Nighttime Call Surveys for northern spotted owl and Audio/Visual Surveys for marbled murrelet, dependent upon the findings of the habitat assessment and agency consultation

- Bat Acoustic Detector Surveys

However, careful documentation of the resources of the proposed site *and surrounding areas* is imperative in order to provide a baseline for analysis of impacts to avian species and bats and in order to develop meaningful alternatives that avoid significant impacts. The EIR must not truncate review by looking only at the footprint of the linear project as designed, but must also address lands adjacent to and surrounding the project to ensure that all relevant environmental resources are addressed. All survey data should be provided to the County and made available to the public in its raw form, without adjustment by the project proponent, and the project proponent should commit to full disclosure of all baseline data collected. The use of confidentiality agreements or non-disclosure agreements regarding environmental resources must not be required of any biologists participating in the surveys in support of the proposed project.

The Notice states: “Biological Resources--The Project area is covered in managed forestlands, mixed with evergreen and deciduous forest types. Shrub/scrublands, annual grasslands, and developed roads make up the remaining land cover in the Project area.” (Notice at 11.) This appears to be an effort to minimize the values of these lands.

The project area includes rare old growth forest and the Eel River which provide habitat for highly imperiled species such as the threatened Marbled murrelet, Steelhead (Northern California DPS), and Chinook salmon (California Coastal ESU) including designated critical habitat and other rare and imperiled species. (See Attachment 1- map of critical habitats; Attachment 2 - map of CNDDDB occurrences.)

## **B. Impact Analysis**

### **a. Impacts to Avian and Bat Species including Marbled Murrelet, Golden Eagle, and Willow Flycatcher**

Once potential impacts are identified, analysis of likely impacts must be based on the best scientific data and information available. Unfortunately, the monitoring data from existing wind projects is not collected in a consistent manner. Moreover, due to various factors including decay and scavenging during the time that passes between collision events and monitoring, there is relatively little data on collisions and mortality of smaller birds and bats.<sup>1</sup> Therefore, relying too heavily on the available monitoring data is likely to underestimate impacts to many avian and bat species. Similarly, extrapolating from data on bird or bat presence or use of a site before it is

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<sup>1</sup> See, e.g., Smallwood, K. S., D. A. Bell, E. L. Walther, E. Leyvas, S. Standish, J. Mount, B. Karas. 2018. Estimating wind turbine fatalities using integrated detection trials. *Journal of Wildlife Management* 82:1169-1184; Smallwood, K. S. 2017a. Long search intervals under-estimate bird and bat fatalities caused by wind turbines. *Wildlife Society Bulletin* 41:224-230; Smallwood, K. S., D. A. Bell, S. A. Snyder, and J. E. DiDonato. 2010. Novel scavenger removal trials increase estimates of wind turbine-caused avian fatality rates. *Journal of Wildlife Management* 74: 1089-1097 + Online Supplemental Material; Smallwood, K. S., D. A. Bell, B. Karas, and S. A. Snyder. 2013. Response to Huso and Erickson comments on novel scavenger removal trials. *Journal of Wildlife Management* 77: 216-225.

developed to likely impacts to those species requires careful consideration and must be based on the best available science.<sup>2</sup>

The marbled murrelet is an imperiled seabird species that is of significant concern for collision with turbines and associated infrastructure and displacement from nesting habitat from the proposed project. (See Attachment 2- map of critical habitat; Attachment 3 – map of murrelet nesting habitat). The marbled murrelet is listed as threatened with critical habitat designation in California, Oregon, and Washington under the federal Endangered Species Act, and as endangered under the California Endangered Species Act. Murrelets fly up to ~80 km inland to nest on the large limbs of conifer trees. As noted above and shown in the attached maps, marbled murrelet occurrences, high-quality nesting habitat, and critical habitat are found in the planning area.

Research by BOEM, USFWS, and USGS indicates that marbled murrelets are susceptible to both collision and displacement from wind farms offshore.<sup>3</sup> Onshore research indicates that marbled murrelets traveling to and from nesting habitat fly at heights that make them vulnerable to collision and displacement from wind turbines. In addition, onshore studies have found that marbled murrelets fly at a wide range of flight heights that varies across site and season, they visit inland sites year-round, and they may fly higher inland than near the coast. The DEIR's impacts analysis for marbled murrelets must analyze the risks for collision and displacement from the proposed project, factoring in site and seasonal variability, based on high-quality site-specific, year-round data.

Specifically, Sanzenbacher et al. (2018) used radar to conduct a year-long study of marbled murrelet activity patterns and flight altitudes at three high-use, inland sites in northern California. The study found significant differences in flight altitudes between the two sites near the coast (Espa Lagoon and Crescent City) where mean flight heights were  $93 \pm 3$  meters and  $98 \pm 3$  meters above ground level respectively, and the site further inland where the mean flight height was  $257 \pm 6$  meters above ground level.<sup>4</sup> Similarly, in the Olympic peninsula, Stumpf et al. (2011) recorded a mean flight altitude of  $246 \pm 5$  meters, ranging from 62 meters to 663 meters, at a location approximately 6 km up the Queets Valley, while Cooper (2010) recorded a mean flight altitude of  $142 \pm 6$  meters at a location 1.5 km up the Duckabush Valley.<sup>5</sup> Sanzenbacher et al. (2018) concluded that “these results demonstrate the potential for different levels of

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2 See, e.g., Smallwood, K. S., and L. Neher. 2017A. Comparing bird and bat use data for siting new wind power generation. Report CEC-500-2017-019, California Energy Commission Public Interest Energy Research program, Sacramento, California. <http://www.energy.ca.gov/2017publications/CEC-500-2017-019/index.html>; Smallwood, K. S., L. Neher, and D. A. Bell. 2017. Siting to Minimize Raptor Collisions: an example from the Repowering Altamont Pass Wind Resource Area. M. Perrow, Ed., Wildlife and Wind Farms - Conflicts and Solutions, Volume 2. Pelagic Publishing, Exeter, United Kingdom. [www.bit.ly/2v3cR9Q](http://www.bit.ly/2v3cR9Q)

<sup>3</sup> Adams, J., Kelsey, E.C., Felis, J.J., and Pereksta, D.M., 2016, Collision and displacement vulnerability among marine birds of the California Current System associated with offshore wind energy infrastructure: U.S. Geological Survey Open-File Report 2016-1154, 116 p., <http://dx.doi.org/10.3133/ofr20161154>.

<sup>4</sup> Sanzenbacher, P.M. et al. 2014, Intra-annual patterns in passage rates and flight altitudes of Marbled Murrelets *Brachyramphus marmoratus* at inland sites in northern California. Marine Ornithology 42: 169–174.

<sup>5</sup> J. 2011. Stumpf, J.P. et al., Flight height distribution and collision risk of the Marbled Murrelet *Brachyramphus marmoratus*: methodology and preliminary results. Marine Ornithology 39: 123–128.



disturbance and collision risk throughout the year and the importance of incorporating seasonal and site-specific variation into collision risk models.”

Golden eagles are known to be found in this area and are a fully protected species under California law. (Fish & Game Code § 3511(b)(7).) Golden eagle mortality from wind energy projects is well documented. The County must fully address the potential take of golden eagles and consider alternatives that would avoid such take.

The little willow flycatcher has been known to occur in this area (per CNDDDB occurrence data). All willow flycatchers are listed as endangered under CESA and protected under CA law. The EIR must fully address the potential take of willow flycatchers, alternatives that would avoid such take, and minimization and mitigation measures.

Bats are well known in this area.<sup>6</sup> Both migratory and resident bats may be harmed by wind projects. Recent studies show that this may be affecting migratory bats at a population level.<sup>7</sup> Avoidance and mitigation measures include raising cut-in speed (to as high as 6.5 meters/second) which studies have shown to decrease bat mortality significantly. The County should consider such measures as part of a robust alternatives analysis and in developing needed mitigation.

#### **b. Impacts to Terrestrial and Aquatic Species, Habitat Connectivity, Water Quality, and Conservation Values**

The DEIR must also analyze the impacts to aquatic and terrestrial species, soils, and water quality from the project. Species that may be affected include threatened Steelhead (Northern California DPS), and Chinook salmon (California Coastal ESU) and its designated critical habitat, fisher, Humboldt marten (CA endangered), and foothill yellow-legged frog. These include impacts from roads and graded pads associated with the proposed project that will result in habitat fragmentation, increased erosion, and vectors for the spread of invasive non-native plants over the short and long-term.

The Notice states “Avoidance measures to minimize impacts on water quality, including boring under the Eel River, have been identified and are included in the Project design.” (Notice at 12). This raises additional concerns regarding possible impacts to aquatic species and riparian habitats and impacts to the river and surrounding areas must be fully disclosed and analyzed.

The DEIR must disclose and analyze impacts to nearby conservation lands, including Humboldt Redwoods State Park. Any impact to species that reside in park, such as Marbled murrelet, Steelhead (Northern California DPS), and Chinook salmon (California Coastal ESU), affect the park and its mission as well. There must be an analysis of the potentially significant impacts to the conservation values provided by the park and the potential of the project to undermine years of conservation efforts undertaken by state parks to reduce other threats to the marbled murrelet and to protect stream water quality for steelhead and salmon.

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6 See, e.g., Pierson & Rainey, 2007, BAT DISTRIBUTION IN THE FORESTED REGION OF NORTHWESTERN CALIFORNIA, CDFW <https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=3835>

7 Frick, W.F, et al. 2017, Fatalities at wind turbines may threaten population viability of a migratory bat, Biological Conservation 209: 172–177 <http://dx.doi.org/10.1016/j.biocon.2017.02.023>

### **c. Increased Fire Risk**

The proposed project may also increase fire risk in the area associated with additional electric transmission lines and substations. In addition, wind turbines have been documented to catch on fire and may pose a wildfire risk in this wooded area.

### **III. Alternatives**

The EIR must include a robust analysis of alternatives. The stated objectives of the project must not unreasonably constrain the range of feasible alternatives evaluated in the DEIR. The County must establish an independent set of objectives that do not unreasonably limit the DEIR's analysis of feasible alternatives including a reduced project size, various micro-siting alternatives at this site, alternative sites, and alternative technologies.

Thank you for considering these comments. Please include us on the notice list at the address below. We look forward to reviewing the Draft EIR.

Sincerely,

/s/

Shaye Wolf, Climate Science Director  
Lisa T. Belenky, Senior Attorney  
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#### **CC:**

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Esther Burkett, CDFG, [Esther.Burkett@wildlife.ca.gov](mailto:Esther.Burkett@wildlife.ca.gov)

California State Parks: [Kathryn.Tobias@parks.ca.gov](mailto:Kathryn.Tobias@parks.ca.gov); [Portia.Halbert@parks.ca.gov](mailto:Portia.Halbert@parks.ca.gov)

#### **Attachments:**

Attachment 1- map of critical habitat

Attachment 2- map of CNDDDB occurrences

Attachment 3- Map of marbled murrelet nesting habitat

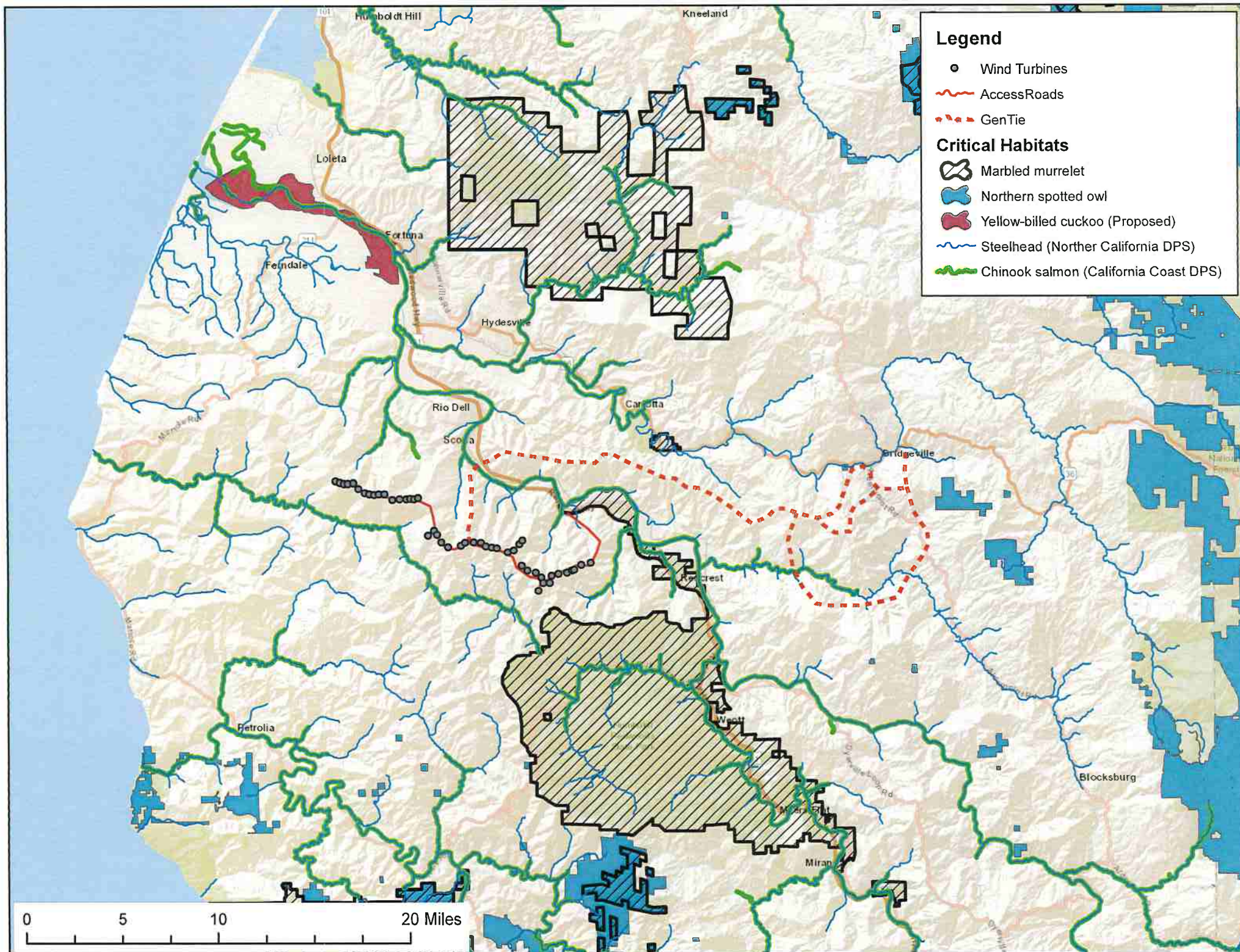
#### **References:** (provided unless available on the web)

Adams, J., Kelsey, E.C., Felis, J.J., and Pereksta, D.M., 2016, Collision and displacement vulnerability among marine birds of the California Current System associated with

- offshore wind energy infrastructure: U.S. Geological Survey Open-File Report 2016-1154, 116 p., <http://dx.doi.org/10.3133/ofr20161154>.
- Frick, W.F, et al. 2017, Fatalities at wind turbines may threaten population viability of a migratory bat, *Biological Conservation* 209: 172–177  
<http://dx.doi.org/10.1016/j.biocon.2017.02.023>
- Pierson & Rainey, 2007, Bat Distribution in the Forested Region of Northwestern California, California Department of Fish and Wildlife  
<https://nrm.dfg.ca.gov/FileHandler.ashx?DocumentID=3835>
- Sanzenbacher, P.M. et al. 2014, Intra-annual patterns in passage rates and flight altitudes of Marbled Murrelets *Brachyramphus marmoratus* at inland sites in northern California. *Marine Ornithology* 42: 169–174.
- Smallwood, K. S., D. A. Bell, E. L. Walther, E. Leyvas, S. Standish, J. Mount, B. Karas. 2018. Estimating wind turbine fatalities using integrated detection trials. *Journal of Wildlife Management* 82:1169-1184
- Smallwood, K. S., and L. Neher. 2017. Comparing bird and bat use data for siting new wind power generation. Report CEC-500-2017-019, California Energy Commission Public Interest Energy Research program, Sacramento, California available at <http://www.energy.ca.gov/2017publications/CEC-500-2017-019/index.html>
- Smallwood, K. S. 2017. Long search intervals under-estimate bird and bat fatalities caused by wind turbines. *Wildlife Society Bulletin* 41:224-230
- Smallwood, K. S., L. Neher, and D. A. Bell. 2017. Siting to Minimize Raptor Collisions: an example from the Repowering Altamont Pass Wind Resource Area. M. Perrow, Ed., *Wildlife and Wind Farms - Conflicts and Solutions*, Volume 2. Pelagic Publishing, Exeter, United Kingdom. [www.bit.ly/2v3cR9Q](http://www.bit.ly/2v3cR9Q)
- Smallwood, K. S., D. A. Bell, S. A. Snyder, and J. E. DiDonato. 2010. Novel scavenger removal trials increase estimates of wind turbine-caused avian fatality rates. *Journal of Wildlife Management* 74: 1089-1097 + Online Supplemental Material.
- Smallwood, K. S., D. A. Bell, B. Karas, and S. A. Snyder. 2013. Response to Huso and Erickson comments on novel scavenger removal trials. *Journal of Wildlife Management* 77: 216-225.
- Stumpf, J.P. et al., 2011, Flight height distribution and collision risk of the Marbled Murrelet *Brachyramphus marmoratus*: methodology and preliminary results. *Marine Ornithology* 39: 123–128.

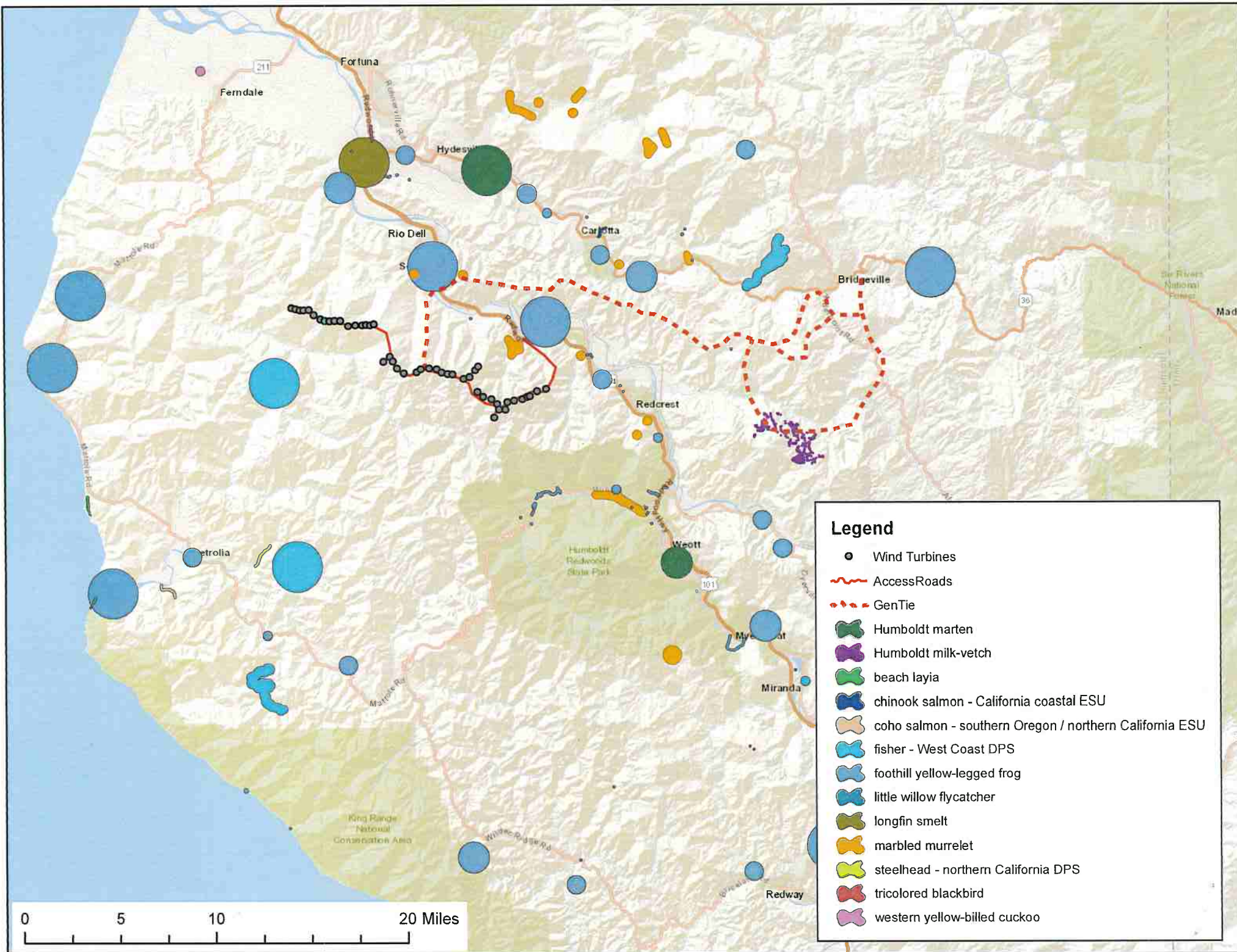
# Attachment 1





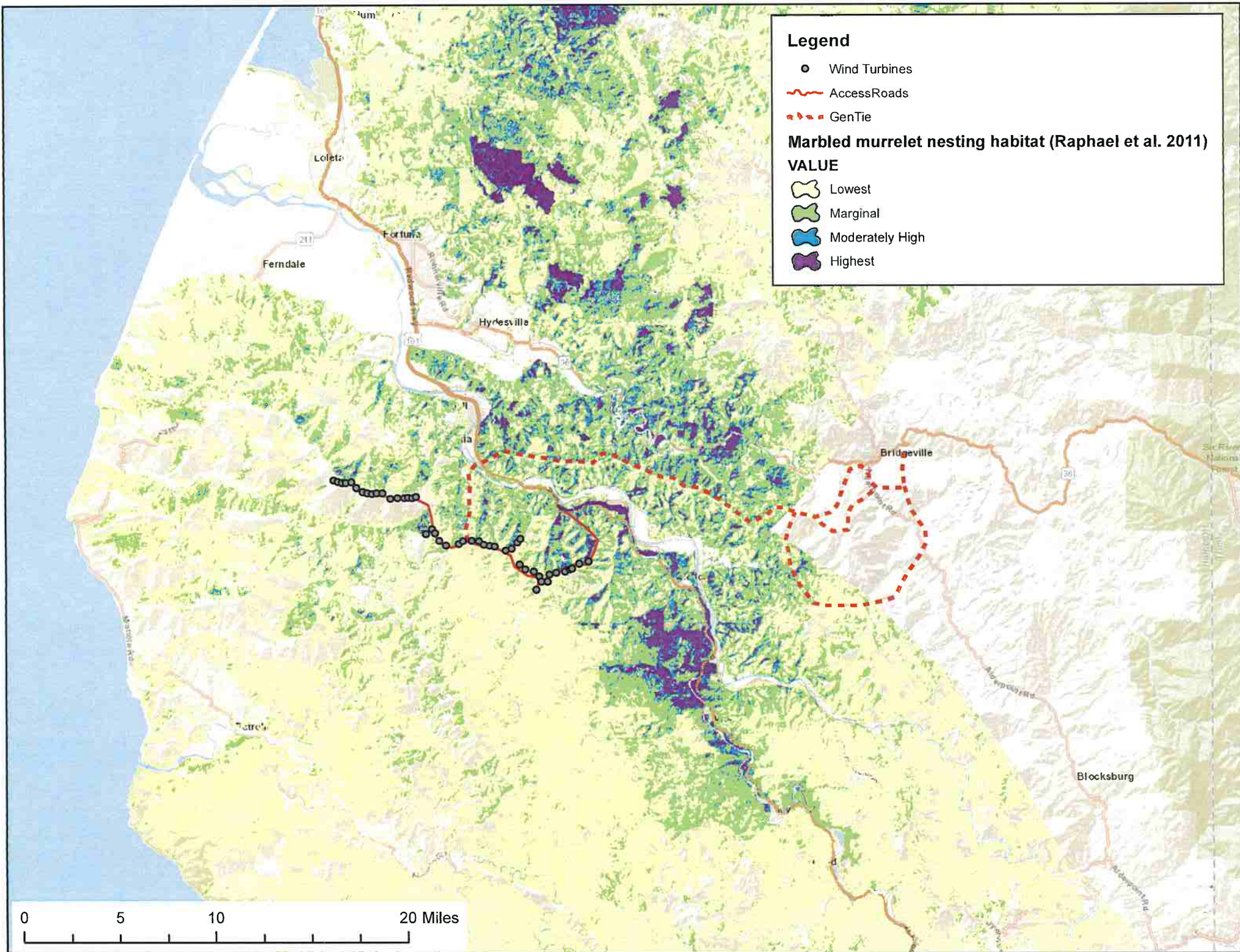


## Attachment 2



## Attachment 3





## Johnson, Cliff

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**From:** Hannah Nevins <hnevins@abcbirds.org>  
**Sent:** Thursday, August 30, 2018 2:52 PM  
**To:** Holly Goyert; Johnson, Cliff  
**Cc:** Steve Holmer  
**Subject:** RE: Comment on NOP of EIR for Humboldt Wind Energy Project

Nice work! Thanks Holly.

**From:** Holly Goyert  
**Sent:** Thursday, August 30, 2018 1:35 PM  
**To:** CJohnson@co.humboldt.ca.us  
**Cc:** Steve Holmer <sholmer@abcbirds.org>; Hannah Nevins <hnevins@abcbirds.org>  
**Subject:** Comment on NOP of EIR for Humboldt Wind Energy Project

30 August 2018

To: Cliff Johnson, Senior Planner  
County of Humboldt Planning & Building Department  
3015 H Street  
Eureka, CA 95501  
[CJohnson@co.humboldt.ca.us](mailto:CJohnson@co.humboldt.ca.us)

RE: Notice of preparation of environmental impact report for Humboldt Wind Energy Project

Dear Mr. Johnson:

Thank you for the opportunity to comment publicly on the notice of preparation (NOP) of a draft environmental impact report (EIR) for the Humboldt Wind Energy Project, with respect to potentially harmful impacts to birds.

American Bird Conservancy is a 501(c)(3), non-profit membership organization whose mission is to conserve native birds and their habitats, working throughout the Americas to safeguard the rarest bird species, restore habitats, and reduce threats. ABC would like to ensure that the scope and content of the EIR contains sufficient information to address the potential environmental effects of the project on birds, and that it additionally makes a reasonable attempt to plan for impact minimization and mitigation.

American Bird Conservancy has developed a "Bird-Smart" wind energy policy, which states that wind power should employ careful siting, operation and construction mitigation, monitoring, and compensation<sup>[1]</sup>. The purpose of this approach is to reduce and redress any unavoidable bird mortality and habitat loss from wind energy development. American Bird Conservancy recommends that the Humboldt Wind project and other wind energy projects employ Bird-Smart principles.

Further, we would like to highlight that the project must comply with relevant state and federal wildlife protection laws, including the Endangered Species Act (ESA), Migratory Bird Treaty Act (MBTA), The Bald and Golden Eagle Protection Act (Eagle Act), and the National Environmental Policy Act. And, based on the available information, incidental take permits should be required.



The Humboldt Wind Energy Project is planned in the vicinity of two Globally Important Bird Areas (IBA), Humboldt Bay and Cape Mendocino Grasslands. Both IBAs are important to several bird species along the Pacific Flyway<sup>[2]</sup> managed under the MBTA, including raptors protected by the Eagle Act.

The area is within Critical Habitat for the Marbled Murrelet (*Brachyramphus marmoratus*). This rare bird species is listed as “Threatened” under the ESA, as well as in the state of California, and “Endangered” according to Canada Species at Risk Act (SARA) and the International Union for Conservation of Nature (IUCN) global Red List. It is very unique in that it breeds in specific old-growth, late-successional forest habitat, yet feeds at-sea<sup>[3]</sup>. The Marbled Murrelet is highly sensitive to anthropogenic impacts both offshore and terrestrial, in particular, habitat fragmentation, disturbance at nest sites, and predation (which is exacerbated by disturbed habitat)<sup>[4]</sup>.

ABC recommends that the following information be included in the Humboldt EIR to elucidate and address the Humboldt Wind Energy Project’s potential impacts on birds:

### **1. Siting Location**

- Conduct multiple years of scientifically rigorous study (e.g., before-after-control-impact) to assess the level of risk that this site presents to birds and to take any necessary measures to avoid siting of wind infrastructure within known flyways.
- Identify precisely where and when the project will impinge upon Marbled Murrelet critical habitat,<sup>[5]</sup> <sup>[6]</sup> particularly suitable,<sup>[7]</sup> and known<sup>[8]</sup> nest locations.
- Quantify the vulnerability of the Marbled Murrelet to the development with respect to
  - protecting nesting sites from disturbance and
  - avoiding collisions with turbines along travel routes between nesting sites and coastal foraging areas used to feed young.
- Provide sufficient pre-construction assessment data to:
  - assist with micro-siting (e.g., by use of radar to detect local bird movements)
  - create an annual baseline against which post-construction studies can be evaluated
  - use all existing available bird study data
  - quantify vulnerability throughout the year, especially during months when bird use can be expected to peak at the selected site.

### **2. Operation and Construction Mitigation**

- Implement the best (tested and verified) technology and management practices to avoid and minimize harm to birds.

- Identify high-risk areas that require the burial of transmission lines, potentially in addition to “boring under” the Eel River to align the proposed general transmission line (Gen-Tie), as needed to minimize potential impacts to Marbled Murrelets.
- Follow Avian Power Line Interaction Committee<sup>[9]</sup> standards for above-ground transmission lines.
- Use lighting that minimizes nighttime migratory bird collision mortality (such as strobe lights).
- Use un-guyed rather than guyed meteorological towers.
- Restore habitat disturbed by construction, e.g., re-compacting soils disturbed by construction and replanting native vegetation (or restoring the site if the wind facility is decommissioned).
- Ascertain that any construction activities or “tree clearing” will avoid direct and indirect disturbance to Marbled Murrelet nesting habitat.

### **3. Monitoring**

- Quantify the magnitude of potential bird take using the best available tools and techniques. Murrelets are active during dawn and dusk, so surveys need to be conducted at appropriate times of day and seasons. Proven techniques for monitoring activity include audiovisual surveys, remote sensing with radar, and automatic song meter technology.
- Monitor impacts from bird strikes against wind infrastructure and supporting infrastructure (transmission lines, building and lights, communications towers).
- Conduct at least two years of post-construction study (long enough to determine the efficacy of, and make needed revisions to, operational mitigation measures).
- Implement mathematical models that best account for variation in local conditions and the relative difficulty of locating bird carcasses in different habitats, as well as any scavenging by predators that may reduce the number of carcasses found.

### **4. Compensation**

- Ensure that mitigation will be scaled appropriately to levels of take.
- Redress the loss of any birds or habitat unavoidably harmed by construction and operation to a net benefit standard. This includes bird deaths caused by collisions with turbines and their associated power lines, and lost or degraded habitat (e.g., areas of abandoned habitat).
- Mitigate impacts to murrelets, for example by habitat acquisition and protection, as well as predator (e.g., corvids) and waste management (e.g., Redwoods Parks, CA state parks). Such compensation could include acquiring additional land under protection of the National Wildlife Refuge system or other off-site habitat conservation projects.
- Specify how compensation will offset or mitigate any habitat or bird losses/displacement from the project’s cumulative impacts.

We encourage the EIR to specify how the project will follow American Bird Conservancy's Bird-Smart Wind Energy policy, including each of these aforementioned four strategies. The primary goal should be to minimize impacts (for example, proper siting, burying transmission lines, etc.), as offset mitigation is rarely as effective as we would like. Please do not hesitate to contact us with any questions on how best to achieve a Bird-Smart Wind Energy approach.

Sincerely,



Holly Goyert, PhD  
Bird-Smart Wind Energy Campaign Director  
American Bird Conservancy  
4301 Connecticut Ave. NW, Ste 451  
Washington, DC 20008



Hannah Nevins  
Seabird Program Director  
American Bird Conservancy  
Santa Cruz, CA 95062

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<sup>[1]</sup> <https://abcbirds.org/program/wind-energy-and-birds/learn-more/>

<sup>[2]</sup> <https://www.fws.gov/birds/management/flyways.php>

<sup>[3]</sup> Falxa, G.A. and M.G. Raphael. (2016) Northwest Forest Plan - the first 20 years (1993-2013): Status and trends of Marbled Murrelet populations and nesting habitat. USDA Gen. Tech Report PNW-GTR-933. [https://www.fs.fed.us/pnw/pubs/pnw\\_gtr933.pdf](https://www.fs.fed.us/pnw/pubs/pnw_gtr933.pdf)

<sup>[4]</sup> Nelson, S. K. (1997) Marbled Murrelet (*Brachyramphus marmoratus*), version 2.0. In *The Birds of North America* (A. F. Poole and F. B. Gill, Editors). Cornell Lab of Ornithology, Ithaca, NY, USA. <https://doi.org/10.2173/bna.276>

<sup>[5]</sup> [https://www.fws.gov/arcata/es/birds/mm/m\\_murrelet.html](https://www.fws.gov/arcata/es/birds/mm/m_murrelet.html)

<sup>[6]</sup> <https://abcbirds.org/program/wind-energy-and-birds/wind-risk-assessment-map/>

<sup>[7]</sup> Falxa and Raphael 2016, Fig. 2-11

<sup>[8]</sup> Falxa and Raphael 2016, Fig. 2-2

<sup>[9]</sup> <https://www.aplic.org/>

Cliff Johnson  
Senior Land Planner  
County Planning & Building Department  
3015 H Street  
Eureka, CA 95501  
CJohnson@co.humboldt.ca.us

30 August 2018

Subject: Notice of Preparation for the Humboldt Wind Energy Project

Dear Cliff Johnson,

On behalf of the North Coast Bat Working Group, we would like to thank you for receiving and considering our comments in the development of the Environmental Impact Report (EIR) for the Applicant-proposed (Humboldt Wind, LLC) Humboldt Wind Energy Project (Proposed Project) located between Fortuna and Garberville in Humboldt County. The North Coast Bat Working Group is a group of agency staff, consultants, professors, and students that have an interest in bats. We are in favor of exploring and developing alternative energy while implementing prudent measures to reduce potential impacts on natural ecosystems to the greatest extent practicable, even if it results in reduced megawatts generated from the proposed 60 wind turbines generators (WTGs).

The Proposed Project has many potential impacts on biological resources with one of the more notable being direct mortality of bats due to collision with turbine blades. In a study to assess wind turbines effects on bats, it was determined that mortality from wind turbines may pose a substantial threat to migratory bats by drastically reducing the population size and increasing the risk of extinction (Frick et al., 2017<sup>1</sup>). For example, this study noted that hoary bat populations could decline as much as 90 percent in the next 50 years. Mortality of a high number of bats in a relatively short period of time (e.g., seasonal migration) or mortality to individual bats over a long period of time (which may occur during daily foraging migrations), may result in population-level impacts, which could result in a potentially significant effect to the resource under CEQA. This would be an unacceptable risk to the resource.

To identify potential impacts on bats, we recommend pre-project comprehensive bat surveys including, but not limited to, long-term (i.e., multi-year/season) acoustic surveys in representative spatial locations throughout the area where turbines would be located to establish a baseline of use and migratory patterns in the Proposed Project area. Acoustic monitoring results should be provided by species, and we request that these data are publicly archived as soon as permissible; data can be archived at: <https://batamp.databasin.org/>.

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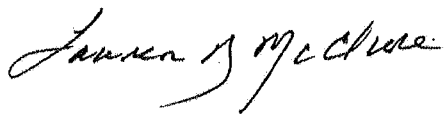
<sup>1</sup> Frick, W.F., Baerwald, E.F., Pollock, J.F., Barclay, R.M.R., Szymanski, J.A., Weller, T.J., Russell, A.L., Loeb, S.C., Medellin, R.A. and McGuire, L.P., 2017. Fatalities at wind turbines may threaten population viability of a migratory bat. *Biological Conservation*, 209, pp.172-177.

If the results indicate that the area is used for daily or seasonal migration, to reduce impacts on bats, we propose that the County of Humboldt require Humboldt Wind LLC to implement operational mitigation (curtailed energy production) during high-risk periods to minimize bat fatalities and reduce the probability of long-term population-level effects on bats. Based on a recent study on hoary bat seasonal movements and migration in Humboldt County, it was documented that the hoary bat can move long distances in non-linear ways and sometimes hibernate for an entire winter (Weller et. al., 2016<sup>2</sup>), which may result in unpredictable movement patterns. It would be anticipated that ongoing and real-time monitoring may be necessary to guide the implementation of the operational mitigation to reduce impacts on this resource.

The Humboldt County General Plan (2017<sup>3</sup>) identifies that the protection of sensitive habitats is an important part of planning and environmental assessments for land use developments, and that sensitive habitats are considered an especially valuable habitat type for a species whose habitat requirements, if significantly changed, would cause a threatening change to the species population across its range. As a result, protection of sensitive habitats that support migrating (seasonal and daily) bats should be considered when developing the Proposed Project. We look forward to reading the Environmental Impact Report in support of the Humboldt County Conditional Use Permit.

Thank you for your consideration. We are available for consultation and/or further discussion should you have any questions on this matter.

Thank you,



Lauren McClure (and the signatories listed below)

Wildlife Biologist

North Coast Bat Working Group

---

<sup>2</sup> Weller, T. J., K. T. Castle, F. Liechti, C. D. Hein, M. R. Schirmacher, and P. M. Cryan. 2016. First Direct Evidence of Long-distance Seasonal Movements and Hibernation in a Migratory Bat. *Nature*. 6:64585.

<sup>3</sup> Humboldt County. 2017. Humboldt County General Plan for Areas Outside the Coastal Zone. Humboldt 21<sup>st</sup> Century. Adopted 23 October 2017.



1. Trinity Smith



2. Sky Salganek



3. Amon Armstrong



4. Joseph M. Szewczak



5. Gretchen O'Brien



6. Genevieve Rozhon



7. Ken Mierzwa



8. Scott Osborn



9. Krista Orr



10. James McIntosh





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*Safe Alternatives for our Forest  
Environment*

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*Friends of the Eel River*  
C.J. Ralph

*Redwood Region Audubon  
Society*

Richard Kreis  
*Sierra Club North Group,  
Redwood Chapter*  
Bob Morris  
*Trinity County Rep.*

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*Office Assistant*

August 29, 2018

Cliff Johnson, Senior Planner  
Humboldt County Planning and Building Department  
3015 H Street  
Eureka, CA 95501

#### **Subject: Comments on Proposed Humboldt Wind Energy Project ("Project"), Notice of Preparation of a Draft Environmental Impact Report (DEIR)**

Dear Mr. Johnson:

The Northcoast Environmental Center (NEC) submits the following comments in response to the Notice of Preparation for the Project, and on behalf of NEC's members, staff, board of directors, and member groups.

The Northcoast Environmental Center has engaged in conservation and environmental protection in northwestern California for over 45 years. Our mission includes educating agencies and the public about environmental concerns that may have an effect on our local resources and citizens. In addition, we encourage our members and citizens to take part in civic engagement such as this. We appreciate the opportunity to comment on the Project.

The NEC is extremely concerned about the impacts of climate change due to human-caused increases in greenhouse gasses, including carbon dioxide released by the burning of carbon-based fuels. Therefore, we support alternative energy sources which release minimal greenhouse gasses. Wind energy is one such alternative source. However, energy projects should be sited and designed to avoid and minimize environmental impacts. Toward this objective, we offer the following comments in response to the Notice of Preparation:

1. Release of the DEIR, and any decisions regarding the project, should occur only after completion of all biological and other environmental impact studies. Completion of these studies and incorporation of their results into the DEIR is critical to the DEIR fully and accurately disclosing Project impacts. For example, 2 years of radar-based Marbled Murrelet surveys are planned, appropriately, to characterize murrelet use of the area. Radar sampling began in early 2018, thus sampling will not be completed until the end of 2019, at the earliest. Sampling during all seasons and in multiple years accounts for known seasonal and between-year variability in murrelet inland flight patterns.
2. Biological impacts of concern to the NEC include animal fatalities due to collision with turbines and their spinning blades. These include impacts to:
  - a. Marbled Murrelets;

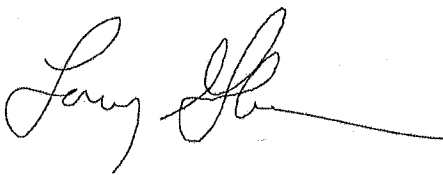
- b. Raptors including both breeding raptors and the diverse raptor community which uses the area during the winter; and
- c. Impacts to migratory birds and bats.

These impacts should be fully evaluated in the DEIR using project site-specific data collected during the seasonal periods when species are present in the Project area.

- 3. The DEIR should fully disclose and evaluate impacts associated with road construction, road improvements and operation, and construction and operation for Project life of transmission lines, including the proposed general transmission line (Gen-Tie). Impacts of concern include:
  - a. Impacts to native plant communities;
  - b. Aquatic impacts, including sediment impacts downstream on salmonids and salmonid fishes, amphibians, and habitats for these animals; and
  - c. Transmission line collision impacts to Marbled Murrelets. We note that this is not a hypothetical issue. In recent years, at least 2 Marbled Murrelets have died in Humboldt County due to collision with utility lines.
- 4. The DEIR should disclose and assess the environmental impacts of upgrades to local infrastructure required for construction and transport of Project materials, including but not limited to roads, highways, and docks.
- 5. The analysis of impacts on recreational resources should evaluate viewshed effects for recreational users of parks and other public lands, including the nearby King Range and Sinkyone wilderness areas.
- 6. The County should immediately release to the public the Biological Resources Work Plan prepared for the Project, and any related information on biological study designs and protocols. These will provide the public with important information regarding ongoing Project studies.

Thank you for considering our comments.

Sincerely,

A handwritten signature in cursive script, appearing to read "Larry Glass", with a long horizontal flourish extending to the right.

Larry Glass  
Executive Director  
Northcoast Environmental Center



*Keeping Northwest California Wild Since 1977*

*Sent via email to CJohnson@co.humboldt.ca.us on date shown below*

August 29, 2018

Cliff Johnson, Senior Planner  
Humboldt County Planning and Building Department  
3015 H Street  
Eureka, CA 95501

Re: Humboldt Wind Energy Project Notice of Preparation

Dear Mr. Johnson,

Thank you for the opportunity to comment on the Notice of Preparation for the Terra-Gen Wind Project. Please accept these comments on behalf of the Environmental Protection Information Center (EPIC). EPIC has a 41 year history as Humboldt's forest watchdog, working to reform private and public forest management practices. While most of EPIC's work concerned logging and development, the fundamental principles and values that shape our work—the preservation of intact forests to protect biodiversity—likewise inform these comments. EPIC recognizes the importance in decarbonizing our energy infrastructure, however we remain concerned about the potential impacts of the proposed action on irreplaceable natural resources.

#### **Alternatives Analysis:**

The analysis of a range of reasonable alternatives is important to examine the potential impacts of a project. Here, EPIC requests that the County examine these additional alternatives:

##### **(1) "No-Take" Alternative**

EPIC is concerned with the potential "taking" of marbled murrelets. If the preferred alternative is likely to result in the taking of murrelets, EPIC requests that the county develop an alternative that would not result in the taking of murrelets. This may include alternative placement, design, and number of wind turbines.

##### **(2) Large Turbine Alternative**

EPIC requests an alternative that minimizes the total number of turbines while still achieving energy project goals by utilizing the largest feasible turbines for the project site.

#### **Impacts Analysis:**

In the forthcoming DEIR, it is necessary to examine all impacts from all facets of the project, not just the proposed wind turbines. These include, but are not limited to, impacts from the permanent meteorological towers, operations and management facilities, communication systems, new roads, new electrical connects and substation connects, and staging areas. Among the impacts to be discussed, please examine the following impacts:

- Impacts to at risk species, including the marbled murrelet, bald eagles, and golden eagles.
- Impacts to other avian species, including bats
- Impacts to rare plant species
- Impacts to tribal cultural resources
- Impacts to aquatic species and resources
- Impacts to grid capacity
- Impacts to viewsheds, particularly from potential and designated Wilderness Areas and parks
- Impacts related to shipment and delivery of project material, including impacts to Humboldt Bay

### **Survey Information:**

EPIC wishes to stress that it is important that all resource surveys be completed according to widely accepted protocols. Release of the DEIR should occur only after completion of surveys and the incorporation of their results into the DEIR.

### **Clear, Transparent Information:**

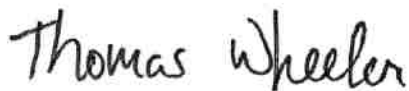
EPIC requests that all survey data, scientific references, and accompanying plans or reports be made available online. For example, Terra-Gen has worked with U.S. Fish and Wildlife Service and the California Department of Fish and Wildlife on a "Biological resources Work Plan." EPIC requests that the County provide this plan prepared for the project through an easily accessible online portal.

### **Consultation with the Wiyot Tribe**

This project is proposed on Wiyot Tribal ancestral territory. EPIC wishes to remind the county of their legal and moral obligation to work with the Wiyot Tribe, through formal government to government talks, on the design and implementation of this project

### **Conclusion**

Thank you for considering our comments. If you have any questions or concerns, please do not hesitate to contact EPIC at [tom@wildcalifornia.org](mailto:tom@wildcalifornia.org) or (707) 822-7711.



Thomas Wheeler  
Executive Director  
Environmental Protection Information Center (EPIC)





## FRIENDS OF THE EEL RIVER

*Working for the recovery of our Wild & Scenic River, its fisheries and communities.*

August 29, 2018

Cliff Johnson, Senior Planner  
County of Humboldt Planning & Building Department  
3015 H Street  
Eureka, CA 95501

RE: Humboldt Wind Energy Project NOP for DEIR

Dear Mr. Johnson:

Please accept these scoping comments on the Humboldt Wind Energy Project from Friends of the Eel River (FOER). While FOER is supportive of the development of clean, renewable energy generally, the construction and maintenance of such a large infrastructure project in an ecological system as important - and sensitive - as the Eel River watershed has the potential for significant environmental impacts. We therefore have some concerns and questions. Prior to issuing a conditional use permit for the construction and operation of the project, the following must be addressed in the Environmental Impact Report:

1. Impacts to birds: It is well-established that industrial wind turbines kill birds. Siting is thus critical. We remain unsure of the suitability of a utility scale wind project in marbled murrelet habitat. Eagles and northern spotted owls have also been documented in the project area. We understand that significant effort is currently being made to monitor wildlife, particularly birds, at the turbine site but are unaware of wildlife surveys to be conducted along the transmission corridor. The project should not be approved until all the biological studies – for birds and other protected species - are complete and those results are incorporated into the DEIR (some of them are 2-year studies, such as for marbled murrelets, which will not be complete until fall of 2019)
2. Impacts to bats: Bats are even more sensitive to turbine disturbance, as fatalities can be caused not only by direct collision with blades but also by a phenomenon called barotrauma, in which proximity to the blades causes (often fatal) tissue damage to air-containing structures, such as lungs, from rapid or excessive pressure change. Please evaluate limiting nighttime turbine speeds to less than 5 meters/second to mitigate impacts. Please use best available science to evaluate and mitigate impacts on bats. A study from the EU titled “*Mitigating the negative impacts of tall wind turbines on bats*”

### HUMBOLDT OFFICE

foer@eelriver.org  
PO Box 4945, Arcata, CA 95518 • 707.798.6345

### NORTH BAY OFFICE

David Keller, dkeller@eelriver.org  
1327 I Street, Petaluma, CA 94952 • 707.763.9336

*Vertical activity profiles and relationships to wind speed*<sup>1</sup> provides potentially promising new information on mitigation measures.

3. Drilling under the Eel River: Please disclose all potential impacts for drilling under the Eel for the transmission line near Scotia. Please evaluate alternatives. Please ensure that, should the plan to drill under the Eel move forward, BMPs are required to minimize erosion and sedimentation.

Due to the many decades of timber processing adjacent to the proposed drilling site, it is possible that soils are contaminated (penta, furans, and dioxin are the most common legacy pollutants). Soils near the proposed drill site should be tested for contaminants. The proposal should minimize soil disturbance due to both the potential for chemicals and erosion.

4. Transmission corridor: Our initial assessment suggests that the approximately 30-mile-long transmission line from the turbine site to the sub-station in Bridgeville could have even more significant environmental impacts than the turbine site itself. A 75-100 foot buffer is proposed to be cleared and maintained for overhead power lines in the Eel and Van Duzen River watersheds. Most of the land the lines would pass over is forested, and some of it old-growth. There are multiple streams along the way that host protected salmonid species. Transmission lines also kill birds. We know that murrelets occasionally collide with power lines with fatal outcome. Two murrelets died in collisions with local utility lines in Prairie Creek State Park several years ago.

Please design a transmission corridor that minimizes habitat fragmentation from logging, water and wildlife pollution from herbicides, erosion from maintenance, etc. Evaluate an alternative that places the transmission line underground along existing roadways. Should you determine that an overhead line is still more ecologically appropriate, site poles and any other ground infrastructure as far away from streams as possible to reduce erosion and pollution potential in order to protect listed salmonids. Use existing roads or other clear areas, retain canopy cover to the fullest extent possible, and bar the use of herbicides to manage plant growth. Manual/mechanical clearing should be the method for keeping the right of way clear.

5. Transmission line fire risk: PG&E was recently found culpable for the fires that devastated entire communities in Sonoma and Mendocino counties last year. While they had previously been directed to begin placing power lines underground to eliminate fire risk, they have failed to meet their targets for doing so. How would this transmission line be different from those that cause fires? Could it 1. Be buried instead or 2. Use existing

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<sup>1</sup> Sascha D. Wellig, Sébastien Nusslé, Daniela Miltner, Oliver Kohle, Olivier Glaizot, Veronika Braunisch, Martin K. Obrist, Raphaël Arlettaz. "[Mitigating the negative impacts of tall wind turbines on bats: Vertical activity profiles and relationships to wind speed](#)." Plos Journal. March 21, 2018.

roads and transmission corridors only to reduce the footprint/risk? Heavier/larger diameter lines may be less of a risk, but that should be evaluated.

6. Impacts of "up to 17 miles of new roads:" Combined with the grading for the turbine sites, this amount of road construction and maintenance has the potential to impact not only the site itself but areas downstream as well. Please evaluate potential sediment impacts downstream on salmonid/amphibian/aquatic habitats. Please ensure that road standards for the project adhere to the highest levels of environmental sensitivity. Please also clarify potential impacts on existing roads and infrastructure and any necessary upgrades/mitigation for construction, materials transport, and maintenance.
7. Viewshed/impacts on Wilderness values: Initial assessments of viewshed impacts have focused on residences in the Rio Dell area. Humboldt Redwoods State Park, Grizzly Creek State Park, and Van Duzen County Park are all within five miles of the proposed site and host thousands of visitors seeking a nature experience. Viewshed impacts on these and other recreation areas should also be evaluated and minimized.

Friends of the Eel River is a non-profit public benefit corporation with its main office in Eureka, California. FOER's mission is to work for the recovery of the Wild and Scenic Eel River, its fisheries, and communities. Since 1994, FOER has worked to restore and protect the Eel River and its surrounding ecosystems from excessive water diversions, damaging pollution from roads, timber harvests, cannabis operations, and other sediment pollution sources, and ongoing habitat degradation and wildlife disturbances. FOER has focused on efforts to protect salmonids threatened with extinction, including Coho salmon, Chinook salmon, and steelhead trout.

FOER's members enjoy the natural environment of Humboldt County, including its many rivers and streams and surrounding forestlands. These members regularly enjoy hiking, watching birds, fishing, observing and photographing plants and wildlife, and otherwise experiencing the County's many watersheds. FOER and its members have a direct and beneficial interest in ensuring that the County fully complies with CEQA and approves projects that do not adversely affect wildlife or plant-life, especially species threatened with extinction like the Marbled murrelet, Northern Spotted owl, Coho and Chinook salmon, and steelhead trout.

FOER strongly supports the transition to a clean, renewable energy economy. However, not all renewable energy is truly green energy, especially when it depletes the landscape around it. We have learned this lesson all too well from our nation's prior obsession with large dams. While we believe that it is possible to minimize the project's impacts so that the pluses outweigh the minuses, significant, careful planning and mitigation will need to be conducted to ensure it does not harm the Eel River watershed. We look forward to further evaluating and commenting on the project once the DEIR is released.

Sincerely,

Stephanie Tidwell, Executive Director



## Pacific Seabird Group

Dedicated to the Study and Conservation of Pacific Seabirds and their Environment

To: Cliff Johnson, Senior Planner

County of Humboldt Planning and Building Dept.

20 August 2018

### **RE: Scoping comments for EIS / Humboldt Wind Energy Project, CA**

On behalf of the Pacific Seabird Group (PSG), we are providing scoping comments on the Environmental Impact Report for potential Humboldt Wind Energy Project. We are concerned that this project could significantly impact the Marbled Murrelet (*Brachyramphus marmoratus*), which is currently listed as Threatened under the federal Endangered Species Act (ESA) and Endangered by the state of California. Locating a wind power project near nesting sites will likely result in direct mortality of murrelets. Although we recognize the benefits of developing alternative sources of “green energy,” including wind power, we strongly oppose locating wind turbines in murrelet habitat.

PSG is an international, non-profit organization that was founded in 1972 to promote the knowledge, study, and conservation of Pacific seabirds. It has a membership drawn from the entire Pacific basin, including Canada, Mexico, Chile, Russia, Japan, China, Australia, New Zealand, and the USA. Among PSG's members are biologists and scientists who have research interests in Pacific seabirds, government officials who manage seabird refuges and populations, and individuals who are interested in marine conservation. Since 1986 PSG has included a Marbled Murrelet Technical Committee, which is itself composed of several working groups, that act on the status, distribution, and monitoring protocol for the Marbled Murrelet. PSG also identifies and facilitates research, addresses conservation problems related to this species, and acts as a liaison between research and government. PSG has served as an unbiased forum for government, university, and private sector biologists to discuss and resolve issues related to Marbled Murrelet conservation along the Pacific coast of North America.

We are very concerned that the positioning of the 60 wind energy turbines spanning over miles along on a ridges could pose significant risk of collision to Marbled Murrelets transiting to and from marine foraging areas and nesting sites. In order to ensure the survival and recovery of the Marbled Murrelet, we recommend the following recommendations be addressed in the EIR with discussion and some analysis of alternatives:

- A) situate turbines at least one mile away from occupied murrelet sites
- B) curtail turbine operation during the breeding season (April–September), especially nearest the occupied sites
- C) create robust mitigation plans that truly compensate for all potential losses of murrelets.
- D) change design to non-lethal structures, with shorter and/or slower rotating or twisting blades.
- E) follow Best Practices for Wind Energy  
([https://www.fws.gov/habitatconservation/windpower/Wind\\_Turbine\\_Guidelines\\_Advisory\\_Committee\\_Recommendations\\_Secretary.pdf](https://www.fws.gov/habitatconservation/windpower/Wind_Turbine_Guidelines_Advisory_Committee_Recommendations_Secretary.pdf))

In conclusion, we feel the Humboldt site needs to carefully consider any impact to Marbled Murrelets. Without protection from further loss, the Marbled Murrelet is likely to become adversely impacted further, reducing chances of recovering the California population in the foreseeable future.

Thank you the opportunity to comment at this point.

Sincerely,



Vice Chair for Conservation  
Pacific Seabird Group  
[conservation@pacificseabirdgroup.org](mailto:conservation@pacificseabirdgroup.org)



**Johnson, Cliff**

---

**From:** Jane Hartford <jehartford9@gmail.com>  
**Sent:** Saturday, August 18, 2018 3:13 PM  
**To:** Bohn, Rex; Sundberg, Ryan; Bass, Virginia; Wilson, Mike; Fennell, Estelle  
**Cc:** Johnson, Cliff; Ford, John; Planning Clerk  
**Subject:** my comments on the proposed Humboldt Wind Project by the Humboldt Wind LLC/Terra Gen  
**Attachments:** Comments to NOP\_DEIR\_WindProject.pdf

**Dear Rex Bohn and the Humboldt County Board of Supervisors:**

**Attached please find the Town of Scotia and the Scotia Community Service District's comments on the subject line proposed Humboldt Wind Project.**

**I support every line of these comments in addition to the comments I already made at the EIR Scoping public meeting at the Winema Theater in Scotia last Thurs, August 16.**

**I would also like to add the following comments at this time:**

**1. As a new homeowner in Scotia, I believe this proposed project must not be allowed to happen for all the reasons stated in the attached, but also for personal reasons. I bought a home and moved to Humboldt County in July 2017 because I wanted to eventually retire amidst the magnificent redwood forests, and the amazing natural beauty of Monument, and Bear River ridges beautifully enveloping the town of Scotia.**

**My reasons for buying a home in Scotia would be completely destroyed if the proposed Humboldt Wind project is allowed to proceed.**

**2. I also suspect that it's no accident that Humboldt Wind, LLC picked two of the poorest towns in Humboldt County as the location for this project. It's common knowledge that poverty is not conducive to active citizenship and caring about anything beyond putting food on ones table, keeping ones head down, and/or, worse, using substances to escape the harsh realities of poverty (significant heroin/meth addiction is another huge and very disturbing problem—for current and potential home owners — in Humboldt County).**

**Given all the publicity around the Humboldt Redwood Company (formerly PALCO) and its parent, the Mendocino Redwood Company and their alleged labor and other alleged corporate tactics, etc, etc, it appears to me that this may be just one more example of wealthy corporations refusing to care about and cooperate with the communities of human beings that supply their labor forces and that they operate within.**

**It also appears to me that given all of the ongoing negative publicity about heroin addition in Humboldt County, this is a project that Humboldt County would not want to be associated with in its current location because of the onslaught of negative publicity this proposed project is bound to attract from**

journalists such as David Harris, a freelance journalist for The New York Times (a Second Edition of Harris's book *The Last Stand* is about to be published this fall.)

This is a "Bambi meets Godzilla" story clothed in a project that is both environmentally and financially attractive to Humboldt County.

As a homeowner in Scotia and tax payer in Humboldt County, I'm strongly in favor of "nipping" the proposed location of the wind project "in the bud," and relocating this project closer to Bridgeville above Hwy 36, or between Blue Lake and Willow Creek above SR 299.

There are plenty of other mountain ridges in Humboldt County to support a valuable Humboldt County Wind Project without destroying the barely emergent Town of Scotia, which as you may know, The Town of Scotia LLC is in the midst of trying to sell about 230 homes at affordable prices.

Needless to say, the proposed wind project would be not be a selling point to future homeowners here — IF the ToS can sell these homes at all with the proposed Humboldt Wind Project looming.

It's for all of these reasons that I strongly urge you to not allow this proposed project to be permitted; and, instead, I strongly urge you to support the relocation of this project elsewhere within Humboldt County, ASAP.

Sincerely,

Jane Hartford  
220 Mill Ln  
Scotia, CA 95565  
415-380-9924 cell  
[jehartfor9@gmail.com](mailto:jehartfor9@gmail.com)



August 1, 2018

Humboldt County Planning Division  
Attn: Cliff Johnson, Senior Planner  
3015 H Street  
Eureka, CA 95501

**RE: Comments to Notice of Preparation of a Draft Environment Impact Report  
Project: Humboldt Wind Energy Project ("Project")**

Hello Mr. Johnson,

Introduction and Executive Summary

I write on behalf of the Town of Scotia Company, LLC, which I serve as President and Director of Legal Affairs. We submit our scoping comments in coordination with the Scotia Community Services District (SCSD), which provides civic governance to Scotia through management and control of key utilities, Water and Wastewater Plants and other municipal assets and services.

Scotia has a truly unique relevance to the Humboldt Wind project. The town could be said to be "ground zero" for any potential adverse effects, as described and explained further in this cover letter and in the bulleted comments, attached.

Scotia is the *closest community to the project*, residing at the foot of Monument Ridge which forms the backdrop to the town's glen, formed by the steep walls of its narrow river-bow valley, not much more than a mile away from the Project in a direct and unobstructed line of sight.

Scotia's municipal *Drinking Water System* has its *intake collector in the Eel River* at the base of Monument Ridge, just downstream from the mouth of Monument Creek which drains the area where the project proposes its most significant soil disturbance activities, and just downstream of the Project proposed location for directional *drilling beneath the Eel River* for its Gen-Tie electrical power conveyance wires, conduit and equipment.

Scotia would seem to be the logical place for Project worker and materials delivery, assembly, and stockpiling, possibly for gravel processing or extraction, all resulting in increased activity, traffic and congestion associated with the Project and/or Worker demand for services (like lunchtime gas and grocery, etc.).

Moreover, essentially any new or additional activity or traffic in Scotia must be evaluated for *cumulative effect*, in combination with *other extraordinary construction and traffic impacts, already ongoing* and planned to continue for a period of years, from a prior approved Infrastructure Improvement project related to the Scotia Subdivision, Phases 3 through 5.

The Project calls for extraordinary levels of road and right of way construction, reconstruction, wide Crane Roads, slope matching, grading, and foundation excavation, landings, pad, storage and service area clearing and grubbing. These Project activities are proposed to a scope and extent never before undertaken in Humboldt County, much less on environmentally sensitive industrial timberland with a history of management-caused rotational slides and documented Mass Wasting Areas of Concern as described in formal watershed analysis. For these reasons, timber production and harvest is constrained in the area under a multi-species Habitat Conservation Plan (HCP) which applies as well to certain lands in Scotia.

Yet the project application proposes *cutting all the trees in wide swathes of road and right of way* without any discussion in the Applications of the type, number, volume, size-class distribution or species-mix of the trees to be removed, or how such a "lineal clear-cut" might be consistent with the HCP operations and management constraints applicable on this property.

#### Background and Statement of Interests

For 140 years, the community of Scotia was essentially a corporate asset. All the residential, commercial, institutional and industrial development within it, as well as all of the industrial timberland surrounding the town for miles around -- all were owned by the Pacific Lumber Company (PALCO). PALCO maintained all the streets, parks, homes, factories and institutions (churches, Schools, recreational facilities...)

Everyone living within the town worked for PALCO, and all the homes were rented from the Company. The company maintained the amenities of a community in part the way it maintained the industrial means of production. The community was part of the production mechanism. A stable population of workers facilitated harvest and manufacture of forest products in an industry historically notorious for a very transient workforce, largely roaming from lumber camp to lumber camp.

So PALCO controlled pretty much everything and everybody in and around Scotia for 140 years, and then it went bankrupt. Following bankruptcy, reorganization and dissolution of PALCO in 2008, two new entities were formed by investors or creditors, and a modernization process began.

As part of that Reorganization, most of the industrial Timberland was acquired by the Humboldt Redwood Company (HRC), and the town of Scotia was acquired by the Town of Scotia Company LLC (TOS). About the same time the process was commenced which led to formation of the **Scotia Community Service District** to manage public utilities and civic assets and to provide local governance through an elected District Board of Directors.

While HRC turned to managing the industrial timberland, TOS promptly began a process of creating marketable parcels and selling and conveying properties not part of its core business. Until recently, TOS maintained and rented all the 272 homes and several the ongoing businesses throughout town as the rental "land lord." *There is no public record that Humboldt County would be subject to the approval of negative public*

As part of this process, the local elementary School was sold to the School District, for example, Hobby's Supermarket and the Scotia Renner Fueling Station were sold to independent operators. The Scotia Sawmill parcel was created by lot line adjustment and conveyed to HRC, as was any industrial timberland acquired by TOS, while the Scotia Power Plant was sold to RED-Greenleaf, an independent power operator (later re-sold to HRC).

More recently, TOS has conveyed several civic properties to the SCSD (the Ballparks, Theater and Museum, Water and Sewer Plants, Community Forest and premises for new SCSD Offices on Main Street).

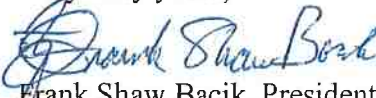
Much of that process relies on a *major subdivision* of Scotia, completed as part of a very large project approved in 2010 and still very intensively under way. Subdivision results in the creation of logical, mostly small, independent, individually marketable lots and parcels which can be sold to private purchasers. Under the subdivision, as TOS' core business progresses, eventually all the homes and businesses in Scotia will be subdivided and sold, owned by private parties (residents and owner-operators).

So far, TOS has sold 39 of its 272 homes to private parties. Until subdivided in several phases over several years, the rest of the homes in Scotia remain TOS-owned rental tenancies, essentially as they have been for 140+ yrs. As a consequence, TOS still owns the vast majority of parcels (particularly housing) in Scotia. It therefore has a continuing substantive interest in protecting those assets as well as advancing the interests of its rental tenants throughout town and protecting value for recent and prospective home owners, purchasers and all Scotia residents.

Final Map Subdivision of all of Scotia is proceeding in a "Phase" process. Before any phase is approved for recording and sale, a complex and intensive infrastructure improvement and upgrade project must be designed, reviewed, engineered, implemented, inspected and approved. Only then are the utility systems, drainage, streets and alleys, etc. dedicated to public use and/or conveyed by Deed and Easement to the SCSD.

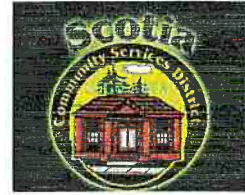
Based on this recitation and representation of interests, we write on behalf of the Town of Scotia Company, LLC and the Scotia Community Services District to make and explain scoping recommendations for any relevant EIR /EIS and any CEQA/NEPA, CESA/ESA and other public review processes. We recommend areas of inquiry and analysis we believe necessary for appropriate environmental impact review. Our comments and recommendations are included in the attached bullet points and incorporated by reference in this cover correspondence.

Very truly yours,

  
Frank Shaw Bacik, President  
Town of Scotia Company, LLC  
(707) 764-4131  
[fbacik@townofscotia.com](mailto:fbacik@townofscotia.com)

  
Leslie Marshall, Manager  
Scotia Community Services District  
(707) 506-3030  
[infoscotiacsd@gmail.com](mailto:infoscotiacsd@gmail.com)





## Humboldt Wind Energy Project Review and Comments on Notice of Preparation of Draft EIR

1. Visual Impact to Scotia- Potential Visual Impact to the Monument Ridge 'skyline' above and surrounding Scotia seems to be the most-mentioned concern from Scotia residents and tenants. The community of Scotia, CA lies WITHIN or immediately adjacent to the project area. Please provide visual simulations of the proposed Project with view-point from central **Scotia**, Main Street, residential and commercial centers, and the Hwy 101 Corridor.
  - We have reviewed January 2018 Use Permit Application and May 25, 2018 Supplement, but *neither includes any visual simulations* to help evaluate viewshed impacts to **Scotia** (the *nearest community*), or any other area or community.
  - Undeveloped Monument Ridge has been perhaps the primary scenic component adjacent to the Scotia Community for over 140 years. Monument Ridge rises abruptly from the banks of the Eel River and defines the steep southwest wall of the glen or narrow valley surrounding Scotia's bow of the River. Snow falls on the ridge several times each year, accentuating its proximity, and sunsets and sunrises focus attention on the ridge top immediately above town twice each day.
  - Somewhat surprisingly, public display of visualizations briefly presented at "Open House" meetings by the project proponent are of the project as viewed from a distant farmer's field in Rio Dell, about 6 miles away, and other areas, (like Ferndale) even farther away, and from which the project may not be visible at all.
  - Visualization from far outside the Project area has the (possibly intended) effect of minimizing impact to the most sensitive receptors for viewshed impact, those in the community of Scotia, located within and adjacent to the Project Area and in line-of-sight, as the crow flies, apparently a mile or so away from the nearest planned Turbines.
  - Please show how the project turbines will be appear from key sensitive community receptor sites such as the Scotia Post Office, central Main Street, the Scotia Shopping Center, the Scotia residential neighborhoods, the Scotia civic properties 1. ball park, 2. soccer field, 3. picnic park, 4. Community Forest, 5. Hospital, 6. Museum, 7. historic Winema Theater, 8. the Scotia Inn, 9. the Scotia Community Services District offices and/or the Town of Scotia Offices.
  - Will the project be lighted at night? Please demonstrate with visualizations.
2. The Eel River/Community Drinking Water Systems Impact
  - The region's "wildcat" mudstone geology is perhaps the most erosive and unconsolidated anywhere in North America. The project area includes several mass wasting areas of concern, larger management-caused rotational slides and other unstable features. These have all been mapped, monitored and evaluated in connection with the Mass Wasting Avoidance Strategy, part

of the Headwaters Forest Litigation Settlement and resulting Headwaters EIR/EIS and Habitat Conservation Plan (HCP), etc.

- The EIR consultant should examine the HCP and the detailed Headwaters CEQA and NEPA / EIR and EIS reporting, along with all of the related mitigation and monitoring programs which have since continued to provide current, updated information on geotechnical, sedimentation, mass wasting and other matters of relevance and concern, including formal technical Watershed Analysis for this part of the Eel River basin.
- Project Disturbance within *Eel River tributary watersheds, such as Monument Creek*, poses significant potential for adverse impact to the Scotia municipal water intake, located just downstream from the confluence of the Eel River and Monument Creek.
- Also needed is more information and analysis regarding potential impact and proposed mitigation in connection with directional drilling or boring underground gas-line and communications lines beneath and across the Eel River just upstream of the Scotia Water Intake for its public drinking water system. Project activities such as road construction, excavation, ground contouring, road use, possible mass wasting and other potential soil-disturbing activities should be evaluated, as they relate to Scotia's civic water systems including the system *Intake* immediately downstream on the Eel River, and/or the water *treatment* and *distribution* facilities upslope on the east side of the highway above Scotia and within or adjacent to the Project area. Concerns include the following:
- Will the Project construction, excavation and post construction road use, etc. include any disturbance in areas of erosion or mass wasting concern as identified by Watershed Analysis and public agencies?

Please provide more and more focused detail for the proposed underground river crossing, etc. (Jack and Bore, Directional Drilling, Fused HDPE Conduit, forced push or draw with bentonite or other lubricant, etc.)

3. Prior Habitat Conservation Planning: HCP Roadside Tree Removal Operations, and Road Construction Standards

- All the relevant Project Area, and all related HRC forest operations, are currently governed under a multi-species Habitat Conservation Plan (HCP), part of state and federal incidental take permits for avian and anadromous fish and other species. First put in place in 1999 as part of the Headwaters Litigation Settlement, the HCP is a *recorded encumbrance* (see *Declaration of Covenants, Conditions and Restrictions* recoded as document 199-6264-167, official Records Humboldt County CA) burdening operations on the HRC project property and running with the land.
- The HCP is in fact also applicable on certain portions of Scotia, including the SCSD Community Forest, Eel River riparian areas and the HRC monoculture tree plantations between south Main Street and the Eel River.
- The HCP includes specific road construction and harvest prescription standards intended to limit erosion, prevent mass wasting, preserve critical habitat, etc. The use permit applications are silent on the existence or relevance of this HCP.
- An analysis should be prepared to guide the environmental review of this project which shows how proposed Project road construction and associated grading and site requirements, etc. compare to these effective and governing HCP Limits and Standards.

- o For example, the current HCP contains specific and particular Roadside Harvest Restrictions including tree size and age-class distribution retention requirements, species mix, wildlife tree (Snag) retention, etc., while the project description proposes cutting *all the trees in wide swathes of right of way*.
- o Further analysis should be conducted for any tree harvest implicated by access road construction, pioneering, reconstruction, equipment staging, landing or slope grading, etc., as it may potentially exceed the HCP Roadside Harvest Restrictions.
- o If the road clearing and widening or other timber operations proposed under the Project will exceed HCP management prescriptions, the existing Biological Opinions indicate that those proposed, more intensive alternative operations risk a "Take" under the Federal Endangered Species Act (ESA) Section 9 (and parallel CA Endangered Species Act provisions), and so will also require new ESA Section 7 consultation and new or amended ESA Section 10 permitting and new Biological Opinions and Implementation Agreements.
- o Please explain how and when these additional ESA public review processes will be coordinated with scoping and CEQA/NEPA review.

#### 4. Tree Harvest

- o The application contains no analysis whatsoever of the scope of "tree removal" required, simply stating that the *'first step' will be to remove the trees*.
- o Preliminary cruise data, harvest related acreage and estimates of the volume of merchantable timber, non- merchantable, potential wildlife trees, nesting, roosting and feeding habitat, and the silvicultural prescriptions proposed for tree removal should be provided for early review and comment.
- o Much of the Project Area is classified as having steep hillsides, erosive and unstable soils. In light of the geology, what other critical habitat impacts are posed by the scope of tree removal critical to the Project? For what species?
- o Under the HCP, all road construction and landing, grading, etc. are governed by a specifically designed Mass Wasting Avoidance Strategy and Erosion Control Management Prescriptions based on Watershed Analysis and monitoring.
- o However, access roads, turbine assembly crane roads, grading and matching slopes that will result in roads and landings, pads and foundations 50, 60 or even 200 feet wide and wider. These extraordinary grading, grubbing and clearing, excavation, back filling, and land contouring activities described in the Use Permit Application far exceed the strictly controlled levels of disturbance currently permitted for operations under the HCP.
- o The Project clearly includes change of land use away from, Timber Production in those areas where forest and forest soils will be removed, such as turbine foundations, crane pads, etc. A change of use of TPZ lands -- zoned exclusively for Timber Production -- will also require a Timber Conversion Permit and a Timber Conversion Plan, Cal Fire CEQA review and approval (CAL Govt. Code §§ 51115.1 and 51115.2, et seq; 14 CCR § 1104.3).

## 5. Transportation Planning

- A Transportation Plan should be presented to the Town of Scotia, SCSD, residents, and business operators, and other "at risk" stakeholders at the earliest possible time. Clearly the communities closest to this extraordinarily large project will be the most impacted.
- Concerns include whether traffic in Scotia, already impacted from prior – approved projects, will increase. Project related support equipment; service trucks for contractors, concrete, construction and delivery, personnel, etc., if routed through Scotia, could exceed the current level of service and demand, or capacity, and/or increase the density or intensity of use of the single-main-street through Scotia to unsafe levels.
- To the maximum extent practicable, all Project traffic entering or leaving Scotia should use the *South Scotia on ramp and off ramp* for access to/from Hwy 101 to avoid unsafe traffic impact to the dense local residential, elementary school, civic and commercial portions of town at and near North Main Street and the North Scotia Hwy 101 access.
- Cumulative Impacts from increased construction traffic, material handling, stockpiling, paving, dust, noise and congestion etc. should be considered in light of the EIR and approval for a very large *ongoing* project in Scotia: the Scotia Subdivision and Infrastructure Upgrade.
- This prior approved project includes a major Final Map Subdivision of essentially all of the Town of Scotia, a General Plan Amendment, Rezoning, Zoning Code Text Amendments and full CEQA compliance including an EIR. Conditions of approval require removing and replacement of essentially all subsurface linear infrastructure in Scotia, including all Water and Sewer lines and laterals, Storm Drains, Fire prevention and suppression resources, relocating power and telecom lines, realigning and repaving streets, reconstructing Walks and Crossings, etc.
- This large Scotia construction project is ongoing. To be conducted in 5 or more Phases, Town of Scotia has recently completed Phase Two. Design standards and engineering has not yet been completed or reviewed for stage three. The work is expected to continue for at three or four more years.
- Implementation of the first phases of this prior-approved Scotia Infrastructure Project has often required road closures, controlled, one way and flagman-delayed traffic, Main Street Excavation, material stockpiling, route and delivery detours and re-routing, parking restrictions and other rental tenant and resident, commercial and Industrial water supply, electrical power and other utility service interruptions and land use limitations.
- The EIR/EIS for this Humboldt Wind power generation project should consider and mitigate the potential for Significant Adverse Cumulative Impact in Scotia from any further increase in traffic, service level demand or capacity limitations that may result from additional workers, materials delivery or stockpiling and staging, etc. for the proposed project in and around Scotia.

## Johnson, Cliff

---

**From:** Jane Hartford <jehartford9@gmail.com>  
**Sent:** Sunday, August 19, 2018 11:39 AM  
**To:** Johnson, Cliff; Ford, John; Planning Clerk; Bohn, Rex; Sundberg, Ryan; Bass, Virginia; Wilson, Mike; Fennell, Estelle  
**Subject:** A P.s. Fwd: my comments on the proposed Humboldt Wind Project by the Humboldt Wind LLC/Terra Gen  
**Attachments:** Comments to NOP\_DEIR\_WindProject.pdf  
**Importance:** High

P.s.

Dear Cliff Johnson, John Ford, Rex Bohn and the Humboldt County Board of Supervisors,

In addition to the attached, and to my comments below, I would like to add a few more questions/comments to be included in the scope of the EIR for the proposed Humboldt Wind Project.

For the record:

1. Would the reduction of Co2 of the proposed wind project over 30 years be greater than that of the significant number of trees that would be killed to make way for the wind project? The trees already supply this service to California through photosynthesis, and if left untouched, they (the trees) will continue to provide this service for life—as opposed to the wind project's 30 years. Also, how much Co2 would be released into the environment when the trees are killed?
2. If the wind energy from this proposed project would result in a greater reduction of Co2 in our air than the reduction of Co2 that the killed trees would have provided over their lifetime; how much greater would that reduction of Co2 be?
3. What is the potential long-term cost (big picture) to the environment in 30 years when presumably the proposed wind project would have to be deconstructed and hauled away; including the loss of the photosynthesis and reduction of Co2 over the lifetime of the killed trees that would have been lost forever?
4. Has Terra-Gen considered the alternative location far off the coast of the less populated area of Humboldt County near Petrolia? In my opinion, a wind project there would make good sense, because it would not be visible if it were placed far enough out to sea; and a wind project there would provide the benefit to Humboldt County taxpayers and to the Humboldt County economy of improved/new roads to that part of the lost coast. Tourists and residents without 4-wheel drives would actually be able to drive to Petrolia without blowing out their tires. *That would be the kind of win-win wind project I would likely be able to wholeheartedly support.*
5. I suggest that fast-tracking a proposed project like this in Humboldt County would stand to benefit no one but the Humboldt Wind LLC (Humboldt Redwood Company and Terra-Gen). Instead, I strongly support taking a very thoughtful, thorough, methodical approach to assessing the big-picture cost/benefit ratio of this proposed wind project.



I believe that a thoughtful, win-win Wind Project can be created in Humboldt County if enough time & energy, thought & consideration are put into it—and I strongly support the creation of such a thoughtful win-win wind project.

Sincerely,  
Jane Hartford  
PO Box 143  
Scotia, CA 95565  
[jehartford9@gmail.com](mailto:jehartford9@gmail.com)

Begin forwarded message:

**From:** Jane Hartford <[jehartford9@gmail.com](mailto:jehartford9@gmail.com)>  
**Subject:** my comments on the proposed Humboldt Wind Project by the Humboldt Wind LLC/Terra Gen  
**Date:** August 18, 2018 at 3:12:31 PM PDT  
**To:** [rbohn@co.humboldt.ca.us](mailto:rbohn@co.humboldt.ca.us), [rsundberg@co.humboldt.ca.us](mailto:rsundberg@co.humboldt.ca.us), [vbass@co.humboldt.ca.us](mailto:vbass@co.humboldt.ca.us), [mike.wilson@co.humboldt.ca.us](mailto:mike.wilson@co.humboldt.ca.us), [efennell@co.humboldt.ca.us](mailto:efennell@co.humboldt.ca.us)  
**Cc:** [cjohnson@co.humboldt.ca.us](mailto:cjohnson@co.humboldt.ca.us), [jford@co.humboldt.ca.us](mailto:jford@co.humboldt.ca.us), [planningclerk@co.humboldt.ca.us](mailto:planningclerk@co.humboldt.ca.us)

**Dear Rex Bohn and the Humboldt County Board of Supervisors:**

Attached please find the Town of Scotia and the Scotia Community Service District's comments on the subject line proposed Humboldt Wind Project.

I support every line of these comments in addition to the comments I already made at the EIR Scoping public meeting at the Winema Theater in Scotia last Thurs, August 16.

I would also like to add the following comments at this time:

1. As a new homeowner in Scotia, I believe this proposed project must not be allowed to happen for all the reasons stated in the attached, but also for personal reasons. I bought a home and moved to Humboldt County in July 2017 because I wanted to eventually retire amidst the magnificent redwood forests, and the amazing natural beauty of Monument, and Bear River ridges beautifully enveloping the town of Scotia.

My reasons for buying a home in Scotia would be completely destroyed if the proposed Humboldt Wind project is allowed to proceed.

2. I also suspect that it's no accident that Humboldt Wind, LLC picked two of the poorest towns in Humboldt County as the location for this project. It's common knowledge that

poverty is not conducive to active citizenship and caring about anything beyond putting food on one's table, keeping one's head down, and/or, worse, using substances to escape the harsh realities of poverty (significant heroin/meth addiction is another huge and very disturbing problem—for current and potential home owners—in Humboldt County).

Given all the publicity around the Humboldt Redwood Company (formerly PALCO) and its parent, the Mendocino Redwood Company and their alleged labor and other alleged corporate tactics, etc, etc, it appears to me that this may be just one more example of wealthy corporations refusing to care about and cooperate with the communities of human beings that supply their labor forces and that they operate within.

It also appears to me that given all of the ongoing negative publicity about heroin addiction in Humboldt County, this is a project that Humboldt County would not want to be associated with in its current location because of the onslaught of negative publicity this proposed project is bound to attract from journalists such as David Harris, a freelance journalist for The New York Times (a Second Edition of Harris's book *The Last Stand* is about to be published this fall.)

This is a "Bambi meets Godzilla" story clothed in a project that is both environmentally and financially attractive to Humboldt County.

As a homeowner in Scotia and tax payer in Humboldt County, I'm strongly in favor of "nipping" the proposed location of the wind project "in the bud," and relocating this project closer to Bridgeville above Hwy 36, or between Blue Lake and Willow Creek above SR 299.

There are plenty of other mountain ridges in Humboldt County to support a valuable Humboldt County Wind Project without destroying the barely emergent Town of Scotia, which as you may know, The Town of Scotia LLC is in the midst of trying to sell about 230 homes at affordable prices.

Needless to say, the proposed wind project would be not be a selling point to future homeowners here —IF the ToS can sell these homes at all with the proposed Humboldt Wind Project looming.

It's for all of these reasons that I strongly urge you to not allow this proposed project to be permitted; and, instead, I strongly urge you to support the relocation of this project elsewhere within Humboldt County, ASAP.

Sincerely,

Jane Hartford  
PO Box 143  
Scotia, CA 95565  
[jehartfor9@gmail.com](mailto:jehartfor9@gmail.com)

## Johnson, Cliff

---

**From:** Johnson, Cliff  
**Sent:** Monday, August 13, 2018 4:52 PM  
**To:** 'Richard Engel'  
**Subject:** RE: Humboldt Wind Energy Project NOP question

Richard, I'm sorry I perhaps didn't understand the question initially. Our intention was to define the entirety of the project in the project description on page 4. The table was not intended to function as the project description but to be a list of currently quantifiable disturbance areas associated with the project description. As of the date of the NOP we do not have an analysis of the amount of disturbance required for the gen-tie, but will be analyzing it in the EIR.

**Cliff Johnson**, Senior Planner  
County of Humboldt  
Planning and Building Department  
3015 H Street  
Eureka, CA 95501  
(707) 268-3721

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**From:** Richard Engel [<mailto:REngel@redwoodenergy.org>]  
**Sent:** Monday, August 13, 2018 4:34 PM  
**To:** Johnson, Cliff  
**Subject:** RE: Humboldt Wind Energy Project NOP question

Hi Cliff,

Yes, I saw there are references to the gen-tie elsewhere in the document, which is what made it puzzling to me that it's not included in Table 2. Was there a specific reason for not including it as a "project component"? I think the public is likely to have concerns about this.

Terra-Gen staff told me the transmission line would call for vegetation to be cleared across a 75 to 100 foot wide corridor for the whole length of the gen-tie (32 miles), which in total would mean several hundred acres of disturbed area, much of it across land that's currently forested. So that's likely to create more alteration of existing vegetation on the landscape than the turbines themselves, which it appears would be installed mainly on land that's already open grassland. (Terra-Gen did note that parts of the corridor would follow existing logging roads, so that could somewhat reduce how much clearing would need to take place.)

Thanks,  
Richard

**From:** Johnson, Cliff <[CJohnson@co.humboldt.ca.us](mailto:CJohnson@co.humboldt.ca.us)>  
**Sent:** Monday, August 13, 2018 4:23 PM  
**To:** Richard Engel <[REngel@redwoodenergy.org](mailto:REngel@redwoodenergy.org)>  
**Subject:** RE: Humboldt Wind Energy Project NOP question

Hi Richard,

The gen-tie line is referenced on page 4 and the location is shown on the exhibits. If you have any particular concerns about the disturbance associated with the gen-tie line please let us know so that we can make sure to try to address those comments in the review.

**Cliff Johnson**, Senior Planner  
County of Humboldt  
Planning and Building Department  
3015 H Street  
Eureka, CA 95501  
(707) 268-3721

---

**From:** Richard Engel [<mailto:REngel@redwoodenergy.org>]  
**Sent:** Monday, August 13, 2018 10:40 AM  
**To:** Johnson, Cliff  
**Subject:** Humboldt Wind Energy Project NOP question

Hi Cliff,

I've been reviewing the NOP the County released for the Humboldt Wind Energy Project EIR. I'm wondering why the 32-mile Gen-Tie described on the County's web page for the project is not included as a project component in Table 2 of the NOP. I had a chance to learn a little about the Gen-Tie from talking with Terra-Gen staff at their recent public meeting in Fortuna. As shown in the NOP maps, this seems like a major project component with significant associated disturbed area.

Thanks,  
Richard

Richard Engel, CEM  
Director of Power Resources | Redwood Coast Energy Authority  
(707)269-1700 x 354 | [www.RedwoodEnergy.org](http://www.RedwoodEnergy.org)



## Johnson, Cliff

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**From:** Shortridge, Tricia  
**Sent:** Monday, August 13, 2018 2:10 PM  
**To:** Johnson, Cliff  
**Subject:** Fwd: NOTICE OF PREPARATION FOR: Humboldt Wind Project  
**Attachments:** NOP\_7-31-18.pdf

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**From:** Shannon, Jacob [J.@Waterboards](mailto:J.@Waterboards) <[Jacob.Shannon@Waterboards.ca.gov](mailto:Jacob.Shannon@Waterboards.ca.gov)>  
**Sent:** Monday, August 13, 2018 10:48:56 AM  
**To:** Shortridge, Tricia  
**Subject:** FW: NOTICE OF PREPARATION FOR: Humboldt Wind Project

Hi Tricia,

My name is Jake Shannon and, currently, I am the point-of-contact for 401 water quality permitting for Humboldt County. Thank you for sending this meeting announcement and NOP out. Unfortunately I will not be able to make it, but I look forward to staying in the loop and working with you on permitting the project.

Jake

Jake Shannon  
Environmental Scientist  
Nonpoint Source/401 Certification Unit  
CalEPA - North Coast Regional Water Board  
5550 Skylane Blvd., Suite A  
Santa Rosa, CA 95403  
(707) 576-2673

**From:** Shortridge, Tricia <[TShortridge@co.humboldt.ca.us](mailto:TShortridge@co.humboldt.ca.us)>  
**Sent:** Tuesday, July 31, 2018 12:36 PM  
**To:** Johnson, Cliff <[CJohnson@co.humboldt.ca.us](mailto:CJohnson@co.humboldt.ca.us)>; Shortridge, Tricia <[TShortridge@co.humboldt.ca.us](mailto:TShortridge@co.humboldt.ca.us)>  
**Subject:** NOTICE OF PREPARATION FOR: Humboldt Wind Project

Dear Responsible/Trustee Agency:

This is a courtesy email to provide the Notice of Preparation for the Humboldt Wind Project Conditional Use Permit and EIR. Please save the date for the agency scoping meeting on Tuesday August 14<sup>th</sup> from 2 p.m. to 4 p.m. at the Sequoia Conference Center in Eureka. We look forward to seeing you there.

In the next few days, you will receive a hard copy of this NOP, sent to you via USPS.

Please contact either Cliff Johnson or me with any questions.

Best regards,

Tricia Shortridge, Planner

[tshortridge@co.humboldt.ca.us](mailto:tshortridge@co.humboldt.ca.us)

Current Planning Division

County of Humboldt, Planning and Building Department

3015 H St., Eureka, CA 95501

MAIN: (707) 445-7541

DIRECT: (707) 268-3704

## Johnson, Cliff

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**From:** Shortridge, Tricia  
**Sent:** Monday, August 13, 2018 3:54 PM  
**To:** Johnson, Cliff  
**Subject:** FW: Scoping comments for Notice of Preparation of EIR. Humboldt Wind, LLC Project, Scotia CA

Cliff, do you have a desired system in place for storing these comments?

Tricia Shortridge, Planner  
[tshortridge@co.humboldt.ca.us](mailto:tshortridge@co.humboldt.ca.us)  
Current Planning Division  
[County of Humboldt, Planning and Building Department](#)  
3015 H St., Eureka, CA 95501  
MAIN: (707) 445-7541  
DIRECT: (707) 268-3704

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**From:** Wheeler, Michael  
**Sent:** Monday, August 13, 2018 2:31 PM  
**To:** Frank Bacik; Werner, Steve  
**Cc:** Shortridge, Tricia  
**Subject:** RE: Scoping comments for Notice of Preparation of EIR. Humboldt Wind, LLC Project, Scotia CA

Thanks for the comments. I am forwarding them to Tricia Shortridge for inclusion in responses to the NOP.

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**From:** Frank Bacik [<mailto:FBacik@townofscotia.com>]  
**Sent:** Thursday, August 09, 2018 2:59 PM  
**To:** Wheeler, Michael; Werner, Steve  
**Subject:** FW: Scoping comments for Notice of Preparation of EIR. Humboldt Wind, LLC Project, Scotia CA

Hi Michael and Steve:

I provide a courtesy copy of our initial Joint Scoping Comments in connection with the Humboldt Wind LLC turbine power production project above Scotia.

Note that we comment in coordination with the Scotia CSD in recognition of certain shared interests.

I realize you are not assigned staff leaders on this project, but I thought you might be interested in some of the issues which are being brought to our attention.

There may not be the same breadth of "institutional memory" (what we old guys remember) across all Planning staff levels. So there may be need for the current (Wind) project environmental review consultants to access the records and analyses from some of the prior, relevant Scotia EIRs, including

- the Headwaters litigation-settlement project EIR
  - especially for biological and physical tech analyses

- the Scotia subdivision project EIR,
  - especially as regards Scotia traffic congestion and road construction, historical resource planning and protection, the new zoning regs., and
- the Scotia Sawmill Demolition Project
  - which further demonstrates the application of the special Scotia Historic Resource Protection Zoning provisions.

Frank

Frank Shaw Bacik  
[fbacik@townofscotia.com](mailto:fbacik@townofscotia.com)

Office Ph. 707-764-4131  
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**From:** Frank Bacik  
**Sent:** Thursday, August 09, 2018 2:37 PM  
**To:** 'cjohnson@co.humboldt.ca.us'  
**Subject:** Scoping comments for Notice of Preparation of EIR. Humboldt Wind, LLC Project, Scotia CA

Hi Cliff:

As we had discussed earlier, herewith please find written comments, recommendations and requests for consideration regarding the scope of review and analysis which we believe should be undertaken by the EIR/EIS, etc. consultant in connection with the proposed Humboldt Wind, LLC major Use Permit and other entitlements and authorizations.

We submit these comments:

- on behalf of the Town of Scotia Company, LLC (TOS), which owns almost all the civic, commercial, institutional and residential lands in the town; and
- in coordination with the Scotia Community Services District (SCSD), which manages and provides key utility services and other civic governance to the community through an elected Board of Directors.

We have several comments and recommendations, in part because:

- the initial project Use Permit Application and current Supplement lack some basic details
  - e.g., information regarding tree harvest, silvicultural method, volume, location, etc., or
  - project visualizations/ simulations as seen from Scotia, the closest community impacted, etc. and
- There have been *several other relevant environmental reviews and analyses* which should be considered in detail by the EIR/EIS consultants, including, but not limited to:
  - The Headwaters Litigation Settlement analyses

- including a panoply of state and federal permitting, EIR/EIS ESA § 10 ITP, property wide HCP, Sustained Yield Plan, Mass Wasting Avoidance Management Strategies, Eel River Drainage Watershed Analysis, etc.;
- the more recent Scotia Subdivision EIR, including:
  - Town-wide infrastructure reconstruction and development, street and road excavation, realignment and resurfacing, traffic control and road closures,
  - real estate subdivision marketing, public use dedications, sales, conveyances, etc., and in particular,
  - special adoption of Zoning Code Amendments and development restrictions applicable only to Scotia, which protect the historic character and contribution to the community and preserve the appearance and historic experience in Scotia; and
- the even more recent EIR undertaken by HRC for its Demolition Project
  - under those same special Historic Resource Protection zoning code restrictions -
  - in connection with an expansive plan to demolish over 20 historic industrial and mill-related buildings and structures in and around the Scotia Sawmill area.

*Frank*

Frank Shaw Bacik, JD  
 President, Dir. Legal Affairs  
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## NATIVE AMERICAN HERITAGE COMMISSION

Cultural and Environmental Department  
1550 Harbor Blvd., Suite 100  
West Sacramento, CA 95691  
Phone (916) 373-3710



August 3, 2018

Cliff Johnson, Senior Planner  
County of Humboldt  
3015 H Street  
Eureka, CA 95501

Also sent via e-mail: cjohnson@co.humboldt.ca.us

RE: SCH# 2018072076, Humboldt Wind Energy Project, Cities of Eureka, Fortuna, and Rio Dell; Humboldt County, California

Dear Mr. Johnson:

The Native American Heritage Commission has received the Notice of Preparation (NOP) for Draft Environmental Impact Report for the project referenced above. The California Environmental Quality Act (CEQA) (Pub. Resources Code § 21000 et seq.), specifically Public Resources Code section 21084.1, states that a project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment. (Pub. Resources Code § 21084.1; Cal. Code Regs., tit. 14, § 15064.5 (b) (CEQA Guidelines Section 15064.5 (b)). If there is substantial evidence, in light of the whole record before a lead agency, that a project may have a significant effect on the environment, an environmental impact report (EIR) shall be prepared. (Pub. Resources Code § 21080 (d); Cal. Code Regs., tit. 14, § 15064 subd. (a)(1) (CEQA Guidelines § 15064 (a)(1)). In order to determine whether a project will cause a substantial adverse change in the significance of a historical resource, a lead agency will need to determine whether there are historical resources with the area of project effect (APE).

**CEQA was amended significantly in 2014.** Assembly Bill 52 (Gatto, Chapter 532, Statutes of 2014) (AB 52) amended CEQA to create a separate category of cultural resources, "tribal cultural resources" (Pub. Resources Code § 21074) and provides that a project with an effect that may cause a substantial adverse change in the significance of a tribal cultural resource is a project that may have a significant effect on the environment (Pub. Resources Code § 21084.2). Please reference California Natural Resources Agency (2016) "Final Text for tribal cultural resources update to Appendix G: Environmental Checklist Form," <http://resources.ca.gov/ceqa/docs/ab52/Clean-final-AB-52-App-G-text-Submitted.pdf>. Public agencies shall, when feasible, avoid damaging effects to any tribal cultural resource. (Pub. Resources Code § 21084.3 (a)). **AB 52 applies to any project for which a notice of preparation or a notice of negative declaration or mitigated negative declaration is filed on or after July 1, 2015.** If your project involves the adoption of or amendment to a general plan or a specific plan, or the designation or proposed designation of open space, on or after March 1, 2005, it may also be subject to Senate Bill 18 (Burton, Chapter 905, Statutes of 2004) (SB 18). **Both SB 18 and AB 52 have tribal consultation requirements.** If your project is also subject to the federal National Environmental Policy Act (42 U.S.C. § 4321 et seq.) (NEPA), the tribal consultation requirements of Section 106 of the National Historic Preservation Act of 1966 (154 U.S.C. 300101, 36 C.F.R. § 800 et seq.) may also apply.

The NAHC recommends **lead agencies consult with all California Native American tribes** that are traditionally and culturally affiliated with the geographic area of your proposed project as early as possible in order to avoid inadvertent discoveries of Native American human remains and best protect tribal cultural resources. Below is a brief summary of portions of AB 52 and SB 18 as well as the NAHC's recommendations for conducting cultural resources assessments. **Consult your legal counsel about compliance with AB 52 and SB 18 as well as compliance with any other applicable laws.**

## AB 52

AB 52 has added to CEQA the additional requirements listed below, along with many other requirements:

1. Fourteen Day Period to Provide Notice of Completion of an Application/Decision to Undertake a Project: Within fourteen (14) days of determining that an application for a project is complete or of a decision by a public agency to undertake a project, a **lead agency** shall provide formal notification to a designated contact of, or tribal representative of, traditionally and culturally affiliated California Native American tribes that have requested notice, to be accomplished by at least one written notice that includes:
  - a. A brief description of the project.
  - b. The lead agency contact information.
  - c. Notification that the California Native American tribe has 30 days to request consultation. (Pub. Resources Code § 21080.3.1 (d)).
  - d. A "California Native American tribe" is defined as a Native American tribe located in California that is on the contact list maintained by the NAHC for the purposes of Chapter 905 of Statutes of 2004 (SB 18). (Pub. Resources Code § 21073).
2. Begin Consultation Within 30 Days of Receiving a Tribe's Request for Consultation and Before Releasing a Negative Declaration, Mitigated Negative Declaration, or Environmental Impact Report: A **lead agency** shall begin the consultation process within 30 days of receiving a request for consultation from a California Native American tribe that is traditionally and culturally affiliated with the geographic area of the proposed project. (Pub. Resources Code § 21080.3.1, subds. (d) and (e)) and prior to the release of a negative declaration, mitigated negative declaration or environmental impact report. (Pub. Resources Code § 21080.3.1(b)).
  - a. For purposes of AB 52, "consultation shall have the same meaning as provided in Gov. Code § 65352.4 (SB 18). (Pub. Resources Code § 21080.3.1 (b)).
3. Mandatory Topics of Consultation If Requested by a Tribe: The following topics of consultation, if a tribe requests to discuss them, are mandatory topics of consultation:
  - a. Alternatives to the project.
  - b. Recommended mitigation measures.
  - c. Significant effects. (Pub. Resources Code § 21080.3.2 (a)).
4. Discretionary Topics of Consultation: The following topics are discretionary topics of consultation:
  - a. Type of environmental review necessary.
  - b. Significance of the tribal cultural resources.
  - c. Significance of the project's impacts on tribal cultural resources.
  - d. If necessary, project alternatives or appropriate measures for preservation or mitigation that the tribe may recommend to the lead agency. (Pub. Resources Code § 21080.3.2 (a)).
5. Confidentiality of Information Submitted by a Tribe During the Environmental Review Process: With some exceptions, any information, including but not limited to, the location, description, and use of tribal cultural resources submitted by a California Native American tribe during the environmental review process shall not be included in the environmental document or otherwise disclosed by the lead agency or any other public agency to the public, consistent with Government Code sections 6254 (r) and 6254.10. Any information submitted by a California Native American tribe during the consultation or environmental review process shall be published in a confidential appendix to the environmental document unless the tribe that provided the information consents, in writing, to the disclosure of some or all of the information to the public. (Pub. Resources Code § 21082.3 (c)(1)).
6. Discussion of Impacts to Tribal Cultural Resources in the Environmental Document: If a project may have a significant impact on a tribal cultural resource, the lead agency's environmental document shall discuss both of the following:
  - a. Whether the proposed project has a significant impact on an identified tribal cultural resource.
  - b. Whether feasible alternatives or mitigation measures, including those measures that may be agreed to pursuant to Public Resources Code section 21082.3, subdivision (a), avoid or substantially lessen the impact on the identified tribal cultural resource. (Pub. Resources Code § 21082.3 (b)).

7. Conclusion of Consultation: Consultation with a tribe shall be considered concluded when either of the following occurs:
  - a. The parties agree to measures to mitigate or avoid a significant effect, if a significant effect exists, on a tribal cultural resource; or
  - b. A party, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached. (Pub. Resources Code § 21080.3.2 (b)).
8. Recommending Mitigation Measures Agreed Upon in Consultation in the Environmental Document: Any mitigation measures agreed upon in the consultation conducted pursuant to Public Resources Code section 21080.3.2 shall be recommended for inclusion in the environmental document and in an adopted mitigation monitoring and reporting program, if determined to avoid or lessen the impact pursuant to Public Resources Code section 21082.3, subdivision (b), paragraph 2, and shall be fully enforceable. (Pub. Resources Code § 21082.3 (a)).
9. Required Consideration of Feasible Mitigation: If mitigation measures recommended by the staff of the lead agency as a result of the consultation process are not included in the environmental document or if there are no agreed upon mitigation measures at the conclusion of consultation, or if consultation does not occur, and if substantial evidence demonstrates that a project will cause a significant effect to a tribal cultural resource, the lead agency shall consider feasible mitigation pursuant to Public Resources Code section 21084.3 (b). (Pub. Resources Code § 21082.3 (e)).
10. Examples of Mitigation Measures That, If Feasible, May Be Considered to Avoid or Minimize Significant Adverse Impacts to Tribal Cultural Resources:
  - a. Avoidance and preservation of the resources in place, including, but not limited to:
    - i. Planning and construction to avoid the resources and protect the cultural and natural context.
    - ii. Planning greenspace, parks, or other open space, to incorporate the resources with culturally appropriate protection and management criteria.
  - b. Treating the resource with culturally appropriate dignity, taking into account the tribal cultural values and meaning of the resource, including, but not limited to, the following:
    - i. Protecting the cultural character and integrity of the resource.
    - ii. Protecting the traditional use of the resource.
    - iii. Protecting the confidentiality of the resource.
  - c. Permanent conservation easements or other interests in real property, with culturally appropriate management criteria for the purposes of preserving or utilizing the resources or places.
  - d. Protecting the resource. (Pub. Resource Code § 21084.3 (b)).
  - e. Please note that a federally recognized California Native American tribe or a nonfederally recognized California Native American tribe that is on the contact list maintained by the NAHC to protect a California prehistoric, archaeological, cultural, spiritual, or ceremonial place may acquire and hold conservation easements if the conservation easement is voluntarily conveyed. (Civ. Code § 815.3 (c)).
  - f. Please note that it is the policy of the state that Native American remains and associated grave artifacts shall be repatriated. (Pub. Resources Code § 5097.991).
11. Prerequisites for Certifying an Environmental Impact Report or Adopting a Mitigated Negative Declaration or Negative Declaration with a Significant Impact on an Identified Tribal Cultural Resource: An environmental impact report may not be certified, nor may a mitigated negative declaration or a negative declaration be adopted unless one of the following occurs:
  - a. The consultation process between the tribes and the lead agency has occurred as provided in Public Resources Code sections 21080.3.1 and 21080.3.2 and concluded pursuant to Public Resources Code section 21080.3.2.
  - b. The tribe that requested consultation failed to provide comments to the lead agency or otherwise failed to engage in the consultation process.
  - c. The lead agency provided notice of the project to the tribe in compliance with Public Resources Code section 21080.3.1 (d) and the tribe failed to request consultation within 30 days. (Pub. Resources Code § 21082.3 (d)).

*This process should be documented in the Cultural Resources section of your environmental document.*

The NAHC's PowerPoint presentation titled, "Tribal Consultation Under AB 52: Requirements and Best Practices" may be found online at: [http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation\\_CalEPAPDF.pdf](http://nahc.ca.gov/wp-content/uploads/2015/10/AB52TribalConsultation_CalEPAPDF.pdf)

## SB 18

SB 18 applies to local governments and requires **local governments** to contact, provide notice to, refer plans to, and consult with tribes prior to the adoption or amendment of a general plan or a specific plan, or the designation of open space. (Gov. Code § 65352.3). Local governments should consult the Governor's Office of Planning and Research's "Tribal Consultation Guidelines," which can be found online at: [https://www.opr.ca.gov/docs/09\\_14\\_05\\_Updated\\_Guidelines\\_922.pdf](https://www.opr.ca.gov/docs/09_14_05_Updated_Guidelines_922.pdf)

Some of SB 18's provisions include:

1. **Tribal Consultation:** If a local government considers a proposal to adopt or amend a general plan or a specific plan, or to designate open space it is required to contact the appropriate tribes identified by the NAHC by requesting a "Tribal Consultation List." If a tribe, once contacted, requests consultation the local government must consult with the tribe on the plan proposal. **A tribe has 90 days from the date of receipt of notification to request consultation unless a shorter timeframe has been agreed to by the tribe.** (Gov. Code § 65352.3 (a)(2)).
2. **No Statutory Time Limit on SB 18 Tribal Consultation.** There is no statutory time limit on SB 18 tribal consultation.
3. **Confidentiality:** Consistent with the guidelines developed and adopted by the Office of Planning and Research pursuant to Gov. Code section 65040.2, the city or county shall protect the confidentiality of the information concerning the specific identity, location, character, and use of places, features and objects described in Public Resources Code sections 5097.9 and 5097.993 that are within the city's or county's jurisdiction. (Gov. Code § 65352.3 (b)).
4. **Conclusion of SB 18 Tribal Consultation:** Consultation should be concluded at the point in which:
  - a. The parties to the consultation come to a mutual agreement concerning the appropriate measures for preservation or mitigation; or
  - b. Either the local government or the tribe, acting in good faith and after reasonable effort, concludes that mutual agreement cannot be reached concerning the appropriate measures of preservation or mitigation. (Tribal Consultation Guidelines, Governor's Office of Planning and Research (2005) at p. 18).

Agencies should be aware that neither AB 52 nor SB 18 precludes agencies from initiating tribal consultation with tribes that are traditionally and culturally affiliated with their jurisdictions before the timeframes provided in AB 52 and SB 18. For that reason, we urge you to continue to request Native American Tribal Contact Lists and "Sacred Lands File" searches from the NAHC. The request forms can be found online at: <http://nahc.ca.gov/resources/forms/>

## NAHC Recommendations for Cultural Resources Assessments

To adequately assess the existence and significance of tribal cultural resources and plan for avoidance, preservation in place, or barring both, mitigation of project-related impacts to tribal cultural resources, the NAHC recommends the following actions:

1. Contact the appropriate regional California Historical Research Information System (CHRIS) Center ([http://ohp.parks.ca.gov/?page\\_id=1068](http://ohp.parks.ca.gov/?page_id=1068)) for an archaeological records search. The records search will determine:
  - a. If part or all of the APE has been previously surveyed for cultural resources.
  - b. If any known cultural resources have been already been recorded on or adjacent to the APE.
  - c. If the probability is low, moderate, or high that cultural resources are located in the APE.
  - d. If a survey is required to determine whether previously unrecorded cultural resources are present.
2. If an archaeological inventory survey is required, the final stage is the preparation of a professional report detailing the findings and recommendations of the records search and field survey.
  - a. The final report containing site forms, site significance, and mitigation measures should be submitted immediately to the planning department. All information regarding site locations, Native American human remains, and associated funerary objects should be in a separate confidential addendum and not be made available for public disclosure.

- Please contact me if you need any additional information at [gayle.totton@nahc.ca.gov](mailto:gayle.totton@nahc.ca.gov).

*Gayle Totton*  
Gayle Totton, M.A., Ph.D.

cc: State Clearinghouse



Beverly Chang  
2501 Monument Rd.  
Rio Dell, CA 95562  
(707) 764-3146  
[redwoodshadows@gmail.com](mailto:redwoodshadows@gmail.com)



August 28, 2018

Humboldt County Planning Division  
ATTN: Cliff Johnson, Sr. Planner  
3015 H Street  
Eureka, CA 95501

RE: Humboldt Wind Energy Project – EIR comment

Dear Mr. Johnson

I am writing to you to share my concerns about the Humboldt Wind Project proposed by Terra-Gen.

My first knowledge of this project was August 16, 2018. At that time I sent a message to my supervisor Rex Bohn with a couple articles attached. My main concern was defunct wind turbines littering the skyline similar to those throughout the United States. Rex responded that we have a bond.

I learned more about the project at a meeting I attended August 20, 2018, at the Redwood Coast Energy Authority. After this meeting I learned that there would be a meeting the following evening in Rio Dell.

At the Rio Dell meeting Terra-Gen made two different statements that I hope you will research and resolve. We were told that the life expectancy of the turbines was 25-30 years to enhance the green energy potential. In a separate comment by Terra-Gen we were told in response to a citizen's concern that Terra-Gen had a 10 year bond to cover removal.

My direct request is for the county to ensure a bond be in place to cover a span of 35 or more years and that the bond would be in the amount necessary to cover projected future costs for removal of 60 wind turbines and related infrastructure within a reasonable time (stated) after malfunctioning, nonoperation, or at the end of the life expectancy.

Removal and disposal of these 60 wind turbines and the 50 concrete trucks of cement that will be in place for each turbine (August 21 meeting in Rio Dell statement by Terra-Gen) will have a huge environmental impact. For the second time during the life of the project environmental concerns will arise. It is my second direct request that the environmental studies cover both the front end and back end of the project.

I favor green energy projects in general; however the LLC entity is the easiest one to walk away from under California law and with the utilization of leased land Terra-Gen has a lot to gain and very little to lose.

It is my understanding that in order for this project to move forward my county planning department would have to change the zoning of these neighboring properties or grant a conditional use permit, which will change the use from that defined in the general plan. Prior to purchase of my property I visited your offices and researched the zoning in the newly revised general plan for my neighborhood. I respectfully request that the zoning assigned in the plan at that time not be changed and no conditional use permit be issued.

Additionally, in this visit to your offices I was also told that once a property is assigned TPZ status in Humboldt County that it would be next to impossible to convert it to other zoning/or conditional use due to the tax breaks appreciated by the landowner over time. After this informative visit I made the informed decision to purchase my property accepting this condition of ownership. If I received incorrect or incomplete information from your staff I would appreciate a written clarification for my files.

Please include me in future notifications that relate to this project to include but not limited to public meetings, planning meetings with this project on the agenda, supervisor meetings with this project on the agenda and any other venue where additional information or input is available to the public.

Respectfully,

A handwritten signature in cursive script that reads "Beverly Chang". The signature is written in black ink and is positioned above the printed name.

Beverly Chang

Cliff Johnson, Senior Planner  
County of Humboldt Planning & Building Department  
3015 H Street  
Eureka, CA 95501  
CJohnson@co.humboldt.ca.us

August 30, 2018

Dear Mr. Johnson:

The CA North Coast Chapter of TWS is concerned about the Monument Ridge wind energy power project, also known as the Humboldt Wind Energy Project.

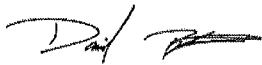
We are an organization of research scientists, biologists, students and faculty that believe full mitigation should only be employed after extensive effort has been made to avoid significant environmental impacts of the proposed project.

Specific potential concerns revolve around habitat alteration and potential direct impacts that may occur due to grading, construction and installation of 60 wind turbines. The associated 17 miles of roads, and 19 miles of buried cables, and 32 miles of high energy line may cause additional impacts.

We are concerned about impacts of the proposed project on all wildlife, especially bird and bat species that tend to be heavily impacts by turbine developments. Impacts on federally-listed species including Marbled Murrelet (*Brachyramphus marmoratus*) should be a major focus of the environmental document prepared. Given the extensive grading and road construction for the proposed project, we are also concerned about downstream impacts of the proposed project on aquatic wildlife and fisheries resources via sedimentation, including listed populations of anadromous fishes and Foothill Yellow-legged Frog (*Rana boylei*). In a public comment letter, the California Department of Fish and Wildlife has raised numerous specific concerns about impacts of this project on numerous bird species and bats, as well as other taxa, including potential unsuitability of the proposed site given large potential impacts under the 2007 *California Guidelines for Reducing Impacts to Birds and Bats from Wind Energy Development*.

Finally, at a recent public workshop held in Eureka, CA, project proponents called attention to the number of local jobs this project will create. We would like to point out that there are numerous consulting entities physically located in Humboldt County that have extensive experience monitoring biological impacts of such projects. We suggest that any additional monitoring conducted be offered to qualified local biologists, if indeed the project proponents are sincere about supporting the local economy.

Thank you for the opportunity to comment on this project.



Daniel C. Barton, PhD, Past-President  
CA North Coast Chapter, The Wildlife Society  
P.O. 5214, Arcata, CA 95518  
daniel.barton@humboldt.edu



August 28, 2018

Humboldt County Planning Division  
Attn: Cliff Johnson, Senior Planner  
3015 H Street

**RE: Comments to Notice of Preparation of a Draft Environmental Impact Report**  
**Project: Humboldt Wind Energy Project**

Dear Mr. Johnson,

This letter is written to vehemently oppose the proposed Humboldt Wind Turbine Project for the Monument Ridge and Bear River Ridge in Humboldt County, California. I am writing to you as a local resident within 2 miles of the proposed project on Bear River Ridge Phase, local business owner, ancestral Humboldt County landowner since 1890's, and strong opponent to steel structures placed on scenic ridge tops in Humboldt County, CA.

It should also be noted that my academic background includes a Bachelor of Science Degree from the University of California, Davis (UCD) in Environmental Policy Analysis and Planning. During my time at UCD, as an intern for the Department of Water Resources, I wrote and contributed to a handbook on renewable energy resources and projects in the State of California.

The Humboldt Wind Energy Project (HWEP) is referred to as Monument Ridge; however, it is noted as Monument Ridge and Bear River Ridge on any topography map. The developer, by not being clear in



their legal descriptions, is acting subversively and thus is deceiving the public in the scope of the Humboldt Wind Energy Project. It will be herewith in the balance of this letter referred to as Bear River Ridge where HWEP propose up to 25 wind turbines which most directly impacts my property on Monument Road; and it will be herewith in the balance of this letter referred to as Monument Ridge where HWEP propose up to 35 wind turbines which will be visible from my property on Monument Road. Bear River Ridge with up to 25 wind turbines proposed is owned, to my knowledge, by the Russ family of Russ Ranches. Monument Ridge with up 35 wind turbines proposed to the Northwest, East, and Northeast of Mt. Pierce (a radio receiver and transfer station) or also named Monument Peak is owned, to my knowledge, by the Humboldt Redwood Company.

Please find my recommended areas of inquiry and analysis as expressed in the following "Impacts" 1. through 12.

#### **Humboldt Wind Energy Project Review and Comments on Notice of Preparation of Draft EIR**

1. **Noise Impacts** – I am concerned with the close proximity of my property to not being able to sleep with the whoosh, whoosh, whoosh... From my property at 2330 Monument Road, Rio Dell, the road/vehicle noise can be heard from the Highway 101 at Metropolitan to the North and Stafford to the East depending on the stillness or wind direction. Stafford and Metropolitan are more than 2 miles away from my residence and business. Chapter 13 of the Humboldt County General Plan (updated October 23, 2017) addresses the Noise Element which will impact my property. In addition, the operating turbines generating infrasound, low-frequency noise and audible noise will have unknown impacts to human health.
2. **Shadow Impacts** – Due to the sheer size, the landscape and eco systems will be adversely affected by the shadows on the habitants of the prairie and ridge top of Bear River Ridge and the habitants of the typically forested ridge top of Monument Ridge.
3. **TV Reception, Cell Reception and Emergency Response Communication Impacts** – Since the Mt. Pierce Radio Facilities is within a ¼ mile of these wind turbines, the blades can have an adverse impact on the reception or transfer of very valuable communication for the local communities of the Eel River Valley which includes Rio Dell and Scotia. The Radio Facilities on Mt. Pierce (Monument Peak) need evaluation for possible impacts.





4. "Flicker" from the Rotation of the Blades Impacts – This "flicker" needs to be addressed in regards to the wildlife habitats, local landowners, and communities of the Eel River Valley. My vineyard may be adversely affected by the "flicker" or strobe light reflection.

5. Traffic Impacts – TerraGen has proposed that they will utilize a road from Jordan Creek at Highway 101 which is owned and/or has easement access by the Humboldt Redwood Company; however, this is just explained to be used for the construction phase of the project. TerraGen will not upgrade, at this time, the access road of Monument Road that accesses the surface streets of Rio Dell. Monument Road is currently being used by research agencies, proposal review by local governmental agencies and proposal negotiations by TerraGen. It is my concern that Monument Road needs to be upgraded for this project to move forward. This is a very important part that the County Supervisors need to address as well as the County Planning Department since the County of Humboldt has not maintained the crumbling road for more than a decade. Although TerraGen says that they will utilize a road from Jordan Creek, this is not a 100% utilized road. Monument Road will be accessed before and after the proposed project is completed. Do not be fooled by TerraGen's claim to not utilizing Monument Road. Research vehicles, such as Stantec, currently access Bear River Ridge and Monument Ridge by Monument Road at the time of writing this letter.

6. Scenic View Impacts – As an ancestral family member who has inhabited this Monument area since the 1890's, I am opposed to any gross deviation from the Humboldt County General Plan in Chapter 4 in regards to (4.5) Ag Resources and (4.6) Forest Resources. Permitting a "Conditional Use" to construct multiple 590 feet steel structures with huge cement footings on agricultural and TPZ zoned lands seems like an irresponsible change of land use and it grossly deviates from the Humboldt County General Plan last updated October 23, 2017. The change of scenic and/or aesthetic views will detrimentally and adversely affect my business which is Monument Mountain Vineyards (MMV) established 2011. The wind turbines, if erected, will have a significant harm and constitute an unreasonable interference for the use and enjoyment of my property which includes normal, everyday activities. Furthermore, any change to Humboldt County scenic ridgelines, will have long term impacts on the tourism industry that Humboldt County has benefited from since the demise of the logging and fishing industry.

7. Taxes Credits– I am in opposition to TerraGen taking advantage of the federal and state tax credits available until 2020. TerraGen can rape our rural County of Humboldt while allowing their investors to reap big money. TerraGen wants to build these large 590 feet turbines to recoup reduced tax credits to sell, file bankruptcy of the Humboldt Wind LLC, and walk away from these turbines left in place on



leased land after the 10 year bond is depleted as proposed for the operation and maintenance per Rio Dell City Council Meeting 8/21/18. This abandonment would leave the “impact” of 60 eyesores on the ridge top of Bear River Ridge and Monument Ridge which are visible throughout the Eel River Valley.

8. Property Value Impacts – The value of my property, that has been in my family since the 1890’s, will be adversely affected if the proposed Humboldt Wind Energy Project is allowed to be built. This will be a reduction in sales price for my land and winery valuation with wind turbines located within 2 miles of my property. The sheer height of these wind turbines at 590 feet is twice the height of the tallest redwood tree in Humboldt County. The ridge top of Bear River Ridge has not had redwood trees inhabit this high prairie. If the proposed wind turbines are built, it will forever change the landscape of our area which has both State and National Parks nearby; and it will forever be adversely changed with no or insufficient bonding in place for the removal of these steel structures when the wind turbines are deemed inoperative. In addition, the communities of Rio Dell and Scotia, will also be affected with low income housing potential due to the destruction of property values with the large steel structures looming over these small communities on Monument Ridge and Bear River Ridge in Humboldt County.

9. Wildlife Habitat Impacts – Since these steel structures are proposed for the ridge top of Bear River Ridge and Monument Ridge, it will adversely affect the ridge top bird migration, migration during cloudy and foggy days, raptor inhabitation, and mammal activities. Bear River Ridge and Monument Ridge are Coastal ridge tops with fluctuating fog and low lying clouds. Migrating birds will fly into wind turbines during migration with or without fog and cloud cover. Raptors will fly into wind turbines while they hunt on the high prairie with or without fog and cloud cover. And mammal inhabitants of Bear River Ridge and Monument Ridge will be adversely affected by the noise, vibrations, and flickering that has never been a natural activity. These wildlife issues need to be addressed, as I believe, that there are no mitigations to solve these adverse impacts. Furthermore, it seems imperative to conduct a NEPA project review and “consultation” under the Endangered Species Act with public input.

10. Erosion Impacts – With 50 cement-truck loads of cement per turbine foundation, the potential for erosion in an area that has not been inhabited by multiple manmade structures will be adversely impacted with erosion. Please address the erosion issues in the remote ridge top areas of Humboldt County. The erosion issues include but are not limited to the following: Platform construction, road construction and maintenance, disposition of construction materials, truck traffic, erection access of wind turbines, work truck parking, road maintenance by gravel and water trucks to reduce dust and provide stability, timber harvesting for construction, timber reforestation, and any additional grading



that the developer deems necessary for construction and transport of construction materials, workers, and vehicle traffic.

**11. Size Impacts** – These wind turbines are proposed to be 590 feet. This is over twice the size of the tallest redwood tree in Humboldt County. Why would Humboldt County allow steel structures to be placed on ridge tops that are not inhabited by any native redwood trees (Bear River Ridge) and ridge tops that are in a timber protected zone (Monument Ridge)? The Bear River Ridge is a unique and special prairie land eco system. These wind turbines are manmade structures that dwarf any structure currently built in Humboldt County. 590 feet wind turbine is equal to a 54 story tower or skyscraper. Please address as to why this is beneficial to place 25 – 54 story towers (a.k.a. wine turbines) on a visible prairie land ridge top of Bear River Ridge in Humboldt County? Please address as to why this is beneficial to place 35 – 54 story towers (a.k.a. wind turbines) on typically forested mountain tops in the realm of Humboldt Redwood Company on Monument Ridge in Humboldt County?

**12. Humboldt Power Grid Impacts** – According to the Director of the Redwood Coast Energy Authority (RCEA) per their Board Meeting on August 20, 2018, HWEP is a “power only” project (No “Power Purchase Agreement” – PPA) with no proposed upgrades to the power grid in Bridgeville that the HWEP’s power is proposed to be sent to for transfer to... (?). If and when this project produces power, there is no guarantee that the outdated power grid in Bridgeville will be able to handle and/or transfer this energy. In other words, this proposed power may not provide what they propose to provide. Their proposal is worded by “up to 60 wind turbines” and up to “40,000 homes” is not a solid proposal. Once these proposed wind turbines are built, the damage to our County of Humboldt is not reversible. This is a huge gamble and it is not what Humboldt County needs at this time or ever.



This letter is written in the interest of myself, my family, and future generations that have an opportunity to inhabit this property. Based on my inherent interest, I write to make and explain scoping recommendations for any relevant EIR/EIS, any CEQA/NEPA, CESA/ESA and other public review processes. I recommend areas of inquiry and analysis that I deem necessary for environmental impact review. Based on public meetings and public presentations, I believe these issues to be relevant.

In addition, please find attached an enclosure of a "conceptual rendering" of wind turbines as viewed from my front yard of my home looking South toward Bear River Ridge and Monument Ridge. This "conceptual rendering" was completed based on 50 feet power poles located on Bear River Ridge past the fork on Monument Road. The "conceptual rendering" was made by a professional public relations division. The "conceptual" wind turbines are over 12 times the size of the power pole @ 590 feet.

Regards,

A handwritten signature in blue ink that reads "Carol Fritz Hoopes". The signature is fluid and cursive, with a long horizontal stroke extending to the right.

Carol Fritz Hoopes

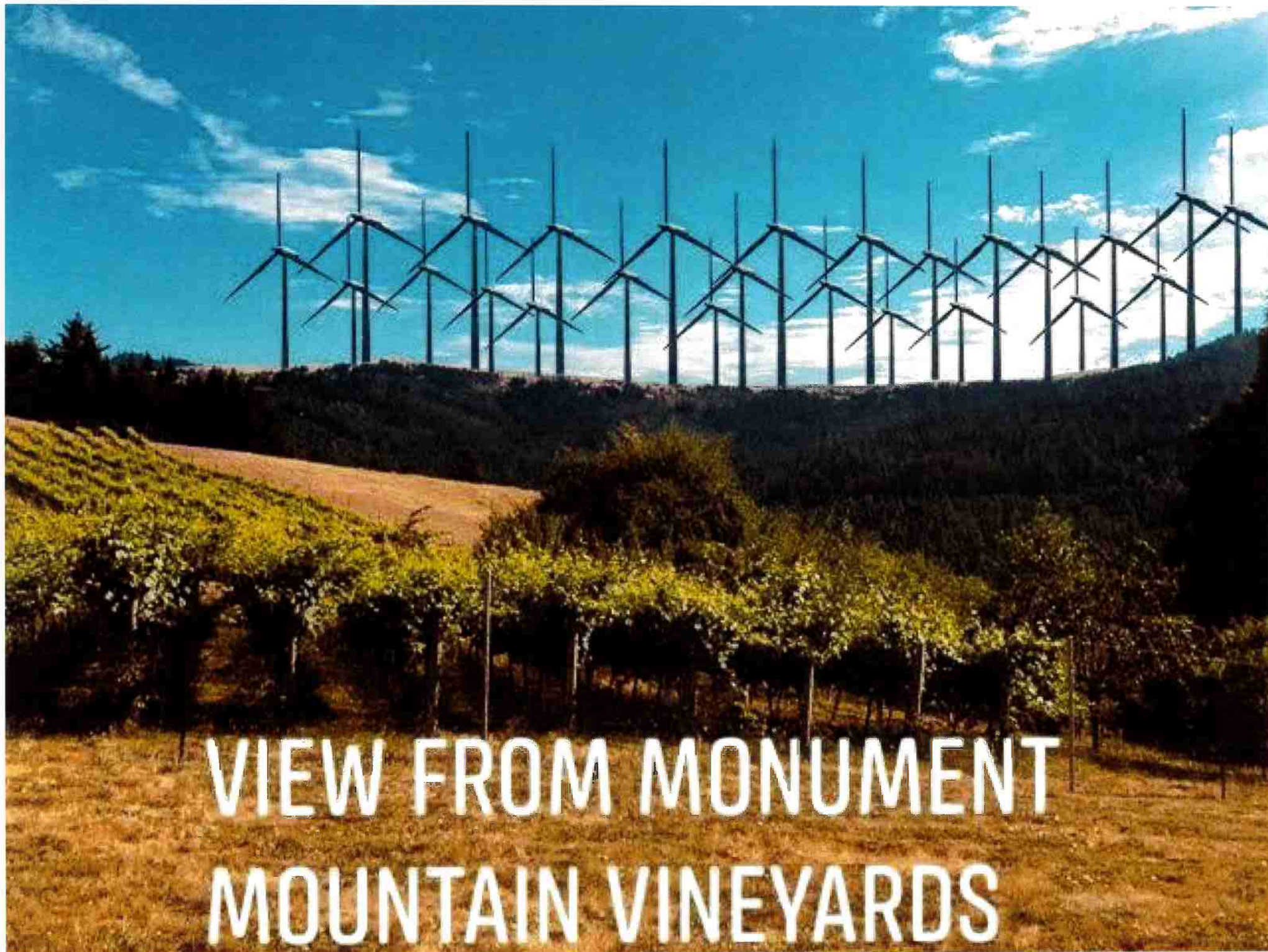
Owner/Winemaker

Monument Mountain Vineyards, LLC

(707) 481-1289

[monumentmtn1@gmail.com](mailto:monumentmtn1@gmail.com)





**VIEW FROM MONUMENT  
MOUNTAIN VINEYARDS**



## Johnson, Cliff

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**From:** Marbled Murrelet <marbledmurreletfriends@gmail.com>  
**Sent:** Wednesday, August 29, 2018 9:17 PM  
**To:** Johnson, Cliff; lynn\_roberts@fws.gov  
**Subject:** Humboldt Wind, LLC project comments

For your consideration and submission into the CEQA review process:

The Humboldt Wind, LLC proposal to construct and operate large vertical-axis wind turbines, transmission lines and other infrastructure on the ridges between Cape Mendocino and the Eel River and its tributaries will likely result in direct mortality to the Marbled Murrelet. Direct mortality would be caused when murrelets are struck by the turbine blades.

Marbled Murrelets will make thousands of flights annually over the project area during the breeding season, while incubating eggs and feeding nestlings on old growth trees on lands covered by the Pacific Lumber Company Habitat Conservation Plan (hereinafter "PalCo HCP") and to nests on lands owned by State Parks, such as Grizzly Creek Redwoods State Park and Humboldt Redwoods State Park.

U.S. Fish and Wildlife Regulations, 50 C.F.R. § 402.16, state that: "reinitiation of formal consultation is required where discretionary Federal agency involvement or control over the action has been retained (or is authorized by law) and if: (1) **the amount or extent of incidental take is exceeded**; (2) new information reveals effects of the agency action that may affect listed species or critical habitat in a manner or to an extent not considered in this opinion; (3) the agency action is subsequently modified in a manner that causes an effect to the listed species or critical habitat not considered in this opinion; or (4) a new species is listed or critical habitat designated that may be affected by the action."

In instances where the amount or extent of incidental take is exceeded, **any operations** causing such take **must cease pending reinitiation**. There is a high likelihood of direct mortality to Marbled Murrelets due to the construction and operation of wind turbines in the flyway between Cape Mendocino's near shore ocean waters and suitable nesting habitat located inland in the last remaining old growth Redwood forests. It is certain that before any of the wind turbines are capable of killing or injuring Marbled Murrelets, that the U.S. Fish and Wildlife Service must reinitiate consultation over direct mortality not covered by the Palco HCP. Many of the turbines proposed for construction will be located on Palco HCP lands, and others will use access roads across these covered lands.

Therefore, the environmental review documents, including this CEQA process, analyzing the Humboldt Wind, LLC proposal to build wind turbines and access infrastructure on lands covered by the PalCo HCP must include an analysis of the requirement for reinitiation of consultation under the federal ESA for listed species, including the Marbled Murrelet.

Attachment A: PalCo HCP. 1999. Found at:

[https://www.fws.gov/arcata/es/birds/NSO/documents/Pacific\\_Lumber\\_Co\\_\(Humboldt\\_Redwood\\_Co.\)\\_1999\\_Final\\_HCP.pdf](https://www.fws.gov/arcata/es/birds/NSO/documents/Pacific_Lumber_Co_(Humboldt_Redwood_Co.)_1999_Final_HCP.pdf)

Cliff Johnson, Senior Planner  
County of Humboldt Planning & Building Department  
3015 H Street  
Eureka, CA 95501  
CJohnson@co.humboldt.ca.us

August 26, 2018

Dear Mr. Johnson:

The Redwood Region Audubon Society (RRAS) is concerned about the Monument Ridge wind energy power project, also known as Humboldt Wind Energy Project.

RRAS is the local chapter of National Audubon and has a membership of 600 citizens concerned about all wildlife and the environment. We would like to see environmentally friendly energy projects such as wind and solar rather than hydrocarbon or nuclear-based power plants.

We are concerned about impacts on all wildlife, especially avian species. Impacts on federally listed species including Marbled Murrelet and Northern Spotted Owl should be a major focus of the environmental document prepared. Eagles are federally protected species under the **Bald and Golden Eagle Protection Act** on nesting and foraging grounds, are known to occur within the project area. The **Migratory Bird Treaty Act of 1918** protects diurnal and migratory raptors such as Turkey Vultures, Red-tailed Hawk, Osprey (mostly riverine habitat), Ferruginous Hawks, and Rough-legged Hawks, RRAS leads field trips annually along Bear River Ridge especially during the fall migration. In addition California State special concern species that should be addressed include Vaux's Swift, and Burrowing Owl, which are commonly seen in the area. California Condors, though not seen in Humboldt County since 1890, may be reintroduced to Redwood National Park and the Yurok Reservation during the lifetime of this project. These are a wide-ranging species known to soar along ridge tops and could easily find their way to the project site.

In the interest of keeping our money local we would encourage the project employing local biological consulting firms hiring local wildlife biologists to help with pre-project surveys and post-project monitoring efforts after sites are established. These are well-trained individuals who know the local species as well as weather conditions associated with the windy Bear River Ridge and Monument Ridge areas.

Thank you for the opportunity to comment on this project.

Chet Ogan

Chet Ogan, Conservation Committee Co-chair

Redwood Region Audubon Society

P.O. Box 1054

Eureka, CA 95502

August 21, 2018



Cliff Johnson, Senior Planner  
County of Humboldt Planning and Building Department  
3015 H Street  
Eureka, CA 95501

Humboldt Wind Energy Project

Dear Mr. Johnson:

My name is Brenda Bowie. I am a Chilula Indian and am part owner of trust property in Redwood Creek. I am also Wiyot Indian and a Tribal Member of the recognized Bear River Band of the Rohnerville Rancheria Tribe. My Roll Number is 560-L-1009. I have attached a copy of my Tribal I.D.

I have serious concerns regarding the Humboldt Wind Energy Project.

I would like to be informed of the findings of the Phase 1 cultural resources survey. I would like to be consulted as a member of the Native American Tribes that I am a part of. If there are any artifacts found please don't disturb that land. Indian people have already had so much taken away from us. Can't we preserve our past?

I oppose such a project because I feel it will have serious impacts on the valley and all that surrounds it.

I oppose you approving a condition use permit to construct and operate the Humboldt Wind Energy Project.

Thank you for all the information you should provide to me regarding this project.

Sincerely,

A handwritten signature in cursive script that reads "Brenda Bowie".

Brenda Bowie  
31 Bear River Drive  
Loleta, CA 95551  
(707) 296-4418

Official Tribal Identification Card

**BEAR RIVER BAND of ROHNERVILLE  
RANCHERIA**



**Brenda Sue Bowie**

PO Box 414  
Loleta, CA 95551

245 lbs.

**Weight**

69 in.

**Height**

Black

**Hair**

Brown

**Eyes**

8/17/2012

**ISSUED**

09/08/1958

**DOB**

Female

**Gender**

*Brenda Bowie*

(560) L-1009

**Tribal Roll #**

**Tax ID 68-0085465**

## Johnson, Cliff

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**From:** timothy j stack <timstack1955@gmail.com>  
**Sent:** Sunday, August 19, 2018 1:58 PM  
**To:** Johnson, Cliff  
**Subject:** wind turbine project in Scotia

mr. Johnson,

my name is tim stack. I live in rio dell @ 1209 eeloa ave.

I have several questions pertaining to the wind turbine project planned for the area in Scotia.

where will the turbines be manufactured

approximately how much fossil fuel will be used to manufacture, transport, install etc

life expectancy of turbines

cost to return

thank you in advance,

tim stack  
1209 eeloa ave  
rio dell California 95562



## Johnson, Cliff

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**From:** Joyce Hayes <djkhayes@gmail.com>  
**Sent:** Wednesday, August 15, 2018 10:56 AM  
**To:** Johnson, Cliff  
**Subject:** Humboldt Wind Energy Project

Mr. Johnson,

As a property owner in, or adjacent to, the area of this Project I received the Notice of Preparation of a Draft EIR Report, and was notified of the public meeting on August 14th which I attended. I was surprised that the attendance was so low.

I realize I am not knowledgeable in the EIR process and the intent of this public meeting, but I was disappointed that the limited information presented was not more informative. I had hoped to learn more about the specific location and impacts of the project

My specific questions relate to details concerning the actual location, construction, and maintenance of the proposed "Gen-Tie" line. Our property is between the Van Duzen river and Hwy 36 near MP 22, and as presented the proposed location for the Gen-Tie line near our property is entirely south of the Van Duzen River. Is this correct? Please clarify the relationship - if any - between the proposed new Gen-Tie location and the existing PGE transmission line r/w location.

Thank you for your clarification,

David Hayes  
1934 Madrone Ave.  
Eureka, Ca 95503

672-9408

## Johnson, Cliff

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**From:** Richard Engel <REngel@redwoodenergy.org>  
**Sent:** Monday, August 13, 2018 10:40 AM  
**To:** Johnson, Cliff  
**Subject:** Humboldt Wind Energy Project NOP question

Hi Cliff,

I've been reviewing the NOP the County released for the Humboldt Wind Energy Project EIR. I'm wondering why the 32-mile Gen-Tie described on the County's web page for the project is not included as a project component in Table 2 of the NOP. I had a chance to learn a little about the Gen-Tie from talking with Terra-Gen staff at their recent public meeting in Fortuna. As shown in the NOP maps, this seems like a major project component with significant associated disturbed area.

Thanks,  
Richard

Richard Engel, CEM  
Director of Power Resources | Redwood Coast Energy Authority  
(707)269-1700 x 354 | [www.RedwoodEnergy.org](http://www.RedwoodEnergy.org)



August 1, 2018

Humboldt County Planning Division  
Attn: Cliff Johnson, Senior Planner  
3015 H Street  
Eureka, CA 95501

**RE: Comments to Notice of Preparation of a Draft Environment Impact Report**  
**Project: Humboldt Wind Energy Project ("Project")**

Hello Mr. Johnson,

Introduction and Executive Summary

I write on behalf of the Town of Scotia Company, LLC, which I serve as President and Director of Legal Affairs. We submit our scoping comments in coordination with the Scotia Community Services District (SCSD), which provides civic governance to Scotia through management and control of key utilities, Water and Wastewater Plants and other municipal assets and services.

Scotia has a truly unique relevance to the Humboldt Wind project. The town could be said to be "ground zero" for any potential adverse effects, as described and explained further in this cover letter and in the bulleted comments, attached.

Scotia is the *closest community to the project*, residing at the foot of Monument Ridge which forms the backdrop to the town's glen, formed by the steep walls of its narrow river-bow valley, not much more than a mile away from the Project in a *direct and unobstructed line of sight*.

Scotia's municipal *Drinking Water System* has its *intake collector in the Eel River* at the base of Monument Ridge, just downstream from the mouth of Monument Creek which drains the area where the project proposes its most significant soil disturbance activities, and just downstream of the Project proposed location for directional *drilling beneath the Eel River* for its Gen-Tie electrical power conveyance wires, conduit and equipment.

Scotia would seem to be the logical place for Project worker and materials delivery, assembly, and stockpiling, possibly for gravel processing or extraction, all resulting in increased activity, traffic and congestion associated with the Project and/or Worker demand for services (like lunchtime gas and grocery, etc.).

Moreover, essentially any new or additional activity or traffic in Scotia must be evaluated for *cumulative effect*, in combination with *other extraordinary construction and traffic impacts, already ongoing* and planned to continue for a period of years, from a prior approved Infrastructure Improvement project related to the Scotia Subdivision, Phases 3 through 5.

The Project calls for extraordinary levels of road and right of way construction, reconstruction, wide Crane Roads, slope matching, grading, and foundation excavation, landings, pad, storage and service area clearing and grubbing. These Project activities are proposed to a scope and extent never before undertaken in Humboldt County, much less on environmentally sensitive industrial timberland with a history of management-caused rotational slides and documented Mass Wasting Areas of Concern as described in formal watershed analysis. For these reasons, timber production and harvest is constrained in the area under a multi-species Habitat Conservation Plan (HCP) which applies as well to certain lands in Scotia.

Yet the project application proposes *cutting all the trees in wide swathes of road and right of way* without any discussion in the Applications of the type, number, volume, size-class distribution or species-mix of the trees to be removed, or how such a "lineal clear-cut" might be consistent with the HCP operations and management constraints applicable on this property.

### Background and Statement of Interests

For 140 years, the community of Scotia was essentially a corporate asset. All the residential, commercial, institutional and industrial development within it, as well as all of the industrial timberland surrounding the town for miles around -- all were owned by the Pacific Lumber Company (PALCO). PALCO maintained all the streets, parks, homes, factories and institutions (churches, Schools, recreational facilities...)

Everyone living within the town worked for PALCO, and all the homes were rented from the Company. The company maintained the amenities of a community in part the way it maintained the industrial means of production. The community was part of the production mechanism. A stable population of workers facilitated harvest and manufacture of forest products in an industry historically notorious for a very transient workforce, largely roaming from lumber camp to lumber camp.

So PALCO controlled pretty much everything and everybody in and around Scotia for 140 years, and then it went bankrupt. Following bankruptcy, reorganization and dissolution of PALCO in 2008, two new entities were formed by investors or creditors, and a modernization process began.

As part of that Reorganization, most of the industrial Timberland was acquired by the Humboldt Redwood Company (HRC), and the town of Scotia was acquired by the Town of Scotia Company LLC (TOS). About the same time the process was commenced which led to formation of the **Scotia Community Service District** to manage public utilities and civic assets and to provide local governance through an elected District Board of Directors.

While HRC turned to managing the industrial timberland, TOS promptly began a process of creating marketable parcels and selling and conveying properties not part of its core business. Until recently, TOS maintained and rented all the 272 homes and several businesses throughout town as the rental "land lord."

As part of this process, the local elementary School was sold to the School District, for example, Hobby's Supermarket and the Scotia Renner Fueling Station were sold to independent operators. The Scotia Sawmill parcel was created by lot line adjustment and conveyed to HRC, as was any industrial timberland acquired by TOS, while the Scotia Power Plant was sold to RED-Greenleaf, an independent power operator (later re-sold to HRC).

More recently, TOS has conveyed several civic properties to the SCSD (the Ballparks, Theater and Museum, Water and Sewer Plants, Community Forest and premises for new SCSD Offices on Main Street).

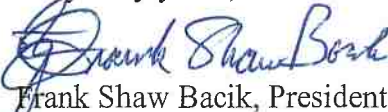
Much of that process relies on a *major subdivision* of Scotia, completed as part of a very large project approved in 2010 and still very intensively under way. Subdivision results in the creation of logical, mostly small, independent, individually marketable lots and parcels which can be sold to private purchasers. Under the subdivision, as TOS' core business progresses, eventually all the homes and businesses in Scotia will be subdivided and sold, owned by private parties (residents and owner-operators).

So far, TOS has sold 39 of its 272 homes to private parties. Until subdivided in several phases over several years, the rest of the homes in Scotia remain TOS-owned rental tenancies, essentially as they have been for 140+ yrs. As a consequence, TOS still owns the vast majority of parcels (particularly housing) in Scotia. It therefore has a continuing substantive interest in protecting those assets as well as advancing the interests of its rental tenants throughout town and protecting value for recent and prospective home owners, purchasers and all Scotia residents.

Final Map Subdivision of all of Scotia is proceeding in a "Phase" process. Before any phase is approved for recording and sale, a complex and intensive infrastructure improvement and upgrade project must be designed, reviewed, engineered, implemented, inspected and approved. Only then are the utility systems, drainage, streets and alleys, etc. dedicated to public use and/or conveyed by Deed and Easement to the SCSD.

Based on this recitation and representation of interests, we write on behalf of the Town of Scotia Company, LLC and the Scotia Community Services District to make and explain scoping recommendations for any relevant EIR /EIS and any CEQA/NEPA, CESA/ESA and other public review processes. We recommend areas of inquiry and analysis we believe necessary for appropriate environmental impact review. Our comments and recommendations are included in the attached bullet points and incorporated by reference in this cover correspondence.

Very truly yours,

  
Frank Shaw Bacik, President  
Town of Scotia Company, LLC  
(707) 764-4131  
[fbacik@townofscotia.com](mailto:fbacik@townofscotia.com)

  
Leslie Marshall, Manager  
Scotia Community Services District  
(707) 506-3030  
[infoscotiacsd@gmail.com](mailto:infoscotiacsd@gmail.com)





## Humboldt Wind Energy Project Review and Comments on Notice of Preparation of Draft EIR

1. Visual Impact to Scotia- Potential Visual Impact to the Monument Ridge 'skyline' above and surrounding Scotia seems to be the most-mentioned concern from Scotia residents and tenants. The community of Scotia, CA lies *WITHIN or immediately adjacent to the project area*. Please provide visual simulations of the proposed Project with view-point from central **Scotia**, Main Street, residential and commercial centers, and the Hwy 101 Corridor.
  - We have reviewed January 2018 Use Permit Application and May 25, 2018 Supplement, but *neither includes any visual simulations* to help evaluate viewshed impacts to **Scotia** (the *nearest community*), or any other area or community.
  - Undeveloped Monument Ridge has been perhaps the primary scenic component adjacent to the Scotia Community for over 140 years. Monument Ridge rises abruptly from the banks of the Eel River and defines the steep southwest wall of the glen or narrow valley surrounding Scotia's bow of the River. Snow falls on the ridge several times each year, accentuating its proximity, and sunsets and sunrises focus attention on the ridge top immediately above town twice each day.
  - Somewhat surprisingly, public display of visualizations briefly presented at "Open House" meetings by the project proponent are of the project as viewed from a distant farmer's field in Rio Dell, about 6 miles away, and other areas, (like Ferndale) even farther away, and from which the project may not be visible at all.
  - Visualization from far outside the Project area has the (possibly intended) effect of minimizing impact to the most sensitive receptors for viewshed impact, those in the community of Scotia, located within and adjacent to the Project Area and in line-of-sight, as the crow flies, apparently a mile or so away from the nearest planned Turbines.
  - Please show how the project turbines will be appear from key sensitive community receptor sites such as the Scotia Post Office, central Main Street, the Scotia Shopping Center, the Scotia residential neighborhoods, the Scotia civic properties 1. ball park, 2. soccer field, 3. picnic park, 4. Community Forest, 5. Hospital, 6. Museum, 7. historic Winema Theater, 8. the Scotia Inn, 9. the Scotia Community Services District offices and/or the Town of Scotia Offices.
  - Will the project be lighted at night? Please demonstrate with visualizations.
2. The Eel River/Community Drinking Water Systems Impact
  - The region's "wildcat" mudstone geology is perhaps the most erosive and unconsolidated anywhere in North America. The project area includes several mass wasting areas of concern, larger management-caused rotational slides and other unstable features. These have all been mapped, monitored and evaluated in connection with the Mass Wasting Avoidance Strategy, part

of the Headwaters Forest Litigation Settlement and resulting Headwaters EIR/EIS and Habitat Conservation Plan (HCP), etc.

- The EIR consultant should examine the HCP and the detailed Headwaters CEQA and NEPA / EIR and EIS reporting, along with all of the related mitigation and monitoring programs which have since continued to provide current, updated information on geotechnical, sedimentation, mass wasting and other matters of relevance and concern, including formal technical Watershed Analysis for this part of the Eel River basin.
- Project Disturbance within *Eel River tributary watersheds, such as Monument Creek*, poses significant potential for adverse impact to the Scotia municipal water intake, located just downstream from the confluence of the Eel River and Monument Creek.
- Also needed is more information and analysis regarding potential impact and proposed mitigation in connection with directional drilling or boring underground gas-tie and communications lines beneath and across the Eel River just upstream of the Scotia Water Intake for its public drinking water system. Project activities such as road construction, excavation, ground contouring, road use, possible mass wasting and other potential soil-disturbing activities should be evaluated, as they relate to Scotia's civic water systems including the system *Intake* immediately downstream on the Eel River, and/or the water *treatment* and *distribution* facilities upslope on the east side of the highway above Scotia and within or adjacent to the Project area. Concerns include the following:
- Will the Project construction, excavation and post construction road use, etc. include any disturbance in areas of erosion or mass wasting concern as identified by Watershed Analysis and public agencies?

Please provide more and more focused detail for the proposed underground river crossing, etc. (Jack and Bore, Directional Drilling, Fused HDPE Conduit, forced push or draw with bentonite or other lubricant, etc.)

3. Prior Habitat Conservation Planning: HCP Roadside Tree Removal Operations, and Road Construction Standards

- All the relevant Project Area, and all related HRC forest operations, are currently governed under a multi-species Habitat Conservation Plan (HCP), part of state and federal incidental take permits for avian and anadromous fish and other species. First put in place in 1999 as part of the Headwaters Litigation Settlement, the HCP is a *recorded encumbrance* (see *Declaration of Covenants, Conditions and Restrictions* recoded as document 199-6264-167, *official Records Humboldt County CA*) burdening operations on the HRC project property and running with the land.
- The HCP is in fact also applicable on certain portions of Scotia, including the SCSD Community Forest, Eel River riparian areas and the HRC monoculture tree plantations between south Main Street and the Eel River.
- The HCP includes specific road construction and harvest prescription standards intended to limit erosion, prevent mass wasting, preserve critical habitat, etc. The use permit applications are silent on the existence or relevance of this HCP.
- An analysis should be prepared to guide the environmental review of this project which shows how proposed Project road construction and associated grading and site requirements, etc. compare to these effective and governing HCP Limits and Standards.

- For example, the current HCP contains specific and particular Roadside Harvest Restrictions including tree size and age-class distribution retention requirements, species mix, wildlife tree (Snag) retention, etc., while the project description proposes cutting *all the trees in wide swathes of right of way*.
- Further analysis should be conducted for any tree harvest implicated by access road construction, pioneering, reconstruction, equipment staging, landing or slope grading, etc., as it may potentially exceed the HCP Roadside Harvest Restrictions.
- If the road clearing and widening or other timber operations proposed under the Project will exceed HCP management prescriptions, the existing Biological Opinions indicate that those proposed, more intensive alternative operations risk a "Take" under the Federal Endangered Species Act (ESA) Section 9 (and parallel CA Endangered Species Act provisions), and so will also require new ESA Section 7 consultation and new or amended ESA Section 10 permitting and new Biological Opinions and Implementation Agreements.
- Please explain how and when these additional ESA public review processes will be coordinated with scoping and CEQA/NEPA review.

#### 4. Tree Harvest

- The application contains no analysis whatsoever of the scope of "tree removal" required, simply stating that the *'first step' will be to remove the trees*.
- Preliminary cruise data, harvest related acreage and estimates of the volume of merchantable timber, non- merchantable, potential wildlife trees, nesting, roosting and feeding habitat, and the silvicultural prescriptions proposed for tree removal should be provided for early review and comment.
- Much of the Project Area is classified as having steep hillsides, erosive and unstable soils. In light of the geology, what other critical habitat impacts are posed by the scope of tree removal critical to the Project? For what species?
- Under the HCP, all road construction and landing, grading, etc. are governed by a specifically designed Mass Wasting Avoidance Strategy and Erosion Control Management Prescriptions based on Watershed Analysis and monitoring.
- However, access roads, turbine assembly crane roads, grading and matching slopes that will result in roads and landings, pads and foundations 50, 60 or even 200 feet wide and wider. These extraordinary grading, grubbing and clearing, excavation, back filling, and land contouring activities described in the Use Permit Application far exceed the strictly controlled levels of disturbance currently permitted for operations under the HCP.
- The Project clearly includes change of land use away from, Timber Production in those areas where forest and forest soils will be removed, such as turbine foundations, crane pads, etc. A change of use of TPZ lands - - zoned exclusively for Timber Production - - will also require a Timber Conversion Permit and a Timber Conversion Plan, Cal Fire CEQA review and approval (CAL Govt. Code §§ 51115.1 and 5115.2, et seq; 14 CCR § 1104.3).

## 5. Transportation Planning

- A Transportation Plan should be presented to the Town of Scotia, SCSD, residents, and business operators, and other “at risk” stakeholders at the earliest possible time. Clearly the communities closest to this extraordinarily large project will be the most impacted.
- Concerns include whether traffic in Scotia, already impacted from prior – approved projects, will increase. Project related support equipment; service trucks for contractors, concrete, construction and delivery, personnel, etc., if routed through Scotia, could exceed the current level of service and demand, or capacity, and/or increase the density or intensity of use of the single-main-street through Scotia to unsafe levels.
- To the maximum extent practicable, all Project traffic entering or leaving Scotia should use the *South Scotia on ramp and off ramp* for access to/from Hwy 101 to avoid unsafe traffic impact to the dense local residential, elementary school, civic and commercial portions of town at and near North Main Street and the North Scotia Hwy 101 access.
- Cumulative Impacts from increased construction traffic, material handling, stockpiling, paving, dust, noise and congestion etc. should be considered in light of the EIR and approval for a very large *ongoing* project in Scotia: the Scotia Subdivision and Infrastructure Upgrade.
- This prior approved project includes a major Final Map Subdivision of essentially all of the Town of Scotia, a General Plan Amendment, Rezoning, Zoning Code Text Amendments and full CEQA compliance including an EIR. Conditions of approval require removing and replacement of essentially all subsurface linear infrastructure in Scotia, including all Water and Sewer lines and laterals, Storm Drains, Fire prevention and suppression resources, relocating power and telecom lines, realigning and repaving streets, reconstructing Walks and Crossings, etc.
- This large Scotia construction project is ongoing. To be conducted in 5 or more Phases, Town of Scotia has recently completed Phase Two. Design standards and engineering has not yet been completed or reviewed for stage three. The work is expected to continue for at three or four more years.
- Implementation of the first phases of this prior-approved Scotia Infrastructure Project has often required road closures, controlled, one way and flagman-delayed traffic, Main Street Excavation, material stockpiling, route and delivery detours and re-routing, parking restrictions and other rental tenant and resident, commercial and Industrial water supply, electrical power and other utility service interruptions and land use limitations.
- The EIR/EIS for this Humboldt Wind power generation project should consider and mitigate the potential for Significant Adverse Cumulative Impact in Scotia from any further increase in traffic, service level demand or capacity limitations that may result from additional workers, materials delivery or stockpiling and staging, etc. for the proposed project in and around Scotia.

## Johnson, Cliff

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**From:** Orenda Maitri <thesacred@yahoo.com>  
**Sent:** Thursday, August 02, 2018 6:32 PM  
**To:** Johnson, Cliff  
**Subject:** Humboldt Wind

Hello Cliff Johnson,

I am just seeing that there was a public meeting about Humboldt Wind LLC and I would like to add my comment. I strongly encourage that tethered, airborne, wind-energy is used. It is movable and the lines can be adjusted to wind flow. The negative impact on wildlife, including ocean mammals, would be greatly reduced too (if used near the coast). I am happy that wind energy is being introduced but we don't want something that is potentially destructive and in a short time, outdated and obsolete.

I have been researching alternative energies and green businesses and hoping I can help bring these businesses into the cities of Humboldt. I would appreciate an opportunity to have a conversation with you in the future about these.

Thank you,  
Orenda



## Johnson, Cliff

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**From:** Kraemer, Melissa@Coastal <Melissa.Kraemer@coastal.ca.gov>  
**Sent:** Thursday, August 02, 2018 10:20 AM  
**To:** Johnson, Cliff  
**Cc:** Huckelbridge, Kate@Coastal; DeSmet, Clancy@Coastal  
**Subject:** comments on NOP for Humboldt Wind Energy Project

Cliff:

The NOP for the subject project is insufficient in terms of information related to project-related development in the coastal zone (e.g., required improvements to Fields Landing dock and connector roads to accommodate the transport of turbines and other wind energy components). Coastal Commission staff recommends that scope of the environmental document for the project include detailed information and plans on project-associated development in the coastal zone and potential environmental effects on coastal resources, including public access and recreation, marine resources, biological resources (including environmentally sensitive habitat areas), water quality, coastal waters and wetlands, coastal erosion and other hazards. If the project necessitates any development in the coastal zone, including temporary staging areas or ramps, temporary relocation of structures, repair and maintenance of existing structures and facilities, improvements to existing structures and facilities, new construction, grading, dredging, major vegetation removal and/or any other development, a coastal development permit (CDP) from the Commission and/or the County may be required (unless the development is otherwise exempted or excluded from CDP requirements).

If you have any questions please let me know.

*Melissa B. Kraemer*

California Coastal Commission  
North Coast District Office  
1385 8<sup>th</sup> Street, Ste. 130  
Arcata CA 95521  
(707) 826-8950 ext. 9  
melissa.kraemer@coastal.ca.gov



(Note to file: Commission file number 1-HUM-18-0602)



Stephen Underwood  
PO Box 823  
Hydesville, CA 95547

August 28, 2018

Cliff Johnson  
Senior Planner  
County of Humboldt Planning & Building Department  
3015 H Street Eureka, CA 95501

Dear Mr. Johnson:

I am writing concerning the preparation of the EIR for the proposed Humboldt Wind Energy Project. I believe that the following subjects need to be addressed in the EIR.

1. Marbled murrelets including impacts from power lines and turbines.
2. Raptors – effects on.
3. Northern spotted owls – effects on.
4. Migratory birds (Pacific flyway) – effects on
5. Minimum number of long term full time jobs anticipated to be provided by the project.
6. Biological impacts as well as Recreational impacts to state and county parks.

Sincerely,

A handwritten signature in black ink, appearing to read "Stephen Underwood".

Stephen Underwood

*County Planning*  
~~To: Estelle Echnell, 2<sup>nd</sup> District Supervisor~~

From: Ranada Laughlin, 570 Gunnerson Lane, Rio Dell, CA 95562 (707) 764-1785  
[ranadariodell@att.net](mailto:ranadariodell@att.net)

## Humboldt Wind Energy Project

### Concerns:

Bird and Bat Fatalities: Threat to protected species: Marbled Murrelets, Spotted owls as well as Golden Eagles, Bald Eagles, Kestrels and other birds of prey, songbirds, migratory geese and Bats.

River Disruption and sedimentation from proposed undergrounding of utilities and road construction to project sites; sedimentation could affect water quality to Town of Scotia and City of Rio Dell and harm fish.

Overhead transmission lines pose additional threats to birds/bats and require corridor that has to be regularly maintained causing further habitat disruption.

### Suggestions:

More Public Hearings/Transparency

Project Web Site with Frequently Asked Questions

(If project moves forward to development)-Require Habitat Protection Plan including fatality monitoring program over life of project. Publically accessible data base on bird/bat fatalities.

Decommissioning Plan- guidelines detailing who will responsible for removal at end of project life, this should be in addition to bond and clarify who is liable.

*- Report should include estimate of # birds expected to be killed annually - based on data from other project locations.*

Scoping Meeting for the Draft EIR for the  
Humboldt Wind Energy Project

COMMENTS

(Please hand in during the meeting.)

Name: Nick Angeloff

Organization (if any): Rio Dell/Scotia Chamber of Commerce

Address (optional): 156 Grayland Hts Rd

City, State, Zip: Rio Dell, CA 95562

Humboldt County invites you to provide specific comments on the DEIR. Thank you!

Comments The visual impact will be solely to Rio Dell and  
Scotia, while there will be some positive impacts to  
our businesses, there is a concern (growing) that there  
will not be a direct financial benefit to the impacted  
communities in the form of direct revenue to the city/CSD  
and/or reduced end user electrical costs resulting in a direct  
mitigation of visual impacts. The Rio Dell/Scotia  
Chamber of Commerce supports this project

Scoping Meeting for the Draft EIR for the  
Humboldt Wind Energy Project

COMMENTS

(Please hand in during the meeting.)

Name: Adrianne White

Organization (if any): ✓

Address (optional): 424 Church Street

City, State, Zip: Scotia CA 95565

Humboldt County invites you to provide specific comments on the DEIR. Thank you!

Comments I will be voting against this project. I didn't care  
for either speaker dodging questions and focusing on selling  
their shoe. I'm sure more than 20% of the audience  
felt the same - voting against.

Scoping Meeting for the Draft EIR for the  
Humboldt Wind Energy Project

**COMMENTS**

(Please hand in during the meeting.)

Name: David Smith

Organization (if any): \_\_\_\_\_

Address (optional): \_\_\_\_\_

City, State, Zip: Scotia CA 95565

Humboldt County invites you to provide specific comments on the DEIR. Thank you!

Comments will this make power cheaper? Why that spot?  
When can I vote yes or No?

Scoping Meeting for the Draft EIR for the  
Humboldt Wind Energy Project

**COMMENTS**

(Please hand in during the meeting.)

Name: Hollis Kner

Organization (if any): \_\_\_\_\_

Address (optional): 31117 Hwy 254 Scotia CA 95565

City, State, Zip: Pepperwood

Humboldt County invites you to provide specific comments on the DEIR. Thank you!

Comments

Who is being financially compensated  
for this ~~spa~~ project.  
How much  
for how long? ever?



Scoping Meeting for the Draft EIR for the  
Humboldt Wind Energy Project

COMMENTS

(Please hand in during the meeting.)

Name: Melvin Krieb

Organization (if any): Flood Plain Produce

Address (optional): 31117 State Highway 254

City, State, Zip: Scotia, CA 95565

Humboldt County invites you to provide specific comments on the DEIR. Thank you!

Comments What is the CO<sub>2</sub> that will not

be generated by this project? That

answer would help environmentalists

accept this

email : floodplain@asis.com

Scoping Meeting for the Draft EIR for the  
Humboldt Wind Energy Project

COMMENTS

(Please hand in during the meeting.)

Name: Grace Archur gracearchur@sbcglobal.net

Organization (if any): \_\_\_\_\_

Address (optional): P.O. Box 553 Rt 612 1<sup>st</sup> Street

City, State, Zip: Scotia, CA 95525

Humboldt County invites you to provide specific comments on the DEIR. Thank you!

Comments

How is Humboldt Co going to benefit from this project?  
Just because H.C. is devoid of Alt. energy is there a real  
Where is the water going to come from for this  
project? I am worried about the aesthetics of these  
monstrous turbines. → Please study the effects on the birds,  
light pollution, noise pollution, and all wildlife involved.  
the

Scoping Meeting for the Draft EIR for the  
Humboldt Wind Energy Project

**COMMENTS**

(Please hand in during the meeting.)

Name: Margie Plant

Organization (if any): \_\_\_\_\_

Address (optional): \_\_\_\_\_

City, State, Zip: Pepperwood/Scotia, CA 95565

Humboldt County invites you to provide specific comments on the DEIR. Thank you!

Comments I support the idea of alternative energy for our area. How much would this reduce local rates? Could it reduce our rates? Other questions & concerns - the road construction to support transport of the wind turbines - bridge structural support? or replacement? Can't take out

Scoping Meeting for the Draft EIR for the  
Humboldt Wind Energy Project

**COMMENTS**

(Please hand in during the meeting.)

Name: Deidre ~~Guy~~ Guy

Organization (if any): property owner - private

Address (optional): 5 Redwood Ave

City, State, Zip: Rio Dell, CA 95562

Humboldt County invites you to provide specific comments on the DEIR. Thank you!

Comments \_\_\_\_\_

Will the land owners receive compensation for using their land? Flat fee or annual payment? Will compensation come from Humboldt County tax revenue? Overall what is the cost to the Humboldt County resident?

Scoping Meeting for the Draft EIR for the  
Humboldt Wind Energy Project

COMMENTS

(Please hand in during the meeting.)

Name: Sue Strain  
Organization (if any): Rio Dell City Council  
Address (optional): 1227 Riverside Dr  
City, State, Zip: Rio Dell 95562

Humboldt County invites you to provide specific comments on the DEIR. Thank you!

Comments Why have you not considered  
other ridges? We do not  
want to see these ugly windmills from 101  
& our cities.  
What about the ridges nearer to Bridgeville?  
How about Fort Seward area?  
I had read mountain view into Redwood airport?

Scoping Meeting for the Draft EIR for the  
Humboldt Wind Energy Project

COMMENTS

(Please hand in during the meeting.)

Name: Paul Newmaker  
Organization (if any): Scotia Home owner (SCSD) member  
Address (optional): P.O. Box 489  
City, State, Zip: Scotia CA 95565

Humboldt County invites you to provide specific comments on the DEIR. Thank you!

Comments I'm very concerned with the visual  
impact this project will have on the homeowners  
in Scotia. My home is directly across from the  
Mamunt Ridge and do not want to look at these  
huge wind turbines, also will drop my property values.



Scoping Meeting for the Draft EIR for the  
Humboldt Wind Energy Project

COMMENTS

(Please hand in during the meeting.)

Name: Mary Sanger  
Organization (if any): 350 Humboldt (affiliate of 350.org)  
Address (optional): \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_

Humboldt County invites you to provide specific comments on the DEIR. Thank you!

Comments comments regarding:  
would any of the energy be sold  
outside the county  
why is the electricity transmitted  
to the Bridgeville substation  
vs the power plant at 111.

Scoping Meeting for the Draft EIR for the  
Humboldt Wind Energy Project

COMMENTS

(Please hand in during the meeting.)

Name: Tom Moore  
Organization (if any): Bear River Land owner  
Address (optional): P.O. Box 274  
City, State, Zip: Fortuna, Ca. 95540 tommooore@fortunacesd.com

Humboldt County invites you to provide specific comments on the DEIR. Thank you!

Comments Will monument Rd. and Bear River Ridge Rd  
Be improved and maintained over the life span  
of turbines. How often will Rd be worked on.  
Will new power lines be installed and maintained  
going up monument Rd.

Scoping Meeting for the Draft EIR for the  
Humboldt Wind Energy Project

COMMENTS

(Please hand in during the meeting.)

Name: Jennifer Mackey

Organization (if any): \_\_\_\_\_

Address (optional): 1901 Monument Road & (mailing: POB 469

City, State, Zip: Rio Dell, CA residence — Scotia CA 95565

Humboldt County invites you to provide specific comments on the DEIR. Thank you!

Comments Concern of Bear River Ridge closure

- 2) of PGE access lines used / easement for overland —
- 3) what is final view of fencing around project — and 250' wide swath
- 4) Can turbines be dropped behind ridge to maintain pristine view?

Scoping Meeting for the Draft EIR for the  
Humboldt Wind Energy Project

COMMENTS

(Please hand in during the meeting.)

Name: Sue Strach

Organization (if any): Rio Dell City Council

Address (optional): 1222 Riverside Dr

City, State, Zip: Rio Dell 95562

Humboldt County invites you to provide specific comments on the DEIR. Thank you!

Comments Why have you not considered other ridges? We do not want to see these ugly windmills from 101 & our cities.

What about the ridges nearer to Bridgeville?  
How about Fort Seward area?  
What about corridor from into Redwood airport?