Comment Set C.212: Terry and Sally Zinger

Terry & Sally Zinger
10124 Leona Avenue
Leona Valley, CA 93551
H (661) 270-1379 Wk (661) 267-0940
tzinger@goldenstatelc.com

September 30, 2006

Ms. Marian Kadota
CPUC/USDA Forest Service
c/0 Aspen Environmental Group
30423 Canwood Street, Ste. 215
Agoura Hills, CA 91301

Re: Application 04-12-007 (U 338-E) for a Certificate of Public Convenience and Necessity Concerning the Antelope-Pardee 500kV (Segment 1) Transmission Project Comment on Draft Environmental Report - Opposition to Alternative Route No. 5

Dear Ms. Kadota:

I and my family are 27 year residents of the community of Leona Valley and, as such, will be substantially and negatively impacted, should Alternative 5 of the proposed route alternatives ultimately be selected for implementation. This alternative route proposes to introduce the proposed 500 kV transmission line directly through the most populated portion of Leona Valley, in lieu of the more direct and isolated route proposed by Edison. In doing so, it would create unnecessary and dramatic negative impacts upon the community at large, residents within the Valley, like my family, and the ratepayers of California.

While it has been represented that the Service and the project team is required to identify an alternative route that avoids or minimizes encroachment on the National Forest, it is difficult to envision an alignment that could make less common sense or that could involve more immediate damage and downstream risk to a community and the families within it than Alternative Route 5. The list of unnecessary risks and burdens that would be imposed on our community and the ratepayers by this routing is substantial however, I find three to be of paramount concern:

- Dramatically increased cost to the ratepayers of California
- Direct and substantial safety, environmental, social and economic impact upon an established community of high value family residential properties
- Potential long-term health and safety impacts associated with locating high EMF-producing power lines unnecessarily close to scores of families, when a safer option is readily available.

Dramatically increased cost to the ratepayers of California

The subststantially higher costs attendant to Alternate 5 are acknowledged within the analysis represented in the fact sheets issued by the Project Team, as well as within the Draft EIR, although the derivation and sheer magnitude of the cost premium associated with Alternate 5 are inadequately detailed within the DEIR. At face value, even absent the predictable and enormous potential costs attendant to the "administrative taking" aspect of encroaching on large stretches of existing residential properties, as well as the well known cost premiums associated with creating access and logistical staging for construction operations in close proximity to developed residential development, direct tower and transmission line

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costs must, by definition, be at least 45% higher than Edison's base proposal. Add to that the increased structural requirements associated with the multiple severe angular changes in alignment required by Alternate 5 and one is clearly faced with an increase in direct construction costs of approximately 50%, before considering consequential cost premiums.

Those consequential cost premiums are as obvious as they are inevitable. An additional 11.6 miles of alignment, most of which is forced through or adjacent to high value, established residential development, will involve, at a minimum, tens of millions of dollars in additional cost for property takings and diminished value compensation, along with the millions of dollars in legal fees and costs involved with such actions.

C.212-1 (Cont)

In total, there is little question that the true present cost of implementing Alternate 5 must be at least 75% greater than the base proposal, with a long, prospective legacy of liabilities, claims and costs going into the future that could foreseeably double the necessary cost of the new transmission line.

Direct and substantial safety, environmental, social and economic impact upon an established community of high value family residential properties

The scale of the towers and lines involved in the proposed Antelope-Pardee transmission line is truly enormous in the context of an established residential area. Aside from the physiological risks attendant to living in close proximity to 500Kv transmission lines, which I address later, the safety, environmental, social and economic impacts are so obvious and so unnecessary as to make one question why it should even be necessary to cite them.

The most immediate and potentially catastrophic safety concern is the direct impact of the proposed alignments along 107th Street and the Lonesome Valley-Lost Valley corridor upon fire protection. In the 27 years that I and my family have lived in Leona Valley, there have been three major fires in the area. Each of those fires seriously threatened structures along these two alignments, burning right up to and even destroying a number of structures in both areas. At the time of each of those fires, I and a large number of other Leona Valley residents directly observed firefighting activities along 107th Street and along Lonesome Valley-Lost Valley Roads. We observed fire crews' heroic efforts to make a stand against the encroaching flames in order to protect family homes and residential ranch facilities. We also heard, first hand, comments by fire supervisors standing with us that the ground crews were not going to be able to stop the flames alone but that helicopter and fixed wing air assets were inbound in order to make the difference.

In each case they did, indeed, make the difference as we watched them make pass over pass along alignments that will be physically impossible if the line is constructed along the Leona Valley portion of Alternative 5. As an experienced pilot, I am not relying upon second hand opinion in making this statement. Air support of last-ditch protection of structures in Leona Valley will be virtually impossible along the most crucial perimeter of the residentially developed area. Once fire has encroached on that residential area, then migration of the fire, property-to-property, house-to-house through ember drift and ignition of large, contiguous trees is inevitable, leading to a potential loss of family properties on a scale that we have not seen in the past. 107th Street and the Lonesome Valley-Lost Valley corridor are where the heavily developed portion of the Valley transitions to the surrounding national forest areas. It is from these national forest areas that most fires in the area come.

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We have heard a representative of the Forest Service blandly tell us that, in the context of the overall "fire plan" for the region, protection of those barrier areas is not really all that important; that stopping fire's progression well away from the developed area of the Valley is the key. Such a view is chilling as it is naïve. It's obvious theoretical basis ignores clear the clear, empirical evidence of the past. Given the substantial fuel available in the surrounding forest areas, the access issues involved in fighting fire within those areas and the consistently windy characteristic of the Valley, fire crews have never been able to stop fires coming from the forest area from reaching the developed residential area. In contrast, using

combined ground and air assets, they have always managed to stop fire from substantially penetrating our key perimeter areas. Absent the air assets, the prospect of continuing to do so is bleak.

If Alternative 5 is implemented, not only will we eventually suffer the direct loss of property that diminished fire protection capability will bring, we will undoubtedly see immediate and substantial increases in casualty insurance rates for properties in the Valley, inasmuch as insurance companies are not given to theoretical views that ignore common sense and empirical evidence. Such increases, coupled with the unquestionably negative quality-of-life impact of such an incongruous use next to high quality residential ranch development, will inevitably result in a substantial loss of present and future value for those properties and all properties in the Valley.

The social and economic impact of such a dynamic upon a community that has, to date, enjoyed a consistent but thoughtful and positive growth pattern will likely be substantial. Even sociologists cannot accurately predict the details of such a dynamic however, it is common sense that a substantial negative trend in property values and stable family occupation will adversely affect social and economic trends that have been cornerstones of the community for many years. The tragedy of such an eventuality is that it is so patently unnecessary.

C.212-2 (Cont)

Given the overly theoretical base of the Services fire hazard analysis, without reference to evidence readily available from past fire operations in the area, and given the fact that the Draft EIR fails to address, in any substance or depth, the impact on fire protection, loss of property value and increased property ownership costs, the Draft EIR is, in my opinion, materially deficient in its analysis.

Potential long-term health and safety impacts associated with locating high EMF-producing power lines unnecessarily close to scores of families, when a safer option is readily available

Whatever one's view of the current state of science surrounding the impacts of EMF, the State of California has, for years now, taken an official public policy position on the subject by imposing restrictive rules for the siting of public facilities in regard to proximity to sources of significant EMF.

1. In 2002, the California Department of Health Services (DHS), in conjunction with the California Public Utilities Commission (CPUC), commissioned a study entitled the "California EMF Risk Evaluation". Three prominent scientists were charged with gathering and evaluating all available scientific material on the subject and advising the State as to the likely hazard to health posed by EMF. The Final Evaluation, which was the culmination of a 9 year, $7 million research effort, is dated June 2002, but was only released about October 13, 2002. It uses as a standard ***causation***, which is a more rigorous test than the more common standard that seeks to demonstrate an *association* between EMF and many of diseases.

   While the scientists concluded that, based on present science and evidence available, EMFs could not be tied, by specific causation, to certain specific health hazards, there was unanimity in at least one significant area and strong suspicion in two others. The findings noted in their Executive Summary include the following:

   "To one degree or another, all three of the DHS scientists are inclined to believe that EMFs can cause some degree of increased risk of childhood leukemia, adult brain cancer, Lou Gehrig's Disease, and miscarriage."

   "All three scientists had judgments that were "close to the dividing line between believing and not believing" that EMFs cause some degree of increased risk of suicide,"

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"For adult leukemia, two of the scientists are "close to the dividing line between believing or not believing" and one was "prone to believe" that EMFs cause some degree of increased risk."

There are other studies available, one, in England that is even more dire in its findings. The key element, however, is that the "California EMF Risk Evaluation" study is the product of the State of California and, as a result, the State, through the Department of Education, took a clear public policy position of "prudent avoidance" with respect to approving school sites in California.

CDE's "School Site Selection and Approval Guide", under "Proximity to High-Voltage Power Transmission Lines", provides the following guidance:

In consultation with the State Department of Health Services (DHS) and electric power companies, the Department has established the following limits for locating any part of a school site property line near the edge of easements for high-voltage power transmission lines:

1. *100 feet from the edge of an easement for a 50-133kV (kilo volts) line*
2. *150 feet from the edge of an easement for a 220-230kV line*
3. *350 feet from the edge of an easement for a 500-550kV line*

Conclusion:

The key point here, with respect to the DEIR, is not what one concludes regarding the state of the science or the details of the siting standards promulgated by CDE. The point is that the State has formally studied EMF and State agency(s) have established restrictive requirements, as a matter of public policy, concerning proximity to high-voltage power lines. Given that public policy is already being implemented in a manner that recognizes EMF as, at least, a possible health hazard. Given those facts, the potential hazard posed by EMF resulting from the Alternate 5 approach must be recognized as a legitimate issue and may not be disposed of, in an Environmental Impact Report, as not being worthy of evaluation.

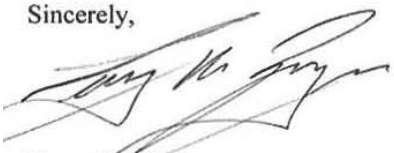
C.212-3 (Cont)

The study, indeed, disposes of the question in that manner and states, very clearly, that EMF was not evaluated. This constitutes a **material deficiency** in the Draft Environmental Impact Report. Regardless of what conclusions might have been drawn by doing so, the State, the utility and the consultants had a clear obligation to evaluate EMF as a possible hazard.

The ratepayers of California, already faced with prohibitively high utility rates, deserve better from the public agencies and officials that purport to represent their interests than to consider, with any degree of seriousness, a route that involves costs that could easily be double those of a more direct, less environmentally, economically and socially damaging approach. While I understand, as cited by the Forest Service representative, that the Service has an obligation to explore alternatives that minimize the use of National Forest land, however, it is not too much to expect that such examination would include conscientious, objective analysis of the obvious impacts involved in such an alternative, rather than to seek a rationalization that conveniently glosses over the true, common sense magnitude of such impacts.

I and my family join virtually all of our neighbors throughout Leona Valley in respectfully requesting that you reject Alternative 5 for the Antelope-Pardee 500kV (Segment 1) Transmission Project and approve the base proposal submitted by Edison.

Sincerely,



Terry M. Zinger

Cc: Hon. Julie Halligan – CPUC
Jody Noiron – NFS
Hon. Michael Antonovich
Hon. George Runner – Cal. State Senate
Hon. Buck McKeon – U.S. House of Representatives
Hon. Sharon Runner – Cal. State Assy.
Hon. Audra Strickland - Cal. State Assy.
Hon. Kieth Richman - Cal. State Assy.
Hon. Laurene Weste – City of Santa Clarita
John Boccio, CPUC
Terry Kenney, LVTC

Response to Comment Set C.212: Terry and Sally Zinger

C.212-1 Although project cost is not discussed in the Draft EIR/EIS, we agree that due to the increased length of Alternative 5, it would cost substantially more than the proposed Project. Your comments will be shared with the decision-makers who are reviewing the Project and alternatives at the USDA Forest Service and the CPUC.

C.212-2 We recognize that Alternative 5 would constrain the ability to aggressively fight a wildland fire in the vicinity of the route, and would create additional fire risks to inhabited areas such as Leona Valley and Agua Dulce (see discussion in Section D.5). Your concerns will be shared with the decision-makers who are reviewing the Project and alternatives at the USDA Forest Service and the CPUC. Please see General Response GR-1 regarding potential effects on property values.

C.212-3 Please see General Response GR-3 regarding EMF concerns.