

Comment Set B.15: Agua Dulce Town Council

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Subject: Re: Response from Agua Dulce Town Council to the Draft EIR

Excellant letter, I thank everyone for all your hard work on this one !!

Kaye Kirkwood

AGUA DULCE TOWN COUNCIL

October 1, 2006

John Boccio, CPUC, EIR Project Manager
Marian Kadota, USFS, EIS Project Manager
Aspen Environmental Group
30423 Canwood Street, Suite 215
Agoura Hills, CA 91301

RE: Antelope Pardee 500kV Transmission Project Proposed by Southern California Edison
Application No. A.04-12-007

Dear Mr. Boccio and Ms. Kadota:

The Agua Dulce Town Council appreciates the opportunity to comment on the Draft Environmental Impact Report/Environmental Statement. The Agua Dulce Town Council provided written comments previously in this proceeding regarding a request for extension of public comment period and would like to supplement its previous comments regarding the Draft EIR/S with the following written comments.

The Agua Dulce Town Council is a local elected entity representing approximately 5,000 residents in the unincorporated community of Agua Dulce in northern Los Angeles County. Our community is semi-rural and is composed of small family owned ranches and homesteads. The Agua Dulce Town Council endorses and actively supports ADAPT, a grass roots based organization formed by the citizens of Agua Dulce in response to the inclusion of Alternate 5 in

the Draft EIR/S. The Agua Dulce Town Council has asked ADAPT to act as its consultant and representative with respect to the response of the Draft EIR/S.

The Agua Dulce Town Council agrees completely with the Leona Valley Town Council and their findings of deficiencies of the Draft EIR/S specifically in regard to Alternate 5. In addition, we are responding to specific findings and detrimental impacts to our community of Agua Dulce regarding the Alternate 5 route.

While the Draft EIR/S points out many areas where Alternate 5 route is not the preferred choice, there are numerous areas where the report falls far short and in some areas fails to adequately examine all the issues in a detailed and comprehensive manner. Alternate 5 alignment was developed to avoid NFS lands between the Antelope Substation and the Pardee Substation. This route places an unfair burden on the communities of Leona Valley and Agua Dulce and does not substantially lessen any impacts of the Proposed Project without creating greater impacts of its own.

B.15-1

In 1985, the residents of Agua Dulce established a Community Standards District (CSD). Los Angeles County Code (LACC) recognizes these districts in § 22.44.010. The Agua Dulce Community Standards District was established to protect the secluded rural character of the community, to enhance the community's unique appeal, and to avoid the premature need for costly linear service systems such as sewers and water systems within the community (LACC § 22.44.113). The Agua Dulce CSD establishes minimum lot sizes for residential uses. Each residential lot or parcel shall contain a net area of not less than two acres

The Draft EIR/S states "Operation of Alternative 5 would create a long-term disruption to residential land uses (Impact L-3). For construction and operation of the alternative, SCE would be required to obtain new easements across 103 privately owned parcels...future use of the new easement would be restricted. For example, affected property owners could not build any structures on lands that occur within the alternative ROW" (C.9-49). Any new easement taking partial private parcels may result in less than minimum lot sizes. Future uses of land near the new ROW will be restricted as well. The Draft EIR/S indicates the actual alignment of Alternate 5 will not be determined until Alternate 5 is implemented. The land use impacts to the community of Agua Dulce could be far greater when the actual alignment and design studies are completed.

B.15-2

It is questionable whether or not the new utility corridor will comply with the Los Angeles County General Plan and the Santa Clarita Valley Area Plan. Additional evaluation must be conducted.

B.15-3

The Agua Dulce Airport is located within approximately 1 mile of the Alternate 5 route. The approach to Agua Dulce Airport is restricted by geologic formations. Both helicopters and fixed wing aircraft are based at the airport. State CEQA Guidelines recommend any project within 2 miles of a public use airport must be examined to determine if the proposed project would result in a safety hazard for people residing or working in the proposed project area. Examination of this hazard has not been included in the Draft EIR/S. The towers will require Federal Aviation

B.15-4

Administration approval. Alternate 5 routing may result in a change in air traffic patterns that results in substantial safety risks.

B.15-4
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The proposed alignment of Alternate 5 will result in the loss of many equestrian properties. Agua Dulce is one of the last of the surviving equestrian communities in Los Angeles County. We are proud of our history as a ranching community and are protective of maintaining the equestrian lifestyle. Recreational horse back riding will be greatly impacted. Exposing horse and rider to corona noise from high voltage transmission lines and noise associated with its construction poses a greater risk of bodily injury for both horse and rider. Many ranches located along Alternate 5 operate as commercial businesses; boarding facilities, breeding facilities, and training facilities. The Draft EIR/S is incorrect stating Alternate 5 will have no impacts on commercial uses.

B.15-5
B.15-6

The mere mention of a proposed high voltage transmission line and the introduction of a new utility corridor to any community will result in loss of property value. Increased sales time, smaller pool of interested buyers, and full disclosure of Alternate 5 has already had an impact on properties for sale in Agua Dulce. The possibility of eminent domain and the uncertainty of the actual alignment will impact hundreds of properties. The transmission towers will have a direct affect reducing property values. The loss of the panoramic scenic vistas most properties enjoy will decrease the value of their homes and ranches. Correct or not, the general public perception that there are health risks in close proximity to high voltage transmission lines will make many members of the public dismiss the community of Agua Dulce as a viable place to live.

B.15-7

Introducing a new EMF source to the community of Agua Dulce through the alignment of Alternate 5 creates localized public health and safety concerns. There is agreement in a DHS study among scientists that 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. Cancer and other health risks associated with exposure to EMF are greatly increased with Alternate 5 route given the proximity to established communities.

B.15-8

Agua Dulce sits in an area that is exposed to high winds. Santa Ana wind conditions regularly have average sustained winds around 30 miles per hour. Gusts have been reported in excess of 65 miles per hour. Many homes, structures, and trees experience wind damage. High winds, low humidity, and the dry brush as fuel have the potential for increased risk of downed power lines and the rapidly spreading fires.

B.15-9

Agua Dulce is an area classified as "very high fire danger zone." Brush fires occur in our community every fire season. Additionally, the area is not served by a public water source. All homes are on private wells and most homes have water storage tanks. The road infrastructure is limited to a few main highways and many unimproved unpaved roads. The combination of a fire danger zone with limited water and limited road infrastructure results in increased fire risk. The addition of high voltage transmission lines will have a higher risk of bodily injury and property damage, thus creating long-term liability risk.

B.15-10

The routing of Alternate 5 may displace up to 103 families. The loss of homes will have an adverse impact to our school district as well as our local businesses. Additionally, Agua Dulce

B.15-11

Residential Project (TR 50385), a 320 estate home development project will be bisected. The developer has worked diligently with our Town Council to create an exceptional residential project of estate home sites. High voltage transmission lines will destroy this pristine area and will ruin the proposed residential development in planning. The taking of homes through the power of eminent domain is a governmental power that should be used only as a last resort.

B.15-12

B.15-13

All Agua Dulce properties are served by private wells. Wells vary in depth from very shallow (25 feet) to very deep (over 600 feet). Alternate 5 has potential that excavation activities would substantially deplete groundwater supplies or interfere with groundwater recharge, such that there would be a net deficit in aquifer volume or a significant lowering of the local groundwater table (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted). Any potential of disturbance or depletion of our groundwater supply could be disastrous for our community causing the area to be uninhabitable. Any interruption to our groundwater supply would severely restrict or eliminate agricultural businesses, including vineyards, orchards, and horse ranches. The accidental spill or release of harmful materials used during construction of Alternative 5 could impact surface water quality and/or groundwater quality. Depleting ground water supplies and possible contamination of our ground water needs to be fully explored and evaluated.

B.15-14

In conclusion, the Agua Dulce Town Council has serious concerns regarding Alternate 5 route as currently proposed. The impacts that this Alternate would have on the community of Agua Dulce are large, and in our estimation, unmitigable. We ask that Alternate 5 be eliminated from further review.

B.15-15

We ask that our comments and those of our constituents be given serious consideration. We appreciate the opportunity to present our concerns and hope those concerns are kept in mind during the review of the Proposed Project. If any of our comments need clarification or further explanation, please do not hesitate to contact us.

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Response to Comment Set B.15: Agua Dulce Town Council

- B.15-1 Thank you for submitting your opinion and comments regarding Alternative 5. These will be shared with the decision-makers who are reviewing the Project and alternatives at the USDA Forest Service and the CPUC.
- B.15-2 Your comments are consistent with the findings of the Draft EIR/EIS. Please see General Response GR-2 regarding property acquisition.
- B.15-3 Consistency with land use plans, polices, and regulations for Alternative 5 are discussed in Section C.9.10.2 of the Draft EIR/EIS. It was determined that Alternative 5 would not conflict with land use plans, policies, and regulations.
- B.15-4 Thank you for your comments regarding the airpark located in Agua Dulce. The Traffic and Transportation Section C.13 will be updated to analyze the impacts of Alternative 5 on the airpark (Impact T-8). As discussed in Section C.13.10.2 for Alternative 5, under “Adverse Effects to Aviation Activities (Criterion TRA11),” SCE would be required to submit FAA Form 7460-1, Notice of Proposed Construction or Alteration, to the Manager of the FAA Air Traffic Division for review and approval of this alternative route. Adherence to FAA guidelines would ensure that operation of the alternative would not cause a significant impact to aviation activities.
- B.15-5 Impacts related to trails along Alternative 5 are discussed in EIR/EIS Section C.9.10. Transmission lines located along or crossing trails would not preclude the use of these trails for equestrian activities, as the required clearance for the transmission cables would not prevent a horse and rider from passing beneath. Furthermore, in “Transmission Line Studies Priest Rapids Project FERC No. 2114 Final Report” prepared for the Public Utility District No. 2 of Grant County, Washington, in April 2001 by Duke Engineering & Services (available at www.gcpud.org/relicensing/applications/Disk%203/Technical%20Appendices/E5-Wildlife%20and%20Botanical%20Resources/E5B_Trans_Line_FL.A.pdf), a review of available literature on the effects of exposure to electromagnetic radiation (EMF) on wildlife was conducted. Within this document, Section 3.3 explains that “Mammals and birds are often attracted to transmission line rights-of-way for the different foraging vegetation types available (Lee et al. 1996)... During observations of large mammal interactions under a 500-kV transmission line in Idaho, Goodwin (1975, as cited in Lee et. al. 1996) found no visible effects of the electric and magnetic fields on deer or elk movements.” In Section 3.4 it is also stated that “[b]ecause grazing lands for cows, horses, sheep and other domesticated livestock are often situated under transmission lines relatively more research has focused on possible effects to livestock than wildlife. Amstutz and Miller (1980) found no evidence of adverse effects on the health or behavior of cattle, sheep, pigs, and horses living under 765-kV transmission lines.” Section 4.0 concludes that the “[b]ehavior patterns exhibited in laboratory animals indicate EMFs can be felt, but that field influences are too weak to alter activities...There is little evidence to suggest that EMF radiation produces any adverse affects on wildlife biology or behavior.” As such, it is not anticipated that equestrian activities would be impacted due to the transmission lines, as based on the research presented above the behavior of the horses would not be expected to change due to the EMF dramatically enough to cause bodily injury to itself or any riders.

Corona noise produced by the transmission lines would result in a sustained low-frequency humming sound, as described in Draft EIR/EIS Section C.10.5. This type of noise would result in sound levels of 40 to 50 dBA at the edge of the transmission line ROW; which, as shown in Figure C.10-1, would be similar to a fairly quiet refrigerator, washing machine, or clothes dryer. This type of sustained sound would not be expected to startle or alarm a horse resulting in bodily injury; however, the responsiveness of an animal to external conditions such as these would vary by individual animal and therefore we cannot be certain that no horse would have a negative reaction resulting in bodily injury.

- B.15-6 Impacts to these businesses are addressed in the analysis of agricultural resources in Section C.9.10.2 of the Land Use and Public Recreation section under Criterion LU2 and in Section C.12.10.2 of the Socioeconomics under Criterion SOC3.
- B.15-7 Please see General Response GR-1 regarding effects on property values.
- B.15-8 Please see General Response GR-3 regarding EMF.
- B.15-9 Thank you for your comments and concerns regarding wind conditions within the Alternative 5 area. SCE is aware of these conditions and will design the transmission tower structures considering these conditions.
- B.15-10 Thank you for your comments and concerns regarding Alternative 5. Your comment will be shared with the decision-makers who are reviewing the Project and alternatives at the USDA Forest Service and the CPUC. Please note that all applicable rules and regulations regarding the construction, operation, and maintenance of transmission lines will be adhered to by SCE for the selected alternative.

As discussed in Draft EIR/EIS Section C.11.10.2, Alternative 5 would increase the potential risk of wildland fires and associated demand on fire protection services during construction, which would be considered significant. Implementation of Mitigation Measure P-1 (Expansion of the Southern California Edison Fire Prevention and Response Plan), which would ensure that the components of the SCE FPRP apply to construction activities along the entire route, would reduce impacts to less-than-significant levels (**Class II**). Within the ANF, the impact of the demand on fire protection services would also be significant; however, implementation of Mitigation Measure F-1 (Develop a Fire Plan with the Forest Service) would reduce impacts to a less-than-significant level (**Class II**). Operation of Alternative 5 would have the same demands on fire and police protection as the proposed Project (Impact P-2). The regular maintenance proposed by SCE would ensure that the potential for risk of fire would not substantially increase and result in a corresponding increased demand for fire protection on non-NFS lands. Consequently, impacts to non-NFS lands would not be significant (**Class III**) and no mitigation is recommended. On NFS lands, however, the maintenance required by SCE would not be sufficient to reduce the risk of wildfires and maintain adequate allocations of firefighting resources. Impacts on NFS lands would be significant, but with the implementation of Mitigation Measure F-2 (Develop an Operation and Maintenance Plan with the Forest Service), which would specify additional measures to reduce the risk of fire, the demand for fire protection services on NFS lands would not be significant (**Class II**).

- B.15-11 As stated in Section C.9.10.1 of the Draft EIR/EIS, the Alternative 5 alignment “would traverse a total of 103 privately owned parcels”. This does not equate to displacing 103 families, as the majority of these parcels are undeveloped (i.e., no homes are located on the property).

As discussed in Section C.9.10.2, the majority of land uses that would be restricted as a result of Alternative 5 would be from the erection of new structures within the alternative ROW. However, given that SCE has not conducted construction or final alignment and design studies for Alternative 5, the EIR/EIS has assumed that the removal of one or more homes may occur. Alternative 5 would not result in the displacement of a significant portion of the families in the Leona Valley or Agua Dulce communities, nor would it necessitate the closure of local schools.

- B.15-12 As discussed in Section C.9.10.2 (Impact L-3), we recognize that Alternative 5 would create significant and unavoidable impacts to planned land uses within the ROW, including the approved Agua Dulce Residential Project. Your concerns will be shared with the decision-makers who are reviewing the Project and alternatives at the USDA Forest Service and the CPUC.
- B.15-13 Please see General Response GR-2 regarding property acquisition.
- B.15-14 Impacts to water quality, groundwater supply and recharge, and surface water for Alternative 5 are discussed in Section C.8.10.2 of the Draft EIR/EIS. Impacts were determined to be less than significant.
- B.15-15 Thank you for submitting your opinion and comments regarding Alternative 5. These will be shared with the decision-makers who are reviewing the Project and alternatives at the USDA Forest Service and the CPUC.