

Attachment J

Summary of Planning Commission Hearings/Workshop

The Planning Commission held a total of five public hearings and one full day workshop related to the development of the Wind Energy Ordinance Amendment project. A brief summary of each hearing/workshop is provided as follows:

April 13, 2012 – Planning Commission Hearing: Staff presented an overview of the project and public testimony was received from 27 individuals. The Planning Commission voted unanimously to schedule a workshop to review the various project issues that came up at the hearing in greater detail and become more informed prior to making a recommendation on the proposed project. The item was continued to the April 27, 2012 meeting and Staff was directed to return and present a workshop format as well as options for workshop dates and to look into opportunities for the Commission to visit a large turbine project.

April 27, 2012 – Planning Commission Hearing: Staff reviewed the issue areas discussed at the April 13th hearing and recommended focusing the workshop on two main topic areas Biology and Noise and the following subset of issues:

Biology

- What are the siting criteria for small turbines?
- Small Turbines in PAMA
- Wildlife agency concerns with small turbines
- What are the anticipated mitigation measures for a wind farm project?
- Are CEC guidelines mandatory, when do they apply?

Noise

- Characteristics of low frequency noise propagation (ground borne vs. air borne)
- Low frequency noise demonstration
- Review setback maps/setback implications. Provide setbacks from wind resource areas
- Clarify information provided by speakers at hearing concerning low frequency noise
- Are these measures really streamlining or are projects better off navigating the existing regulations?
- What is being experienced in other CA Counties and other States?
- Why are existing methods utilized in other CA Counties not appropriate in San Diego?
- Other trends, recent research concerning wind turbine noise

The Planning Commission concurred with staff's recommendation and set a workshop date for May 11, 2012. Staff also conveyed arrangements made to allow the Commissioners to tour the Kumeyaay Wind Project located on the Campo Indian reservation

May 11, 2012 – Workshop: Staff provided responses to the noise and biology related issues previously identified by the Commission at the April 13th hearing and provided a live audio demonstration of low frequency noise. The Commission identifying additional noise and biology questions to be furthered researched and directed staff to:

- Prepare an overview of currently available health impact research related to wind turbines
- Determine what percentage of the County's overall energy could be produced through wind and how it corresponds to other energy sources

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- Provide a comparative analysis of utility scale solar versus utility scale wind. The Commission continued the item to the July 20, 2012 Planning Commission hearing.

July 20, 2012 – Planning Commission Hearing: Staff responded to and clarified the issue areas identified at the May 11th workshop. The Commission voted 4-2 to recommend approval of the project with the incorporation of the following modifications:

- Update the small turbine certification provision to specify reliance on the California Energy Commission’s, May 23, 2102 List of Eligible Equipment
- Update the pure tone provision related to large turbines to incorporate the following language ”repeating sources of sound, including single or multiple frequencies”
- Limit possible noise setback waivers to north of Interstate 8 in the Boulevard Community area
- Incorporate ordinance language to allow applicants to utilize an alternative turbine manufacture/model after a Major Use Permit application has been filed.
- Include ordinance language to ensure that large turbine sites are maintained and keep clean of debris/turbine parts;
- Clarify the ridgeline definition and sensitive species setback provision related to small turbines
- Include ordinance provision to require discretionary permits for small turbine within the PAMA.
- Report back to the Planning Commission in three years with a literature review of the most current research regarding human health effects from wind turbine.

October 5, 2012 – Planning Commission Hearing: Subsequent to the Planning Commission’s July 20th action, the Board of Supervisors adopted amendments to the same sections of the Zoning Ordinance in connection with the private Tule Wind project on August 8, 2012. Under the State Government Code, these changes were referred back to the Planning Commission as they were not previously considered by the Commission. Prior to the October 5th Planning Commission hearing, Iberdrola Renewables, the Tule wind project applicant, submitted a letter requesting a continuance and contended that the Tule wind project was grandfathered under the existing Zoning Ordinance and requested to be exempted from the proposed Wind Ordinance. A continuance was granted to allow staff and the applicant an opportunity to further discuss and analyze the request before returning to the Planning Commission.

October 19, 2012 – Staff conveyed that the Tule Wind project was not grandfathered under the Zoning ordinance and can comply with the proposed ordinance changes. The Commission considered Tule wind’s exemption request and elected to not include it into the project. The commission voted 5-1 to approve the Form of Ordinance which incorporates the previously approved Tule Wind project Zoning amendment language into the Wind Energy Ordinance Amendment.