



April 1, 2021
DPG 21-040

Solano County Airport Land Use Commission
Department of Resource Management
Planning Services Division
675 Texas Street, Suite 5500
Fairfield, CA 94533-6341

RE: SMUD Solano 4 Wind Project

To Whom It May Concern:

I am pleased to submit this cover letter, which serves as the Jurisdictional Referral Letter of the Sacramento Municipal Utility District (SMUD) for the Solano 4 Wind Project (Project) and accompanies SMUD's application for advisory review from the Solano County Airport Land Use Commission (ALUC). Although SMUD has determined the ALUC's land use consistency process does not apply to the Project due to a statutory zoning exemption, Federal Aviation Administration preemption and the lack of authority for the ALUC to review individual projects, such as the Project, under the State Aeronautics Act (SAA), we are submitting the application for an advisory opinion in the interest of interagency comity, and are accordingly reserving all rights to challenge the application of the SAA and ALUC plans to the Project. SMUD is not only the California Environmental Quality Act lead agency for the Project, but also will build, own, and operate the Project for its operational life, expected to be 30 years.

In addition to submitting an application that will enable the ALUC to evaluate the Project's compatibility with the Travis AFB Land Use Compatibility Plan, I want to highlight a few key considerations for the Commission to keep in mind. First, the Project is vital to SMUD's efforts to eliminate the carbon footprint of its energy generation portfolio and will be a substantial help in reducing not only greenhouse gas emissions in Northern California but also minimizing other air quality emissions that affect the health of people in our region. Combatting climate change is not only a mandate of State law, and one of the highest priority matters for SMUD, its Board of Directors and the community it serves, but is also imperative to avoiding the potential for coastal flooding and for wild grass fires in Solano and Sacramento Counties alike. And although we face great challenges in this effort, crown jewels like the Solano Wind Resource Area give us reason for optimism that the collective effort will ultimately succeed.

Second, as you know, SMUD staff have worked with the ALUC and Travis Air Force Base at dozens of meetings over the last several years to ensure the Project will meet standards of aeronautical safety and pose no additional burden on the Base's radar system. In fact, even though we had already obtained FAA Determinations of No Hazard for all proposed Project turbines, SMUD purposefully restarted the FAA process to ensure Travis had the opportunity to conduct its own internal study of the potential for the Project to affect Base operations. We

frankly don't know of a renewable energy project that has involved as much collaboration with governmental stakeholders as this one has. SMUD has also invested much staff time to participating in following the development of and advocating for an in-fill radar system that would enhance radar detection at Travis AFB, and plans to continue staying engaged on that issue and participate in bringing that issue to a successful resolution.

Third, SMUD purchased its land and development rights for the Project at a time when the ALUC's Airport Land Use Plan did not purport to encompass the property. In addition, based on the perimeters of other land use plans around military bases, SMUD could not have foreseen at the time of purchase that the ALUC would end up establishing a plan area whose perimeter would ultimately extend as far as it now does. As a result, SMUD's investment backed expectations in the Wind Resource Area should be given due consideration by the Commission.

Regarding the attached application, the Travis Land Use Compatibility Plan's purpose is, ostensibly, to protect the Base. The record is clear that the Solano 4 Wind Project will not cause adverse impacts on the Base. SMUD worked with Westslope Consulting, LLC and Capitol Airspace Group, LLC to minimize the potential effects on the Travis AFB radar system and airspace, which led to numerous adjustments to the Project configuration—but most importantly, in order to *completely offset the radar impacts* from the Project, SMUD made the decision to retire the Solano 1 wind turbines early, before the expiration of their useful life. This decision, which comes at a financial cost to SMUD both in terms of hiring contractors to remove and dispose of the turbines as well as sacrificing their remaining generation life, will remove from operation more turbines than are to be installed as part of the Project.

Due to these and other dedicated avoidance and minimization measures, I am pleased to report that once it is in service, the Project will cause no impact to aerial navigation at Travis AFB or to its radar system or operations. These conclusions are supported by studies by Westslope Consulting (radar cumulative impact study with proposed mitigation solutions) and Capitol Airspace (series of analyses similar to the FAA aeronautical analysis) that are included in the application. All military and agency review is in accord. Colonel Simmons, Commander of the 60th Air Mobility Wing submitted a letter to the Department of Defense Clearinghouse concluding that "Solano 4 should have minimal negative impact on Travis Operations." The Department of Defense Clearinghouse determined that Solano 4 "will not present an adverse impact to military operations." The FAA determined that the proposed Solano 4 wind turbines "would not cause an unacceptable adverse impact on ATC operations at this time" and "would not have a substantial adverse effect on the safe and efficient utilization of the navigable airspace by aircraft or on any air navigation facility and would not be a hazard to air navigation" as long as SMUD meets the conditions imposed by the FAA, which SMUD assuredly will. These letters and determinations are also included with the application materials.

We trust the above materials are sufficient to enable the ALUC to make its consistency findings. However, I also draw your attention to the fact that for uses ostensibly incompatible with the Travis Land Use Compatibility Plan specifications—in this case the line of site criteria (as all of the Project turbines are in the line of sight of the Travis AFB radar and above 100 feet in height)—the Plan allows for approval nonetheless if "terrain, specific location, or other

extraordinary factors or circumstances related to the site” allow the ALUC to make findings that the proposed use will not (1) create a safety hazard to people on the ground or aircraft in flight, (2) result in excessive noise exposure, or (3) impact airport military operations (Paragraph 6.2.4(c)(6)). Attached to this letter are two documents to support making those findings. First is a letter dated March 11, 2021 from Westslope Consulting directed specifically to the requirements of Paragraph 6.2.4(c)(6). In addition, attached is a Memorandum to File description of a specific locational condition affecting the Project property: five transmission towers that are close to 500 feet in height, with two scheduled for replacement with towers well above 500 feet, that already preclude unrestricted use of the air space over the property. The towers are owned and maintained by Pacific Gas and Electric Company and the Transmission Agency of Northern California and are unusually high to enable the power lines to cross the Sacramento River at an elevation high enough for navigation by large ships. Four of the towers are on the Project site and one is adjacent. Because of this circumstance, the installation of the wind turbines would not create a new impediment to aerial navigation over and around the site.

Thank you in advance for your timely advisory review and action on the application. For technical questions about our Project, you may contact Buck Cutting, Project Development Manager (916) 732-6319.

Sincerely,



Frankie McDermott, Chief Energy Delivery Officer

bcc: Paul Lau
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Corporate Files