

## Penaranda, Elmer

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**From:** benny.lee [benny.lee@itmindset.com]  
**Sent:** Sunday, July 29, 2012 9:16 AM  
**To:** Penaranda, Elmer  
**Cc:** wind@pas-inc.com  
**Subject:** Proposed Halus Wind Turbine Tower

Dear San Leandro Community Development Department:

Please do not grant the variance for the Halus Wind Turbine Tower because of the following reasons:

**1. Financial hardships for homeowners from declining property values while Halus is consistently profitable year after year in worst economy of last 70 years.**

The economic conditions of the past few years have tremendously devaluated property values and all studies of Wind Turbines on the impact on property values show decline for both prolonged and temporary periods. Any decline on property values even if temporary can potentially end 'in progress' equity, refinancing and loan modification for homeowners. Those not 'in progress' and looking to get equity, refinancing and loan modification may lose this opportunity when values decling. For some, this hardship can lead to financial devastation and possibly bankruptcy with loss of home. All information and publications on Halus has shown that the company has performed exceptionally well year over year in one of the worst economies of the last 70 years having grown 170% since 2009; many other companies have closed shop while Halus continues to prosper. Not providing the variance will not provide hardships to Halus business and consequently has no impact to homeowner property values .

**2. Real health issues severely taking away quality of life.**

My wife and son have been genetically predisposed with the most severe effects from migraines. In the most severe incidents blackout with a collapse occurs and less severe incidents resulting in nausea, vomitting, and intolerable pain. If medication is not applied timely prior to the migraine, the medication will not work. The medication is a prescription barbiturate cocktail which also leaves them non-functioning due to the intense narcotic effects. Science has not determine what triggers migraines; however, it is well documented that cyclic sounds, distortional lighting, and combinations of the two (much like that from Wind Turbines) also trigger migraines - my wife and son will attest to this. For this reason alone, I believe that no Wind Turbine Tower should ever be installed near residential communities or areas commonly used by diverse groups of people; the health risk to quality of life for those with severe migraines is a hardship no one should be imposed with.

**3. Adversely impacting bay shoreline natural aesthetic view with first of kind installation by bay shoreline which may set precedence inviting others to do the same and thereby removing it's natural beauty.**

I work in South San Francisco's Oyster Point Business Park and have a clear view of the beautiful East Bay Shoreline where I live. I see no Wind Turbines at all. Putting a Wind Turbine will not only single out our community as the first installation of a Wind Turbine on the bay shoreline, but it may invite others to do the same. This will distort the beauty of our shoreline much like the ugliness of driving by the Altamont Pass. I recall from more than 30 years ago on the Altamont Pass seeing one Wind Turbine, then six, then dozens, then hundreds, and now thousands; this would damage the beauty of the bay shorelines forever should we begin with

one. There are no metropolitan areas with Wind Turbines propagated with one or many throughout the United States; the reason is simple - they are aesthetically displeasing which is why they are installed in unpopulated or rural areas. Even if just this one Wind Turbine is installed and policy restricts other installations, is the San Leandro Community Development Department or the Board of Zoning and Adjustments looking to be only discriminate to homeowners who reside in and around Heron Bay? And what about those who use the bay trail along with those who enjoy the view of the bay shorelines from across the Bay or those who view from the San Leandro Hills; are they to have their view distorted by the Halus Wind Turbine Tower as a new landmark? For the reason of preserving one of San Leandro's best treasures, the bay trail shoreline nature preserve, the variance should be rejected and policies against Wind Turbines should be considered.

**4. Imposes a new unnatural view to homeowners which would have altered their original purchase decision. This is not the same as existing electrical towers nor is it the same as a cell phone tower. This is a tower with a large spinning turbine with giant fan blades covering an area from 48 feet to 104 feet in height.**

I visited Heron Bay 14 years ago when searching for a new home with my family and marvelled at the beauty of the bay trail shoreline. While I had reservations on the power lines on the possible health impacts to my wife and child, the distance for the house we selected was sufficient enough to not trigger their migraines. I saw no Wind Turbine Tower nor would I have predicted that such an object would be considered. The same goes for the homeowners with a direct line view to Halus' property; they didn't choose to buy into a community with a Wind Turbine so they should not be given this added burden. A Wind Turbine Tower is not like an electrical tower or a cell phone tower as it has moving parts where the blade tips can travel at speeds up to 95 mph (calculated for 60' rotor at 44 rpm per ESA document), produce cyclic sounds and causes wind vacuum distortional sounds.

**5. No defined wind turbine policies in City of San Leandro with public input since this wind turbine is directly adjacent to homes and a natural estuary.**

The City of San Leandro and the Community Development Department has no specific policy and no experience with the risks for Wind Turbine Towers. My research has found that the risk does exist where catastrophic failure can occur regardless of built-in safeguards. Catastrophic failure includes fires, explosions, and large fan blades breaking with large debris flying over a half mile. Questions for this policy should impose upon a business having mandatory 24x7 monitoring and fail-safe execution of safety control protocols in the event of a catastrophic failure which includes but not limited to explosion. Also, mandatory financial capital reserve impound on the business/entity for removal of wind turbine in the event it becomes unused, Halus ends its business at the location, no maintenance occurs on the Wind Turbine, or Halus fails to meet mandatory safety and environmental compliance audits; we don't want the shoreline to be blighted by dead Wind Turbines.

While this is not an endorsement to support the Wind Turbine, clearly, the City of San Leandro and the Community Development Department has not considered these policies and compliance for Wind Turbines which should be a bare minimum requirements to comply with public safety and environmental justice demands.

**6. Halus' underlying purpose and intent.**

Halus owner Mr. Louis Rigaud stated in the Heron Bay HOA meeting on June 20, 2012 that he does not want to pay his PG&E bills and he wants to use the onsite installation of the refurbished Wind Turbine tower to market his business.

With respect to paying his PG&E bills, these wind turbines are outdated and are no longer supported which provides Halus an edge in purchasing these devices inexpensively; however, they are indeed refurbishing outdated technology which is no longer supported. While my intent is not to disparage Mr. Rigaud, his choice for the installation of an outdated Wind Turbine Tower is so that he saves money at the expense of the community and environment without fully realizing this. His savings from PG&E would be roughly over \$1,000 a month but at the expense of homeowners and the environment to the tune of possibly tens of millions of dollars in property devaluation and adverse health effects. A much more feasible approach yet costlier would be to install solar panels, also green technology, on his roof; a green technology expert hired by the Heron Bay HOA calculated that 20% coverage of his roof surface area by solar panels would achieve the same power as the proposed Wind Turbine. A Heron Bay HOA board members met with Mr. Rigaud where he discussed his business which includes Solar Panel installations; however, his predominant business is Wind Turbines. Had Halus' petition was for Solar Panels which would still be green technology, the concerns would likely be less significant since no moving parts are used and the Solar Panels would be installed on his roof not visible to residents nor trail users.

Regarding using the installation of the Wind Turbine Tower to market his business, the San Francisco Business Times published an article on October 25, 2010 where Mr. Rigaud quoted that he had no sales staff and had run just one advertisement in his Halus' seven year history yet his business has customers in 25 states coast-to-coast. He had no onsite installation of a Wind Turbine Tower in those seven years and it appears that it had no adverse impact to his business whatsoever. Truly marketing his business would be to run advertisements, leverage customer testimonials, and develop his sales process.

We should ask for this first in kind installation of a Wind Turbine Tower on the bay shoreline, who are the audience and what is the message being presented? The message would definitely be perceived by those who can see it as Wind Turbine Towers throughout the bay shoreline absent of environmental impact. The bay shoreline is home to the largest bird estuary in the San Francisco Bay Area which covers over three dozen federally protected and endangered species. If we as a community are to act environmentally responsible to prevent disruption of our precious bay ecosystem, we should for this reason reject the variance and move towards a policy on Wind Turbines in the city of San Leandro.

### **Summation:**

Halus intent of saving over \$1,000 per month is no justification to impose financial hardships on homeowners. Studies on new Wind Turbines by homes within a mile circle have suggested property value drops of 10% to 30% which for Heron Bay alone would be anywhere between \$50,000 to \$150,000 per home or \$30 million to \$150 million for the community.

For those who have severe migraines such as my wife and son, the installation of a Wind Turbine will introduce migraine triggers which will take away more from their quality of life. This is not a less than significant impact being imposed upon those afflicted with migraines.

The fact is that we're not adding another electrical tower to the bay shorelines so why would it be okay to add something so different as a tower with a turbine engine with large spinning blades and tips that move as fast as 95 mph. It will be visible from the bay trail, around the community, within areas of San Leandro, and from the Hayward/Castro Valley/San Leandro/Oakland Hills. Across the bay, no one can see the electrical towers due to its frame profile but a wind turbine will be clearly visible.

The City of San Leandro has no policy and no experience with Wind Turbines to treat it as just another tower. While the risk may be remote for catastrophic failure, the risk does exist particularly since there's no mandated

maintenance compliance requirements, no 24x7 constant risk monitoring and no absolute fail-safe controls particularly since the proposed Wind Turbine is next to a large community.

While Halus' business is serving a noble niche in the green energy market, the installation of a Wind Turbine Tower so close to thousands of homes and next to the bay shoreline environmental preserve is irresponsible. Such an installation would signify to others that preservation of our bay shoreline environment is not needed. The Altamont Pass started with one Wind Turbine in the late 1970's and now about 5,000 exist. It's now home to many wind farm graveyards because many of these companies have come and gone. Halus' business is in refurbishing outdated and unsupported Wind Turbines; in other words, these Wind Turbines are supported only by one company (Halus) and shares the same risk of becoming unsupported should that company cease to exist.

In summation, I urge for the variance for the Wind Turbine Tower to be rejected and a policy for the City of San Leandro with public input to be considered.

Regards,

Benny Lee  
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