

# APWRA Compliance Report

---

September 22, 2009

Alameda County Planning Department

# Conditional Use Permits

---

- Exhibit G-1 – Settling Companies
  - NextEra, enXco, AES (Seawest)
  - Agreement to Terminate Mediation (ATM)
    - Expanded and clarified CUP Exhibit G-1
- Exhibit G-2 – Non-Settling Companies
  - Altamont Winds, Inc. (AWI) and Windworks, Inc.



# Agreement to Terminate Mediation

---

- ❑ Compliance Monitor
- ❑ Confirmation of identification of High-Risk Turbines (HRT)
- ❑ Removal and Relocation of HRT
- ❑ Unproductive Turbines and Towers
- ❑ Confirmation of timely removal/relocation of HRT and Unproductive Turbines and Towers
- ❑ Seasonal Shutdown (operating data)



# Compliance Monitor

---

- Settling Wind Power Companies fund the Compliance Monitor position
  - Contracted by the County
- Physically confirm and document by digital photograph

## Map Symbols

- TURBINES
- AES Wind Generation
- Diablo Winds
- enXco
- enXco V
- NextEra Energy
- AWI
- WindWorks
- × Removed Turbines
- Ⓜ Tower Held in Reserve
- Topographic 25' contour lines
- Major Roads
- Interstate Highways
- County Line
- Substations

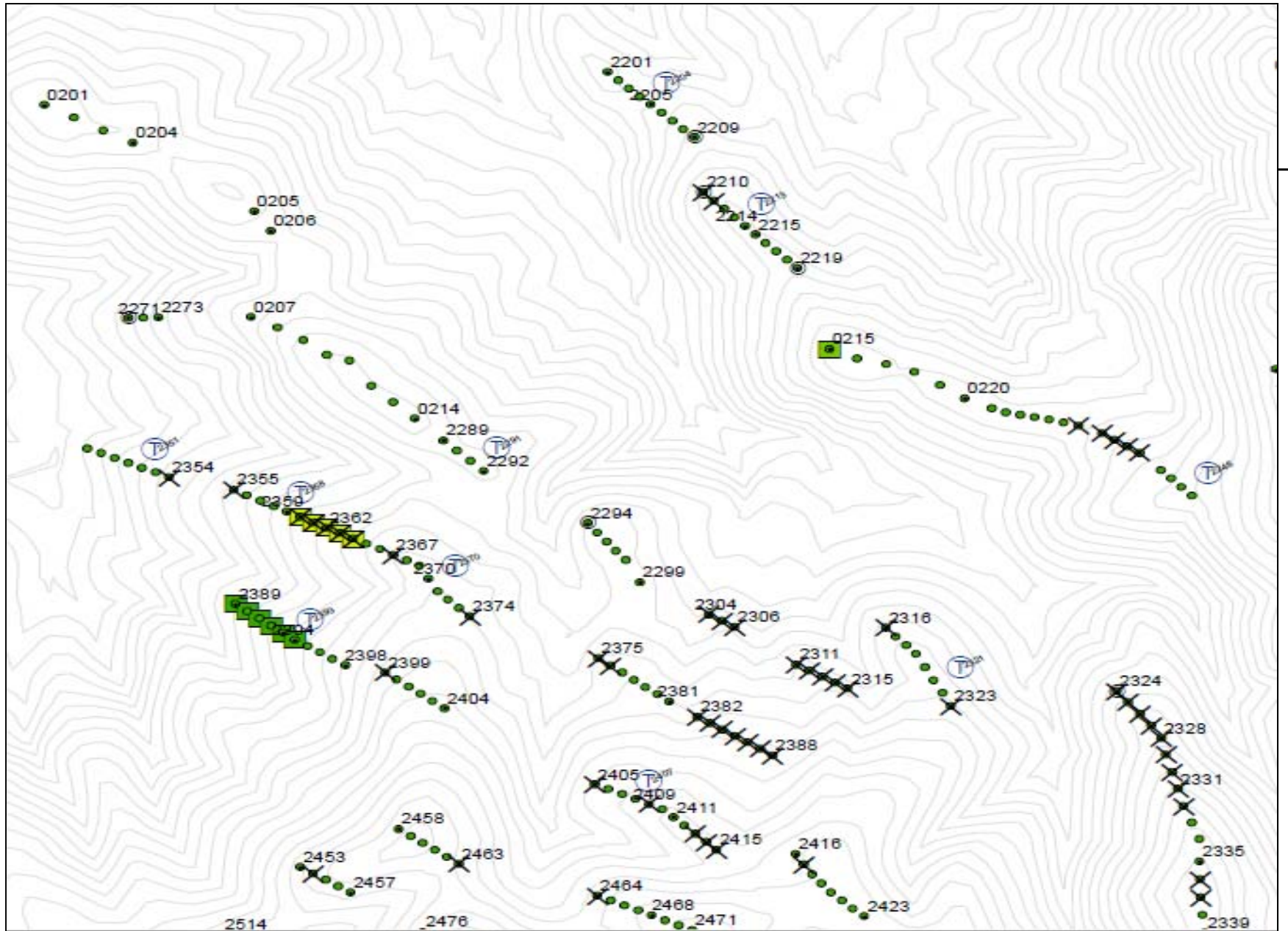
## High-Risk Categories

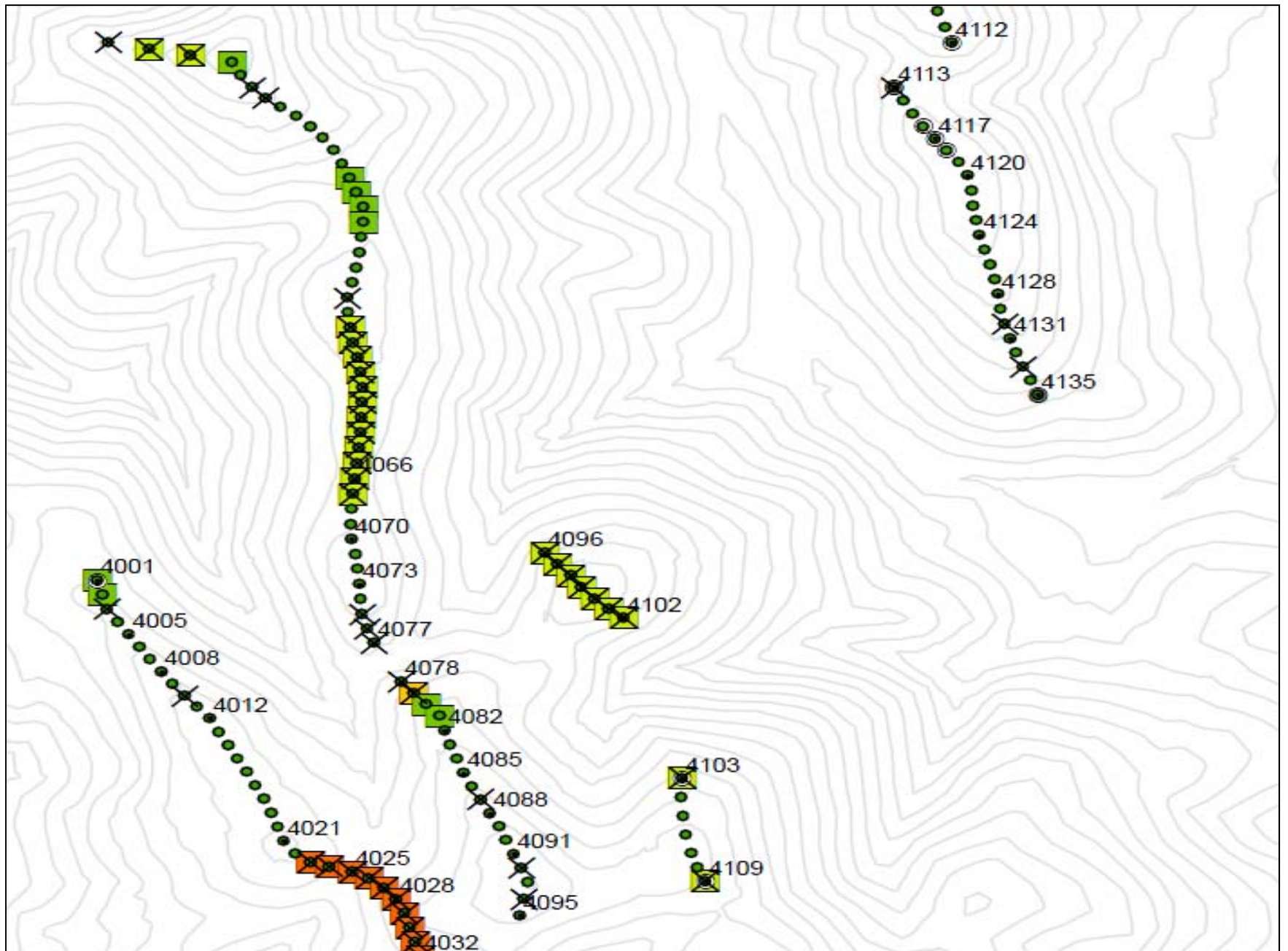
### SRC Hazardous Turbine Rating 2007-08

- 7.5
- 8
- 8.5
- 9
- 9.5
- 10

### TierJune

- 1
- 2
- 3





# Removal and Relocation of HRT

---

## □ Requirements

- SeaWest - HRT rated 7.5-10
- enXco – HRT 8-10
- ESI (NextEra) – HRT 8.5-10
  - Can operate three (3) KVS-33 (400kW capacity) turbines in exchange for removing six (6) 56-100 turbines and towers rated 8

## □ Status - Completed

# Unproductive Turbines and Towers

---

- Definition
  - Turbines that have remained unproductive for 12 consecutive months
  - Turbine sites with towers only
- Initial allotment of allowable – held in reserve
  - ESI – 150 turbines
  - enXco – 21 turbines
  - SeaWest – 18 turbines
- Annually required (Feb 21st) to submit a detailed map identifying the location and site IDs held in reserve
- Status - Completed

# Exhibit G-1

---

- The Wind Power Companies shall achieve a 50% reduction in raptor mortality by 11/1/2009
  - The baseline for determining the percentage in raptor mortality at the APWRA is 1300
  - The % reduction in raptor mortality shall be determined using field monitoring data
  - If scaling factors exceed 2.5, the companies, Audubon, and the County, shall meet and confer to re-determine a mutually acceptable baseline.
- Status – In progress



## Exhibit G-1 (con't)

---

- Adaptive management will be implemented if a 50% reduction in raptor mortality is not achieved by November 1, 2009
- Status – In Progress. Settling Parties have had preliminary discussions but more substantive discussions require data analysis and determinations by the SRC. The monitoring data has been recently made available and is in the process of being analyzed.

# Exhibit G-1 (con't)

---

- Wind Power companies and Audubon will propose an adaptive management plan to the SRC/County for review if a 50% reduction in raptor mortality has not been achieved by November 1, 2009.
- The adaptive management plan will be designed to achieve a 50% reduction in raptor mortality with the least impact on energy production.
- Status – In progress with an expected delay in schedule.

# Exhibit G-2

---

- AWI 3<sup>rd</sup> year Permit Review
  - EBZA September 17, 2009
    - EIR and Repowering requirement
      - MOU
      - NCCP/HCP – EIR/EIS
    - Retained requirement to permanently remove 10% of fleet – In Progress
    - Derelict turbine removal – In Progress (39 removed)
    - Tier 1 and Tier 2 shut down and removal
      - 9 Tier 1 are removed – 9 total
      - 10 Tier 2 are removed – 19 total (changed ranking scale for remaining)
      - 2 HRT 10 are removed & 3 HRT 10 to be removed by 9/30/2009 and remaining 4 HRT 10 to be removed by 9/2010 (sooner if CUP amended)
  - EBZA would like input from the SRC regarding AWI's claims that AWI turbines showed a substantial reduction in avian mortality (85%)
    - Requested that a representative of the SRC attend the EBZA meeting