



ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

PLANNING DEPARTMENT

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MEMORANDUM

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Date: September 23, 2011

To: APWRA Scientific Review Committee

From: Sandi Rivera, Assistant Deputy Director

Subject: Altamont Winds Inc./Wind Works (AWI) Waiver Request for 2011/2012 Winter Seasonal Shutdown

Summary

AWI, a non-settling wind company, has requested a waiver from the 2011/2012 winter-time seasonal shutdown requirement based on their review of the monitoring data. AWI's permit, Exhibit G-2: Avian Wildlife Protection Program and Schedule (AWPPS), generally requires seasonal shutdowns, on-site management measures, turbine removal on a specific schedule, and preparation of an Environmental Impact Report (EIR) for the repowering program. The seasonal shutdown requires that AWI cease operation of all existing wind turbines for a 3.5 month period each year, until 2018, from November 1 to February 15.

Background

In July 2011, AWI submitted an application to the County to modify its Conditional Use Permit (CUP) as follows: 1) end the wintertime seasonal shutdown requirement; 2) remove the phased timeline for permanent shutdowns of existing wind turbines, and instead, require AWI to permanently shut down 100% of their turbines on December 31, 2015; and, 3) consider the substantial human health, wildlife, and climate benefits of wind power in the APWRA. The County has determined that this application request would require an Environmental Impact Report (EIR) which must include a biological resources assessment and analysis of impacts to protected avian and other species. The EIR process for the permit modification has begun and it is scheduled to be completed mid-year 2012. A detailed review of this permit modification request will be agendized at a future SRC meeting for discussion and recommendation.

Based on AWI's review of the bird fatality data and previous monitoring team reports, they believe seasonal shutdown is ineffective in reducing avian mortality and causes them a substantial economic hardship (\$750,000 annually). AWI is requesting that the SRC and the County consider waiving the shutdown requirement for a single season (2011/2012) while the environmental review is being conducted for the CUP modification request.

AWI wind turbines are widely distributed (see attached map – Permits not subject to 2007 Settlement Agreement) and intermingled with settling wind companies' wind turbines in the Alameda County portion of the Altamont Pass Wind Resource Area (APWRA). AWI was originally permitted for 95 MW (920 wind turbines) but currently has 84.4MW (814 wind turbines) operational.

Staff Recommendation

The County recognizes that there are complications in determining the avian impacts for a single wind company. However, based on the monitoring data and recent analysis of the effectiveness of the seasonal shutdown, staff recommends that the Committee provide an assessment of the efficacy of seasonal shutdown, and consider the implications of AWI's single season waiver request.