



ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY

PLANNING DEPARTMENT

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FROM: Sandra Rivera
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SUBJECT: Notice of Preparation (Notice) of a Program Environmental Impact Report for the Altamont Pass Wind Resource Area (APWRA) revisions to Conditional Use Permits (CUPs) for repowering and continued maintenance and operation of wind turbines in Alameda County

SUMMARY:

The County of Alameda (County) is issuing this Notice to advise other agencies and the public that the County will be preparing a Program Environmental Impact Report (PEIR) for the Altamont Pass Wind Resource Area revised conditional use permits (CUPs)(proposed project) within the Alameda County portion of the APWRA in northern California. The County is proposing to issue revised CUPs to wind power companies that are currently operating wind turbines in the APWRA. The PEIR will be prepared in compliance with the California Environmental Quality Act (CEQA) and all relevant state and Federal laws. The County will serve as the lead agency under CEQA for preparation of the PEIR.

The County is issuing this Notice to alert interested parties and solicit public and agency input into the development of the scope of the PEIR and to advise the public that outreach activities conducted by the County and their representatives will be considered in the preparation of the PEIR.

Concurrent with preparation of this PEIR, the County is also preparing a Habitat Conservation Plan/Natural Community Conservation Plan (HCP/NCCP) and joint Program Environmental Impact Statement/Environmental Impact Report (PEIS/PEIR) under the National Environmental Policy Act (NEPA) and CEQA, respectively. The United States Fish and Wildlife Service (Service) will serve as the federal lead agency under NEPA. This Notice is being issued to comply with CEQA requirements for the revised CUPs only. An additional, but separate, scoping process is anticipated to be held in fall of 2010 by the County and the Service for the HCP/NCCP PEIS/PEIR.

DATES: Written comments on the scope of the Altamont Pass Wind Power Resources Area PEIR, including the project objectives, the alternatives to be considered, the impacts to be evaluated, and the methodologies to be used in the evaluations, should be provided to the County by October 8, 2010. A public scoping meeting is scheduled on September 2, 2010 at the time and location listed below.

ADDRESSES: Written comments on the project scope should be sent to Sandra Rivera, Assistant Planning Director, ATTN: Altamont Pass Wind Resource Area CUP PEIR, Alameda County Community Development Agency, 224 W. Winton Avenue, Suite 110, Hayward, CA, 94544, or via email with subject line "Altamont Pass Wind Resource Area CUP PEIR" to: APWRACUPEIR@acgov.org . Comments may also be provided orally or in writing at the scoping meeting scheduled at the following location:

City of Dublin Public Library: Thursday, September 2, 2010
6:30 p.m. to 8:00 p.m.
200 Civic Plaza, Dublin, CA 94568

The project objectives, description of proposed repowering activities, revisions to the existing CUPs, and alternatives currently under consideration will be presented at this meeting. The meeting facilities will be accessible to persons with disabilities. If special translation or signing services or other special accommodations are needed, please contact Maria Palmeri, at 510.670.5400 or maria.palmeri@acgov.org at least 48 hours before the scoping meeting. Also scoping materials will be made available through the County's Internet site: www.acgov.org/cda/planning/landuseprojects/currentprojects/.

FOR FURTHER INFORMATION CONTACT: Sandra Rivera, Assistant Planning Director, ATTN: APWRA CUP PEIR, Alameda County Community Development Agency, 224 W. Winton Avenue, Suite 110, Hayward, CA, 94544, or at (510) 670-5400.

SUPPLEMENTARY INFORMATION:

Scoping

The County invites all interested individuals, organizations, public agencies, and Native American Tribes to comment on the scope of the PEIR, including the project's objectives, the alternatives to be studied, the impacts to be evaluated and the evaluation methods to be used. Comments should focus on alternatives that may be less costly or have fewer environmental or community impacts while achieving similar conservation and wind repowering objectives and the identification of any significant social, economic, or environmental issues related to alternatives.

The Proposed Project

The proposed project includes modification to existing CUPs for repowering of existing wind farms and the associated power operation and maintenance activities within the Alameda County portion of the APWRA. The County intends to modify its CUPs consistent with the conservation strategy in the HCP/NCCP. Updates to the CUP may include components unrelated to the conservation strategy that may have environmental impacts.

Upon completion of the APWRA HCP/NCCP, it is the intent of the County to amend the existing CUPs to include conservation actions related to repowering and long-term wind turbine operation and maintenance that will be defined in the HCP/NCCP. The amended CUPs will be applicable to all current and new wind farm projects in Alameda County so that any wind power

company seeking local permits will be subject to the avoidance and minimization measures developed under those plans.

In addition to modification of the existing CUPs, two existing CUP permittees, Altamont Winds LLC and NextEra Energy Resources LLC, have proposed individual projects for inclusion in the proposed project. These individual projects, the 95MW Summit Wind project proposed by Altamont Winds and the NextEra Wind Repowering Project proposed by NextEra are described in detail below.

Summit Wind Project

Altamont Winds LLC (Altamont Winds), an existing CUP permittee, has proposed the 95 MW Summit Wind Project (Summit project) for inclusion in the PEIR and approval as part of the updated CUPs. The Summit project will be located within a 7,650-acre area of the larger APWRA south of Interstate 580 (I-580). Multiple wind farms of approximately 148 MW currently exist in the proposed Summit project area. These wind farms consist of approximately 1,394 wind turbines of varying types, generally sited in strings along ridgelines, on lattice and tubular towers 60 feet to 140 feet in height. The types of wind turbines vary from 100kW to 370kW capacities. Other equipment, facilities and infrastructure associated with these wind turbines include turbine foundations, access roads, electricity collection systems, communication lines for turbine control and monitoring systems, meteorological towers, maintenance housing facilities, and wind farm offices and control center (some of which are located offsite).

As proposed, the Summit project will replace existing, aging wind farm equipment with modern wind turbines and deliver wind generated electrical energy to the Pacific Gas & Electric Company (PG&E). The project is comprised of four components to be implemented sequentially as described below.

Decommissioning and Reclamation of Existing Wind Farms. Existing wind turbines, pad mount transformers and electrical cabinets, and meteorological towers will be permanently taken out of service, dismantled and physically removed. Power poles and electrical overhead power lines will be removed where they are no longer required. Concrete foundations for the turbine towers, pad mount transformers/electrical cabinets, and meteorological towers will be removed to a depth of three feet below ground level, or buried/covered with three feet of top soil, and contour graded to conform to natural surrounding ground levels. The restored ground surfaces will be re-seeded to match pre-project conditions. Most of the existing access roads will be removed except when need to serve remaining facilities (such as preserved electrical infrastructure) during future project operations.

New wind farm construction. The proposed Summit project would erect sixty (60) wind turbines rated at 1,600 kW each that consist of a 3-bladed rotor, 271 feet in diameter, coupled to a rotor hub and an enclosed electrical generator (with supporting controls), all mounted on a tubular steel tower approximately 262 feet in height. The actual individual turbine selected at the time of project installation may vary from the above description depending on available technology. Similar to the existing wind farm, the proposed turbines will be constructed with supporting infrastructure, a 21 kV or 34.5 kV electrical collection system between the turbines, and transmission line take-off (generally buried underground except where site conditions

require overhead spans), turbine control and communications systems, other electrical/controls ancillary equipment, a substation for interconnection with the PG&E 115 kV transmission network, several permanent meteorological towers 262 feet in height, and one or more small equipment storage yards.

Operations and Maintenance. Following construction, the Summit project will be operated and maintained by PowerWorks LLC, an affiliate of Altamont Winds. PowerWorks operates and maintains over 900 wind turbines in the APWRA. Operations will be conducted using a remote control system that allows continuous monitoring and operation of the collective wind farm, as well as the individual wind turbines. Maintenance will involve both scheduled preventive and unscheduled repair work, both of which would utilize fully-equipped pickup trucks; however, on rare occasions, a crane may be needed to perform major unscheduled work. Operation and maintenance activities will function out of an existing facility, located within the APWRA, outside of, but near, the Summit project area.

Future Decommissioning and Reclamation. Altamont Winds intends to operate the proposed wind farm as long as it remains economically viable, but at least for 20 years, which is the typical life cycle for such facilities. When the proposed Summit project wind farm is no longer operable, it will be decommissioned and reclaimed using the same procedures as described above.

NextEra Wind Repowering Project

A second CUP permittee, NextEra Energy Resources, LLC, proposes to develop, construct, own and operate a 135.7 MW wind repowering project in the APWRA (NextEra project) under the updated CUP. The NextEra project site area is approximately 8,950 acres. The project boundary extends from the Contra Costa County and Alameda County boundary line on the north to various parcels south of the county line. It further extends to the south of I-580. Public roads will provide access to the NextEra project area, Altamont Pass Road, Flynn Road, Vasco Road, and Dyer Road. The NextEra project would be implemented with the same sequential components as described above for the Summit Wind project. Similar to the Summit Wind project, the NextEra project will remove existing turbines, and install up to fifty-nine (59) wind turbines, each of which would be approximately 428 feet in height to the tip of the blade and rated at 2.3 MW. Associated infrastructure would include reinforced concrete foundations for each wind turbine and their step-up transformers, local access roads, crane pads, a 34.5 kV electrical collection system, transmission line take-off, turbine control and communications systems, other electrical/controls ancillary equipment, substations for interconnections with the PG&E transmission network, and several permanent meteorological towers 262 feet in height. No new operations and maintenance facility construction would occur on the site. NextEra's existing facility located in Livermore would serve the project's operations and maintenance needs.

Construction of both the proposed Summit project and NextEra project are expected to occur in phases, with a typical duration of 8 to 12 months. The majority of construction activities will occur over a 4 month period during new wind turbine erection. It is anticipated that the Summit Wind project will begin interim construction periods as early as the fall of 2012, and continue

periodically into 2018. The NextEra project's start date is not known at this time; however, all phases of construction are anticipated for completion no later than 2018.

Alternatives

The PEIR will consider the proposed project and a reasonable range of alternatives. Alternatives to the project will include a No Project scenario, and at least one alternative to the proposed project. This alternative may vary by the level of conservation, repowering activities, planning area, or some combination of these or other factors. The County welcomes comments from the public on the alternatives that should be considered.

To evaluate the potential environmental effects of the proposed project and its alternatives, the County intends to prepare a PEIR. Key issues that will be evaluated in the PEIR include:

- biological resources,
- land use planning and socioeconomics,
- aesthetics and visual resources,
- cultural resources,
- noise, and
- cumulative impacts.

Project Background

Wind turbines are currently operated under existing CUPs updated by the County in 2005. The majority of the permits were further amended in 2007 to incorporate requirements for Settling Party wind companies, which are discussed in more detail below. The following summarizes key dates, provisions, and decisions made that relate to the 2005 and 2007 CUP amendments.

- On November 13, 2003, and on January 29, 2004, the East County Board of Zoning Adjustments (EBZA) approved CUPs for the continued maintenance and operation of wind turbines in APWRA. The EBZA concluded that its decision to issue the CUPs was categorically exempt from CEQA. The Center for Biological Diversity (CBD), Californians for Renewable Energy (CARE), and Golden Gate Audubon Society (Audubon) appealed these approvals to the Alameda County Board of Supervisors.
- On September 22, 2005, the Alameda County Board of Supervisors upheld the decision of the EBZA to grant the CUPs with the inclusion of several conditions advocated by CBD, CARE and Audubon, including:
 1. An environmental impact report (EIR) is required that evaluates wind farm operation and a repowering program.
 2. Existing permits will expire in 13 years (2018).
 3. An APWRA Scientific Review Committee will be formed.
 4. An Avian Wildlife Protection Program & Schedule will be implemented, including seasonal shutdown and removal of high risk turbine requirements, and a schedule to remove turbines for repowering in increments of 10% by September 2009, 35% by 2013, 85% by 2015, and 100% by the end of the CUP term in 2018.

- Shortly thereafter, CARE and Audubon petitioned the Alameda County Superior Court for a writ of mandate to set aside the County's issuance of the CUPs on various grounds, including that the action violated the County's General Plan and CEQA.
- Extensive negotiations led in November 2006 to a Settlement Agreement among members of the Settling Parties. The Settlement Agreement had seven key provisions, summarized below.
 1. Wind companies will reduce avian raptor mortality by 50% by November 2009. This condition is applicable to four raptor species: golden eagle, burrowing owl, American kestrel, and red-tailed hawk.
 2. If the desired reduction is not achieved, an adaptive management program will be instituted and Alameda County will act on any needed permit modifications, provided the measures are consistent with the objectives of the Settlement Agreement.
 3. Higher risk turbines will be removed or relocated within 30 days of the Settlement Agreement.
 4. Additional high risk turbines will be removed or relocated by October 31, 2008.
 5. Shutdowns will be modified in the winter of 2007–2008 for data consistency.
 6. Companies may paint blades of up to 450 turbines as an experiment to reduce avian mortality.
 7. Parties will develop an NCCP applicable to activities of turbine owners and operators only. (Note: this effort was later expanded to include a HCP to cover species listed under the federal Endangered Species Act)
- On January 11, 2007, the County amended the CUPs of the Settling Party wind companies consistent with the terms of the Settlement Agreement. The amended CUPs were approved by the County concurrently with the County's approval of the Settlement Agreement. The approval of the amended CUPs allowed the wind power companies to continue producing wind energy while further reducing raptor mortality in the APWRA and meeting other provisions of the Settlement Agreement.

EIR Process and the Role of Participating Agencies and the Public

The County encourages broad participation in the EIR process during scoping and review of the resulting environmental documents. Comments and suggestions are invited from all interested agencies and the public at large so that the full range of issues related to the proposed project and all reasonable alternatives are addressed and that all significant issues are identified. In particular, the County is interested in learning whether there are areas of environmental concern where there might be a potential for significant impacts. For all potentially significant impacts, the PEIR will identify mitigation measures where feasible, to reduce these impacts to a level below significance.

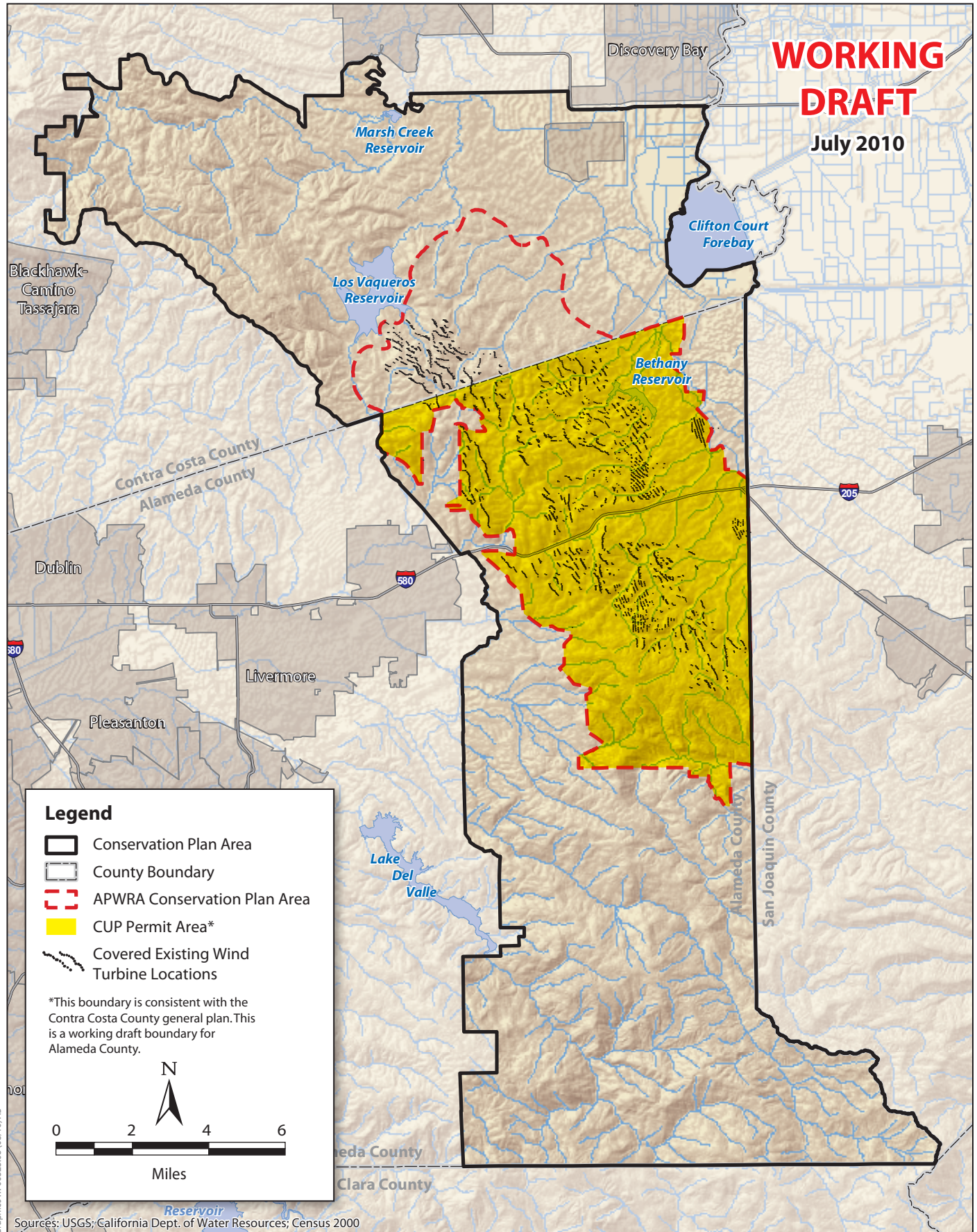
Public agencies with jurisdiction are requested to advise the County of the applicable permit and environmental review requirements of each agency, and the scope and content of the environmental information that is germane to the agency's statutory responsibilities in connection with the proposed project. Public agencies are requested to advise the County if they anticipate taking a major action in connection with the proposed project and if they wish to cooperate in the preparation of the PEIR.

A public scoping meeting has been scheduled as an important component of the scoping process for compliance with state environmental law. Details of the scoping meeting described in this Notice will be advertised in local newspapers and on the County's internet site:
www.acgov.org/cda/planning/landuseprojects/currentprojects.

Due to the time limits mandated by state law, public agencies are requested to send their responses to this Notice to the County at the address provided above at the earliest possible date but not later than 45 days after receipt of this Notice. Members of the general public should provide scoping comments by October 8, 2010.

**WORKING
DRAFT**

July 2010



APWRA Conservation Plan Area and CUP Permit Area