

Exhibit C

Statement of Overriding Considerations

Pursuant to the requirements of CEQA Sections 21002, 21002.1, and 21081 and Section 15093 of the State CEQA Guidelines, the EBZA finds that approval of Modifications to the Conditional Use Permits (2005) for Altamont Winds, Inc., the potential environmental impacts of which have been evaluated in the Final EIR, and as indicated in the above findings, will result in the occurrence of significant effects which are not avoided or substantially lessened, as described in the Written Findings of Environmental Significance. These significant effects include:

Impact BIO-1: Potential to cause a substantial adverse effect, either directly or through habitat modifications, on special-status avian species

Further, as required by CEQA Section 21081(b) and State CEQA Guidelines Section 15093, the EBZA finds that the unavoidable significant effects listed above are outweighed by specific findings that the project, as mitigated by the measures identified in the EIR, or the selection of Alternative 1 (the project with continuation of the winter season shut down), would provide overriding economic and region-wide and statewide environmental benefits. There are no legal, social, technological or other benefits known to the County, nor are such benefits required to be provided (they are only examples of reasons that may be applicable). Specifically, the project will provide the following benefits:

Economic Benefits

The project will maintain the same level of electrical production from the AWI windfarm as has been in place since the beginning of 2010, or a maximum of 85.8 MW, and continue to have that capacity through the end of 2015. In contrast, the existing (No Project Alternative) conditions of approval would reduce that maximum electrical output by approximately 27.8 percent (230 turbines to be removed from service out of 828 existing turbines), thus reducing the maximum nameplate capacity output to approximately 62 MW. Another comparison in the EIR (Table 4-1) shows the lifetime MW output of the Project, the No Project Alternative and each of the alternatives. This comparison shows that the project as proposed without the winter seasonal shut down (WSSD) would yield 193.1 MW, compared to 116.5 MW for the No Project Alternative, which represents decrease in the economically beneficial use of existing wind farm capacity to produce electricity that is both renewable and without adverse air quality impacts.

The ability of Altamont Winds, Inc. to continue operating at its full capacity through 2015 would also serve to maintain a greater number of jobs and higher tax revenue from the production of electricity.

Environmental Benefits

The project will also assist California in meeting its legislated Renewable Portfolio Standard criteria for the generation of renewable electric energy in the state – 33% from renewable energy sources, such as wind, by 2020, both by maintaining renewable energy output through 2015, and by enabling and accelerating the repowering process between 2016 and 2020. The project and related repowering will also assist California in meeting its legislated Global Warming Solutions Act criteria that require reductions in carbon dioxide and other greenhouse gas emissions to 1990 levels by 2020, which in turn represent benefits in the region. There are both gas and coal-fired power plants in the

Bay Area and Central Valley region (e.g., Pittsburg, Antioch, Stockton, and under construction in Hayward) that would in part serve to replace electrical energy production capacity that would be eliminated if the project were not approved.

The project's objective is in substantial part to bring AWI's turbine operations to an end in 2015, which would generally be in line or consistent with the timeline by which the other wind energy companies in the APWRA have committed to have removed their old generation turbines. Although AWI has not submitted an application to the County for its proposed repowering, the permanent shutdown of all old generation turbines by the end of 2015 and removal in 2016 will inevitably favor faster repowering. Additionally, AWI has clearly signaled its intent to repower by having asked for inclusion of its Summit Wind Project as among the anticipated future projects in the APWRA in the Final EIR for the cumulative project setting.

Furthermore, the County recognizes the merits of the research paper prepared by McCubbin and Sovacool for Altamont Winds, Inc., titled *Health, Wildlife and Climate Benefits of the 580 MW Altamont Wind Farm*, which provides detailed documentation of atmospheric and air quality benefits of wind energy production, with human health, wildlife health and other measured ecological advantages. The report has also been considered by the County in favoring the project proposal, although its direct application to the analysis of biological resources in the APWRA for the purposes of CEQA are limited.

Summary

The County is obligated by Section 15093 of the CEQA Guidelines to balance the competing interests of identified project benefits against the unavoidable environmental risks when determining whether to approve a project. The County finds that Alternative 1, with all of the mitigation measures proposed for the project, would best balance the most economically efficient use of AWI's wind farm facilities through 2015, while also reducing the unavoidable impacts on protected or special-status avian wildlife species, including golden eagles and other raptors, to the least acceptable level.