



**ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY  
PLANNING DEPARTMENT**

**SUPPLEMENT TO 2<sup>ND</sup> ADDENDUM TO PRIOR STAFF REPORTS**

**TO: EAST COUNTY BOARD OF ZONING ADJUSTMENTS  
HEARING DATE: JANUARY 14, 2016**

**GENERAL INFORMATION – ABBREVIATED**

**APPLICATION: CONDITIONAL USE PERMIT, PLN2014-00056**

**APPLICANT: ALTAMONT WINDS, LLC**

**PROPERTY OWNERS: VARIOUS (See Table 1, Project Properties and Owners)**

**PROPOSAL:** To approve the Summit Wind Repower Project, to redevelop an existing wind farm through replacement of up to 569 older wind turbines with up to 31 new approximately 2.1 megawatt (MW) turbines, resulting in a maximum capacity of roughly 54 MW, and adding new technology and infrastructure.

**LOCATION, ASSESSOR’S PARCEL NOS. AND PARCEL AREAS:** The proposed project is located on 17 parcels over about 3,470 acres in the eastern Altamont Hills, between the Contra Costa County line and Interstate I-580, and mainly west of Dyer Road and the portion of Altamont Pass Road between Carroll Road and Dyer Road.

**ZONING:** A (Agriculture, 160-acre minimum) District

**GENERAL PLAN DESIGNATION:** LPA (Large Parcel Agriculture), East County Area Plan, adopted in 1994 and amended in November 2000 and May 2002.

**ENVIRONMENTAL REVIEW:** The project is subject to the California Environmental Quality Act (CEQA, 1970 as amended). See prior staff reports.

**DISCUSSION**

After circulation of the 2<sup>nd</sup> Addendum to the prior staff reports, the Planning Department received some additional information and graphics, including a map of shadow flicker effects and updated visual simulations to reflect the removal of Turbine sites 29 and 30. In addition, some calculated noise results were revised based on field verification of distances to residential receptors, which represent very slight to small decreases in the decibel level (dBA) for four receptors (i.e., less noise exposure), as shown in a revision to Table 6 as presented in the Revised Supplemental Information report.

**TABLE 6 SUMMIT WIND REPOWER PROJECT RECEPTOR SOUND PRESSURE LEVELS VS. FPEIR THRESHOLDS**

RECEPTOR	CUP THRESHOLD	EXISTING SPL DB(A)	EXISTING SPL DB(A) (LDN)	FPEIR THRESHOLD	SUMMIT SPL DB(A)	SUMMIT SPL DB(A) (LDN)	SUMMIT CHANGE FROM EXISTING WTS DB(A)	SUMMIT BELOW THRESHOLD AMOUNT, DB(A)
B	65	51.7	58.1	65	50.0	56.4	-1.7	15.0
H	55	51.6	58.0	55	47.0	53.4	-4.6	8.0
P	65	54.0	60.4	65	48.6	55.0	-5.4	16.4
Y	65	46.2	52.6	65	47.6	54.0	1.4	17.4

The replacement shadow flicker map and visual simulations of post-construction conditions without Turbines 29 and 30 are attached, which should replace Figures 13, 14B and 16 (pp. 21, 22 and 24) respectively in the Revised Supplemental Information report.

In addition, the applicant, Altamont Winds, LLC, has requested that the second paragraph under the heading, *Conclusions* (page 7 of the Information report), be replaced with the following explanatory text, submitted to the County on January 8, 2016:

Detailed analysis of the current project layout shows that expected shadow flicker would exceed 30 hours per year or 30 minutes per day, would be associated with turbines 23 and 24, and would affect two residences located along Dyer Road (Receptors H and J). These residences are within 1,640 feet of the Project, and the owners have not currently agreed to provide the necessary waivers. This would affect fewer than the three residences identified in the November 2015 CEQA Implementation Checklist and Supporting Documents. The operation of turbines 23 and 24, affecting receptors H and J, would be curtailed during the time of expected shadow flicker to mitigate potential shadow flicker impacts.

The Planning Department regrets submitting this information after the 2<sup>nd</sup> Addendum to the prior staff reports was circulated; however, the corrections do not appear to represent any significant alteration in the information upon which the Board of Zoning Adjustments would be expected to use as the basis for its consideration of the project.

Lastly, the Planning Department received some additional correspondence regarding the proposal through Monday, January 11, 2016, that is attached.

#### Attachments

PREPARED BY: Andrew Young  
REVIEWED BY: Sandra Rivera

Planner III  
Assistant Planning Director

**FIGURE 13**

**CAMERA POSITION 3: VIEW SOUTHWEST TOWARD TURBINES 23 AND 24 - SIMULATED PROPOSED CONDITIONS**



**FIGURE 14B**

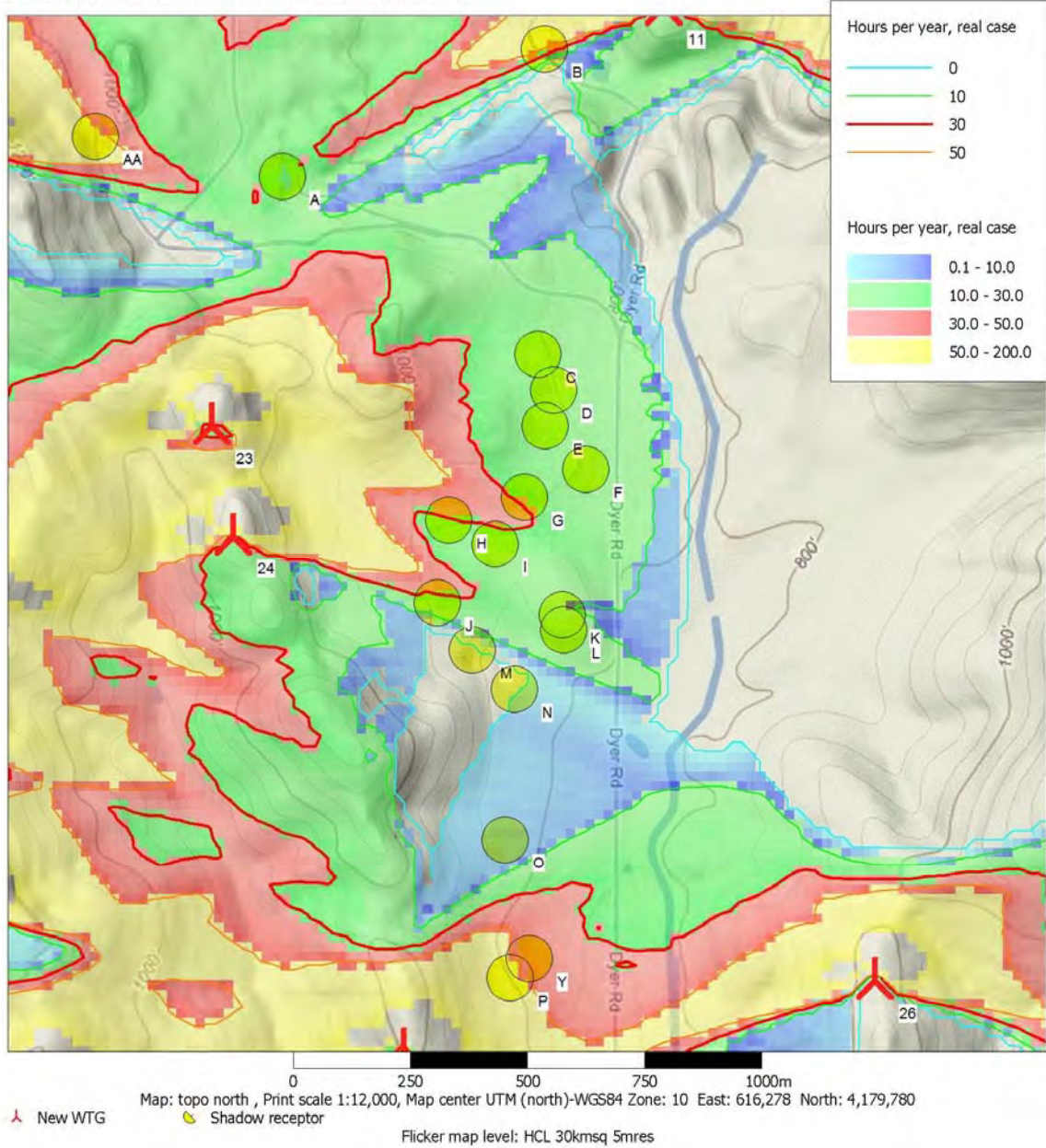
**CAMERA POSITION 4: VIEW NORTHWEST TOWARD DYER ROAD RESIDENCES -PROPOSED CONDITION**



FIGURE 16\* FOCUSED SHADOW FLICKER EFFECT MAP

**SHADOW - Map**

Calculation: Suzlon S97 33WT 120415 no obstacles PE



\* REPLACES "ENLARGED EXCERPT OF SHADOW FLICKER MAP (FROM ATTACHMENT 11)"

## Young, Andrew, CDA

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**From:** Bill Charley <wc@powerworks.com>  
**Sent:** Friday, January 08, 2016 3:37 PM  
**To:** Young, Andrew, CDA; Rivera, Sandra, CDA  
**Cc:** 'Dave Dean'; 'Chris Knopp'; 'Rick Koebbe'; 'Morgan McGovert'; 'William Damon'  
**Subject:** AC 010816 response to Mt Diablo Audubon comments, Summit wind repower project  
**Attachments:** Mount Diablo Audubon 010616 comment letter.pdf

**Follow Up Flag:** Flag for follow up  
**Flag Status:** Flagged

Andy,

We ask that the County address Mt. Diablo Audubon's comments as follows:

- > Altamont Winds LLC is the applicant before this board, not Altamont Winds Inc., which is a separate entity, and not the applicant before today's board.
- > AWI has complied with its historic conditional use permits; and, Audubon provided no evidence to substantiate a contrary position, rather Audubon has made a blanket statement to attempt to discredit AWI in front of this board and hinder and delay Altamont Winds LLC's application.
- > AWLLC decided to expedite repowering, because it makes good business sense and good environmental sense.
- > AWI was not a party to the Audubon's settlement agreements in 2007 and 2010, with the other windfarm operators in the area, whereby NEER repowered their Contra Costa Co. turbines in exchange for removing their Alameda Co. turbines in 2015. AWI was not invited to join the 2010 settlement agreement, so AWI was unable to participate – AWLLC's repowering plans were not defined at the time the parties entered into the 2007 settlement, and therefore, AWI had no incentive to enter into that settlement, but regardless Alameda Co. has imposed most of the conditions of those settlement agreements on AWI, which AWI has complied with, including seasonal shut downs, funding the monitoring and mitigation programs, eliminating high risk turbines, etc.
- > Audubon supported the PEIR and other Altamont repower projects, but not this one. In Altamont Winds LLC's application before this Board, Altamont Winds LLC is in full compliance with the PEIR, so the Audubon has no legitimate basis to oppose this project. Audubon's complete inconsistency is at odds with everyone's shared goal of repowering and reducing avian impacts.
- > There is no truth to the assertion that AWI has refused access to third-party monitors. AWI has complied with all monitoring requirements.
- > AWLLC retained Shawn Smallwood to conduct an avian siting analysis. He did the wind turbine location analysis, which was sufficient for the purpose of siting wind turbines to address and minimize avian impacts, considering all the other siting factors that must also be addressed. AWLLC will conduct the collision hazard risk modeling, and all other components to finalize siting, in compliance with the PEIR/EIR checklist/MMRP requirements, which is the same standard the other APWRA wind projects are held to.
- > It is not appropriate for the County to mandate USFWS eagle take permits, because they are under the purview of the USFWS (and not the County), and they are voluntary. This is the same for all the other APWRA wind projects.
- > AWLLC will be required to comply with all County conditions of approval with respect to monitoring, including access and carcass search intervals. Audubon is free to request the County TAC to address carcass search interval questions.
- > AWLLC will be required to comply with all County conditions of approval with respect to the location of any conservation easements.

Best regards,

Bill Charley, Legal Counsel  
Altamont Winds LLC

## Young, Andrew, CDA

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**From:** William Damon <wd@powerworks.com>  
**Sent:** Monday, January 11, 2016 9:13 AM  
**To:** Young, Andrew, CDA; Rivera, Sandra, CDA  
**Cc:** Dave Dean; Chris Knopp; Morgan McGovert; 'Bill Charley'; Rick Koebbe  
**Subject:** AC 011116 EBZA staff rpt add2 comments, Summit wind repower project  
**Attachments:** AC 010816 EBZA staff report add2.pdf; Table 6 010816.docx; Fig 13 & 14B 010816.docx; Summit 120415 shadow flicker map Dyer.pdf

**Categories:** AWI-Summit Winds

Andy and Sandi,

Thank you for distributing your staff report 2nd addendum on Jan. 8 for the Jan. 14, 2016 EBZA hearing for our Summit wind repower project CUP application (copy attached). We have the following comments to the staff report.

1. Rev. Supplemental Info, pg 5: Table 5 (total shadow flicker caused by turbines) is a carry-over from an earlier staff report that was then, and remains now, superfluous, has not been updated, and was not meant to be included in the supplemental information. Please delete Table 5 in its entirety.
2. Rev. Supplemental Info, pg 6: Table 6 (Summit wind repower project receptor sound pressure levels vs. FPEIR thresholds) is a carry-over from an earlier staff report that has since been updated and was included in Power Engineers' Jan. 8 revised supplemental information memo. While you refer to Table 6 as the one from the Nov. 2015 CEQA checklist package, you may want to present the updated Table 6, which is attached.
3. Rev. Supplemental Info, pg 7: the second paragraph of the Conclusions is a carry-over from an earlier staff report that needs to be updated to reflect the results of the updated shadow flicker study. As provided in Power Engineers' Jan. 8 revised supplemental information memo, please replace this paragraph with the below:  
  
"Detailed analysis of the current project layout shows that expected shadow flicker would exceed 30 hours per year or 30 minutes per day, would be associated with turbines 23 and 24, and would affect two residences located along Dyer Road (Receptors H and J). These residences are within 1,640 feet of the Project, and the owners have not currently agreed to provide the necessary waivers. This would affect fewer than the three residences identified in the November 2015 CEQA Implementation Checklist and Supporting Documents. The operation of turbines 23 and 24, affecting receptors H and J, would be curtailed during the time of expected shadow flicker to mitigate potential shadow flicker impacts."
4. Rev. Supplemental Info, pg 9: under Phase 5 of the Summary of Siting Factors, the following sentence is superfluous and not accurate, and we request that it be deleted: "Results of those studies indicate that 29 of the proposed 33 repower turbines are in compliance with Alameda County's requirements for proximity to landowners and residences."
5. Rev. Supplemental Info, beginning pg 11: each of Figures 1-5 includes a duplicate map indicating the distance to the nearest residence from the blade tip of turbines 11 and 23-26. There is no discussion or even any reference to these maps in the text of the staff report, so we suggest the County explain the purpose of these maps.
6. Rev. Supplemental Info, pg 21 and 22: Figures 13 and 14B are visual simulations of the proposed project from camera positions 3 and 4, respectively. Both of these simulations are outdated in that they include the proposed conditions with turbines 29 and/or 30 installed, however, both simulations have been updated to represent the proposed conditions without turbines 29 and/or 30 (see Power Engineers' Jan. 8 revised supplemental information memo, Figures 11 and 13, attached). Please replace Figures 13 and 14B with the attached updated simulations.
7. Rev. Supplemental Info, pg 24: Figure 16 (enlarged excerpt of shadow flicker map) is an enlargement of the Dyer Road area from an outdated (and no longer accurate) shadow flicker map. Please replace this map with the attached, updated map dated 12/05/15 (which is shown as Figure 14 in Power Engineers' Jan. 8 revised supplemental information memo).

We thank you in advance for your attention to the above matters.

Please contact us if you have any questions.

January 10, 2016

To: Andrew Young and Sandra Rivera  
Planning Department  
Alameda County Community Development Agency

I am a simple man, high school educated, a little college. I have no PHD, no Masters Degree, no Bachelors Degree, just plain simple common sense. I have learned a lot over my short time on Mother Earth so far from my interactions with a variety of learned people in various stages of employment with higher education and local and state government.

For every action there is a reaction, from the biggest of things to the smallest of things. From the vast universe, to our own little world. Most people do not understand this and they believe that it only applies to physics, mathematics and science. But to me it applies to all things on Mother Earth. From the simplest of things to the most complicated. It is all connected.

There for I am opposed to wind mills as well as solar panels. Even though, it is the craze of the times. It is only to feed our hunger for our conveniences of our life styles that we feel we need more energy, more energy and more energy. From the smallest electronic gadget to electric cars, more lights and brighter lights. Where will it all end?

I have talked to others a number of times and here is a simple version of my beliefs.

Each wind mill slows down the follow of air as it comes from the ocean on to the land. This slowing of air currents changes everything around it, including the temperature of Mother Earth. We do not get the natural cooling of the land, the moisture that comes with that sea breeze. In time it changes the strength of those air currents which changes the environment as a hole and the amount of rain. More heating of the land, so I would call this global warming. It's not just the burning of fossil fuels. It's everything we do in our way of making things more convenient for ourselves. Including more dams and water pipe lines to move the water too areas that Mother Earth meant to be dry. I could go on and on.

I look at this, this way. Mother Earth is the petri dish, man is the bacteria in the petri dish. We will slowly kill our selves off by over growth, slowly using up all our resources the point that we starve ourselves to death or pollute and poison ourselves to the point that we die off. Then we will be the dinosaurs of the future. Leaving Mother Earth to start over again! And over a long period of time and self cleansing, Mother Earth will be able to start over again. Maybe even a new species to take better care of her than we have. At least I hope.

Michael A. Bojorquez

41 Sunrise Street

Woodland, California

95695



January 11, 2016

My name is Lydia Bojorquez I am Native American, my ancestors were indigenous people from the Carmel Valley area. I read about the pending Altamont winds project, which I am greatly opposed to. Unfortunately I cannot be at the January 14<sup>th</sup> meeting, so I am writing this instead, which is better for me, since I am not a good speaker, my words are simple and I can express my feeling better in writing. Words have power that let me feel and I don't always understand words spoken at meeting.

Eleven year ago while traveling, we drove through a land where the mountain tops were covered with wind mills such as the ones I read about regarding this project. Something over came me, suddenly it was as though I was seeing this through my ancestors eyes. I wrote a poem which I am submitting to you, I titled it "The Village of Tehachapi." This poem is a reflection of my thoughts as I see change through my ancestor's eyes in the world about me as I travel near and far.

The feeling that came over me was one of great concern, fear and sadness for loss of balance and harmony for our Mother Earth and for the descendents of this land that was only loaned to us all, including our winged and four legged brothers that share this land with us.

I can only hope you feel my words, so this letter will give you insight to my feeling on the big picture, rather than just the necessity of progress as modern society sees it.

Respectfully,

Lydia Bojorquez

41 Sunrise Street

Woodland, California 95695

## THE VILLAGE OF TEHACHAPI

What kind of witch craft is this we see?  
Birds that fly and go no where.  
Wings that fly, but stay in place  
On top of cold iron tree's without leaves.  
What kind of magic can this be?

Wings flying in the wind,  
That will not let them leave the mountain tops,  
In the village called Tehachapi

Was this a vision once seen, in the past?  
The fear and sadness in our ancestor's eyes.  
How could they understand such a changing world?  
What is this that we see?

And far above us was another bird,  
One so large with wings that did not move,  
But seem to glide across the sky,  
By a force so great its path marked the sky  
As it flew over the birds held down  
In the village of Tehachapi.  
What is this that we see?

Lydia Bojorquez

July 10, 2004