



**ALAMEDA COUNTY COMMUNITY DEVELOPMENT AGENCY
PLANNING DEPARTMENT**

STAFF REPORT

**TO: EAST COUNTY BOARD OF ZONING ADJUSTMENTS
HEARING DATE: MARCH 24, 2016**

GENERAL INFORMATION

APPLICATION: CONDITIONAL USE PERMIT, PLN2015-00198

APPLICANT: SAND HILL WIND, LLC, a subsidiary of Ogin, Inc.

PROPOSAL: To repower existing wind farm facilities, specifically to replace 433 existing wind turbines or turbine sites with up to 12 new 4th generation approximately 2.5 to 3.0 megawatt (MW) wind turbines, upgrade technology and infrastructure, decommission old turbine sites, and yield a maximum estimated 36 MW of generating capacity.

ADDRESS, LOCATION, ASSESSOR'S PARCEL NOS. AND SIZE OF PARCEL: 14740 Altamont Pass Road (off-site operations and maintenance facility and offices only), located in three non-contiguous areas in the eastern Altamont Hills or Mountain House area of Alameda County, approximately 1½ to 2 miles from each other near the I-580/Grant Line Road interchange bearing eight different parcel numbers, including: APNs 99B-7750-6-0; 99B-6325-1-3; 99B-6325-1-4; 99B-7375-1-7; 99B-7500-3-1; 99B-7600-1-1; 99B-7875-1-2; and 99B-7875-1-3.

ZONING: A & A-B-E (Agriculture, 160-acre minimum building site area).

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) and is consistent with the Program Environmental Impact Report (PEIR) certified by the East County Board of Zoning Adjustments on November 12, 2014. The proposal is therefore reviewed as a tiered project with a checklist pursuant to Section 15168 (c) of the CEQA Guidelines. The checklist identifies a range of specific potential adverse impacts on the environment, each of which had been previously identified in the PEIR, and for which specific mitigation measures would serve to avoid or reduce most of those impacts to less-than-significant levels. Other impacts would remain significant and are unavoidable if the project is approved, including air quality deterioration during construction, mortality of raptors, other birds, and bats migrating through and wintering in the program area, but are no greater than those considered in the PEIR and can be reduced in part by the identified mitigation measures. Based on the checklist, a Mitigation Monitoring and Reporting Program has been proposed, the implementation of which would be required as a condition of approval.

RECOMMENDATION

The Board should receive a staff presentation, take public comment on the proposed project application, review the draft resolution and exhibits, including the Mitigation Monitoring and Reporting Program (MMRP) and a Statement of Overriding Considerations for the project, and approve the Conditional Use Permit, subject to the proposed conditions of approval.

WIND-RELATED PERMIT HISTORY

September 5, 2005, Conditional Use Permits C-8023, C-8182, C-8161, C-8201 and C-8203 approved by the Board of Supervisors for continued operation of a combined total of 433 wind turbines by Seawest Power Resources (a subsidiary of the AES Corporation; these assets and permits were acquired in 2012 by New Dimension Energy Company, LLC, a wholly-owned subsidiary of Ogin, Inc.) as follows:

C-8023 – 099B-6325-001-04 (Johnston), 30 turbines with a nameplate capacity of 2.4 MW, originally approved on May 12, 1982 as C-4236.

C-8161 – 099B-7750-006-00 (Pombo), 38 turbines with a nameplate capacity of 2.89 MW, originally approved on February 2, 1983 as C-4370.

C-8182 – 099B-6325-001-03 & 099B-7375-001-07 (Ralph), 182 turbines with a nameplate capacity of 8.23 MW, originally approved on May 18, 1983 as C-4425.

C-8203, 099B-7600-001-02 (Arnaudo) & 099B-7500-003-01 (Castello), 131 turbines with a nameplate capacity of 8.52 MW, originally approved on July 13, 1983 as C-4481.

C-8201 – 099B-7875-001-02 & 099B-7875-001-03 (Griffith/Brockman), 52 turbines with a nameplate capacity of 3.38 MW, originally approved on April 18, 1984 as C-4641.

March 27, 2014, Conditional Use Permit PLN2013-00013, was approved by the East County Board of Zoning Adjustments for repowering in the first of two phases with the construction of 40 shrouded wind turbines, an experimental design developed by Ogin, Inc. The shrouded turbines were not constructed, and the current project is now proposed instead, using conventional 4th generation wind turbines.

GENERAL PLAN POLICIES & ZONING

The ECAP designates the project area as Large Parcel Agriculture (LPA). Subject to the provisions, policies, and programs of the ECAP, the LPA designation permits one single-family residence per parcel, agricultural uses, agricultural processing facilities, public and quasi-public uses, quarries, landfills and related facilities, wind farms and related facilities, utility corridors, and similar uses compatible with agriculture.

Lands in the project area are zoned A-160 and A-320 (Agricultural District, with minimum building site areas, respectively of 160 acres or 320 acres), which allows for agricultural and other non-urban uses. Within the A District, privately owned wind-electric generators are a conditionally permitted use subject to approval by the East County Board of Zoning Adjustments (EBZA).

SITE AND CONTEXT DESCRIPTION

The subject CUPs are located in the eastern half of the Altamont Pass Wind Resource Area (APWRA). The APWRA comprises an approximately 50,000-acre area that extends across the northeastern hills of Alameda County and a smaller proportion of Contra Costa County to the north. The region is generally characterized by rolling foothills of annual grassland. The area in which the CUPs are permitted is mostly treeless with relatively steep terrain on the west and gently rolling hills on the east toward the floor of the Central Valley. The underlying landscape generally consists of undeveloped grazing land. Major features of the area include existing wind turbines, ancillary facilities, an extensive grid of high voltage power transmission lines, substations, microwave towers, a landfill site, Interstate 580, railroad track lines, ranch houses, and clusters of rural residential homes on Altamont Pass and Midway Roads. The transmission lines, roadways and relatively small parcels (roughly only half a mile in width at most) represented considerable challenges to the applicant in identifying suitable sites for the proposed wind turbines.

The Project is proposed on three specific and separate site areas within about three miles of each other, including: four west parcels north of I-580 on both sides of Altamont Pass Road and about a mile west of Grant Line Road (Ralph, Pombo and Johnston properties); two northeast parcels east of Mountain House Road about a mile north of I-580 (Arnaudo and Castello properties) and two southeast parcels east of North Midway Road about a mile south of I-580 (Griffith properties). The western parcel is on moderately steeper terrain, whereas the northeast and southeast parcels are on gentler slopes, being closer to the Central Valley floor. All of the parcels were extensively surveyed for botanical, biological, cultural and archaeological resources about three years ago when the prior proposal for shrouded wind turbines was being reviewed.

An estimated 35 homes in the project vicinity are somewhat centrally located among the three project areas (see Site Layout figures, attached), mostly separated by at least a half mile from any project site boundary. However, four residences lie within about a quarter-mile of the project parcel boundaries: three on Altamont Pass Road near the western group of four parcels; and one north of the southeastern parcels, on Midway Road. Providing residential setbacks that comply with County standards was a key factor in turbine siting.

BACKGROUND

The existing turbines in the APWRA were originally developed under CUPs approved between the early 1980s and mid-1990s. Throughout that period, AES Seawest Power Resources held five permits on the eight properties for the operation of 433 wind turbines with a reported nameplate generating capacity as of 2005 of roughly 25.4 megawatts (MW). These permits expired between 2002 and 2004, and after applying for renewal permits for continued operation, the East County Board of Zoning Adjustments approved five use permits for Seawest (along with 24 other permits) in two stages in November 2003 and January 2004.

In 2012, New Dimension Energy Company, LLC (NDEC, now a subsidiary of Ogin, Inc.) acquired AES Seawest Power Resources, LLC (AES Seawest) and its assets and renamed that corporation as Forebay Wind, LLC, as a subsidiary company to continue to operate the existing turbines. In addition, NDEC formed another subsidiary company Sand Hill Wind, LLC, for the purpose of repowering the site in the APWRA with Ogin's proprietary shrouded wind turbine design. However, due to obstacles related to providing an electrical interconnection with the state Independent Service Operator (California ISO), Sand Hill LLC made the decision in 2015 to repower with conventional 4th generation, utility-scale turbines.

PROJECT DESCRIPTION

The proposed project would decommission a total of 433 old generation wind turbines and replace them with 12 new current generation wind turbines on up to seven of the eight parcels on which there are existing turbines. These eight parcels are in three separate areas about a centered around the Grant Line Road interchange with I-580 as described above. The existing sites, parcel numbers and number of existing turbines on each site is outlined below in **Table 1**, as well as the numbers of turbines proposed on each parcel according to each of the applicant's three different proposed site layouts. The proposed turbines would have between 2.5 and 3.0 MW of nameplate capacity, and the objective is to yield up to 35 MW of total generating capacity, which could be achieved with a combination of turbines with different nameplate capacities, or by using combinations of the differing site layouts (i.e., up to 12 turbine sites). Each of the three site layouts were developed to address differing siting constraints, including wind conditions (including the effects of upwind sites approved for the Golden Hills North Repowering project), County setback requirements, biological resources (plants and terrestrial and avian wildlife habitats and migration patterns), shadow flicker and noise effects on nearby residences, and public safety related to potential blade throw. The process by which the applicant developed each of three site Layouts is detailed in the attached Siting Memorandum, which includes project graphics, specific setbacks to residences and roads, and three key reports regarding shadow flicker, noise and blade throw. The original noise study is bound with the Siting Memorandum, but an updated noise study received on March 16, 2016 is included separately.

Table 1. Parcels and Turbines Included in Sand Hill Repowering Project

Applicable Existing CUP	Assessor Parcel Number	Parcel Ownership	Approximate Acreage	Permitted Turbines as of 2005	Proposed Turbines		
					Layout 1	Layout 2	Layout 3
C-8023	99B-6325-1-4	Johnston	67.9	30	0	0	0
C-8161	99B-7750-6-0	Pombo	99.4	38	2	0	0
C-8182	99B-6325-1-3 99B-7375-1-7	Ralph	222.5 60	182	6	7	4
C-8201	99B-7875-1-2 99B-7875-1-3	Griffith	115.1 92.8	52	0	2	4
C-8203	99B-7500-3-1 99B-7600-1-1	Castello Arnaudo	112.9 104.9	131	4	2 2	2 2
<i>COMBINED TOTALS</i>			875.50	433	12	12	12

Other project components or major tasks include grading and construction of new or expanded roads (using existing road networks as much as possible), installing wind turbine foundations and pad-mounted transformers, erecting the turbine towers and installing the generators and rotor blades, installing a power collection system (using existing electrical power transmission lines and substation infrastructure wherever possible), and constructing a new operations and maintenance (O&M) facility, currently proposed on the Pombo parcel south of the existing O&M building. The applicant will also use the existing O&M facility and other support facilities adjacent to the project area that are available for project support, and that will continue to receive power during the repowering process.

Decommissioning the existing turbines will involve removing the old generation turbine blades, generators, towers and foundations, old transformer equipment and power lines (above and below ground) and salvaging any useful components or materials. Recycling and disposal of material will be subject to the County’s waste ordinances. Old foundations are typically excavated and removed to a depth of 3 feet and remaining components buried in place. State and federal resource agencies will review the decommissioning plans to assess the potential need to leave some foundations in place for terrestrial habitat usage, and landowners will also assist in determining which and to what extent existing access roads – primitive or more developed – should be retained, allowed to go to seed, or more directly recontoured for grassland restoration.

The proposed turbines would be three-blade, upwind turbines on tubular towers. A range of turbines are being considered for the proposed project; each would have a nameplate capacity of up to 3.0 MW, a rotor diameter of 90–125 meters (295–410 feet), towers up to 100 meters (382 feet), and a maximum total turbine height of 151 meters (495 feet). For example, the Goldwind GW121 2.5 MW turbine, has a 121-meter (397-foot) rotor diameter, 90-meter (295-foot) hub height, and turns at 13.5 rpm. The tubular steel towers would have internal ladders to the nacelle, the color of towers and rotors would be neutral and non-reflective (e.g., dull white or light gray), and nacelles would be completely enclosed to minimize perching opportunities.

Most of the proposed wind turbines would require appropriate nighttime lighting to comply with Federal Aviation Administration (FAA) requirements for obstruction lighting on structures over 200 feet in height. The number of required lights would be kept to a minimum in order to minimize attractants for birds during nighttime migrations. Lights would not be required on every turbine, but on strategically located turbines to adequately mark the extent of the proposed project. Lighting of the wind farm would be in compliance with the FAA Obstruction Marking and Lighting Advisory Circular (AC70/7460-1K). Intensity of the lights

would be based on a level of ambient light, with illumination below 2 foot-candles being normal for the night and illumination of above 5 foot-candles being the standard for daytime.

The proposed project would likely require up to four temporary staging areas each covering approximately 5 acres. To the extent possible, the laydown areas would be located in areas with existing turbines and access roads to minimize disturbance of natural habitats. The staging areas would be used for storage of turbine components, construction equipment, job trailers, and the materials needed for project construction. Access to the temporary staging areas would be integrated into the existing road system wherever possible. Upon completion of construction, the temporary staging areas would be removed.

As shown in **Table 1** above and figures included in the attached Siting Memorandum, the three different site layouts vary in the numbers of turbines proposed on the project parcels. The Memorandum was initially submitted on February 11, 2016, with proposed Layout 1 indicating no turbines on the Griffith parcels on Midway Road, and instead includes two on the Pombo parcel south of Altamont Pass Road; Layout 2 would reverse that in concept. While Layout 1 was the applicant's original recommended or preferred layout for optimum performance based on the wind resources, Layout 2 was configured primarily to provide the maximum setback from the public roads, area residences and transmission line corridors. The initial analysis found that Layout 1 would result in a noticeably higher level of energy output than Layout 2, but after it was learned that Layout 1 would be adversely affected by being downwind from several turbines approved as part of the Golden Hills North Wind Repowering project, the Memorandum was updated (March 7, 2016) to develop Layout 3, which is now the applicant's preferred array of wind turbine locations. Layout 3 accounts for multiple site constraints, including County setback requirements, wind resource conditions, topography and wildlife and other biological resource constraints. The Siting Memorandum's figures also show the various setbacks resulting with each Layout as patterned layers. The setbacks and considerations that have gone into each Layout will be discussed below under the heading of Planning Considerations.

RESPONSES TO REFERRAL

Public Works Agency, Building Inspection Department. A response to the referral dated November 24, 2015 indicated the Department had no objections to the CUP request, but noted that a soils report and/or geotechnical/geologic study will be required. The response also indicated that the project must comply with building codes and submittal requirements that are in place at the time of applying for building permits, and that a California licensed engineer must be designated as the design professional in charge of the permit application submittal.

Public Works Agency, Permit Section. An informal e-mail sent by Permit Section staff on November 25, 2015 raised several questions regarding the referral, including the specific location and the extent to which existing substations would need to be upgraded or modified, how the upgraded maintenance site and turbine foundations will address stormwater treatment (under Section C.3.c of the County's Municipal Stormwater Permit), and the extent of roadway widening and upgrades required. The e-mail also suggested requiring pre-construction surveys of public roads. Additional comments were submitted by Permit Section staff in February 2016 regarding the proposed turbine siting relative to the three public roads adjacent to the project sites: Altamont Pass; Mountain House; and Midway Roads. These concerns are discussed below under the heading of Planning Considerations.

From prior communication with the Permit Section, it is expected that the CUP should include conditions similar to those applied to other repowering projects, with, repetitive transportation permits for oversize and overweight loads, a grading permit, and one or more stormwater permits based on a calculation of the net amount of new impervious surfaces that would be created.

Public Works Agency, Grading Section. Comments were received from the Grading Section on November 18, 2015, which noted the need for a grading permit, to be based on a preliminary grading plan submitted in compliance with the County Grading Ordinance, which may require preparation of a geotechnical or geological conditions investigation report, and subsequent independent review by the County’s consulting geotechnical engineer. Various other requirements were cited, including limitations on rainy season grading activity, review by the County Fire Department, stormwater pollution prevention and review procedures, and procedures required for any grading work in or near any watercourse.

Public Works Agency, General Review Meeting. On February 18, 2016, the applicants met with staff from the Public Works Agency’s Permits Section, Building Inspection Department and the Right of Way Section, as well as Planning staff to review the project permitting process and supporting documents. This review meeting led to focused attention on the proposed setbacks that would be provided, of up to 50% of the General Setback requirements, as allowed for as Alternative Minimum setbacks in the County standard conditions of approval (and as set forth in the Program EIR Repowering Program project description). Right of Way Section staff submitted a response to an e-mail from the applicant’s consultant (Brad Norton, ICF International, February 17, 2016), in which a “waiver” was requested from the General Setback requirements. The response indicates that the County is concerned with the potential for blade throw or blade fragments thrown into the Altamont Pass and Mountain House Roads, which are highly traveled roadways, and could thus increase the liability of the County for wind turbine safety. It observes that Layout 2 does not appear to require waivers for the setbacks from these roadways, and therefore does not recommend that a waiver be granted for the project. However, the final version of the siting plan, Layout 3, has not yet been evaluated by the Right of Way Section. The response and original e-mail request are attached.

No other comments were received from other agencies or organizations regarding the referral, a copy of which is attached to this staff report together with the comments noted above.

PROGRAM EIR AND CURRENT PROJECT TIERING

The Program Environmental Impact Report (PEIR), certified by the County in November, 2014, addressed the anticipated approval of new CUPs to allow replacement of old generation wind turbines with current generation turbines in the Alameda County portion of the APWRA on a program level for the entire area. The PEIR also specifically evaluated, on a project level, two project applications, the Patterson Pass Wind and Golden Hills Wind – Phase I Projects. As provided for in the CEQA Guidelines (Section 15168), the certified PEIR allows for subsequent specific project applications to ‘tier’ from the PEIR, to the extent that the subsequent projects lie within the scope of the PEIR, and do not introduce new or substantially different significant impacts. In addition, subsequent projects are expected to be related geographically and to have similar (or less) environmental effects that can be mitigated with measures and strategies that are similar to those adopted for the projects evaluated at the project level in the PEIR.

The Sand Hill Wind repowering project was among the anticipated projects that were evaluated on a program level in the PEIR. Although a Sand Hill project was approved for the first of two phases to construct 40 of a total planned 340 shrouded wind turbines at the time the PEIR was reviewed and later certified, it was assumed for the purpose of the environmental analysis that Sand Hill Wind would repower using conventional 4th generation turbines. The significant and unavoidable adverse impacts of the broad repowering program includes the effects of operations for the life of the permits on avian species, including raptors, other birds and bats migrating through and wintering in the program area, as well as some temporary construction-related impacts, and on air quality (due to predicted emissions in excess of regional air district standards). In addition, of particular note with respect to the current project, unavoidable adverse cumulative impacts on traffic operations and transportation were expected to occur with development of the Patterson Pass and Golden Hills Wind projects, if their construction traffic were to occur concurrently with construction of the second phase of 300 shrouded turbines under the original Sand Hill Wind Project

proposal, which would have required a very substantial numbers of truck trips due to the much higher number of components. As the Sand Hill Wind project is now proposed with conventional, 4th generation turbines, such cumulative traffic impacts would not be expected.

Other impacts, which could be reduced to less than significant levels, included effects on scenic vistas and other aesthetic considerations including shadow flicker, other construction-related air quality and greenhouse gas emission impacts, and a broad range of other impacts on biological resources, including special-status plants, a wide range of terrestrial species, habitat communities, migratory wildlife corridors and nursery sites. Additionally, the projects were determined to have varying potential impacts on historical, archaeological, undocumented human remains or paleontological resources, and in the topic areas of seismic safety, water quality of stormwater runoff, hazardous materials, aviation, transportation and circulation, emergency response, and noise. The significant impacts and mitigation measures are summarized and concisely tabulated in the Executive Summary portion of the PEIR.

PLANNING CONSIDERATIONS

The turbine siting for each alternative layout is intended to meet the setback conditions established in the Program EIR and used as standard conditions of approval, accounting for both the General Setback requirements and the provision for Alternative Minimum setbacks, allowed with a notarized agreement or an easement on affected properties, and in the case of public roads and transmission line corridors, subject to approval of the Planning Director where supported by an engineering report that addresses public safety. The General Setback requirements specify that turbines should be sited no less than three times the total turbine height (i.e., from the ground surface to the tip of the blade in the 12 o'clock position) from any dwelling unit, and 2.5 times the total turbine height from any public road, trail, recreation area, commercial, or residential zoning. For transmission line corridors a setback of two times the total turbine height is required, and smaller proportional setbacks are required for other land uses or parcels without planned wind turbine development. Differences in the elevation of turbines above or below an affected land use or infrastructure may also increase the setback requirement, or allow for a reduction.

Alternative Minimum setbacks, of up to 50 percent of the General Setback, are allowed if there is an agreement as noted above from the affected land use, or for public infrastructure such as roads and power transmission lines, if the County Planning Director approves a report prepared by a qualified professional demonstrating that a lesser setback is adequate. The applicant's objective for turbine siting was to ensure setbacks comply with these setback standards. To support its proposed alternative layouts and minimum setbacks of up to 50% of the General Setbacks, three key siting studies of flicker, noise and blade throw as attachments to the Siting Memorandum. Table 1 in the Siting Memorandum (page 4) also identifies the distances between proposed turbines and the nearest three residences that could be affected by each Layout, as well as distances to roadways and power transmission lines.

The Siting Memorandum identifies for each Layout the specific number and type of "waivers" that would be needed from the General Setback requirements. It should be noted that neither the Program EIR or the County standard conditions of approval established for the first two wind farm repowering projects approved in 2014 referred to the Alternative Minimums as involving a "waiver" (which suggests a form of variance); Planning Staff generally consider it merely a condition of establishing the Alternative Minimum setback as supported by facts and specific conditions on the ground. However, for practicality and expediency in the current case, the term "waiver", insofar as it used in the Siting Memorandum only, is accepted (i.e., the Memorandum will not be required to be re-written to redact the term "waiver").

Based on more developed micro-siting analysis to address avian flight patterns and safety, using a detailed report prepared by Dr. Shawn Smallwood, the applicant has refined Layout 3, with modest adjustments of turbines being moved approximately 30-35 meters (roughly 95 to 115 feet). The adjustments are not large

enough to instigate the need for new “waivers” or Alternative Minimum setbacks (other than those currently identified in the March Siting Memo), or result in exceedance of County noise thresholds. The siting plans based on Dr. Smallwood’s recommendations will be used to update the shadow flicker and blade throw analyses for final project review. In addition, a separate blade throw analysis will be conducted for PG&E by an independent consultant for the safety of the transmission lines, and it is expected that the state Department of Water Resources may also seek to have a blade throw analysis completed for the purpose of assessing the safety of its two aqueducts that border the two project parcels east of Mountain House Road.

Blade Throw Risks and Setback Requirements. The Blade Throw Analysis (February 2016, by Epsilon Associates, Inc. for ICF International as consultants to Sand Hill Wind LLC, and based only on Layouts 1 and 2) was based on calculations and methodology established in a California Energy Commission (CEC) study, *Permitting Setback Requirements for Wind Turbines in California* (CEC-500-2005-184, November 2006), and it was noted that no other state or local guide exists for conducting such analyses. The Epsilon Analysis acknowledged that it did not address blade fragment or conditions of rotor overspeed, but cited sources indicating the low probability of such hazards in a Netherlands study (Rademakers & Braam, *Guidelines on the Environmental Risk of Wind Turbines in the Netherlands*, March 2004, also cited in the CEC report), respectively, at approximately 1/3 and 1/100th that of an entire blade failure. Specific probabilities were not included in the Blade Throw Analysis, so Planning Staff obtained the November 2006 study from the CEC website; the following excerpt from its Abstract is generally indicative:

The available documentation shows rotor failure probability in the 1-in-1000 per turbine per year range. The analysis of the rotor fragment throw event is discussed in simplified terms. The range of the throw is highly dependent on the release velocity, which is a function of the turbine tip speed. The tip speed of wind turbines does not tend to increase with turbine size, thus offering possible relief to setback standards. Six analyses of rotor fragment risks were reviewed. The analyses do not particularly provide guidance for setbacks. Recommendations are made to use models from previous analyses for developing setbacks with an acceptable hazard probability.

Other Public Works Agency Issues. The applicant responded to the Public Works Agency’s Permit Section staff with various information, first clarifying that certain modifications and upgrades to the substations and PG&E transmission lines will be required, even though the electrical generation capacity is not substantially different. Next, the applicant indicates that it will comply with County requirements for stormwater treatment for C.3.c considerations, and that it will consult with Zone 7 to address the potential for a waiver of some of the impervious surface fee based on the temporary widening of roads and creation of construction laydown areas. The applicant also agreed to plan for a pre-construction road survey.

Draft Resolution and Attachments. A Draft Resolution is included with this staff report for the EBZA to approve the Conditional Use Permit, adopt the Findings of Significant Impacts, adopt a Mitigation Monitoring And Reporting Program, and to adopt a Statement Of Overriding Considerations. Separate attached Exhibits are provided for each of those three required components of the Resolution to approve the Use Permit and validate that the project is in compliance with CEQA. The Findings of Significant Impacts (Exhibit A of the Resolution) includes separate sections listing the significant and unavoidable impacts, those effects that can be avoided or reduced to less-than-significant levels, and impacts that were less than significant and did not require mitigation measures. The Findings of Significant Impacts acknowledge that the visual, temporary air quality (including GHG emissions), avian species and traffic impacts of the Project would be significant and unavoidable; however, these impacts would be reduced to the extent feasible.

The Statement of Overriding Considerations puts these effects in the context of the vital importance of other essential state, regional and local goals and objectives, to increase (and maintain) the generation of renewable electric energy, reduce carbon dioxide and other GHG emissions, and provide (or maintain) employment and further investment in infrastructure.

RECOMMENDATION

The Board should receive a staff presentation, take public comment on the Environmental Checklist, Supporting Documentation and on the proposed Project, review the draft Resolution and other attachments including the Mitigation Monitoring and Reporting Program (MMRP), and approve the Project by adoption of the Resolution and proposed draft conditions.

Attachments:

Draft Resolution, with Exhibits A, B & C
Environmental Checklist, including Project Description and Project Graphics
Supporting Documentation Reports, 2013
Siting Memo for the Sand Hill Wind Project, March 2016, with Attachments
Sand Hill Avian Micrositing Report, March 2016

Above attachments also available on the CDA/Planning webpage, at
http://www.acgov.org/cda/planning/landuseprojects/sand_hill_wind_project_b.htm

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