



*inspiring people to protect
Bay Area birds since 1917*

Mr. Andrew Young
Ms. Sandra Rivera
Alameda County Planning Department
care of:
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24Feb2020

Re: Appeal of Board of Zoning Adjustment's February 13, 2020 Resolution to Certify the Subsequent Environmental Impact Report and Approve Conditional Use Permit Application No. PLN2017-00201

On behalf of Golden Gate Audubon Society (GGAS) and Audubon California please accept this appeal pursuant to Alameda County Municipal Code Section 17.44.679 of the East County Board of Zoning Adjustments (ECBZA) decision on Feb 13, 2020 to approve: (1) Resolution No.Z-20-0-1 Certifying the Subsequent Environmental Impact Report for the Sand Hill Wind Project (SEIR), Conditional Use Permit PLN2017-00201; and (2) Resolution No.Z-20-02 Approve CUP PLN2017-201. We will submit the \$250 fee by U.S. mail.

Our reasons for this appeal include, among other reasons, that the SEIR is inadequate under the California Environmental Quality Act (CEQA), and the CUP terms are inadequate for conditions to avoid, minimize and mitigate for the significant and unavoidable impacts of the proposed project on bird and bats as required under CEQA and the County's 2014 Program Environmental Impact Report (PEIR) for repowering turbines at Altamont Pass (PEIR).

The SEIR is inadequate because it fails to:

- Include all reasonable and feasible mitigation measures and alternatives to avoid and reduce the project's significant environmental effects on birds and bats
- Accurately analyze the increased impacts of the project from those described in the PEIR in light of significant and new information and changed circumstances since the PEIR was certified
- Analyze the increased cumulative impacts of this project especially because the 450 MW cap on repowering on the Alameda County side of Altamont Pass as approved in the PEIR which can be expected to be exceeded by this when included with all operating wind farms in this region.

The CUP is inadequate because, as described in our previous letters from chapter signatories and GGAS' earlier letter on Feb 13, 2020, as well as USFWS, the state Attorney General's office, the state DFW, and the Park District, the 109.5 MW smaller turbine project is also inadequate for avoiding and minimizing or reducing deaths to birds and bats that are protected by federal and state laws. Affected species include golden eagles, Swainson's hawks, burrowing owls, tricolored blackbirds, white-tailed kites, and hoary bats.

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The project's conditions for pre-construction micro-siting, surveys for special status avian species, bat roosts, monitoring, adaptive management, and compensatory mitigation are also inadequate.

Respectfully submitted,

Mike Lynes

Mike Lynes
Director of Public Policy
Audubon California

A handwritten signature in cursive script that reads "Pam Young".

Pam Young
Executive Director
Golden Gate Audubon Society