

# APPEAL MATTER EXHIBIT A

17 November 2020

Alameda County Board of Supervisors  
Alameda County Administration Building  
122 Oak Street, #536  
Oakland, CA 94612

**RE: Resolution of Appeal of Sand Hill Wind Repowering Project – CUP Application No. PLN2017-00201**

Honorable Members of the Board:

We, Golden Gate Audubon Society (GGAS), Audubon California, and Sand Hill Wind, LLC have discussed the 24 February 2020 appeal filed by GGAS and Audubon California and have reached agreement on how to resolve the appeal as follows: GGAS and Audubon California will consider their concerns resolved and their appeal withdrawn by operation of this letter if the Board of Supervisors renders the following decisions when hearing the appeal:

1. Affirm the 13 February 2020 East County Board of Zoning Adjustment's (EBZA) decision to adopt Resolution No. Z-20-0-1 Certifying the Subsequent Environmental Impact Report for the Sand Hill Wind Project; and
2. Modify the 13 February 2020 EBZA decision to adopt Resolution No. Z-20-02 Approving CUP PLN2017-00201 in the following manner:
  - i. Amend "Section 1 (Approval)" of the "Authorization" section of the Project CUP approved by the EBZA as follows:
    1. Approval. Approval of this Permit authorizes Sand Hill Wind, LLC (a wholly-owned indirect subsidiary of sPower, LLC, hereinafter referred to as sPower, a wholly-owned subsidiary of the AES Corporation and Alberta Investment Management Corporation (AES/AIMCO), to decommission and remove an estimated 671 existing or previously existing wind energy turbine sites ~~with~~ and construct up to ~~4016~~ 4016 new turbines with a maximum production capacity of ~~19.550~~ 19.550 megawatts (MW), using turbines rated between 2.3 and ~~2.844.0~~ 2.844.0 MW per turbine, on ~~fifteen~~ eleven parcels or parts of parcels, extending over roughly ~~2,600~~ 2,400 acres in the vicinity of Altamont Pass Road up to two miles west of Grant Line Road, Bethany Reservoir and southeast of the intersection of Christensen and Bruns Roads, more broadly in the eastern Altamont Hills or Mountain House area of Alameda County, as well as authorizes use of a pre-existing wind energy operations and maintenance

facility on another, ~~sixteenth~~<sup>twelfth</sup> parcel at 14740 Altamont Pass Road, altogether bearing the following Assessor Parcel Numbers:

99B-7750-6; 99; 99B-6325-1-4; 99B-6325-1-3; 99B-7375-1-7; 99B-7400-1-5; 99B-7300-1-5; ~~99B-7050-4-6~~; ~~99B-7050-1-9~~; ~~99B-7050-4-1~~; ~~99B-7350-2-1~~; 99B-7350-2-15; 99B-7350-2-5; 99B-7500-3-2; 99B-7500-3-1; 99B-7600-1-1; and 99B-7750-11.

- ii. Add the following as a new condition of approval of CUP PLN2017-00201: "In addition to all other reviews required of the project before the County Wind Repowering Avian Protection Technical Advisory Committee ("TAC"), Sand Hill will work with the TAC to determine whether the location of Turbines 8, 9, 17 and 40 of the project can feasibly be further micro-sited in light of limiting this CUP authorization to 16 new turbines."

These modifications reduce the project by 60 percent from 40 new turbines down to 16 new turbines. No additional CEQA review is necessary for these modifications because the reduced project that results from them will be well within the scope of impacts assessed by the Sand Hill Wind Project Subsequent Environmental Impact Report.

Thank you for your time and attention to this important matter.

Sincerely,

**GOLDEN GATE AUDUBON SOCIETY**

BY: Pam Young

NAME: Pam Young

TITLE: Executive Director

DATE: 08Dec2020

**SAND HILL WIND, LLC**

BY: [Signature]

NAME: Ryan Creamer

TITLE: Authorized Person

DATE: November 18, 2020

**AUDUBON CALIFORNIA**

BY: [Signature]

NAME: SARAH ROSE

TITLE: Site Director

DATE: 12/4/20