



February 13, 2015

Via Federal Express & Email

Maria Palmeri  
Alameda County Planning Department  
224 West Winton Ave., Room 111  
Hayward, California 94544

RE: Appeal of the certification of the Supplemental Environmental Impact Report for the Altamont Winds, Inc. proposed Conditional Use Permit modifications

Dear Ms. Palmeri:

Audubon California, Golden Gate Audubon Society, Santa Clara Valley Audubon Society, Marin Audubon society, and Mount Diablo Audubon Society (collectively “Audubon”) write to appeal the February 2, 2015 decision by the Alameda County East Board of Zoning Adjustments (EBZA) to certify the Supplemental Environmental Impact Report (SEIR) for the proposed project of modifying 16 Conditional Use Permits (CUPs) for Altamont Winds, Inc. (AWI). The Planning Department code for this action is PLN2014-00028.

Written and oral testimony regarding the SEIR has repeatedly demonstrated that the document fails to meet the requirements of the California Environmental Quality Act (CEQA) on several grounds, including, but not limited to:

- reliance on an incorrect baseline for bird mortality that results in an underestimation of bird mortality due to the project;
- underestimation of projected bird mortality due to flawed analysis;
- failure to acknowledge that the Altamont Pass Golden Eagle population current has a 12% mortality rate due to wind turbines when the Fish & Wildlife Service has determined that local mortality from wind projects should not exceed 5%;
- failure to adequately identify and assess all significant impacts arising from the project;
- failure to adequately assess cumulative impacts;
- failure to adequately identify and assess all reasonable mitigation measures and to propose feasible mitigation measures that would reduce the severity of potential impacts from the project;
- incorrectly deferring mitigation and/or inadequately describing mitigation measures, which prevented the public and decision-makers from assessing their adequacy; and
- failure to acknowledge that approval of the project would have additional impacts, including the potential delay of repowering in the Altamont Pass and disruption to monitoring efforts, and would contradict the reasons for approving the modifications in 2013.

Because the SEIR fails to meet the requirements of CEQA, the EBZA erred. We ask that the Alameda County Board of Supervisors overturn the EBZA and determine that the SEIR is inadequate and cannot be certified until revised to meet CEQA's standards.

Thank you for processing this appeal. Audubon will subsequently submit additional materials to more fully explain the SEIR's inadequacies and reasons for this appeal. Should you need additional information, please do not hesitate to contact me at (916) 737-5707 ext. 102 or [mlynes@audubon.org](mailto:mlynes@audubon.org).

Respectfully submitted,



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Audubon California

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