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June 16, 2006

John L. Geesman
Commissioner
California Energy Commission
1516 Ninth Street, MS-31
Sacramento, CA 95814

Jackalyne Pfannenstiel
Commissioner
California Energy Commission
1516 Ninth Street, MS-31
Sacramento, CA 95814

Re: Docket No. 06-OII-1

Dear Commissioners Geesman and Pfannenstiel:

I have concerns with the referenced proceeding and the development of statewide guidelines relating to wind energy projects. My Riverside County senate district is home to many wind energy farms, and it is a renewable energy source that I strongly support.

I am not convinced recent studies have adequately examined avian mortality rates as they occur in various regions of the state. There are significant differences between the Altamont Pass and the San Gorgonio Pass in my district. It seems reasonable to expect that statewide guidelines include either site-specific exemptions or site-specific biological evaluations that employ scientifically sound protocols.

I am also concerned the Energy Commission's project is duplicative of current California Environmental Quality Act (CEQA) statutes. The existing CEQA law already requires a project to meet rigorous environmental standards before beginning construction. The process is locally based and takes into account unique local conditions, while also establishing standards for mitigating substantial environmental impact.

CEQA compliance is one of the biggest hurdles faced by owners when planning wind energy projects. The Commission must not establish new guidelines that would complicate the process further. In addition, I urge the Commission to not pursue guidelines that react to studies which

Senate

California Legislature

JIM BATTIN
SENATOR

THIRTY-SEVENTH SENATE DISTRICT



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06-OII-1

DATE Jun 16 2006

RECD. Jun 20 2006

Docket No. 06-OII-1

June 16, 2006

Page Two

may very well overestimate the bird mortality rate due to wind turbines. California should be making it easier for renewable energy projects to be built in the state, not adding another layer of regulatory requirements.

Sincerely,

A handwritten signature in black ink that reads "James F. Battin, J." The signature is written in a cursive style with a large, looping initial "J" and a trailing flourish.

JIM BATTIN

Senator

37th District

cc: Governor Schwarzenegger

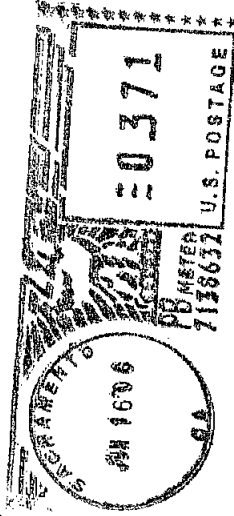
CALIFORNIA LEGISLATURE

JIM BATTIN

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