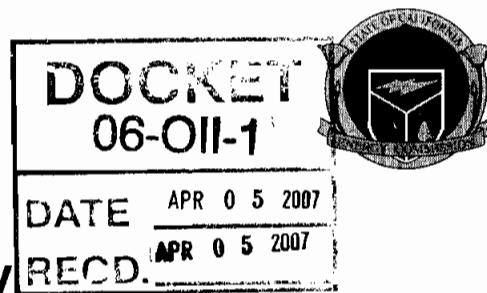


CALIFORNIA ENERGY COMMISSION1516 Ninth Street
Sacramento, California 95814Website: www.energy.ca.gov**Notice of Availability****Draft California Guidelines for Reducing Impacts to
Birds and Bats from Wind Energy Development
[Publication No. CEC-700-2007-008-SD / Docket No. 06-OII-1]**

California Energy Commission staff, working with the California Department of Fish and Game (CDFG), has developed a revised draft of the *California Guidelines for Reducing Impacts to Birds and Bats from Wind Energy Development (Guidelines)*. The revised draft *Guidelines* document is available from the Energy Commission's website at:

www.energy.ca.gov/renewables/06-OII-1/documents

A printed copy is available by contacting the Energy Commission. Please send your request to:

Nita McGlothlin
California Energy Commission
Re: *California Guidelines*
Environmental Office, MS-40
1516 Ninth Street
Sacramento, CA 95814-5504

Please call (916) 654-5081 or email [nmcgloth@energy.state.ca.us] with any questions regarding document availability.

Energy Commission and CDFG staff released the draft *Guidelines* on December 22, 2006. Since then we have received approximately 30 comment letters on the draft *Guidelines* from wind energy development companies, counties, conservation groups, and other non-governmental organizations, scientists, and private citizens. Additional comments on the draft *Guidelines* were received at workshops held on January 17 and 18, 2007 at the University of California at Riverside and on February 5, 2007, in Livermore. Attachment A summarizes the major changes between the version of the document released on December 22, 2006, and the version now being released.

The Renewables Committee will hold a public workshop on the revised draft on April 16, 2007 and will accept written comments until April 23, 2007. Additional details on the April 16 workshop will be distributed no later than April 6, 2007. The Committee anticipates release of the Committee draft *Guidelines* in late June with a Committee hearing to follow in July. The Energy Commission expects to consider the final *Guidelines* for adoption at its Business Meeting in August. Workshop and hearing notices with additional details will be distributed at least 10 days prior to the public

events. Interested parties can find summaries of past workshops and other information at [www.energy.ca.gov/renewables/06-OII-1/].

The Energy Commission's Public Adviser's Office is available to assist the public in participating in the review process. For general information on how to participate, please contact the Public Adviser's Office at (916) 654-4489 or (800) 822-6228. News media should direct inquiries to Claudia Chandler, Assistant Executive Director, at (916) 654-4989, or by e-mail at [mediaoffice@energy.state.ca.us]. For questions on technical subject matter, please contact Rick York, Senior Biologist, at [ryork@energy.state.ca.us].

Notice Date: April 5, 2007

Mail Lists: Wind Energy and Avian Mortality Impact Monitoring e-mail list server

Attachment

Attachment A

Draft *California Guidelines for Reducing Impacts to Birds and Bats from Wind Energy Development (Guidelines)*

[Publication No. CEC-700-2007-008-SD / Docket No. 06-OII-1]

Summary of Major Changes to the Draft *Guidelines*

Energy Commission and CDFG staff are grateful to those organizations and individuals who took the time to write thoughtful, constructive comment letters and to attend workshops and offer suggestions for improvements to the draft *Guidelines*. Based on comments received and discussions with the science advisory committee, legal advisors, and others, the draft *Guidelines* has been reorganized and revised as follows:

- “California” replaces “Statewide” in the title, which is now *California Guidelines for Reducing Impacts to Birds and Bats from Wind Energy Development*.
- To facilitate reviewers in drafting comments, the draft document now has line numbers, which will not appear in the final document.
- The “Step-by-Step Approach to Implementing the Guidelines,” (formerly Chapter 8) was moved to the front of the document and revised to provide better linkage with subsequent chapters. The remainder of the document consists of five chapters that offer expanded details on the background and rationale for the recommended methods described in the step-by-step implementation guide.
- The “Preface” was eliminated and an “Introduction” added. The new “Introduction” expands on information previously in the “Executive Summary” and the “Preface.” The “Introduction” also includes a brief discussion of research and revisions, which was formerly “Appendix G.”
- An “Acknowledgements” section has been added to include the names and affiliations of the many individuals who wrote comment letters, participated in workshops, or otherwise contributed to the *Guidelines*. The authors apologize for any omissions or other errors and ask for your assistance in making corrections.
- In Chapter 1, “Preliminary Site Screening,” Table 1 was modified from a table to a list of questions for the applicant to consider early in site evaluation, with recommended follow up for all affirmative answers to the questions.
- Chapter 2, the section regarding formation of a Science Advisory Committee, was eliminated. Replacing it is a brief discussion in Chapter 3 and a proposal by the Energy Commission, in consultation with CDFG, to establish a statewide

Science Advisory Committee to serve as a resource for lead agencies seeking scientific expertise. Recommendations to consult with the Science Advisory Committee were eliminated, but the recommendations to consult frequently with CDFG, USFWS, and other scientists, as well as appropriate stakeholders such as conservation groups, were retained.

- The new Chapter 2 is now titled “CEQA, Wildlife Protection Laws, and the Permitting Process”. It incorporates elements of the old Chapter 6, “Permitting” which is no longer a separate chapter, and most of the old Chapter 4 (formerly “Impact Analysis and Conformance with Laws”). The revised chapter also provides more detail on CDFG’s role in the permitting process, including working with project proponents in development of regional conservation plans, Natural Community Conservation Plans, and site-specific mitigation agreements.
- Chapter 3 is still “Pre-Permitting Assessment” but has been extensively revised and now emphasizes bird use counts as the primary tool for assessing diurnal bird use and recommends raptor nest searches as a component of most wind energy projects. The revised chapter clarifies the context for some of the other suggested survey techniques by providing a summary table and examples.
- The new Chapter 4, “Assessing Impacts and Selecting Measures for Mitigation” retains much of the old Chapter 4 discussion of CEQA impacts (direct, indirect, and cumulative) and now incorporates the avoidance, minimization, and compensation measures that used to be in Chapter 5 (formerly “Impact Avoidance, Minimization, and Mitigation”).
- Chapter 5, “Operations Monitoring” is similar in content to the old Chapter 7 but includes revisions to reflect comments received and some new information on submitting monitoring reports and on the disposition of tissue samples.
- Appendix H, “Estimating Impacts to Raptors Using Bird Use Count and Fatality Data from Existing Projects”, has been added to provide data from studies at existing wind resources areas. This information gives the reader a context for understanding what the *Guidelines* means when referring to high or low levels of bird use or fatalities in steps 3 and 5 of the step-by-step implementation guide and in Chapters 3 and 5.

In reviewing this revised draft, the reader will find that the authors accepted many but not all of the suggestions on revising the *Guidelines*. In some cases, the authors agreed in principal with the suggestion, but determined that it was beyond the scope of the *Guidelines* to accommodate the suggestion. A companion document will accompany release of the next version of the *Guidelines* to discuss why certain suggested changes to this most recent draft were not made.