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| <b>DOCKET</b><br><b>06-OII-1</b> |                    |
| <b>DATE</b>                      | <b>AUG 15 2007</b> |
| <b>RECD.</b>                     | <b>AUG 22 2007</b> |

August 15, 2007

California Energy Commission  
Dockets Office, MS-4  
Re: Docket No. 06-OII-1  
1516 Ninth Street  
Sacramento, CA 95814-5512

**Subject: Docket No. 06-OII-1: Developing Statewide Guidelines for Reducing Impacts to Birds and Bats from Wind Energy Development—Comments on Draft Guidelines.**

Dear Commission and Staff:

PPM energy has been an active participant in the discussions that are shaping the development of wind power avian and bat guidelines, and we compliment the Commission and staff on the work accomplished to date. We believe that resolving the few remaining issues and adopting the guidelines as planned by the 27<sup>th</sup> of September will be a significant step in helping California meet its renewable energy targets.

From PPM Energy's perspective, one of the last remaining issues to resolve is the requirement for pre-construction bat surveys. The current draft of the guidelines state (p10, lines 415-417) that "the standardized recommended method is one year of acoustic monitoring with specialized acoustic systems to determine the presence and activity levels of resident and migratory bats." The guidelines go on to specify (p. 12, lines 482 to 502) that such acoustic monitoring should be conducted for an entire year (except in areas of cold winters), should use a density of monitors of one station per one to one-and-a-half square miles, and should involve placing anabat meters near ground level and at 30 meters, on existing meteorological towers and portable towers as necessary. According to the current guidelines draft, monitoring should be conducted all night and at dawn and dusk.

As I indicated in my verbal testimony at the CEC hearing on this topic on August 13, PPM is familiar with the range of types of pre-construction evaluation that can be conducted for bats at wind project sites, and we have contributed significant resources to better understanding the factors that contribute to bat mortality at wind projects. PPM Energy is one of the founders and original funders of the Bat Wind Energy Cooperative (BWEC), and continues to be supportive of the work that Bat Conservation International (BCI) is conducting through BWEC. We have made our proposed project sites at Casselman and South Chestnut in Pennsylvania, Hoosac in Massachusetts, and Dillon in southern California available for BCI to test bat pre-construction risk assessment methodologies (using anabat detectors elevated to close to hub height), and we are contributing funding to those studies. We are also contributing to funding for BCI to test a new bat deterrent device at our Maple Ridge project in New York this summer.



The anabat methodology we are testing at sites in the Northeast and at Dillon in the San Geronio Pass area is designed as research to evaluate whether that methodology will be a better predictor of bat risk than pre-construction bat risk assessment techniques that are currently being use. Funding for this research comes from multiple sources, including PPM Energy, BCI, other NGOs, and in the case of the Dillon project research, the California PIER program.

PPM Energy continues to believe that until study results demonstrate the effectiveness of the anabat methodology proposed by the CEC guidelines (and being tested at several of our sites), it should not be required to be implemented at all wind projects. PPM Energy would support (and would make our sites available for this) additional testing of the methodology, and incorporation of the methodology into the guidelines if and when it proves to be an effective risk prediction tool.

Although I believe that the anabat methodology currently proposed in the guidelines should be tested first through research, we recognize the CEQA requirement to provide appropriate information to evaluate impacts on bats. In that light, I suggest a modification to the methodology proposed in the current draft of the guidelines to reduce its cost and time requirements while providing potentially useful information for project pre-construction bat risk assessment:

Specifically, I suggest replacing the language on pages 55-56, lines 1964 through 1993, with the following text:

*Seasonal pre-permitting surveys for bats with acoustic monitors may be recommended and survey scopes should be developed in consultation with bat experts, CDFG, and USFWS. Surveys should at least cover the period that has been shown to have higher bat risk at projects surveyed in California as well as in other parts of the country—that is, July through October. While July through October should be the focus of such studies, where it is feasible, monitoring should occur for an entire year. Where certain habitat features conducive to general bat activity or resident bat activity are found in a project's vicinity, year-round acoustic monitoring may be explicitly recommended.*

*Because developers usually install several meteorological towers at each proposed project site in order to characterize wind at various parts of a project site, installing anabat detectors on meteorological towers can also provide a range of locations that can characterize bat use of the site. Therefore it is recommended that developers install anabat detectors near ground level and close to 30 meters when they install or service meteorological towers.*

*While more extensive pre- and post-construction monitoring studies can help to assess species composition, species abundance, local population variability and temporal and spatial patterns of bat activity at facilities that encompass diverse*



*landscapes, these studies would more appropriately be considered research (Kunz et al, 2007).*

*Pre-construction acoustic monitoring for bats may not be recommended at repower sites or sites near existing projects where defensible fatality data show the risk of bat impacts at the proposed project or repower are less than significant. Project proponents and lead agencies, in making this determination, should consult with CDFG and USFWS, should take care to ensure that sites are comparable, and should consider implications of different turbine types being assessed and compared.*

*Because data gathered by anabat detectors (even when elevated to 30 meters) has not yet been correlated with post-construction bat mortality, it is unclear how useful this technique will be for pre-project bat risk assessment. Developers are urged to participate in research to develop better bat risk assessment methodologies funded by PIER and other organizations, by making their project sites available, by sharing funding, and by releasing study results.*

I hope these comments provide some useful ideas to resolve the bat risk assessment discussions that occupied so much of the Commissioners' time during the most recent hearing in Sacramento, and I look forward to seeing the guidelines revised and implemented.

Sincerely

PPM Energy, Inc.

Andy Linehan  
Wind Permitting Director