CALIFORNIA ENERGY COMMISSION
OFFICE OF THE COMMISSIONERS
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DOCKET
06-OII-1
DATE AUG 18 2006
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August 18, 2006

Ms. Julia A. Levin
Audubon California
4225 Hollis Street
Emeryville, CA 94705

RE: PROCESS FOR DEVELOPING VOLUNTARY STATEWIDE AVIAN GUIDELINES (Docket 06-OII-1)

Dear Ms. Levin:

Thank you for writing to the Energy Commission's Renewables Committee with your suggestions about the process for developing voluntary statewide guidelines for reducing wildlife impacts related to wind energy projects. Our goal is to conduct this proceeding with the California Department of Fish and Game in a transparent and collaborative manner while engaging interested stakeholders in the development of the guidelines. We have modified the process based on the suggestions in the joint stakeholder letter dated August 2, 2006, and the conference call with you, Paul Vercruyssen (CEERT), and V. John White (CEERT) on August 4, 2006.

In response to stakeholder comments, the Renewables Committee has provided additional time and increased the number of public events, which include staff workshops, Renewables Committee workshops and hearings prior to adoption at a Energy Commission business meeting. The revised process extends the adoption of the guidelines to February 2007 and contemplates a Committee hearing and three staff workshops before the release of the draft guidelines, and two Committee workshops/hearings and one staff workshop after the release of the draft guidelines. As discussed during the conference call, staff will group discussion topics appropriately for future workshops to ensure that those proposed in your letter are covered prior to the release of draft guidelines. In addition, staff are now seeking stakeholder input on discussion topics prior to each workshop.

Regarding the process for public involvement in drafting the guidelines, we believe that releasing guidelines as a whole draft rather than piecemeal will be more efficient and facilitate stakeholder reviewers, and result in more substantive comments reflecting the full context of the document. Accordingly, we have allotted additional time and scheduled three workshops/hearings following the release of draft guidelines. The early public events provide a forum for stakeholders to participate in discussions on key topics. Subsequent workshops provide meaningful opportunities to address the content of the draft guidelines.

As recommended, we have tried to better integrate Science Advisory Committee (SAC) members into the public process. At the upcoming August workshop, we plan to have at least two of the SAC members participate and make presentations on specific topics. At this time, confirmation of an additional SAC member presentation at the September workshop is pending. Additional SAC members will participate in subsequent workshops based on their expertise and the workshop topics suggested by stakeholders.

We agree that an inclusive process is important to ensure the success of the guidelines. To encourage full participation by counties and other key stakeholders, we will hold public events in different regions of the state that are important wind energy areas: Tehachapi (Kern County), Livermore/Tracy/Walnut Creek (Altamont/Solano County/Bay Area), and Palm Springs/Palm Desert (San Gorgonio area, Riverside County). Staff have conducted several outreach efforts to counties and agencies by mail, phone and email. We welcome any support your organizations can lend in securing the participation of counties and wildlife agencies.

The Energy Commission shares your commitment to developing successful guidelines to help minimize wildlife impacts while encouraging wind energy development. We acknowledge your concerns and have revised our process in response to the issues raised. If you have any questions, Rick York, Biological Resources Unit Supervisor, would be happy to talk with you further. He can be reached at (916) 654-3945 or ryork@energy.state.ca.us. Once again, we appreciate your continued input.

Sincerely,

JOHN L. GEESMAN
Commissioner and Presiding Member
Renewables Committee

JACKALYNE PFANNENSTIEL
Chairman and Associate Member
Renewables Committee

CC: Kim Delfino, Defenders of Wildlife; V. John White, CEERT; Jim Walker, EnXco, Inc.; Kenneth Stein, FPL Energy; Brenda LeMay, Horizon Wind Energy; Garry George, Los Angeles Audubon Society; Andy Linehan, PPM Energy; Brison Ellinghaus, AES SeaWest, Inc.; Carl Zichella, Sierra Club