

**SUBMITTAL TO THE BOARD OF SUPERVISORS  
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**



**FROM:** Supervisor Marion Ashley  
and Supervisor Roy Wilson

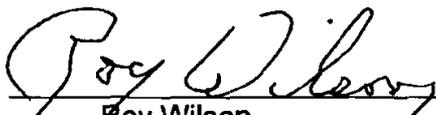
**SUBMITTAL DATE:** September 18, 2007

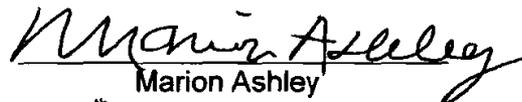
**SUBJECT:** Resolution of the Board of Supervisors in Opposition of the Proposed Statewide Guidelines Regulating Wind Energy.

**RECOMMENDED MOTION:** That the Board of Supervisors Direct the Riverside County Executive Officer to forward this resolution to the California Energy Commission, and to request an exemption from the Guidelines for Reducing Wildlife Impacts from Wind Energy Development .

**BACKGROUND:** The County of Riverside is on record with the California Energy Commission that it is in opposition of any requirements that would erode local land use authority as it relates to General Plan, zoning and wind energy policy area designations. Local control is an important step in maintaining a transparent public review process.

The County has been in the forefront in adopting workable environmental mitigation plans and wants to ensure that appropriate mitigation measures are developed based upon sound science and local environmental conditions in accordance with all applicable local, state and federal rules, regulations and policies.

  
Roy Wilson  
4<sup>th</sup> District Supervisor

  
Marion Ashley  
5<sup>th</sup> District Supervisor

Attachments: Resolution

<b>DOCKET</b> 06-011-1
DATE SEP 18 2007
RECD. OCT 05 2007

**MINUTES OF THE BOARD OF SUPERVISORS**

On motion of Supervisor Ashley, seconded by Supervisor Wilson and duly carried by unanimous vote, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone, Wilson and Ashley  
Nays: None  
Absent: None  
Date: September 18, 2007  
xc: Supvs. Ashley, Wilson, E.O., CEC, Commissioners

Nancy Romero  
Clerk of the Board

By:   
Deputy

Prev.Agn.ref

Dist. 4 and 5

AGENDA NO.

**3.77**

**RESOLUTION NO. 2007-440**

**RESOLUTION OF THE BOARD OF SUPERVISORS IN OPPOSITION OF THE PROPOSED  
STATEWIDE GUIDELINES REGULATING WIND ENERGY**

WHEREAS, the California Energy Commission (CEC) proposes to adopt statewide California Guidelines for Reducing Impacts to birds and Bats from Wind Energy Development (Guidelines) in order to assist local jurisdictions in evaluating the interaction of wind turbines generators (WTGs) and various bird and bat species; and

WHEREAS, the National Renewable Energy Laboratory (NREL) and the CEC jointly sponsored a comprehensive study of birds and bats and WTG interactions (Anderson Study) in the Riverside County, San Gorgonio Pass Wind Resource Area (WRA); and

WHEREAS, the Anderson Study found low to very low bird use and mortality rate; and

WHEREAS, the bird use mortality rate in Riverside County is at least twenty (20) times less than in Northern California, and;

WHEREAS, there is limited evidence of any bat mortality caused by WTGs in the San Gorgonio Pass, and;

WHEREAS, the guidelines recommend expensive and time consuming bird and bat studies prior to the development of any wind energy projects, even in areas of the state where such interactions is biologically insignificant; and

WHEREAS, the primary justification for the Guidelines is a study in the Altamont Pass (Smallwood-Thelander Study), the accuracy of which is widely questioned especially by the CEC's independent review which states the Guidelines "...should not be considered for the basis for developing site requirements for future wind projects"; and

WHEREAS, the Smallwood-Thelander Study of Bird/WTG interactions in the Altamont

1 Pass which is the basis of the guidelines is being cited by the U.S. Fish and wildlife Service as  
2 authoritative (Attachment hereto); and  
3

4 WHEREAS, unnecessary delay in the development of wind energy projects jeopardizes the  
5 ability of load-serving utilities, public and private, to meet the California mandates with respect  
6 to portfolio standards and greenhouse gas emissions.

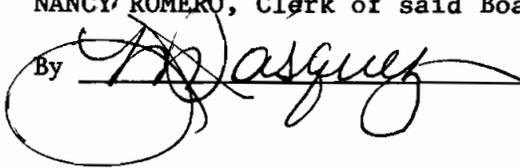
7 NOW, THEREFORE, BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED  
8 by the Board of Supervisors of the County in regular session on September 18, 2004 as  
9 follows: The County of Riverside requests that it be exempted from the guidelines, since as  
10 presently drafted there is no basis for their application to Riverside County, and that a clear  
11 statement of such exemption appears in all future drafts and copies thereof.  
12

13 AND FURTHER RESOLVE that the County Executive Officer is directed to further the  
14 Board's action and immediately cause a certified copy of this resolution to be  
15 delivered to the Chairman, each of the Commissioners and the Executive Director of the  
16 California Energy Commission.

17 ROLL CALL:

18 Ayes: Buster, Tavaglione, Stone, Wilson and Ashley  
19 Nays: None  
20 Absent: None

21 The foregoing is certified to be a true copy of a  
22 resolution duly adopted by said Board of Supervisors  
23 on the date therein set forth.  
24 NANCY ROMERO, Clerk of said Board

25 By  \_\_\_\_\_

26 Deputy