

Company sued over bird deaths

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OAKLAND - An Alameda County Superior Court judge has ruled that a lawsuit filed against wind power companies over the deaths of thousands of protected birds may proceed.

The suit filed Nov. 1 seeks a remedy for the killings of raptors in the wind turbines of Altamont Pass in alleged violation of state and federal wildlife protection laws.

The Center for Biological Diversity, which filed suit along with co-plaintiff Peter Galvin, claims an estimated 880 to 1,330 golden eagles, red-tailed hawks, burrowing owls and other birds of prey have been killed each year over the past two decades by the turbines and related electrical transmission lines. The suit seeks damages that would be used to purchase bird habitats.

Judge Ronald Sabraw ruled Thursday that while the plaintiffs were barred, due to the passage of Proposition 64 in November, from bringing the lawsuit on behalf of the general public, they may continue to press their claims because they, like all Californians, have a property interest in wildlife killed by the turbines.