

DOCKETED

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STATE OF CALIFORNIA

Energy Resources Conservation and Development Commission

In the Matter of:

APPLICATION FOR CERTIFICATION
OF THE PUENTE POWER PROJECT

DOCKET NO. 15-AFC-01

Petition to Intervene by the Center
for Biological Diversity

**PETITION TO INTERVENE BY
THE CENTER FOR BIOLOGICAL DIVERSITY**

November 3, 2016

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**PETITION TO INTERVENE BY
THE CENTER FOR BIOLOGICAL DIVERSITY**

Pursuant to Public Resources Code section 25214 and section 1211.7 of Title 20 of the California Code of Regulations, the Center for Biological Diversity (“Center”) petitions to intervene in this proceeding. This petition sets forth the grounds for intervention and the position and interests of the Center in the proceedings as required by the regulations. 20 C.C.R. § 1211.7 (a) (“The petition shall set forth the grounds for the intervention, the position and interest of the petitioner in the proceeding, the extent to which the petitioner desires to participate in the proceedings, and the name, mailing address, e-mail address, and telephone number of the petitioner.”)

The Center for Biological Diversity is a nonprofit organization whose mission is to protect imperiled species and their habitats through science, policy and environmental law. For nearly two decades, the Center has worked to conserve and recover rare, imperiled, and threatened and endangered species in California and the habitats on which they depend. The Center has participated as an intervenor in many other proceedings before the Commission regarding fossil fuel power plants as well as solar thermal power plants.

The Center has advocated for protections for the species and coastal resources that may be affected by the proposed Puente Power Project including, but not limited to, Least Bell’s vireo, California least tern, Western snowy plover, tidewater goby, and Ventura marsh milk-vetch, and environmentally sensitive habitat areas such as tidal wetlands. The Center has also actively worked to limit fossil fuel production and energy generation in California order to reduce impacts to our climate from greenhouse gas emissions and impacts to air and water quality in local communities. The Center submitted comments on the Preliminary Staff Assessment on September 12, 2016.

The interests of the board, staff, and members of the Center for Biological Diversity are directly affected by the project at issue in this matter. These immediate interests include, but are not limited to: 1) protection of coastal resources including environmentally sensitive habitat areas (“ESHA”) such as coastal and tidal wetlands; 2) the survival and recovery of the Least Bell’s vireo, California least tern, Western snowy plover, tidewater goby, and Ventura marsh milk-vetch; 3)

protection of designated critical habitats and other rare habitats and natural communities such as beach dunes and coastal sage scrub; 4) protection of local, regional, statewide, and global air quality to reduce impacts to human health, wildlife, and plants from degraded air quality; and 5) reduction in greenhouse gas emissions in quantities and on a time scale sufficient to avoid the worst effects of a changing climate. The Center's concerns are pertinent to many aspects of the Commission's review of the project including the project description, project alternatives, compliance and closure, biological resources, soil and water resources, greenhouse gas emissions, air quality, cultural resources, geological and paleontological resources, visual resources, land use, public health, socioeconomics and others. The Center's concerns are also related to facility design, efficiency, reliability and transmission to the extent that the Commission's consideration of those issues affects the range and nature of alternatives considered.

The Center for Biological Diversity wishes to participate fully in all phases of this proceeding and is committed to working with other parties to limit duplicative filings, testimony, cross-examination, and briefing.

The Center will be represented by Lisa Belenky and Kevin Bundy in this matter. Contact information is as follows:

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This petition to intervene is timely and in keeping with the schedule set for this matter in the Revised Committee Scheduling Order dated October 14, 2016. (TN# 214018 [maintaining Nov. 4, 2016 as the last day to intervene].)

For the foregoing reasons, the Center for Biological Diversity respectfully requests that the Commission grant its petition to intervene in this proceeding and allow the Center for Biological Diversity to participate as a party.

Dated: November 3, 2016

Respectfully submitted,

(Original signed by Kevin P. Bundy)

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