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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

Center for Biological Diversity's
April 3, 2017 Status Report

CENTER FOR BIOLOGICAL DIVERSITY'S APRIL 3, 2017 STATUS REPORT

April 3, 2017

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Intervenor Center for Biological Diversity (the “Center”) submits the following Status Report:

Status Report:

Over the past month the Center participated in the March 28, 2017 Staff workshop regarding sea level rise modeling and risks, joined other intervenors in filing a motion to modify the Committee order regarding additional evidence (on which the Committee has not yet ruled), and begun review of the Applicant’s proposed survey schedule and protocols.

Applicant filed a proposed schedule today for the remainder of the proceedings (TN #: 216776). The proposed schedule does not provide adequate time to accommodate the additional work required by the Committee’s March 10, 2017 Order, truncates the time for surveys, and does not provide time for the staff to provide supplemental staff assessment of the new survey data or of alternative projects at alternative sites before other parties submit additional testimony and evidence.

The Center agrees with the City of Oxnard that at a minimum, any proposed schedule should: provide sufficient time to resolve issues regarding the survey protocol and whether the proposed timing of the surveys it is adequate to identify sensitive species on the project site; provide an opportunity for the parties and the resource agencies to comment on the results of the biological surveys; and provide time after the completion of the surveys for staff to issue a supplemental staff assessment covering all of the issues identified in the March 10, 2017 Order. The parties and the public should then have the opportunity to review and comment the staff’s supplemental assessment, and staff should prepare a final supplemental assessment that represents its testimony. Any schedule for additional evidentiary hearings following the release of staff’s final supplemental assessment should ensure that the parties are given an adequate opportunity to present written opening and rebuttal testimony before the in person hearing.

In addition, the Center requests that the Committee rule on all requests in the pending motion.

Dated: April 3, 2017

Respectfully submitted,

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