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<b>DOCKET</b>	
<b>09-AFC-9</b>	
DATE	<u>FEB 18 2010</u>
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February 18, 2010

California Energy Commission  
Docket Unit  
1516 Ninth Street  
Sacramento, CA 95814-5512

Subject: **SOLAR MILLENNIUM'S ISSUES STATEMENT FOR FEBRUARY 24  
STATUS CONFERENCE  
DOCKET NO. (09-AFC-9)**

Enclosed for filing with the California Energy Commission is the original **SOLAR MILLENNIUM'S ISSUES STATEMENT FOR FEBRUARY 24 STATUS CONFERENCE**, for the Ridgecrest Solar Power Project (09-AFC-9).

Sincerely,

A handwritten signature in cursive script that reads "Marie Mills".

Marie Mills

Scott A. Galati  
Robert Gladden  
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STATE OF CALIFORNIA

Energy Resources  
Conservation and Development Commission

In the Matter of:

Application for Certification for the  
Ridgecrest Solar Power Project

**DOCKET NO. 09-AFC-9**

**SOLAR MILLENNIUM'S ISSUES  
STATEMENT FOR FEBRUARY 24  
STATUS CONFERENCE**

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In order to provide recommendations to the Committee concerning the processing of the Ridgecrest Solar Power Project (RSPP) Application For Certification (AFC), Solar Millennium has prepared this outline of issues as directed by the Committee Notice of Status Conference that might affect the schedule for processing the project. As the Committee has noted the purpose of the Status Conference should be to resolve issues that may prevent the RSPP from being processed expeditiously in order to reach a Decision that would allow ARRA funding to be obtained. With that goal in mind, the following is a list of issues that Solar Millennium believes would be important to discuss at the Status Conference.

- I. Biology Mitigation
  - a. Staff has suggested that the applicant must propose mitigation. After several meeting with the agencies, we have failed to receive a consensus. Therefore we are preparing a mitigation plan for the Commission to consider. The mitigation plan will be filed next week and will contain the following elements. We urge the Committee to encourage Staff to prepare the SA/DEIS with its own mitigation proposal. The issue can then be resolved in workshops after the SA/DEIS.
    - i. Desert Tortoise - We propose mitigation ratios ranging from 3:1 to 1:1 depending on the habitat value. In addition, we have prepared a series of plans including the translocation/relocation plan and worker training programs that will further reduce impacts to Desert Tortoise.
    - ii. Mohave Ground Squirrel - The redesigned project allows connectivity for the species. In addition, we propose mitigation

ratios of 5:1 where required by the West Mojave Plan and other mitigation ratios appropriate for the habitat.

- b. We will mitigate through the in lieu fee program if established, through land acquisition, or a combination of the two, depending on the acceptability of the fee program, availability of land, etc. Given the timing of the expected in lieu fee program, the SA/DEIS may continue to be processed as this program is developed. We will continue to explore traditional land acquisition during this period.

II. Water Mitigation

- a. We have proposed a Water Offset Program that has a menu of options but commit to a condition that requires 215 AFY to be offset and demonstrated

IV. Drainage

- a. Redesign avoids potential for flooding

V. Schedule

Solar Millennium looks forward to a productive Status Conference on February 24, 2010 and remains open to suggestions regarding the schedule that allow the project to move expeditiously while not requiring it to give up its right to disagree with Staff.

Dated: February 18, 2010

/original signed/

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Scott A Galati  
Counsel to Solar Millennium



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
COMMISSION OF THE STATE OF CALIFORNIA**  
1516 NINTH STREET, SACRAMENTO, CA 95814  
1-800-822-6228 – [WWW.ENERGY.CA.GOV](http://WWW.ENERGY.CA.GOV)

**APPLICATION FOR CERTIFICATION  
For the *RIDGECREST SOLAR  
POWER PROJECT***

**Docket No. 09-AFC-9**

**PROOF OF SERVICE  
(Revised 2/4/2010)**

**APPLICANT**

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**DECLARATION OF SERVICE**

I, Ashley Y. Garner, declare that on February 18, 2010, I served and filed copies of the attached **SOLAR MILLENNIUM'S ISSUES STATEMENT FOR FEBRUARY 24 STATUS CONFERENCE** dated **February 18, 2010**. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at:  
[<http://www.energy.ca.gov/sitingcases/ridgecrest>]

*(Check all that Apply)*

**FOR SERVICE TO ALL OTHER PARTIES:**

☒ sent electronically to all email addresses on the Proof of Service list;

☒ by personal delivery or by depositing in the United States mail at  
with first-class postage thereon fully prepaid and addressed as provided on the  
Proof of Service list above to those addresses **NOT** marked "email preferred."

**AND**

**FOR FILING WITH THE ENERGY COMMISSION:**

☒ delivered an original paper copy and one electronic copy to the address below

**OR**

☐ depositing in the mail an original and 12 paper copies, as follows:

**CALIFORNIA ENERGY COMMISSION**

Attn: Docket No. **09-AFC-9**

1516 Ninth Street, MS-4

Sacramento, CA 95814-5512

[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

I declare under penalty of perjury that the foregoing is true and correct.

  
\_\_\_\_\_  
Ashley Y. Garner