

June 9, 2010

Eric Solorio
Project Manager
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

DOCKET	
09-AFC-9	
DATE	<u>JUN 09 2010</u>
RECD.	<u>JUN 09 2010</u>

RE: Ridgecrest Solar Power Project (RSPP), Docket No. 09-AFC-9, Responses to Desert Tortoise Council Data Requests Set 1 #1-#7

Dear Mr. Solorio:

As requested, attached please find Ridgecrest Solar I, LLC's responses to Desert Tortoise Council Data Requests Set 1 #1-#7. This has been docketed in accordance with CEC requirements.

If you have any questions, please feel free to contact me at 510-809-4662 (office) or 949-433-4049 (cell).

Sincerely,



Billy Owens
Director, Project Development



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

APPLICATION FOR CERTIFICATION
For the *RIDGECREST SOLAR*
POWER PROJECT

Docket No. 09-AFC-9

PROOF OF SERVICE
(Revised 5/12/2010)

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DECLARATION OF SERVICE

I, Elizabeth Copley, declare that on June 9, 2010, I served and filed copies of the attached Ridgecrest Solar Power Project (Docket No. 09-AFC-9) Responses to Desert Tortoise Council Data Requests. 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:

[\[http://www.energy.ca.gov/sitingcases/solar_millennium_ridgecrest\]](http://www.energy.ca.gov/sitingcases/solar_millennium_ridgecrest).

The documents have been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(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;
- by delivering on this date, for mailing with the United States Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses **NOT** marked "email preferred."

AND

For filing with the Energy Commission:

- sending an original paper copy and one electronic copy, mailed and emailed respectively, to the address below (preferred method);

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

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



**RIDGECREST SOLAR POWER PROJECT (09-AFC-9)
DESERT TORTOISE COUNCIL NO. 1 DATA REQUESTS #1 - #7**

Technical Area: Biological Resources (Section 5.3)

Response Date: June 9, 2010

Following are responses to Set 1-Data Requests of Desert Tortoise Council, dated May 17, 2010.

DTC No. 1 DR-1

Data Request:

What guidelines or guidance has the California Energy Commission (CEC) and/or the California Department of Fish and Game (CDFG) provided regarding the possible relocation and/or translocation of desert tortoise from the proposed RSPP site? We recognize that the Fish and Wildlife Service (USFWS) "Translocation of Desert Tortoise from the Ridgecrest Solar Millennium Project: Plan Development Guidance" (April 15, 2010) is docketed with the CEC.

Response:

The CEC requested a draft Desert Tortoise Translocation Plan that incorporates the most recent guidance from the BLM, USFWS, and CDFG for the RSPP. Please refer to response DR-Bio-54 Ridgecrest Power Project (RSPP) Docket No. 09-AFC-9, Responses for Data Requests Set 1, dated December 22, 2009 and Set 2 dated January 19, 2010, for the complete request by CEC, and the response provided by Ridgecrest Solar I, LLC.

DTC No. 1 DR-2

Data Request:

What are the sites that Solar Millennium has identified for the possible relocation and/or translocation of desert tortoises? Please identify both the recipient and the control sites. If the relocation and/or translocation sites have yet to be identified, what sites (recipient and control) are under consideration?

Response:

RSPP is reviewing a number of parcels for potential mitigation. Once properties are under option they will be presented to the agencies for review and acceptance. Parcels and owners will not be disclosed during the review and negotiation phase.

DTC No. 1 DR-3

Data Request:

What relocation and/translocation sites (recipient and control) have been suggested by CEC staff, CDFG, and/or USFWS?

**RIDGECREST SOLAR POWER PROJECT (09-AFC-9)
DESERT TORTOISE COUNCIL NO. 1 DATA REQUESTS #1 - #7**

Technical Area: Biological Resources (Section 5.3)

Response Date: June 9, 2010

Response:

RSPP is reviewing a number of parcels and areas for potential mitigation. The agencies have made no specific recommendations on parcel selection.

DTC No. 1 DR-4

Data Request:

Are the sites (recipient and control) identified, under consideration, and/or suggested by the agencies occupied desert tortoise habitat?

Response:

RSPP is considering sites that have suitable habitat for DT.

DTC No. 1 DR-5

Data Request:

What are the densities of the desert tortoise populations at the sites (recipient and control) that have been identified, are under consideration, and/or have been suggested by the agencies?

Response:

The density of sites (parcels) is unknown since RSPP has not surveyed prospective sites. The agencies have not recommended a density level. Each site will be evaluated on a case by case basis according to the agencies.

DTC No. 1 DR-6

Data Request:

What requirements have been set by the CEC, CDFG, and/or USFWS to secure the relocation and/or translocation sites for conservation of the desert tortoises in perpetuity, and what are the plans of Solar Millennium to meet those requirements?

Response:

RSPP has been working with the resource agencies to define appropriate relocation/translocation areas for desert tortoise and the requirements associated with those site. RSPP will continue to coordinate this effort to ensure that the risks associated with relocation/translocation of desert tortoise are minimized.

**RIDGECREST SOLAR POWER PROJECT (09-AFC-9)
DESERT TORTOISE COUNCIL NO. 1 DATA REQUESTS #1 - #7**

Technical Area: Biological Resources (Section 5.3)

Response Date: June 9, 2010

DTC No. 1 DR-7

Data Request:

Please provide a copy of Alice Karl's field notes from her 25 February 2010 "habitat assessment" of the Project's original footprint and her field notes from any desert tortoise surveys and/or habitat assessments of possible relocation/translocation sites (recipient and control). The February assessment is referenced in Dr. Karl's "Analysis of Population and Species Impacts to the Desert Tortoise Due to the Siting of this Project on its Current Location" (docketed with the CEC on April 29, 2010).

Response:

The survey reports include all necessary information consistent with required protocol. RSPP does not believe it is appropriate to provide personal field notes.
