

DOCKET

09-AFC-9

DATE MAY 17 2010

RECD. MAY 17 2010

May 17, 2010

California Energy Commission
Attn: Docket No. 09-AFC-9
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512

Re: (Solar Millennium) Ridgecrest Solar Power Project (09-AFC-9)

Dear Docket Clerk:

Enclosed for filing with the California Energy Commission is the original "Desert Tortoise Council Data Requests 1 to 7 - Desert Tortoise Relocation/Translocation, (Solar Millennium) Ridgecrest Solar Power Project (09-AFC-9)."

Sincerely,



Sidney Silliman, Ph.D.
Chair, Ecosystems Advisory Committee
Desert Tortoise Council
1225 Adriana Way
Upland, CA 91784
(909) 946-5027

STATE OF CALIFORNIA

**Energy Resources Conservation
and Development Commission**

In the Matter of:

The Application for Certification of the
(Solar Millennium) Ridgecrest Solar Power Project

Docket Number 09-AFC-9

DESERT TORTOISE COUNCIL DATA REQUESTS 1 to 7 - DESERT TORTOISE
RELOCATION/TRANSLOCATION, (SOLAR MILLENNIUM), RIDGECREST SOLAR
POWER PROJECT (09-AFC-9)

May 17, 2010

Desert Tortoise Council
Sidney Silliman
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(909) 946-5027
gssilliman@csupomona.edu

May 17, 2010

Billy Owens
Director, Project Development
Solar Millennium
1625 Shattuck Avenue, Suite 270
Berkeley, CA 94709-1161

Desert Tortoise Council Data Requests 1 to 7 - Desert Tortoise Relocation/Translocation, (Solar Millennium) Ridgecrest Solar Power Project (09-AFC-9)

Dear Mr. Owens:

Pursuant to Title 20, California Code of Regulations, Section 1716, the Desert Tortoise Council requests that you provide the information listed below with respect the proposed Ridgecrest Solar Power Project (RSPP). The requested information is necessary to: (1) fully understand the project; (2) assess whether the project will be constructed and operated in compliance with all laws, ordinances, regulations and standards; (3) assess whether the project will result in significant environmental impacts; and (4) assess desert tortoise relocation and/or translocation plans. Potential impacts to the desert tortoise populations on the proposed site and at the relocation and/or translocation sites cannot be adequately evaluated without the data requested.

DR-1 -- 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.

DR-2 -- 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?

DR-3 -- What relocation and/translocation sites (recipient and control) have been suggested by CEC staff, CDFG, and/or USFWS?

DR-4 -- Are the sites (recipient and control) identified, under consideration, and/or suggested by the agencies occupied desert tortoise habitat?

DR-5 -- 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?

DR-6 -- 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?

DR-7 -- 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).

The Desert Tortoise Council reserves the right to submit additional data requests on topics that require further information. Pursuant to the Energy Commission's regulations, written responses to this request is due within 30 days.

If you have questions regarding this data request, please call me at (909) 946-5027 or email me at gssilliman@csupomona.edu. Thank you for your cooperation.

Sincerely,

A handwritten signature in black ink that reads "S. Sidney Silliman". The signature is written in a cursive style with a large initial "S".

Sidney Silliman, Ph.D.
Chair, Ecosystems Advisory Committee
Desert Tortoise Council



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)

APPLICANT

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