



*protecting and restoring natural ecosystems and imperiled species through
science, education, policy, and environmental law*

via email and USPS

November 12, 2010

Mr. Eric Solorio
Siting Project Manager
California Energy Commission
1516 Ninth Street, MS-15
Sacramento, California 95814

DOCKET
09-AFC-9

DATE	NOV 12 2010
RECD.	NOV 17 2010

Re: Comments and Questions on the Proposed Ridgecrest Solar Power Project Mohave Ground Squirrel Habitat Connectivity Study, Draft Study Plan, October 19, 2010.

Dear Mr. Solorio,

The Center for Biological Diversity appreciates the opportunity to review and comment on the project applicant's proposal to study the state listed threatened and potentially federally-listed Mohave Ground Squirrel (MGS) and its habitat connectivity in and around the proposed Ridgecrest Solar Power Project (RSPP). The Center agrees with California Energy Commission staff in the Memorandum dated November 4, 2010¹ that the proposed project site contains important biological resources that are deserving of protection. Based on the number and demography of the on-site federally and state threatened desert tortoise, the location of a portion of the proposed RSPP within the boundaries of the MGS conservation area as identified in BLM's West Mojave Plan², its potential impacts on state waters, and the disruption of functioning ecological systems, clearly this project should be moved to a different less ecologically damaging site. The proposed \$1.5 million dollar cost of the proposed study, while undoubtedly providing new data on MGS populations, genetics, dispersal and connectivity, is a excessive and unnecessary use of resources based on the other significant impacts that would occur as a result of this proposed RSPP. The \$1.5 million cost of the proposed survey should instead be used to redesign the project on lands that are more suitable for industrial scale solar development, since that is the goal of the proposed project. Appropriate siting is the most crucial component of avoiding and minimizing environmental impacts while allowing quick implementation of renewable energy. A properly sited facility benefits from reduced permitting and mitigation requirements and allows for speedy project completion.

¹ http://www.energy.ca.gov/sitingcases/solar_millennium_ridgecrest/documents/2010-11-04_Staff_Status_Report_05_TN-58945.pdf

² <http://www.blm.gov/ca/st/en/fo/cdd/wemo.html>

With regards to the proposed MGS Draft Study Plan, we agree with the Desert Tortoise Council's comments including the analysis of the traps density and its proposed study plan's deviance from the Department of Fish and Game's Survey Guidelines for the MGS. In addition, we have concerns over the apparent study focus more on a north-south axis than east west. While we recognize that the proposed study area neatly "fills a hole" identified as an area that needs to be surveyed for MGS³, the way that the "Study Areas" are delineated brings to mind several questions. First, the proposed study design seems to truncate the east-west connectivity between the known MGS core area of Little Dixie Wash in the west and the north-eastern most range of MGS in Searles Valley. Secondly, no "study area" is proposed closer towards Ridgecrest, north of Highway 395 by the Ridgecrest Landfill site. While the Staff Assessment identified the Ridgecrest Landfill site as an alternative and dismissed it, we still think that surveys should be included to evaluate the use of this area by MGS. Thirdly, "Study Area 3" includes a lot of Spangler Hills Off-Road Vehicle Open area, and while connectivity may be occurring within this area, we believe that justification for the inclusion of the ORV open area needs to be much more clearly identified.

Recently two new publications have become available that point to the inappropriateness of the proposed RSPP site as a disturbance. The Nature Conservancy (TNC) has recently published its Mojave Ecoregional Assessment⁴. While admittedly broad-brush, the Assessment identifies the area in and around the project site as both "Ecologically Core - Land with low levels of anthropogenic disturbance which support conservation targets and whose protection is critical for the long-term conservation of the ecoregion's biological diversity" and "Ecologically Intact - Land with low levels of anthropogenic disturbance or which supports conservation targets and which requires a level of protection that will enable it to continue to support ecological processes and provide connectivity."

The Independent Science Advisors (ISA) (DRECP) have also finalized their recommendations to the Desert Renewable Conservation Plan⁵ and recommend a series of principles for siting and designing renewable energy developments that include:

- Maximizing the use of disturbed lands;
- Avoiding soil disturbance;
- Avoiding disrupting geological processes including hydrological flows not limited to sheetwash on alluvial fans and intermittent runoff through drainage channels;

In addition, for species, they recognize that translocation/transplantation is "*not* a successful conservation action and may do more harm than good to conserved populations by spreading diseases, stressing resident animals, increasing mortality, and decreasing reproduction and genetic diversity" (original emphasis) and "should be considered a last recourse for unavoidable impacts, should never be considered full mitigation for the impact, and in all cases must be treated as experiments subject to long-term monitoring and management". In light of these recommendations, the proposed RSPP development site is clearly inappropriate.

3 http://www.tws-west.org/transactions/2008/2008%20TWS%20Transactions_low%20res.pdf

4 http://conserveonline.org/workspaces/mojave/documents/mojave-desert-ecoregional-2010/@_@view.html

5 <http://www.energy.ca.gov/2010publications/DRECP-1000-2010-008/DRECP-1000-2010-008-F.PDF>

I look forward to further discussion of these issues and others at the upcoming workshop on November 18, 2010.

Best regards,

A handwritten signature in black ink, appearing to read "Heene Anderson".

Heene Anderson
Biologist/Public Lands Desert Director

cc: by email

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

Docket No. 09-AFC-9

**PROOF OF SERVICE
(Revised 11/10/2010)**

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DECLARATION OF SERVICE

I, Ileene Anderson, declare that on, November 12, 2010, I served and filed copies of the attached CBD Comments and Questions on the Proposed Ridgecrest Solar Power Project Mohave Ground Squirrel Habitat Connectivity Study, Draft Study Plan, October 19, 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/solar_millennium_ridgecrest].

The document has 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;

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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

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I declare under penalty of perjury that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.


