

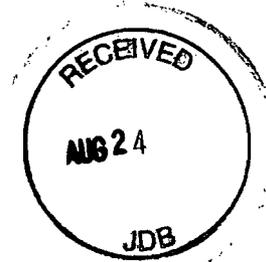
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KERNCREST AUDUBON SOCIETY
PO Box 984
RIDGECREST, CA 93555

August 20, 2011

Commissioner James D. Boyd
California Energy Commission
1516 Ninth Street, MS-34
Sacramento CA 95814

DOCKET 09-AFC-9	
DATE	AUG 20 2011
RECD.	AUG 25 2011



Dear Commissioner Boyd

Kerncrest Audubon Society appreciates this opportunity to comment on Solar Trust of America's motion for order affirming application of a jurisdictional waiver. We are opposed to the granting of their request. We are indeed opposed to any decision that would result in the continuing viability of this project in its current form.

The site is one that should be protected. Wildlife surveys at the site found desert tortoise, desert kit fox, American badger, and a breeding population of desert tortoise. In addition, members of our society have seen Mohave ground squirrel (as well as the more common antelope ground squirrel), burrowing owl and LeConte's thrasher. We believe the area, maybe the last in the Indian Wells Valley with such rich species diversity, would serve well as one to be preserved rather than destroyed by grading for solar panels of any kind.

In addition, the Indian Wells Valley is in a serious water overdraft situation. Although this issue is not directly related to our role as proponents of the local birds and other wildlife, we do also represent over 200 members who are concerned about our water future. We are aware the local water district had agreed to provide water to the project in return for the improvement to some of their distribution system. We consider that agreement to be shortsighted. The overdraft is likely to increase in the future due to increased pumping in the Rose Valley and the impending loss of recharge from the Little Lake basin to our north, and due to the introduction of additional agricultural pumping in the western part of the Indian Wells Valley. There are no known sources of water to serve this valley other than our underground aquifer.

Kerncrest Audubon Society is in favor of the production of alternative energy. There are numerous sites in the Indian Wells Valley we could support for this purpose. Most are on private land, and would have the additional advantage of improving the water table by purchasing agricultural water rights. It is even possible the reduced footprint rumored to exist for this project would be acceptable. However, all published wildlife surveys associated with this application do not distinguish between the areas north and south of Brown Road.

We believe the rejection of this application and requirement to begin the process anew is the only way to ensure data is made available to allow the public to assess the project's impacts and potential benefits. As things now seem to be progressing, the project is undergoing a complete redefinition without public review. In fact, until very recently, the project's main page at the Commission's web site indicated the application had been withdrawn, so the general public has not even been aware of the project's continued existence. We believe the Commission should reject all further requests for consideration regarding the application, and ultimately the application itself.

Brenda Burnett
Brenda Burnett
President

Terri Middlemiss
Terri Middlemiss
Intervenor, Conservation Chair