

KERNCREST AUDUBON SOCIETY
PO Box 984
RIDGECREST, CA 93555

August 20, 2011

Commissioners Boyd, Douglas, Peterman, Weisenmiller
California Energy Commission
1516 Ninth Street, MS-___
Sacramento CA 95814

DOCKET

09-AFC-9

DATE AUG 20 2011

RECD. AUG 23 2011

Dear Commissioner _____,

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
President

STATE OF CALIFORNIA
State Energy Resources
Conservation and Development Commission

In the Matter of:)
)
RIDGECREST SOLAR POWER PROJECT)
_____)
Docket No. 09-AFC-9
DECLARATION OF SERVICE

I, Terri Middlemiss declare that on August 23, 2011, I served and filed copies of the attached **letter**, accompanied by a copy of the most recent *Proof of Service* list (most recent version is located on the proceeding's web page) with the Docket Unit OR with the presiding committee member of the proceeding. The document has been sent to the Commission AND the applicant, as well as the other parties in this proceeding (as shown on the *Proof of Service* list), in the following manner:

(Check all that Apply)

FOR SERVICE TO THE APPLICANT AND 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 Ridgecrest, California 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:

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-09
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512

-or-

CALIFORNIA ENERGY COMMISSION
Presiding Member _____
1516 Ninth Street
Sacramento, CA 95814-5512
Re: Docket No. [____-AFC-____]

docket@energy.state.ca.us

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

Terri Middlemiss

8/23/2011

Name

Date