

## DOCKETED

<b>Docket Number:</b>	09-AFC-07C
<b>Project Title:</b>	Palen Solar Power Project - Compliance
<b>TN #:</b>	202438
<b>Document Title:</b>	Basin and Range Watch Support of Sierra Club Petition to Intervene
<b>Description:</b>	N/A
<b>Filer:</b>	Kevin Emmerich
<b>Organization:</b>	Basin and Range Watch
<b>Submitter Role:</b>	Intervenor
<b>Submission Date:</b>	6/9/2014 10:59:03 AM
<b>Docketed Date:</b>	6/9/2014

**STATE OF CALIFORNIA**  
**Energy Resources Conservation**  
**and Development Commission**

In the Matter of:

APPLICATION FOR CERTIFICATION )      DOCKET NO. 09-AFC-7C  
FOR THE PALEN SOLAR ELECTRIC )  
GENERATING SYSTEM )  
\_\_\_\_\_ )

**BASIN AND RANGE WATCH SUPPORT FOR THE SIERRA CLUB PETITION TO INTERVENE**

June 9th, 2014

Laura Cunningham  
Kevin Emmerich  
Basin and Range Watch  
PO Box70,  
Beatty, NV, 89003  
Phone: 775-553-2806  
[atomictoadranch@netzero.net](mailto:atomictoadranch@netzero.net)  
[bluerockiguana@hughes.net](mailto:bluerockiguana@hughes.net)

Basin and Range Watch would like to encourage the California Energy Commission to accept the Sierra Club's Petition to Intervene for the Palen Solar Power Project.

On December 15<sup>th</sup>, 2013, the commissioners rejected the Petition for Amendment due to the unmitigable impacts that would be caused by the project. The Presiding Member's Proposed Decision (PMPD) acknowledged that there would be no way to prevent avian mortality through solar flux and collision. The PMPD also admitted that the project would have direct and cumulative negative impacts to the cultural resources of the region.

Since the PMPD was issued, there has been some new information about solar flux and visual resource impacts, however, all of this information confirms that the impacts are even greater than expected.

Among the new information is the April 7<sup>th</sup>, 2014, US Fish and Wildlife Service released the report *Avian Mortality at Solar Energy Facilities in Southern California: A Preliminary Analysis*, Rebecca A. Kagan, Tabitha C. Viner, Pepper W. Trail, and Edgard O. Espinoza National Fish and Wildlife Forensics Laboratory

The report conceded: *Our findings demonstrate that a broad ecological variety of birds are vulnerable to morbidity and mortality at solar facilities, though some differential mortality trends were evident, such as waterbirds at Desert Sunlight, where open water sources were present; and insectivores at Ivanpah, where insects are attracted to the solar tower."*

There are also some interesting numbers from the April, 2014 compliance report for the Ivanpah Solar Electric Generating System. They concluded that 97 dead birds were found at the project for the month. These were from both focused and incidental surveys. Because the surveys only cover 20 percent, it is quite possible that five times as many birds were killed for that month alone. Biologists have also discovered active kit fox dens and raven nests inside the project site which could indicate that predators are removing some of the carcasses before the surveys are conducted. [http://docketpublic.energy.ca.gov/PublicDocuments/07-AFC-05C/TN202368\\_20140522T141156\\_ISEGS\\_Monthly\\_Compliance\\_Report\\_43\\_April\\_2014.pdf](http://docketpublic.energy.ca.gov/PublicDocuments/07-AFC-05C/TN202368_20140522T141156_ISEGS_Monthly_Compliance_Report_43_April_2014.pdf)

In March, 2014, there have been complaints about the "blinding" glare of the Ivanpah Project from the Las Vegas International Airport.

The Sierra Club has over one million members and they represent a large chunk of the conservation interests of public land users. The Palen Project utilizes public resources and its review over the years has utilized public funds. Due to the new information regarding avian mortality on the Ivanpah Project and the safety issues associated with glint and glare region wide, we believe the commissioners should accept the Sierra Club's Petition to Intervene.

Submitted June 9<sup>th</sup>, 2014

Laura Cunningham  
Kevin Emmerich  
Basin and Range Watch  
PO Box 70,  
Beatty, NV, 89003  
Phone: 775-553-2806  
[atomictoadranch@netzero.net](mailto:atomictoadranch@netzero.net)  
[bluerockiguana@hughes.net](mailto:bluerockiguana@hughes.net)

*Samuel A.*

*Kevin Smith*