

**Exhibit 563**

**Rebuttal Testimony of Heene Anderson**

California Energy Commission <b>DOCKETED</b> <b>11-AFC-2</b>
TN # 69559 FEB 15 2013

**STATE OF CALIFORNIA**

**Energy Resources Conservation and Development Commission**

In the Matter of:

APPLICATION FOR CERTIFICATION  
FOR THE HIDDEN HILLS SOLAR  
ELECTRIC GENERATING SYSTEM

DOCKET NO. 11-AFC-02

**INTERVENOR CENTER FOR BIOLOGICAL DIVERSITY**

**Rebuttal Testimony of Ileene Anderson**

**Re: Impacts to Wildlife, Specifically Avian Species, from the Proposed Hidden Hills  
Solar Electric Generating System**

**Docket 11-AFC-02**

Based on the CEC workshops that I have attended including the February 11, 2013 workshop, I remain convinced that as proposed the project could have significant impacts on avian species. The data sets and photographs presented at the February 11, 2013 workshop corroborate the findings of peer-reviewed literature<sup>1</sup> that documents that solar flux negatively affects birds when they fly through areas between the mirrors and the tower receiver causing singeing and mortality. Unfortunately, the data presented by the project proponent did not address the size class of birds that have been documented to be the primary casualties of solar flux impacts – hummingbird (8-10 g), Vaux’s swift (12.6 g), white-throated swift (33 g), and cliff swallow. Hummingbirds have had the greatest mortality, followed by swallows, swifts and warblers. All of these species are less than half of the weight (8-15 g.) of the smallest birds (Japanese quail) used in the project proponent’s study which averaged approximately 41 g. Therefore, in my opinion the data discussed at the workshop and presented by the applicant do not inform the impacts on the size class of birds that are most affected by the impact.

Additionally the project design relied on to collect the data did not address cumulative impacts by evaluating multiple exposures to different flux, which is key in being able to evaluate the longer term effects of the flux exposure for avian species.

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<sup>1</sup> Exhibit 515

As discussed at the workshop on February 11, 2013, mortality of some of the aerial foragers discussed in the McCrary paper occurred in a two week period where large numbers (>500 per day) were present. Because the Solar 1 site of 32 ha is significantly smaller than the proposed project's 1,326 ha site, a migratory "pulse" of aerial foragers, such as was documented in the two-week period at the Solar 1 site, at a larger site such as the proposed HHSEGS site could result in much larger mortality.

While flux impacts are documented to impact and cause mortality to avian species, as I noted in my opening testimony the largest cause of mortality to avian species from the solar power tower technology is from birds flying into mirrors (heliostats). However, this major source of mortality was not discussed at the workshop and there has been no discussion of efforts to avoid or minimize the impacts from this noted mortality source.

**Declaration of Ileene E. Anderson**

**Re: Rebuttal Testimony on Impacts to Wildlife and Habitat from the Proposed  
Hidden Hills Solar Electric Generating System**

DOCKET NUMBER 11-AFC-02

I, Ileene Anderson, declare as follows:

- 1) I am currently a biologist for the Center for Biological Diversity. I have worked with the organization for seven years.
- 2) My relevant professional qualifications and experience are set forth in my resume that was submitted as part of my original testimony and are incorporated herein by reference.
- 3) I prepared the rebuttal testimony attached hereto and incorporated herein by reference, relating to the impacts of the proposed project on wildlife.
- 4) I prepared the rebuttal testimony attached hereto and incorporated herein by reference relating to the proposed Hidden Hills Solar Electric Generating System in the Pahrump Valley in Inyo County.
- 5) It is my professional opinion that the attached rebuttal testimony is true and accurate with respect to the issues that is addressed.
- 6) I am personally familiar with the facts and conclusions described within the attached rebuttal testimony and if called as a witness, I could testify competently thereto.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: February 15, 2013

Signed:  \_\_\_\_\_

At: Las Vegas, Nevada



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
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**APPLICATION FOR CERTIFICATION FOR THE  
HIDDEN HILLS SOLAR ELECTRIC  
GENERATING SYSTEM**

**Docket No. 11-AFC-02**

**PROOF OF SERVICE  
(Revised 2/14/13)**

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DECLARATION OF SERVICE

I, Ileene Anderson, declare that on February 15, 2013, I served and filed copies of the attached rebuttal testimony, dated February 15, 2013. This document is accompanied by the most recent Proof of Service, which I copied from the web page for this project at: <http://www.energy.ca.gov/sitingcases/hiddenhills/>.

The document has been sent to the other persons on the Service List above in the following manner:

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       Instead of e-mailing the document, I personally delivered it or deposited it in the US mail with first class postage to all of the persons on the Service List for whom a mailing address is given.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct, and that I am over the age of 18 years.

Dated: February 15, 2013

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