

## DOCKETED

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*Comment Received From: Shannon Eddy, Large-scale Solar Association*  
*Submitted On: 7/28/2014*  
*Docket Number: 09-AFC-07C*

**Avian Mortality Thresholds for Solar Thermal Projects**

*Additional submitted attachment is included below.*



July 28, 2014

California Energy Commission  
Docket Unit  
Docket Number: 09-AFC-7C  
1516 9<sup>th</sup> Street  
Sacramento, CA 95814

*Via e-Comment*

**Re: Avian Mortality Thresholds for Solar Thermal Projects**

Dear Commissioners Douglas and Hochschild:

As Executive Director of the Large-scale Solar Association (LSA), I am deeply involved in and aware of the myriad of challenges that California's solar development industry faces in order to deliver on the goals of the State's 33% Renewable Portfolio Standard, produce meaningful job creation and achieve significant reductions in greenhouse gas. Despite the major role that solar is playing in the transformation and de-carbonization of California's power system, the utility-scale industry is just emerging from its infancy in terms of permitting, constructing and operating solar power plants. Because of this nascent stage of maturity, much is not yet known about the potential impacts of large solar plants on avian species. Research by the relevant parties is critical, and the solar industry is currently working closely with government agencies – particularly the U.S. Fish and Wildlife Service – to define the issues at hand, perform the necessary research, put any impacts in the correct context - and then to propose appropriate measures in response.

We are aware that the Committee in the Palen Solar Energy Generation Station siting case asked parties to consider the use and appropriateness of performance standards. In a filing by Energy Commission staff, one interpretation of performance standards was the consideration of mortality thresholds by avian species or groups of species. By the staff's own admission, the setting of appropriate mortality thresholds would be extremely difficult and, absent a better understanding of the science and the species populations, arbitrary. It is particularly troubling in this case, because there appears to be no recognition of either the role thresholds currently play in the CEQA significance analysis or the relevance of already-required habitat and species conversation actions.

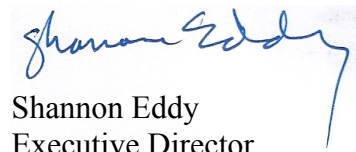
In addition to being problematic for the project in question, the introduction of arbitrary mortality thresholds in any Commission solar thermal case would set a dangerous precedent for the solar industry in California and potentially beyond. Codifying mortality thresholds in a

Commission Decision for a utility-scale solar project would unnecessarily and unfairly single out the solar industry for special scrutiny in this regard. We know of no other industry or infrastructure project in California – transmission, mining, natural gas power plants, or oil production sites to name a few – that is bound to avian mortality thresholds. With climate change recognized as the greatest threat to biological resources, now is not the time to impose arbitrary thresholds on the solar industry, particularly given its contribution climate emission reductions.

Because of the precedent that premature and unfounded mortality thresholds pose for the solar industry, we urge the Committee to forgo implementing the proposed mortality thresholds in this or any solar siting cases pending before the Commission.

Please contact me if you would like to discuss further. Thank you for your consideration in this matter.

Sincerely,

A handwritten signature in blue ink that reads "Shannon Eddy". The signature is written in a cursive style and is positioned above the printed name and title.

Shannon Eddy  
Executive Director