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November 5, 2009

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DOCKET
08-AFC-13

DATE NOV 05 2009

REC'D NOV 05 2009

**Re: STIRLING ENERGY SYSTEMS SOLAR ONE PROJECT (08-AFC-13) -
Defenders of Wildlife Data Requests, Set One.**

Dear Ms. Bellows:

Pursuant to Title 20, California Code of Regulations, Section 1716, Defenders of Wildlife (Defenders) seeks the information specified in the enclosed data requests. Defenders' petition for intervention in the instant proceeding is currently under review with the Siting Committee. The Committee has advised Defenders to submit this data request in the interim in order to meet the November 6 deadline for discovery.

The information requested is necessary to: 1) more fully understand the project, 2) assess the range of alternatives for the project, 3) assess whether the project will result in significant impacts to biological resources, and 4) assess potential mitigation measures.

This set of data requests is being made in the area of Biological Resources (#1-5) and Alternatives (#6-10). Written responses to these requests are due within 30 days. If you are unable to provide the information requested, need additional time, or object to providing the requested information, you must send a written notice to both the Committee and me within 20 days of receipt of this notice. The notification must contain the reasons for not providing the information, the need for additional time, and the grounds for any objections (see Title 20, California Code of Regulations, Section 1716 (f)).

If you have any questions, please call me at (916) 313-5800 x108 or email me at jbasofin@defenders.org.

Sincerely,

Joshua Basofin
Defenders of Wildlife

National Headquarters

1130 17th Street, N.W.
Washington, D.C. 20036-4604
tel 202.682.9400 | fax 202.682.3331

Technical Area: Biological Resources

BACKGROUND

AFC Section 5.6.11 contains a one-page discussion of cumulative effects, and states the conclusion that the project and associated temporary access road, SCE Pisgah Substation expansion, and transmission upgrade are not expected to result in significant cumulative effects on biological resource areas. This conclusion is apparently predicated on proposed siting of the Project *outside* of the adjacent DWMA's, ACECs, and Designated Critical Habitat.

A recent study from UC Santa Barbara entitled "Cumulative Impacts of Large-scale Renewable Energy Development in the West Mojave"¹ ("UCSB Study") analyzed the impact of several Competitive Renewable Energy Zones ("CREZ's") identified by California's Renewable Energy Transmission Initiative ("RETI") on wildlife corridors. That study found multiple cumulative effects from build-out of the Pisgah CREZ, concluding as follows:

The Pisgah CREZ lies squarely in the center of the eight desert tortoise critical habitats within the study region and in the center of an important northeast-to-southwest movement pathway between a number of the bighorn sheep populations analyzed. For both species the placement of the Pisgah CREZ results in connectivity being shifted large distances (on the order of >50 km) around the development.

For bighorn sheep, the Pisgah CREZ disrupts a major movement pathway connecting populations in the southwest to those in the northeast, causing serious impacts to specific sheep populations. As such, the Pisgah CREZ contributes to the physical and genetic isolation of the Little San Bernardino population. As one of the largest populations in the region with 150-200 individuals, this population is an important component of the bighorn sheep metapopulation. With the development of the Pisgah CREZ and other renewable energy developments running northwest to southeast in the High Renewable Energy development scenario, this population becomes significantly more isolated from the four populations in the northeast severely impacting the movement of individuals and gene flow across the study region.

DATA REQUEST

1. Please identify all past, present and future foreseeable projects that may have cumulatively significant effects on desert tortoise and bighorn sheep migration corridors.
2. Please identify the methodology for assessing cumulative effects on desert tortoise and bighorn sheep migration corridors.
3. Based on data in the UCSB Study indicating that development of the Pisgah CREZ results in connectivity being shifted large distances (on the order of >50 km), please

¹ http://fiesta.bren.ucsb.edu/~westmojave/images/Wemo_Final.pdf (last visited on 11/03/09)

provide an assessment of impacts to desert tortoise and bighorn sheep movement corridors from the Project.

BACKGROUND

AFC section 5.6.11 states that proposed projects in the area comprise approximately 138,600 acres for solar and 51,900 acres for wind. Should all of the applications be approved, cumulative effects on biological resources from pending applications would include significant impacts on wildlife movement east of the Project, potential degradation of bighorn sheep habitat, loss of desert tortoise Designated Critical Habitat, and loss of habitat that supports special status plant species as well as raptor foraging areas.

However, section 5.6.11 lacks an analysis of mitigation. Mitigation measures are required to reduce a project's incremental contribution to a significant cumulative impact to a less than cumulatively considerable level. In a total build-out scenario of the Pisgah CREZ (i.e. all of the proposed projects, or a majority of them, are approved), the Project will need to mitigate its incremental contribution.

DATA REQUEST:

4. Please identify the incremental contribution of the Project to cumulative impacts, including a total build-out scenario of the Pisgah CREZ.
5. Please identify the mitigation measures that will be implemented for cumulatively significant impacts of the Project on biological resources in a total build-out scenario of the Pisgah CREZ.

Technical Area: Alternatives

BACKGROUND

The goal of an alternatives analysis is to describe a range of reasonable alternatives to the proposed project, or to the location of the project, which could feasibly attain most of the basic objectives of the project, and evaluate the comparative merits of the alternatives. The analysis should focus on alternatives which (1) offer substantial environmental advantages over the project proposal; and (2) may be 'feasibly accomplished in a successful manner' considering the economic, environmental, social and technological factors involved.

DATA REQUEST:

6. Please identify the methodology used in locating alternative sites.
7. Please identify the methodology used to assess the environmental impacts of alternative sites.

8. Please identify the methodology used to consider the economic, environmental, social and technological factors involved for each alternative site.

BACKGROUND

Alternative configurations for the Project that would minimize impacts to biological resources should be analyzed. For example, one project configuration alternative could be to leave an undeveloped wildlife movement corridor of approximately one to two miles in width (north to south) along the entire interface with the Cady Mountains. At least one alternative project site should be included that would involve the use of existing degraded lands. Such an area exists to the west of the proposed site in the Daggett/Yermo/Newberry Springs area. This area has existing transmission capability and was used by the Department of Energy for the Solar One demonstration project and an adjacent solar thermal project operated by a public utility company. There are many abandoned agricultural fields and brownfields in this area.

DATA REQUEST:

9. Please assess the feasibility of reconfiguring the proposed Project site to allow for a wildlife movement corridor along the Cady Mountains.
10. Please assess the feasibility of acquiring degraded lands in the Daggett/Yermo/Newberry area to substitute for land used as a wildlife movement corridor along the Cady Mountains.
11. Please assess the feasibility of deploying SunCatcher units in small modules on degraded lands in the Daggett/Yermo/Newberry Springs area to substitute for land used as a wildlife movement corridor along the Cady Mountains.



**BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT
COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV**

**APPLICATION FOR CERTIFICATION
For the SES SOLAR ONE PROJECT**

Docket No. 08-AFC-13

PROOF OF SERVICE

(Revised 7/20/09)

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DECLARATION OF SERVICE

I, Joshua Basofin, declare that on November 5, 2009, I served and filed copies of the Attached Data Request, Set One, dated November 5, 2009. The original document, filed with the Docket Unit, is accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at:

[www.energy.ca.gov/sitingcases/solarone]. The document has been sent to both the other parties in this proceeding (as shown on the Proof of Service list) and to the Commission's Docket Unit, in the following manner:

(Check all that Apply)

FOR SERVICE TO ALL OTHER PARTIES:

X sent electronically to all email addresses on the Proof of Service list;

X by personal delivery or by depositing in the United States mail at Sacramento, CA 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

X 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. 08-AFC-13

1516 Ninth Street, MS-4

Sacramento, CA 95814-5512

docket@energy.state.ca.us

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


