



<http://www.dfg.ca.gov>
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005



DOCKET 08-AFC-2
DATE FEB 09 2009
RECD. MAR 11 2009

February 9, 2009

Rachael E. Koss
Adams Broadwell Joseph and Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, California 94080-7037

Subject: Notice Request for Beacon Solar, LLC

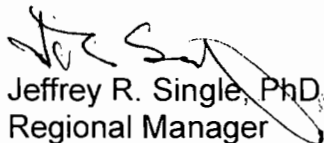
Ms. Koss:

The California Department of Fish and Game (Department) is writing in response to your letter of November 19, 2008, regarding the California Unions for Reliable Energy's request to be placed on the notice list for all actions and activities relating to the Beacon Solar Energy Project 1602 streambed alteration agreement and Section 2081 Incidental Take Permit application. We apologize for the delay in responding to your request.

Because this project falls within the scope of the California Energy Commission's (CEC) exclusive permitting jurisdiction, the Department will be issuing neither a 2081 permit nor a streambed alteration agreement for this Project. Rather, the Department will work with the CEC to ensure that compliance with the California Endangered Species Act and Fish and Game Code Section 1600, et seq., is achieved through the CEC's permitting process. You can request to be placed on the CEC's notice list for this Project by going to the following webpage: <http://www.energy.ca.gov/sitingcases/beacon/index.html>.

If you have any further questions or comments regarding this matter, please contact Julie Vance, Senior Environmental Scientist, at the address provided on this letterhead or by telephone at (559) 243-4014, extension 222.

Sincerely,


Jeffrey R. Single, PhD.
Regional Manager

cc: See Page Two

PROOF OF SERVICE (REVISED 2/9/09), FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 3/11/09
MS

Rachael E. Koss
February 9, 2009
Page 2

cc: ✓ Eric Solario
California Energy Commission
Environmental Office
1516 Ninth Street, MS 40
Sacramento, California 95814

Steven Ingram
Department of Fish and Game
Office of General Counsel

Scott Flint
Department of Fish and Game
Habitat Conservation Planning Branch

Julie Means
Department of Fish and Game
Central Region



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 *BEACON SOLAR ENERGY*
PROJECT

Docket No. 08-AFC-2

PROOF OF SERVICE
(Revised 2/9/09)

APPLICANT

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DECLARATION OF SERVICE

I, Maria Santourdjian, declare that on March 11, 2009, I served and filed copies of the attached CDFG Response to "CURE". 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/beacon]. 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:

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

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

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. 08-AFC-4

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.


Maria Santourdjian