

STATE OF CALIFORNIA  
Energy Resources Conservation  
and Development Commission

<b>DOCKET</b>	
<b>08-AFC-9</b>	
DATE	JUN 10 2010
RECD.	JAN 03 2011

In the Matter of:

APPLICATION FOR CERTIFICATION  
FOR THE PALMDALE HYBRID  
POWER PROJECT

DOCKET NO. 08-AFC-9

**PETITION TO INTERVENE BY  
THE CENTER FOR BIOLOGICAL DIVERSITY**

June 10, 2010  
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Pursuant to sections 1207 and 1712 of Title 20 of the California Code of Regulations, the Center for Biological Diversity petitions to intervene in this proceeding.

The Center for Biological Diversity is a nonprofit organization whose mission is to protect imperiled species and their habitats through science, policy and environmental law. For more than a decade, the Center for Biological Diversity has worked to conserve and recover the rare, imperiled, and threatened and endangered species in the California deserts. The Center has advocated for protections for the Mohave ground squirrel, desert tortoise, and other imperiled species in the California deserts on public and private lands in order to reduce impacts to species and habitats from development, vehicles, predation, and other threats in the California deserts. The Center for Biological Diversity has also participated in the approval process for many site-specific projects and in the planning processes for power projects and transmission lines on public and private lands throughout California including in the area where the proposed project is found.

The Center provided detailed comments to the Committee for this project regarding the FDOC on July 22, 2010 (Docket # 57740), regarding the generation and use

of emission reduction credits (ERCs) from the paving of existing unpaved public roads to offset the project's PM10 emissions. Because wide-spread paving of unpaved roads can have a significant effect on the environment, including on biological resources, CEQA review and analysis is required before ERCs can be used; that analysis has not been undertaken to date. Although the proposed site is in an area of the City of Palmdale currently zoned industrial and is adjacent to other industrial uses, the project site includes undeveloped lands with significant biological resources. As a result, the proposed project will directly impact many already impaired resources including, but not limited to, air resources, the Mohave ground squirrel and its habitat, rare plant species and communities, other imperiled plants and wildlife, and scarce water resources.

The interests of the board, staff, and members of the Center for Biological Diversity are directly affected by the project at issue in this matter. These immediate interests include, but are not limited to, preservation of species and habitats, conservation of rare and imperiled native plants and plant communities, protection of air quality, conservation and protection of water resources, and cumulative impacts to these and other resources from the proposed project and from any proposed mitigation measures.

The Center for Biological Diversity wishes to participate fully in all phases of this proceeding. Filings should be served on Lisa Belenky and John Buse at the addresses listed below. Email service is preferred.

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This petition to intervene is timely and in keeping with the schedule set for this matter in the Order Granting Applicant's Petition for Minor Modifications to Project Schedule dated December 17, 2010.

For the foregoing reasons, the Center for Biological Diversity respectfully requests that the Commission grant its petition to intervene in this proceeding, and allow the Center for Biological Diversity to participate as a party.

Dated: December 23, 2010

Respectfully submitted,



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BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT  
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**APPLICATION FOR CERTIFICATION**  
**For the *PALMDALE HYBRID***  
***POWER PROJECT***

**Docket No. 08-AFC-9**

**PROOF OF SERVICE**

*(Revised 10/6/2010)*

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**DECLARATION OF SERVICE**

I, Lisa Belenky, declare that on, December 23, 2016, I served and filed copies of the attached CBD Petition to Intervene. 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: [<http://www.energy.ca.gov/sitingcases/palmdale/index.html>]. 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;
- by delivering on this date, for mailing with the United States Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date 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-9  
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[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

I declare under penalty of perjury that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.

