

**STATE OF CALIFORNIA**

**Energy Resources Conservation and Development Commission**

In the Matter of:

APPLICATION FOR CERTIFICATION  
FOR THE GENESIS SOLAR ENERGY  
PROJECT

DOCKET NO. 09-AFC-8

**COMMENTS ON STAFF ANALYSIS OF PROPOSED MODIFICATIONS TO GENESIS  
SOLAR ENERGY PROJECT (09-AFC-8C) DATED JUNE 29, 2012 BY  
INTERVENOR CENTER FOR BIOLOGICAL DIVERSITY**

July 30, 2012

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**COMMENTS ON STAFF ANALYSIS OF PROPOSED MODIFICATIONS TO GENESIS  
SOLAR ENERGY PROJECT (09-AFC-8C) DATED JUNE 29, 2012 BY  
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In our review of the CEC staff's analysis of the proposed modification to the Genesis Solar Energy Project (09-AFC-8), we generally support efforts to reduce the impacts to the environment by modifying the transmission and gas pipeline to a more direct route. However several issues have not been adequately addressed with regards to the proposed modifications and their impacts, as addressed below:

1) We fully support the requirement for an American Badger and Desert Kit Fox Mitigation and Monitoring Plan. We also support the measures proposed to be included in the Plan. However, the data presented does not show any effort to *avoid* the impact to these species from the proposed modifications through the re-siting effort. In addition, the proposed measures fall short in requiring monitoring of the effects of the "hazing" activities on these species. The previous data collected from the radio-tracking collared desert kit foxes on the Genesis project site allowed for identification of movement and subsequent mortality of these particular foxes. These types of data are critical in evaluating the ultimate success of "passive relocation". Therefore, the Mitigation and Monitoring Plan needs to include acquiring permits to radio-collar impacted kit fox and badger and requiring monitoring of these species to identify the outcomes of the "passive relocations". Particularly in the case of desert kit foxes, which have already sustained high mortality in the project area, monitoring is requisite.

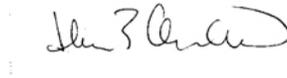
2) The staff analysis of the impacts to the Mojave fringe-toed lizard is unclear regarding the comparison between the original permitted impact to the Mojave fringe-toed lizard and the proposed modifications. Clearly Mojave fringe-toed lizards will be affected by the proposed modifications (Staff Analysis at Biological Resources page 2 and 3), but it is unclear how much habitat or how many lizards will be affected. These clarification need to incorporated, so that the decision-makers can evaluate if, in fact, these new impacts are a reduction or increase in impacts compared to the permitted project on this rare species and its habitat.

3) The staff assessment fails to include an evaluation of impacts associated with greenhouse gas emissions from the proposed increased use of diesel generators on the project site. The goal of renewable energy projects is to help transition off of fossil-fuel based energy sources and reduce green house gas emissions. Relying upon diesel generators, even during “commissioning activities” over 31 weeks creates additional green house gas production not envisioned in the permitted project. Therefore an assessment of the output of green house gases from this project modification is in order.

Please feel free to contact me with any questions.

Dated: July 30, 2012

Respectfully submitted,



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**APPLICATION FOR CERTIFICATION FOR THE  
GENESIS SOLAR ENERGY PROJECT**

**Docket No. 09-AFC-8**

**PROOF OF SERVICE  
(Revised 8/5/10)**

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**DECLARATION OF SERVICE**

I, Heene Andersson declare that on 7/30, 2010, I served and filed copies of the attached comments, dated 7/30, 2010. 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/genesis\\_solar](http://www.energy.ca.gov/sitingcases/genesis_solar)].

The documents have 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. 09-AFC-8  
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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.

