

**Abengoa Mojave Solar  
09-AFC-5**

<b>DOCKET</b> 09-AFC-5
DATE _____
RECD. JUL 01 2010

SUBJECT: Exhibit 312: Email Message from Ashleigh Blackford to Heather Blair

At the June 28, 2010, evidentiary hearing in this matter, Staff requested that the evidentiary record be kept open to receive an email message from the United States Fish and Wildlife Service (USFWS) to supplement Staff's testimony on Biological Resources. The email message from Ashleigh Blackford of the USFWS to Heather Blair is attached, along with the Supplemental Declaration of Heather Blair. Staff proposes to mark this document as Exhibit 312. If there is no objection by parties, Staff will request at the July 15 evidentiary hearing that this exhibit become a part of the record by stipulation.

**PROOF OF SERVICE (REVISED 6-8-10) FILED WITH  
ORIGINAL MAILED FROM SACRAMENTO ON 07-1-10**

**From:** <Ashleigh\_Blackford@fws.gov>  
**To:** <HBlair@aspenerg.com>  
**CC:** Christine Hammond <Chammond@energy.state.ca.us>, Rick York <Ryork@energy...>  
**Date:** 6/29/2010 4:16 PM  
**Subject:** AMS evidentiary hearings

Hi Heather-

I wanted to resend my communication to you from 6/28/10 so that you had it for your records.

Please let me know if you need anything in addition.

ashleigh

Hi Heather-

I apologize that I will be unable to join you this afternoon for the evidentiary hearings. I wanted to briefly address some of the questions we have discussed. Please do not hesitate to send me any questions that may come up today. If my response are not clear, please let me know.

(1) the agencies coordinated closely - I worked very closely with Heather Blair in developing the biological conditions of certification. I commented on drafts and helped develop conditions that were relevant to the desert tortoise and other biological concerns of the Service's .

(2) the purpose of the coordination was to achieve consistency and avoid inconsistency between the CEC permit and the Service take permit;- I agree with this statement. The Service has not entered into formal consultation at this time and therefore has not begun our analysis of the project.

(3) Service agree with Heather's conditions - I agree that the desert tortoise conditions that Heather has written are appropriate, as previously stated the Terms and Conditions which will be developed by the Service will require our own analysis of the proposed project.

ashleigh

\*\*\*\*\*  
Ashleigh Blackford  
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U.S. Fish & Wildlife Service  
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\*\*\*\*\*

**SUPPLEMENTAL DECLARATION OF  
Heather Blair**

I, Heather Blair, declare as follows:

1. I am presently employed as a consultant to the California Energy Commission in the Siting, Transmission and Environmental Protection Division.
2. A copy of my professional qualifications and experience has previously been submitted in this proceeding and are incorporated by reference herein.
3. I received an email message from Ashleigh Blackford of the United States Fish and Wildlife Service on June 29, 2010 at 4:16 p.m. with the subject line, "AMS evidentiary hearings." The content of the email message concerns the Abengoa Mojave Solar Project and the California Energy Commission's Application for Certification proceeding for the Abengoa Mojave Solar Project (Docket No. 09-AFC-5).
4. I am personally familiar with Ms. Blackford's June 29, 2010 email message and if called as a witness could testify competently thereto.

I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge and belief.

Dated: June 30, 2010

Signed: \_\_\_\_\_



At: Sacramento, California



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](http://WWW.ENERGY.CA.GOV)

APPLICATION FOR CERTIFICATION  
FOR THE **ABENGOA MOJAVE  
SOLAR POWER PLANT**

*Docket No. 09-AFC-5*  
**PROOF OF SERVICE**  
(Revised 6/8/2010)

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**DECLARATION OF SERVICE**

I, Teraja Golston, declare that on July 1, 2010, I served and filed copies of the attached Exhibit 312 - Email from Ashleigh Blackbird to Heather Blair Regarding Agency Coordination. The original documents, filed with the Docket Unit, are accompanied by a copy of the most recent Proof of Service list, located on the web page for this project at: [\[http://www.energy.ca.gov/sitingcases/abengoa/index.html\]](http://www.energy.ca.gov/sitingcases/abengoa/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. 09-AFC-5  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512  
[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.

Original signed by: \_\_\_\_\_  
**Teraja Golston**