

DOCKET

09-AFC-6

DATE MAY 10 2010

RECD. MAY 11 2010

May 10, 2010

Alan Solomon
Project Manager
California Energy Commission
1516 Ninth Street
Sacramento, CA 95814

RE: **Blythe Solar Power Project, Docket No. 09-AFC-6**

Draft Summary: Preliminary Spring 2010 Survey Results for Desert Tortoise, Rare Plants, and Jurisdictional Waters – Blythe Solar Power Project

Technical Area: Biological Resources

Dear Mr. Solomon:

Attached please find the Draft Summary: 2010 Spring Survey Results for Desert Tortoise, Rare Plants, and Jurisdictional Waters for the Blythe Solar Power Project.

If you have any questions on this submittal, please feel free to contact me directly.

Sincerely,



Alice Harron
Senior Director, Development



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 *BLYTHE SOLAR
POWER PLANT PROJECT***

Docket No. 09-AFC-6

PROOF OF SERVICE
(Revised 5/3/10)

APPLICANT

Alice Harron
Senior Director of Project
Development
1625 Shattuck Avenue, Suite 270
Berkeley, CA 94709-1161
harron@solarmillennium.com

Elizabeth Ingram, Associate
Developer, Solar Millennium, LLC
1625 Shattuck Avenue
Berkeley, CA 94709
ingram@solarmillennium.com

Carl Lindner
AECOM Project Manager
1220 Avenida Acaso
Camarillo, CA 93012
carl.lindner@aecom.com

Ram Ambatipudi
Chevron Energy Solutions
150 E. Colorado Blvd., Ste. 360
Pasadena, CA 91105
rambatipudi@chevron.com

Co-COUNSEL

Scott Galati, Esq.
Galati/Blek, LLP
455 Capitol Mall, Suite 350
Sacramento, CA 95814
sgalati@gb-llp.com

Co-COUNSEL

Peter Weiner
Matthew Sanders
Paul, Hastings, Janofsky &
Walker LLP
55 2nd Street, Suite 2400-3441
San Francisco, CA 94105
peterweiner@paulhastings.com
matthewsanders@paulhastings.com

INTERESTED AGENCIES

California ISO
e-recipient@caiso.com

Holly L. Roberts, Project Manager
Bureau of Land Management
Palm Springs-South Coast
Field Office
1201 Bird Center Drive
Palm Springs, CA 92262 Office
CAPSSolarBlythe@blm.gov

INTERVENORS

* California Unions for Reliable
Energy (CURE)
c/o: Tany A. Gulesserian,
Elizabeth Klebaner
Marc D. Joseph
Adams Broadwell Joseph &
Cardozo
601 Gate Way Boulevard,
Suite 1000
South San Francisco, CA 94080
tqulesserian@adamsbroadwell.com
eklebaner@adamsbroadwell.com

ENERGY COMMISSION

KAREN DOUGLAS
Chairman and Presiding Member
kldougla@energy.state.ca.us

ROBERT WEISENMILLER
Commissioner and Associate
Member
rweisenm@energy.state.ca.us

Raoul Renaud
Hearing Officer
rrenaud@energy.state.ca.us

Alan Solomon
Siting Project Manager
asolomon@energy.state.ca.us

Lisa DeCarlo
Staff Counsel
ldecarlo@energy.state.ca.us

Jennifer Jennings
Public Adviser's Office
publicadviser@energy.state.ca.us

DECLARATION OF SERVICE

I, Solar Millennium declare that on May 10, 2010, I served and filed a copy of the attached Draft Summary Preliminary Spring 2010 Survey Results for Desert Tortoise, Rare Plants & Jurisdictional Waters. 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: [\[http://www.energy.ca.gov/sitingcases/solar_millennium_blythe\]](http://www.energy.ca.gov/sitingcases/solar_millennium_blythe)

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-6
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.



Alice Harron
Senior Director, Development
Solar Millennium LLC

May 7, 2010

Ms. Susan Sanders
California Energy Commission
1516 Ninth Street
Sacramento, California 95814

Dear Ms. Sanders:

Subject: Blythe Solar Power Project (09-AFC-6) – Preliminary Spring 2010 Survey Results for Desert Tortoise, Rare Plants and Jurisdictional Waters

On behalf of Palo Verde Solar I, LLC, AECOM is submitting preliminary results of biological surveys conducted for desert tortoise (*Gopherus agassizii*; DT), rare plants, and jurisdictional waters for the Blythe Solar Power Project. This information was requested at the Palen and Blythe Staff Workshops conducted on April 28 and 29, 2010.

The preliminary results are presented in the tables and figures attached. Table 1 presents a summary of the observations of DT sign and DT occurrences noted during spring 2010 surveys. Table 2 presents the rare plant population counts observed during spring 2010 surveys. Results from the fall and spring 2009 surveys are not included in DT and rare plant tables or the figures attached. However, the Jurisdictional Waters map does include results from the 2009 surveys and a table presenting the results of both survey years is provided in the figure. Please note that the totals provided in the tables herein are simply the results of our observations. These tables do not represent total impacts nor is this an impact analysis. Comprehensive technical reports and impact analyses are currently being prepared and will be submitted to the CEC in early June.

Please let us know if you have any questions.

Sincerely,



Bill Graham
Vice President

Attachments: Table 1. Blythe Solar Power Project Desert Tortoise Observations Spring 2010
Table 2. Blythe Solar Power Project Rare Plant Populations Counts Spring 2010
Figure. Preliminary Results Desert Tortoise Spring 2010 Surveys
Figure. Preliminary Results Botany Rare Plants Spring 2010 Surveys
Figure. Preliminary Results State Waters Spring 2010 Surveys
CD. Raw Data Files

cc: Alice Harron, Solar Millennium
Elizabeth Ingram, Solar Millennium
Scott Galati, Solar Millennium Counsel
Mark Luttrell, AECOM

Table 1. Blythe Solar Power Project Desert Tortoise Observations Spring 2010

Description	Proposed Project Study Area	Reconfigured Alternative Project Study Area	Proposed Project/Reconfigured Alternative Study Area ¹	Buffer	Incidental Observations Outside Buffer Area	Grand Total
Adult Tortoise		1		2		3
Adult Tortoise - Second Observation		1				1
Active Tortoise Burrow or Pallet - Class 1		3	1	22	4	30
Tortoise Burrow or Pallet - Class 2 (good condition, no evidence of recent use)	2	4		20	1	27
Tortoise Burrow or Pallet - Class 3 (deteriorated, definitely tortoise)		5		5	3	13
Possible Tortoise Burrow or Pallet (Class 4 or 5)		13		50	9	72
Tortoise Scat		2		2	1	5
Fossilized Turtle/Tortoise Bone		1		1		2
Tortoise Bone Fragment - Mineralized	10	10		6		26
Tortoise Bone Fragment - Not Mineralized	20	22	3	17	2	64
Tortoise Carcass (not disarticulated and scattered)	1	4		5		10
Tortoise Egg Shell Fragment		3				3
Tortoise Tracks	1	3	2	1		7
Tortoise Drinking Depression		1				1

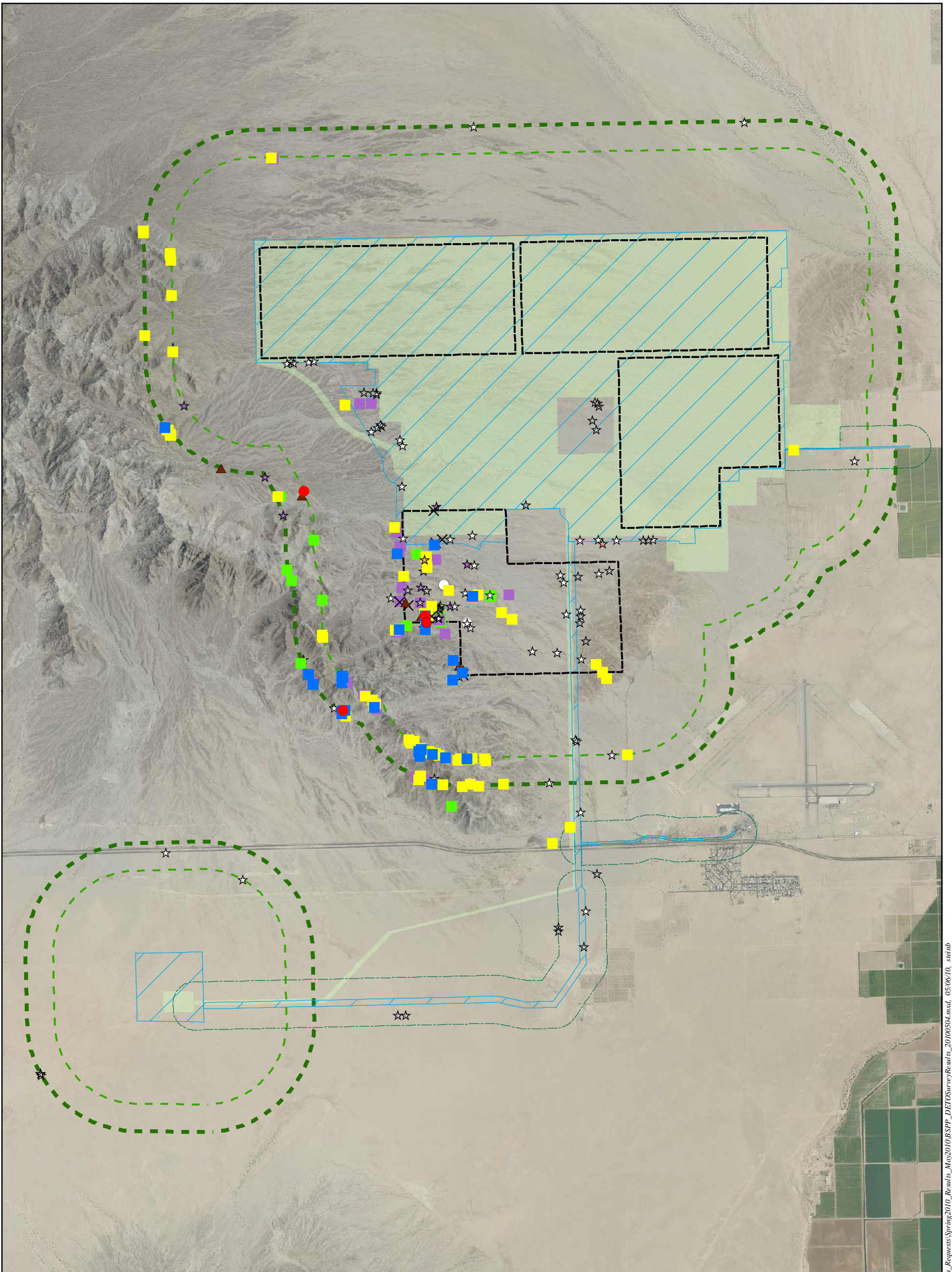
¹This encompasses the areas where the Proposed Project Study Area and Reconfigured Alternative Study Area overlap.

Table 2. Blythe Solar Power Project Rare Plant Population Counts Spring 2010¹

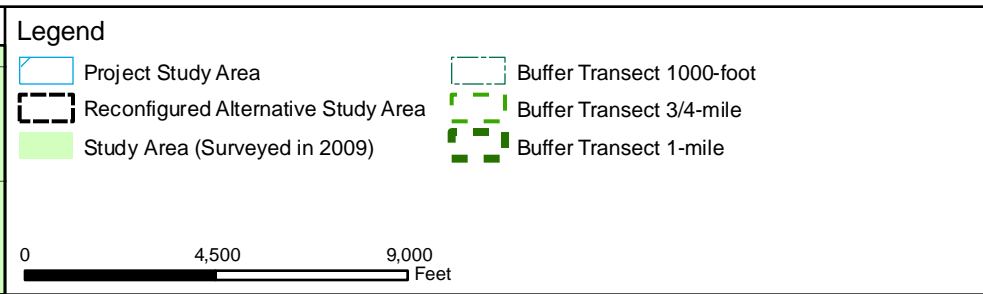
Species	Proposed Project Study Area	Reconfigured Alternative Project Study Area	Propose Project/Reconfigured Alternative Study Area²	Buffer	Incidental Observations Outside Buffer Area	Grand Total
Coachella Valley milkvetch				14		14
Cottontop cactus	1		5	10		16
Harwood's milkvetch	677	60	128	1,823	60	2,748
Harwood's woollystar	2,134			1,287	8	3,429
Proboscidea althaeifolia	4	15	6	1		26
Ribbed cryptantha	32,367			37,377	1,909	71,653
Utah milkvine	14	78	12	526		630
Winged cryptantha				15		15

¹Note that each point on the figure may represent multiple individuals

²This encompasses the areas where the Proposed Project Study Area and Reconfigured Alternative Study Area overlap.



- | | | |
|--|---|---|
| DT Observations (Spring 2010) | ✕ Tortoise Tracks | ■ Tortoise Burrow or Pallet - Class 2 (good condition, no evidence of recent use) |
| ● Adult Tortoise | ★ Fossilized Turtle/Tortoise Bone | ■ Tortoise Burrow or Pallet - Class 3 (deteriorated, definitely tortoise) |
| ● Adult Tortoise - Second Observation | ■ Possible Tortoise Burrow or Pallet (Class 4 or 5) | ★ Tortoise Carcass (not disarticulated and scattered) |
| ■ Active Tortoise Burrow or Pallet - Class 1 | ★ Tortoise Bone Fragment - Mineralized | ○ Tortoise Drinking Depression |
| ▲ Tortoise Scat | ★ Tortoise Bone Fragment - Not Mineralized | ○ Tortoise Egg Shell Fragment |



Blythe Solar Power Project

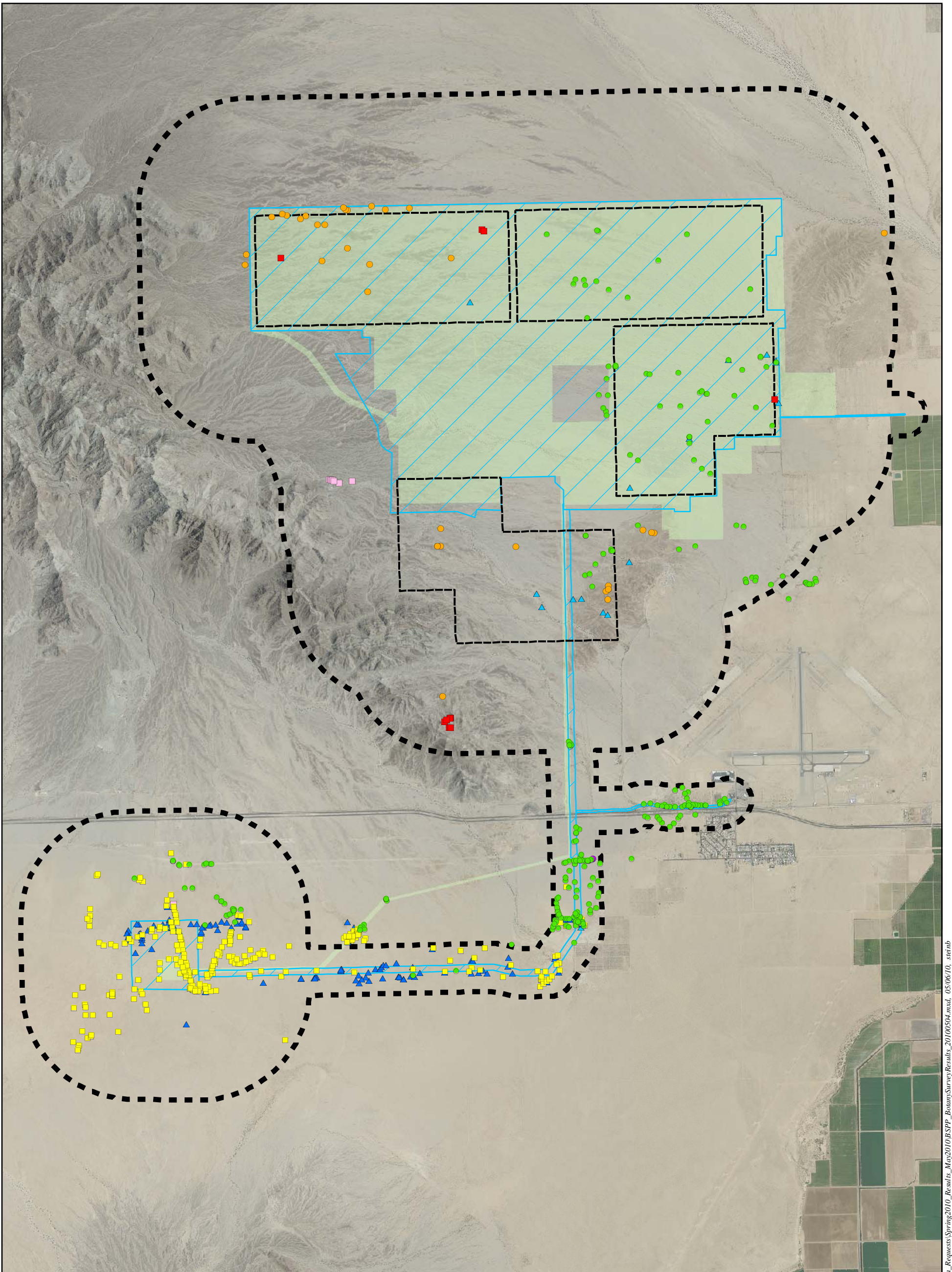
Preliminary Results
Desert Tortoise
Spring 2010 Surveys

Source: NAIP 2009; AECOM 2010

1 inch = 4,500 feet

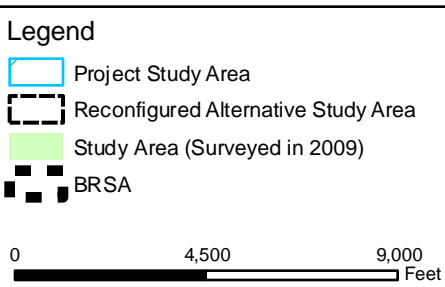
AECOM

Date: May 2010



Rare Plant Observations

- Coachella Valley milkvetch
- winged cryptantha
- cottontop cactus
- ▲ Proboscidea althaeifolia
- Utah milkvine
- ▲ Harwood's wollystar
- ribbed cryptantha
- Harwood's milkvetch
- Study Area (Surveyed in 2009)




**Blythe Solar
Power Project**

**Preliminary Results
Botany Rare Plants
Spring 2010 Surveys**

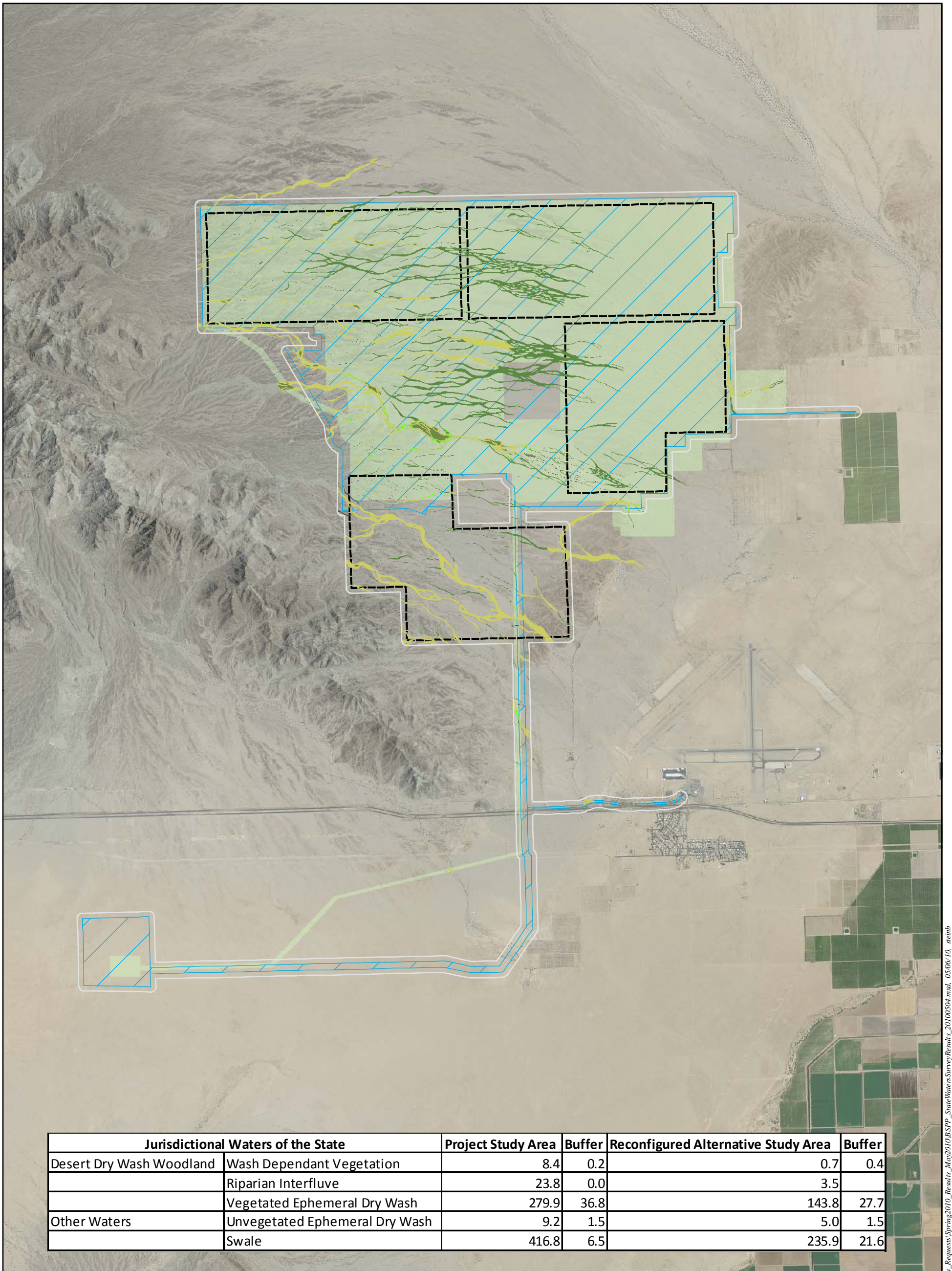
Source: NAIP 2009; AECOM 2010

1 inch = 4,500 feet



AECOM

Date: May 2010



Jurisdictional Waters of the State		Project Study Area	Buffer	Reconfigured Alternative Study Area	Buffer
Desert Dry Wash Woodland	Wash Dependant Vegetation	8.4	0.2	0.7	0.4
	Riparian Interfluve	23.8	0.0	3.5	
	Vegetated Ephemeral Dry Wash	279.9	36.8	143.8	27.7
Other Waters	Unvegetated Ephemeral Dry Wash	9.2	1.5	5.0	1.5
	Swale	416.8	6.5	235.9	21.6

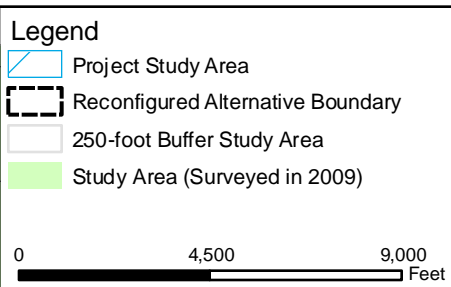
Jurisdictional Waters of the State of California

Desert Dry Wash Woodland

- Wash Dependent Vegetation
- Riparian Interfluve
- Vegetated Ephemeral Dry Wash

Other Waters

- Swale
- Unvegetated Ephemeral Dry Wash
- Study Area (Surveyed in 2009)



Blythe Solar Power Project

Preliminary Results State Waters Spring 2010 Surveys

Source: NAIP 2009; AECOM 2010

1 inch = 4,500 feet

AECOM

Date: May 2010