

DOCKETED

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| Project Title: | Palen Solar Power Project - Compliance |
| TN #: | 201460 |
| Document Title: | California Defenders of Wildlife Comments supporting PMPD Decision |
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Comment Received From: Kim Delfino

Submitted On: 12/20/2013

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Letter - PMPD for 09-AFC-07C: Project Title: Palen Solar Power Project

Additional submitted attachment is included below.



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December 20, 2013

California Energy Commission
Docket Unit
Docket number: 09-AFC-07C
1516 Ninth Street, MS-4
Sacramento, CA 95614
Via email: docket@energy.ca.gov

Re: Docket No. 09-AFC-07C: Palen Solar Electric Generating System

Dear Commissioners;

Defenders of Wildlife is pleased to offer its strong support of the Presiding Member's Proposed Decision ("PMPD") to Deny the Petition to Amend the Palen Solar Electricity Generating System ("PSEGS"). We commend Commissioner Karen Douglas (Presiding Member of the Committee) and Commissioner David Hochschild (Associate Member of the Committee), as well as the staff of the California Energy Commission, for their objective and thorough analysis of the environmental effects that would result from the proposed PSEGS.

We fully concur with and support the findings in the PMPD that the PSEGS would result in direct and indirect significant adverse impacts to a variety of sensitive and valued natural and cultural resources in the Chuckwalla Valley region. Such resources include especially legally protected migratory and resident birds including the Yuma clapper rail, willow flycatcher, golden eagle, bald eagle, Swainson's hawk, turkey vulture and numerous other species including migratory birds protected under the Migratory Bird Treaty Act; the scenic landscape within and surrounding the Chuckwalla Valley; and the cultural landscape cherished by Native American tribes, their members and the general public.

We believe the PMPD did err in considering the impacts to the sand transport corridor and the rare Mojave fringe-toed lizard as not significant with mitigation. This important landscape feature – the sand transport corridor – would be altered if the project was constructed and the "upstream" and "downstream" effects of interrupted sand movement would permanently alter the habitat for the Mojave fringe-toed lizard and reduce it through direct and indirect impacts that can't be effectively mitigated.

The PMPD indicates that various impacts cannot be adequately mitigated and, in some cases, there is no known mitigation, such as impacts to avian species created by solar flux, and impacts to the

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visual resources and scenic character of the diverse natural and cultural landscape within and surrounding the Chuckwalla Valley.

The PMPD clearly indicates that the majority of the significant impacts associated with PSEGS are attributed to the technology change involving solar power towers, and we greatly appreciate the level of attention and detail given to this aspect of the proposed project.

In conclusion, we strongly recommend the Commissioners adopt the PMPD and that the final decision is to deny the PSEGS. Thank you for opportunity to review and comment on the PMPD.

Sincerely,

A handwritten signature in black ink, appearing to read "Kim Delfino". The signature is fluid and cursive, with the first name "Kim" and last name "Delfino" clearly distinguishable.

Kim Delfino
California Program Director
Defenders of Wildlife
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