

DOCKETED

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Project Title:	Palen Solar Power Project - Compliance
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Document Title:	Jeff Aardahl Comments: Defenders of Wildlife (â€œDefendersâ€) recommends that the Evidentiary Record for the Palen Solar.
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Organization:	Jeff Aardahl
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Comment Received From: Jeff Aardahl

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Defenders of Wildlife (â€œDefendersâ€) recommends that the Evidentiary Record for the Palen Solar.

Additional submitted attachment is included below.



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May 5, 2014

California Energy Commission

Docket Unit

Docket number: 09-AFC-07C

1516 Ninth Street, MS-4

Sacramento, CA 95814

Sent by electronic mail to: publicadviser@energy.ca.gov; docket@energy.ca.gov

Re: *PALEN SOLAR ELECTRIC GENERATING SYSTEM*, Docket No. 09-AFC-07C

Dear Commissioners:

Defenders of Wildlife (“Defenders”) recommends that the Evidentiary Record for the Palen Solar Electric Generating System (“PSEGS”) remain closed and that continuance of evidentiary hearings not be scheduled. Although not a Party to the proceedings for PSEGS, Defenders has maintained an interest in this proposed project because of the significant adverse impacts it will have on the natural and cultural resources of the Chuckwalla Valley and surrounding landscape. In a comment letter submitted to the Commissioners dated December 20, 2013, Defenders strongly supported the Presiding Members Proposed Decision (“PMPD”) to Deny the Petition to Amend the PSEGS.

Subsequent to the PMPD to Deny the Petition to Amend the PSEGS, the petitioner (applicant), parties to the proceedings and members of the public were given the opportunity to submit additional information to be considered in a decision to open the Evidentiary Record, amend the Final Staff Assessment, and proceed with a final decision.

The Commissioners sought additional information to address the significant and unmitigable impacts on biological and cultural resources, and to aid the Commissioners in determining if the benefits of PSEGS outweighed the adverse environmental impacts it would cause.

The petitioner submitted additional information including impacts to birds at three solar energy projects in California (i.e., Ivanpah SEGS, Genesis Solar Energy Project and Desert Sunlight Solar Farm); techniques that may reduce bird occurrence within the PSEGS area; and migratory bird use in the PSEGS area. We have reviewed this additional information relative to the Final Staff Assessment and PMPD, and conclude it is insufficient to justify opening the Evidentiary Record. The additional information on bird mortality at the three solar energy project sites is insufficient because the mortality data was obtained largely from incidental observations and cannot be relied on to accurately discern differences in bird mortality at the three projects. Furthermore, two of the projects are under construction and have not been completed, thus making any comparative analysis of the mortality among the three projects using different technology nearly impossible.

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Systematic mortality studies at the Ivanpah SEGS project are just now underway, and the Ivanpah SEGS is the only project using the technology proposed for the amended PSEGS. We recommend that at least two full years of mortality monitoring data, collected in a systematic fashion using robust and statistically valid protocol, is the minimum needed to begin to understand the magnitude of the adverse impacts to birds at solar energy projects, and especially those using solar tower technology. After a review of the approved avian monitoring plan for Ivanpah SEGS, we believe that it is neither robust nor does it account for debilitating but not immediately lethal injury caused by solar flux; therefore additional systematic monitoring of injured or dead birds located outside of the project boundary is needed to ensure the survey area is adequate and sample size sufficient to obtain statistically valid measurements of avian injury and mortality.

In closing, we consider the Final Staff Assessment for the PSEGS sufficient to determine that the amended PSEGS would have significant and adverse direct and indirect impacts; that the additional information obtained after the PMPD was released does not warrant opening of the Evidentiary Record; that the benefits of the amended PSEGS do not outweigh the adverse impacts to the environment and resources of the Chuckwalla Valley region; and that the Evidentiary Record should remain closed until such as time as reliable and complete information sufficient to justify resuming evidentiary hearings is provided by the applicant.

Sincerely,

A handwritten signature in black ink that reads "Kim Delfino". The signature is written in a cursive, flowing style.

Kim Delfino
California Program Director
Defenders of Wildlife
kdelfino@defenders.org