

## DOCKETED

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| <b>Docket Number:</b>   | 09-AFC-07C   |
| <b>Project Title:</b>   | Palen Solar Power Project - Compliance   |
| <b>TN #:</b>            | 202754   |
| <b>Document Title:</b>  | Ex.1182 - Letter from American Bird Conservancy Grant Sizemore to CEC dated July 10, 2014, Avian Mitigation Plan Clarification |
| <b>Description:</b>     | N/A  |
| <b>Filer:</b>           | Marie Fleming  |
| <b>Organization:</b>    | Galati   Blek LLP  |
| <b>Submitter Role:</b>  | Applicant Representative   |
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*Shaping the future for birds*

July 10, 2014

Energy Resources Conservation and Development Commission  
455 Golden Gate Avenue, Suite 10600  
San Francisco, CA 94102

Re: Docket No. 09-AFC-07C

Dear Commission Members:

On behalf of American Bird Conservancy (ABC), I am writing to offer clarification on the mitigation strategy proposed by Wally P. Erickson and Dr. Ken Levenstein in their written testimony from 20 June 2014 relating to the Petition for Amendment for the Palen Solar Electric Generating System (California Energy Commission Docket Number 09-AFC-07C).

In their testimony, Mr. Erickson and Dr. Levenstein correctly identify predation by outdoor domestic cats (*Felis catus*), especially feral cats, as a serious conservation concern for birds and other wildlife. In so doing, they reference two letters (Exhibits 1163 and 1164) sent to the Secretary of Interior and signed by ABC and other conservation groups. Consequently, Mr. Erickson and Dr. Levenstein recommend feral cat control as a potential mitigation strategy.

Unfortunately, the proposal is insufficient and fails to heed the major point of the referenced ABC letters. The testimony states that “after reviewing the letters, WEST developed a resource equivalency analysis that equates bird mortality to a feral cat removal or neutering (spaying) program.” This analysis and overall recommendation to remove *or* neuter/spay feral cats fails in several important ways.

- The assumption that removal and neutering/spaying are fundamentally equivalent ecologically or as a control method is inaccurate. Removal is far superior and the only sure way to control feral cat populations.
- The referenced letters, signed by ABC and others, specifically request that feral cats be removed from the environment and never re-abandoned. When not removed, feral cats continue to kill wildlife and to perpetuate public health risks (e.g., rabies, toxoplasmosis).
- The analysis does not cite sources and makes questionable assumptions about feral cat behavior and survival probabilities.

ABC agrees that feral cat control is an important wildlife conservation goal and supports programs designed to reduce mortality by removing feral cats from the environment. However, only spaying or neutering cats is insufficient to provide the population control necessary to protect wildlife or public health. These points and many citations are addressed in greater detail in the letters referenced by Mr. Erickson and Dr. Levenstein.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read "Grant Sizemore". The signature is fluid and cursive, with a large initial "G" and "S".

Grant Sizemore  
Cats Indoors Program Officer