

INLAND ENERGY, INC.

South Tower, Suite 606
3501 Jamboree Road
Newport Beach, CA 92660
(949) 856-2200 / Fax (949) 856-2311
www.inlandenergy.com



Thomas M. Barnett
Executive Vice President

February 5, 2008

Ms. Tonya Moore
California Department of Fish and Game
Region 6-Inland Deserts Region
12550 Jacaranda Ave.
Victorville CA 925953602

DOCKET	
07-AFC-1	
DATE	FEB 05 2008
RECD.	FEB 06 2008

Subject: Mohave Ground Squirrel Trapping Determination for Victorville 2 Hybrid Power Project

Dear Ms. Moore:

Thank you for your recent correspondence to our biological consultant regarding questions on initiating a second focused Mohave ground squirrel (MGS) trapping session for the Victorville 2 Power Project (VV2 Project). As you know, the City of Victorville, as the VV2 Project applicant, has worked closely with the California Department of Fish and Game (CDFG) to fulfill all biological survey requirements. To date, desert tortoise and burrowing owl surveys have been completed. A focused MGS trapping session has also been completed according to CDFG guidelines. These efforts have indicated that the desert tortoise is present on lands to be disturbed by the VV2 Project, but MGS or burrowing owls have not been identified onsite.

While we are aware that MGS was found in a focused trapping effort last year on lands situated adjacent to a portion of the VV2 Project area, we understand this trapping effort covered a very large expanse of lands in this southernmost extent of the historic MGS range and found only a single MGS individual. We also understand that this positive MGS trapping locale was not situated within a few feet of the proposed VV2 Project work zone, as stated in your recent correspondence, and was characterized by a rather limited habitat component, i.e., a dense *Lycium andersonii* plant community. Further, the VV2 Project with its linear utility features would be situated on lands characterized by several plant community types, not all of which are situated in proximity to the positive MGS trapping locality.

On the basis of the above information, it is difficult to understand your refusal to consider the results of a second trapping session to determine whether MGS would be impacted by VV2 Project work. While a decision to assume MGS presence in the VV2 Project area was previously proposed to forego additional

costly trapping efforts, the 3:1 MGS habitat compensation ratio you have requested for CDFG permitting purposes had prompted us to revisit the trapping option provided to project applicants in the region. As you have previously affirmed that the results of a secondary trapping effort would be considered, your recent refusal to do so without a sound biological basis is difficult to comprehend.

The VV2 Project is an important addition to meeting our state's alternative energy needs and we intend to fully mitigate all impacts to biological resources associated with construction of the facility, as well as its operation. In order to finalize all remaining permitting documents, we would appreciate a more detailed explanation as to the biological basis of your recent refusal to consider the results of a second MGS trapping session, conducted according to CDFG-approved guidelines. Thank you for your assistance in this matter.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Thomas M. Barnett". The signature is fluid and cursive, with a large, stylized initial "T" and "M".

Thomas M. Barnett
Executive Vice President

cc: Denyse Racine, California Department of Fish and Game
Curt Taucher, California Department of Fish and Game
John Kessler, California Energy Commission
Ray Bransfield, U.S. Fish and Wildlife Service
Jon Roberts, City of Victorville, California
Arrie Bachrach, ENSR Corporation
Tom Egan, AMEC Earth & Environmental, Inc.
Kim McCormick, Law Offices of Kim McCormick