

Michael Strobridge  
9450 Pronghorn Plains Rd.  
Santa Margarita, CA 93453  
[Mike\\_76@live.com](mailto:Mike_76@live.com)

**STATE OF CALIFORNIA  
State Energy Resources  
And Development Commission**

<b>DOCKET</b>	
<b>07-AFC-8</b>	
DATE	<u>May 01 2009</u>
RECD.	<u>May 01 2009</u>

In the Matter of:

Docket No. 07-AFC-08

Carrizo Energy, LLC's  
Application for Certification of  
The Carrizo Energy Power Plant

Intervener Michael Strobridge's Objection's to Carrizo Energy's Motion for a Protective Order to Maintain the Confidentiality of Corridor location results of the Wildlife Corridor Study.

On April 16, 2009 Carrizo Energy Filed a Motion attempting to make the results of the Wildlife Corridor Confidential. Carrizo states that the study will identify high value property parcels, or locations along the preferred migration corridor for all three focal species. Carrizo claims that releasing the results will allow local residents to overinflate their property values upon receiving the Corridor Results. I adamantly disagree. To begin with the *WILDLIFE* Corridor model is being implemented to identify migration corridors for all three focal species as pointed out by Carrizo. In no way does the Corridor Model represent property values nor has property values ever been brought up during the modeling process thus far.

Carrizo also states on page 2 of the Motion that "the entities who seek access to the Corridor location Results, in addition to the Commission and South Coast Wildlands, are: the California Department of Fish and Game, the United States Fish and Wildlife Service, Carrizo, Topaz Solar Farms, LLC and SunPower Corporation (collectively, the designated Entities)." Interveners have an equal amount of right as all other parties to review the Results of the Wildlife Corridor Model. The fact that Carrizo is trying to exclude other parties is bias and Interveners should be able to review and participate in all information related to the Carrizo case. Also Carrizo has not included San Luis Obispo County with their "Designated Entities" San Luis Obispo County is the lead agency under CEQA and will need full access to the Corridor Results to properly permit OptiSolar/First Solar and SunPower. Furthermore Carrizo including other Solar Developers in their motion makes no sense. If Carrizo includes other Solar Developers it undermines Carrizo's attempt to control over inflation of Potential Mitigation Properties and creates a competing market between Solar Developers. This in its self could potentially inflate Mitigation Property Values due to the fact that the quantity of Mitigation Land needed may not be available,

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driving an aggressive market between Solar Developers for Mitigation Land causing property values to drastically increase.

Carrizo assumes that the public is not aware of Potential Mitigation Lands. Fortunately the public is not as closed minded as Carrizo would like to think. Currently in the Carrisa Plains if someone approaches you as a land owner it is plain as day common sense that it is for one of the three proposed solar projects. I for one have been approached multiple times for my property which I refuse to sell. My neighbor Santos Reyes is contacted by OptiSolar almost weekly for his land which he also has refused to sell. The Solar Companies are looking for Mitigation Land this is common knowledge and already available to the public from sources such as the PSA which states 5-1 Mitigation Ratios. One just has to do the math.

The Wildlife Corridor Model being conducted by SC Wildlands was contracted by the California Energy Commission using public funds. In no way should Carrizo Energy have the right to dictate who will receive the Corridor Results as the public paid for the Corridor Model. This also gives Carrizo an opportunity to modify the Corridor Results without the public or Interveners knowledge. Carrizo has not had a good track record so far with honesty as displayed by Robin Bells April letter showing USDA farming records of Carrizo's project site proving that Carrizo has intentionally misclassified the Habitat Suitability of their project site to meet Carrizo's needs and potentially manipulate the Corridor Model Results already. This would not have been noticed if it was not for local groups and public citizens.

Carrizo's conclusion states" Premature widespread disclosure of the Corridor Location Results has significant potential to negatively impact future solar power development. Such disclosure also has significant potential to compromise the public interest by inflating the price of, and therefore directly limiting access to, the best possible mitigation options." It is unclear to me how this compromises public interest. The only thing being compromised if the Motion for Confidentiality is granted is the public's right to fully participate in a public siting process that the tax payers have funded. The public has been extensively participating in this process to date and has shown great interest in the Wildlife Corridor Model. This has been shown by the almost 70 petitions against the Confidentiality Motion signed by the general public and submitted by Robin Bell.

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In Conclusion I firmly believe Carrizo is using the Motion for Confidentiality to avoid any further public opposition. As I stated above the Community of Carrisa Plains already knows that Carrizo needs mitigation land it is common knowledge. Also the Wildlife Corridor Model is being conducted to locate migration corridors and the potential impacts from Carrizo, First Solar and SunPower to these corridors and wildlife. In no way is the Corridor Model being conducted to evaluate potential Real Estate Values or to purchase Real Estate. I firmly believe Carrizo's Motion for Confidentiality should be denied as it is based upon Real Estate Values and Land Acquisition and has nothing to do with Wildlife or Migration Patterns.

Thank you for your time,

Michael Strobridge

Intervenor Docket 07-AFC-08

## Solar secrecy

*Ausra solar company hopes to seal out public input on wildlife study*

**BY COLIN RIGLEY**



### **GREAT WIDE OPEN**

*Miles of sun-soaked flat grassland make a prime place for solar power plants and roaming indigenous species, but not both, environmentalist worry.*

FILE PHOTO

Sometimes public information is not in the public's best interest. This, at least, is according to Ausra, Inc., one of three companies that want to build solar energy farms in the Carrizo Plains.

As a state commission begins studying whether the planned solar plants would harm local species, Ausra is asking permission to handle much of the approval process in secret.

Ausra on April 16 requested a protective order from the California Energy Commission. That order, if approved, would block the public from viewing results of an ongoing wildlife migration study. Ausra argues that revealing the information would "seriously undermine the interests of the public."

Ausra wants to build a 177-megawatt solar power plant in the Carrizo Plains, but environmentalists and wildlife experts worry the plant could wreak havoc on local species, particularly the endangered kit fox and the tule elk and pronghorn antelope,

whose populations are in recovery after having been endangered. Two other solar power companies, First Solar (formerly OptiSolar) and SunPower—both significantly larger than Ausra's—are also planning to build facilities in the same sensitive area.

To address environmental worries, members of the California Energy Commission began mapping where the Carrizo animals migrate. They developed geographic maps that will eventually help show how roughly 9,000 acres of solar plants from all three projects could disrupt the migration patterns.

The first part of the study is done, but the next steps are the important ones. California Energy Commission Project Manager John Kessler said the new task is to determine how the migration patterns will change and what new habitat land needs to be created to minimize the impacts. Those next steps are the ones the public could be blocked from viewing if Ausra's request goes through.

In a prepared statement Ausra spokeswoman Katherine Potter said the confidentiality would not interfere with the public's ability to comment.

“Our request for confidentiality is very limited and was designed to avoid disclosing information that could create volatility in valuations of properties in the corridor study area.” She declined to comment further because the request is still in progress.

Ausra and other solar companies will eventually have to purchase and preserve nearby land to offset the environmental impacts from their projects. According to Ausra, if landowners find out their property is on the list they could jack up the sale price and possibly kill Ausra’s ability to finish its project. Since it’s a renewable energy project, Ausra officials argue the public cost would be too great if the project isn’t built. Thus, they say, if disclosing the study details would hurt the project, it would also hurt the public’s interest.

Robin Bell of the citizen group Carrisa Alliance for Responsible Energy isn’t buying that argument.

“I think that there’s going to be significant impacts that will be exposed and I think they [Ausra] don’t want those impacts exposed,” she said. “I think probably it’s a PR nightmare.”

In fact, there likely will be big impacts. Kessler said early results from the migration study already look like bad news for solar companies. “There is a high level of recognition amongst the energy commission staff that this project and the others that are within the purview of San Luis Obispo County ... will vastly change the landscape and the conditions they live in currently.”

Ausra’s project is the smallest of the three and may therefore have the least impact on habitat. Company officials protested a cumulative look at all three projects during the environmental review process, but the energy commission held that each project has to be seen as a piece of the whole.

Ausra’s project is unique. It does not use traditional solar voltaic panels. Instead, Ausra’s design utilizes solar refractors that heat water, convert the water to steam, and use the steam to power a generator. Moving parts mean the energy commission has to review and approve the design. The other two projects lack moving parts and therefore fall under SLO County’s jurisdiction for approval. However, the energy commission is still considering all three projects together in the wildlife study.

“And certainly we recognize it’s difficult to have this type of change to a landscape that is so much in a natural setting as it is today,” Kessler said.

Ausra wants to keep information about the habitat lands confidential because people could take advantage. However, Bell noted, people in the area know why Ausra is there and they can still take advantage. Either a landowner learns their property is on Ausra’s list beforehand, she said, or they figure it out when Ausra officials ask to purchase the property.

Bell has collected about 75 letters from people who are protesting Ausra’s request. She plans to deliver them to the energy commission.

“My concern is without public comment and public review of this up until the end of the study that we don’t really have any guarantee that it’s being done appropriately or without bias,” she said.

Because the migration study considers all three projects, not just Ausra, if the information goes dark the public won’t see anything until habitat land is identified for all the projects.

That’s a long time, Bell said. “How do we even know this plant is in the public interest? They assume that it is but we won’t know until the evaluation is complete.”

Two members of the energy commission will decide whether to approve or deny Ausra’s request, Kessler said. The commission staff issued a statement calling for a review of the request based on arguments from both sides, but did not take a declarative position for or against.

Until then, it’s wait and see. And if the commission decides to make the studies confidential, the “see” part will be delayed for quite a bit longer, at least as far as the public is concerned.

*Staff Writer Colin Rigley can be reached at [crigley@newtimeslo.com](mailto:crigley@newtimeslo.com).*

Michael Strobridge  
9450 Pronghorn Plains Rd.  
Santa Margarita, CA 93453  
[Mike\\_76@live.com](mailto:Mike_76@live.com)

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DECLARATION OF SERVICE**

I, Michael Strobridge, declare that on May 01 2009, I served and filed copies of the attached Comments on Corridor Task 1. 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/carrizo/index.html>]**. The document has 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:**

X  sent electronically to all email addresses on the Proof of Service list;

by personal delivery or by depositing in the United States mail at Sacramento, California with first-class postage thereon fully prepaid and addressed as provided on the Proof of Service list above to those addresses **NOT** marked "email preferred."

**AND**

**For filing with the Energy Commission:**

X  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. 07-AFC-8  
1516 Ninth Street, MS-4  
Sacramento, CA 95814-5512

[docket@energy.state.ca.us](mailto:docket@energy.state.ca.us)

I declare under penalty of perjury that the foregoing is true and correct.

/s/

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Michael Strobridge

Michael Strobridge  
9450 Pronghorn Plains Rd.  
Santa Margarita, CA 93453  
[Mike\\_76@live.com](mailto:Mike_76@live.com)

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**And Development Commission**

<b>BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE STATE OF CALIFORNIA</b> <b>1516 NINTH STREET, SACRAMENTO, CA 95814</b> <b>1-800-822-6228 – <a href="http://WWW.ENERGY.CA.GOV">WWW.ENERGY.CA.GOV</a></b>	
<b>APPLICATION FOR CERTIFICATION FOR THE <i>CARRIZO ENERGY SOLAR FARM PROJECT</i></b>	<b>Docket No. 07-AFC-8</b>
	<b>PROOF OF SERVICE</b>

**APPLICANT**

Perry H. Fontana, QEP  
Vice President-Projects  
Ausra, Inc.  
303 Ravendale Drive  
Mountain View, California  
94043  
[perry@ausra.com](mailto:perry@ausra.com)

**APPLICANT CONSULTANT**

Angela Leiba, GISP  
Senior Project Manager  
GIS Manager/Visual  
Resource Specialist  
URS Corporation  
1615 Murray Canyon Road,  
Suite 1000  
San Diego, CA 92108  
[angela\\_leiba@urscorp.com](mailto:angela_leiba@urscorp.com)

Kristen E. Walker, J.D.  
URS Corporation  
1615 Murray Canyon Road,  
Suite 1000  
San Diego, California 92108  
[kristen\\_e\\_walker@urscorp.com](mailto:kristen_e_walker@urscorp.com)

**COUNSEL FOR  
APPLICANT**

Jane E. Luckhardt  
DOWNEY BRAND  
621 Capitol Mall, 18th Floor  
Sacramento, CA 95814  
[jluckhardt@downeybrand.com](mailto:jluckhardt@downeybrand.com)

**INTERESTED AGENCIES**

California ISO  
[e-recipient@caiso.com](mailto:e-recipient@caiso.com)

**INTERVENORS**

\*Mr. John A. Ruskovich  
13084 Soda Lake Road  
Santa Margarita, California  
93453  
[agarnett@tcsn.com](mailto:agarnett@tcsn.com)

\*Mr. Michael Strobridge  
9450 Pronghorn Plains  
Road  
Santa Margarita, California  
93453  
[mike\\_76@live.com](mailto:mike_76@live.com)

California Unions for Reliable  
Energy (CURE)  
c/o Tanya Gulesserian  
Adams Broadwell Joseph &  
Cardozo  
601 Gateway Boulevard,  
Suite 1000  
South San Francisco, CA  
94080  
[tgulesserian@adamsbroadwell.com](mailto:tgulesserian@adamsbroadwell.com)

John Burch  
Traditional Council Lead  
Salinan Tribe  
8315 Morro Road, #202  
Atascadero, California 93422  
[salinantribe@aol.com](mailto:salinantribe@aol.com)

\*Environmental Center of  
San Luis Obispo (ECOSLO)  
c/o Babak Naficy  
P.O. Box 13728  
San Luis Obispo, California  
93406  
[babaknaficy@sbcglobal.net](mailto:babaknaficy@sbcglobal.net)

**ENERGY COMMISSION**

JEFFREY D. BYRON  
Commissioner and Associate  
Member  
[jbyron@energy.state.ca.us](mailto:jbyron@energy.state.ca.us)

Gary Fay  
Hearing Officer  
[Gfay@energy.state.ca.us](mailto:Gfay@energy.state.ca.us)

John Kessler  
Project Manager  
[jkessler@energy.state.ca.us](mailto:jkessler@energy.state.ca.us)

Caryn Holmes  
Staff Counsel  
[cholmes@energy.state.ca.us](mailto:cholmes@energy.state.ca.us)

Michael Doughton  
Staff Counsel  
[mdoughto@energy.state.ca.us](mailto:mdoughto@energy.state.ca.us)

Elena Miller  
Public Adviser  
[publicadviser@energy.state.ca.us](mailto:publicadviser@energy.state.ca.us)