



**California Office**

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**DOCKET**

**09-AFC-7**

DATE APR 21 2010

RECD. APR 26 2010

April 21, 2010

Alan Solomon  
Project Manager, Siting, Transmission and Environmental Protection Division  
California Energy Commission  
1516 Ninth Street, MS-15  
Sacramento, California 95814

Sent via email to [asolomon@energy.state.ca.us](mailto:asolomon@energy.state.ca.us)

Re: Comments on proposed Palen Solar Power Project – 09-AFC-7

Dear Mr. Solomon:

Thank you for the opportunity to comment on the Staff Assessment/Draft Environmental Impact Statement (SA/DEIS) for the proposed Palen Solar Power Project. These comments are submitted on behalf of Defenders of Wildlife (Defenders), a non-profit public interest conservation organization with more than 1,000,000 members and supporters nationally, 200,000 of which reside in California.

Defenders provided issue scoping comments on this proposed project in a letter to the California Energy Commission (CEC) and Bureau of Land Management (BLM) dated 12/23/2009. We have reviewed portions of the SA/DEIS concerning biological resources and groundwater, and offer the following comments:

### **Impact Analysis**

We are pleased the CEC and BLM staff recognizes the significant impacts that would occur to the Mojave Fringe-toed Lizard, its habitat, and the sand transport corridor from the project proposed by the applicant, as well as the Reconfigured Alternative proposed by the applicant. In addition to the impact to the Mojave Fringe-toed Lizard and its habitat, the proposed project would affect portions of a significant Desert Woodland Wash habitat, and the BLM-designated Wildlife Habitat Management Areas for multiple species and also a Desert Tortoise habitat connectivity zone established to provide for movements north and south under Interstate 10 through existing drainage crossings.

Impacts associated with the Reduced Acreage Alternative identified by CEC and BLM staffs would be reduced considerably for the Mojave Fringe-toed Lizard and its habitat, Dry Wash Woodland habitat, and for wildlife movement north and south of Interstate 10 utilizing existing drainage crossings. A relatively small amount (210 acres) of critical habitat for the Desert Tortoise would be affected in the southwest portion of the proposed project area.

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## Alternatives

In our issue scoping comments we recommended an alternative to the proposed project that would have largely eliminated or reduced impacts to the Mojave Fringe-toed Lizard and its habitat, as well as substantially reducing impacts to the Desert Kit Fox and Burrowing Owl. This was based on eliminating the proposed eastern half of the project, which would reduce the rated power output from 500 MW to 250 MW. Unfortunately, this alternative wasn't evaluated in the SA/DEIS. We continue to request that it be considered in a supplement to the SA/DEIS.

The North Desert Center Alternative clearly has merits as it would be based primarily on disturbed or fallow agricultural lands and adjacent to the Desert Center Airport. It would also be near to the vehicle racetrack identified in the SA/DEIS as under construction. This alternative appears environmentally superior to the proposed project site, and is especially of interest to Defenders because impacts to biological resources would be clearly and significantly reduced or eliminated.

## Groundwater Availability

In light of the 3/22/10 letter from the Colorado River Board of California regarding availability of groundwater for the proposed Palen Solar Power Project, we would like staff to clarify in a supplement to the SA/DEIS, the issue of water availability. If sufficient water for power plant facility operations is in doubt, we believe this would be a highly significant issue, perhaps rendering the project infeasible.

This concludes our comments on the SA/DEIS to the CEC. We plan to send comments to the BLM by the due date announced in the Federal Register. Thank you for considering our comments. If you have any questions, please contact me at (916) 313-5800 x110 or via email at [jaardahl@defenders.org](mailto:jaardahl@defenders.org).

Sincerely,



Jeff Aardahl  
California Representative