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08-AFC-13	
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VIA Electronic and U.S. Mail

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Re: Calico Solar Project Data Request – 08-AFC-13

Dear Ms. Bellows:

During the Calico Solar Project (“Project”) workshop held at the California Energy Commission (“Commission”) on September 8, 2010, Tessera Solar (the “Applicant”) indicated that it relied on several factors to determine the quality of desert tortoise habitat on the Project site. The Applicant referenced an arching line across the Project footprint that delineated the newly proposed boundary for the reduced footprint “Scenario 6.” Theresa Miller stated that the Applicant developed this new boundary line based on information collected during the 2010 desert tortoise surveys, and the Applicant originally included a map of the proposed boundary as part of its analysis of habitat quality in the draft desert tortoise translocation plan. In order to determine whether the

proposed boundary line is an appropriate, science-based delineation of desert tortoise habitat quality, Sierra Club requires all of the data and information that the Applicant and/or other agencies relied on to develop the proposed boundary line.

As you know, Sierra Club must respond to the Applicant's newly proposed reduced acreage footprint by 3:00 p.m. on Friday, September 17. We therefore immediately require the following information to be able to evaluate the reduced acreage Project alternatives:

1. Please provide all of the data used to support site-specific conclusions about habitat quality. With these data, please provide:
 - a. A description of all specific metrics observed and recorded on the Project site that the Applicant used to determine habitat quality. These may include, but are not limited to, tortoise density, tortoise burrows, vegetation cover, type of vegetation, soil composition, slope, aspect, temperature, wind, and cloud cover.
 - b. The geographic locations associated with the data that are provided (including geographic coordinates if available).
 - c. The names of the surveyor(s) that collected the data, and their qualifications (if not provided previously).
2. Theresa Miller's written testimony submitted by the Applicant on September 13, 2010 stated, "Data that was prepared by URS for the desktop habitat modeling is available and can be obtained by emailing Camille Lill at URS (camille_lill@urscorp.com) and requesting the specific data layers. Additionally, data that was created by URS and provided to BLM has been released for public use by BLM and can be requested from Camille Lill." (Miller Testimony, p.2)
 - a. Please provide the data used to prepare the desktop habitat modeling.
 - b. Please provide the model's output information that the Applicant relied on to create the delineation between the high quality habitat and the medium quality habitat.
3. The following questions relate to the Applicant's submittal of 2010 Desert Tortoise survey results (i.e., URS 2010 May 17):
 - a. On 5 August 2010, Theresa Miller testified that "We conducted surveys -- ten meter protocol surveys on the 8,230 acre original project boundary plus a 1,000 foot buffer of the project with 10-meter transects according to the 2010 U.S. Fish and Wildlife protocol" (page 35 of the transcript). The Applicant's 2010 survey report does not include information on tortoises or tortoise burrows that were detected in the 1,000-foot buffer (see Tables 1 and 2; Figures 1 through 4 of the survey report). Please provide the data for the tortoises and tortoise sign that were detected within the 1,000-foot buffer.

- b. Several of the data forms provided in Appendix 1 of the 2010 desert tortoise survey results list two biologists in the “Biologist” field. For example, the first form (e.g., for DT#1) identifies Rick Bailey and Jerry Monks as the biologists associated with the detection of DT#1. Please clarify whether some transect lines were surveyed by two biologists (as suggested by several of the data forms). If each transect was surveyed by a single biologist, please indicate the biologist that detected, and derived data, for each live tortoise that was detected (e.g., for DT#1, was it Rick Bailey or Jerry Monks?).
- c. Please provide the data missing from the data forms in Appendix 1, as outlined below:

Variable	Tortoise number (DT #)
Time	82,88
Temperature	6,7,8,9,19,27,34,38,39,45,48,49,50,51,56,57,58,64,65,70,86 94,96,97,98,99,100,101,102,103,104
Cloud cover	34,96,97,98,99,100
Wind	34,45,56,57,58,96,97,98,99,100
Slope	2,6,17,19,20,21,22,24,26,27,53,55,66,79,81,83,86,92,96, 97,98,99
Aspect	2,6,14,15,16,17,19,20,21,26,27,34,35,36,37,53,55,66,79, 81,83,86,92,96,97,98,99

- 4. Appendix 2 of the 2010 desert tortoise survey report provides a table with tortoise burrow data. Please clarify the following:
 - a. Do the tortoise numbers provided in the 10th column (i.e., the one labeled “Tortoise #”) correspond with the tortoise numbers provided in Appendix 1? If yes, please clarify why the geographic coordinates provided in Appendix 1 do not match those provided in Appendix 2.
 - b. Was there any attempt to distinguish winter burrows from summer burrows? If yes, please identify the winter burrows and discuss how they were distinguished from summer burrows.
 - c. Please clarify whether a data form (i.e., the ones provided in Appendix 1) was completed for each of the live tortoises listed in Appendix 2.
- 5. Please provide a spreadsheet, copies of data sheets, or other document(s) that provides adequate information to establish the personnel that surveyed each transect, and the date(s) the transects were surveyed. We understand the 8,230-

acre Project site and 1,000-foot buffer was surveyed between 29 March and 15 April 2009. We further understand the names of the surveyors were listed in the 2010 survey report. However, we require more specific information on the survey teams and locations for these dates. The table below serves as a template for the type of data we seek.

Section	Transect line	Date	Start coordinate	End coordinate	Surveyor(s)
6	1	3/29	589929, 3689017	588378, 3689017	TR, BD
6	2	4/1	589929, 3688867	588378, 3688867	EM, JT

6. Please provide a Project site map that includes data from both the 2007-2008 tortoise surveys and the 2010 tortoise surveys, and the other sensitive biological resources that were detected on the Project site (e.g., bighorn sheep sign, rare plants, burrowing owls).
7. There are several threats to desert tortoises that could exist to the desert tortoises on the Project site. For example, several research studies have demonstrated a zone of depression adjacent to a road, and thus roads are considered a threat to desert tortoises. Threats to desert tortoises are summarized in: Boarman WI. 2002. Threats to Desert Tortoise Populations: A Critical Review of the Literature. U.S. Geological Survey, Western Ecological Research Center. Sacramento (CA): 86p. Boarman's paper was submitted as an exhibit, and is available at: http://www.dmg.gov/documents/RVW_Threats_to_DT_Pops_A_Crit_Rvw_of_the_Lit_USGS_080902.pdf.
 - a. Please discuss the various threats to desert tortoises that the Applicant considered in making its determination regarding the delineation of habitat quality. If the Applicant did not consider such threats, please explain why not.
 - b. Please explain how the Applicant identified those threats, if at all, on the Project site.
 - c. Please describe the site-specific occurrences of those various threats across the Project site and the amount of variability of those threats.

Sierra Club is also concerned with the impacts that the revised Project footprints and the proposed elimination of detention basins will have on hydrology, drainage, erosion, and sediment control on and around the Project site. Sierra Club does not propose that the Applicant construct detention basins in the high quality desert tortoise habitat; however, Sierra Club is concerned that the removal of the detention basins may affect biological and other resources in ways that the Applicant and other parties have not had an opportunity to address at this late stage. Sierra Club is also concerned that the Applicant has not provided a drainage, erosion and sediment control study for the Project. To that end, Sierra Club requests the following information:

8. The Commission required the applicant in the Ivanpah proceeding to provide a study of the drainage, erosion, and sediment control impacts to the alluvial fan that would result from the Project. “Major site alterations, as would result from ISEGS, have the potential to modify stormwater drainage patterns and flowrates, and result in severe erosion impacts which would adversely affect the project site.” (Staff’s Status Report No. 9, May 18, 2009.) Please provide a similar study of the impacts to drainage, erosion, and sediment control resulting from the Calico Project. If no such study exists, please explain why the Applicant has not prepared a study similar to the study that Staff required in the Ivanpah proceeding.
9. Dr. Howard Chang’s written testimony submitted by the Applicant on September 13, 2010 stated, “The [sic] analyze the hydraulics of flow, erosion and sedimentation, a study has been made to provide the dynamics of stream flow and potential stream channel changes including general scour and local scour for the Calico project site.” (Chang Testimony, p.10.)
 - a. Please provide the study referenced by Dr. Chang.
 - b. Please provide an analysis and explanation of the changes to hydrology, drainage, erosion and sedimentation that would occur as a result of the reduced footprint project scenarios 5.5 and 6.
10. Dr. Howard Chang’s written testimony submitted by the Applicant on September 13, 2010 stated, “the installation of SunCatchers is subject to certain restrictions...(1) Storm water flow depths around the SunCatcher cannot exceed 1.5 ft, (2) the maximum allowable scour depth around the SunCatcher pedestal is 4 ft, and (3) Sediment deposition within the SunCatcher filed during a 100-year event cannot exceed 6 inches...” (Chang Testimony, p.10.)
 - a. Please provide a map or description of the areas within the newly proposed footprints that would trigger these restrictions.
 - b. For each scenario, please provide an estimate of the number of SunCatchers that would be subject to the restrictions discussed by Dr. Chang.

If you have any concerns or questions regarding this request, please contact me as soon as possible.

Sincerely,



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APPLICATION FOR CERTIFICATION

For the CALICO SOLAR (Formerly SES Solar One)

Docket No. 08-AFC-13

**PROOF OF SERVICE
(Revised 8/9/10)**

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DECLARATION OF SERVICE

I, Jeff Speir, declare that on September 14 2010, I served and filed copies of the attached Request, dated September 14, 2010. 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: [www.energy.ca.gov/sitingcases/solarone].

Sierra Club
Second Data

The documents have 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:

- sent electronically to all email addresses on the Proof of Service list;
- by personal delivery;
- by delivering on this date, for mailing with the United States Postal Service with first-class postage thereon fully prepaid, to the name and address of the person served, for mailing that same day in the ordinary course of business; that the envelope was sealed and placed for collection and mailing on that date to those addresses **NOT** marked "email preferred."

AND

FOR FILING WITH THE ENERGY COMMISSION:

- 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. 08-AFC-13
1516 Ninth Street, MS-4
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I declare under penalty of perjury that the foregoing is true and correct, that I am employed in the county where this mailing occurred, and that I am over the age of 18 years and not a party to the proceeding.


