State of California – The Resources Agency
ARNOLD SCHWARZENEGGER, Governor
DEPARTMENT OF FISH AND GAME
http://www.dfg.ca.gov
Central Region
1234 East Shaw Avenue
Fresno, California 93710
(559) 243-4005

DOCKET
08-AFC-2
DATE FEB 09 2009
RECD. MAR 11 2009

February 9, 2009

Rachael E. Koss
Adams Broadwell Joseph and Cardozo
601 Gateway Boulevard, Suite 1000
South San Francisco, California 94080-7037

Subject: Notice Request for Beacon Solar, LLC

Ms. Koss:

The California Department of Fish and Game (Department) is writing in response to your letter of November 19, 2008, regarding the California Unions for Reliable Energy's request to be placed on the notice list for all actions and activities relating to the Beacon Solar Energy Project 1602 streambed alteration agreement and Section 2081 Incidental Take Permit application. We apologize for the delay in responding to your request.

Because this project falls within the scope of the California Energy Commission's (CEC) exclusive permitting jurisdiction, the Department will be issuing neither a 2081 permit nor a streambed alteration agreement for this Project. Rather, the Department will work with the CEC to ensure that compliance with the California Endangered Species Act and Fish and Game Code Section 1600, et seq., is achieved through the CEC's permitting process. You can request to be placed on the CEC's notice list for this Project by going to the following webpage: http://www.energy.ca.gov/sitingcases/beacon/index.html.

If you have any further questions or comments regarding this matter, please contact Julie Vance, Senior Environmental Scientist, at the address provided on this letterhead or by telephone at (559) 243-4014, extension 222.

Sincerely,

Jeffrey R. Single, PhD
Regional Manager

cc: See Page Two

PROOF OF SERVICE (REVISED 2/9/09) FILED WITH
ORIGINAL MAILED FROM SACRAMENTO ON 3/11/09
MS

cc: Eric Solario
California Energy Commission
Environmental Office
1516 Ninth Street, MS 40
Sacramento, California 95814

Steven Ingram
Department of Fish and Game
Office of General Counsel

Scott Flint
Department of Fish and Game
Habitat Conservation Planning Branch

Julie Means
Department of Fish and Game
Central Region

BEFORE THE ENERGY RESOURCES CONSERVATION AND DEVELOPMENT COMMISSION OF THE STATE OF CALIFORNIA
1516 NINTH STREET, SACRAMENTO, CA 95814
1-800-822-6228 – WWW.ENERGY.CA.GOV

APPLICATION FOR CERTIFICATION
For the *BEACON SOLAR ENERGY PROJECT*

Docket No. 08-AFC-2

PROOF OF SERVICE
(Revised 2/9/09)

APPLICANT

Scott Busa
Kenneth Stein, J.D.,
Meg Russell
Duane McCloud
Guillermo Narvaez, P.E.
Nextera Energy Resources, LLC
700 Universe Blvd.
Juno Beach, FL 33408
Scott.Busa@Nexteraenergy.com
Kenneth.Stein@Nexteraenergy.com
Meg.Russell@Nexteraenergy.com
Duane.McCloud@Nexteraenergy.com
Guillermo.Narvaez@Nexteraenergy.com

APPLICANT'S CONSULTANTS

Sara Head, Vice President
AECOM Environment
1220 Avenida Acaso
Camarillo, CA 93012
sara.head@aecom.com

Bill Pietrucha, Project Manager
Jared Foster, P.E.,
Mechanical Engineer
Worley Parsons
2330 E. Bidwell Street, Suite 150
Folsom, CA 95630
Bill.Pietrucha@worleyparsons.com
Jared.Foster@worleyparsons.com

COUNSEL FOR APPLICANT

Jane Luckhardt, Attorney at Law
Downey Brand Attorneys LLP
621 Capital Mall, 18th Floor
Sacramento, CA 95814
jluckhardt@downeybrand.com

INTERESTED AGENCIES

California ISO
e-recipient@caiso.com

INTERVENORS

***Tanya A. Gulesserian**
Marc D. Joseph
Adams Broadwell
Joseph & Cardozo
601 Gateway Boulevard,
Suite 1000
South San Francisco, CA 94080
E-MAILED PREFERRED
tgulesserian@adamsbroadwell.com

ENERGY COMMISSION

KAREN DOUGLAS
Chairman and Presiding Member
KLdougla@energy.state.ca.us

JEFFREY D. BYRON
Commissioner and Associate Member
Jbyron@energy.state.ca.us

Kenneth Celli
Hearing Officer
kcelli@energy.state.ca.us

Eric K. Solorio
Project Manager
esolorio@energy.state.ca.us

Jared Babula
Staff Counsel
jbabula@energy.state.ca.us

Public Adviser's Office
publicadviser@energy.state.ca.us

DECLARATION OF SERVICE

I, Maria Santourdjian, declare that on March 11, 2009, I served and filed copies of the attached CDFG Response to "CURE". 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/beacon]. 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:

__✓__ 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, CA 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:

__✓__ 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-4
1516 Ninth Street, MS-4
Sacramento, CA 95814-5512

docket@energy.state.ca.us

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

Maria Santourdjian