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Via E-Mail and Federal Express

December 11, 2008

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

Susan Jones
Chief, San Joaquin Valley Branch
United States Fish and Wildlife Service
Sacramento Fish and Wildlife Office,
Endangered Species Division
2800 Cottage Way, Room W-2605
Sacramento, CA 95825

Dave Hacker
Environmental Scientist
California Department of Fish and Game
3196 Higuera Street, Suite A
San Luis Obispo, CA 93401

Re: Multi-Agency Wildlife Corridor Modeling Process for the Carrizo Plain

Dear Mr. Kessler, Ms. Jones, and Mr. Hacker:

On behalf of Ausra CA II, LLC doing business as Carrizo Energy, LLC (“Ausra”), I am writing to request information on the status, methodology, and schedule for a multi-agency wildlife corridor modeling process that your agencies are contemplating for the Carrizo Plain.

For over eighteen months Ausra has diligently sought to comply with the Endangered Species Act in order to develop the Carrizo Energy Solar Farm in San Luis Obispo County (the “Project”). As a result, Ausra was startled to first learn on November 19, 2008 that United States Fish and Wildlife Service (“USFWS”) Project review schedules would be delayed pending completion of a multi-agency wildlife corridor modeling process involving several entities including the California Energy Commission (“CEC”), USFWS, the California Department of Fish and Game (“CDFG”), and two other solar project developers besides Ausra. In previous conversations with CEC staff in public workshops, CEC staff stated the cumulative impacts analysis would not delay the CEC proceeding on this Project. In fact, the CEC staff issued their Preliminary Staff Assessment without this analysis, anticipating that CEC staff would

incorporate the results of the additional analysis in their Final Staff Assessment, if the additional analysis was available at that time.

USFWS conveyed to Carrizo that the CEC, USFWS, and CDFG have had extensive discussions regarding the wildlife corridor modeling process. Ausra has not been involved in those discussions. As a result, Ausra respectfully requests information regarding the following aspects of the contemplated multi-agency wildlife corridor modeling process:

- Prior discussions and decisions between and by the CEC, USFWS, and CDFG regarding the wildlife corridor modeling process, as well as an estimate of when future discussions will be held and the subject of those discussions.
- The study's commencement and estimated completion date, as well as the basis used to calculate those dates. USFWS indicated that the process will be complete in January of 2009, but we would like confirmation from the other agencies as to their estimate of the completion date and the basis for the estimate.
- Any assumptions held by the agencies regarding the Project and the other two solar development projects, which assumptions will be used to provide inputs for the modeling.
- The model's methodology, landscape context, alternative routes in the vicinity to be assessed, as well as historical use of the model relative to agricultural landscapes.
- Any basis that supports using the model, assumptions, inputs, and methodology to predict the Project's impacts on highly disturbed agricultural land located within a landscape dominated by agriculture as opposed to landscapes with less disturbed land.
- The inputs that will be used for the model and how they will be weighted (land cover, focal species, elevation/topography, drainages, etc.).
- How agricultural lands will be weighted against other lands.
- How the model will prioritize public and private property.
- The expected outputs of the model.
- Who will be performing the modeling task.
- Whether the model has ever been applied to a landscape dominated by agricultural lands.
- URS provided a wildlife movement figure in their cumulative assessment - how the model output may differ from what has already been assessed.

- How the model may differ from what has been already been assessed in the USFWS Recovery Plan for San Joaquin Valley upland species.

We look forward to discussing some of this information at the December 15, 2008 workshop. However, we anticipate that due to the number of topics up for discussion at this workshop their may not be adequate time or opportunity for you to fully convey all this information. Accordingly, we would also appreciate responses from the CEC, USFWS, and CDFG to this inquiry.

Very truly yours,

DOWNEY BRAND LLP



Wendy Lee Bogdan

WLB

cc: Mike Fris (USFWS)
Ken Sanchez (USFWS)
Peter Cross (USFWS)
Susan Moore (USFWS)
Mark D'Avignon (Corps)
Jack Kerns (Corps)
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