

STATE OF CALIFORNIA  
Energy Resources Conservation  
and Development Commission

<b>DOCKET</b>	
<b>09-AFC-9</b>	
DATE	MAY 04 2011
RECD.	MAY 04 2011

In the Matter of:

APPLICATION FOR CERTIFICATION  
FOR THE (SOLAR MILLENIUM)  
RIDGECREST SOLAR POWER  
PROJECT

DOCKET NO. 09-AFC-9

**INTERVENOR CENTER FOR BIOLOGICAL DIVERSITY'S OPPOSITION TO  
THE REQUEST FOR MODIFICATION OF SUSPENSION OF THE RSPP**

May 4, 2011

Lisa T. Belenky, Senior Attorney  
Center for Biological Diversity  
351 California St., Suite 600  
San Francisco, CA 94104  
Phone: 415-436-9682 x 307  
Cell: 415-385-5694  
[lbelenky@biologicaldiversity.org](mailto:lbelenky@biologicaldiversity.org)

Ileene Anderson  
Public Lands Desert Director  
Center for Biological Diversity  
PMB 447, 8033 Sunset Boulevard  
Los Angeles, CA 90046  
(323) 654-5943  
[ianderson@biologicaldiversity.org](mailto:ianderson@biologicaldiversity.org)

**STATE OF CALIFORNIA**

**Energy Resources Conservation  
and Development Commission**

In the Matter of:

APPLICATION FOR CERTIFICATION  
FOR THE (SOLAR MILLENIUM)  
RIDGECREST SOLAR POWER  
PROJECT

DOCKET NO. 09-AFC-9

**INTERVENOR CENTER FOR BIOLOGICAL DIVERSITY'S OPPOSITION TO  
THE REQUEST FOR MODIFICATION OF SUSPENSION OF THE RSPP**

California Energy Commission  
Siting, Transmission and Environmental Protection Division  
1516 Ninth Street,  
Sacramento, CA 95814

Dear Committee,

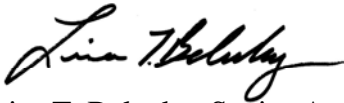
On March 23, 2011, Solar Millenium submitted a letter requesting that the Committee continue the suspension of the RSPP for a period of 18 months. The basis for the request to modify the revised scheduling order is "to wait for the outcome of the DRECP [Desert Renewable Energy Conservation Plan]and to use this as the basis for determining how to proceed with the RSPP AFC Proceedings". As parties in this proceeding, we oppose the request for modification. The original suspension was approved in order to provide time for an applicant-funded study of Mojave ground squirrel to be undertaken. That study has now been abandoned by the applicant.

Even without that study, based on data presented at CEC workshops and professional opinion of your staff and other experts, it is clear that the proposed project site has important conservation values for the rare and threatened species that the proposed project site has already been determined to support. While it is clear to us that those values will ultimately be formally recognized in the DRECP, there is no need for the Committee to wait an additional 18 months or wait for a final DRECP before acting to make a determination on this application. The evidence already before the Commission shows that the application should be denied because of the high conservation value of these lands and the unacceptable impacts that would occur if the

proposed project were constructed on this site. Therefore, we ask that the Committee deny the request to modify and continue the suspension of the application and consider termination of this application when reviewing the request for modification of suspension.

Dated: May 4, 2011

Respectfully submitted,



Lisa T. Belenky, Senior Attorney  
Center for Biological Diversity  
351 California St., Suite 600  
San Francisco, CA 94104  
Direct: 415-632-5307  
Fax: 415-436-9683  
[lbelenky@biologicaldiversity.org](mailto:lbelenky@biologicaldiversity.org)



Ilene Anderson  
Public Lands Desert Director  
Center for Biological Diversity  
PMB 447  
8033 Sunset Boulevard  
Los Angeles, CA 90046  
(323) 654-5943  
[ianderson@biologicaldiversity.org](mailto:ianderson@biologicaldiversity.org)



**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](http://WWW.ENERGY.CA.GOV)**

**APPLICATION FOR CERTIFICATION  
For the *RIDGECREST SOLAR  
POWER PROJECT***

**Docket No. 09-AFC-9**

**PROOF OF SERVICE  
(Revised 11/10/2010)**

**APPLICANT**

Billy Owens  
Director, Project Development  
Solar Millennium  
1625 Shattuck Avenue, Suite 270  
Berkeley, CA 94709-1161  
[owens@solarmillennium.com](mailto:owens@solarmillennium.com)

Alice Harron  
Senior Director, Project Development  
1625 Shattuck Avenue, Suite 270  
Berkeley, CA 94709-1161  
[harron@solarmillennium.com](mailto:harron@solarmillennium.com)

Elizabeth Copley  
AECOM Project Manager  
2101 Webster Street, Suite 1900  
Oakland, CA 94612  
[elizabeth.copley@aecom.com](mailto:elizabeth.copley@aecom.com)

Scott Galati  
Marie Mills  
Galati/Blek, LLP  
455 Capitol Mall, Suite 350  
Sacramento, CA 95814  
[sgalati@gb-llp.com](mailto:sgalati@gb-llp.com)  
[mmills@gb-llp.com](mailto:mmills@gb-llp.com)

Peter Weiner  
Matthew Sanders  
Paul, Hastings, Janofsky & Walker  
LLP  
55 2<sup>nd</sup> Street, Suite 2400-3441  
San Francisco, CA 94105  
[peterweiner@paulhastings.com](mailto:peterweiner@paulhastings.com)  
[matthewsanders@paulhastings.com](mailto:matthewsanders@paulhastings.com)

\*Jim Migliore  
Associate, Environmental  
Management  
Solar Millennium LLC  
1111 Broadway, 5th Floor  
Oakland, CA 94607  
*E-mail preferred*  
[migliore@solarmillennium.com](mailto:migliore@solarmillennium.com)

**INTERVENORS**

Desert Tortoise Council  
Sidney Silliman  
1225 Adriana Way  
Upland, CA 91784  
[gssilliman@csupomona.edu](mailto:gssilliman@csupomona.edu)

California Unions for Reliable Energy  
(CURE)  
Tanya A. Gulesserian  
Elizabeth Klebaner  
Marc D. Joseph  
Adams Broadwell Joseph &  
Cardozo  
601 Gateway Boulevard, Suite 1000  
South San Francisco, CA 94080  
[tgulesserian@adamsbroadwell.com](mailto:tgulesserian@adamsbroadwell.com)  
[eklebaner@adamsbroadwell.com](mailto:eklebaner@adamsbroadwell.com)

Basin and Range Watch  
Laura Cunningham & Kevin Emmerich  
P.O. Box 70  
Beatty, NV 89003  
[bluerockiguana@hughes.net](mailto:bluerockiguana@hughes.net)

Western Watersheds Project  
Michael J. Connor, Ph.D.  
California Director  
P.O. Box 2364  
Reseda, CA 91337-2364  
[mjconnor@westernwatersheds.org](mailto:mjconnor@westernwatersheds.org)

Kerncrest Audubon Society  
Terri Middlemiss & Dan Burnett  
P.O. Box 984  
Ridgecrest, CA 93556  
[catbird4@earthlink.net](mailto:catbird4@earthlink.net)  
[indanburnett@verizon.net](mailto:indanburnett@verizon.net)

Center for Biological Diversity  
Ileene Anderson  
Public Lands Desert Director  
PMB 447, 8033 Sunset Boulevard  
Los Angeles, CA 90046  
[ianderson@biologicaldiversity.org](mailto:ianderson@biologicaldiversity.org)

Center for Biological Diversity  
Lisa T. Belenky, Senior Attorney  
351 California Street, Suite 600  
San Francisco, CA 94104  
[lbelenky@biologicaldiversity.org](mailto:lbelenky@biologicaldiversity.org)

**INTERESTED AGENCIES**

California ISO  
*E-mail Preferred*  
[e-recipient@caiso.com](mailto:e-recipient@caiso.com)

Janet Eubanks, Project Manager,  
U.S. Department of the Interior  
Bureau of Land Management  
California Desert District  
22835 Calle San Juan de los Lagos  
Moreno Valley, California 92553  
[janet\\_eubanks@ca.blm.gov](mailto:janet_eubanks@ca.blm.gov)

Scott O'Neil, Executive Director  
Naval Air Warfare Center Weapons  
Division  
1 Administration Circle  
China Lake, CA 93555-6100  
[scott.oneil@navy.mil](mailto:scott.oneil@navy.mil)

Scott O'Neil, Executive Director  
Naval Air Warfare Center Weapons  
Division  
575 "I" Avenue, Suite 1  
Point Mugu, CA 93042-5049  
[scott.oneil@navy.mil](mailto:scott.oneil@navy.mil)

**ENERGY COMMISSION**

JAMES D. BOYD  
Vice Chair and Presiding Member  
[jboyd@energy.state.ca.us](mailto:jboyd@energy.state.ca.us)

ANTHONY EGGERT  
Commissioner and Associate Member  
[aeggert@energy.state.ca.us](mailto:aeggert@energy.state.ca.us)

Lorraine White  
Advisor to Commissioner Eggert  
[lwhite@energy.state.ca.us](mailto:lwhite@energy.state.ca.us)

Kourtney Vaccaro  
Hearing Officer  
[kvaccaro@energy.state.ca.us](mailto:kvaccaro@energy.state.ca.us)

Eric Solorio  
Project Manager  
[esolorio@energy.state.ca.us](mailto:esolorio@energy.state.ca.us)

Tim Olson  
Advisor to Commissioner Boyd  
[tolson@energy.state.ca.us](mailto:tolson@energy.state.ca.us)

Jared Babula  
Staff Counsel  
[jbabula@energy.state.ca.us](mailto:jbabula@energy.state.ca.us)

Jennifer Jennings  
Public Adviser  
*E-mail preferred*  
[publicadviser@energy.state.ca.us](mailto:publicadviser@energy.state.ca.us)

**DECLARATION OF SERVICE**

I, Deene Anker, declare that on, 5/4/11, I served and filed copies of the attached letter. 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/solar\\_millennium\\_ridgecrest](http://www.energy.ca.gov/sitingcases/solar_millennium_ridgecrest)].

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;  
 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. 09-AFC-9  
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, 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.

