

From: John Kessler
To: Docket Optical System
CC: Brian McCollough; Caryn Holmes; Mark Hamblin; Michael Doughton; Paul...
Date: 12/30/2008 10:16 AM
Subject: Fwd: URS/Ausra Responses to CURE Data Requests

Dear Docket Staff:

Please docket this email to Carrizo (07-AFC-8) and include the phrase in the file name, "M Strobridge's Comments to Applicant's Responses to CURE's Data Requests 37-67".

thank you,

John

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DOCKET	
07-AFC-8	
DATE	<u>DEC 29 2008</u>
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>>> Michael Strobridge <mike_76@live.com> 12/29/2008 9:34 PM >>>

John,

I am concerned about URS's response to CURE's data requests. Here are my concerns.

Data Response 37- URS states that their highest structure on the project would be 115ft high, which is the equivalent to a 3 story building. URS also states fatalities are usually the result of multi-story buildings that are lighted at night. The average height of 1 story is 10-12ft. Again URS lacks the ability to provide accurate information. A 115ft tall structure would be roughly 11 stories tall not 3. Since Ausra plans on using the FireFly Bird Flight Diverter which glow at night and have to be placed every 15-30ft apart (Bird Buster 2008) this structure has the potential to be illuminated at night. An 11 story building glowing at night will cause a enormous hazard for bird collisions and fatalities. Furthermore these flight diverters would be a very negative visual impact, due to the reflectors during the day and the nighttime glowing of 6 lumens per cubic meter. Basically these flight diverters would light up all guy wires and power lines at night like christmas lights. URS's reference information from the Netherlands does not apply as bird species in the Carrisa Plains are not the same as the Netherlands. I would think information from the same continent would be more appropriate. The CESF has many migratory birds, a few for example are Long Billed Curlews which are also shore birds, also morning dove feed on the CESF site daily they are also migratory. I have also witnessed Ferruginous Hawks foraging on site and these are also migratory birds. I have multiple pictures of all 3 of these species on the CESF site. The Long Billed Curlews and Morning Dove forage on site in large numbers.

Data Request 51-URS states that Condors only fly in a north-south direction along the ridgelines and foothills of the Caliente Mountain Range west of the project. This statement is absurd URS states that cattle are grazed currently on the project site and surrounding areas. Condors feed on cattle carcasses, there are none in the mountains only the flatlands. I am positive that Condors fly West to east and east to west also. URS states that cattle are not kept on site at all times reducing the chance of dead cattle. This is correct but they are rotated from field to field as they are grazed off. The project site is grazed then cattle are moved to the lay down area then to the PG&E parcel etc. Cattle are currently grazed on sections 28 29 20 21 22 27 16 17 18 19 33 34 32 31 as you can see there is a sufficient amount of potential for dead livestock.

Data Request 56-URS states that the project vicinity is not suitable Bald Eagle habitat for nesting and foraging. This information is incorrect. I have personally witnessed Bald Eagles on site hunting from the power poles. I have also witnessed Golden Eagles, Ferruginous Hawks, Cooper Hawks and Red Tail Hawks foraging on site. The abandoned structures and multiple trees on the CESF site provide excellent nesting opportunities. I have witnessed a Golden Eagle pair on site. I have multiple pictures to prove these birds are using the CESF site.

Data Request 57-URS states Ferruginous Hawks may use the project vicinity as foraging habitat, although nesting habitat is not present. This is another vague statement by URS. Ferruginous Hawks do extensively use the CESF site and Lay Down Area for foraging. I provided pictures at the Dec.15th meeting to prove this fact. Again I have excellent pictures of Ferruginous Hawks on both the CESF project site and Lay Down Area.

Data Request 58-URS states Golden Eagle likely forages in California Valley and vicinity of the project site. Golden Eagles

forage directly on the project site and lay down area. Again I have multiple pictures of Golden Eagles on site and have witnessed up to 7 Golden Eagles and a Ferruginous Hawk all hunting together at the same time on the project site. Among this group of Golden Eagles 2 were a pair. This would put a nesting area in close proximity of the project site if not on it.

Data Request 67-URS states that a bird can perch on the collector hoods which are 140 degrees F. Has URS taken into account 110 degree days in the summer that would elevate hood temperatures. I am extremely entertained by the bird picture provided in BIO 15. What kind of bird is this? Is this even a bird? Perhaps this is bird completely charred or it is the endangered Magic Marker Bird. This is suppose to be at Ausra's Australia plant but I only see blue sky. There is no proof this is even there Australia plant.

I am extremely concerned with the half truths and misleading information provided by URS. If the CEC would like any pictures I would be more than happy to provide them.

Thank you for your time,
Mike Strobridge

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