

From: John Kessler
To: Docket Optical System
CC: Brian McCollough; Caryn Holmes; Michael Doughton; Rick York
Date: 11/17/2008 7:27 AM
Subject: Fwd: Re: Notice & Phone # for 11/17 Hearing
Attachments: DSC01019.JPG; Elk Herd on Beck Ranch-003 11-08-08.jpg

Please docket this email and the attached photos to Carrizo (07-AFC-8), and include the phrase in the file name, "Comments from John Ruskovich re Wildlife (11-16-08)"

Thank you,

John

John S. Kessler
 CEC - Project Manager
 Office: 916-654-4679
 Cell: 530-306-5920
 Fax: 916-654-4421

DOCKET	
07-AFC-8	
DATE	<u>Nov 17 2008</u>
RECD.	<u>Nov 17 2008</u>

>>> "Agena Garnett" <agarnett@tcsn.net> 11/16/2008 12:01 PM >>>

John,

I read Ausra's CURE reponse and I have a couple comments for the hearing on 11/17/08.

Impacts on Special Status Species:

A. We are sending an attachment of photos taken between the week of Nov. 8 thru Nov 16, 2008 of Eagles, Falcons, Elk and Antelope taken on Section 2 and 11, and within one and a half miles of their project site. The Elk photos were taken in the Spring of 2008 and November 8, 2008 on the Beck Ranch, which Ausra wants the West end of the ranch (2 1/2 sections) and Sun Power wants the East side of the ranch (2 sections). For over a year we have been trying to explain to everyone the environmental impact report that URS has been doing is very very incomplete and inaccurate.

B. Ask PG&E what happens when an Eagle dies on one of the small power lines in our area. This has happened many times and it is law that environmentalist are made aware and the site is quaranteed until an assement can be made by everyone. A lot of red tape is made because of this. We have 3 Eagles and 2 Faclons that live on our ranch alone, there is another set of about 3 or 4 that live right beside and on Ausra's site. That is why we are sending you pictures of Eagles living on power poles. It is a very common site. Also our Standpipes in the back field.

Water Quality

A. We will have a water report in about 2 to 3 weeks, which is being prepared by a Bay area resource engineering firm at a cost of \$100,000.00 dollars. They took actual x-rays of underground water resources and their conclusion was that doing any irrigation on section 2, 3, 10 or 11 there is insufficinat water and the deeper you go, up to 1,000 feet the quality goes down drastically. This is one of four speciality computer machines that I understand is in the nation. This process of testing the the most up to date technology. Again, I ask has anybody been in contact with a Union Construction Company like Granite Construction out of Watsonville, CA about the water issue on moving one million cubic yards of dirt and recompacting it. This is important for they will tell you the volume of water that would actually be used to do the job. Last year we had 7 inches of rain almost all in January. The year before was 3 inches. We need to know how much water is needed in a semi-dry year again. Since it has been 3 years since I have produced a Barley crop from natural rain fall.

As stated in the last paragraph of Asura's cure response, it is obvios that they are AGAIN trying to weasle out of doing anything by stating that the documents are not necessary because the species or water problems don't exist. Which we all know is a bald face lie.

Please have patience with us as we are doing our best to do their job for them. We are proving time and again that everytime Asura says that something isn't true and needed, we have proven that their information if false. We here have proven that again that their information is false. Please give us time for our water report to be printed so we may submit it to you. But again, this should not be a local ranchers resonsibility to do. It should have been Ausra's!!

I will be emailing more pictures next week. Thanks for your support,
 John Ruskovich

> Good morning all:

>

> As John requested this morning, attached is the original notice and a
 > supplement that provides a teleconference #, for the Monday, 11/17 Hearing
 > on CURE's Motion to Compel that begins at 9 AM at the Energy Commission in
 > Sacramento. John had asked if I thought it was worth his while to attend
 > in person. My response was I did not think so, as the discussion would be
 > fairly limited and focused on the data requests prepared by CURE. Of
 > course, CURE will be arguing why they need the information, and Ausra will

- > argue why they believe it is outside of the regulations to have to provide
- > the requested information.
- >
- > The Committee likely will not make a decision on 11/17, but instead will
- > issue an order within a week or two following the hearing. My point is
- > that you can offer your comments by phone as readily as in-person, and
- > your opportunity to speak would likely be near the end of the hearing.
- > However, this is an opportunity for you to convey whether you think the
- > data requested by CURE is important or not, and why.
- >
- > The Committee will also be discussing schedule for our licensing review
- > process.
- >
- > Hope this perspective is helpful.
- >
- > thank you,
- >
- > John
- >
- > John S. Kessler
- > CEC - Project Manager
- > Office: 916-654-4679
- > Cell: 530-306-5920
- > Fax: 916-654-4421
- >
- >



